

**October 27, 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.

**MOMENT OF SILENCE**

Chairperson Bode asked for a moment of silence in honor of Lance Carson.

**PLEDGE**

The Pledge of Allegiance was led by Chairperson Bode.

**APPROVE MINUTES**

Motion by Kiner, second by Claggett to approve the minutes from the October 13, 2020 meeting. All members voted aye. Motion carried.

**SIGN 2021 BIGS FOR PRELIMINARY ENGINEERING**

Motion by Kiner, second by Weitala to authorize chairperson Bode to sign the following four 2021 BIGs (Bridge Improvement Grants) for Preliminary Engineering. Structure #18-025-130, Project Number BRO 8018(00)21-1, PCN 08AR; Structure #18-130-032, Project Number BRO 8018(00)21-2, PCN 08AT; Structure #18-130-202, Project Number BRO 8018(00)21-3, PCN 08AU; Structure #18-140-037, Project #BRO 8018(00)21-4, PCN 08AV. All members voted aye. Motion carried.

**SURPLUS PROPERTY**

At the request of Highway Superintendent Weinberg, motion by Kiner, second by Reider to surplus Unit #104 – 2014 Caterpillar 140M2 Motor Grader – Serial #0M9J00800 – estimated hours on meter 6,600 – no attachments included. All members voted aye. Motion carried.

**ADVERTISE FOR SEALED BIDS**

Motion by Claggett, second by Reider to authorize Highway Superintendent Weinberg to advertise for sealed bids for the above mentioned 2014 Caterpillar. All members voted aye. Motion carried.

**SET DATE AND TIME TO OPEN SEALED BIDS**

Motion by Claggett, second by Reider for bids for the aforementioned 2014 Caterpillar to be opened on Tuesday, December 1, 2020 at 9:15 a.m., during regular business of the Davison County Commission meeting to be held at the North Offices located at 1420 North Main Street, Mitchell, SD. All members voted aye. Motion carried.

**CHANGE YIELD SIGNS TO STOP SIGNS**

As per the request of Highway Superintendent Weinberg, motion by Reider, second by Kiner to change Yield signs to Stop signs on 409<sup>th</sup> Avenue at the intersections of 261<sup>st</sup>, 262<sup>nd</sup>, 263<sup>rd</sup> and 264<sup>th</sup> Streets, noting the sheriff is in full agreement. All members voted aye. Motion carried.

**ADOPT SPEED ZONE RESOLUTION**

Motion by Claggett, second by Kiner to adopt the following Speed Zone resolution for Davison County. A roll call vote was taken as follows. Claggett – aye, Kiner – aye, Reider – aye, Weitala – aye, Bode – aye. Motion carried.

**DAVISON COUNTY RESOLUTION #102720-01**

**ESTABLISHING SPEED ZONES ON  
DAVISON COUNTY HIGHWAYS**

**Whereas**, regulation of speed on county highways and enforcement of the same by appropriate fines is consistent with the purpose of creating and maintaining a safe and healthy environment for the public welfare of Davison County residents; and

**Whereas**, SDCL 32-25-9.1 provides that any board of county commissioners may determine and establish speed zones upon all or any part of the highways under its jurisdiction and upon streets and highways on the request of and after any other local authority, including any road district, having charge of the maintenance of the highway has declared its intention to post speed zones. Such speed zones shall be conspicuously posted at the beginning and ending of the zones; and

**Whereas**, it is also necessary to establish separate speed zones on certain Davison County roads for truck traffic;

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Commissioners of Davison County that the following speed zones be established upon the indicated portions of the Davison County Highway system [all references to “miles per hour” are hereafter abbreviated “mph”]:

1. On all Davison County Highways not otherwise marked or posted..... **55 mph**
2. 251<sup>st</sup> Street from 410<sup>th</sup> Avenue to 411<sup>th</sup> Avenue..... **40 mph**
3. 252<sup>nd</sup> Street from 407<sup>th</sup> Avenue to 408<sup>th</sup> Avenue..... **40 mph**
4. 253<sup>rd</sup> Street from 407<sup>th</sup> Avenue to 408<sup>th</sup> Avenue ..... **25 mph**
5. 254<sup>th</sup> Street from 405<sup>th</sup> Avenue to 407<sup>th</sup> Avenue ..... **50 mph**
6. 254<sup>th</sup> Street from 407<sup>th</sup> Avenue to 408<sup>th</sup> Avenue ..... **40 mph**
7. 254<sup>th</sup> Street from 409<sup>th</sup> Avenue to 410<sup>th</sup> Avenue ..... **40 mph**
8. 255<sup>th</sup> Street from 407<sup>th</sup> Avenue to 408<sup>th</sup> Avenue ..... **25 mph**
9. 255<sup>th</sup> Street from 410<sup>th</sup> Avenue to 411<sup>th</sup> Avenue ..... **40 mph**
10. 256<sup>th</sup> Street from 408<sup>th</sup> Avenue to 409<sup>th</sup> Avenue ..... **40 mph**
11. 257<sup>th</sup> Street from 409<sup>th</sup> Avenue to 410<sup>th</sup> Avenue ..... **30 mph**

