

**June 11, 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 Weitala to approve the minutes from the May 21, 2019 meeting. All members voted aye. Motion carried.

**AMEND AGENDA**

At the request of Auditor Kiepke, motion by Claggett, second by Weitala to amend the agenda to remove the Fairground Technology update discussion and move the Emergency Management Briefing to 10:15 a.m. All members voted aye. Motion carried.

**RECESS BOARD OF COMMISSIONERS/CONVENE BOARD OF ADJUSTMENT**

At 9:15 a.m., motion by Claggett, second by Kiner 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 Reider, second by Weitala to adjourn Board of Adjustment and reconvene Board of Commissioners. All members voted aye. Motion carried.

**APPROVE PLATS**

Motion by Claggett, second by Reider to approve a Plat of Lot 1 of Dewitt First Addition in the N ½ of the SW ¼ of Section 15, T 101 N, R 60 W of the 5<sup>th</sup> P.M., Davison County, SD. All members voted aye. Motion carried.

Motion by Reider, second by Kiner to approve a Plat of Tract A of Roskens Addition, in Gov. Lot 4 of the NW ¼ of Section 3, T 101 N, R 60 W of the 5<sup>th</sup> P.M., Davison County, SD. All members voted aye. Motion carried.

Motion by Claggett, second by Kiner to approve Collin's Tract 1 in the NW ¼ of the NW ¼ of Section 17, T 103 N, R 61 W of the 5<sup>th</sup> P.M., Davison County, SD. All members voted aye. Motion carried.

Motion by Claggett, second by Kiner to approve a Survey Plat of Bobcat Tract 1 in the SW ¼ of the SE ¼ of Section 30, T 101 N, R 60 W of the 5<sup>th</sup> P.M., Davison County, SD. All members voted aye. Motion carried.

**DENY WELFARE CLAIMS**

As per the recommendation of Welfare Intake Administrative Assistant Emme, motion by Kiner, second by Weitala to deny welfare claim #7175 and #3073 pursuant to SDCL 28-13; claim #19-8645 pursuant to SDCL 28-13-33 prior approval required; claim #1217 applicant owes County money and has made no attempt to pay; claim #0538 applicant failed to return application; claim #18-5343 pursuant to SDCL 28-13-3 residency required. All members voted aye. Motion carried.

#### **APPROVE AUDITOR'S ACCOUNT W/TREASURER**

Motion by Claggett, second by Kiner to approve the May 2019 Auditor's Account with the Treasurer in the amount of \$9,712,836.50. All members voted aye. Motion carried.

#### **AUTOMATIC SUPPLEMENT**

Motion by Claggett, second by Weitala to approve an automatic supplement to the Weed supply line item 4260/615 in the amount of \$6,200 received from the State of South Dakota for the 2019 Weed & Pest Grant. All members voted aye. Motion carried.

#### **APPROVE TIMESHEETS**

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

#### **ACKNOWLEDGE VOLUNTEERS**

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

#### **APPROVE RAFFLE REQUEST**

Motion by Claggett, second by Kiner to approve a raffle request from Aidith Rushford for a Dakota Dungeon Con event to be held at the Davison County Fairgrounds on June 15, 2019. All members voted aye. Motion carried.

#### **SIGN DISTRICT III 2020 JOINT COOPERATIVE EXTENSION AGREEMENT**

Motion by Reider, second by Weitala to authorize chairperson to sign the 2020 Statement of Extension to the Joint Cooperative Agreement with Planning & Development District III. All members voted aye. Motion carried.

#### **SIGN SD DEPT OF HEALTH WIC AGREEMENT**

Motion by Weitala, second by Reider to sign the 2020 Subrecipient Agreement between the South Dakota Department of Health and Davison County for the WIC program for the performance period 06/01/2019 to 05/31/2020. All members voted aye. Motion carried.

#### **OPEN PUBLIC HEARING ON THE ISSUANCE OF A TEMPORARY MALT BEVERAGE/WINE LICENSE**

After hearing an explanation from Auditor Kiepke, as she inspected the property, regarding the plan for a wedding to be held on the property of Fred Brink, which includes a clearly demarcated parking area an

appropriate distance from the event itself, appropriate marking across the pasture on how to get from the road to the event location, some sort of demarcation to specify the boundary of the licensed premises and lighting for safety in exiting the premises to get onto the public roadway, Commissioners were satisfied that the proper steps had been taken to warrant issuance of a temporary malt beverage license for the event.

