

**December 27, 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. Chairperson Bode and Commissioner Claggett appeared telephonically. Also present was Auditor Kiepke.

**PLEDGE**

Chairperson Bode opened the meeting with the Pledge of Allegiance.

**APPROVE MINUTES**

Motion by Kiner, second by Claggett to approve the minutes from the December 18, 2018 meeting. A roll call vote was taken as follows. Kiner – aye, Claggett – aye, Reider – aye, Weitala – aye, Bode – aye. Motion carried.

**OPEN SUPPLEMENTAL BUDGET HEARING**

At 9:15 a.m., motion by Kiner, second by Claggett to open the Supplemental Budget Hearing for the Jail department. A roll call vote was taken as follows. Weitala – aye, Reider – aye, Claggett – aye, Kiner – aye, Bode – aye. Motion carried.

**ADOPT RESOLUTION TO SUPPLEMENT JAIL BUDGET**

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

**Resolution #122718-01  
Supplement County  
Jail Budget**

**Whereas**, the Jail 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; and

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

**Now, therefore be it resolved**, that \$131,556 from the General Fund Cash line item 10100A101000 be supplemented to the Jail Department budget, various line items.

Dated at Mitchell, South Dakota this 27<sup>th</sup> day of December, 2018.

\_\_\_\_\_  
Brenda Bode, Chairperson

ATTEST:

\_\_\_\_\_  
Susan Kiepke, Auditor

### **CLOSE HEARING**

At 9:20 a.m., motion by Weitala, second by Claggett to close the hearing. A roll call vote was taken as follows. Reider – aye, Kiner – aye, Weitala – aye, Claggett – aye, Bode – aye. Motion carried.

### **APPROVE RESOLUTION FOR CONTINGENCY TRANSFERS**

Motion by Claggett, second by Weitala to approve the following resolution for contingency transfers for the 2018 budget year. A roll call vote was taken as follows. Weitala – aye, Kiner – aye, Claggett – aye, Reider – aye, Bode – aye. Motion carried.

#### **Resolution #122718-02 Contingency Transfers**

**Whereas**, SDCL 7-21-32.2 states that no expenditures shall be charged to the line item authorized for by SDCL 7-21-6.1, but such appropriated amount may be transferred, by resolution of the board, to any other appropriation in which insufficient amounts were provided or for items for which no appropriation was provided. When transfers are made from the contingency budget to other appropriations, whose revenue is provided by other than general fund revenues, a transfer of fund balances may be made from the county general fund to such other fund in the amount of the budget transfer.

**Now, therefore, be it resolved** that the following contingency transfers be made for the 2018 budget year: Transfer from the General Fund Contingency Budget 112 in the amount of \$56,537 to:

<u>Budget</u>	<u>Name</u>	<u>Amount</u>
151	States Attorney	\$ 9,200.00
153	Court Appointed Attorney	25,612.00
154	Abused & Neglected CD	3,433.00
162	Director of Equalization	9,754.00

211	Sheriff	5,726.00
212/248	24/7	950.00
442	Mentally Handicapped	268.00
611	Extension	151.00
711	Planning & Zoning	182.00
800	Debt Service	1,261.00

Dated at Mitchell, South Dakota, this 27<sup>th</sup> day of December, 2018.

\_\_\_\_\_  
Brenda Bode, Chairperson

ATTEST:

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Susan Kiepke, Auditor

**APPROVE CONTRACT INCREASE**

At the request of States Attorney Miskimins, motion by Kiner, second by Claggett to increase the contract for James Taylor P.C. firm, which is equivalent to one part-time Deputy States Attorney, at the same rate as County employees, which is 2% plus \$.50 per hour, making the contract amount for 2019, \$49,525.20. A roll call vote was taken as follows. Claggett – aye, Reider – aye, Weitala – aye, Kiner – aye, Bode – aye. Motion carried.

