

December 19, 2024

CALL TO ORDER

Chairperson Reider called the regular meeting of the Davison County Board of Commissioners to order at 9:00 A.M. Members of the Board present were Kiner, Nebelsick, Blaalid, Reider. Also present was Auditor Wingert. Commissioner Claggett was absent from today's meeting.

PLEDGE

The Pledge of Allegiance was led by Chairman Reider

APPROVE AMENDED AGENDA

Motion by Nebelsick, second by Kiner to approve the agenda as amended for December 19th, 2024, and adding a discussion about Planning and Zoning Director Bathke and his salary while in legislative session. All members present voted aye. Motion carried.

APPROVE MINUTES

Motion by Nebelsick, second by Blaalid to approve the minutes of the December 10th, 2024, meeting. Motion carried.

PUBLIC INPUT

Doug Hanson came forward as a concerned county citizen to speak on the effects of a CO2 pipeline. Doug indicated from what he can find, the pipeline would not be on his property but would be very close. He further stated that he was very concerned about the effects of the pipeline and how it would negatively impact more people than the physical location of the pipeline. Doug stated the question "how do we protect our citizens and what are you going to do?"

Next, Holly Hanson came forward. She provided a handout for the board that was distributed at the end of the meeting. She indicated that she feels a responsibility to her family, business, neighbors, friends and community. She stated she completed a lot of research in her own time on the topic of "frost heave" and further stated she found that 97% of South Dakota is susceptible to this.

OPEN PUBLIC HEARING ON THE ISSUANCE OF A TEMPORARY LIQUOR LICENSE

At 9:35 A.M., a motion by Blaalid, second by Nebelsick to open the public hearing regarding a temporary liquor license for the Lions Club of Mitchell during the Avera Christmas party scheduled for 1/11/25 at the Davison County Fairgrounds.

GRANT TEMPORARY LIQUOR LICENSE

Motion by Blaalid, second by Kiner to adopt the following resolution granting a temporary liquor license to the Lions Club of Mitchell for the Avera Christmas party held on 1/11/25 at the Davison County Fairgrounds. A roll call vote was taken as follows: Kiner – aye; Nebelsick – aye; Blaalid – aye; Chairman Reider - aye. Motion carried.

**Davison County Resolution #121924-03
Grant Temporary Liquor License to
Lions Club of Mitchell, SD**

Whereas, SDCL 35-4-124 states, in part, that any municipality or county may issue:

(1) A special malt beverage retailers license in conjunction with a special event within the municipality or county to any civic, charitable, educational, fraternal, or veterans organization or licensee licensed pursuant to 35-4-111 or subdivision 35-4-2(4), (6) or (16) in addition to any other licenses held by the special events license applicant;

(2) A special on-sale license in conjunction with a special event within the municipality or county to any civic, charitable, educational, fraternal, or veterans' organization or any licensee licensed pursuant to 35-4-111 or subdivision 35-4-2(a) or (6) in addition to any other licenses held by the special events license applicant; and

Whereas, a public hearing is required for the issuance of a license pursuant to this section if the person/organization applying for the license doesn't hold an on-sale alcoholic beverage license or a retail malt beverage license in the municipality or county; and

Whereas, no persons appeared at the hearing held December 19th 2024 in objection to the issuance of the malt beverage license applied for and no concerns were otherwise expressed, it being noted the location and particulars of the temporarily licensed premises were appropriate for the sale of malt beverages.

Whereas, the fee had previously been set at \$200.00.

Now, therefore, be it resolved, that a temporary on-sale malt beverage license be issued to Lions Club of Mitchell, SD, for a fee of \$200 for the day of January 11th, 2025 for an Avera Christmas Party which is held at the Davison County Fairgrounds, 3200 West Havens Mitchell SD 57301.

Dated this 19th day of December 2024

Randy Reider, Chairman

Attest:

Kathy Wingert, Auditor

MOTION TO EXIT THE PUBLIC HEARING

Motion by Blaalid, second by Nebelsick to exit the public hearing for granting a temporary liquor license. All in favor - aye. Motion carried

EMPLOYEE CHANGES

Motion by Blaalid, second by Kiner to accept the involuntary termination of employee # 9098

Motion by Nebelsick, second by Kiner to approve the re-hire of Jane Kingsbury effective 12/16/24. Phone vote was held for this on 12/16/24.

