

January 21, 2014

CALL TO ORDER

Chairman Claggett 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 Chairman Claggett.

APPROVE MINUTES

Motion by Weiss, second by Weitala to approve the minutes from the January 14th, 2014 meeting with the amended digital data policy. All members voted aye. Motion carried.

RECESS BOARD OF COMMISSIONERS/CONVENE BOARD OF ADJUSTMENT

At 9:30 a.m., motion by Kiner, second by Weiss to recess Board of Commissioner and convene Board of Adjustment. All members voted aye. Motion carried.

ADJOURN BOARD OF ADJUSTMENT/RECONVENE BOARD OF COMMISSIONERS

At 9:45 a.m., motion by Reider, second by Weitala to adjourn Board of Adjustment and reconvene Board of Commissioners. All members voted aye. Motion carried.

APPROVE PLATS

Motion by Kiner, second by Weiss to approve a Plat of Lot 2 of Georgella Second Addition in the NW ¼ of the NE ¼ of Section 24, T 103 N, R 60 W of the 5th P.M., Davison County, South Dakota. All members voted aye. Motion carried.

Motion by Weitala, second by Kiner to approve a Plat of Thomas Tract 1 of Lot A, a subdivision of the NE ¼ of Section 21, T 103 N, R 62 W of the 5th P.M., Davison County, South Dakota. All members voted aye. Motion carried.

SIGN EASEMENTS

At the request of Terry Johnson, interim Public Works Director for the City of Mitchell, motion by Weiss, second by Reider to authorize chairman to sign a permanent easement for the 5th Avenue project so that an ADA ramp may be placed at Kimball Street and 5th Avenue and a temporary easement so the City may work behind the current sidewalk to create new sidewalk and boulevard along 5th Avenue on the courthouse property. All members voted aye. Motion carried.

SIGN STRIPING AGREEMENT

Motion by Weiss, second by Weitala to authorize chairman 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 the project for the striping of approximately forty-five miles of road at an estimated cost of \$28,121.63, based on this year's estimates. The agreement is on file at the Davison County Auditor's Office and the Davison County Highway Shop. All members voted aye. Motion carried.

APPROVE PROBATIONARY WAGE INCREASE

At the request of Highway Superintendent Weinberg, motion by Weiss, second by Reider to approve a \$.50 wage increase for Louis Murtha as he has successfully completed his probationary period. All members voted aye. Motion carried.

APPROVE TRAVEL

At the request of Veteran's Service Officer McClure, motion by Kiner, second by Weitala to approve travel to Pierre twice in the next two months to educate the legislatures regarding veteran's concerns. All members voted aye. Motion carried.

McClure also reported that SDDVA Secretary Larry Zimmerman has implemented Operation RAV (Reaching Out to All Veterans). He has instructed each VSO to hold at least two open houses, somewhere other than a county office, for veteran's which McClure is in the process of setting up.

DAVISON-HANSON COUNTY 4-H YOUTH ADVISOR REPORT

Alice Nickelson, 4-H Youth Program Advisor, presented a report reflecting information from July 2013 through January 2014. She reported that the highlight for her was the Consumer Decision Making Team was eligible to go to nationals and placed 2nd. There was also an individual that placed 1st at nationals. The full report can be found on file at the Davison County Auditor's office.

DAVISON-HANSON COUNTY 4-H YOUTH ADVISOR RETIRING

Alice Nickelson reported that she will be retiring on April 21, 2014.

APPROVE WAGE INCREASES FOR PERMANENT PART-TIME PERSONNEL

Motion by Reider, second by Weiss to approve wage increases of 2% plus \$.50 for all permanent part-time personnel that were not included in the beginning of the year wage increases. The wages will be as follows for personnel affected. County Health Nurse Office: Kaela McCloud \$11.72; Maintenance: Leonda Doering \$9.85; Sheriff's Office: Stephen Clarke \$13.51, Darin Moke \$14.02, Paul Paulson \$12.49, Andy Petersen \$14.02, Mark Vaughan \$14.02. All members voted aye. Motion carried.

SPIRIT OF COOPERATION

Commissioner Claggett reported that Director of Equalization Goetsch asked that a motion be made so that they could print duplicate tax notices for the Treasurer's office as there were some technical difficulties with some of the first notices printed by Qualified Presort. The DOE office has the capability to re-print the notices.

Commissioner Reider stated that there needs to be a spirit of cooperation among county offices. He stated that some offices are very cooperative with others and some are not. He feels that re-printing the tax notices is a matter of cooperation. The other commissioners agreed.

INTO EXECUTIVE SESSION

At 11:10 a.m., motion by Kiner, second by Reider to move into executive session to discuss personnel. All members voted aye. Motion carried.

OUT OF EXECUTIVE SESSION

At 11:40 a.m., motion by Weitala, second by Reider to move out of executive session. All members voted aye. Motion carried.

SPECIAL DISPENSATION

Motion by Reider, second by Weitala to grant a special dispensation to the employees of the Davison County Treasurer's office to accrue vacation over the maximum allowable by the Davison County Employee Policy Manual until December 31, 2014, by which time anything over the maximum accrual must be used. All members voted aye. Motion carried.

APPROVE WAGE INCREASE

Motion by Kiner, second by Reider to approve a wage increase for Dawn Hindman, Deputy II Treasurer, which will bring her \$12.50 per hour. All members voted aye. Motion carried.

SIGN CBM CONTRACT

At the request of Corrections Administrator Radel, motion by Weiss, second by Weitala to authorize chairman to sign the 2014 contract with CBM for food service at the jail with a 1.9% CPI increase from 2013. All members voted aye. Motion carried.

