

May 26th, 2020

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 12, 2020 meeting. All members voted aye. Motion carried.

REPORTS

Chairperson Bode reported attending the Weed Board meeting. She said that every township, with the exception of Rome, will be utilizing Davison County resources to spray for weeds.

Bode also said the weed chemicals have been inventoried and it was determined that everything on hand is usable.

RIDGE VIEW OF FOSTER DEVELOPMENT DISCUSSION

Tom Clark, Avera Regional President, reported there are 220 jobs unfilled in the Mitchell area. The biggest reason is lack of affordable housing. With the land donated by Avera, the Ridge View on Foster project will have a huge impact on affordable housing.

He further stated that the Ridge View on Foster project has evolved after listening to concerns of nearby property owners. A couple of the things that have been done are the project now has 80 foot lots along 8th Street, the minimum house size has been increased from 1,200 square feet to 1,500 square feet and mixed use development on the corner of 8th Street has been nixed.

Clark further stated the original plan for the property was for the hospital to relocate. Now, he can't imagine a better plan for the community than what we have in the Ridge View on Foster project. It will add much needed single-family dwellings to an area already filled with single-family dwellings.

Avera is being a good steward by leveraging land for the community, working with others and being hospitable.

Attorney Don Petersen, representing MADC, said part of the plan is infrastructure, which would be financed with a TIF (Tax Incremental Financing District). The TIF has been submitted to the City Planning Commission and has been approved.

Petersen further stated that due to COVID 19 they had to hit pause on the project.

Mark Vaux, MADC Director, thanked Commissioner Reider for reaching out to him.

Commissioner Reider responded by saying that he understands the TIF will be going before City Council and there is no County involvement. However, Reider asked the project planners to appear before the Board to give some insight into the project and the TIF.

Vaux reminded the commission they do have a seat on the TIF board.

Vaux reiterated that fact that they are putting a residential neighborhood within residential neighborhoods. He said they had compromised with neighbors as much as possible. However, not every compromise is possible.

Jeff McCormick, SPN Project Manager, said infrastructure costs for the project are projected to be \$1.81 per square foot. So, the larger lots will be about \$19,000 and the smaller lots will be about \$14,000. He said the costs that will add up are sanitary sewer and the lift station.

He further stated the original plan had 73 curb stops. That number has been reduced because the lots are bigger than originally planned.

McCormick said that sidewalks were included in the estimate in order to make houses affordable.

Attorney Petersen was asked what constitutes affordable housing. Petersen replied that in order to qualify for a TIF for this type of development, houses can't sell for more than \$275,000. He said the houses in the development will range in assessed value from \$235,000 to \$255,000.

Vaux said the goal is to build between five and eight houses per year. MADC will be the contractor for the project.

Vaux also stated there will have to be a plan in place if the revenue won't cover the TIF debt. He said there will not be one dime spent from MADC operating expenses and the project won't be subsidized with donations. The project will stand on its own or it won't happen.

Vaux was asked if there are financing programs available. He answered by saying the SD Housing Authority as well as several others have buy down opportunities for buyers with median household incomes of \$50,000 to \$70,000 per year.

City Administrator Stephanie Ellwein said that 1st class municipalities throughout the state have done projects similar to this, including sidewalks in the TIF. She said Spearfish just purchased land for 1.2 million dollars. Mitchell didn't have that invested because land was generously donated by Avera for the project.

Ellwein further stated that all City TIF's going forward must now qualify as economic development. The TIF must also be reviewed by a third party before it is approved by the City.

Chairperson Bode concluded the discussion by thanking the folks involved in the project who were in attendance for coming. She said "we are the gatekeepers of tax dollars". She also thanked Planning & Zoning Administrator Bathke for helping her prepare questions.

HIGHWAY EQUIPMENT DISCUSSION

Matt Tobin and Brice Paulson of Butler Machinery appeared before the Board to present several options for the four motor graders whose leases are set to expire January of 2021. The Board took the options under advisement and will continue the discussion at a later date.

SIGN BRIDGE REPLACEMENT FUNDS GRANT

At the request of Highway Superintendent Weinberg, motion by Kiner, second by Claggett to authorize chairperson to sign the 2020 Applications for Local Federal Bridge Replacement Funds for Structure #18-070-198 and Structure #18-050-143. All members voted aye. Motion carried.