- 12. 257<sup>th</sup> Street from 410<sup>th</sup> Avenue to 412<sup>th</sup> Avenue ..... **45 mph**
- 13. 397<sup>th</sup> Avenue from 253<sup>rd</sup> Street to 254<sup>th</sup> Street ..... **25 mph**
- 14. 403<sup>rd</sup> Avenue from 253<sup>rd</sup> Street to 254<sup>th</sup> Street ..... **45 mph**
- 15. 405<sup>th</sup> Avenue from 247<sup>th</sup> Street to 248<sup>th</sup> Street ..... **30 mph**
- 16. 410<sup>th</sup> Avenue from 250<sup>th</sup> Street to Shanard Road ..... **40 mph**
- 17. 411<sup>th</sup> Avenue from 251<sup>st</sup> Street to Shanard Road ..... **40 mph**
- 18. 411<sup>th</sup> Avenue from 264<sup>th</sup> Street and 265<sup>th</sup> Street..... **25 mph**
- 19. Shanard Road from 410<sup>th</sup> Avenue and 411<sup>th</sup> Avenue ..... **40 mph**
- 20. 262<sup>nd</sup> Street from 409<sup>th</sup> Avenue to 410<sup>th</sup> Avenue..... **45 mph**
- 21. 263<sup>rd</sup> Street from 409<sup>th</sup> Avenue to 410<sup>th</sup> Avenue ..... **45 mph**
- 22. 264<sup>th</sup> Street from 409<sup>th</sup> Avenue to 410<sup>th</sup> Avenue ..... **45 mph**
- 23. Speed in **CONSTRUCTION ZONES** shall be conspicuously marked at the start and end of such zone at such speed as is deemed appropriate by the Davison County Highway Superintendent. Such marking shall be posted and such CONSTRUCTION ZONE speed limit shall only be applicable during such times as work is actually being undertaken.

Adopted at Mitchell, South Dakota this 27<sup>th</sup> day of October, 2020

\_\_\_\_\_  
 Brenda Bode  
 Chairperson Board of Commissioners

ATTEST:

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 Susan Kiepke  
 County Auditor

**APPROVE 397<sup>th</sup> AVENUE BRIDGE DESIGN WORK**

As per the request of Highway Superintendent Weinberg, motion by Kiner, second by Claggett to approve moving forward with design work for Structure #18-030-144 with a Precast Concrete Box Culvert at a cost of \$33,340.33. The work will not qualify for BIG funds if it is complete before the grant is awarded. Voting aye Kiner, Claggett, Weitala, Bode. Voting nay Reider. Motion carried.

**APPROVE PURCHASE**

At the request of Highway Superintendent Weinberg, motion by Claggett, second by Kiner to approve the purchase of six bundles (60 cutting blades) at a cost of \$8,769.60. All members voted aye. Motion carried.

## **407<sup>TH</sup> AVENUE DISCUSSION**

Commissioner Bode reported receiving an email from a concerned taxpayer regarding 407<sup>th</sup> Avenue going north from Scott Supply. She asked Highway Superintendent Weinberg to address the concerns.

Weinberg stated there is a gravel section that needs to be allowed to settle over the winter. Once it settles, it will be paved in the spring or summer. He further stated that a portion of the road was closed on a Monday and he had planned on opening it back up the same day. However, due to not being able to get patch mix and weather, he wasn't able to get it opened back up until Wednesday.

Weinberg also addressed the railroad being lower than the rest of the road. He said he has been trying for several years to get the railroad to raise the tracks. He has gotten no cooperation.

He would ultimately like to put in a box culvert where the two deformed culverts currently are to allow better water flow. However, this will be a very costly endeavor to improve one mile of road. There are other projects that will have to take precedence.

