

February 1, 2022

**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 January 18, 2022, meeting. All members voted aye. Motion carried.

**ADVERTISE FOR HIGHWAY SUPPLY AND PROJECT BIDS**

Motion by Weitala, second by Claggett to authorize Highway Superintendent Weinberg to advertise for Highway Supply and Project bids which will be accepted until 5:00 p.m. February 21, 2022, at the Davison County Auditor's office, opened at 9:30 a.m., February 22<sup>nd</sup>, 2022, during the regular meeting of the Davison County Commissioners in the Commission Chambers located at 1420 N. Main St., Mitchell, SD and awarded after review, the same day. All bids must be sealed and no walk-ins will be accepted. Bid specifications may be found at the Davison County Highway Shop, 1224 W. 5<sup>th</sup> Ave., Mitchell, SD 57301, phone (605)995-8625. All members voted aye. Motion carried.

**APPROVE SUBMISSION OF VW GRANT**

At the request of Highway Superintendent Weinberg, motion by Reider, second by Kiner to approve submission of a grant application to the VW Rebate Program for partial replacement of a truck. All members voted aye. Motion carried.

**APPROVE GRANT SUBMISSION FOR A HOMELAND SECURITY GRANT**

At the request of Emergency Management Director Bathke, motion by Claggett, second by Reider to approve submission of a Homeland Security grant request for a ¾ ton vehicle. All members voted aye. Motion carried.

**FIRST READING OF THE PROPOSED REDISTRICTING ORDINANCE**

Motion by Reider, second by Kiner to hear the first reading on the following proposed ordinance to redistrict Davison County as per SDCL 7-8-10. All members voted aye. Motion carried.

**To the Public of Davison County  
PUBLIC NOTICE**

**District 1** - Shall include within the city limits of the City of Mitchell the south side of W 8<sup>th</sup> St to the north side of W 4<sup>th</sup> Ave (between N Edgerton St, east side, and city limits on the west side) and South Side of 4<sup>TH</sup> Ave between the west side of Sanborn Blvd and the west city limits. Shall also include the south side of Spruce St to the south city limits between the west side of Rowley St and the west city limits.

Precinct 10 - Shall include the south side of 8th Ave to the north side of 4<sup>th</sup> Ave between the west side of Edgerton St to Lytle St all inside the city limits of Mitchell. Shall also include the south side of 4<sup>th</sup> Ave to the north side of Birch Ave between the west side of Sanborn Blvd and the west city limits.

Precinct 11 - Shall include the south side of Birch Ave and W Ash Ave to the north side of Havens Ave between the west side of Sanborn Blvd and the west city limits.

Precinct 12 - Shall include the south side of Havens Ave to the south city limits between the west side of Minnesota St and the west city limits.

Precinct 13 - Shall include the south side of Havens Ave to the south city limits between the west side of Rowley St and the east side of Minnesota St.

**District 2** - Shall include within the city limits of the City of Mitchell the south side of 4th Ave to the north side of Havens Ave between the east side of Sanborn Blvd and the east city limits. Shall also include the south side of Havens Ave to the south city limits between the east side of Rowley St and the east city limits.

Precinct 14 - Shall include the south side of Ash Ave to the north side of Havens Ave between the east side of Sanborn Blvd and the west side of Foster St. Shall also include south of the Railroad ROW East of Foster St inside the city limits of Mitchell. Shall also include the south side of Havens Ave to the south city limits between the east side of Rowley St and the east city limits.

Precinct 15 - Shall include the south side of 2<sup>nd</sup> Ave to the north side of Ash Ave between the east side of Sanborn Blvd and the west side of Foster St. Shall also include the south side of 2<sup>nd</sup> Ave to the north side of Havens Ave between the east side of Foster St and the east city limits North of Railroad ROW.

Precinct 16 - Shall include the south side of 4<sup>th</sup> Ave to the north side of 2<sup>nd</sup> Ave between the east side of Sanborn Blvd and the west side of Calhoun St.

~~Precinct 17 - Shall include the south side of Bridle Dr to the north side of 4<sup>th</sup> Ave between the east side of Foster St and the west side of Calhoun St.~~

**District 3** - Shall include all of Blendon Township, all of Badger Township, all of Mount Vernon Township, all of the City of Mount Vernon, all of Beulah Township, all of Union Township, all of Lisbon Township, all of Prosper Township, all of Baker Township, all of Tobin Township, all of Rome Township, and all of the City of Ethan. Shall also include those portions of Sections 1-36 outside the City of Mitchell city limits located in Mitchell Township. Shall also include sections 1-18, 24, 25 and 36 located in Perry Township East of 411<sup>th</sup> Ave in said sections.