SUPPLEMENT 24/7 BUDGET

At the request of Corrections Administrator Radel, motion by Reider, second by Weiss to supplement the 24/7 budget (fund 248) salary line item 4110/212 in the amount of \$17,082.00 received from the Attorney General's 24/7 Sobriety Program fund. All members voted aye. Motion carried.

REPLACE SCBA TANKS

At the request of Corrections Administrator Radel, motion by Weiss, second by Reider to authorize replacement of three SCBA (Self-Contained Breathing Apparatus) tanks as the ones they have now are obsolete. The cost will be \$420 per tank for a total cost of \$1,260.00. All members voted aye. Motion carried.

SET STARTING WAGES

At the request of Corrections Administrator Radel, motion by Reider, second by Weiss to set the starting wage for a Transportation Officer at \$12.17 and for a 24/7 Technician at \$11.66 with a \$.50 increase for each after successful completion of 800 hours of work/training and evaluation. All members voted aye. Motion carried.

PURCHASE GIS LICENSE

At the request of Planning and Zoning/Emergency Management Director Bathke, motion by Kiner, second by Weiss to authorize purchase of an additional GIS license for Deputy Wegner at a cost of \$1,500. All members voted aye. Motion carried.

APPROVE BILLS

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

GENERAL FUND:

JUDICIAL SYS: Law Library/West Payment Center-975.35; **AUDITOR:** Supplies/McLeod's-134.98, Mainframe Program/Software Services-1,780.00; **TREASURER:** Mainframe Support/Software Srvices-1,640.00; **ST ATTY:** Prof Fees/Mary Anne Meyer-34.00, Medical Prof Fees/Avera Queen of Peace-1,620.00, Repairs & Maint/A & B Business-49.60, Supplies/Brown & Saenger-16.64; **INDIGENT DEFENDER:** Third Party Billing/Morgan Theeeler-2,276.40, Wantoch Law-2,114.80 **ABUSE & NEGLECT:** Abused & Neglected Child/Morgan Theeler-793.20; **PUBLIC SAFETY BLDG:** Supplies/Menards-28.44, Water & Sewer/City of Mitchell-509.40, Pest Control-Premier Pest Control-70.00; **GEN GOV BLDG:** Repairs & Maint/Interstate Glass & Door-5.78, Menards-15.88, Supplies/Jones Supplies-181.18, Gas & Electric-3,294.03, Pest Control/Premier Pest Control-40.00; **DOE:** Software Service/Software Services-1,140.00; **ROD:** Program Support/Software Services-40.00; **NORTH CO BLDG:** Supplies/GT Body-22.00, Gas & Electric/Northwestern Energy-1,010.69, Water & Sewer/City of Mitchell-18.00; **CO COORDINATOR:** Repair & Maint/Software Services-100.00; **POOR RELIEF:** Rent/Christopher Wilcox-200.00, Transients/M & H Gas-20.00, Funeral/Bittner Funeral Chapel-2,500.00; **MENTAL ILLNESS BRD:** Hearings/Audra Malcomb Consulting-49.50, Lewis & Clark BHS-160.00; **FAIRGROUNDS:** Repairs & Maint/McFarland supply-8.03, Supplies/Brown & Saenger-14.99, Jones Supplies-64.74, Pest Control/Premier Pest Control-40.00; **EXTENSION:** Utilities/CenturyLink-98.34; **WEED;** Travel & Conf/West & Pest Conference-170.00; **PLAN/ZONE:** District III Fees/Planning & Dev Dist III-24,113.00; **HIWAY:** Prof Fees/Sharon McBrayer-30.00, Utilities/Northwestern Energy-2,759.88; **EMERG MGMT:** Publishing/McLeod's-154.66, Utilities/CenturyLink-26.78, Nathan Wegner-50.00.

APPROVE TIMESHEETS

Motion by Weiss, second by Reider to authorize chairman to sign department head timesheets as supervisor. All members voted aye. Motion carried.

ADJOURN

At 12:05 p.m., Chairman Claggett adjourned the meeting and set the next regular Board of Commissioners meeting for January 28, 2014, at 9:00 a.m.

ATTEST

Susan Kiepke, Auditor

John Claggett, Chairman

Publish Once
Approximate Cost

March 11, 2014

CALL TO ORDER

Chairman Claggett 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 Chairman Claggett.

APPROVE MINUTES

Motion by Kiner, second by Weiss to approve the minutes from the March 4th, 2014 meeting. All members voted aye. Motion carried.

AMEND AGENDA

At the request of Sheriff Brink, motion by Kiner, second by Weiss to hold an emergency executive session to discuss personnel. All members voted aye. Motion carried.

DISCUSSION

Planning and Zoning Administrator Bathke informed the commission that he had received a nuisance complaint on a property located on South Rowley just south of Kibbee Ditch. He stated the property is owned by David Wise and has many dilapidated vehicles on it. Bathke will meet with Mr. Wise and explain to him that as per the Davison County Zoning Ordinance the vehicles either need to be currently licensed or run. Bathke will report back to the commissioners once he has met with Mr. Wise.

RECESS BOARD OF COMMISSIONERS/CONVENE BOARD OF ADJUSTMENT

At 9:30 a.m., motion by Reider, second by Weiss to recess Board of Commissioners and convene Board of Adjustment. All members voted aye. Motion carried.

ADJOURN BOARD OF ADJUSTMENT/RECONVENE BOARD OF COMMISSIONERS

At 9:35 a.m., motion by Weitala, second by Reider to adjourn Board of Adjustment and reconvene Board of Commissioners. All members voted aye. Motion carried.