AUTHORIZE GRAVEL RESEARCH

The commissioners authorized Highway Superintendent Weinberg to research nearby gravel pits so as to possibly enter into a contract for gravel. Weinberg will bring the results back to the commission.

APPROVE NEW HIRE

At the request of Corrections Administrator Radel, motion by Claggett, second by Kiner to approve new hire Ashley Schulz as a part-time Corrections Officer, effective May 16, 2020, at a rate of \$17.54 with an increase of \$.50 per hour after successful completion of a 1,040 introductory period. All members voted aye. Motion carried.

SIGN OUT OF COUNTY CONTRACTS

At the request of Corrections Administrator Radel, motion by Kiner, second by Weitala to sign contracts with McCook, Hanson, Aurora, Hutchinson, Miner and Sanborn counties at a rate of \$95 per day to house their inmates in the Davison County jail. All members voted aye. Motion carried.

ADOPT RESOLUTION FOR ASSIGNMENT OF PAYMENT

Motion by Kiner, second by Claggett to adopt the following resolution to allow Auditor Kiepke to sign assignment of payment for SD Jobs Program Grant Agreement for Matt Storm. A roll call vote was taken as follows. Kiner – aye, Claggett – aye, Reider – aye, Weitala – aye, Bode – aye. Motion carried.

RESOLUTION #052620-01

Resolution to Sign Assignment of Payment

Whereas, Matt Storm has been approved for a South Dakota Jobs Grant pursuant to SDCL § 1-16G-48(5), et. seq. and ARSD Chapter 68:02:10 for construction of a Concentrated Animal Feeding Operation on April 8, 2020; and

Whereas, the Davison County Planning & Zoning Commission recommended approval of a Conditional Use Permit to operate a 960-animal unit Concentrated Animal Feeding Operation in the Agriculture District on April 7, 2020. The property is legally described as the NW 1/4 of Section 33, T 102 N, R 62 W of the 5th P.M., Davison County, South Dakota: and

Whereas, the Davison County Board of Adjustment approved the Conditional Use Permit for the Concentrated Animal Feeding Operation on April 14, 2020; and

Whereas, assignment of payment is required to be signed by Davison County, South Dakota.

Now, Therefore, be it resolved, that the Davison County Commission authorizes the County Auditor, Susan Kiepke to sign assignment of payment for South Dakota Jobs Program Grant Agreement No: SD Jobs 20-04.

Dated this 26th day of May, 2020 at Mitchell, SD.

Brenda Bode, Chairperson

ATTEST:

Susan Kiepke, Auditor

ADOPT RESOLUTION FOR ASSIGNMENT OF PAYMENT

Motion by Weitala, second by Kiner to adopt the following resolution to allow Auditor Kiepke to sign assignment of payment for SD Jobs Program Grant Agreement for Jones & Klumb Family Farm LLC. A roll call vote was taken as follows. Weitala – aye, Kiner – aye, Reider – aye, Claggett – aye, Bode – aye. Motion carried.

**RESOLUTION #052620-02
Resolution to Sign
Assignment of Payment**

Whereas, Jones & Klumb Family Farm LLC has been approved for a South Dakota Jobs Grant pursuant to SDCL § 1-16G-48(5), et. seq. and ARSD Chapter 68:02:10 for construction of a Concentrated Animal Feeding Operation on May 13, 2020; and

Whereas, the Davison County Planning & Zoning Commission recommended approval of a Conditional Use Permit to operate a 960-animal unit Concentrated Animal Feeding Operation in the Agriculture District on May 5, 2020. The property is legally described as the NE 1/4 of Section 35, T 103 N, R 62 W of the 5th P.M., Davison County, South Dakota; and

Whereas, the Davison County Board of Adjustment approved the Conditional Use Permit for the Concentrated Animal Feeding Operation on May 12, 2020; and

Whereas, assignment of payment is required to be signed by Davison County, South Dakota.

Now, Therefore, be it resolved, that the Davison County Commission authorizes the County Auditor, Susan Kiepke to sign assignment of payment for South Dakota Jobs Program Grant Agreement No: SD Jobs 20-05.