## **GRANT TEMPORARY MALT BEVERAGE/WINE LICENSE**

Motion by Claggett, second by Weitala to adopt the following resolution granting a temporary malt beverage/wine license to Prairie Pasta, Inc., 4101 Carnegie Pl, Sioux Falls, SD 57106 for a wedding to be held at the Fred Brink residence located at 39929 258<sup>th</sup> St., Mt. Vernon, SD 57363 on October 19, 2019. A roll call vote was taken as follows. Claggett – aye, Weitala – aye, Reider – aye, Kiner – aye, Bode – aye. Motion carried.

### **Resolution #061119-01 Granting Temporary Malt Beverage License to Prairie Pasta, Inc.**

**Whereas**, SDCL 35-4-124 states, in part, that any municipality or county may issue:

- (1) A special malt beverage retailers license in conjunction with a special event within the municipality or county to any civic, charitable, education, fraternal, or veterans organization *or any licensee licensed pursuant to* subdivision 35-4-2(4), (6), or (16) in addition to any other licenses held by the special events license applicant;
- (2) A special on-sale wine retailers license in conjunction with a special event within the municipality or county to any civic, charitable, education, fraternal, or veterans organization *or licensee licensed pursuant to* subdivision 35-4-2(4), (6), or (12) or any farm winery licensee in addition to any other licenses held by the special events license applicant;
- (3) A special on-sale license in conjunction with a special event within the municipality or county to any civic, charitable, education, fraternal, or veterans organization *or any licensee licensed pursuant to* subdivision 35-4-2(4) or (6) in addition to any other licenses held by the special events license applicant; and

**Whereas**, a public hearing is required for the issuance of a license pursuant to this section if the person applying for the license doesn't hold an on-sale alcoholic beverage license or a retail malt beverage license in the municipality or county; and

**Whereas**, the rules regarding a clearly demarcated parking an appropriate distance from the event itself, appropriate marking across the pasture on how to get from the road to the event location, some sort of demarcation to specify the boundary of the licensed premises and lighting for safety in exiting the premises to get onto the public roadway have been established; and

**Whereas**, the fee had previously been set at \$200.00.

**Now, therefore, be it resolved**, that a temporary on-sale malt beverage//wine license be issued to Prairie Pasta, Inc., for a fee of \$200 for the day of October 19, 2019, for a wedding to be held at the Fred Brink residence located at 39929 258<sup>th</sup> St., Mt. Vernon, SD 57363; the conditions under which this license is issued are: (a) payment of the foregoing fee, (b) serving hours will be between 5:00 p.m. and 11:00 p.m., (c) there will be clearly demarcated parking and appropriate distance from the event itself, (d) there will be appropriate marking across the pasture on how to get from the road to the event location, (e) there will be some sort of demarcation to specify the boundary of the licensed premises and lighting for safety in exiting the premises to get onto the public roadway.

Dated this 11<sup>th</sup> day of June, 2019 at Mitchell, SD,

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

ATTEST:

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

## **CLOSE HEARING**

Motion by Reider, second by Kiner to close hearing. All members voted aye. Motion carried.

## **ANNUAL EMERGENCY MANAGEMENT BRIEFING**

Emergency Management Director Bathke and Deputy Jenniges presented the annual Emergency Management briefing to the Commissioners, as required. The full presentation may be found on file in the Davison County Auditor's office.

## **APPROVE BILLS**

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

## **GENERAL FUND:**

**COMM:** Prof Fees/Tristar Benefit Admin-486.00 ; **JUD:** Jurors-523.52 ; **AUD:** Utilities/Susan Kiepke-50.00 ; **TREAS:** Passport Postage/First Bankcard-66.15 Utilities/David Beintema-50.00 ; **IND DEF:** Pub Def Contract/Alvine Weidenaar LLP-15,833.34, Douglas Papendick-15,833.34 ; **CRT APPTED ATTY:** Crt Appted Atty/Tamara D Lee-4,245.92, Douglas Papendick-1,118.50, Tinan & Smith-1,490.91 ; **A & N:** Abused & Neglected Child/Douglas Papendick-4,274.55 Tinan & Smith-48.25 ; **PUB SFTY BLDG:** Repairs/First Bankcard-63.70, Supplies/First Bankcard-64.60, Gas & Electric/Northwestern Energy-5,470.04, Phone/Roger Collins-50.00 ; **CRTHOUSE:** Water & Sewer/City of Mitchell-137.20, Phone/Joel Rang-50.00 ; **DOE:** Asses Notices/First Bankcard-29.00, Supplies/First Bankcard-657.95, Utilities/Blake Biggerstaff-50.00, Kathy Goetsch-50.00, Jon Horton-50.00, Tanner Stunes-50.00, Carla Wittstruck-50.00 ; **ROD:** Supplies/First Bankcard-9.96, Minor Equip/First Bankcard-94.00 ; **NORTH OFF:** Minor Equip/First Bankcard-52.58 ; **VET:** Utilities/Craig Bennett-50.00 ; **SHERIFF:** Gas Patrol Car/First Bankcard-480.48, Cellular Service/Dawn Grissom-50.00 ; **JAIL:** Minor Equip/First Bankcard-64.00 ; **WELFARE:** Utilities/Debra Emme-50.00 ; **FAIR:** Gas & Electric/Northwestern Energy-1,370.22 ; **CO EXTENSION:** Utilities/Northwestern Energy-181.68 ; **WEED:** Utilities/City of Mitchell-5.00 ; **HIWAY:** Utilities/City of Mitchell-36.30, Northwestern Energy-138.06 ; **EM:** Supplies/First Bankcard-320.46, Utilities/Jeff Bathke-50.00, City of Mitchell-15.75.