APPROVE PLATS

Motion by Weiss, second by Weitala approve a Plat of Hohn Tract 1 in Government Lot 4 of the NW ¼ of Section 1, T 101 N, R 61 W of the 5th P.M., Davison County, South Dakota. All members voted aye. Motion carried.

Motion by Kiner, second by Weiss to approve a Plat of BSD Tract 1-A in the SE ¼ of Section 18, T 104 N, R 62 W of the 5th P.M., Davison County, South Dakota. All members voted aye. Motion carried.

Motion by Reider, second by Weiss to approve a Plat of R & M Tract 1 in the SW ¼ of Section 21, T 104 N, R 62 W of the 5th P.M., Davison County, South Dakota. All members voted aye. Motion carried.

APPROVE PROBATIONARY WAGE INCREASE

At the request of Highway Superintendent Weinberg, motion by Weiss, second by Reider to approve a probationary wage increase of \$.50 for Kevin Neugebauer as he has successfully completed his six month probationary period. All members voted aye. Motion carried.

ADOPT SPRING WEIGHT LIMIT RESOLUTION

At the request of Highway Superintendent Weinberg, motion by Kiner, second by Weitala to adopt the following resolution regarding 2014 spring weight limits. A roll call vote was taken as follows. Kiner – aye, Weitala – aye, Reider – aye, Weiss – aye, Claggett – aye. Motion carried.

Resolution #031114-01 Resolution for the Davison County 2014 Weight & Per Axle Limits

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

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 17, 2014.**

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;
403rd Avenue (Betts Rd) from 255th Street to I-90
403rd Avenue (Betts Rd) from 254th Street to the unincorporated town of Betts
These roads will be posted at 40 mph speed limit only.

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 11th Day of March, 2014.

Attest:

John Claggett, Chairman

Susan Kiepke, Auditor

INTO EXECUTIVE SESSION

At 10:05 a.m., at the request of Sheriff Brink, motion by Reider, second by Weiss to move into executive session to discuss personnel. All members voted aye. Motion carried.

OUT OF EXECUTIVE SESSION

At 10:17 a.m., motion by Reider, second by Weitala to move out of executive session. All members voted aye. Motion carried.

APPROVE AUDITOR'S ACCOUNT WITH TREASURER

Motion by Weitala, second by Weiss to approve the February 2014 Auditor's Account with the Treasurer in the amount of \$5,207,726.90. All members voted aye. Motion carried.

SUPPLEMENT SHERIFF'S BUDGET

Motion by Weiss, second by Reider to supplement the Sheriff's budget Overtime line (4111/211) in the amount of \$210.92, Social Security line (4120/211) in the amount of \$16.13 and State Retirement line (4130/211) in the amount of \$16.87 received from the State of South Dakota DOJ Alcohol Overtime Grant. All members voted aye. Motion carried.

DENY WELFARE

As per the recommendation of Welfare Director Grissom, motion by Weiss, second by Reider to deny welfare claim #0238, #13-3983 and #13-4052 as applicant does not qualify for assistance; deny welfare claim #13-9938, #13-4367, #13-4886, #13-9254, #13-3175, #13-1974 and #13-9434 due to lack of information to determine a legitimate claim. All members voted aye. Motion carried.

APPROVE BILLS

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

GENERAL FUND:

COMMISSIONERS: Travel & Conf/Randy Reider-35.52, Utilities/Mitchell Telecom-50.10; **JUDICIAL:** Prof Fees/Carol Johnson-87.40, Interpreter Fees/Certified Languages-33.00, Language Line Services-50.40, Jurors-475.95; **AUDITOR:** Rentals/Microfilm Imaging-175.00, Supplies/McLeod's-4.50, Utilities/Mitchell

