

**November 7, 2024**

**CALL TO ORDER**

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

**PLEDGE**

The Pledge of Allegiance was led by Chairperson Reider.

**APPROVE AMENDED AGENDA**

Motion by Claggett, second by Kiner to approve the agenda as amended November 7th, 2024. All members voted aye. Motion carried.

**APPROVE MINUTES**

Motion by Nebelsick, second by Claggett to approve the minutes of the October 22, 2024, meeting. Motion carried.

**PUBLIC INPUT**

Chet Ellsworth from Rapid City came up to speak. Chet stated he was concerned about oaths of office and felt like he was denied them when he went to the courthouse to speak with the ROD office. Chet did put in a request with the Auditor's Office that was replied to within hours; however, he was concerned about the time that it would take the auditors to fill not only this request, but several others that he had put in, as a Deputy Auditor stated he would get Chet the requests by 12/5/24. Chet stated getting the information he wants after the special election is being held is what is most concerning to him. Chet continued to state the separation of powers within the Auditor's office and how this is concerning to him and had asked the commissioners to rescind and recuse themselves on their ordinance that was passed to combine the Auditor/Treasurer offices.

**OPEN 2024 GENERAL ELECTION CANVASS**

At 9:30 A.M., motion by Kiner, second by Nebelsick to open the canvass for the 2024 General Election held November 5, 2024. All members present voted aye. Motion carried.

**APPROVE 2024 GENERAL ELECTION CANVASS**

Motion by Kiner, second by Claggett to approve the 2024 General Election canvass. All in favor - aye. Motion carried.

**CLOSE THE 2024 GENERAL ELECTION CANVASS**

Motion by Blaalid and seconded by Claggett to close the 2024 General Election canvass. All in favor - aye. Motion carried.

## **LIQUOR LICENSE RENEWALS**

Lee Ranch Trucking LLC and Kongo Club liquor licenses were renewed. Lee's Ranch was present and gave a small presentation about how well things are going for them. Motion by Nebelsick, seconded by Kiner to approve license renewals. All in favor - aye. Motion carried.

## **SET HEARING DATE FOR NEW LIQUOR LICENSE.**

Commerce Marketing Group II submitted a liquor license application. Hearing date was set for 11/19/2024. Motion by Blaaid, seconded by Nebelsick. All in favor - aye.

## **P&Z/EM DIRECTOR BATHKE**

Mr. Bathke talked to the commissioners regarding the Randall Water District Right of Way. Maps were provided to discuss the paths of the water line. Move to approve the plan as presented by Kiner, seconded by Claggett. All in favor - aye. Motion carried.

## **A RESOLUTION AUTHORIZING DAVISON COUNTY TO ENTER INTO AN AGREEMENT TO ALLOW A PUBLIC UTILITY TO OCCUPY THE PUBLIC RIGHT- OF-WAY BETWEEN DAVISON COUNTY AND RANDALL COMMUNITY WATER DISTRICT.**

WHEREAS, the RANDALL COMMUNITY WATER DISTRICT has determined it is necessary to proceed with RANDALL REGIONAL TRANSMISSION LINE (the "Project"); and

WHEREAS, DAVISON COUNTY permits the pipeline to be installed, operated, and maintained within the public right of way of DAVISON County; and

WHEREAS, the RANDALL COMMUNITY WATER DISTRICT agrees to restore the roadway and ditch to equal or better condition; and

WHEREAS, the RANDALL COMMUNITY WATER DISTRICT agrees to move or alter the utility installation in any way due to maintenance or construction within its present right-of-way width, the alteration will be accomplished by RANDALL COMMUNITY WATER DISTRICT without cost to the owner; and

WHEREAS, the RANDALL COMMUNITY WATER DISTRICT provides protection to highway traffic during construction and maintenance; and

WHEREAS, the RANDALL COMMUNITY WATER DISTRICT pledges to repair any damage to the right of ways due to a water leak, repair, alteration, or any other activity associated with the water line that disturbs the subgrade or surfacing during the duration of the project's use; and

WHEREAS, the RANDALL COMMUNITY WATER DISTRICT promises to meet the standards for crossings as set forth in the letter agreement attached hereto this resolution; and

WHEREAS, the RANDALL COMMUNITY WATER DISTRICT agrees to indemnify and hold the county, its officers, agents, and employees harmless, from and against any and all actions, suits, damages, liability of other proceedings of any kind or nature brought because of any injuries or damages received or sustained by any person or property on account of the use or occupancy of right-of-way.