**APPROVE RESOLUTION TO SET ELECTED OFFICIALS WAGES FOR 2019**

Motion by Claggett, second by Reider to adopt the following resolution, which approves a 2.0% plus \$.50 for the elected officials wages for 2019. A roll call voted was taken as follows: Kiner – aye, Reider – aye, Claggett – aye, Weitala - aye, Bode – aye. Motion carried.

**Resolution #122718-03  
Set Elected Officials Wages**

**WHEREAS**, SDCL 7-7-9.1 states that the board of county commissioners shall establish, by resolution, the salary payable to the county treasurer, county auditor, and county register of deeds. The salary payable may not be less than \$35,952 based upon the salary schedule which is based upon the most recent decennial federal census of population for counties; and

**WHEREAS**, SDCL 7-7-12 states that the board of county commissioners shall establish, by resolution, the salary payable to the state’s attorney. The salary payable may not be less than \$71,534 based upon the fact that the commissioners have designated the position of state’s attorney as full time; and

**WHEREAS**, SDCL 7-12-15 states that the board of county commissioners shall establish, by resolution, the salary of the sheriff. The salary payable may not be less than \$46,110 based upon the salary schedule which is based upon the most recent decennial federal census of population for counties. The sheriff will also receive an additional 10% added to the \$46,110 for managing a full-time jail; and

**WHEREAS**, the Board of county commissioners may not decrease the salary of the county treasurer, county auditor, county register of deeds, county state’s attorney or county sheriff during consecutive terms of office of the county treasurer, county auditor, county register of deeds, county state’s attorney or county sheriff;

**THEREFORE, BE IT RESOLVED**, that elected official's salaries for 2019 shall be set as follows; auditor - \$62,610.46, treasurer - \$51,020.00, register of deeds – \$61,549.26, the state's attorney - \$91,263.08 and the sheriff - \$72,161.34. These salaries are not inclusive of longevity pay that may be due some of these officials.

Dated at Mitchell, South Dakota, this 27<sup>th</sup> day of December, 2018.

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Brenda Bode, Chairperson  
Davison County Commission

ATTEST: \_\_\_\_\_  
Susan Kiepke, Auditor

**ADOPT RESOLUTION TO SET COUNTY COMMISSIONER WAGES FOR 2019**

Motion by Weitala second by Claggett to adopt the following resolution which approves a 1.0% plus \$.25 wage increase for the Davison County Commissioners for 2019. A roll call vote was taken as follows. Claggett - aye, Kiner – aye, Reider – nay, Weitala - aye, Bode - aye. Motion carried.

**Resolution #122718-04  
Set Commissioner Wages**

**WHEREAS**, SDCL 7-7-3 states that the method of payment, whether per diem or salary, and the amount of per diem or salary shall be determined by the board of county commissioners in each county. If the per diem method is used, the county commissioners shall be allowed the per diem amount for each day they are actually and necessarily employed in the duties and business relating to county affairs and the duties of their office and in attending and returning from sessions of the board. The county commissioners shall be allowed mileage for the distance actually traveled in attending the meetings of the board, or when engaged in other official duties. The per diem shall be paid out of the general county fund. The per diem shall be set by the commission on the first regular meeting date in January of each year; and

**WHEREAS**, SDCL 7-7-5 states that the board of county commissioners may determine the salary of the commissioners. Such salary may be set by the board of county commissioners at its first regular meeting of each year. If the board of county commissioners fails to determine a salary, then the salary of a county commissioner in any one year is six thousand five hundred sixty-six dollars as per diem or salary in counties of fifteen thousand population and over and not more than thirty thousand population.

**THEREFORE, BE IT RESOLVED** that the Davison County Commissioners salaries will be set at \$17,499.82 for the year 2019.

Dated at Mitchell, South Dakota, this 27<sup>th</sup> day of December, 2018.

**ATTEST:**

\_\_\_\_\_  
Susan Kiepke, Auditor

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Brenda Bode, Chairperson

## APPROVE DAVISON COUNTY EMPLOYEE WAGES FOR 2019

As per SDCL 6-1-10, motion by Claggett, second by Kiner to approve and publish the following wages for fiscal year 2019, which include a 2% plus \$.50 increase for all employees. A roll call vote was taken as follows. Weitala – aye, Kiner – aye, Reider – aye, Claggett – aye, Bode – aye. Motion carried.

