

February 24, 2026
Davison County Board of Commissioners

CALL TO ORDER

Chairman Reider called the meeting of the Davison County Board of Commissioners to order at 9:00 A.M. Members of the board present were Claggett, Kiner Nebelsick, Reider, Blaalid. Also present was Auditor Wingert.

PLEDGE

Chairman Reider opened the meeting with the Pledge of Allegiance.

APPROVE AGENDA

Motion by Claggett, second by Nebelsick to approve the agenda. All in favor - aye. Motion carried.

APPROVE MINUTES

Motion by Claggett, second by Kiner to approve the minutes of the February 10, 2026, meeting. All members voted aye. Motion carried.

PUBLIC INPUT

There was no public input.

ADOPT WEIGHT LIMIT RESOLUTION

Motion by Blaalid, second by Kiner to adopt the following resolution imposing weight limits. A roll call vote was taken as follows: Claggett - aye, Kiner - aye, Nebelsick - aye, Blaalid - aye, and Reider - aye. Motion carried.

Resolution#020426-01

**Resolution for the
Davison County 2026
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 February 25, 2026.

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 255th Street to Mt Vernon;
403rd Avenue (Betts Rd) from 255th Street to 1-90;
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 tons 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 ensure compliance with state laws pertaining to vehicle weight, and the weight laws established by this resolution.

Dated this _____

Randy Reider, Commissioner Chairman

Kathy Wingert, Davison County Auditor

SET BID OPENING DATE

Motion by Blaalid, second by Nebelsick to approve the bid opening date as follows:

"NOTICE TO BIDDERS"

The Board of Davison County Commissioners will receive sealed bids for Highway Department supplies for 2026 requirements. All bids must be received by 5:00 P.M. on Monday, March 23, 2026. **NO WALK-INS WILL BE ACCEPTED ON MARCH 24, 2026.**

All bids shall be firm for the year.

Bids will be publicly opened and read aloud on Tuesday, March 24, 2026, at 9:30 A.M. in the Commissioner Room at the North Office Building at 1420 N Main St, Mitchell, SD, as follows:

Asphalt Plant Mix - MC & AC mix To be Bid
Price at Plant
Asphalt Plant Mix - Hot mix class G To be Bid
Price at Plant
Magnesium Chloride 10,000 gallons more or less.

All bids should reflect cost to apply to road.

FOB anywhere in Davison County. Crack Sealant - by pound and truckload delivered to Mitchell, SD Telespar and Delineator Posts
FOB Mitchell ALL Telespar and Delineator Posts

Specifications for the furnishing of the above items will be on file at the County Highway Superintendent's Office, 1224 West 5th Ave., Mitchell, South Dakota. By virtue of statute of authority, preference will be given materials, products, and supplies found or produced within

the State of South Dakota.

Commission reserves the right to accept bids for individual projects or jointly.

Chipseal 8-mile project:

Project #1 is on 397th Avenue between 249th and 254th Street - 5 miles. Project #2 is on 251st Street between 409th and 410th Avenue - 1 mile. Project #3 is on 252^{1/2} Street between 410th and 412th Avenue - 2 miles.

Asphalt 7/8-mile project:

Project #1 is on 253rd Street between 407th Avenue and Elevator R - 7/8 mile. Specifications for proposal available at Davison County Highway Department. Signing will be done by the contractor.

Bids must be submitted on county bid sheets which can be picked up at 1224 West 5th Avenue, Mitchell, South Dakota.

Send or deliver all bids to the Davison County Auditor, 200 East 4th Ave., Mitchell, South Dakota 57301.

The name and address of the bidder shall be plainly marked in the upper left-hand corner of the envelope containing the bid. The lower left-hand corner of the envelope shall be plainly marked that bids are enclosed.

The Davison County Commissioners reserve the right to increase or decrease quantities at the same unit price on all bid items.

The board reserves the right to reject any or all bids and reserves the right to accept the bid which, in their opinion, is the best responsible bid or that which is deemed to be in the best interest of the county, by order of the Davison County Commissioners.

Bids may be awarded at a commission meeting to follow.

Contacts: Kathy Wingert
Davison County Auditor
200 E. 4th Ave, Mitchell SD 57301
605-995-8608

Russel Weinberg
Highway Supt.
1224 W 5th Ave, Mitchell, SD 57301
605-995-8625

All in favor - aye. Motion carried.

SUPERINTEDENT WEINBERG

Superintendent Weinberg talked to the board about the addition to his building. Mr. Weinberg indicated that he needs approximately \$4,300 in supplies to complete the addition. Motion by Balaalid, second by Claggett to approve the purchase of the needed material. All in favor - aye. Motion carried.

