

October 25, 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 AGENDA

Motion by Claggett, second by Kiner to approve the agenda for the October 25, 2022, meeting. All members voted aye. Motion carried.

APPROVE AMENDED MINUTES

Motion by Claggett, second by Kiner to approve the minutes of the October 18, 2022, meeting, as amended. All members voted aye. Motion carried.

MACC/MADC QUARTERLY REPORT

CEO Geri Beck presented the quarterly report form the Mitchell Area Chamber of Commerce, the Mitchell Area Development Corp. and Mitchell Area Convention & Visitors Bureau. The full report may be found on file in the Davison County Auditor’s office.

ADOPT BURN BAN RESOLUTION

As per the recommendation of Emergency Management Director Bathke, motion by Claggett, second by Blaalid to adopt the following resolution to implement a burn ban in Davison County. A roll call vote was taken as follows. Claggett – aye, Blaalid – aye, Kiner – aye, Reider – aye, Bode – aye. Motion carried.

**Davison County Resolution #102522-01
Resolution to Provide for Temporary Emergency
Regulation of Fire Hazards in Davison County**

Whereas, Davison County is experiencing very dry conditions due to the drought that has been experienced in recent weeks; and

Whereas, Davison County is dedicated in taking steps to protect the health and safety of all residents of the County and all property within the County; and

Whereas, the Davison County Commission has consulted with local fire officials and law enforcement officials in regard to the severity of this issue; and

Whereas, for purposes of this resolution, “open burning” shall be defined as any outdoor fire, including but not limited to campfires, warning fires, charcoal grill fires, or the prescribed burning of fence rows, fields, wild lands, trash and debris. This resolution excludes fires contained within liquid-fueled or gas fueled stoves,

fireplaces within all buildings, charcoal grill fires at private residences, and fire pits or fire grates located at private residences or on supervised developed picnic grounds and campgrounds; and

Whereas, unduly hazardous fire conditions now exist in Davison County; and

Whereas, due to several fires in surrounding areas there is a lack of mutual aid and fire -fighting man power; and

Whereas, an ordinance for the regulation of open burning during fire danger emergencies was passed August 7th, 2012.

Now, therefore, be it resolved that the Davison County Commissioners enact this resolution on an emergency basis and impose a ban to prohibit or restrict open burning and that the use of all fireworks, except for fire department approved private or public displays complete with fire suppression standby services, be prohibited in order to protect the public health and safety pursuant the Regulation of Open Burning During Fire Danger Emergencies Ordinance passed August 7th, 2012; and

Be it further resolved that the ban will be in place until fire conditions improve as determined by Emergency personnel within Davison County.

Dated at Mitchell, South Dakota this 25th day of October 2022.

Brenda Bode, Chairperson

ATTEST:

Susan Kiepke, Auditor

APPROVE RENTAL SPACE AT NORTH OFFICES

Motion by Kiner, second Claggett to approve the rental of the space labeled the Microbio lab at the North Offices to the South Dakota Department of Health for an additional office, with details of the rental amount forthcoming. All members voted aye. Motion carried.

APPROVE GRANT APPLICATION AND QUIET SPACE

At the request of Juvenile Diversion Coordinator Bushbach, motion by Kiner, second by Claggett to authorize the application of a South Dakota Department of Health Workwell Mental Health Grant to be used for employees at the Davison County Public Safety Building and to approve a designated quiet space at said building. All members voted aye. Motion carried.

ADOPT BRIDGE POSTING RESOLUTION

Motion by Claggett, second by Blaaid to adopt the following resolution to post bridge limits. A roll call vote was taken as follows. Blaaid – aye, Reider – aye, Kiner – aye, Claggett – aye, Bode – aye. Motion carried.

Davison County Resolution #102522-02 Post Bridge Weight Limit

Whereas, SDCL 32-22-47 provides that the Davison County Board of Commissioners may determine and post signage specifying the maximum weight of any vehicle, laden or unladen, which may enter upon or cross any bridge within its borders: and

Whereas, the Davison County Board of Commissioners has secured the services of a State approved engineer, Civil Design, Inc., to determine the maximum weight each such bridge can safely support; and

Whereas, the Davison County Board of Commissioners has received a revised recommendation of said engineer and has reviewed its contents and is satisfied that the findings therein are accurate and that it is necessary for the protection of both the bridge within Davison County and travelers in Davison County that lesser weight limits than the legal weight maximums provided for in SDCL 32-22-16 be posted for Structure 18-130-183; and

Whereas, the Davison County Board of Commissioners has identified the effected bridge and has prior to the date of this resolution caused to be posted signage containing weight restrictions for Structure 18-130-183 of the following: Single Unit = 10 tons, Combination = 16 tons, Steel Stringers Control, in accordance with SDCL 32-22-47 without taking formal action and that as of the date of this resolution the signage at each and every effected bridge in Davison County is an accurate and true reflection of the recommended maximum weight restriction for each bridge as determined by the State approved engineer;