## **GENERAL FUND:**

**COMM:** Prof Fees/Companion Life-10.00, Publishing/Daily Republic-1,731.57, Utilities/Mitchell Telecom-57.31, Purr N Ruff/Creekside Veterinary-150.00 ; **ELECT:** Supplies/Bureau of Administration-12.38 ; **JUD:** Prof Fees/Carol Johnson-130.00, Stephanie Moen & Assoc-23.80 ; **AUD:** ACH Payments/Cortrust Bank-15.00, Rentals/Microfilm Imaging-147.00, Supplies/McLeod's Printing-38.82, Travel & Conf/Ramkota Hotel-207.98,

Utilities/Mitchell Telecom-57.31, Mainframe Program/Software Services Inc-360.00 ; **TREAS:** Supplies/First Dakota Nat'l Bank-3.00, Travel & Conf/Ramkota Hotel-207.98, Utilities/Mitchell Telecom-114.84, Mainframe Support/Software Services Inc-220.00 ; **STATES ATTY:** Prof Fees/James D Taylor PC-4,127.10, Medical Prof Fees/Avera Medical Group-6,250.00, Avera Queen of Peace-2,193.01, Sanford Health-346.00, Utilities/Mitchell Telecom-123.44, Books/West Payment Center-433.30 ; **CRT APPTED ATTY:** Crt Appted Atty/Alvine Weidenaar LLP-1982.00, Maule Law Office-1,053.40, Meierhenry Sargent LLP-6,786.00, Douglas Papendick-674.50, Wantoch Law Office-11,546.90, Catastrophic Legal/SD Assoc of Co Commission-5,355.00 ; **A & N:** Abused & Neg Child/Alvine Weidenaar LLP-294.50, Tinan & Smith-2,880.22 ; **PUB SFTY BLDG:** Repairs/Campbell Supply-5.44, Mitchell Iron & Supply-254.66, Supplies/Jones Supplies-153.53, Menards-40.53, Garbage/Miedema Sanitation-130.00 ; **CRTHOUSE:** Repairs & Maint/Arctic Refrigeration-733.26, Dakota Supply Group-144.20, Menards-12.98, Santel Communications-45.00, Thune's True Value-17.47, Cable TV/Mitchell Telecom-84.81, Garbage/Miedema Sanitation-88.00, Minor Equip/Menards-189.99 ; **DOE:** Travel & Conf/Blake Biggerstaff-154.00, Kathy Goetsch-128.00, Jon Horton-154.00, Tanner Stunes-143.00, Carla Wittstruck-154.00, Utilities/Mitchell Telecom-116.42, Software Services/Software Services Inc-860.00 ; **ROD:** Rentals/Bureau of Administration-12.37, Microfilm Imaging-485.00, Supplies/McLeod's Printing-84.58, Travel & Conf/Ramkota Hotel-103.99, Deb Young-159.68, Utilities/Mitchell Telecom-124.57, Prog Support/Software Services Inc-620.00 ; **NORTH OFF:** Repairs/Campbell Supply-68.97, Dakota Supply Group-33.21, Menards-165.31, Supplies/Menards-47.88, Garbage/Miedema Sanitation-72.00, Phones/Mitchell Telecom-85.19, Buildings/Menards-4.37 ; **VET:** Utilities/Mitchell Telecom-134.11 ; **PRED ANIMAL CONT:** State Paymnet/Dept of Revenue-1,071.38 ; **COORD:** IT Contract/Tech Solutions-9,675.00, Postage/Qualified Presort-526.20, Postage Meter Fees/Qualified Presort-175.16, Copy Machine Maint/A & B Business Solutions-113.91, Elite Business Systems-45.49 ; **SHERIFF:** Prof Services/Davison Co Sheriff's Ofc-160.73, Publishing & Dues/National Sheriff's Assoc-115.00, Repairs Patrol Car/Graham Tire Company-77.80, Oil Changes/Vern Eide Ford-52.64, Car Wash/Mega Wash-100.00, Office Supplies/Hard Drive Outlet-86.42, Innovative Office-1,992.70, Travel & Conf/Dawn Grissom-12.60, Utilities/Mitchell Telecom-658.53, Minor Equip/Jack's