

March 12, 2019

CALL TO ORDER

Chairperson Bode called the regular meeting of the Davison County Board of Commissioners to order at 9:00 a.m. Members of the Board present were Reider, Kiner, Claggett, Bode. Absent Weitala 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 February 26, 2019 meeting. All members present voted aye. Motion carried.

OPEN HEARING TO VACATE PLAT

Motion by Kiner, second by Reider to open the public hearing to vacate a plat. All members present voted aye. Motion carried.

ADOPT RESOLUTION TO VACATE PLAT

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

RESOLUTION #031219-001

Resolution for Vacation of Plats

WHEREAS, there was previously presented to the Board of Commissioners of Davison County, South Dakota, the *Petition* of L & C Bainbridge Land, LLC to vacate the Plat described as follows:

Lots A and B of Endres’ Addition in the Northeast Quarter (NE1/4) of Section Seven (7) Township One Hundred One (101) North, Range Sixty (60), West of the of the Fifth P.M., Davison County, South Dakota. The original Plat for Lots A and B were recorded on April 15, 1985, in Plat Book 13, Page 13 thereof (hereinafter “Plats”).

WHEREAS, SDCL 11-3-21.1 et. seq. provides any person interested in the vacation of part or all of any recorded plat may file a *Petition* in the office of the County Auditor for the County where the platted property is situated.

WHEREAS, SDCL 11-3-22.1 provides that the Board of County Commissioners shall set a time and place for a hearing on the *Petition* filed pursuant to SDCL 11-3-21.1. The hearing shall be held within thirty (30) days of when the *Petition* is filed. The Board shall hold at least one public hearing. Notice of the time and place of the hearing shall be given at least ten (10) days in advance of publication in a legal newspaper of the County.

WHEREAS, SDCL 11-3-23.1 provides the Board of County Commissioners with the authority to approve and effectuate the vacation of a plat within the County wherein said Plat is located.

RESOLVED BY THE BOARD OF COMMISSIONERS OF DAVISON COUNTY that the *Petition* referred to above for the vacation of plats referred to above and described as Lots A and B of Endres' Addition in the Northeast Quarter (NE1/4) of Section Seven (7) Township One Hundred One (101) North, Range Sixty (60), West of the of the Fifth P.M., Davison County, South Dakota. The original Plat for Lots A and B were recorded on April 15, 1985, in Plat Book 13, Page 13 thereof (hereinafter "Plats") is hereby approved and granted and that said Board of Commissioners declares the above-described plats 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 12th day of March, 2019.

Chairwoman Bode
Davison County Board of Commissioners

ATTEST:

Susan Kiepke
Auditor

CLOSE HEARING

Motion by Claggett, second by Reider to close public hearing. All members present voted aye. Motion carried.

APPROVE PLAT

Motion by Claggett, second by Reider to approve a Survey Plat of New Day Acres Tract 1 in the South 1197' (ft) of the SW ¼ in Section 20, T103 N, R 61 W of the 5th P.M., Davison County, South Dakota. All members present voted aye. Motion carried.

CONVENE BOARD OF ADJUSTMENT/RECESS BOARD OF COMMISSIONERS

At 9:25 a.m., motion by Kiner, second by Reider to convene Board of Adjustment and recess Board of Commissioners. All members present voted aye. Motion carried.

ADJOURN BOARD OF ADJUSTMENT/RECONVENE BOARD OF COMMISSIONERS

At 11.35 a.m., motion by Reider, second by Kiner to adjourn Board of Adjustment and Reconvene Board of Commissioners. All members present voted aye. Motion carried.

APPROVE MTI LEASE RENEWAL

Motion by Kiner, second by Reider to renew the lease agreement between Davison County and Mitchell School District No. 17-2 commencing April 1st, 2019 and ending March 31st, 2024. The lease may be found on file in the Auditor's office. All members present voted aye. Motion carried.

DENY WELFARE

As per the recommendation of Welfare Intake Administrative Assistant, motion by Claggett, second by Kiner to deny welfare claim #18-6262, #18-2329, #18-5848, #18-8195 and #19-1389 pursuant to SDCL 28-13; claim #19-0564 and #19-2633 pursuant to SDCL 28-13-33 prior approval required. All members present voted aye. Motion carried.

ACKNOWLEDGE VOLUNTEERS

Motion by Claggett, second by Reider to acknowledge volunteers for the month of March 2019, with the full list on file in the Davison County Auditor's office. All members present voted aye. Motion carried.

APPROVE ORIENTATION PERIOD WAGE INCREASE

Motion by Kiner, second by Reider to approve a \$.50 wage increase for Angela Seitz, Secretary to the Health Nurses, effective March 9, 2019. All members present voted aye. Motion carried.

