

February 13, 2024

CALL TO ORDER

Chairperson Reider 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 Deputy Auditor Matthews.

PLEDGE

The Pledge of Allegiance was led by Chairperson Reider.

APPROVE AGENDA

Motion by Claggett, second by Kiner to approve the agenda for the February 13, 2024, meeting. All members voted aye. Motion carried.

APPROVE MINUTES

Motion by Claggett, second by Nebelsick to approve the minutes of the January 30, 2024, meeting. All members voted aye. Motion carried.

PUBLIC INPUT

Steve Sibson spoke about C02 Pipelines.

RECESS BOARD OF COMMISSONERS/CONVENE BOARD OF ADJUSTMENT

At 9:15 a.m., motion by Blaalid, second by Kiner to recess Board of Commissioners and convene Board of Adjustment. All members voted aye. Motion carried.

ADJOURN BOARD OF ADJUSTMENT/RECONVENE BOARD OF COMMISSIONERS

At 9:20 a.m., motion by Nebelsick, second by Kiner to adjourn Board of Adjustment and reconvene Board of Commissioners. All members voted aye. Motion carried.

APPROVE PLAT

Motion by Blaalid, second by Nebelsick to approve a plat of Lots 1 and 2 of Bowman's Addition in the SE ¼ of Section 17, T 104 N, R 60 W of the 5th P.M., Davison County, South Dakota. All members voted aye. Motion carried.

APPROVE HOMELAND SECURITY GRANT APPLICATION

At the request of Chief Sheriff Deputy Reitzel, motion by Kiner, second by Blaalid to allow him to apply for a 2024 Homeland Security Grant in the amount of \$70,000 to \$100,000 for the purchase of eight video camera systems for the patrol vehicles. All members voted aye. Motion carried.

VETERAN'S SERVICE OFFICE ANNUAL REPORT

VSO Thomas presented the annual report for the Davison County Veteran's Service Office for 2023. Thomas presented the goals and results for the office. Mr. Thomas stated the total compensation received for Davison County veterans in 2023 was \$11,600,424. The full report may be found on file in the Davison County Auditor's Office.

APPROVE NEW HIRE

Motion by Claggett, second by Nebelsick to approve the hire of Megan Forrest effective February 13, 2024 as a part-time Correction Officer at a rate of \$21.33 with a \$.50 increase after successful completion of a six-month introductory period. All members voted aye. Motion carried.

APPROVE COURTROOM CARPET & CHAIRS PURCHASE

Motion by Nebelsick, second by Claggett to approve the purchase and installation of carpet for the 2nd floor and 3rd floor courtroom at the Davison County Courthouse at a cost of \$12,275 and the purchase of six high back chairs and 20 jury chairs for said courtrooms at a cost of \$8,899. All members voted aye. Motion carried.

SET DATE AND TIME FOR VIEWING OF ISOLATED TRACT

Motion by Claggett, second by Kiner to set March 12, 2024, at 1 p.m. for the viewing and damage assessment of an isolated property owned by Scott Suelflow legally described as the SW ¼ of Section 1, T 103, R 60 W. of the 5th P.M., Davison County, SD. All members voted aye. Motion carried.

APPROVE TIMESHEETS

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

APPROVE AUDITOR'S ACCOUNT WITH TREASURER

Motion by Claggett, second by Nebelsick to approve the January 2024 Auditor's Account with the Treasurer in the amount of \$10,213,560.54. All members voted aye. Motion carried.

ADOPT SPRING WEIGHT LIMIT RESOLUTION

Motion by Claggett, second by Nebelsick to adopt the following resolution imposing Spring Weight Limits. A roll call vote was taken as follows. Kiner-aye, Nebelsick-aye, Blaalid-no, Claggett-aye, Reider-no. Motion carried.

Highway Superintendent Weinberg recommended an effective date of Tuesday February 20, 2024.

