

**October 5, 2021**

**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 of the September 28, 2021, meeting. All members present voted aye. Motion carried.

**PUBLIC INPUT**

Representative Paul Miskimins, appearing on behalf of the Mitchell Lions Club, spoke about the STOP program, which is to prevent throwing out pollutants and partnering with Davison County along with Mitchell, Ethan and Mt. Vernon.

He also spoke briefly about the legislature.

**INTO EXECUTIVE SESSION**

At 9:30 a.m., at the request of Chairperson Bode, motion by Claggett, second by Kiner 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 10:32 a.m., motion by Claggett, second by Reider to move out of executive session. All members voted aye. Motion carried.

**APPROVE NEW HIRE**

At the request of Emergency Manager Bathke, motion by Weitala, second by Claggett to approve a conditional offer to a new hire as deputy at a rate of \$22.00 per hour, effective immediately following completion of a satisfactory background check. All members voted aye. Motion carried.

**INTO EXECUTIVE SESSION**

At 10:35 a.m., at the request of Sheriff Harr, motion by Kiner, second by Weitala 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 11:03 a.m., motion by Reider, second by Weitala to move out of executive session. All members voted aye. Motion carried.

### **APPROVE WAGE FOR CHIEF DEPUTY**

At the request of Sheriff Harr, motion by Reider, second by Kiner to approve an hourly rate of \$27.08, effective September 28, 2021, for Chief Deputy Tim Reitzel. All members voted aye. Motion carried.

### **ACCEPT HIGHWAY SAFETY GRANT**

At the request of Sheriff Harr, motion by Reider, second by Kiner to accept the Highway Safety grant for FFY 2022. All members voted aye. Motion carried.

### **APPROVE PURCHASE**

At the request of Highway Superintendent Weinberg, motion by Claggett, second by Kiner to approve the purchase of thirty-two tires at a cost of \$17,162.24 from Graham Tire at the State bid rate. All members voted aye. Motion carried.

### **APPROVE FUEL QUOTE**

At the request of Highway Superintendent Weinberg, motion by Reider, second by Weitala to accept the lone fuel quote from Meyers Oil for 3,000 gallons of unleaded at \$2.6081 per gallon and 6,000 gallons of #2 dyed red diesel at \$2.65 per gallon. All members voted aye. Motion carried.

### **APPROVE FUEL SYSTEM CONVERSION KIT**

At the request of Highway Superintendent Weinberg, motion by Claggett, second by Weitala to approve a fuel system conversion kit for current software from Dockendorf Equipment Co., Inc. at a cost of approximately \$9,973.20. All members voted aye. Motion carried.

### **APPROVE PURCHASE**

At the request of Highway Superintendent Weinberg, motion by Claggett, second by Kiner to approve the purchase of six batteries at a total cost of \$1,467.30. All members voted aye. Motion carried.

### **EXCUSE COMMISSIONER**

At 11:18 a.m., Chairperson Bode excused Commissioner Reider for the remainder of the meeting.

### **APPROVE AMENDED SICK AND VACATION POLICIES**

Motion by Claggett, second by Kiner to approve the following amended sick and vacation leave policies. All members present voted aye. Motion carried.

### **SECTION 4.3 SICK LEAVE**

#### **Effective Date/Review Date: 10/5/21**

Sick leave will begin to accrue upon the first day of full-time employment at a rate of 3.7 hours per pay period, with a maximum of 960 hours accrued.

Sick leave may be used if the following conditions are met:

- The employee has reported to their department supervisor, no later than thirty (30) minutes before the start of the shift, if possible. Supervisors may require additional time notification, due to the nature of the position.
- After three (3) full working days of consecutive sick leave, a primary care provider’s letter will be required to be submitted to the department supervisor, which will then be forwarded to the Human Resources Department to be placed in the employee’s personnel file. The department supervisor will also inform the Chairman of the Board of Commissioners of the extended illness. This notification is required for all reasons listed below.

An employee may use accrued sick leave in situations of personal illness, pregnancy and related disabilities, exposure to contagious diseases, required eye and dental care, required medical examinations, or in-house counseling or treatment. For work related injury or illness see workers compensation benefits. (Section 3.13 Workers Compensation).