ADOPT BURN BAN RESOLUTION

As per the recommendation of Acting Director of Emergency Management Wegleitner, motion by Kiner, second by Nebelsick to adopt the following resolution to implement a burn ban in Davison County. A roll call vote was taken as follows: Claggett - aye, Kiner - aye, Nebelsick - aye, Balaalid - aye, Reider - aye. Motion carried.

Davison County Resolution # 022426-02 Resolution to Provide for Temporary Emergency Regulation of Fire Hazards in Davison County

Whereas, Davison County is experiencing very dry conditions due to the lack of moisture, high winds, and above normal temperatures that have 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 Emergency Management Office has consulted with local fire officials and law enforcement officials regarding the severity of this issue; 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 firefighting manpower; 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, and use of any fireworks except for fire department approved private or public displays with advance arrangements for standby fire suppression services, but EXCLUDING 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 contained fires inside barrels used for burning trash so long as such barrels have fire screens to prohibit the escape of embers and fly ash are continuously monitored and attended, and have an adequate water supply nearby; and

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

Now, therefore, be it resolved that the Davison County Board of Commissioners, in order to protect the public health and safety pursuant the Regulation of Open Burning During Fire Danger Emergencies Ordinance passed August 7, 2012, hereby imposes:

- a ban prohibiting and restricting open burning as defined above, such ban to include, but not be limited to,
 - o any outdoor fire,
 - o campfires,
 - o warning fires,
 - o charcoal grill fires other than at a private residence,
 - o burning of fence rows, fields, or wild lands,
 - o burning any trash or debris,
 - o all fireworks, except for fire department approved private or public displays with advance arrangements for standby fire suppression services,
 - o all subject to the exceptions set forth in the open burning definition set forth above; and

Be it further resolved that the ban set forth above will be in effect until further resolution of the Davison County Board of Commissioners.

Dated this 24th day of February 2026.

Randy Reider- Chairman

Kathy Wingert, Auditor

APPROVE PROPERTY TAX ABATEMENTS

Motion by Claggett, second by Nebelsick to approve the following tax abatement in the amount of \$13.02: William Goetsch, Parcel #06995-20100-004-00 legally described as Lots 11& 12 BLK 6 Home Park 2nd Addn due to the mobile home being gone since October 2023. All in favor - aye. Motion carried.

Motion by Claggett, second by Kiner to approve the following abatements for the City of Mitchell, needing to be listed as tax exempt from a purchase on May 5th 2025. Abatements approved as follows; Parcel # 15150-00100-002-00 legally described as Lot 2 BLK 1 Driving Park Add. in the amount of \$846.44. Parcel # 15150-00100-006-00 legally described as Lot 6 BLK 1 Driving Park Add in the amount of \$233.25. Parcel # 15150-00100-004-00 legally described as Lot 4 BLK 1 Driving Park Add in the amount of \$267.90. Parcel #15260-01400-007-00 legally described as Lots 7-12 BLK 14 Gleeson's Add in the amount of \$1,109.80. Parcel # 15995-00070-02800 legally described as Lot 28 Parkview Mobile Court in the amount of \$10.71. Parcel # 15150-00100-007-00 legally described as Lots 7-12 Blk 1 Driving Park Add, in the amount of \$1,490.14. Parcel #15150-00200-006-00 legally described as Lot 6 BLK 2 Driving Park Add in the amount of \$136.07. Parcel #15150-00100-005-00 legally described as Lot 5 Blk 1 Driving Park Add in the amount of \$321.91. Parcel #15150-00100-001-00 legally described as Lot 1 Blk 1 Driving Park Add in the amount of \$507.05. Parcel #15150-00200-001-00 legally described as Lots 1-5 BLK 2 Driving Park Add in the amount of \$1,070.92. and Parcel # 15150-00100-003-00 legally described as Lot 3 BLK 1 Driving Park Add in the amount of \$521.23.