Motion by Blaalid, second by Nebelsick to approve the \$.50 raise for Deputy Samantha Stiles for successfully completing her introductory period. Effective 12/21/24.

VOICE VOTE FOR VEHICLE

Voice vote was held on 12/12/24 regarding a Ford F-250 for the Director of Plant Management. A deposit of \$1,000 was needed to put a hold on the vehicle for the next year,

leaving a balance of \$31,500. Motion by Nebelsick, second by Kiner.

OPEN SUPPLEMENTAL BUDGET HEARING

Motion by Nebelsick, second by Kiner to open the Supplemental Budget Hearing for Elections, Public Safety Building, and Urban/Rural Development.

ADOPT RESOLUTION TO SUPPLEMENT BUDGETS FOR 2024

Motion by Blaalid, second by Kiner to adopt the following resolution for supplement: Elections, Public Safety Building, and Urban/Rural Development. A roll call vote was taken as follows: Kiner – aye; Nebelsick – aye; Blaalid – aye; Chairman Reider - aye. All in favor. Motion carried 4-0.

**Resolution #121924-02
Supplement Elections, Public Safety Building,
and Urban Rural Development.**

Whereas, the Election, Public Safety Building and Urban/Rural Development ets are not sufficiently funded by the adopted 2024 Annual budget to pay expenses for the remainder of the year 2024; and

Whereas, SDCL 7-21-22 states that in the event of the passage and enactment for any law during a fiscal year and after the adoption of the annual budget for a following fiscal year, imposing some new obligation or duty upon a county, or in the event of the failure to provide by the final budget a sufficient revenue to enable the county to conduct the indispensable functions of government in any department, or to pay just obligations upon the county for the necessary conduct of the courts, or for the necessary aid and support of the poor or to discharge any duty which it is the lawful duty of the county to discharge, and of which requires the incurring of liabilities or expenditures of funds for a purpose or object for which no provision has been made in the annual budget for such fiscal year, and when such occasion arises the board must make, approve, and adopt a supplemental budget providing therein for an appropriation for such purposes in such amount as the board may deem necessary, and such budget shall set out in detail each item for which an appropriation is made and the amount to be appropriated for each item, with the time and the place when the same will be considered and adopted by the governing board, shall be given in such manner as the board may determine, provided that the time fixed for considering and adopting the same shall not be less than ten days from date when such notice is first given; and

Whereas, there was not sufficient appropriation included in the 2024 budget to pay all Election, Public Safety Building and Urban/Rural development expenses.

Now, therefore be it resolved, that \$36,860.00 from the General Fund Cash line item 10100A1010000 be supplemented to the Election budget, various line items, in the amount of \$36,860.0, Public Safety Building budget, various line items, in the amount of \$72,570.00, Urban/Rural Development line items in the amount of \$131,680.00

Dated at Mitchell, South Dakota this 19th day of December 2024.

Randy Reider, Chairman

Attest:

Kathy Wingert, Auditor

POST ELECTION AUDIT FOR THE 2024 SPECIAL ELECTION

Auditor Wingert presented the results of the December 12th, 2024, Post Election Audit for the December 3rd, 2024, Special Election. It was reported that the audit found no discrepancies between the totals from the tabulated results from December 3, 2024, and the audit totals. Precincts 1 and 2 were audited due to needing an appropriate number of ballots to audit. The audit found that in Precinct 1, there were 42 total ballots with 9 voting yes and 33 voting no. The audit found that in Precinct 2, there was a total of 100 ballots with 21 yes votes and 79 no votes. Motion by Kiner, second by Nebelsick to accept the results. All in favor - aye. Motion carried.

SHERIFF HARR

Sheriff Harr came forward to request a training for SRO Van Horn. The training is a National School Resource Officer training. Sheriff Harr stated the tuition is \$550. Ethan and Mt. Vernon Schools have agreed to pay for the tuition, leaving the department to pay for hotel and food. Motion by Kiner to approve, second by Nebelsick. All in favor - aye. Motion carried.