A maximum of eighty (80) hours per calendar year of Personal/Emergency leave is available to all full-time employees, to be used in certain emergencies. Personal/Emergency leave may be used to make up the difference in pay for up to 60 days. All Personal/Emergency hours taken are deducted from the accumulated sick leave hours and can be used for the following reasons:

1. Birth or a child or placement of a child for adoption or foster care.
2. Illness or death of a member of the immediate family. Immediate family is defined as: Employee’s spouse, parent, spouse’s parents, child, grandchild, grandparent, brother, sister, brother-in-law, sister-in-law, daughter-in-law, son-in-law, stepchild, stepbrother, stepsister, and stepparent. The term also includes the spouse’s equivalent of the above. (Also see Section 4.11 Funeral Leave).
3. Volunteer fire or police work.
4. Participation as an emergency rescue squad member.
5. Military Reserve or National Guard service.

Employees, who have had five or more years of continuous full-time service and leave in good standing, will receive a sick leave benefit when they leave Davison County employment, which will equate to \$2.50 for each hour of unused sick leave, up to a maximum of 800 hours.

Employees in the process of retirement and are age 55 or older, please refer to Section 5.3-Separation from County Service, for information on the South Dakota Special Pay Retirement Program.

**SECTION 4.6 VACATION LEAVE**

**Effective Date/Review Date: 10/5/21**

Vacation leave will begin to accrue upon the first day of full-time employment. Accrued vacation hours may not be used prior to the completion of the orientation period, as explained in Section 3.7-Orientation Period unless a licensed primary care provider has diagnosed that you have transmissible severe acute respiratory syndrome coronavirus 2 (SARS-CoV-2), or a transmissible variant thereof, and you have exhausted all sick leave allowed to be used under Section 4.3, above, in which case you are eligible to use accrued vacation hours, but only for such diagnosed condition, prior to completing your orientation period.

Vacation leave for full-time employees is calculated in the chart below. This scale is based on the employee’s anniversary date (date of hire).

<b>Years of Service</b>	<b>Rate of Accumulation</b>	<b>Maximum Accumulation</b>
Hire date-Completion of 5 years	3.25 hours/per pay period	188
Year 6- Completion of 12 years	4.60 hours/per pay period	240
Year 13+	6.20 hours/per pay period	320

Upon accumulation of more than the maximum hours of vacation leave, hours accrued will automatically be subtracted down to the maximum allowable hours without time being granted for leave. It is the employee's responsibility to ensure that hours are used on a timely basis according to this policy.

When an employee's vacation leave falls on a holiday, such time is not to be subtracted from an employee's vacation leave balance. Vacation leave must be scheduled with the employee's immediate supervisor at the earliest possible time prior to the use of such leave. The County reserves the right, within reason; to disapprove requested time for vacation leave for purposes of maintaining the work force during heavy scheduled work periods. However, the County will make every effort possible to accommodate employee requests for time off. Vacation leave will be granted on a first come first serve basis, based on operational needs.

Upon separation from employment, an employee will be paid for any accumulated vacation leave hours, if they have completed their orientation period. Reimbursement for vacation leave will be at the employee's salary rate per their last day of employment and paid in a lump sum.

Employees in the process of retirement and are age 55 or older, please refer to Section 5.3-Separation from County Service, for information on the mandatory South Dakota Special Pay Retirement Program.

### **APPROVE REPLACEMENT PANIC BUTTONS**

At the request of Physical Plant Director Rang, motion by Kiner, second by Claggett to approve the replacement of the panic buttons in the courthouse at a cost of \$1,640.69. All members present voted aye. Motion carried.

### **APPROVE WATER HEATER FOR THE FAIRGROUNDS**

At the request of Physical Plant Manager Rang, motion by Kiner, second by Claggett to approve the replacement of the leaking 80 gallon water heater with a 50 gallon water heater purchased from Mitchell Plumbing with a cost of \$1,100 installed and the old one removed. All members present voted aye. Motion carried.