**Resolution #021324-01
Resolution for the Davison County
2024 Weight & Per Axle Limits**

WHEREAS, THE COUNTY OF Davison, South Dakota, is responsible for the maintenance of certain highways under its jurisdiction; and

WHEREAS, it appears that said highways, by reason of deterioration, rain, snow or other climatic conditions will be seriously damaged or destroyed unless the use of vehicles thereon is prohibited or restrictions as to weight of vehicles are imposed; and

WHEREAS, SDCL 32-22-25 provides:

Reduced weight maximums on specific roads—Notice—Exceeding weight limit as misdemeanor. If, for any reason, the improved highways of this state are rendered incapable of bearing the customary traffic without undue damage, or if it is considered by the Department of Transportation, the board of county commissioners of any county, the board of supervisors of any township, or the board of trustees of any road district, that the improved highways or any section of them under their jurisdiction would be damaged or destroyed by heavy traffic by reason of thawing or excessive moisture, or for any reason, the maximum weight of the vehicle and the load shall be reduced. Notice of any restriction under this section shall be given by placing at each end of that section of highway on which the allowable weight limit is reduced and at points of intersection, as deemed necessary by the proper highway authority, signs of substantial construction which conspicuously indicate the limitations of the gross weight of the vehicle. Exceeding such weight limits is a Class 2 misdemeanor; and

WHEREAS, the county of Davison lacks the scale equipment with which to enforce road weight limits

NOW THEREFORE BE IT RESOLVED that a 6 ton per axle weight limit will be placed on all Davison County oil roads posted effective **Tuesday, February 27, 2024** All roads posted 80,000 lb gross total will also be posted 6 ton per axle weight limit

Excluded from load limit restrictions are:

254th Street (Highway 16) between 394th Avenue and 408th Avenue (from Aurora County Line to Mitchell);
397th Avenue from I-90 to Mt Vernon;
403rd Avenue (Betts Rd) from 255th Street to I-90
403rd Avenue (Betts Rd) from 254th Street to the unincorporated town of Betts

247th Street (Ethanol Road) from 405th Avenue to SD State Hwy 37 (409th Avenue) will be posted as 8 ton per axle.

IT IS FURTHER RESOLVED; that the County of Davison requests the South Dakota Highway Patrol Motor Carrier Enforcement Officer(s) to enter the County of Davison with scales adequate to weigh motor vehicles to insure compliance with State Laws pertaining to vehicle weight, and the weight laws established by this resolution.

Dated this **13th Day of February, 2024.**

Randy Reider, Chairman

James Matthews, Deputy Auditor

OPEN HIGHWAY SUPPLY AND PROJECT BID LETTING

At 10:05 a.m. motion by Claggett, second by Nebelsick to open Highway supply and project bid letting. All members voted aye. Motion carried.

CLOSE HIGHWAY SUPPLY AND PROJECT BID LETTING

At 10:18 a.m. motion by Balaalid, second by Nebelsick to close Highway supply and project bid letting. All members voted aye. Motion carried.

REJECT GRAVEL BID

As per the recommendation of Highway Superintendent Weinberg, motion by Kiner, second by Nebelsick to reject the bid for crushed gravel from Dixie Veurink Trucking. All members voted aye. Motion carried.

AWARD 2024 HIGHWAY SUPPLY AND PROJECT BIDS

As per the recommendation of Highway Superintendent Weinberg, motion by Nebelsick, second by Kiner to award the following Highway supply and project bids for the year 2024. All members voted aye. Motion carried.

Bids Accepted

Asphalt Plant Mix at Plant	Class G w/Quartzite Rock AC Mix
Bidder: Commercial Asphalt/Spencer Quarries MC \$120.00 per ton	AC \$70.00 per ton

Asphalt Plant Mix at Plant	Class D Type II AC Mix
Bidder: Commercial Asphalt/Spencer Quarries MC \$160.00 per ton	AC \$70.00 per ton

Magnesium Chloride	Per Gallon
Bidder: Dustusters Enterprises	\$1.42 laid in place

Crack Sealant	Per lb	Per Truckload
Bidder: White Cap	\$.67 per lb.	
Bidder: Midstates Equipment and Supply	\$.67 per lb.	46,500 lbs.