Sheriff Harr spoke to the board about a letter he received from the Head of Parole that indicated effective 12/23/24, the State will pay a flat fee of \$95 a day to include medical expenses/medication. Sheriff Harr stated he can't ask the taxpayers of the County to pick up the fees of these inmates, as he feels it is the responsibility of the State. Chairman Reider indicated that it was ultimately Sheriff Harr's call on what to do with the information at hand. Sheriff Harr outlined a few cases where medical bills have been large, and this could leave the county in a tough spot should multiple medications/medical expenses arise.

HIGHWAY UPDATE

Highway Supt Weinberg came forward to ask for the Chairman to sign the two BIG applications for grants related to updating two bridges. Motion by Nebelsick, second by Blaalid to approve Chairman Reider to sign. All in favor - aye. Motion carried 4-0.

EXECUTIVE SESSION

Into Executive Session at 9:57 A.M. at the request of Sheriff Harr and Jail Admin Lanning for personnel. Motion by Kiner, second by Blaalid. All in favor - aye. Motion carried.

EXECUTIVE SESSION

Out of Executive session at 10:27 A.M. Motion by Blaalid, second by Kiner. All in favor - aye. Motion carried.

EMPLOYEE WAGE CHANGES

Effective 12/07/2024, an increase of \$5.77 an hour to Dawn Grissom for her new role as Civil Finance Admin. Motion by Nebelsick seconded by Kiner. All in favor - aye. Motion carried.

Effective 12/21/24, Trine Frey and Ginger Faas will receive a \$1.00 an hour increase due to the new/extra duties in the jail.

VETERAN SERVICES/DOE UPDATE

Davison County resident Curtis Slykhuis came forward to discuss a benefit he wasn't aware of as a veteran. Curtis stated he missed the deadline to submit for the tax benefit for the disabled veteran exemption. Applications are due in November; however, due to not knowing about the benefit, he was asking to still be able to apply for this. Motion by Nebelsick, second by Balaalid to let him apply for the disabled veteran exemption. All in favor - aye. Motion carried.

P&Z SALARY DISCUSSION

The board discussed the legislative job for Mr. Bathke being more than a full-time job as his time is dedicated to representing his district. Commissioners will grant Mr. Bathke a leave of absence during his time in legislation and allow him to use his vacation leave if he wants during that time, as the county will not pay his salary while Bathke is in active legislative session. The Board discussed Deputy Karen Wegleitner and her job duties and pay while Bathke is away. The Board anticipates that Karen will keep the office running smoothly as well as checking up on any phone calls or emails that come in for Mr. Bathke. Motion by Balaalid, second by Nebelsick. Motion carried 4-0.

BILLS

Motion to approve bills was made by Balaalid and seconded by Nebelsick. All in favor - aye. Motion carried.

GENERAL FUND;; COMM: Publishing/Column Software PBC156.77; Column Software PBC15.81; Column Software PBC15.81; Column Software PBC30.37; Column Software PBC18.24; Column Software PBC103.15;; **ELECT:** Election Workers/Post Election Audit Board50.00; Postage/Postage9.80; Publishing/Column Software PBC8.21;; **JUD:** Jurors & Mileage/66526-665651320.80; Jurors & Mileage/66566-66574468.76; Professional Fees/Terri Lembcke Schildhauer1046.00; Stephanie Moen & Assoc49.00; Stephanie Moen & Assoc22.80; Interpreter Fees/Certified Languages108.90; Law Library/West Payment Center344.51;; **AUD:** Supplies/Cash57.18; McLeod's Printing & Office Supply11.91;; **TREAS:** Publishing/Column Software PBC53.50; Column Software PBC145.92; Supplies/Cash9.65; Mainframe Support/Bruce Mastel35.00;; **ST ATTY:** Diversion Service & Fees/Helping With Horsepower1250.00; Helping With Horsepower250.00; Medical/Prof Fees/Avera Queen of Peace Hosp1233.00; State of South Dakota SD1660.00; CIOX Health14.41; Repairs & Maint./Dakota Data Shred58.36; Book/West Payment Center741.94;; **CRT APPTED ATTY:** Public Defender Contract/Alvine Law Firm, LLP16,634.90; Douglas Papendick16,634.90; Public Defender Expense/Alvine Law Firm, LLP222.71; Mountain West1850.00;; **PUB SFTY BLDG:** Contracts/Midwest Fire & Safety581.24; Repairs/Direct Digital Control182.25; Menards31.98; Elevator Service/Schumacher Elevator Co.474.45;; **CRTHOUSE:** Contracts/Midwest Fire & Safety115.00; Supplies/Jones Supplies78.00; Gas & Electricity/Northwestern Energy3477.94;; **DOE:** Repairs & Main./Doug's Custom Paint1770.00;; **ROD:** Supplies/Cash12.07;; **N. OFC:** Contracts/Midwest Fire & Safety120.00; Supplies/Menards35.00; Gas & Electricity/Northwestern Energy1461.24; Water & Sewer/City of Mitchell2246.15; City of Mitchell99.40; Minor Equip./Vern Eide GM1000.00;; **VSO:** Equipment/American Garage Door183.67; Vehicle Maint/Repair/TMA669.80;; **CO COORD:** Copy Machine Maintenance/Access