Now, therefore be it resolved that, as completely appears with location, identification number, and load limit of said bridge by recommendation of Civil Design, Inc., the Davison County Commission hereby sets the posted maximum weights for Structure 18-130-183 as follows: Single Unit = 10 tons, Combination = 16 tons, Steel Stringers Control, and reflected on the current signage of each and every bridge in Davison County so posted as the weight restrictions of each, and such maximum weight limitations shall continue to be signed by a conspicuous sign specifying in large numerals, the maximum weight of any vehicle, laden or unladen, which may enter upon or cross over such bridge in accordance with SDCL 32-22-47, and all current signs at each bridge in Davison County are specifically approved for that purpose.

Dated this 25th day of October, 2022.

Brenda Bode, Chairperson

ATTEST:

Susan Kiepke, Auditor

INTO EXECUTIVE SESSION

At 10:14 a.m., motion by Reider, second by Blaalid 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 10:37 a.m., motion by Reider, second by Claggett to move out of executive session. All members voted aye. Motion carried.

ACCEPT RESIGNATION

Motion by Claggett, second by Reider to accept the resignation of part-time corrections officer Kyelle Herrick, effective October 11, 2022. All members voted aye. Motion carried.

APPROVE EMPLOYEE RESOURCE GUIDE CHANGES

Motion by Blaaid, second by Claggett to approve the following changes in the Davison County Employee Resource Guide, effective November 1, 2022. All members voted aye. Motion carried.

Section 2.3, paragraph one: The last sentence shall read – Without commission approval, employees posting on personal social media will not publicly comment on any event/person as a recognized Davison County employee stating a County position.

Section 2.3, paragraph four: The first sentence shall read – Department heads, or designees, are responsible for designating appropriate levels of use as to County social media sites and are to abide by the following directives. The 5th item in the paragraph shall be stricken. The 6th item in the paragraph shall read as follows: All communication must be professional communications and is governed by this and other Davison County policies.

Section 2.3, paragraph five bullet points 1, 4, 5, 8, 9, 11 and 13 shall be stricken. The 12th bullet point shall read as follows: Disclosure of County confidential, sensitive or proprietary information.

Section 12.3, paragraph one, section 3 shall read as follows: The supervisor may temporarily suspend an employee, with or without pay, for disciplinary purposes.

Section 12.3, paragraph two shall be replaced with the following: Employment with the County is at-will. Accordingly, discipline and termination may occur with or without notice or any opportunity to provide a reason why discipline should not occur, and with or without any required reason.

Section 12.3, paragraph five shall read as follows: Appointed officials are all terminable at-will of the County and are not entitled to receive any pre-discipline or pre-termination notice, and may be relieved of the appointment at any time.

Section 11.7 will have the following language added after paragraph two: 5 U.S.C. 6323 (a) provides 15 days per fiscal year for active duty, active duty training, and *inactive duty training*. An employee can carry over a maximum of 15 days into the next fiscal year. Inactive Duty Training is authorized training performed by members of a Reserve component not on active duty and performed in connection with the prescribed activities of the Reserve component. It consists of regularly scheduled unit training periods, additional training periods, and equivalent training.

Section 12.1, paragraph one, section 3 shall be replaced with the following: Conviction or a plea of guilty or no contest of either (1) a misdemeanor offense that adversely impacts the ability of the employee to perform job duties; or (2) a felony.

Section 8.9, paragraph one, section 4, sentence 3 shall read as follows: The Davison County Jail does have an allowance for appropriate footwear of a \$150 one-time reimbursement/two-year union contract with a receipt.

Section 4.2, paragraph one, shall have the following language added at the end of the paragraph: This does not preclude a supervisor from authorizing the purchase of water/Gatorade for employees working in extreme heat situations, which is a safety and health issue and not a refreshment.

APPROVE INSURANCE COMMITTEE RECOMMENDATIONS FOR PLAN YEAR 2023

Motion by Reider, second by Claggett to accept the recommendation of the insurance committee for health insurance as presented which includes a 2% increase in premium for both the employee and employer and an additional 2% in HRA monies for the employee for options #1 and #2, which are the same as last year. Option #3 includes the 2% increase but reduces the premiums and HRA funds for the Employee/Spouse, Employee/Children and Family options. Full detail may be found in the Davison County Auditor's office. All members voted aye. Motion carried.

Motion by Blaalid, second by Kiner to approve HRA funds of \$806.37, which is equivalent to what an employee taking single health coverage receives, to qualifying full-time employees that don't take health insurance through the County. All members voted aye. Motion carried.

Motion by Reider, second by Claggett to offer vision coverage to those qualified full-time employees that don't currently take health insurance coverage through the County, at their own expense. All members voted aye. Motion carried.