### Note

The salary figures do not include longevity that may be due some employees. The salaries of Department Supervisors, Assistant State's Attorney, Deputy Planning & Zoning/Emergency Management Director and Corrections Administrator are prorated per the period worked throughout the fiscal year.

**Department Supervisors-Veteran's Service Officer** Craig Bennett-\$19.02; **Director of Physical Plant** Mark Ruml-\$65,617.22; **Director of Equalization** Kathy Goetsch-\$64,579.72; **Highway Superintendent** Russel Weinberg-\$67,735.27; **Planning & Zoning/Emergency Management Director** Jeff Bathke-\$68,342.72

### Employees

**Auditor's Office** – Karen Knadle-\$23.48; Tonya Meaney-\$19.84; James Matthews-\$16.31

**Treasurer's Office** – Tonya Ford-\$16.90; Rachel Soulek-\$16.39

**States Attorney** – Bob O'Keefe-\$74,760.30; Alicia Odland-\$63,362; Jill Pierce-\$20.49; Angie Larson-\$16.92

**Maintenance Department** – Doug Neugebauer-\$22.80; Roger Collins-\$19.57; vacant; Leonda Doering-\$16.39

**Planning & Zoning/Emergency Management Deputy Director** – Mark Jenniges-\$46,182.61

**Director of Equalization** - Blake Biggerstaff-\$20.87; Karla Love-\$17.96; Nikki Letcher-\$19.93; Jon Horton-\$16.91; Carla Wittstruck-\$18.51; Tanner Stunes-\$16.91; Alex Hartman-\$15.31

**Register of Deeds** – Teri Burgess-\$21.78; Danna Kolbeck-\$17.45

**Highway Department** – Andrea Horton-\$17.45; John Geidel-\$26.39; Randy Strong-\$23.40; Greg Geppert-\$18.51 Steve Groseth-\$23.02; Rueben Sonne-\$21.01; Kevin Geidel-\$22.55; Louis Murtha-\$18.51; Kevin Neugebauer-\$18.51; Clayton Wells-\$18.51; James Holzer-\$18.50; Seasonal-\$14.27; Seasonal-\$14.27

**Welfare Intake Administrative Assistant** – Debra Emme-\$16.06

**County Health Nurse** – Angela Seitz-\$15.29; Marcy VanZee-\$15.31

**WIC** – Diane Hohn-\$18.59

**Fairgrounds Maintenance** – Lawrence Schmitt-\$18.51

**Extension** – Autumn Hofer-\$15.31; Seasonal-\$14.27

**Sheriff's Office** – Steve Harr-\$29.59; Tim Reitzel-\$22.76; Greg Nelson-\$21.70; Josh Peterson -\$21.70;

Dawn Grissom-\$19.88; Grace Murphy-\$20.39; Darin Moke-\$20.73 **Part Time** – Linda Aldrich-\$18.51; Paul Paulson-\$16.39;

**Jail** – Don Radel-\$59,426.84; Jane Kingsbury-\$24.65; Connie Harr-\$23.53; Ginger Faas-\$22.49; Kimberly Beltran-\$19.31; Brian Boddicker-\$19.31; Janelle Phillips-\$21.96; Tim Carson-\$19.31; Justin Tuckerman-\$19.82; Anthony Cervantes-\$19.31; Malcolm LaFortune-\$19.82; Ryan Thornton-\$19.53; Misty Grove-\$17.45; Misty Hicks-McDaniel-\$17.45; Austin Loes-\$17.96; Jessica Lopez Rojo-\$17.96; Lesley Odegard-\$17.45; Michael Salathe-\$17.45; Jacob Verry-\$17.97; Marco Mora-\$17.96; Travis Sedlmeier-\$17.96; Isaac Tirrel-\$17.96 **Part Time** - Jack Aalbers-\$15.23; Morris Beck-\$15.23; Jon Bryant-\$14.80; Lance Bryant-\$17.96; Seth Caro-\$14.27; Brett Costello-\$17.45; Becky Handrahan-\$15.31; Melinda Harmelink-\$17.45; Kylene Herrick-\$17.45; Margaret Johnson-\$17.45; Judy Keller-\$15.23; James Kropenske-\$15.23; Carol Radel-\$17.45; Cory Schoenfelder-\$17.45; Garland Schrank-\$17.45; David Suarez-\$14.80; David Sweigart-\$17.45; Marcus Urban-\$14.27.