Systems44.57; Access Systems25.61;; **HR: ; SHERIFF:** Radio & Equip Repair/Radar Shop814.00; Repairs/Patrol CarAdvance Auto Parts6.64; Oil Changes/Lube Rangers109.06; Vern Eide Ford60.95; Tires/TMA726.60; TMA637.20; Office Supplies/A & B Business Solutions78.98; Dakota Data Shred96.80; Uniforms/Galls-Lexington107.98; Field Supplies/Advance Auto Parts40.08; Advance Auto Parts27.28; Cellular Service/Verizon Wireless856.26; Supplies/Cash1.59; Machinery & Auto/Sign Pro515.00;; **JAIL:** Medicine/Avera Medical Group28.52; Avera Queen of Peace Hosp6053.68; Avera Queen of Peace Hosp52,935.68; Avera Queen of Peace Hosp61,924.21; Avera Queen of Peace Hosp2,827.18; Avera Queen of Peace Hosp396.21; Dailey Dental Inc.417.68; Lewis Drug Stores3006.20; Lewis Drug Stores5030.90; Lewis Drug Stores2357.88; Lewis Drug Stores3389.75; Mitchell Clinic, LTD2136.64; Mitchell Regional9287.24; Federal Inmate Medical Ex/Lewis Drug Stores85.45; Lewis Drug Stores67.05; Office Supplies/Innovative Office129.47; Jail Supplies/Charm-Tex, Inc745.20; Charm-Tex, Inc214.80; Lewis Drug Stores59.95; Lewis Drug Stores19.98; Lewis Drug Stores27.96; Lewis Drug Stores39.96; Swanson Services Corp1.04; Kitchen Supplies/Jones Supplies168.77; GPS/Alcohol Monitoring379.24; Uniforms/Jack's Uniforms & Equip110.89; Grant Lanning79.41; Sungold Sports20.00; Water Softner/Darrington Water59.00; Contracts/Mitchell Clinic, LTD34,875.00; Minor Equip./Bizco Technologies374.39; Vehicle Maint/Repair/Carquest of Mitchell286.90; Drug Patches/Pharmchem, Inc127.80; Coroner Fees/Dakota Embalming450.00; Dakota Embalming240.90;;**JUVENILE DETEN:** Detention/Minnehaha Co Regional12,618.80;;**COMM. HEALTH NURSE:** Expenditures/Jenna Auch90.69;; **WELFARE:** Utilities-COP/Northwestern Energy226.10;; **MENT ILL:** Committals/Pat Kiner115.00; Pat Kiner115.00; Douglas Papendick115.00; Douglas Papendick115.00; Douglas Papendick115.00; Douglas Papendick115.00; Douglas Papendick115.00; Douglas Papendick115.00; Hearings/Avera Medical Group199.13; Fox Law Firm, PLLC152.47; Mark Katterhagen15.00; Mark Katterhagen12.00; Val Larson12.00; Val Larson15.00; Lucy M Lewno166.73; Yankton Sheriff's Office50.00;; **FAIR:** Contracts/Midwest Fire & Safety145.00; Midwest Fire & Safety85.00; 3D Security Inc264.00; Repairs & Maint./Direct Digital Control460.74; Menards49.99; Menards91.90; Supplies/Menards13.86; Water & Sewer/Davison Rural Water163.20;; **EXTENSION: ; WEED:** Supplies/CHS Farmers Alliance180.38;;**DRAINAGE BOARD** Board Mileage/Jerry Buchholz43.35; Gregg Bult128.52; Chet Edinger3.06; Denny Kiner Sr24.48; Mark Klumb48.45; Jay Larson5.10; Chris Nebelsick12.24;;**PLANNING & ZONING:** Board Mileage/Dave Anderson106.08; Lewis Bainbridge147.90; Michael Blaalid18.36; Ray Gosmire22.44; Bruce Haines67.32; Chris Nebelsick55.08; Steve Thiesse27.54;;**HWY:** Professional Fees/Avera Occupational382.00; Davison County Treasurer26.70; Repairs & Maintenance/A & G Diesel165.12; C & B Operations157.38; Midwest Petroleum343.00; Titan Machinery-Mitchell321.99; Supplies & Materials/Access Systems60.24; Department of Revenue2207.77; Guardrail Enterprises INC39.00; McLeod's Printing & Office Supply207.82; Menards132.93; Titan Machinery-Mitchell142.32; Paulson Sheet Metal1152.72; Vestis32.62; Bridge RepairCivil Design INC1290.00; Civil Design INC10,422.50;;**EMERGENCY MANAGEMENT:** Utilities/Northwestern Energy92.57;;**24/7: ;911 ;URBAN & ECONOMIC DEVELOPMENT** TID-C2/First Dakota National Bank34199.99;;**PREDATORY ANIMAL CONTROL:** State Payment/Department of