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Randy Reider- Chairman

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Kathy Wingert- Auditor

### **EXECUTIVE SESSION**

At the request of Director Bathke at 10:10 A.M. Motion by Claggett to go into executive session and seconded by Nebelsick. All in favor - aye. Motion carried.

### **OUT OF EXECUTIVE SESSION**

Motion by Nebelsick, seconded by Blaalid to go out of executive session at 11:05 A.M. and back into Board of Commissioners. All in favor - aye. motion carried. (no action taken)

### **4-H GROUNDS UPDATE**

Hanna Peterson came in to give an update to the board on how things are going at the Davison County Fairgrounds. Hanna indicated that she is looking at getting a newsletter put together to better inform not only county employees/commissioners but also the public as to events and things that are happening at the 4-H building. Hanna talked about a recent carnival that was held at the fairgrounds. Hanna stated that she would have liked to have seen more there; however, she stated it was still a good turnout for the first one. Hanna talked about the recognition supper that will be held on 11/8/2024 and was looking forward to this event.

### **SIGN REMOVAL CONVERSATION**

Maintenance Director Rang spoke regarding removing the 15-minute parking signs from the front of the courthouse. A plan was discussed to remove the signs; however, paint the curbs with the 15-minute timeline, as on busy days at the court house, it is important to get people in and out and have sufficient parking. Motion by Blaalid to approve sign removal and curb painting, seconded by Nebelsick. All in favor - aye. Motion carried.

### **DETERMINE PRECINCT/S AND RACES FOR POST-ELECTION AUDIT**

Auditor Wingert, in front of the canvass board, conducted the drawing for the precincts and races to be audited during the post-election audit to be held on November 14th, 2024 at the Davison County Courthouse. Precinct 2 was drawn. Within Precinct 2, Constitutional Amendment H as well as the Presidential Electors will be audited.

### **AUDITOR WINGERT**

Wingert spoke on the new year contract for the county employees' EAP contract with LSS. Motion to approve the contract and allow Chairman Reider to sign made by Blaalid, seconded by Kiner.

Wingert went over a phone vote that was held on 10/30/24 regarding purchasing fuel. Outlined as follows: 3,000 gallons of unleaded fuel 1) Brooks Oil at \$2.72 a gallon; 2) Vollan at \$2.56 a gallon; and 3) CHS at \$2.86 a gallon. Awarded to the low bidder - Vollan. Motion by Nebelsick and seconded by Claggett. All in favor – aye. Motion carried.

Motion by Kiner and seconded by Nebelsick to rescind the jail supplements that were initially approved on 10/8/24 for Jail Administrator Grant Lanning. After review of policy, the jail still has adequate money in their 2024 budget and needs to utilize these funds before more money is supplemented. All in favor - aye. Motion carried.

### **EMPLOYEE CHANGES**

Deputy Auditor Billy Lurken has completed his introductory period. Billy will be granted his \$0.50 an hour introductory period raise effective 10/26/24.

### **TIMESHEETS**

Motion by Nebelsick and seconded by Claggett to approve timesheets from last pay period. All in favor - aye. Motion carried.

### **BILLS**

Motion by Nebelsick and seconded by Claggett to approve the bills. All in favor - aye. Motion carried.