Telecom-50.10; **TREASURER:** Supplies/Brown & Saenger-33.62, McLeod's-378.87, Utilities/Mitchell Telecom-99.88; **ST ATTY:** Prof Fees/Yellow Robe Consulting-1,500.00, Medical Prof Fees/Abbott House-2,000.00, Repairs & Maint/A & B Business-47.40, Utilities/Mitchell Telecom-122.04; **INDIGENT DEFENDER:** CAA & Indigent Contracts/Wantoch Law-1,163.90; **PUBLIC SAFETY BLDG:** Repairs/Farmers Alliance-15.00, Menards-117.91, Supplies/Menards-24.96, Gas & Electric/Northwestern Energy-8.12, Garbage/Miedema Sanitation-130.00; **GEN GOV BLDG:** Repairs & Maint/Campbell Supply-170.54, Mitchell Telecom-51.81, Garbage/Miedema Sanitation-88.00; **DOE:** Supplies/Brown & Saenger-506.37, McLeod's-100.00, Travel & Conf/Card Service Center-287.95, Utilities/Mitchell Telecom-114.43, Minor Equip/Santel Communications-79.00; **ROD:** Utilities/Mitchell Telecom-127.47, Minor Equip/Tech Solutions-85.74; **NORTH CO BLDG:** Repairs/Campbell Supply-16.02, Farmer's Alliance-10.00, Garbage/Miedema Sanitation-72.00, Phones/Mitchell Telecom-81.13, Minor Equip/Menards-35.18; **VETERANS:** Supplies/McLeod's-46.70, Utilities/Mitchell Telecom-129.70; **CO COORDINATOR:** Postage/Qualified Presort-3,477.88, Postage Meter Fees/Qualified Presort-854.88; **SHERIFF:** Car Wash/Mega Wash-59.50, Office Supplies/Brown & Saenger-200.86, County Fair Food-4.99, Uniforms/Al's Engraving-24.40, Field Supplies/Davison Co Sheriff-48.00, Utilities/Mitchell Telecom-280.81, Minor Equip/Ed Roehr Safety-73.95, NAPA Auto Parts-159.00, Machinery & Auto/Vern Eide Ford-29,423.00; **JAIL:** Office Supplies/Brown & Saenger-51.96, Cable TV/Mitchell Telecom-51.81; **POOR RELIEF:** Transients/KWIK Phil-20.01, Utilities/Mitchell Telecom-119.85, Catastrophic Poor Payment/SDACC-4,516.00; **MENTAL ILLNESS BRD:** Hearings/Norma Andersen-22.50, Lincoln Co Auditor-415.00, Lucy Lewno-278.48, Gary Mikelson-480.74, Shreves Law-191.55, Karen Swanda-22.50, Yankton Sheriff-50.00; **FAIRGROUNDS:** Garbage/Miedema Sanitation-121.00; **EXTENSION:** Postage/Qualified Presort-20.02, Utilities/Bureau of Administration-24.40; **WEED:** Publishing/Daily Republic-148.40, Supplies/SD Assoc of Weed & Pest Supervisors-150.00, Travel & Conf/Best Western-419.95, Utilities/Mitchell Telecom-109.68; **PLAN/ZONE:** Publishing/Daily Republic-98.97, Supplies/Menards-52.98; **HIWAY:** Repairs & Maint/A & G Diesel-15.99, Bailey Metal-115.92, Butler Machinery-2,240.70, Fastenal Company-17.61, Menards-27.55, Mitchell Iron & Supply-457.02, Paulson Sheet Metal-1,005.00, Scott Supply-389.08, Thune's-2.18, Wheelco Truck & Trailer-9.16, Supplies/A-OX Welding-445.61, Bailey metal-220.44, Brown & Saenger-56.99, C & B Operations-28.66, Campbell Supply-503.36, Carquest-656.62, D-Ware-650.00, Dept of Revenue-27.90, Fastenal Company-39.98, Graham Tire-33.50, McLeod's-41.34, Menards-529.95, Meyers Oil-2,536.38, Mitchell Iron & Supply-423.63, Mueller Lumber-19.41, Rockmount Research-297.66, Scott Supply-176.34, Sturdevant's-514.33, Thune's-11.75, Tractor Supply-206.72, Wheelco Truck & Trailer-61.68, Travel & Conf/SDEMA-70.00, Utilities/City of Mt. Vernon-70.22, Mitchell Telecom-161.49, Santel Communications-57.57, Signage & Materials/Bailey Metal-219.99, Fastenal Company-2,084.31, Menards-289.44, Mitchell Iron & Supply-58.64; **EMERG MGMT;** Utilities/Mitchell Telecom-76.28.

ADJOURN

At 10:30 p.m., Chairman Claggett adjourned the meeting and set the next regular Board of Commissioners meeting for March 18, 2014, at 9:00 a.m.

ATTEST

Susan Kiepke, Auditor

John Claggett, Chairman

Publish Once
Approximate Cost

BOARD OF ADJUSTMENT
April 8, 2014

CALL TO ORDER

Chairman Claggett called the meeting of the Davison County Board of Adjustment to order at 9:30 a.m. All members of the Board were present. Also present were Planning & Zoning Deputy Wegner, and Auditor Kiepke.

APPROVE MINUTES

Motion by Weitala, second by Reider, to approve the minutes of the March 11, 2014 meeting. All members voted aye. Motion carried.

VARIANCES

The Planning Commission recommended granting 4-0-3 with condition of ag covenant.

Motion by Weiss, second by Reider, after consideration of Section 1507 C Variances, to grant a variance of 22 acres to create a lot size of +/- 3 acres, as requested by Loren and Julie Van Overschelde with condition of ag covenant. This request is pursuant to Section 513 (4) of the Davison County Zoning Ordinance as adopted on 4/1/98 and as subsequently amended. The minimum 25 acres will not be met. Upon platting, the property will legally be described as LJV Tracts 1 and 2 in the Government Lot 1 of the NE ¼ of Section 1, T104 N, R 61 W of the 5th P.M., Badger Township, Davison County, South Dakota.

Application received March 17, 2014
Daily Republic March 21, 2014
Posted March 20, 2014
Notified Applicant March 20, 2014
Notified Abutting Property Owners March 20, 2014
Consideration of 1507 C. Variances

Roll call vote:

Weiss – aye, Weitala – aye, Kiner – aye, Reider – aye, Claggett - aye. Motion carried.

ADJOURN

At 9:33 a.m., motion by Reider, second by Weitala to adjourn Board of Adjustment. All members voted aye. Motion carried.

ATTEST

Susan Kiepke, Auditor

John Claggett, Chairman

Publish Once
Approximate Cost

BOARD OF ADJUSTMENT
May 13, 2014

CALL TO ORDER

Chairman Claggett called the meeting of the Davison County Board of Adjustment to order at 9:30 a.m. All members of the Board were present. Also present were Planning & Zoning Administrator Bathke, Deputy Wegner, and Auditor Kiepke.

APPROVE MINUTES

Motion by Weiss, second by Kiner, to approve the minutes of the April 8, 2014 meeting. All members voted aye. Motion carried.

VARIANCES

The Planning Commission recommended denying 5-0-2.