Revenue860.09;

APPROVE AUDITOR’S ACCOUNT WITH TREASURER

Motion by Nebelsick, second by Blaalid to approve Auditor’s Account with the Treasurer. All members voted aye. Motion carried.

APPROVE RESOLUTION FOR CONTINGENCY TRANSFERS

Motion by Nebelsick, second by Blaalid to approve the following resolution for contingency transfer for the 2024 budget year. A roll call vote was taken: Kiner - aye; Nebelsick – aye; Blaalid – aye; Chairman Reider - aye. Motion carried 4-0.

**Resolution #121924-01
Contingency Transfers**

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 transfers be made for the 2024 budget year: Transfer from the General Fund Contingency Budget 112 in the amount of \$116,786.00 to:

Budget	Name	Amount
113	Insurance	\$ 527.00
151	States Attorney	\$10,822.00
169	County Coordinator	\$12,731.00
172	Human Resources	\$6,616.00
211	Sheriff’s Office	\$9,027.00
212	24/7 Sobriety	\$2,047.00
213	Coroner	\$1,277.00
225	911	\$47,194.00
615	Weed Control	\$24,045.00
721	Industrial Development	\$2,500.00

Dated at Mitchell, South Dakota this 19th day of December 2024.

Randy Reider, Chairman

Attest:

Kathy Wingert, Auditor

APPROVE AUTO SUPPLEMENT

Motion by Nebelsick, second by Blaalid to approve the auto supplement to Sheriff’s budget 10100x4350211 in the amount of \$515.83 Received from UJS DOT Grant for BVP funds. All in favor - aye. Motion carried 4-0

EXECUTIVE SESSION

Into Executive session at 11:02 A.M. at the request of DOE Director Vissia for personnel. Motion by Nebelsick, second by Blaalid. All in favor - aye. Motion carried.

EXECUTIVE SESSION

Out of Executive session at 11:32 A.M. Motion by Nebelsick, second by Blaalid. All in favor - aye. Motion carried. No further action was taken.

NEXT MEETING

Motion by Nebelsick seconded by Blaalid to approve the next meeting to be held for the Board of Commissioners on 1/06/2025 at 9:00am. All in favor- aye. Motion carried.

ADJOURN

At 11:38 A.M., Chairperson Reider adjourned the meeting and set the next regular Board of Commissioners meeting for December 19, 2024, at 9:00 A.M.

ATTEST:

Kathy Wingert, Auditor

Randy Reider, Chairperson

Publish Once Approximate Cost