Asphalt Projects

Project #1 2" Mat Overlay (252nd St. – 407th Ave. – 254th St.)	2.0 miles
Bidder: Commercial Asphalt DBA Spencer Quarries, Inc.	\$306,000.00

Seal Coating/Fog Sealing Projects

Project #1 (264th St. – 411th Ave. – 268th St. / 410th Ave. – 264th St. – 412th Ave.)	6.0 miles
Bidder: The Road Guy Const. Co.	\$170,278.00

Project #2 (394th Ave. – 265th St. – 410th Ave.)	16.0 miles
Bidder: The Road Guy Const. Co.	\$457,814.00

Project #3 (254th St. – 406th Ave. – 265th St.)	11.0 miles
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Bidder: The Road Guy Const. Co. \$311,612.00

Project #4 (250th St. – 407th Ave. – 254th St.)

4.0 miles

Bidder: The Road Guy Const. Co.

\$118,033.00

Delineator 7' Post 1.12#

50 or More

Bidder: Newman Traffic Signs

\$8.80

Delineator Markers 4" x 4" Diamond Grade 3

1-10

10 or More

Bidder: Newman Traffic Signs

\$2.89

\$2.69

Square Tubing 1.75" x 12' 14GA

50 or More

Bidder: Newman Traffic Signs

\$35.95

Square Tubing 1.75" x 10' 14GA

50 or More

Bidder: Newman Traffic Signs

\$33.80

Square Tubing 2" x 6' 12GA

50 or More

Bidder: Newman Traffic Signs

\$20.75

Square Tubing 2" x 4' 12GA

50 or More

Bidder: Newman Traffic Signs

\$17.91

ADVERTISE FOR HIGHWAY GRAVEL BIDS

Motion by Claggett, second by Kiner to authorize Highway Superintendent Weinberg to advertise for Highway Gravel bids which will be accepted until 5:00 p.m., March 11, 2024 at the Davison County Auditor’s office, opened at 10:00 a.m., March 12, 2024, and awarded after review. 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. 5th Ave., Mitchell, SD 57301, phone (605)995-8625. All members voted aye. Motion carried.

ADOPT BRIDGE REINSPECTION PROGRAM RESOLUTION

Motion by Kiner, second by Claggett to adopt the following Bridge Reinspection Program Resolution. A roll call vote was taken as follows. Nebelsick-aye, Blaalid-aye, Claggett-aye, Kiner-aye, Reider-aye. Motion carried.

**DAVISON COUNTY RESOLUTION #021324-02
BRIDGE REINSPECTION
PROGRAM RESOLUTION
FOR USE WITH SDDOT RETAINER CONTRACTS**

Whereas, 23 CFR 650 Subpart C, requires initial inspection of all bridges and reinspection at intervals not to exceed two years with the exception of reinforced concrete box culverts that meet specific criteria. These culverts are reinspected at intervals not to exceed four years.

Therefore, Davison County is desirous of participating in the Bridge Inspection Program.

The County requests SDDOT to hire Civil Design Inc. (Consulting Engineers) for the inspection work. SDDOT will secure federal approvals, make payments to the Consulting Engineer for inspection services rendered, and bill the County for 20% of the cost. The County will be responsible for the required 20% matching funds.

Dated this 13th day of February, 2024, at Mitchell, South Dakota.

Board of County Commissioners
Of Davison County

ATTEST:

James M Matthews, Deputy Auditor

Randy Reider, Chairperson

APPROVE TRUCK BOX PURCHASE

At the request of Highway Superintendent Weinberg, motion by Blaalid, second by Claggett to approve the purchase of a truck box from TEC Equipment of Sioux Falls at a cost of \$22,906 to be used on a new Freightliner truck that will be purchased through the VW Rebate Program. All members voted aye. Motion carried.