### **GENERAL FUND:**

; **COMM:** Publishing/Column Software PBC129.69 Column Software PBC36.66 Column Software PBC16.96 Travel & Conf./First Bankcard995.61 Utilities/Denny Kiner Sr50.00 John Claggett50.00 Chris Nebelsick50.00 Randy Reider50.00 Utilities/Mitchell Telecom22.80 Santel Communications113.15; **ELECT:** Publishing/Column Software PBC28.46 Column Software PBC669.26 Column Software PBC9.85 Column Software PBC9.49 Postage/First Bankcard25.65 Supplies/Election Systems & Software1.30 Election Systems & Software57.85 Election Systems & Software414.00 Election Systems & Software1359.17 Election Systems & Software2927.35 Election Systems & Software38.80 Election Systems & Software1818.00 McLeod's Printing & Offc.319.80 McLeod's Printing & Offc.20.00 McLeod's Printing & Offc.126.81 McLeod's Printing & Offc.83.48 McLeod's Printing & Offc.259.80 McLeod's Printing & Offc.20.00 McLeod's Printing & Offc.409.80 McLeod's Printint & Offc.424.25; **JUD:** Interpreter Fees/Certified Languages169.95 Devy Alvizures138.50; **JURORS:** Milage & Jury Fees/66001-66010565.66; **AUD:** Rentals/Microfilm Imaging Sys. INC147.00 Microfilm Imaging Sys. INC147.00 Utilities/Mitchell Telecom22.79 Santel Communications54.47 Karen Knadle50.00 Monthly ACH Fees/CorTrust Bank15.00 Minor Equip./First Bankcard100.00 Supplies/First Bankcard144.89 McLeod's Printing & Offc.129.90 McLeod's Printing & Offc.29.98 Time Clock Plus/Time Clock Plus12.99; **TREAS:** Monthly ACH Fees/First Dakota National Bank15.00 Supplies/First Dakota National Bank1.00 First Dakota National Bank15.00 First Dakota National Bank6.00 First Dakota National Bank15.00 First Dakota National Bank5.00 McLeod's Printing & Offc.92.50 State MV Supplies/McLeod's

Printing & Office Supply92.50 Utilities/Mitchell Telecom64.47 Santel  
Communications70.28 David Beintema50.00 Tonya Ford50.00 Travel & Conf./First  
Bankcard284.46; **ST ATTY:** Professional Fees/First National Bank of Omaha50.00 Child's  
Voice Route #63611047.42 Diversion Service & Fees/Catherine Buschbach50.00 Helping  
With Horsepower1000.00 Utilities/Mitchell Telecom64.61 Santel  
Communications99.19 Repairs & Maint./A & B Business Solutions224.99; **CRT APPTED  
ATTY:** CRT Appointed Attorney/Chris Nipe Law, Prof. LLC1645.50 Public Defender  
Contract/Alvine Law Firm, LLP16634.90 Douglas Papendick16634.90; **PUB SFTY BLDG:**  
Buildings/Krohmer Plumbing1439.00 Gas & Electric/Northwestern  
Energy4325.25 Northwestern Energy12.70 Repairs &  
Maint./Menards12.53 Menards16.50 Supplies/Jones  
Supplies117.44 Menards27.34 Phone/Robert Faas50.00 Jason Kulm50.00 George Stahl50.00;  
**CRTHOUSE:** Repairs & Maint./First Bankcard5.34 Column Software PBC21.35 Life  
Equipment Rental290.00 Supplies/Jones Supplies163.10 PhoneWarren Clark50.00 Joel  
Rang50.00; **DOE:** Supplies/Tech Solutions298.00 Utilities/Mitchell Telecom21.03 Santel  
Communications91.83 Travis Dammann50.00 Crystal Longhenry50.00 Jared  
Olsen50.00 Jason Raymond50.00 Leah Vissia50.00 Carla Wittstruck50.00; **ROD:**  
Rentals/Microfilm Imaging Sys. INC450.00 Utilities/Mitchell Telecom57.85 Santel  
Communications71.66; **N. OFC:** Repairs/Maintenance/Menards22.98 Phones/Santel  
Communications28.80 Mitchell Telecom42.45; **VSO:** Utilities/Courtney Ditter50.00 TJ  
Thomas50.00 Timothy Storly50.00 Mitchell Telecom42.45 Santel Communications65.56; **CO  
COORD:** IT ContractTech Solutions13152.87 Postage/Qualified Presort601.23 Qualified  
Presort1357.66 Qualified Presort186.12 Qualified Presort286.15 Postage Meter Fees/Qualified  
Presort157.69 Qualified Presort195.80 Supplies/Mitchell Telecom1.25 Santel  
Communications4.02 Copy Machine Maintenance/A & B Business Solutions47.77 Access  
Systems54.51; **HR:** Rentals/GFC Leasing-WI145.16 GFC Leasing-WI56.75 Utilities/Mitchell  
Telecom21.03 Santel Communications39.75 Kathy Wingert50.00 Supplies/McLeod's Printing  
& Office Supply21.49; **SHERIFF:** Professional Services/Jabr Trucking LLC183.00 Jabr  
Trucking LLC183.00 Repairs/Patrol Car/Carquest of Mitchell154.20 Carquest of  
Mitchell79.47 Carquest of Mitchell10.41 Oil Changes/Carquest of Mitchell43.94 Office  
Supplies/City of Mitchell10.08 First Bankcard86.00 Gas-Patrol CarFirst Bankcard39.77 First  
Bankcard72.00 Utilities/Mitchell Telecom512.99 Santel Communications689.51 Cellular  
Service/AT&T Mobility801.01 Dawn Grissom50.00 Grace Murphy50.00 Machinery &  
Auto/Light & Siren497.56; **JAIL:** Equip Repair/First Bankcard73.95 Building  
MaintenanceSystems Technologies282.45 Office Supplies/First Bankcard286.43 Ginger  
Faas50.00 Debbie Vaughn50.00 Jail Supplies/First Bankcard38.78 Jones Supplies336.01 Jones  
Supplies556.59 Kitchen Supplies/Jones Supplies183.42 Jones Supplies222.96 Laundry  
Supplies/First Bankcard108.96 Jones Supplies508.60 Jones Supplies359.89 Uniforms/Kathy  
Raymond210.00 SD Sheriffs' Association209.50 Prisoner Food/First Bankcard167.76 Trinity  
Services Group28586.45 Training/Gordon E Harper300.00 Grant Lanning100.00 Minor  
Equipment/First Bankcard366.89 Cable TV/Mitchell Telecom111.40 Inmate  
Services/Swanson Services Corp952.44 PBT Tubes/First Bankcard79.19 Drug  
Patches/Pharmchem, INC.287.55 Pharmchem, INC.191.70; **JUVENILE DETEN:** ;  
**WELFARE:** Office Utilities/Mitchell Telecom33.31 Santel Communications22.85 Christine  
Norwick50.00**COMM HEALTH NURSE:** ExpendituresJenna Auch11.64; **MENT ILL:**  
CommittalsDouglas Papendick115.00 Douglas Papendick115.00 Douglas