APPROVE TIMESHEETS

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

APPROVE RE-HIRE AS PART-TIME

Motion by Claggett, second by Reider to approve the re-hire of Betty Hegge as temporary part-time at a rate of \$21.82 effective December 27, 2018. All members present voted aye. Motion carried.

APPROVE ABATEMENTS

Motion by Reider, second by Claggett to approve the following abatements, all property located in Davison County, South Dakota. All members present voted aye. Motion carried.

Structures have been removed after the assessment date

Krantz LLC - N1000' of Lot 8 Ex E14 in NW ¼ Ex H2 33-103-60, Mitchell Township - \$639.25

Marjorie A Mathers Irrevocable Trust – Lots 9 & 10 Ex S66' Thereof Blk 2 Pease, Mt. Vernon Town - \$258.99

Mervela C Hildebrandt Family Trust – E50' of W100' of Lot 1 Blk 2 D.A. Scotts 1st Addn SW(15), Mitchell City - \$52.78

Carl L & Marlyce E Knock – Lot 7 Tilberg Mobile Home Court Mobile Homes on Leased Site, Mitchell City - \$8.11

Patrick Clark – S47' of W 86' of Lot 8 Blk 86 Lawlers 1st Addn NE(21), Mitchell City - \$48.82

Tri-State Stores Ltd % Caseys General Stores – E 75' of Lots 11-14 Blk 4 Rowleys 1st Addn NW(22), Mitchell City - \$718.40

A loss occurred because of flood, fire, storm or other unavoidable casualty

Brenden Mobile Village (Ed & Nancy Baker) – Leased Site IT3-4-5 of Lot 3 in NE ¼ Ex Lot 3A & Ex N600' of W250' of IT3, Mitchell Township - \$376.03

Bonita Solko – S963' of W541' of Govt Lot 4 03-101-60, Rome Township - \$272.77

No taxable interest in the property assessed

Christopher & Melissa Hiles – Lot 1 Square 21 Weavers Squares Addn NW(27), Mitchell City - \$102.34

City of Mitchell – E226' of Lot 14 Blk 1 D.A. Scotts 2nd Addn SE(15), Mitchell City - \$89.36

Zion Ev Lutheran Church Vac of Mitchell – S52’ of E29’ of Lot 5 Blk 32 Cooley & Guernsey-W ½ (22), Mitchell City - \$105.41

Mitchell School District 17-2 – Lot 5 Tract H Wild Oak Golf Club Addn SE(23), Mitchell City - \$135.42

Michael R & Rochelle S Degen – Lot 4 Blk 99 Lawlers 1st Addn NE(21), Mitchell City - \$129.40

An error was made

Resurrection Lutheran Church of Mitchell Inc – Lot 1 a Replat of SW ¼ W of Hwy in 3-103-60, D M Ellweins 1st Addn SW 3-1, Mitchell City - \$3,589.96

APPROVE RAFFLE

At the request of Dave Mitchell, Chair, motion by Reider, second by Claggett to approve a raffle for the Davison County Democrats to be held until March 21, 2019. Proceeds will be used to support candidates in the 2020 election. All members present voted aye. Motion carried.

APPROVE AUDITORS ACCOUNT WITH TREASURER

Motion by Claggett, second by Kiner to approve the February 2019 Auditor’s Account with the Treasurer in the amount of \$6,392,468.43. All members present voted aye. Motion carried.

APPROVE OPERATING TRANSFER

As there is not enough cash in the Emergency Management Fund and it is allowable to do an operating transfer of cash from General Fund to other funds, motion by Reider, second by Kiner to transfer \$75,000 from General Funds Cash 10100A101000 to Emergency Management Fund Cash 22600A1010000 for general operating purposes. All members present voted aye. Motion carried.

ADOPT RESOLUTION FOR CONTINGENCY TRANSFER

Motion by Claggett, second by Reider to approve the following resolution for a contingency transfer for the 2019 budget year. A roll call vote was taken as follows. Claggett – aye, Reider – aye, Kiner – aye, Bode – aye, Weitala – absent. Motion carried.

**Resolution #031219-02
Contingency Transfer**

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 2019 budget year. Transfer from the General Fund contingency Budget 112 in the amount of \$7346.82 to the Insurance Budget 113 following line items:

<u>Line Item</u>	<u>Name</u>	<u>Amount</u>
421	Auto Insurance	\$342.27
4212	General Liability	\$2,169.12

4213	Property Insurance	\$3,520.85
4219	Law Enforcement	\$1,314.58

Dated at Mitchell, South Dakota this 12th day of March, 2019.

Brenda Bode, Chairperson

ATTEST:

Susan Kiepke, Auditor

APPROVE TRAVEL REQUEST

At the request of Autumn Hofer, Extension Administrative Assistant, motion by Reider, second by Kiner to approve travel and registration to Sioux Falls on April 1, 2019 for SDSU 4-H Team Spring Training. All members present voted aye. Motion carried.