**INTO EXECUTIVE SESSION**

At 9:40 a.m., motion by Claggett, second by Kiner to move into executive session to discuss personnel pursuant to SDCL 1-25-2 as requested by Physical Plant Manager Ruml. A roll call vote was taken as follows. Kiner – aye, Claggett – aye, Reider – aye, Weitala – aye, Bode – aye. Motion carried.

#### **OUT OF EXECUTIVE SESSION**

At 9:53 a.m., motion by Kiner, second by Weitala to move out of executive session. A roll call vote was taken as follows. Reider – aye, Kiner – aye, Claggett – aye, Weitala – aye, Bode – aye. Motion carried.

#### **APPROVE ADVERTISING FOR NEW HIRE**

At the request of Physical Plant Manager Ruml, motion by Reider, second by Claggett to approve advertising for a full-time maintenance person for the County, primarily the Courthouse. A roll call vote was taken as follows. Kiner – aye, Reider – aye, Weitala – aye, Claggett – aye, Bode – aye. Motion carried.

#### **DENY WELFARE**

As per the recommendation of Welfare Intake Assistant Administrator Emme, motion by Weitala, second by Kiner to deny welfare claim #18-0159, #18-1138, #18-4078 and #18-5514 pursuant to SDCL 28-13-33 prior approval required; claim #18-8060 and #18-8656 pursuant to SDCL 28-13 applicant is not a resident; claim #18-0981 and #18-5740 pursuant to SDCL 28-13-1.3 third party resources available; claim #7958 pursuant to SDCL 28-13-1.2 consideration in establishing eligibility standards. A roll call vote was taken as follows. Kiner – aye, Weitala – aye, Claggett – aye, Reider – aye, Bode – aye. Motion carried.

#### **INTO EXECUTIVE SESSION**

At 10:05 a.m., motion by Reider, second by Kiner to move into executive session to discuss personnel pursuant to SDCL 1-25-2 as requested by Sheriff Brink. A roll call vote was taken as follows. Claggett – aye, Reider – aye, Weitala – aye, Kiner – aye, Bode – aye. Motion carried.

#### **OUT OF EXECUTIVE SESSION**

At 10:25 a.m., motion by Kiner, second by Claggett to move out of executive session. A roll call vote was taken as follows. Weitala – aye, Reider – aye, Claggett – aye, Kiner – aye, Bode – aye. Motion carried.

#### **ACCEPT RESIGNATION**

Motion by Kiner, second by Weitala to accept Sheriff's Deputy Josh Peterson's resignation effective January 31, 2019. A roll call vote was taken as follows. Claggett – aye, Reider – aye, Weitala -aye, Kiner – aye, Bode – aye. Motion carried.

#### **APPROVE ADVERTISING FOR NEW HIRE**

At the request of Sheriff Brink, motion by Claggett, second by Kiner to approve advertising for a full-time Deputy. A roll call vote was taken as follows. Weitala – aye, Reider – aye, Kiner – aye, Claggett – aye, Bode – aye. Motion carried.

#### **ADJOURN**

At 10:27 a.m., Chairperson Bode adjourned the meeting and set the next regular meeting for Tuesday, January 8, 2019 at 9:00 a.m.

**ATTEST**

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Susan Kiepke, Auditor

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Brenda Bode, Chairperson

Publish once  
Approximate cost