Motion by Reider, second by Weiss, after consideration of Section 1507 C Variances, to grant a variance of +/- 21.1 acres to create a lot size of +/- 3.9 acres, as requested by Aaron and Mandy Gerlach with condition of ag covenant and due to the fact that it would be considered a hardship if not granted. This request is pursuant to Section 513 (1) of the Davison County Zoning Ordinance as adopted on 4/1/98 and as subsequently amended. The minimum 25 acres will not be met. Upon platting, the property will legally be described as A & M Tract 1 in the S ½ of the SW ¼ of Section 15, T 101 N, R 60 W of the 5th P.M., Rome Township, Davison County, South Dakota.

Application received April 16, 2014
Daily Republic May 2, 2014
Posted April 25, 2014
Notified Applicant April 23, 2014
Notified Abutting Property Owners April 23, 2014
Consideration of 1507 C. Variances

Roll call vote:

Reider – aye, Weitala – aye, Kiner – aye, Weiss – aye, Claggett - aye. Motion carried.

The Planning Commission recommended granting 5-0-2.

Motion by Reider, second by Weiss, after consideration of Section 1507 C Variances, to grant a variance of 10' (ft) to create a side yard setback of 40' (ft), as requested by Steven Endres. This request is pursuant to Section 515 of the Davison County Zoning Ordinance as adopted on 4/1/98 and as subsequently amended. The property is legally described as Lots 2 & 3, Shadow Valley AC NW of Section 7, T 102 N, R 60 W of the 5th P.M., Prosper Township, Davison County, South Dakota.

Application received April 09, 2014
Daily Republic May 2, 2014
Posted April 25, 2014
Notified Applicant April 23, 2014

Notified Abutting Property Owners April 23, 2014
Consideration of 1507 C. Variances

Roll call vote:

Weitala – aye, Reider – aye, Kiner – aye, Weiss – aye, Claggett - aye. Motion carried.

CONDITIONAL USE

The Planning Commission recommended granting 5-0-2.

Motion by Weiss, second by Kiner, after consideration of Section 1507 B Conditional Uses, to grant a conditional use permit for a 600 animal unit feeding operation, as requested by Rob Maeschen. This request is pursuant to Sections 507 (3) and 518 of the Davison County Zoning Ordinance as adopted on 4/1/98 and as subsequently amended. The property is legally described as the NW ¼ of Section 19, T 101 N, R 60 W of the 5th P.M., Rome Township, Davison County, South Dakota.

Application received April 21, 2014

Daily Republic May 2, 2014

Posted April 25, 2014

Notified Applicant April 23, 2014

Notified Abutting Property Owners April 23, 2014

Consideration of 1507 B. Conditional Uses

Roll call vote:

Weitala – aye, Kiner - aye, Reider – aye, Weiss – aye, Claggett - aye. Motion carried.

VARIANCE

The Planning Commission recommended denying 5-0-2.

Motion by Weiss, second by Kiner, after consideration of Section 1507 C Variances, to grant a variance of 50' (ft) to create a public road right of way setback of 250' (ft) and approve a variance of 260' (ft) to create property line setback of 40' (ft), as requested by Rob Maeschen. This request is pursuant to Sections 517 (3), 518 (3) f and 518 (3) h of the Davison County Zoning Ordinance as adopted on 4/1/98 and as subsequently amended. The property is legally described as the NW ¼ of Section 19, T 101 N, R 60 W of the 5th P.M., Rome Township, Davison County, South Dakota.

Application received April 21, 2014

Daily Republic May 2, 2014

Posted April 25, 2014

Notified Applicant April 23, 2014

Notified Abutting Property Owners April 23, 2014

Consideration of 1507 C. Variances

Roll call vote:

Reider – aye, Weitala – aye, Weiss – aye, Kiner – aye, Claggett - aye. Motion carried.

CONDITIONAL USE

The Planning Commission recommended granting 5-0-2.

Motion by Weiss, second by Weitala, after consideration of Section 1507 B Conditional Uses, to grant a conditional use permit for an auto sales business, as requested by Larice Hamilton. This request is pursuant to Section 507 (6) of the Davison County Zoning Ordinance as adopted on 4/1/98 and as subsequently amended. The property is legally described as the E 5/8 in the S 1/2 of the SE 1/4, Ex Lot 12, H-1 & H-2 of Section 15, T 101 N, R 60 W of the 5th P.M., Rome Township, Davison County, South Dakota.

Application received April 17, 2014

Daily Republic May 2, 2014

Posted April 25, 2014

Notified Applicant April 23, 2014

Notified Abutting Property Owners April 23, 2014

Consideration of 1507 B. Conditional Uses

Roll call vote:

Weiss – aye, Kiner - aye, Reider – aye, Weitala – aye, Claggett - aye. Motion carried.

ADJOURN

At 10:00 a.m., motion by Weitala, second by Weiss to adjourn Board of Adjustment. All members voted aye. Motion carried.

ATTEST

Susan Kiepke, Auditor

John Claggett, Chairman

BOARD OF ADJUSTMENT
June 10, 2014

CALL TO ORDER

Chairman Claggett called the meeting of the Davison County Board of Adjustment to order at 9:30 a.m. All members of the Board were present. Also present were Planning & Zoning Administrator Bathke, Deputy Wegner, and Deputy Auditor Wermers.

APPROVE MINUTES

Motion by Kiner, second by Weitala, to approve the minutes of the May 13, 2014 meeting. All members voted aye. Motion carried.

VARIANCES

The Planning Commission recommended granting 6-0-1 abstaining, with the condition that one (1) row of conifers be planted along the south side of the home, starting 75' (ft) from the right-of-way of 408th Ave. and that three (3) rows of conifers be planted west of the first row and run the length of the neighbor's shelter belt to the south. All rows of conifers are to be established by June 1, 2015 and maintained at an 80% growth rate thereafter.