Uniforms-812.78, Software Services/Zuercher Technologies-82.85 ; **JAIL:** Medicine/Avera Medical Group-82.47, Mitchell Regional Ambulance-793.20, Equip Repair/Hard Drive Outlet-295.25, Thune's True Value-207.75, Office Supplies/Innovative Office-81.14, Jail Supplies/Bob Barker Co-543.49, Campbell Supply-26.97, Jones Supplies-450.21, McKesson Medical-53.18, Phoenix Supply-76.90, Laundry Supplies/Jones Supplies-497.73, Kitchen Supplies/Jones Supplies-125.00, Uniforms/Al's Engraving-13.50, Jack's Uniforms-77.89, Prisoner Food/CBM-4,308.71, Health Protection/Avera Occupational-224.15, Cable TV/Mitchell Telecom-84.81, Contracts/Hard Drive Outlet-383.21, Inmate Services/Reliance Telephone-1,000.00, Swanson Services-1.42 ; **WELFARE:** Rent/Costello Property Mgmt-199.00, Oakleaf Property-444.00, Utilities/Mitchell Telecom-93.74, Funerals/Bittner Funeral Chapel-5,000.00 ; **HANDICAPPED:** Ment. Hand/Dept of Revenue-2,909.22 ; **MENTAL ILL:** Committals/Douglas Papendick-855.00, Hearings/Avera McKennan Hosp-2,098.50, Avera Medical Group University Psych-257.44, Greentree Psych-360.00, Harmelink, Fox, & Ravensborg-190.40, Mark Katterhagen-58.50, Kruse Law Office-155.90, Lewis & Clark BHS-890.00, Lincoln Co Treasurer-1,539.40, Darcy Lockwood-58.50, Lucy M Lewno-637.75, Gary Mikelson-1,003.90, Yankton Co Treasurer-240.00, Yankton Sheriff's Ofc-300.00 ; **FAIR:** Repairs & Maint/Menards-13.97, Santel Communications-40.00, Supplies/Menards-17.21, Water & Sewer/Davison Rural Water-74.10, Garbage/Miedema Sanitation-88.00 ; **CO EXTENSION:** Utilities/Bureau of Administration-19.65, Midcontinent-150.00, Midcontinent-150.00 ; **SOIL CON DIST:** Prof Fee/Davison Co Soil Con Dist-6,250.00 ; **WEED:** Repairs/Carquest of Mitchell-431.15, Supplies/Lifequest-182.50, Pizza Ranch-139.86, Van Diest Supply Co-2,342.50, Utilities/Mitchell Telecom-114.87 ; **HIWAY:** Repairs & Maint/A & G Diesel-39.95, A-OX Welding-415.29, Boyer Trucks-61.48, Butler Machinery-6,502.12, Fastenal Co-3.50, Interstate Tire & Auto-160.00, Mitchell Iron & Supply-48.79, Wipf Radiator Repair-560.00, Supplies & Materials/A-OX Welding-252.07, Elite Business Systems-45.08, Truenorth Steel-6,850.20, Jones Supplies-48.53, Lifequest-73.00, McLeod's Printing-2.99, Meyers Oil Co-33.80, Mitchell Iron & Supply-10.97, Mueller Lumber Co-35.94, Rockmount Research & Alloys Inc-907.80, Sturdevant's Auto Parts-260.00, Gas & Fuel/Meyers Oil Co-16,171.20, Utilities/City of Mt. Vernon-73.22, Miedema Sanitation-72.00, Mitchell Telecom-199.68, Santel

Communications-41.07, Signage & Materials/Bierschbach Eqpt & Supply-5,460.00, Projects/SD Dept of Transportation-102.72, Patch Mix/Commercial Asphalt-28,492.20 ; **EM:** Repairs & Maint/Mega Wash-13.00, Utilities/Mitchell Telecom-78.27, EM Accuml/Pizza Ranch-149.85 ; **JAIL 24/7:** Supplies/McKesson Medical-142.39, PBT Tubes/Intoximeters Inc-1875.00 ; **BID DEP:** Fair Rental Dep/Sioux Council Boy Scouts-200.00, Oscar Torres-200.00 ; **911:** Communications Center/City of Mitchell-16,462.05.