## **CUB SCOUT MEETINGS**

Amy Steele, Committee Chair for Cub Scout Pack 75, appeared before the Board to ask if the Pack and Boy Scout Troop could temporarily use the Davison County Fairgrounds for their meetings. She explained that First United Methodist Church, where the meetings are usually held, is currently closed to anything outside of church membership due to COVID. She explained their motto is to leave a place cleaner than when they entered.

Motion by Kiner, second by Claggett to allow Pack 75 and the Boy Scout Troop associated with it to meet at the Fairgrounds temporarily, free of charge, with the understanding that Commissioner Claggett will keep the commissioners abreast of the situation at the church as he is a member. All members voted aye. Motion carried.

## **APPROVE ELECTION FEE INCREASES**

At the request of Auditor Kiepke, due to COVID 19, motion by Kiner, second by Claggett to once again increase pay for the 2020 General election workers as was done for Primary election workers 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.

## **APPROVE RENTAL PROPOSAL FOR SD DEPT OF HEALTH**

As requested by the SD Dept of Health, motion by Reider, second by Weitala to approve the rental of office space and an exam room for the Office of Disease Prevention at a rate of \$16.28 per sq ft, which equates to \$327 per month. The State will draw up the contract and the commissioners will give final approval once the contract is received. All members voted aye. Motion carried.

## **ACKNOWLEDGE CHECK RECEIVED FOR MTI CROPS**

Motion by Reider, second by Weitala to acknowledge a check received from POET for \$306.26 for the corn crop the MTI students grew this past year. 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 the following welfare claims: claim #20-5974 and #20-9284 pursuant to SDCL 28-13-33 prior approval required; claim #20-6198, #20-5217 and #20-8212 pursuant to SDCL 28-13-3 residency required; claim #20-9647 pursuant to SDCL 28-13-1.3(1) third party resources available. All members voted aye. Motion carried.

## **APPROVE TIMESHEETS**

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

## **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/Tristar Benefit Admin-462.00, Publishing/Daily Republic Forum Communications-192.51; **ELECT:** Publishing/Daily Republic Forum Communications-21.38, Supplies/McLeod's Printing-47.52, Verizon Wireless-42.00; **JUD:** Prof Fees/Carol Johnson-795.60; **AUD:** Lien Coll Supplies/McLeod's Printing-269.90; **TREAS:** Supplies/First Dakota Nat'l Bank-15.00, McLeod's Printing-39.99, State MV Supplies/McLeod's Printing-40.00, Mainframe Support/Bruce Mastel-35.00; **CRT APPTED ATTY:** Crt Appted Atty/Morgan Theeler-378.30, Pub Def Contract/Alvine Weidenaar-15,833.33, Douglas Papendick-15,833.33; **A & N:** Abused & Neg Child/Morgan Theeler-1,525.70; **PUB SFTY BLDG:** Repairs/Dakota Supply Group-256.59, Golden West-59.99, Supplies/Hillyard Sioux Falls-19.32, Gas & Fuel/Meyers Oil Co-300.28, Water & Sewer/City of Mitchell-1,107.27, Pest Control/Premier Pest Control-80.00, Phone/Verizon Wireless-42.00, Elevator Service/Schumacher Elevator-412.71, Buildings/Arctic Refrigeration-21,479.63, Dakota Supply Group-489.15; **CRTHOUSE:** Repairs & Maint/Mitchell Iron & Supply-170.36, Supplies/Hillyard Sioux Falls-192.42, Gas & Fuel/Meyers Oil Co-41.00, Pest Control/Premier Pest Control-50.00, Elevator Service/Schumacher Elevator-450.24.; **DOE:** Insurance/First Insurance Group-301.00, Supplies/Innovative Office-150.22, Gas/Meyers Oil Co-146.62, Marshall & Swift/Marshall & Swift Boeckh-5,803.70; **NORTH OFF:** Supplies/Hillyard Sioux Falls-192.42, Water & Sewer/City of Mitchell-33.79, Pest Control/Premier Pest Control-50.00; **VET:** Trvl & Conf/Craig Bennett-188.76; **COORD:** Postage/Qualified Presort-676.06, Postage Meter Fees/Qualified Presort-183.88, Copy Mach Maint/Elite Business Systems-42.07; **SHERIFF:** Repairs Patrol Car/Advance Auto Parts-133.99, Oil Changes/Vern Eide Fort Lincoln-52.64, Tires/TMA-63.86, Office Supplies/Office Advantage-92.06, Innovative Office-249.19, Gas Patrol Car/Meyers Oil Co-2,396.03, Trvl & Conf/Steve Brink-66.00, Cellular Service/Verizon Wireless-574.07, Minor Equipment/Sungold Trophies-975.00, Axon Enterprise-48.50; **JAIL:** Medicine/AMG Radiology Mitchell-198.51, Avera Queen of Peace Hosp-803.68, Stephen Gullings-71.00, Lewis Drug Stores-1,869.80, Mitchell Clinic-409.82, Mitchell Regional Ambulance-954.00, Office Supplies/Innovative Office-197.34, Swanson Services-55.00, Jail Supplies/Bob Barker Co-913.46, Innovative Office-49.97, Jones Supplies-63.11, Laundry Supplies/Jones Supplies-205.56, Kitchen Supplies/Cash-Wa Distributing-421.26, Jones Supplies-423.41, Prisoner Food/Summit Food Service-8,940.41, Travel & Conf/Axon Enterprise-345.00, Health Protection/Avera Occupational-448.30, Contracts/Office Advantage-175.87, Mitchell Clinic-9,208.32, Minor Equipment/Bob Barker Co-597.12, Innovative Office-80.32, Vehicle Maint/Meyers Oil Co-638.28, Inmate Services/Swanson Services-345.03; **CORONER:** Coroner Fees/Sanford Health-2,732.00; **WELFARE:** Supplies/Qualified Presort-9.04, Funerals/Bittner Funeral-5,000.00; **NURSE:** Expenditures/Jenna Auch-124.89; **MENTAL ILL:** Committals-Patrick Kiner-485.00, Douglas Papendick-388.00, Hearings/Mark Katterhagen-27.00, Kennedy Pier Loftus-155.20, Lincoln Co Treasurer-665.75, Darcy Lockwood-27.00, Lucy

