

November 8, 2018

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 Weitala to approve the minutes from the October 30, 2018 meeting. All members voted aye. Motion carried.

RECESS BOARD OF COMMISSIONERS/CONVENE CANVASSING BOARD

At 9:15 a.m., motion by Claggett, second by Weitala to recess Board of Commissioners and convene the 2018 General Election Canvassing Board. Members of the Canvassing Board are Commissioners Bode, Weitala, Reider, Kiner and Claggett. All members voted aye. Motion carried.

APPROVE/SIGN 2018 GENERAL ELECTION CANVASS

Motion by Weitala, second by Kiner to approve and sign the 2018 General Election Canvass Report of Votes. All members voted aye. Motion carried.

ADJOURN CANVASSING BOARD/RECONVENE BOARD OF COMMISSIONERS

At 9:55 a.m., motion by Claggett, second by Kiner to adjourn the 2018 General Election Canvassing Board and reconvene Board of Commissioners. All members voted aye. Motion carried.

INTO EXECUTIVE SESSION

At 9:58 a.m., motion by Kiner, second by Reider to move into executive session with Deputy States Attorney Taylor to discuss litigation as per SDCL 1-25-2. All members voted aye. Motion carried.

OUT OF EXECUTIVE SESSION

At 10:40 a.m., motion by Claggett, second by Kiner to move out of executive session. All members voted aye. Motion carried.

NO MEOC BIDS RECEIVED

It was noted that no MEOC bids were received.

LAND LEASE DISCUSSION

Deputy States Attorney Taylor was present to answer questions concerning the lease of County property legally described as the NE ¼ of Section 33 T 104N-R61 W, Badger Twp, Davison County, SD, currently leased by Rick Podzimek.

Mr. Podzimek has been consistently late in paying his rent of \$7,500 semi-annually. The auditor's office has had to try to get ahold of him by phone and send him letters. The latest lease payment was due September 15, 2018 and to date, has not been received.

The commissioners asked Deputy States Attorney Taylor and Auditor Kiepke to include in the next lease, which will commence on March 1, 2019, cash up front at the beginning of each year, a three-year lease agreement and some sort of nutrient analysis to be taken at the beginning and end of the lease.

It was determined the County will continue to maintain the well and solar system panel.

EXTEND LOADER LEASE

After reviewing options for loaders for the Highway department, motion by Claggett, second by Reider to extend the current lease for five more years and to include additional warranty on the two loaders. All members voted aye. Motion carried.

OPEN SUPPLEMENTAL BUDGET HEARING

At 11:20 a.m., motion by Kiner, second by Weitala to open the Supplemental Budget Hearing for the Highway department. All members voted aye. Motion carried.

ADOPT RESOLUTION TO SUPPLEMENT HIGHWAY BUDGET

Motion by Claggett, second by Kiner to adopt the following resolution to supplement the Highway budget. A roll call vote was taken as follows. Claggett - aye, Kiner - aye, Reider - aye, Weitala - aye, Bode - aye. Motion carried.

Resolution #110818-01 Supplement County Highway Budget

Whereas, the Highway budget is not sufficiently funded by the adopted 2018 annual budget to pay expenses for the remainder of the year 2018; and

Whereas, SDCL 7-21-22 states that in the event of the passage and enactment of any law during a fiscal year and after the adoption of the annual budget for a following fiscal year, imposing some new obligation or duty upon a county, or in the event of the failure to provide by the final budget a sufficient revenue to enable the county to conduct the indispensable functions of government in any department, or to pay just obligations upon the county for the necessary conduct of the courts, or for the necessary aid and support of the poor or to discharge any duty which it is the lawful duty of the county to discharge, and of which requires the incurring of liabilities or expenditures of funds for a purpose or object for which no provision has been made in the annual budget for such fiscal year, and when such occasion arises the board must make, approve, and adopt a supplemental budget providing therein for an appropriation for such purposes in such amount as the board may deem necessary, and such budget shall set out in detail each item for which an appropriation is made and the amount to be appropriated for each item, with the time and place when the same will be considered and adopted by the governing board, shall be given in such manner as the board may determine, provided that the time fixed for considering and adopting the same shall not be less than ten days from date when such notice is first given;

Whereas, there was not sufficient appropriation included in the 2018 budget to pay all Highway Department expenses.

Now, therefore be it resolved, that \$500,000 from the Highway Fund Cash line item 20100A101000 be supplemented to the Highway Department budget, various line items.

Dated at Mitchell, South Dakota this 8th day of November, 2018.

Brenda Bode, Chairperson

ATTEST:

Susan Kiepke, Auditor

CLOSE HEARING

At 11:25 a.m., motion by Weitala, second by Reider to close the hearing. All members voted aye. Motion carried.