Motion by Kiner, second by Blaalid to increase life insurance coverage to \$15,000 for all qualifying full-time employees with the increased cost of \$2.00 per month split evenly between the employee and the County. All members voted aye. Motion carried.

Motion by Blaalid, second by Claggett to allow all qualifying full-time employees enrolled in the County health insurance plan to purchase more life insurance for themselves, life insurance for their families and to allow those qualifying full-time employees not enrolled in the County health insurance plan to purchase life insurance for themselves and family members. Any additional life insurance purchased would be solely at the employee's expense. All members voted aye. Motion carried.

APPROVE TRAVEL

At the request of Human Resource Director Meaney, motion by Claggett, second by Blaalid to allow travel to Sioux Falls on October 26, 2022, to attend the WIN & Workforce Summit. All members voted aye. Motion carried.

APPROVE BILLS

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

GENERAL FUND:

ELECT: Supplies/McLeod's Printing-398.87; **AUD:** Supplies/McLeod's Printing-1,556.00; **TREAS:** Supplies/First Dakota Nat'l Bank-15.00; **STATES ATTY:** Prof Fees/Yellow Robe Consulting-1,500.00, Repairs & Maint/A & B Business Solutions-71.71, Trvl & Conf/Ramkota Hotel Pierre-103.00, Books/West Payment Center-506.01; **CRT APPTED ATTY:** Crt Appted Atty/De Castro Law Ofc PLLC-2,031.50, Meierhenry Sargent LLP-9,975.41, Morgan Theeler LLP-2,146.10, Pub Def Contract/Alvine Law Firm LLP-16,229.16, Douglas Papendick-16,229.16, Pub Def Exp/Alvine Law Firm LLP-4.20; **PUB SFTY BLDG:** Gas & Fuel/CHS Farmers Alliance-879.93, Water & Sewer/City of Mitchell-1,284.52; **CRTHOUSE:** Supplies/Menards-85.28, Gas & Fuel/CHS Farmers Alliance-143.17, Gas & Electric/Northwestern Energy-2,736.97; **DOE:** Gas/CHS Farmers Alliance-443.91, Trvl & Conf/Crystal Longhenry-200.00, Carla Wittstruck-200.00; **N. OFC:** Water & Sewer/City of Mitchell-46.32; **VET:** Trvl & Conf/CHS Farmers Alliance-313.65;

CO COORD: Postage/Qualified Presort-951.72, Postage Meter Fees/Qualified Presort-239.35, Copy Mach Maint/A & B Business Solutions-31.76, Access Systems-109.13; **HR:** Supplies/GFC Leasing-119.20; **SHERIFF:** Ofc Supplies/Innovative Office-946.99, Gas Patrol Car/CHS Farmers Alliance-3,618.41, Uniforms/Jack's Uniforms-61.94, Prisoner Transport/Avera QoP Hosp-12.00; **JAIL:** Ofc Supplies/Innovative Office-119.98, Jail Supplies/Jones Supplies-370.22, Clifton Red Feather-200.00, Prisoner Food/Summit Food Service-4,887.34, Vehicle Maint/CHS Farmers Alliance-1,659.39; **WELFARE:** Supplies/Qualified Presort-35.84; **MENTAL ILL:** Committals/Patrick W Kiner-101.00, Douglas Papendick-1,212.00, Hearing/Avera McKennan Hosp-790.00, Dana Larson-110.00, Val Larson-69.00, Darcy Lockwood-69.00, Lucy M Lewno-586.28, Yankton Sheriff's Ofc-150.00; **FAIR:** Repairs & Maint/Menards-164.16, Water & Sewer/Davison Rural Water-101.70; **CO EXTENSION:** Postage/Qualified Presort-35.85; **WEED:** Fuel/CHS Farmers Alliance-118.08, Utilities/City of Mitchell-137.86; **HIWAY:** Supplies & Materials/CHS Farmers Alliance-14.00, Gas & Fuel/CHS Farmers Alliance-27,174.58, Utilities/City of Mitchell-46.32, Northwestern Energy-660.36; **EMG MGMT:** Fuel/CHS Farmers Alliance-909.95, Trvl & Conf/Crossroads Hotel & Conf Center-167.50, Utilities/City of Mitchell-31.22; **JAIL 247:** Supplies/McKesson Medical-378.17; **BID DEP:** Fairground Dmg Dep/Curtis Auctioneering-200.00; **M&P:** M&P/SDACO M&P-486.00; **911:** Communication/City of Mitchell Police Dept-16,574.09.

ADJOURN

At 11:30 a.m., Chairperson Bode adjourned the meeting and set the next regular Board of Commissioners meeting for November 1, 2022, at 9:00 a.m.

ATTEST

Susan Kiepke, Auditor

Brenda Bode, Chairperson

Publish Once
Approximate Cost