

January 22, 2019

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 Claggett, second by Kiner to approve the minutes from the January 15, 2019 meeting. All members voted aye. Motion carried.

VETERAN'S SERVICE OFFICE UPDATE

Craig Bennett, Davison County Veteran's Service Officer, updated the commissioners on the Veteran's Service office.

Chairperson Bode asked where the office was in regard to Ramon Shultz and Tech Solutions. Bennett reported that he is extremely impressed with the fax through Ring Central. Other than he can't receive faxes from Avera Grasslands, it is very successful.

Bennett further reported that he likes the workspace in the cloud. He said it works very well for the office and has created more mobility. He would like to move forward with the Ring Central phone system. Auditor Kiepke suggested there may be some drawbacks to that system that weren't initially realized.

Bennett stated that he would like to put together a podcast if the State hasn't already done so, to highlight benefits available to veterans.

Bennett said that he believes he serves between 25-30 veterans from Sanborn County and 10-15 from Hanson County. Bode would like Davison County to start a conversation with VSO leadership regarding how other counties can be supported.

Bode asked if there was still a Family Assistance Specialist in Mitchell, to which Bennett said yes, her name is Ruth Ragels. Bennett said she does an excellent job.

Something Bode would like to see more of is coordination with veterans being incarcerated. She would like to see every resource available utilized for veterans facing incarceration. She would also like to see resources used for homeless veterans.

Bode asked Bennett if he had a working relationship with MTI and DWU. Bennett stated that both institutions have veteran's representatives. He said he has had many conversations with the MTI rep. However, he hasn't been in touch with the DWU rep. He stated there are many scholarship opportunities available for veterans, veteran's spouses, children and grandchildren.

Bennett reported there are currently 21 DAV van drivers. He said they are always looking for more. He also said that paperwork has been submitted for a 2019 van which should be received in April of 2019.

Bode asked if he had been through all the old files. Bennett replied that the first time through was almost complete. He said they will be starting to go through a second time soon.

Bennett also reported that there has been approximately 2.4 million dollars worth of claims that came back to Davison County in 2018.

INTO EXECUTIVE SESSION

At 9:56 a.m., as per the request of Physical Plant Director Ruml, motion by Claggett, second by Reider to move into executive session to discuss personnel as per SDCL 1-25-2. All members voted aye. Motion carried.

OUT OF EXECUTIVE SESSION

At 10:01 a.m., motion by Kiner, second by Claggett to move out of executive session. All members voted aye. Motion carried.

APPROVE NEW HIRE

At the request of Physical Plant Director Ruml, motion by Kiner, second by Claggett to approve hire of Joel Rang as maintenance personnel at a wage of \$16.87 per hour as he has extensive experience, with a \$.50 increase after a six-month introductory period. All members voted aye. Motion carried.

DAVISON COUNTY/MT. VERNON CITY DISCUSSION

Deputy States Attorney Jim Taylor, Attorney Tim Bottum, Morgan Theeler and Dave Anderson representing the City of Mt. Vernon appeared before the Board to open a discussion regarding a piece of property located on Main Street in Mt. Vernon. The property is owned by Jennifer Horn who lives in Utah. Ms. Horn has no known ties to Mt. Vernon, nor does she intend to return to Mt. Vernon. The property is falling apart and is a nuisance.

Attorney Bottum reported there are a couple of options. The first would be the town could tear down the building and attach special assessments to the property with very little chance of collecting.

The second option would be that the County and the City of Mt. Vernon could agree on some level of cooperation. The town could tear down the building, possibly utilizing equipment and/or personnel from the County Highway Department. The County could abate the taxes, which are approximately \$3,500. The hope would be that someday the property returns to the tax rolls.

Attorney Taylor advised that if the City of Mt. Vernon is able to get the title to the property from the owner, the County should abate the taxes. It is not worth the time and cost of tax deed proceedings.

Attorney Bottum stated there has not been a town meeting held yet so this is just a matter for discussion. He didn't want to go to the town if the County was unwilling to cooperate.

Bottum also said the Mt. Vernon Legion shares a wall with this building and that will need to be torn down as well.

After the aforementioned discussion, there was an informal consensus from the commission they would be willing to abate the taxes if the City of Mt. Vernon is able to procure the title from Ms. Horn.

The Highway Superintendent and Emergency Management Director will be involved in future conversations if a plan comes together.

INTO EXECUTIVE SESSION

At 10:30 a.m., as per the request of States Attorney Miskimins, motion by Reider, second by Claggett to move into executive session to discuss personnel with Sheriff Brink as per SDCL 1-25-2. All members voted aye. Motion carried.

OUT OF EXECUTIVE SESSION

At 11:25 a.m., motion by Reider, second by Weitala to move out of executive session. All members voted aye. Motion carried.

INTO EXECUTIVE SESSION

At 11:32 a.m., as per the request of States Attorney Miskimins, motion by Kiner, second by Claggett to move into executive session to discuss contractual matters as per SDCL 1-25-2. All members voted aye. Motion carried.

OUT OF EXECUTIVE SESSION

At 11:45 a.m., motion by Reider, second by Kiner to move out of executive session. All members voted aye. Motion carried.

APPROVE PROFESSIONAL SERVICE CONTRACTS

Motion by Claggett, second by Weitala to enter into two (2) separate professional service contracts for court appointed Davison County public defender services with the law firms of Alvine Weidenaar LLP and of Stiles, Papendick & Kiner, pursuant to contracts negotiated between each firm and representatives of Davison County, the final form of each contract being subject to an additional term identifying Zach Flood and Douglas Papendick as being essential to performance of the agreement on behalf of each respective firm and providing for termination of each respective firm's contract in the event of the incapacity or other inability of either individual attorney to perform his duties under the applicable contract. These contracts will commence February 1, 2019 and expire December 31, 2021. Each firm will receive monthly payments of \$15,833.34 plus approved expenses, with a 2.5 percent cost of living adjustment during the final year of the contract. Commissioner Kiner noted that a member of one contracting firm was a relative and to avoid any conflict of interest or appearance of impropriety he would abstain from voting. All other members voted aye. Motion carried.