M Lewno-323.00, Yankton Sheriff's Ofc-200.00; **FAIR:** Gas & Fuel/Meyers Oil Co-102.17, Pest Control/Premier Pest Control-50.00, Phone/Verizon Wireless-42.00; **CO EXTENSION:** Postage/Qualified Presort-11.03; **WEED:** Supplies/Nutrien Ag Solutions-11,760.00, Utilities/City of Mitchell-196.87, Verizon Wireless-42.00; **HIWAY:** Repairs & Maint/Advantage Auto Glass-525.00 CHS Farmers Alliance-222.50, Gas & Fuel/Meyers Oil Co-940.88, Utilities/City of Mitchell-33.79, Verizon Wireless-108.84, Clayton Wells-50.00, Projects/Civil Design Inc-20,311.50, Precision Grading-234,192.20; **EM:** Fuel/Meyers Oil Co-353.09, Utilities/City of Mitchell-19.27, Northwestern Energy-66.84, Verizon Wireless-72.06, EM ACCUML/Corn Palace-1,646.00, Subway-817.70, Verizon Wireless-117.82, Jenna Auch-330.53; **ROD M&P:** M&P Software & Equip/Microfilm Imaging-2,100.00; **LIABILITIES:** Fairground Dep Ret/Mitchell Christian School-200.00.

## **PAYROLL FOR THE MONTH OF OCTOBER**

Commissioner-\$6,964.40, Auditor-\$14,697.54, Treasurer-\$9,822.70, State's Attorney-\$27,739.97, Public Safety Building-\$9,050.44, Gen. Government Building-\$3,218.84, Director of Equalization-\$15,185.46, Register of Deeds-\$11,236.11, North Offices-\$3,914.19, Veterans' Services-\$3,183.17, County Coordinator-\$484.20, 24/7 Program-\$1,889.14, Sheriff-\$37,990.58, County Jail-\$90,491.99, Coroner-\$625.00, Juvenile Detention-\$1,091.61, Emergency Management-\$5,400.46, County Road & Bridge-\$42,816.22, Welfare-\$1,030.01, Community Health Nurses-\$2,665.61, WIC-\$2,705.61, Fairgrounds-\$3,087.38, Extension-\$1,726.79, Weed Control-\$3,468.00, Planning/Zoning-\$3,674.90.

## **ADJOURN**

At 10:45 a.m., Chairperson Bode adjourned the meeting and the next regular Board of Commissioner meeting for Thursday, November 5<sup>th</sup> at 9:00 a.m. in order to be able to canvass the ballots from the General election.

## **ATTEST**

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Susan Kiepke, Auditor

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Brenda Bode, Chairperson

Publish Once  
Approximate Cost