Dated this 26th day of May, 2020 at Mitchell, SD.

Brenda Bode, Chairperson

ATTEST:

ADOPT RESOLUTION FOR ASSIGNMENT OF PAYMENT

Motion by Claggett, second by Kiner to adopt the following resolution to allow Auditor Kiepke to sign assignment of payment for SD Jobs Program Grant Agreement for Klumb Family Limited Partnership, Shannon G. Klumb Revocable Living Trust Agreement, Jennifer M. Klumb Revocable Living Trust Agreement, and Michelle L. Klumb Revocable Living Trust Agreement. A roll call vote was taken as follows. Claggett – aye, Kiner – aye, Reider – aye, Weitala – aye, Bode – aye. Motion carried.

**RESOLUTION #052620-03
Resolution to Sign
Assignment of Payment**

Whereas, Klumb Family Limited Partnership, Shannon G. Klumb Revocable Living Trust Agreement, Jennifer M. Klumb Revocable Living Trust Agreement, and Michelle L. Klumb Revocable Living Trust Agreement has been approved for a South Dakota Jobs Grant pursuant to SDCL § 1-16G-48(5), et. seq. and ARSD Chapter 68:02:10 for construction of a Concentrated Animal Feeding Operation on September 10, 2019; and

Whereas, the Davison County Planning & Zoning Commission recommended approval of a Conditional Use Permit to operate a 5,370-animal unit Concentrated Animal Feeding Operation in the Agriculture District on June 4, 2019. The property is legally described as the SW 1/4 EX Lot A & EX E530' of the SW1/4 of the SW1/4 & EX W792.94' of the S750' of the SW 1/4 of the SW 1/4 of Section 10, T 101 N, R 61 W of the 5th P.M., Davison County, South Dakota; W792.94' of the S750' of the SW 1/4 of the SW 1/4 of Section 10, T 101 N, R 61 W of the 5th P.M., Davison County, South Dakota; E530' of the SW1/4 of the SW1/4 of Section 10, T 101 N, R 61 W of the 5th P.M., Davison County, South Dakota; and NE 1/4 of Section 15 T 101 N, R 61 W of the 5th P.M., Davison County, South Dakota; and

Whereas, the Davison County Board of Adjustment approved the Conditional Use Permit for the Concentrated Animal Feeding Operation on June 11, 2020; and

Whereas, assignment of payment is required to be signed by Davison County, South Dakota.

Now, Therefore, be it resolved, that the Davison County Commission authorizes the County Auditor, Susan Kiepke to sign assignment of payment for South Dakota Jobs Program Grant Agreement No: SD Jobs 19-04.

Dated this 26th day of May, 2020 at Mitchell, SD.

Brenda Bode, Chairperson

ATTEST:

Susan Kiepke, Auditor

DISCUSSION

Chairperson Bode would like to set time aside to figure out how disbursement of funds received from the SD Jobs Program Grant will be handled. She would like to include townships in the conversation. She believes a policy needs to be set which takes into account entities affected.

INTO EXECUTIVE SESSION

At 10:52 a.m., at the request of Emergency Management Director Bathke, motion by Kiner, second by Claggett to move into executive session to discuss personnel. All members voted aye. Motion carried.

OUT OF EXECUTIVE SESSION

At 11:09 a.m., motion by Kiner, second by Weitala to move out of executive session. All members voted aye. Motion carried.

APPROVE FEE INCREASE

At the request of Director of Equalization Goetsch, motion by Claggett, second by Weitala to increase the fee to complete tax split requests to \$28, which equates to 1 ½ hours of work for the task to be completed, which is what it takes. All members voted aye. Motion carried.

INFORMATION

Goetsch informed the commission that TIF's will be given the discretionary formula if they request it.

APPROVE PURCHASES

At the request of States Attorney Miskimins and Diversion Coordinator Buschbach, motion by Kiner, second by Claggett to approve the purchase of approximately \$11,240 worth of equipment which includes a copier/scanner/printer, two computers, a multimedia projector and an educational program, provided they are approved by the grant coordinator. These items are all to be purchased with grant funds. All members voted aye. Motion carried.