### **APPROVE BILLS**

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

### **GENERAL FUND:**

**COMM:** Publishing/Daily Republic Forum Communications-215.64, Supplies/First Bankcard-64.20, Utilities/Brenda Bode-50.00, John Claggett-50.00, Kim Weitala-50.00; **JUD:** Prof Fees/Terri Lembcke Schildhauer-1,005.00; **AUD:** ACH Fees/Cortrust Bank-5.00, Utilities/Susan Kiepke-50.00; **TREAS:** Supplies/First Nat'l Bank-13.00, Utilities/David Beintema-50.00, Tonya Ford-50.00, Rachel Soulek-50.00; **STATES ATTY:** Prof Fees/First Natl Bank of Omaha-50.00, James D Taylor PC-4,317.00, Div Service & Fees/A & B Business Solutions-82.60, Catherine Buschbach-50.00, First Bankcard-2.88, Menards-685.22, Med Prof Fees/Avera Queen of Peace Hosp-1,858.21, State of SD Public Health Lab-30.00; **CRT APPTED ATTY:** Crt Appted Atty/The Sharp Firm LLC-1,713.55; **PUB SFTY BLDG:** Repairs/Scott Supply Co-226.05, Phone/Robert Faas-50.00, Jamie Sloan-50.00, Buildings/Mitchell Plumbing-2,985.00; **CRTHOUSE:** Water & Sewer/City of Mitchell-712.78, Phone/Robert Love-50.00, Joel Rang-50.00, Elevator Service/Menards-131.85, Buildings/Daily Republic Forum Communications-20.68; **DOE:** Utilities/Blake Biggerstaff-50.00, Karla Love-50.00, Carla Wittstruck-50.00; **ROD:** Rentals/Bureau of Administration-33.50; **NORTH OFF;** Repairs/Thune's True Value-8.49; **VET:** Utilities/Craig Bennett-50.00, Alexander Kraus-50.00; **COORD:**

Postage/Qualified Presort-788.36, Postage Meter Fees/Qualified Presort-214.67; **HR:** Supplies/First Bankcard-51.23, SD Govt HR Assoc-25.00, Utilities/Tonya Meaney-50.00, Minor Equip/First Bankcard-190.62; **SHERIFF:** Office Supplies/First Bankcard-300.99, Gas Patrol Car/First Bankcard-335.21, Field Supplies/First Bankcard-37.26, Trvl & Conf/First Bankcard-471.72, Cellular Service/Dawn Grissom-50.00; **JAIL:** Medicine/Avera Queen of Peace Hosp-5,154.40, Stephen Gullings DDS-62.00, Fed Inmate Med/Mitchell Clinic-130.00, Equip Repair/Jones Supplies-32.53, L L Harder Inc-721.62, Office Supplies/Innovative Office-193.60, Laundry Supplies/Aramark-312.50, Kitchen Supplies/Thune's True Value-22.78, Prisoner Food/Summit Food Service-5,184.09, Inmate Services/Swanson Services-4.25; **CORONER:** Coroner Fees/Bart Fredericksen-2,615.00; **WELFARE:** Hospital QoP/Avera Queen of Peace Hosp-2,545.74; **CADC:** Sepping Stones/CADC Stepping Stones-1,500.00; **DAKOTA MENT HEALTH:** Prof Fees/Dakota Counseling Institute-1,750.00; **MENTAL ILL:** Committals/Douglas Papendick-396.00, Hearings/Mark Katterhagen-6.00, Dana Larson-20.00, Darcy Lockwood-6.00, Lucy M Lewno-173.75; **FAIR:** Gas & Electric/Northwestern Energy-1,499.13; **DRAINAGE:** Supplies/Thune's True Value-111.53; **HIWAY:** Prof Fees/First Bankcard-102.50, Jack Sorenson-35.00, Publishing/Daily Republic Forum Communications-4.26, Repairs & Maint/First Bankcard-85.21, Supplies & Materials/Thune's True Value-84.05, Gas & Fuel/First Bankcard-38.39, Meyers Oil Co-17,135.29, Trvl & Conf/SD LTAP-100.00, Utilities/Jack Sorenson-50.00, Clayton Wells-50.00, Signage & Materials/First Bankcard-51.95; **EM:** Repairs & Maint/Make it Mine-3,750.00, Trvl & Conf/Jeff Bathke-140.00, Utilities/Jeff Bathke-50.00; **LIABILITIES:** Fairground Dmg Dep/Mitchell School Dist-200.00, Sonja Venderwyk-200.00, Char Brink-200.00.