Motion by Weiss, second by Reider, after consideration of Section 1507 C Variances, to grant a variance of +/- 22' (ft) to create a front yard setback of +/- 53' (ft), as requested by Quality Homes. This request is pursuant to Section 613 (2a) of the Davison County Zoning Ordinance as adopted on 4/1/98 and as subsequently amended. The property is legally described as Lots 3 & 4 of W S Martins 1st Addn., a subdivision of Govt. Lot 1 in the NE ¼ W S Martins 1st Addn. NE of Section 5, T 102 N, R 60 W of the 5th P.M., Prosper Township, Davison County, South Dakota.

Application received May 8, 2014
Daily Republic May 30, 2014
Posted May 23, 2014
Notified Applicant May 23, 2014
Notified Abutting Property Owners May 23, 2014
Consideration of 1507 C. Variances


Roll call vote:

Weitala – aye, Reider – aye, Kiner – abstain, Weiss – aye, Claggett - aye. Motion carried.

ADJOURN

At 9:40 a.m., motion by Weiss, second by Weitala, to adjourn Board of Adjustment. All members voted aye. Motion carried.

ATTEST



Sue Wermers, Deputy Auditor



John Claggett, Chairman

BOARD OF ADJUSTMENT
July 8, 2014

CALL TO ORDER

Chairman Claggett called the meeting of the Davison County Board of Adjustment to order at 9:30 a.m. All members of the Board were present. Also present were Planning & Zoning Deputy Wegner and Auditor Kiepkke.

APPROVE MINUTES

Motion by Reider, second by Weiss, to approve the minutes of the June 10, 2014 meeting. All members voted aye. Motion carried.

VARIANCES

The Planning Commission recommended granting 5-0-2 with the condition of an ag covenant.

Motion by Kiner, second by Reider, after consideration of Section 1507 C Variances, to grant a variance of +/- 10 acres to create a lot size of +/- 15 acres, as requested by Suzanne Korzan with the condition of an ag covenant. This request is pursuant to Section 513 (4) of the Davison County Zoning Ordinance as adopted on 4/1/98 and as subsequently amended. Upon platting, the property will be legally described as Lot C-2A, a subdivision of Lot C-2 of Kotrba's Subdivision in the SE ¼ of Section 15, T 103 N, R 61 W of the 5th P.M., Beulah Township, Davison County, South Dakota.

Application received June 16, 2014
Daily Republic June 21, 2014
Posted June 20, 2014
Notified Applicant June 20, 2014
Notified Abutting Property Owners June 20, 2014
Consideration of 1507 C. Variances

Roll call vote:

Weitala – aye, Reider – aye, Kiner – aye, Weiss – aye, Claggett - aye. Motion carried.

The Planning Commission recommended granting 5-0-2.

Motion by Weiss, second by Weitala, after consideration of Section 1507 C Variances, to grant a variance of +/- 8' (ft) to create a side yard setback of +/- 2' (ft), as requested by Bob and Barb Weber. This request is pursuant to Section 613 (2c) of the Davison County Zoning Ordinance as adopted on 4/1/98 and as subsequently amended. Upon platting, the property will be legally described as Lot L in the SW ¼ of Section 24, T 103 N, R 61 W of the 5th P.M., Beulah Township, Davison County, South Dakota.

Application received June 5, 2014
Daily Republic June 21, 2014
Posted June 20, 2014
Notified Applicant June 20, 2014
Notified Abutting Property Owners June 20, 2014

Consideration of 1507 C. Variances

Roll call vote:

Reider – aye, Weitala – aye, Kiner – aye, Weiss – aye, Claggett - aye. Motion carried.

The Planning Commission recommended granting 5-0-2 with the condition of an ag covenant.

Motion by Weiss, second by Weitala, after consideration of Section 1507 C Variances, to grant a variance of +/- 9 acres to create a lot size of +/- 16 acres, as requested by Lyle Kurtenbach with the condition of an ag covenant. This request is pursuant to Section 513 (1) of the Davison County Zoning Ordinance as adopted on 4/1/98 and as subsequently amended. Upon platting, the property will be legally described as L.J. Kurtenbach Tract 1 in the NE ¼ of Section 32, T 101 N, R 60 W of the 5th P.M., Rome Township, Davison County, South Dakota.

Application received June 10, 2014

Daily Republic June 21, 2014

Posted June 20, 2014

Notified Applicant June 20, 2014

Notified Abutting Property Owners June 20, 2014

Consideration of 1507 C. Variances

Roll call vote:

Kiner – aye, Reider – aye, Weitala – aye, Weiss – aye, Claggett - aye. Motion carried.

ADJOURN

At 9:43 a.m., motion by Weitala, second by Kiner to adjourn Board of Adjustment. All members voted aye. Motion carried.

ATTEST

Susan Kiepke, Auditor

John Claggett, Chairman

BOARD OF ADJUSTMENT
August 12, 2014

CALL TO ORDER

Chairman Claggett called the meeting of the Davison County Board of Adjustment to order at 9:30 a.m. Members of the Board present were Claggett, Weiss, Kiner and Reider. Absent Weitala. Also present were Planning & Zoning Administrator Bathke, Deputy Wegner, and Auditor Kiepke.

APPROVE MINUTES

Motion by Kiner, second by Reider, to approve the minutes of the July 8, 2014 meeting. All members voted aye. Motion carried.

VARIANCES

The Planning Commission recommended granting 7-0.