Precinct 1 - Shall include all of Tobin Township, Rome Township and all of the City of Ethan.

Precinct 2 - Shall include all of Baker Township, Union Township, Mount Vernon Township, Blendon Towhship and all of the City of Mount Vernon.

Precinct 3 - Shall include all of Badger Township, Beulah Township, Lisbon Township, and Prosper Township.

Precinct 4 - Shall also include those portions of Sections 1-36 outside the city of Mitchell city limits located in Mitchell Township. Shall also include sections 1-18, 24, 25 and 36 located in Perry Township East of 411<sup>th</sup> Ave in said sections.

**District 4** - Shall include those portions of Sections 19-23, 26-35 in Perry Township, outside the city limits of the City of Mitchell and West of 411<sup>th</sup> Ave in said sections. Shall also include those portions of Sections 3, 4, 10, 15 in Mitchell Township, outside the city limits of the City of Mitchell. Shall also include within the city limits of the City of Mitchell the north side of 4<sup>th</sup> Ave to the north city limits between the east side of SD HWY 37/Main St and the east city limits, the south side of 15<sup>th</sup> Ave to the north side of 4th Ave between the east side of Rowley St and the east city limits, and the north side of 4<sup>th</sup> Ave to the south side of 11<sup>th</sup> Ave between the east side of Duff St and the east city limits.

Precinct 5 - Shall include those portions of Sections 19-23, 26-35 in Perry Township, outside the city limits of the City of Mitchell and west of 411<sup>th</sup> Ave in said sections. Shall also include those portions of Sections 3, 4, 10, 15 in Mitchell Township, outside the city limits of the City of Mitchell.

Precinct 18 - Shall include the south side of 6th Ave/Bridle Dr to the north side of 4th Ave between the east side of Duff St and to the west side of Calhoun St.

Precinct 19 - Shall include the south side of 11th Ave to the north side of 6<sup>th</sup> Ave between the east side of Duff St and the east city limits. Shall also include the north side of Bridle Dr to the East City Limits. Shall also include east of Calhoun St to the east city limits north of 5<sup>th</sup> Ave. Shall also include that area within the city limits east of Foster St between Shanard Rd and Bridle Dr.

Precinct 20 - Shall include from the south side of 38<sup>th</sup> Ave to the north side of 11<sup>th</sup> Ave between the east side of Main St/SD HWY 37 to west side of Foster St inside the city limits. Shall also include the south side of 15<sup>th</sup> Ave to the north side of 11<sup>th</sup> Ave from the west side of Main St to the east side of Rowley St.

**District 5** - Shall include within the city limits of the City of Mitchell the north side of 15<sup>th</sup> Ave to the north city limits between the west side of SD HWY 37 and the west city limits. Shall also include within the city limits of the City of Mitchell the south side of 15<sup>th</sup> Ave to the north side of 11<sup>th</sup> Ave between the west side of Rowley St and the west city limits. Shall also include within the city limits of the City of Mitchell the south side of 11<sup>th</sup> Ave to the north side of 8<sup>th</sup> Ave between the west side of Duff St and the west city limits. Shall also include within the city limits of the City of Mitchell the south side of 8<sup>th</sup> Ave to the north side of 4<sup>th</sup> Ave between the west side of Duff St to the east side of Edgerton St.

Precinct 6 - Shall include the north side of 23<sup>rd</sup> Ave to the north city limits between the east/north sides of Indian Village Road and the west side of SD HWY 37.

Precinct 7 - Shall include the north side of 23<sup>rd</sup> Ave to the south side of S Harmon Dr between the west/south sides of Indian Village Rd to the west city limits.

Precinct 8 - Shall include the south side of 23<sup>rd</sup> Ave to the north side of 15<sup>th</sup> Ave between the west side of SD HWY 37/Main St and the west city limits. Shall also include the south side of 15<sup>th</sup> Ave to the north side of 11<sup>th</sup> Ave between the west side of Rowley St to the west city limits. Shall also include the south side of 11<sup>th</sup> Ave to the north side of 10<sup>th</sup> Ave between the west side of Duff St and the west city limits. Shall also include South Side of 10<sup>th</sup> Ave to North 8<sup>th</sup> Ave west side of Minnesota St to the west city limits.

Precinct 9 - Shall include the south side of 10<sup>th</sup> Ave to the north side of 4<sup>th</sup> Ave between the west side of Duff St and East Side of Minnesota St. Shall also include the south side of 8<sup>th</sup> Ave to the north side of 4<sup>th</sup> Ave between the west side of Minnesota St and the east side of Edgerton St.