APPROVE ONE TIME ELECTION FEE INCREASES

At the request of Auditor Kiepke, due to COVID 19, motion by Kiner, second by Claggett to increase pay for Primary election workers on June 2, 2020 as follows: \$350 for anybody working at the Fairgrounds; \$250 for anybody working on the absentee board; \$75 for those that attend election school; \$30 per hour for the resolution board. No other fees will apply. All members voted aye. Motion carried.

DENY WELFARE

As per the recommendation of Welfare Intake Administrative Assistant Emme, motion by Claggett, second by Reider to deny claim #20-9221 and claim #20-5459 pursuant to SDCL 28-13-3 residency required for assistance; claim #18-7239, claim #18-4311, claim #18-8368, claim #18-1771 and claim #20-6029 pursuant to SDCL 28-13-33 prior approval required; claim #19-7862 pursuant to SDCL 28-13-27(6)(c) failure to purchase health insurance through employer. All members voted aye. Motion carried.

APPROVE TIMESHEETS

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

APPROVE BILLS

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

GENERAL FUND:

COMM: Prof Fees/Tristar Benefit Admin-432.00, Publishing/Daily Republic-1,621.87; **ELECT:** Supplies/Alphagraphics of Sioux Falls-2,660.00, Election Systmes & Software-5,077.08, McLeod's Printing-304.20, Verizon Wireless-44.23; **JUD:** Law Library/West Payment Center-95.64; **AUD:** Supplies/McLeod's Printing-135.60; **TREAS:** Supplies/McLeod's Printing-101.24, First Dakota Nat'l Bank-5.00, State MV Supplies/McLeod's Printing-101.25; **STATES ATTY:** Med Prof Fees/Avera Queen of Peace-111.00, State of SD Public Health Lab-790.00, Repairs & Maint/A & B Business Solutions-52.09; **CRT APPTED ATTY:** Pub Def Cont/Alvine Weidenaar-15,833.33, Douglas Papendick-15,833.33; **PUB SFTY BLDG:** Repairs/Iverson Chrysler Center-287.59, Menards-8.59, Supplies/Jones Supplies-84.36, Gas & Fuel/Meyers Oil Co-80.43, Water & Sewer/City of Mitchell-550.05, Pest Control/Premier Pest Control-70.00, Phone/Verizon Wireless-44.23, Minor Equip/Runnings Supply-156.95; **CRTHOUSE:** Pest Control/Premier Pest Control-40.00, Buildings/Krohmer Plumbing-17,553.00, Top Grade Concrete-9,586.98; **DOE:** Gas/Meyers Oil Co-22.00; **ROD:** Supplies/Deb Young-7.98; **NORTH OFF:** Repairs/Menards-4.49, Runnings Supply-27.99, Gas & Fuel/Meyers Oil Co-24.53, Water & Sewer/City of Mitchell-29.45, Pest Control/Premier Pest Control-50.00, Minor Equip/Runnings Supply-104.99; **VET:** Supplies/McLeod's Printing-115.98; **COORD:** Postage/Qualified Presort-2,076.55, Postage Meter Fees/Qualified Presort-304.39, Copy Mach Maint/Elite Business Systems-82.83; **SHERIFF:** Repairs Patrol Car/Big E Auto Service-673.50, Oil Changes/Lube Rangers-111.86, Car Wash/Mega Wash-190.00, Gas Patrol Car/Meyers Oil Co-930.31, Field Supplies/Advance Auto Parts-22.02, Carquest of Mitchell-8.94, Prisoner Transport/Pennington County Jail-36.65, Cellular Service/Verizon Wireless-589.68; **JAIL:** Medicine/Lewis Drug Stores-494.09, Mitchell Clinic-103.93, Mitchell Regional Amb-645.00, Equip Repair/L L Harder-393.06, Mid Dakota Equip & Serv-166.26, Office Supplies/Innovative Office-64.45, Jail Supplies/Bob Barker Co-83.00, Jones Supplies-543.13, Lewis Drug Stores-6.99, Pheasantland Ind-505.94, Kitchen Supplies/Jones Supplies-125.00, Uniforms/Jack's Uniforms & Equip-93.89, Prisoner Food/Summit Food Service-3,819.81, Health Protection/Avera Occupational-224.15, Buildings/Independent Viking Glass-1,780.00, Contracts/Hard Drive Outlet-437.03, Vehicle Maint/Meyers Oil Co-186.38, Inmate Services/Swanson Services-1.42; **CORONER:** Coroner Fees/Clinical Laboratory, Black Hills-1,695.00; **JUV DET:** Medicine/Minnehaha Co Regional-45.06, Detention/Minnehaha Co Regional-36,245.70; **WELFARE:** Supplies/Qualified Presort-13.09; **MENTAL ILL:** Committals/Douglas Papendick-388.00, Hearings/Avera Queen of Peace-699.50, Horn Law Office-396.50, Mark Katterhagen-21.00, Lewis & Clark BHS-1,424.00, Lincoln Cty Treasurer-47.50, Darcy Lockwood-21.00, Lucy M Lewno-279.25, Yankton Cty Treasurer-818.70, Yankton Sheriff's Ofc-50.00; **FAIR:** Repairs & Maint/Tessier's Inc-1,884.68, Pest Control/Premier Pest Control-40.00, Phones/Verizon Wireless-44.23, Buildings/Top Grade Concrete-412.08; **CO EXTENSION:** Contract 4H Youth/SDSU Extension-3,047.88, Postage/Qualified Presort-13.08; **WEED:** Board Mileage/Brenda Bode-15.54, Brian Bode-14.28, Terry Nutter-11.76, Utilities/City of Mitchell-8.90, Verizon Wireless-44.23; **P & Z:** Publishing/Daily Republic-152.70; **HIWAY:** Repairs & Maint/Dockendorf Equip-3,733.88, Fastenal Co-44.10, Iverson Chrysler Center-123.35, Upper Midwest Garage Door-193.86, Supplies & Materials/Ameripride Services-142.16, Elite Business Systems-45.00, Denny Kiner Jr.-841.70, Meyers Oil Co-714.10, Gas & Fuel/Meyers Oil Co-5,807.68, Utilities/City of Mitchell-29.45, Verizon Wireless-117.15, Clayton Wells-250.00, Projects/Civil Design Inc-16,810.40, Patch Mix/Spencer Quarries-10,737.00; **EM:**