APPROVE REPAIR

At the request of Highway Superintendent Weinberg, motion by Kiner, second by Nebelsick to approve the transmission repair of a 2001 Ford NH Tractor #32, at a cost of \$18,000 to \$25,000 with the work to be performed by Titan Machinery. All members voted aye. Motion carried.

4-H COOPERATIVE AGREEMENT MOU

Motion by Nebelsick, second by Kiner to allow HR Director Meaney to prepare and send to SDSU Extension a Memo of Understanding regarding the part-time 4-H Program Administrator position. All members voted aye. Motion carried.

APPROVE BILLS

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

GENERAL FUND:

JUD: Witness & Jury Fees/Jurors-570.38; **AUD:** ACH PMT/Cortrust Bank-15.00; **TREAS:** Supplies/First Dakota Nat'l Bank-37.00; **ST ATTY:** Prof Fees/James D Taylor PC-4,879.34; **CRTHOUSE:** Water & Sewer/City of Mitchell-259.75; **VET:** Supplies/First Bankcard-72.34; **SHERIFF:** Ofc Supplies/First Bankcard-279.00, Gas Patrol Car/First Bankcard-23.07; **JAIL:** Ofc Supplies/Innovative Office-293.93, Jail Supplies/First Bankcard-85.44, Minor Equip/First Bankcard-179.80; **FAIR:** Gas & Electric/Northwestern Energy-2,916.62; **EXTENSION:** Utilities/Northwestern Energy-471.54; **WEED:** Utilities/City of Mitchell-41.60, Equipment

Vehicle/Vander Haag's Inc-49,999.00; **HIWAY:** Supplies & Materials/Access Systems-56.83, Utilities/City of Mitchell-52.15, Northwestern Energy-404.60; **EMG MGMT:** Supplies/First Bankcard-534.36; **URBAN / RURAL DEV:** TIDC3/First Dakota Nat'l Bank-9,632.99.

GENERAL FUND:

COMM: Publishing/Mitchell Republic Forum Comm-1,415.32, Utilities/John Claggett-50.00, Denny Kiner Sr-50.00, Mitchell Telecom-23.36, Chris Nebelsick-50.00, Randy Reider-50.00, Santel Comm-105.84; **INSURANCE:** Boiler Insurance/SD Dept of Public Safety-480.00; **JUD:** Interpreter Fees/Devy Alvizures-200.00, Witness & Jury Fees/Jurors-51.02, Law Library/West Payment Center-130.11; **AUD:** Rentals/Microfilm Imaging Sys-147.00, Supplies/Mitchell Republic-269.89, McLeod's Printing-29.34, Utilities/Susan Kiepk-50.00, Mitchell Telecom-23.36, Santel Comm-49.59; **TREAS:** Supplies/McLeod's Printing-112.88, State MV Supplies/McLeod's Printing-13.98, Utilities/David Beintema-50.00, Tonya Ford-50.00, Mitchell Telecom-58.00, Santel Comm-69.83, Mainframe Support/Bruce Mastel-35.00; **ST ATTY:** Prof Fees/Eternal Security Products-98.81, Diversion Service & Fees/Catherine Buschbach-526.04, Med Prof Fees/Avera Queen of Peace Health Services-1,463.00, Avera Queen of Peace Hospital-116.48, SD Public Health Lab-1,085.00, Repairs & Maint/Dakota Data Shred-58.36, Supplies/Innovative Office-37.22, Utilities/Mitchell Telecom-66.16, Santel Comm-98.69, Dues/SD State's Attorneys Assoc-1,263.68, Books/West Payment Center-566.73; **CRT APPTED ATTY:** Crt Appted Atty/Dailey Law Prof LLC-2,065.49, The Sharp Firm Prof LLC-2,866.55, Morgan Theeler LLP-32.10, Douglas Papendick-586.50, Wantoch Law Office PLLC-3,749.05; **A&N:** A&N Child/Dakota Counseling-870.700, Morgan Theeler LLP-425.50; **PUB SFTY BLDG:** Repairs/Dakota Supply Group-65.09, Supplies/Jones Supplies-314.44, Garbage/Miedema Sanitation-215.00, Phone/Robert Faas-50.00, Jason Kulm-50.00, George Stahl-50.00, Minor Equip/Menards-68.96; **CRTHOUSE:** Repairs & Maint/Dakota Supply Group-38.63, G & R Controls-150.00, Menards-75.99, Supplies/Jones Supplies-236.44, Menards-63.63, Joel Rang-42.00, Garbage/Miedema Sanitation-101.00, Phone/Warren Clark-50.00, Joel Rang-50.00, Buildings/Muth Electric-2,495.00; **DOE:** Utilities/Crystal Longhenry-50.00, Mitchell Telecom-21.25, Jared Olsen-50.00, Santel Comm-87.89, Rachel Weber-50.00, Carla Wittstruck-50.00; **ROD:** Utilities/Mitchell Telecom-59.71, Santel Comm-73.83; **N. OFC:** Repairs/Bender's Sewer & Drain-705.00, Mettler Implement-590.32, Supplies/Jones Supplies-177.59, Menards-70.09, Garbage/Miedema Sanitation-83.00, Phones/Mitchell Telecom-42.66, Santel Comm-28.05, Buildings/Kris Stemper Du All Contruction-540.60, Menards-609.78; **VET:** Utilities/Courtney Ditter-50.00, Mitchell Telecom-42.66, Santel Comm-65.73, Tj Thomas-50.00, Timothy Storly-50.00; **CO COORD:** IT Contract/Tech Solutions-12,552.04, Postage/Qualified Presort-720.89, Postage Meter Fees/Qualified Presort-146.88, Supplies/Santel Comm-10.00, Copy Mach Maint/Century Business Products-171.42; **HR:** Rentals/GFC Leasing WI-53.75, Utilities/Tonya Meaney-50.00, Mitchell Telecom-21.25, Santel Comm-37.38; **SHERIFF:** Prof Serv/Language Link-68.47, Repairs Patrol Car/Iverson Shrysler Center-144.30, Car Wash/Mega Wash-15.00, Ofc Supplies/McLeod's Printing-28.99, Field Supplies/O'Reilly Auto Parts-32.97, Utilities/Mitchell Telecom-513.83, Santel Comm-568.08, Cellular Serv/AT&T Mobility-673.33, Dawn Grissom-50.00, Grace Murphy-50.00, Minor Equip/Menards-80.00; **JAIL:** Medicine/Avera Medical Group-4.19, Engage Services LLC-250.00, Sanford Lab-234.77, Ofc Supplies/Ginger Faas-50.00, Innovative Office-64.42, Jail Supplies/Bob Barker Co Inc-263.65, Jones Supplies-433.31, Laundry Supplies/Aramark-244.20, Kitchen Supplies/Jones Supplies-286.70, GPS Monitoring/Alcohol Monitoring Systems-198.40, Uniforms/Al's Engraving-35.80, Galls Lexington-73.95, Jack's Uniforms & Equip-435.69, Inmate Testing/Jones Supplies-155.49, Cable TV/Mitchell Telecom-114.96, Water Softener/Darrington Water-49.00, Contracts/Office Advatage-413.83, Medical Waste Transport-358.90, Minor Equip/Tech Solutions-129.00, Vehicle Maint/TMA-71.73, Inmate Services/Swanson Services-474.00; **CORONER:** Coroner Fees/Dakota Embalming & Transport-240.00; **JUV DET:** Detention/Minnehaha Co Regional-6,877.20; **WELFARE:** Transients/Ashiq and Saleem LLC-360.00, Ofc Utilities/Mitchell Telecom-33.98, Christine Norwick-50.00, Santel Comm-23.00; **MENT HAND:** Lifequest/Lifequest-10,000.00, Mentally Handicapped/SD Dept of Revenue-1,894.89; **MENT ILL:** Committals/Patrick Kiner-172.50, Douglas Papendick-920.00, Hearings/Avera McKennan Hosp-5,727.50, Mark Katterhagen-55.50, Koletzky Law Office-