## ACKNOWLEDGE VOLUNTEERS

Motion by Weitala, second by Kiner to acknowledge volunteers for the month of October 2021, with the full list on file in the Davison County Auditor's office. All members present voted aye. Motion carried.

## COMPROMISE LIENS

Motion by Weitala, second by Claggett to compromise the following liens due to death in the amount of \$62,005.01 or bankruptcy in the amount of \$2,939.64. All members present voted aye. Motion carried.

#1438-\$20.00; #1497-\$70.00; #698-\$10.00; #15393-\$175.00; #67893-\$69.45; #68338-\$26.04; 82495-\$28.58; #2261-\$13.85; #2585-\$7.48; #15385-\$1,574.15; #5577-\$9.50; #423-\$500.00; #12593-\$249.93; #12670-\$23.98; #17322-\$13.62; #17322-\$9.25; #17697-\$123.82; #17873-\$14.99.  
#74059-\$3.73; #74078-\$10.87; #74483-\$3.85; #13722-\$511.90; #60238-\$547.00; #45-\$970.00; #17437-\$864.41; #24434-\$11.99; #24771-\$68.96; #25263-26.14; #744-\$235.20; #745-\$1,058.40; #746-\$428.40; #25452-\$24.49; #914-\$67.20; #915-\$75.60; #916-\$403.20; #22946-\$133.82; #28210-\$66.34; #16234-\$695.86; #16608-\$355.71; #623-\$230.00; #3737-\$9.60; #17596-\$269.12; #26575-\$193.70; #21219-\$759.20; #33096-\$19.11; #1754-\$250.00; #54456-\$2,500.00; #2056-\$582.00; #2388-\$20.00; #2347-\$435.60; #19845-\$140.00; #23969-\$181.58; #2700-\$200.99; #39120-\$165.00; #4072-\$371.94; #4221-\$230.52; #4421-\$96.57; #5042-\$340.50; #46001-\$137.50; #66935-\$650.15; #80536-\$859.10; #9012-\$140.60; #17206-\$698.90; #719-\$140.00; #744-\$428.00; #17509-\$891.48; #18657-\$30.00; #72926-\$200.00; #79529-\$4,381.20; #25139-\$290.00; #1836-\$152.00; #26818-\$25.00; #797-\$365.40; #3893-\$115.00; #5507-\$6,608.06; #45861-\$35.00; #2898-\$160.00; #20038-\$297.10; #900-\$20.00; #18201-\$637.44; #563-\$352.60; #16438-\$235.43; #1255-\$20.00; #1379-\$20.00; #20313-\$750.00; #1539-\$10.00; #20869-\$470.76; #21478-\$205.35; #21771-\$560.74; #22303-\$146.29; #34113-\$43.98; #34383-\$34.79; #22685-\$520.89; #22687-\$614.48; #22686-\$249.69; #1852-\$170.00; #34724-\$7.79; #35017-\$56.00; #35025-\$82.06; #35238-\$173.00; #35326-\$66.57; #35333-\$21.38; #35548-\$82.00; #35610-\$53.79; #35898-\$59.24; #35928-\$74.47; #35936-\$11.32; #22944-\$624.02; #22943-\$279.45; #22942-\$581.73; #36252-\$76.12; #23115-\$289.63; #44936-\$10.79; #45060-\$770.80; #45060-\$329.00; #1186-\$123.50; #66166-\$6,394.79; #1134-\$1,794.00; #1142-\$75.00; #1177-\$3,517.39; #1349-\$1,590.58; #54159-\$2,500.00; #43784-\$780.00; #43786-\$96.00; #43788-\$4.70; #1963-\$285.00; #12138-\$200.00; #49013-\$2,410.89; #14229-

\$353.94; #1335-\$85.00; #1597-\$105.00; #3092-\$150.00; #40228-\$5.00; #4018-\$407.67; #4311-\$74.75; #5201-\$99.57; #6452-\$216.31; #6587-\$913.50; #13803-\$210.00; #23371-\$238.83; #1003-\$399.00.

**ADJOURN**

At 12:01 p.m., Chairperson Bode adjourned the meeting and set the next regular Board of Commissioners meeting for October 12<sup>th</sup>, 2021 at 9:00 a.m.

**ATTEST**

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Susan Kiepke, Auditor

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

Publish Once  
Approximate Cost