Fuel/Meyers Oil Co-200.34, Utilities/City of Mitchell-15.75, Verizon Wireless-74.29, EM Accuml-Verizon Wireless-117.84; **24/7 JAIL:** Equip Repair/Intoximeters Inc-738.50; **BID DEP:** Fairgrounds Damage Dep/Sioux Council Boy Scouts-200.00; **M&P:** M&P Due to SDACO/SDACO M&P-688.00; **LIABILITIES:** Fairgrounds Rent/Sioux Council Boy Scouts-37.50, Louise Maeschen-56.25.

PAYROLL FOR THE MONTH OF MAY

Commissioner-\$6,964.40, Auditor-\$14,599.08, Treasurer-\$10,350.31, State’s Attorney-\$27,464.23, Public Safety Building-\$9,050.45, Gen. Government Building-\$2,893.17, Director of Equalization-\$22,532.74, Register of Deeds-\$10,917.17, North Offices-\$3,955.88, Veterans’ Services-\$3,153.60, County Coordinator-\$484.20, 24/7 Program-\$377.15, Sheriff-\$34,712.22, County Jail-\$86,905.33, Coroner-\$375.00, Emergency Management-\$3,674.90, County Road & Bridge-\$39,530.85, Welfare-\$2,686.68, Community Health Nurses-\$2,665.61, WIC-\$2,705.60, Fairgrounds-\$3,094.58, Extension-\$70.13, Weed Control-\$2,338.10, Planning/Zoning-\$5,400.46.

ADJUST DATE OF NEXT MEETING TO CANVASS BALLOTS

Motion by Reider, second by Weitala to adjust the date of the next meeting from Tuesday, June 2nd to Thursday, June 4th, 2020 so as to be able to canvass the ballots from the 2020 June Primary Election. All members voted aye. Motion carried.

ADJOURN

At 11:40 a.m., Chairperson Bode adjourned the meeting and set the next regular Board of Commissioners meeting for June 4th at 9:00 a.m.

ATTEST

Susan Kiepke, Auditor

Brenda Bode, Chairperson

Publish Once
Approximate Cost