Motion by Kiner, second by Weiss, after consideration of Section 1507 C Variances, to grant a variance of +/- 8' (ft) to create a front yard setback of +/- 67' (ft) for an addition to a nonconforming structure, as requested by Loren Gregerson. This request is pursuant to Sections 515 and 1807 (1) of the Davison County Zoning Ordinance as adopted on 4/1/98 and as subsequently amended. The property is legally described as Lot A in the SW ¼ of Section 23, T 104 N, R 62 W of the 5th P.M., Blendon Township, Davison County, South Dakota.

Application received July 15, 2014
Daily Republic July 25 and August 2, 2014
Posted July 30, 2014
Notified Applicant July 25, 2014
Notified Abutting Property Owners July 25, 2014
Consideration of 1507 C. Variances

Roll call vote:
Kiner – aye, Reider – aye, Weiss – aye, Claggett – aye, Weitala - absent. Motion carried.

The Planning Commission recommended granting 7-0.

Motion by Kiner, second by Weiss, after consideration of Section 1507 C Variances, to grant a variance of one (1) additional lot as an amendment to the August 17, 2004 variance additional requirement that placed a maximum of 33 total lots in the Enemy Creek Estates development in the Agricultural District. This request is pursuant to the additional requirement that was placed on the August 17, 2004 variance in lot size permit amendment to the July 29, 2003 permit, as requested by LLG Enterprises. Upon platting the property will be legally described as Lot 1 of Enemy Creek Estates, a Subdivision in the NW ¼ of Section 14, T 102 N, R 60 W of the 5th P.M., Prosper Township, Davison County, South Dakota.

Application received July 21, 2014
Daily Republic July 25 and August 2, 2014
Posted July 30, 2014

Notified Applicant July 25, 2014
Notified Abutting Property Owners July 25, 2014
Consideration of 1507 C. Variances

Roll call vote:

Weiss – aye, Reider – aye, Kiner – aye, Claggett – aye, Weitala - absent. Motion carried.

ADJOURN

At 9:35 a.m., motion by Weiss, second by Kiner to adjourn Board of Adjustment. All members present voted aye. Motion carried.

ATTEST

Susan Kiepke, Auditor

John Claggett, Chairman

BOARD OF ADJUSTMENT
September 23, 2014

CALL TO ORDER

Chairman Claggett called the meeting of the Davison County Board of Adjustment to order at 9:30 a.m. Members of the Board present were Claggett, Kiner and Weitala. Absent Reider. Also present were Planning & Zoning Administrator Bathke, Deputy Wegner, and Auditor Kiepke.

It was noted that Auditor Kiepke will participate and vote, as allowed by SD codified law, because there are only three BOA members present and there must be four to take any action.

APPROVE MINUTES

Motion by Kiner, second by Weitala, to approve the minutes of the August 12, 2014 meeting. All members present voted aye. Motion carried.

VARIANCES

The Planning Commission recommended granting 7-0 with condition of an ag covenant.

Motion by Kiner, second by Weitala, after consideration of Section 1507 C Variances, to grant a variance of +/- 22 acres to create a lot size of +/- 3 acres, as requested by Ron Scheich. This request is pursuant to Section 513 (4) of the Davison County Zoning Ordinance as adopted on 4/1/98 and as subsequently amended. Upon platting, the property will be legally described as Scheich Tract 1 in the NW ¼ of Section 27, T 102 N, R 60 W of the 5th P.M., Prosper Township, Davison County, South Dakota.

Application received July 24, 2014
Daily Republic September 11, 2014
Posted August 21, 2014
Notified Applicant August 22, 2014
Notified Abutting Property Owners August 22, 2014
Consideration of 1507 C. Variances

Roll call vote:

Kiner – aye, Weitala – aye, Claggett – aye, Kiepke – aye, Reider - absent. Motion carried.

The Planning Commission recommended granting 7-0 with condition of an ag covenant.

Motion by Kiner, second by Weitala, after consideration of Section 1507 C Variances, to grant a variance of +/- 7 acres to create a lot size of +/- 18 acres, as requested by Loren Gregerson. This request is pursuant to Section 513 (3) of the Davison County Zoning Ordinance as adopted on 4/1/98 and as subsequently amended. Upon platting, the property will be legally described as Tract 1 of Gregerson's Addition, a subdivision of Lot A in the SW ¼ of Section 23, T 104 N, R 62 W of the 5th P.M., Blendon Township, Davison County, South Dakota.

Application received August 6, 2014
Daily Republic September 11, 2014

Posted August 21, 2014
Notified Applicant August 22, 2014
Notified Abutting Property Owners August 22, 2014
Consideration of 1507 C. Variances

Roll call vote:

Weitala – aye, Kiner – aye, Claggett – aye, Kiepke – aye, Reider - absent. Motion carried.

The Planning Commission recommended granting 5-2 with condition of an ag covenant.

Motion by Kiner, second by Weitala, after consideration of Section 1507 C Variances, to grant a variance of +/- 18.8 acres to create a lot size of +/- 6.2 acres, as requested by Nathan Sparks. This request is pursuant to Section 513 (3) of the Davison County Zoning Ordinance as adopted on 4/1/98 and as subsequently amended. Upon platting, the property will be legally described as Lots 1, 2, and 3 Sparks Addition in the S ½ of the SW ¼ of Section 28, T 102 N, R 60 W of the 5th P.M., Prosper Township, Davison County, South Dakota.

George Ryks was concerned that houses would be built and trees would be planted next to the fence line so as to cause problems with snow build up. He further stated that he uses the road to haul and doesn't want small children running around to slow down the process.

Mr. Sparks assured Mr. Ryks that he has no intention to build houses or plant trees next to the fence line. He cautioned Mr. Ryks that he needs to follow the speed limit like everybody else.