APPROVE SHOE DRIVE

Motion by Claggett, second by Kiner to approve participation in the Ten2Give shoe drive in Partnership with Soles4Souls and place a collection box in the Courthouse which is to be collected each week. All members present voted aye. Motion carried.

AUTHORIZE REFUND

Motion by Reider, second by Kiner, due to extenuating circumstances, to issue a refund to the Dakota Territory Gun Collectors Association of \$500 for Fairground rental. All members present voted aye. Motion carried.

APPROVE BILLS

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

GENERAL FUND:

COMM: Prof Fees/Tristar Benefit Admin-1,690.00, Travel & Conf/SDACC-100.00; **CRT APPTED ATTY:** Crt Appted Atty/Alvine Weidenaar-380.00, Ashley Anson-1,496.65, Maule Law Office-528.50, Morgan Theeler-4,003.70, Tinan & Smith-988.28; **PUB SFTY BLDG:** Repairs/First Bankcard-157.46, Supplies/First Bankcard-71.38, Gas & Electric-6,229.21; **CRTHOUSE:** Repairs & Main/First Bankcard-265.20, Supplies/First Bankcard-123.48; **NORTH OFF:** Minor Equip/First Bankcard-128.97; **SHERIFF:** Office Supplies/First Bankcard-99.00, Gas Patrol Car/First Bankcard-74.42, Minor Equip/First Bankcard-72.00; **FAIRGRND:** Gas & Electric/Northwestern Energy-2,647.41; **CO EXTENSION:** Utilities/Bureau of Administration-22.14; **HIWAY:** Travel & Conf/First Bankcard-125.00, Utilities/Northwestern Energy-3,344.86; **BID DEP & REF:** Fair Rental Dep Ret/Adam Schulz-200.00.

COMM: Publishing/Daily Republic Forum Com-1,317.95, Travel & Conf/Brenda Bode-75.60, Utilities/Mitchell Telecom-58.21, Purr N Ruff/Creekside Veterinary-156.00; **ELECT:** Maint Contract/Election Systems & Software-8,046.00; **JUD:** Law Library/West Payment Center-89.37 Jury Fees/Jurors-471.84; **AUD:** Rentals/Microfilm Imaging Sys-147.00, Supplies/Daily Republic-175.00, Travel & Conf/Susan Kiepke-32.00,