A map can be found on file at the Davison County Auditor's office, 200 East 4<sup>th</sup> Avenue, Mitchell, SD 57301.

**All interested parties may be present and be heard on said request, either in person or by agent. Written comments will be taken until 5:00 p.m., February 7, 2022, in the Davison County Auditor's office.**

## **SET DATE AND TIME FOR SECOND READING FOR PROPOSED REDISTRICTING ORDINANCE**

Motion by Claggett, second by Kiner to set the second reading of the proposed ordinance to redistrict Davison County as per SDCL 7-8-10 on February 8, 2022, at 9:15 a.m., in the Davison County Commission Chambers located in the North Offices at 1420 N. Main St., Mitchell, SD. All members voted aye. Motion carried.

## **APPROVE RAFFLE REQUEST**

At the request of Steve Thuringer, motion by Reider, second by Kiner to approve a raffle request for the Mitchell Friends of NRA to be held from February 1 – June 1, 2022, with a value of \$1,500. All members voted aye. Motion carried.

## **ACKNOWLEDGE VOLUNTEERS**

Motion by Kiner, second by Reider to acknowledge volunteers for the month of February 2022, with the full list on file in the Davison County Auditor's office. All members voted aye. Motion carried.

## **APPROVE BILLS**

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

## **GENERAL FUND:**

**COMM:** Prof Fees/Tristar Benefit Admin-426.00; **JUD:** Jury Fees/Jurors-423.52; **TREAS:** Supplies/First Dakota Nat'l Bank-5.00; **CRT APPTED ATTY:** Crt Appted Atty/The Sharp Firm, Prof LLC-1,697.50, Morgan Theeler LLP-439.80, Pub Def Contract/Alvine Weidenaar LLP-16,229.16, Douglas Papendick-16,229.16; **CRTHOUSE:** Gas & Electric/Northwestern Energy-4,412.81; **NORTH OFF:** Gas & Electric/Northwestern Energy-2,262.05; **SHERIFF:** Cellular Service/Verizon Wireless-648.89; **JAIL:** Jail Supplies/Charm-Tex Inc-482.80; **FAIR:** Phones/Verizon Wireless-41.91; **CO EXTENSION:** Utilities/CenturyLink-27.06; **WEED:** Utilities/Verizon Wireless-41.91; **HIWAY:** Utilities/Northwestern Energy-3,874.79, Verizon Wireless-83.82; **EMG MGMT:** Utilities/CenturyLink-13.53, Northwestern Energy-113.58, Verizon Wireless-30.06, Emg Accuml/Verizon Wireless-117.84; **M&P:** M&P SDACO/SDACO M&P-638.00; **911:** Communications/City of Mitchell Police Dept-16,093.01.

## **GENERAL FUND:**

**COMM:** Prof Fees/Wellmark Insurance-570.00, First Bankcard-367.12, Publishing/Daily Republic Forum Communications-375.42, Utilities/Brenda Bode-50.00, John Claggett-50.00, Kim Weitala-50.00; **JUD:** Prof Fees/Dakota Counseling-3,303.76, Carol Johnson-340.00, Mary Anne Cassel Meyer-72.20, Stephanie Moen & Assoc-465.00; **AUD:** Utilities/Susan Kiepke-50.00; **TREAS:** Passport Postage/First Bankcard-125.25, Supplies/First Dakota Nat'l Bank-8.00, First Bankcard-84.99, McLeod's Printing-17.28, State MV Supplies/First Bankcard-85.00, McLeod's Printing-17.28, Utilities/David Beintema-50.00, Tonya Ford-50.00, Rachel Soulek-50.00; **STATES ATTY:** Prof Fees/Yellow Robe Consulting-1,500.00, Juv Div Fees/A & B Business Solutions-113.06, Catherine Buschbach-50.00, Med Prof Fees/Avera Queen of Peace Hosp-1,392.66, Books/West Payment Center-472.91; **CRT APPTED ATTY:** Crt Appted Atty/Douglas Papendick-1,687.00; **PUB SFTY BLDG:** Repairs/First Bankcard-29.67, Menards-82.50, Water & Sewer/City of Mitchell-1,389.06, Phone/Robert Faas-50.00, Jamie Sloan-50.00; **CRTHOUSE:** Repairs & Maint/Chuck's Paint & Blinds-50.38, Golden West-78.23, Runnings Supply-71.94, Phone/Robert Love-50.00, Joel Rang-50.00; **DOE:** Supplies/First Bankcard-234.21, Utilities/Blake Biggerstaff-50.00, Karla Love-50.00, Carla Wittstruck-50.00; **ROD:** Rentals/Bureau of Administration-36.25, Supplies/First Bankcard-22.40; **NORTH OFF:** Repairs/Advance Auto Parts-57.98, First Bankcard-315.07, Supplies/First Bankcard-28.82, Water & Sewer/City of Mitchell-43.74; **VET:** Supplies/Carquest of Mitchell-27.54, McLeod's Printing-31.15, Utilities/Craig Bennett-50.00, Alexander Kraus-50.00; **COORD:** Postage/Qualified Presort-681.83, Postage Meter Fees/Qualified Presort-195.03, Copy Mach Maint/A & B Business Solutions-30.76, Access Systems-37.55; **HR:** Supplies/GFC Leasing-47.42, Montgomery's Furniture-1,599.92, Utilities/Tonya Meaney-50.00; **SHERIFF:** Repairs Patrol Car/Big E Auto Service-660.05, Office Supplies/Innovative Office-589.48, Gas Patrol Car/First Bankcard-