APPROVE OPERATING TRANSFER

As there is not enough cash in the County Highway Fund and it is allowable to do an operating transfer of cash from General Fund to other funds, motion by Claggett, second by Weitala to transfer \$500,000 from General Fund Cash 10100A101000 to Highway Fund Cash 20100A101000 for general operating purposes. All members voted aye. Motion carried.

APPROVE PURCHASE/REPAIR

At the request of Physical Plant Manager Ruml, motion by Reider, second by Claggett to approve the purchase of the Niagara 4 System from DDC, in order to repair the Public Safety Building HVAC System at a cost of \$6,340. All members voted aye. Motion carried.

APPROVE PURCHASE

At the request of Sheriff Brink, motion by Kiner, second by Reider to approve the purchase of a Stun-Cuff Institutional Single Cuff by Myers Enterprises, Inc. at a cost of \$1,650 plus \$25 shipping and handling with a data port reader kit for no cost (\$150 value). This device will be used when typical types of restraints are not allowed, for the safety of all involved. All members voted aye. Motion carried.

DENY WELFARE

As per the recommendation of Welfare Intake Administrative Assistant Emme, motion by Weitala, second by Reider to deny the following welfare claims; claim #8880 as the police were called on the individual due to his actions so no hotel stay was authorized; claim #18-1731, claim #17-8129 and claim #18-0522 as per SDCL 28-13-33 prior approval required for non-emergent admissions; claim #4120 as individual told PD dispatcher that they were a homeless traveler with no destination; claim #18-1747 as per SDCL 28-13-34.1 notice of emergency hospitalization must be sent to county within 15 days. All members voted aye. Motion carried.

APPROVE BILLS

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

GENERAL FUND:

COMM: Utilities/Mitchell Telecom-57.40; **ELECT:** Publishing/Seachange-350.00, Supplies/Susan Kiepke-58.70, Poll Workers/Poll Workers-15,211.20; **AUD:** Rentals/Microfilm Imaging-147.00, Supplies/First Bankcard-7.99, Lien Coll Supplies/McLeod's Printing-109.80, Travel & Conf/Safety Benefits Inc-65.00, Utilities/Susan Kiepke-50.00, Mitchell Telecom-57.40; **TREAS:** Passport Postage/First Bankcard-73.70, State MV Supplies/McLeod's Printing-340.18, Utilities/Christie Gunkel-50.00, Mitchell Telecom-114.78; **STATES ATTY:** Prof Fees/James D Taylor-4,043.33, Utilities/Mitchell Telecom-124.44; **CRT APPTED ATTY:** Ashley Anson-1,654.40, Maule Law Office-3,611.55, Morgan Theeler-188.00, Douglas Papendick-614.25, Tinan & Smith-1,379.35; **PUB SFTY BLDG:** Gas & Electric/Northwestern Energy-5,710.99, Garbage/Miedema Sanitation-130.00, Phone/Roger Collins-50.00; **CRTHOUSE:** Repairs & Maint/Santel Communications-45.00, Cable TV-82.59, Water & Sewer/City of Mitchell-379.80, Garbage/Miedema Sanitation-88.00, Minor Equip/First Bankcard-126.46; **DOE:** Supplies/Innovative Office Solutions-335.74, Travel & Conf/Holiday Inn-1,839.80, Utilities/Blake Biggerstaff-50.00, Kathy Goetsch-50.00, Jon Horton-50.00, Mitchell Telecom-115.80, Tanner Stunes-50.00, Carla Wittstruck-50.00, Dues/SDAAO-375.00, Software Services/Utilant-150.00; **ROD:** Rentals/Microfilm Imaging Sys Inc-470.00, Travel & Conf/Deb Young-273.57, Utilities/Mitchell Telecom-131.97; **NORTH OFF:** Repairs/Menards-39.94, Supplies/Hillyard Sioux Falls-109.59, Menards-13.99, Garbage/Miedema Sanitation-72.00, Phones/Mitchell Telecom-85.23; **VETERAN'S:** Supplies/McLeod's Printing-104.20, Utilities/Craig Bennett-50.00, Mitchell Telecom-130.67; **COORD:** IT Contract/Tech Solutions-9,675.00, Postage/Qualified Presort-931.86, Postage Meter Fees/Qualified Presort-282.43, Copy Mach Maint/A & B Business Solutions-64.42; **SHERIFF:** Prof Fees/County Fair Food Store-58.99, Dakota Data Shred-46.50, Davison Co Sheriff's Ofc-33.00, Two Way Solutions-811.25, Repairs/Patrol Car/Big E Auto Service-751.63, Farmers Alliance-61.00, TMA-Mitchell-18.00, Car Wash/Mega Wash-60.00, Office Supplies/Hard Drive Outlet-95.88, S & M Printing-256.00, Uniforms/First Bancard-59.94, Field Supplies/First Bankcard-27.90, Sirchie Finger Print-58.40, Training/Emergency Education Ass'n-330.00, First Bankcard-251.68, Axon Enterprise-720.00, Utilities/Mitchell Telecom-670.87, Cellular Service/Dawn Grissom-50.00, Josh Peterson-50.00, Minor Equip/First Bankcard-258.00, Jack's Uniforms-2,411.17; **JAIL:** Medicine/Avera Queen of Peace-147.71, Bldg Maint/Design Crete-1,836.74, Equip Repair/Mid Dakota Equip & Serv-196.00, Jail Supplies/First Bankcard-72.85, Axon Enterprise-960.00, Uniforms/Al's Engraving-26.00, Prisoner Food/CBM Managed Serv-4,182.26, Travel/Emergency Education Ass'n-1,045.00, Cable TV/Mitchell Telecom-82.59, Contracts/Hard Drive Outlet-324.64, Minor Equip/First Bankcard-69.00, Inmate Services/Reliance Telephone-1,000.00; **WELFARE:** Supplies/McLeod's Printing-34.95, Utilities/Debra Emme-50.00, Mitchell Telecom-128.63, Funerals/Bittner Funeral Shapel-2,500.00; **MENTAL ILL:** Committals/Douglas Papendick-658.00, Hearings/Avera Queen of Peace Hosp-27.73, Mark Katterhagen-15.00, Lincoln County Treasurer-361.79, Darcy Lockwood-15.00, Lucy M Lewno-164.97, Yankton Sheriff's Office-100.00; **FAIRGRND:** Repairs & Maint/Bender's Sewer & Drain-274.00, Gas & Electric-1,167.82, Water & Sewer/Davison Rural Water-66.95, Garbage/Miedema Sanitation-104.00; **CO EXTENSION:** Utilities/Bureau of Administration-28.00; **WEED:** Utilities/Mitchell Telecom-115.16; **P & Z:** Publishing/First Bankcard-13.82; **HIWAY:** Repairs & Maint-Fastenal Co-2.00, Scott Supply-745.32, Supplies & Materials/First Bankcard-143.02, Scott Supply-165.00, Travel & Conf/First Bankcard-100.00, Rusty Weinberg-294.16, Utilities/Mitchell Telecom-197.75, Northwestern Energy-15.75, Signage & Materials/Newman Traffic Signs-383.11; **EM MGT:** Repairs & Maint/First Bankcard-48.32, Mega Wash-22.00, TMA-Mitchell-46.14, Supplies/Dept of Motor Vehicles-21.20, Utilities/Jeff Bathke-50.00, Mitchell Telecom-77.14, Minor Equip/First Bankcard-873.92, North American Rescue-861.92; **URBAN/RURAL DEVELOPMENT/Cortrust Bank-22,939.21; BID DEP & REF:** Fairground Deposit Refund/Mitchell Wesleyan Church-200.00, Treasure Town-200.00.