### **APPROVE PURCHASE**

At the request of Physical Plant Director Ruml, motion by Claggett, second by Reider to approve the purchase and installation of a compressor for the Public Safety Building at a cost of approximately \$15,000. This will get the chilling system through the summer while Ruml researches a long-term solution. All members voted aye. Motion carried.

### **SIGN ENGAGEMENT LETTER**

Toby Qualm, SD Department of Legislative Audit, presented the Commissioners with an engagement letter, which outlines the audit objectives, management responsibilities, general, internal control and compliance audit procedures, audit administration, fees and other, to signed by the chairperson. Motion by Weitala, second by Kiner to authorize chairperson to sign engagement letter. All members voted aye. Motion carried.

### **REMOVE SPRING WEIGHT LIMITS**

As per the recommendation of Highway Superintendent Weinberg, motion by Weitala, second by Kiner to remove Spring weight limits from County roads. All members voted aye. Motion carried.

### **HIGHWAY REPORT**

Chairperson Bode thanked Weinberg and his staff for their hard work for the past three months with all the snow and rain issues.

Weinberg reported that 68 culverts had been placed in townships and in the County. He also said that 252<sup>nd</sup> Street is complete with a 2" matt from Twin City Fan to Betts Road. Work will continue to Mt. Vernon.

### **APPROVE INTRODUCTORY WAGE INCREASE**

As per the request of Corrections Administrator Radel, motion by Reider, second by Kiner to approve a \$.50 introductory wage increase for Corrections Sergeant Ryan Thornton effective June 1, 2019. All members voted aye. Motion carried.

### **APPROVE TRAINING**

At the request of Corrections Administrator Radel, motion by Weitala, second by Kiner to approve training costs for Corrections Officers Isaac Tirrel, Kyelle Herrick, Jessica Lopez and Margaret Johnson on June 17<sup>th</sup> – 21<sup>st</sup>, 2019 in Sioux Falls, SD. All members voted aye. Motion carried.

### **APPROVE WAGE INCREASE AFTER REQUIRED TRAINING**

At the request of Sheriff Brink, motion by Kiner, second by Claggett to approve a \$.50 wage increase for Sheriff's Deputy Jake Verry, effective June 8<sup>th</sup>, 2019 as he has successfully completed the thirteen-week training to be a State Certified Law Enforcement Officer. All members voted aye. Motion carried.

### **SIGN THE 2019 JAMES VALLEY MULTI-JURISDICTIONAL AGREEMENT**

At the request of Sheriff Brink, motion by Reider, second by Claggett to authorize chairperson to sign the 2019 James Valley Multi-Jurisdictional Drug Task Force Joint Powers agreement. All members voted aye. Motion carried.

**RECESS BOARD OF COMMISSIONERS**

At 11:55 a.m., Chairperson Bode recessed the Board of Commissioners meeting until 1:00 p.m.

**RECONVENE BOARD OF COMMISSIONERS**

At 1:05 p.m., Chairperson Bode reconvened the Board of Commissioners. All members were present. Also present was Auditor Kiepke.

**REVIEW THE UPDATED 2019 DAVISON COUNTY EMPLOYEE POLICY MANUAL**

Emergency Management Director Bathke reviewed the work he has done, with Auditor Kiepke, Deputy States Attorney Taylor and Safety Benefits assistance. There were many minor changes made from the original 2004 manual. All changes were reviewed. The commissioners wanted Bathke to make the additional changes recommended and bring the manual back for approval.

**INFORMATION REQUESTS**

Planning & Zoning Administrator Bathke presented a request from Farm & Home Publishers for data we generally charge \$4,000 for. Motion by Claggett, second by Kiner to either charge \$4,000 or trade 9 maps and 40 books for the data. All members voted aye. Motion carried.

Planning & Zoning Administrator Bathke presented a request from Apple for data we generally charge \$4,000 for. Motion by Claggett, second by Kiner to charge \$4,000 for the data. All members voted aye. Motion carried.

**ADJOURN**

At 3:10 p.m., Chairperson Bode adjourned the meeting and set the next regular Board of Commissioners meeting for June 25<sup>th</sup>, 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