361.10, Val Larson-55.50, Lewis & Clark BHS-639.00, Lincoln Co Treasurer-2,702.15, Lucy M Lewno-534.92, Yankton Sheriff's Ofc-200.00; **FAIR:** Repairs & Maint/Automatic Building Controls-300.00, Menards-24.94, Supplies/Menards-19.76, Garbage/Miedema Sanitation-157.00; **EXTENSION:** Utilities/Mitchell Telecom-107.43, Santel Comm-85.16; **WEED:** Utilities/Mitchell Telecom-59.24, Santel Comm-25.53, Equipment/Tech Solutions-79.00; **DRAINAGE:** Publishing/Mitchell Republic Forum Comm-12.77; **P&Z:** Publishing/Mitchell Republic Forum Comm-21.89; **HIWAY:** Prof Fees/Avera Occupational-71.00, Midwest Fire & Safety-854.00, Repairs & Maint/Auto Body Specialties-97.80, Bailey Metal-111.16, Butler Machinery-4,123.51, Carquest of Mitchell-2,639.22, Elfstrand's Ace Hardware-62.15, Graham Tire Co-54.00, I-State Truck Center-412.54, Independent Viking Glass-1,499.37, Transource-1,222.85, Supplies & Materials/A-Ox Welding-90.41, Aramark-32.62, Carquest of Mitchell-1,196.83, Elfstrand's Ace Hardware-60.51, Menards-120.67, Mueller Lumber Co-44.00, Runnings Supply-715.38, Thune's True Value-81.47, Utilities/City of Mt Vernon-109.00, Miedema Sanitation-83.00, Mitchell Telecom-174.20, Santel Comm-68.39, Jack Sorenson-50.00, Clayton Wells-50.00, Projects/Prahm Construction-12,809.30, Oth Projects/SD Dept of Transportation-348.25, Gravel/Dixe Veurink Trucking-93,750.00, Brian Nesheim-25,000.00, RAIF Expenditures/Beulah Township-32,808.88, Tobin Township-76,978.43; **EMG MGMT:** Repairs & Maint/Midwest Fire & Safety-172.00, Utilities/Jeff Bathke-50.00, Mitchell Telecom-21.25, Santel Comm-95.32, Karen Wegleitner-50.00, Dues/Tri-State Em Mgmt Assoc-40.00; **JAIL 24/7:** Contracts/PKT-1,350.00, Minor Equip/Tech Solutions-129.00; **BID DEP:** Fair Dmg Dep Ret/Holiday Arts-200.00.

APPROVE OPERATING TRANSFER

Motion by Claggett, second by Nebelsick to transfer \$109,787.30 from RAIF Fund Cash 29500A1010000 to Highway Fund Cash 20100A1010000. All members voted aye. Motion carried.

APPROVE AUTO SUPPLEMENT

Motion by Nebelsick, second by Claggett to approve an automatic supplement of \$109,787.30 to the Highway budget RAIF Expenditures line 7501/311 received from the state of South Dakota for the Rural Access Infrastructure Grant. All members voted aye. Motion carried.

ADJOURN

At 11:06 a.m., Chairperson Reider adjourned the meeting and set the next regular Board of Commissioners meeting for February 20, 2024, at 9:00 a.m.

ATTEST

James Matthews, Deputy Auditor

Randy Reider, Chairperson

Publish Once
Approximate Cost