ACKNOWLEDGE VOLUNTEERS

Motion by Weitala, second by Reider to acknowledge volunteers for the month of November with a full list on file at the Davison County Auditor's office. All members voted aye. Motion carried.

APPROVE TIMESHEETS

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

APPROVE WAGE INCREASE

At the request of ROD Young, motion by Weitala, second by Reider to approve \$1.04 wage increase for Teri Burgess effective November 29, 2018 when she becomes 1st Deputy. All members voted aye. Motion carried.

APPROVE AUDITOR’S ACCOUNT WITH THE TREASURER

Motion by Claggett, second by Reider to approve the October 2018 Auditor’s Account with the Treasurer in the amount of \$14,695,918.35. All members voted aye. Motion carried.

ADOPT RESOLUTION TO APPOINT APPLICANT AGENT

Motion by Claggett, second by Kiner to adopt the following resolution appointing an applicant agent for the Pre-Disaster Mitigation Grant Program. A roll call vote was taken as follows. Kiner – aye, Claggett – aye, Weitala – aye, Reider – aye, Bode – aye. All members voted aye. Motion carried.

**Resolution #110818-02
Appointment of Applicant Agent
For the Pre-Disaster Mitigation
Grant Program (PDM)**

Whereas, Davison County is submitting a Pre-Disaster Mitigation Grant project to the Federal Emergency Management Agency and the State of South Dakota; and

Whereas, Davison County is required to appoint an Applicant Agent for the purpose of signing documents and assuring the completion of all application documents;

Now therefore be it resolved that Davison County appoints Emergency Management Director Jeff Bathke as the authorized Applicant Agent.

Dated the 8th day of November, 2018.

Appointing Authority

Name: Brenda Bode
Davison County Commission Chairperson

Signed _____

Date _____

Appointed Agent

Name: Jeff Bathke
Davison County Emergency Management Director

Date _____

ADJOURN

At 12:08 p.m., Chairperson Bode adjourned the meeting and set the next regular Board of Commissioners meeting for November 13th, 2018, at 9:00 a.m.

ATTEST

Susan Kiepke, Auditor

Brenda Bode, Chairperson

Publish Once
Approximate Cost