Utilities/Susan Kiepke-50.00, Mitchell Telecom-58.21, Mainframe Prog/Software Services Inc-300.00; **TREAS:** Supplies/McLeod's-36.95, Utilities/David Beintema-50.00, Mitchell Telecom-119.59, Mainframe Support/Bruce Mastel-35.00, Software Services Inc-460.00; **STATES ATTY:** Prof Fees/James D Taylor PC-4,127.10, Larson & Nipe-2,667.90, Medical Prof Fees/Avera Queen of Peace-840.00, SD Public Health Lab-20.00, Repairs & Maint/A & B Business Solutions-47.36, Dakota Data Shred-48.00, Utilities/Mitchell Telecom-130.84; **CRT APPTED ATTY:** Crt Appted Atty/Maule Law Office-969.20, Morgan Theeler-1,582.70, Douglas Papendick-4,531.90; **PUB SFTY BLDG:** Repairs/Advance Auto Parts-145.49, Garbage/Miedema Sanitation-130.00, Phone/Roger Collins-50.00; **CRTHOUSE:** Repairs & Maint/Larry's I-90-113.30, Santel Comm-45.00, Cable TV/Mitchell Telecom-84.81, Water & Sewer/City of Mitchell-86.35, Garbage/Miedema Sanitation-88.00, Phone/Joel Rang-50.00, Elevator Serv/Schumacher Elevator-1,295.00, Minor Equip/Campbell Supply-387.36; **DOE:** Supplies/Innovative Office-20.03, Utilities/Blake Biggerstaff-50.00, Kathy Goetsch-50.00, Jon Horton-50.00, Mitchell Telecom-122.94, Tanner Stunes-50.00, Carla Wittstruck-50.00, Software Services/Software Services Inc-1,640.00; **ROD:** Rentals/Microfilm Imaging Sys-485.00, Supplies/McLeod's-115.97, Sungold Trophies-10.00, Utilities/Mitchell Telecom-132.30, Prog Support/Software Services Inc-410.00; **NORTH OFF:** Repairs/Larry's I-90/141.06, Garbage/Miedema Sanitation-72.00, Phones/Mitchell Telecom-86.43; **VETERAN'S:** Utilities/Craig Bennett-50.00, Mitchell Telecom-121.66; **COORD:** Website Fees/Collin Berg-120.00, IT Contract/Software Services Inc-1,150.00, Tech Solutions-9,675.00, Postage/Qualified Presort-394.88, Postage Meter Fees/Qualified Presort-140.00, Paper/Jones Supplies-1,280.00, Copy Mach Maint/A & B Business Solutions-64.42; **SHERIFF:** Prof Services/Avera Occupationsl-224.15, Repairs Patrol Car/B & L Comm-250.00, The Radar Shop-142.50, Office Supplies/McLeod's-170.85, Field Supplies/Qualification Targets-36.63, Training/Gary Kingsbury-40.00, Utilities/Mitchell Telecom-672.80, Cellular Service/Dawn Grissom-50.00; **JAIL:** Medicine/Avera Queen of Peace Hosp-174.98, Mitchell Regional Ambulance-948.00, Sanford Health-34.91, Equip Repair/Arctic Refrigeration-144.58, Global Equipment-72.00, Office Supplies/Innovative Office-168.31, Jail Supplies/Bob Barker Co-221.48, County Fair Food Store-163.43, Jones Supplies-97.06, Laundry Supplies/Ameripride-171.12, Kitchen Supplies/CWD-Aberdeen-183.72, Jones Supplies-252.25, Uniforms/Jack's Uniforms-439.78, Prisoner Food/CBM-9,051.44, Health Protection/Avera Occupational-224.15, Cable TV-84.81, Water Softener/Darrington Water-45.00, Contracts/Hard Drive Outlet-187.25, Timekeeping System-795.00, Inmate Services/Reliance Telephone-1,000.00, Swanson Serv-299.74; **CORONER:** Coroner Fees/Clinical Laboratory-1,646.00, Rapid City Regional Hosp-461.00; **JUV DET:** Detention/Minnehaha Co Regional-1,610.00; **WELFARE:** Supplies/McLeod's-26.54, Utilities/Debra Emme-50.00, Mitchell Telecom-131.56; **NURSE:** Expenditures/JOB SHQ-162.00; **MENTAL ILL:** Committals/Douglas Papendick-760.00, Hearings/Avera University Psychiatry-643.79, Mark Katterhagen-88.50, KCH Law-128.22, Kennedy Pier Loftus-154.40, Lewis & Clark BHS-1,590.00, Lincoln County Treasurer-2,113.21, Darcy Lockwood-88.50, Lucy M Lewno-970.75, Yankton County Treasurer-341.00, Yankton Sheriff's Ofc-150.00; **FAIRGRND:** Repairs & Maint/Campbells Supply-89.98, Larry's I-90-113.31, Santel Comm-40.00, Tessier's-1,268.56, Supplies/Menards-70.18, Water & Sewer/Davison Rural Water-44.75, Garbage/Miedema Sanitation-120.00; **WEED:** Travel & Conf/Crossroads Hotel-266.97, Greg Geppert-46.20, Utilities/City of Mitchell-3.00, Mitchell Telecom-115.90; **HIWAY:** Prof Fees/Avera Occupational-241.40, Repairs & Main/Boyer Trucks-245.57, Carquest of Mitchell-1,269.52, Dakota Diesel-507.16, Dakota Fluid Power-1,748.10, Fastenal-602.51, Mitchell Iron & Supply-466.69, Scott Supply-553.72, Transource-1,197.81, Sturdevant's Auto Parts-111.62, Supplies & Materials/A-OX-781.80, Ameripride Services-113.66, Bailey Metal-67.76, Campbell Supply-100.88, Carquest of Mitchell-444.62, Elite Business Sys-41.77, Jones Supplies-49.49, Mueller Lumber-11.37, Sturdevant's Auto Parts-55.41, Thune's True Value-7.38, Tractor Supply Credit Plan-45.00, Wheelco-336.14, Gasoline & Fuel/Cubby's-145.15, Travel & Conf/Ramkota Hotel-214.00, Utilities/City of Mt. Vernon-73.22, City of Mitchell-55.95, Miedema Sanitation-72.00, Mitchell Telecom-200.71, Santel Comm-41.19, Snow & Em/Truenorth Steel-2,882.88, Signage & Materials/Mueller Lumber-58.83, Other Projects/Baker Bros Electric-911.59, SD Dept of Transportation-346.97; **EM MGT:** Repairs & Maint/Advance Auto Parts-133.02, Utilities/Jeff Bathke-50.00, Golden West-35.00, Mitchell Telecom-78.64; **BID DEP & REF:** Fair Rental Dep Ret/Dakota Territory-200.00; **M&P:** M&P/SDACO M&P-394.00.

ADJOURN

At 12:15 p.m., Chairperson Bode adjourned the meeting and set the next regular Board of Commissioners meeting for March 19th, 2019, at 9:00 a.m.

ATTEST

Susan Kiepke, Auditor

Brenda Bode, Chairperson

Publish Once
Approximate Cost