603.84, Matt Huber-45.99, Cellular Service/Grace Murphy-50.00, Dawn Grissom-50.00; **JAIL:** Medicine/Avera Medical Group Radiology Mitchell-277.88, Avera Medical Group Surgical Mitchell-965.52, Avera Queen of Peace Hosp-7,816.97, Lewis Drug Stores-3,871.60, Mitchell Regional Ambulance-936.00, Physicians Laboratory-39.68, Fed Inmate Med/Lewis Drug Stores-15.99, Office Supplies/Ginger Faas-100.00, Innovative Office-283.79, Jail Supplies/Lewis Drug Stores-3.51, Kitchen Supplies/Jones Supplies-300.37, Uniforms/Jack's Uniforms & Equip-96.89, Prisoner Food/Summit Food Service-10,234.16, Contracts/Daily Republic Mitchell-655.20, FNIC-160.00, Office Advantage-211.70, Medical Waste Transport-210.38, Inmate Services/Swanson Services Corp-1.60; **CORONER:** Coroner Fees/Sanford Health-4,440.00; **WELFARE:** Supplies/Qualified Presort-11.96, Transients/First Bankcard-33.70, Travel/Christine Norwick-13.23, Ofc Utilities/Christine Norwick-50.00; **MENT HANDICAP:** Handicapped Dakotabilities/Dakotabilities-360.00; **MENTAL ILL:** Committals/Douglas Papendick-707.00, Hearings/Mark Katterhagen-12.00, Darcy Lockwood-12.00, Lucy M Lewno-236.53, Yankton Sheriff's Ofc-50.00; **CO EXTENSION:** Postage/Qualified Presort-14.84, Supplies/McLeod's Printing-12.99, Trvl & Conf/Christine Norwick-13.23; **WEED:** Utilities/City of Mitchell-9.21; **P & Z:** Supplies/McLeod's Printing-99.90; **HIWAY:** Repairs & Maintenance/Dockendorf Equipment-4,538.99, Hohbach Electric-113.27, Interstate Tire & Auto-20.00, RDO Equipment-161.74, Supplies & Materials/Interstate Tire & Auto-40.00, Auto Graphics LLC-52.62, Mitchell Iron & Supply-129.58, Tractor Supply Credit Plan-43.74, Utilities/City of Mitchell-109.08, Jack Sorenson-50.00, Clayton Wells-50.00, Signage & Materials/Newman Traffic Signs-1,657.82, Projects/Prahn Construction-174,432.00, Oth Projects/SD Dept of Transportation-1,707.82, Gravel/Dixie Veurink Trucking-93,750.00, Brian Nesheim-25,000.00; **EMG MGMT:** Utilities/Jeff Bathke-50.00, City of Mitchell-29.22, Karen Wegleitner-50.00; **M&P:** M&P Supplies/US Records Midwest-1,401.97.

## **APPROVE TIMESHEETS**

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

## **PAYROLL FOR THE MONTH OF JANUARY**

Commissioner-\$7,501.52, Auditor-\$13,133.13, Treasurer-\$12,210.49, State's Attorney-\$29,854.16, Public Safety Building-\$6,133.78, Gen. Government Building-\$3,159.00, Director of Equalization-\$20,117.98, Register of Deeds-\$12,711.25, North Offices-\$5,476.40, Veterans' Services-\$6,686.27, County Coordinator-\$518.80, HR-\$4,189.35, 24/7 Program-\$1,592.95, Sheriff-\$37,195.47, County Jail-\$100,057.15, Emergency Management-\$3,688.00, County Road & Bridge-\$42,280.00, Welfare-\$2,229.03, Community Health Nurses-\$2,894.41, WIC-\$2,936.00, Fairgrounds-\$3,364.52, Extension-\$378.98, Weed Control-\$2,893.32, Planning/Zoning-\$5,756.40.