APPROVE BILLS

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

GENERAL FUND;; COMM: Publishing/Column Software PBC145.13; Purr N Ruff/Creekside Veterinary124.30;;**INSURANCE:** ; **ELECT:** ; **JUD:** Prof. Fees/Stephanie Moen & Assc.245.00; Interpreter Fees/Devy Alvizures50.00; Servicios Hispanos LLC127.50;;**JURORS:** ; **AUD:** Paylocity/Paylocity3,261.85;; **TREAS:** Supplies/McLeod's Printing & Offc.22.47; Mainframe Support/Bruce Mastel35.00;; **ST ATTY:** Repairs & Maint./A & B Business Solutions140.71;; **CRT APPTED ATTY:** Public Defender Contract/Alvine Weidenaar20,000.00; Douglas Papendick20,000.00; Catastrophic Legal/SD Assoc. of Co Commissioners8,502.00;; **PUB SFTY BLDG:** Repairs/Krohmer Plumbing335.92; Supplies/Menards45.87;; **CRTHOUSE:** ; **DOE:** ; **ROD:** ; **N. OFC:** Repairs/Menards50.48;; **VSO:** ; **CO COORD:** Postage/Qualified Presort631.70; Postage Meter Fees/Qualified Presort143.18; Copy Machine Maintenance/Access Systems216.42;; **HR:** ; **SHERIFF:** Office Supplies/A & B Business Solutions155.95; Minor Equipment/Eternal Security Products546.64; Machinery & Auto/Sign Pro1,030.86;; **JAIL:** Jail Supplies/Jones Supplies261.64; Kitchen Supplies/Summit Food Service474.00; Prisoner Food/Summit Food Service26,265.86; Contracts/Office Advantage60.71;;**JUVENILE DETEN:** ; **WELFARE:** **COMM HEALTH NURSE:** ; **MENT ILL:** Commitals/Douglas Papendick488.00; Hearings/Fox Law Firm207.57; Mark Katterhagen24.00; Val Larson24.00; Yankton County Treasurer165.95;; **EXTENSION:** ;**EXHIBITION BLDG O & M:** Repairs & Maint./Menards16.92;;**WEED CONTROL:** Utilities/Verizon Wireless39.73;;**SOIL CONSERVATION ;DRAINAGE BOARD ;PLANNING & ZONING:** ;**HWY:** Professional Fees/AMG-Avera OCC Medicine75.40; Repairs/Maintenance/New Tec280.00; Pioneer Designs24.00; Trail King Industries171.86; Supplies/Materials/Fastenal Company174.76; Menards42.99; Vestis32.62; Utilities/Verizon Wireless79.46; Projects/Civil Design Inc825.00; Other Projects/Fastenal Company196.00;;**EMERGENCY MANAGEMENT:** Repairs & Maint./A & B Business Solutions150.00; Utilities/Northwestern Energy109.38; Emergency Accuml/Verizon Wireless189.15;;**BID DEPOSITS & REFUNDS:** ;**HANDICAPPED:** ;**DUE TO M&P SD COUNTY ASSC:** ;**PREDATORY ANIMAL CONTROL:** ;24/7: ;**911** Communication Center/City of Mitchell Police Dept.28,211.20;;**URBAN & ECONOMIC DEVELOPMENT**

TIMESHEETS

Motion by Claggett, second by Nebelsick to approve department head timesheets. All in favor - aye. Motion carried.

EMPLOYEE CHANGES

Motion by Blaalid, second by Nebelsick to approve Corrections Officer Kristie Contreas-Sierra to move to full-time effective 2/14/26. All in favor - aye. Motion carried.

Motion by Blaalid, second by Kiner to approve a \$.50 raise for Kristie Contreas-Sierra for completing her introductory period successfully. All in favor - aye. Motion carried.

AUDITOR'S ACCOUNT WITH THE TREASURER

Motion by Nebelsick, second by Bhaalid to approve the auditor's account with the treasurer account for January 2026. All in favor - aye. Motion carried.

APPROVE RESOLUTION FOR CONTINGENCY TRANSFER

Motion by Kiner, second by Claggett to approve the following resolution for contingency transfers for the 2026 budget year. A roll call vote was taken as follows: Claggett - aye, Kiner - aye, Nebelsick - aye, Bhaalid - aye, and Reider - aye.

**RESOLUTION #022426-03
CONTINGENCY TRANSFER**

Whereas, SDCL 7-21-32.2 states that no expenditures shall be charged to the line item authorized for by SDCL 7-21-6.1, but such appropriated amount may be transferred, by resolution of the board, to any other appropriation in which insufficient amounts were provided or for items for which no appropriation was provided. When transfers are made from the contingency budget to other appropriations, whose revenue is provided by other than general fund revenues, a transfer of fund balances may be made from the county general fund to such other fund in the amount of the budget transfer.

Now, therefore, be it resolved that the following contingency transfer be made for the 2026 budget year: Transfer from the General Fund Contingency budget line item 113 in the amount of \$12,000.00 to budget line item 113/421113.

Dated at Mitchell, South Dakota, this 24th day of February 2026.

Randy Reider, Chairperson

ATTEST:

Kathy Wingert, Auditor

ADJOURN

Chairman Reider adjourned the meeting and set the next regular Board of Commissioners meeting for March 10, 2026.

ATTEST:

Kathy Wingert, Auditor

Randy Reider, Chairperson

Publish once
Approximate cost