Application received August 18, 2014
Daily Republic September 11, 2014
Posted August 21, 2014
Notified Applicant August 22, 2014
Notified Abutting Property Owners August 22, 2014
Consideration of 1507 C. Variances

Roll call vote:

Kiner – aye, Weitala – aye, Claggett – aye, Kiepke – aye, Reider - absent. Motion carried.

The Planning Commission recommended granting 7-0.

Motion by Weitala, second by Kiner, after consideration of Section 1507 C Variances, to grant a variance of +/- 40' (ft) to create a lot size of +/- 10' (ft), as requested by Dave Deinert. This request is pursuant to Section 515 of the Davison County Zoning Ordinance as adopted on 4/1/98 and as subsequently amended. The property will be legally described as Lot C of Deinerts First Addition in the NW ¼ of Section 25, T 103 N, R 62 W of the 5th P.M., Mt. Vernon Township, Davison County, South Dakota.

Application received August 18, 2014
Daily Republic September 11, 2014
Posted August 21, 2014
Notified Applicant August 22, 2014
Notified Abutting Property Owners August 22, 2014
Consideration of 1507 C. Variances

Roll call vote:

Weitala – aye, Kiner – aye, Claggett – aye, Kiepke – aye, Reider - absent. Motion carried.

ADJOURN

At 9:45 a.m., motion by Weitala, second by Kiner to adjourn Board of Adjustment. All members present voted aye. Motion carried.

ATTEST

Susan Kiepke, Auditor

John Claggett, Chairman

BOARD OF ADJUSTMENT
November 25, 2014

CALL TO ORDER

Chairman Claggett called the meeting of the Davison County Board of Adjustment to order at 9:20 a.m. All members of the Board were present. Also present was Planning & Zoning Administrator Bathke and Auditor Kiepke.

APPROVE MINUTES

Motion by Weitala, second by Kiner, to approve the minutes of the September 23, 2014 meeting. All members voted aye. Motion carried.

VARIANCE

Variance originally granted November 12, 2013.

Motion by Reider, second by Kiner, after consideration of Section 1507 C Variances, to grant an amendment to a previously granted variance to in regards to the grain bin placement +/- 56' (ft) south of the originally approved location and +/- 65' (ft) in front yard setback as approved with original variance, as requested by Todd Maeschen. This request is pursuant to Section 515 of the Davison County Zoning Ordinance as adopted on 4/1/98 and as subsequently amended. The minimum setback from all public right-of-ways is not less than 75 feet in the Agriculture District. The property is legally described as the NW ¼ of Section 22, T101 N, R 61 W, Tobin Township, Davison County, South Dakota.

Daily Republic November 15, 2014
Posted November 14, 2014
Notified Applicant November 14, 2014
Notified Abutting Property Owners November 14, 2014
Consideration of 1507 C. Variances

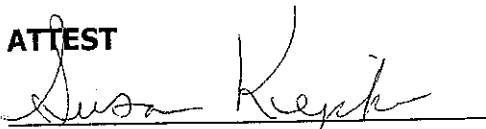
Roll call vote:

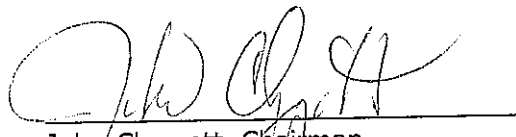
Weitala – aye, Kiner – aye, Bode – aye, Reider – aye, Claggett - aye. Motion carried.

ADJOURN

At 9:25 a.m., motion by Kiner, second by Weitala to adjourn Board of Adjustment. All members voted aye. Motion carried.

ATTEST


Susan Kiepke, Auditor


John Claggett, Chairman

BOARD OF ADJUSTMENT
December 9, 2014

CALL TO ORDER

Chairman Claggett called the meeting of the Davison County Board of Adjustment to order at 9:15 a.m. All members of the Board were present. Also present was Planning & Zoning Deputy Wegner and Auditor Kiepke.

APPROVE MINUTES

Motion by Reider, second by Weitala, to approve the minutes of the November 25, 2014 meeting. All members voted aye. Motion carried.

VARIANCE

The Planning Commission recommended granting 3-2-2 with the condition of an ag covenant.

Motion by Reider, second by Bode, after consideration of Section 1507 C Variances, to grant a variance of +/- 17.88 acres to create a lot size of +/- 7.12 acres, as requested by Lin Musick. This request is pursuant to Section 513 (1) of the Davison County Zoning Ordinance as adopted on 4/1/98 and as subsequently amended. Upon platting the property will legally be described as Lots 1, 2; 3 and 4 of Harmony Addition in the SE ¼ of Section 21, T103 N, R 61 W, of the 5th P.M., Beulah Township, Davison County, South Dakota.

Application received November 14, 2014
Daily Republic November 29, 2014
Posted November 20, 2014
Notified Applicant November 21, 2014
Notified Abutting Property Owners November 21, 2014
Consideration of 1507 C. Variances

Roll call vote:

Kiner – aye, Reider – aye, Bode – aye, Weitala – aye, Claggett - aye. Motion carried.

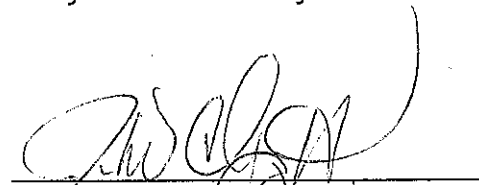
ADJOURN

At 9:25 a.m., motion by Reider, second by Weitala to adjourn Board of Adjustment. All members voted aye. Motion carried.

ATTEST



Susan Kiepke, Auditor



John Claggett, Chairman