## **CANNABIS INCUBATOR DISCUSSION**

Steve Buysman, business consultant for various entities, requested to speak to the commissioners regarding a small business incubator hoping to attract the cannabis industry. He further requested the Zoning Ordinance be amended to permit cultivation, extraction and testing of cannabis. No action was taken.

## **APPROVE INTRODUCTORY RAISES**

Motion by Claggett, second by Kiner to approve a wage increase of \$.50 per hour for Deputy Treasurer/Auditor Nikki Weber effective February 5, 2022, as she has successfully completed a six-month introductory period. All members voted aye. Motion carried.

Motion by Weitala, second by Claggett to approve a wage increase of \$.50 per hour for full-time Corrections Officer Tyler Bier effective January 22, 2022, as he has successfully completed a six-month introductory period. All members voted aye. Motion carried.

Motion by Weitala, second by Reider to approve a wage increase of \$.50 per hour for VSO Alex Kraus effective February 5, 2022, as he has successfully completed a six-month introductory period. Voting aye Weitala, Reider, Claggett, Bode. Voting nay Kiner as he wanted the increase to be \$1.00 as requested. Motion carried.

### **APPROVE RECLASSIFICATION AND WAGE INCREASE**

Motion by Kiner, second by Weitala to the reclassification of David Suarez from full-time Corrections Officer to Corrections Sergeant with a wage increase of \$.50 per hour effective February 5, 2022, with an additional \$.50 per hour after successful completion of a six-month probationary period. All members voted aye. Motion carried.

### **ACCEPT RESSIGNATIONS AND AUTHORIZE ADVERTISEMENT FOR REPLACEMENT**

Motion by Kiner, second by Reider to accept the resignation of Sheriff's Deputy Daren Moke, effective February 7, 2022, and to authorize advertisement for the position. All members voted aye. Motion carried.

Motion by Kiner, second by Claggett to accept the resignation of DOE Administrative Assistant I Stephanie Friesen, effective February 10, 2022, and to authorize advertisement for the position. All members voted aye. Motion carried.

### **NEW HIRE**

Motion by Reider, second by Claggett to approve the hire of Steve Brink as a part-time Deputy Sheriff at a rate of \$24.05 effective January 18, 2022. All members voted aye. Motion carried.

### **APPROVE EQUITABLE WAGE INCREASE**

Motion by Reider, second by Claggett to approve an equitable wage increase of 2.5% plus \$.50 for Diversion Coordinator Katie Buschbach, effective January 1, 2022. All members voted aye. Motion carried.

### **APPROVE TRAVEL REQUEST**

At the request of States Attorney Miskimins, motion by Weitala, second by Claggett to approve travel and expenses for Diversion Coordinator Katie Buschbach to travel to Yankton, SD on February 2 & 3, 2022, to assist with the start-up of their diversion program. All members voted aye. Motion carried.

### **ACCEPT DONATION**

At the request of Treasurer Beintema, motion by Claggett, second by Weitala to accept a donation from the DesLaures family for the framing of an antique Davison County map. All members voted aye. Motion carried.

### **SIGN JOINT POWERS AGREEMENT**

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

**INTO EXECUTIVE SESSION**

At 11:00 a.m., at the request of Sheriff Harr, motion by Reider, second by Claggett 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 11:30 a.m., motion by Weitala, second by Claggett to move out of executive session. All members voted aye. Motion carried.

**INTO EXECUTIVE SESSION**

At 11:30 a.m., motion by Weitala, second by Claggett 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 11:35 a.m., motion by Reider, second by Kiner to move out of executive session. All members voted aye. Motion carried.

**INTO EXECUTIVE SESSION**

At 11:35 a.m., motion by Weitala, second by Reider 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 12:03 p.m., motion by Weitala, second by Claggett to move out of executive session. All members voted aye. Motion carried.

**ADJOURN**

At 12:04 p.m., Chairperson Bode adjourned the meeting and set the next regular Board of Commissioners meeting for February 8th, 2022, at 9:00 a.m.

**ATTEST**

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Susan Kiepke, Auditor

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Brenda Bode, Chairperson

Publish Once  
Approximate Cost