

**DAVISON COUNTY, SOUTH DAKOTA, ORDINANCE #082724-01**

**AN ORDINANCE COMBINING THE OFFICES OF COUNTY AUDITOR & COUNTY TREASURER**

**WHEREAS**, SDCL 7-7-1.2 provides

The board of county commissioners may, by ordinance, combine two or more county offices and that one person shall be elected to, and perform the duties of, the combined offices; and

**WHEREAS**, SDCL 7-7-1.3 provides, *inter alia*,

...[I]f the offices are combined pursuant to §7-7-1.2, an officer shall be nominated and elected at the next general election to the combined office in the same manner provided by law for the election of other county officers...; and

**WHEREAS**, SDCL 7-7-1 provides, *inter alia*,

The terms of all such [county] officers shall be four years, or until their successors have been duly elected and qualified. Nevertheless, the term of any county office, combined with another pursuant to § 7-7-1.2 or 7-7-1.3, shall expire on the first Monday of January following the ordinance authorizing the combination; and

**WHEREAS**, the time for nominating petitions, primary elections, and other procedures under SDCL Chapter 12-6 relating to the 2024 general election of county officers has long passed rendering it impossible for any candidate for a newly combined office to appear on the November 4, 2024, general election ballot; and

**WHEREAS**, the next general election at which a person could be elected to the combined offices will occur on November 3, 2026; and

**WHEREAS**, SDCL 7-7-1.10 provides

If the offices are combined pursuant to § 7-7-1.2 and a vacancy occurs in one of the combined offices, the county commission shall appoint the remaining officer to hold the newly combined position until an officer can be nominated and elected;

**NOW, THEREFORE, BE IT ORDAINED** by the Board of Commissioners of Davison County, South Dakota:

§1. Establishment. Pursuant to SDCL 7-7-1.2 the offices of Davison County Auditor and Davison County Treasurer will be combined into a single public office and one person will be elected to, and will perform the duties of, the combined offices.

§2. Name of Combined Office. The combined office will be known as the Davison County Office of Finance.

§3. Name of Combined Officer. The elected official replacing the Davison County Auditor and the Davison County Treasurer and undertaking the combined duties of each formerly separate office as the Davison County Office of Finance will be known as the Davison County Finance Officer.

§4. Implementation.

- a. Pursuant to SDCL 7-7-1 the terms of the Davison County Treasurer and the Davison County Auditor, such offices having been hereby combined pursuant to § 7-7-1.2, will expire on January 6, 2025, such date being the first Monday of January following the adoption and effective date of this ordinance authorizing such combination;
- b. As a result of the statutory expiration of the terms of office of the prior office holders on January 6, 2025, and in order to provide for the orderly discharge of the duties of the combined offices, the Davison County Board of Commissioners will as soon as practicable on or after January 6, 2025, make appropriate appointment pursuant to SDCL 3-4-3 and SDCL 7-7-1.10;
- c. Following election on November 3, 2026, the newly elected and qualifying Davison County Finance Officer will assume office on the first Monday of January, 2027.