SIGN OUT OF COUNTY JAIL BOARD CONTRACTS

At the request of Corrections Administrator Radel, motion by Weitala, second by Reider to sign Out of County Board bill contracts with Hanson, McCook, Aurora, Sanborn, Miner and Hutchinson counties at a rate of \$95 per day. All members voted aye. Motion carried.

2018 ANNUAL JAIL REPORT

Corrections Administrator Radel handed out the 2018 Annual Jail report for the commissioners to review. The report will be on the agenda next week for discussion.

ACKNOWLEDGE RETIREMENT NOTICE AND ADVERTISE

Motion by Reider, second by Kiner to acknowledge the retirement of WIC Administrative Assistant Diane Hohn, effective February 22, 2019 and to authorize advertisement for the position. All members voted aye. Motion carried.

ACKNOWLEDGE QUARTERLY WELFARE REPORT

The commissioners acknowledged the 4th quarter of 2018 Welfare report. The report shows there is one appeal pending from 2015 with potential liability of \$9,854.58, two appeals pending for 2016 with potential liability of \$14,615.55. Bills are still being received for 2017 and 2018. The full report may be found on file in the Davison County Auditor's office.

APPROVE BILLS

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

GENERAL FUND:

COMM: Prof Fees/Mitchell Realty-250.00; **ELECT:** Supplies/Bureau of Administration-12.38; **JUD:** Prof Fees/Great Plains Psychological Services-2,472.50; **STATES ATTY:** Prof Fees/Larson and Nipe-324.30, Medical Prof Fees/Avera Queen of Peace-1,575.00, First National Bank Legal Dept-15.90, State of SD Public Health Lab-125.00, Repairs & Maint/A & B Business Solutions-43.05, Dakota Data Shred-46.50, Supplies/Innovative Office Solutions-10.08, Books/West Payment Center-524.58; **CRT APPTED ATTY:** Ashley Anson-864.90, Maule Law Office-2,082.48, Morgan Theeler-1,594.50, Tinan & Smith-391.90; **PUB SFTY BLDG:** Repairs/Mitchell Iron & Supply-13.48, Water & Sewer/City of Mitchell-932.75, Phone/Verizon Wireless-44.18, Buildings/Pro-Tec Roofing & Sheet Metal-367.34; **CRTHOUSE:** Repairs & Maint/Golden West-75.00, Elevator Service/Schumacher Elevator-422.10; **DOE:** Utilities/Verizon Wireless-84.74; **ROD:** Rentals/Bureau of Administration-12.37; **NORTH OFF:** Repairs/Golden West-89.97, Menards-5.98, Gas & Electric/Northwestern Energy-4,919.19, Water & Sewer-City of Mitchell-29.00; **VETERAN'S:** Supplies/McLeod's Printing-59.00; **SHERIFF:** Prof Serv/First National Insurance-80.00, Radio & Equip Repair/Wholesale Electronics-1.04, Repairs Patrol Car/Dicks Body Shop-63.50, Vern Eide Ford-23.74, Oil Changes/Vern Eide Ford-43.20, Cellular Service/Verizon Wireless-669.35; **JAIL:** Medicine/Lewis Drug Stores-4,135.81, Federal Inmate Medical Ex/Lewis Drug Stores-90.53, Office Supplies/Davison County Inmate Account-1.20, Jail Supplies/Bob Barker Co-105.60, Jones Supplies-246.90, Moore Medical-95.86, Kitchen Supplies/Jones Supplies-173.65, Uniforms/Sungold Trophies-52.96, Prisoner Food/CBM-4,403.11, Contracts/Hard Drive Outlet-75.44, Medical Waste Transport-183.38; **JUV DET:** Detention/Lutheran Social Services-759.20; **MENTAL ILL:** Hearings/Mark Katterhagen-15.00, Darcy Lockwood-15.00, Lucy M Lewno-166.47, Yankton Sheriff's Office-50.00; **FAIRGRND:** Phones/Verizon Wireless-44.18; **CO EXTENSION:** Utilities/CenturyLink-98.64; **WEED:** Utilities/Verizon Wireless-44.18; **HIWAY:** Repairs & Maint/Fastenal Company-181.66, Northern Truck Equip-1,658.88, Supplies & Materials/Ameripride Services-169.49, Utilities/Verizon Wireless-114.79; **EM MGT:** Utilities/CenturyLink-26.88, Northwestern Energy-87.25, Verizon Wireless-104.06, EM Accuml/Verizon Wireless-104.78; **24/7 JAIL:** Supplies/Moore Medical-71.00, Sungold Trophies-28.48; **M&P:** M&P/SDACO M&P-416.00.

DENY WELFARE

As per the recommendation of Welfare Intake Administrative Assistant Emme, motion by Claggett, second by Reider to deny welfare claim #18-8417 and #18-5694 pursuant to SDCL 28-13-33 prior approval required. All members voted aye. Motion carried.

ADJOURN

At 12:03 a.m., Chairperson Bode adjourned the meeting and set the next regular Board of Commissioners meeting for January 29th, 2019, at 9:00 a.m.

ATTEST

Susan Kiepke, Auditor

Brenda Bode, Chairperson

Publish Once
Approximate Cost