Papendick115.00 Douglas Papendick115.00; **FAIR:** Repairs & Maint/Menards119.79 Gas & Electric/Northwestern Energy96.58Northwestern Energy1228.36 Buildings/Menards99.99; **EXTENSION:** Utilities/Mitchell Telecom106.81 Santel Communications87.05; **WEED:** Utilities/Mitchell Telecom58.36 Santel Communications25.90;**PLANNING & ZONING:** Publishing/Column Software PBC15.87 Travel/Courtyard By Marriott165.62 Karen Wegleitner60.00;**HWY:** Repairs/Maintenance/Carquest of Mitchell819.47 Elfstrand's Ace Hardware148.36 Supplies/MaterialsAuto Body Specialties49.71 Carquest of Mitchell280.78 Elfstrand's Ace Hardware77.42 Utilities/City of Mitchell69.43 Northwestern Energy64.73 Northwestern Energy41.70 Mitchell Telecom169.76 Northwestern Energy23.53 Santel Communications27.11 Jack Sorenson50.00 Clayton Wells50.00 Equipment/Capfirst Equip Finance39544.01 Northern Truck Equip Corp13900.00 Signage & MaterialsNewman Traffic Signs1499.81 Other Projects/Mitchell Quarry1889.92 Bridge Repair/SD Dept of Transportation3735.97 Patch Mix/Commercial Asphalt361.20;**EMERGENCY MANAGEMENT:** Utilities/Mitchell Telecom21.03 Santel Communications99.07 Jeff Bathke50.00 Karen Wegleitner50.00 City of Mitchell57.75 Emergency Accuml/First Bankcard60.84 Medical Waste Transport156.20 Radio Equipment/Motorola Solutions37414.50 Two Way Solutions Inc900.00**BID DEPOSITS & REFUNDS ;24/7: ;911** Comm Center/City of Mitchell27560.58;**URBAN & ECONOMIC DEVELOPMENT**

### **EXECUTIVE SESSION**

At the request of HR Director/Auditor Kathy Wingert at 11:40 A.M. Motion by Blaalid and seconded by Claggett. All in favor - aye. Motion carried.

### **OUT OF EXECUTIVE SESSION**

Motion by Claggett and seconded by Kiner to go out of executive session and back into Board of Commissioners. All in favor - aye. Motion carried.

### **FMLA REQUEST**

Motion by Nebelsick and seconded by Blaalid to approve FMLA leave for Employee #2170.

### **ADJOURN**

At 11:55 A.M., Chairperson Reider adjourned the meeting and set the next regular Board of Commissioners meeting for November 19, 2024, at 9:00 A.M.

### **ATTEST:**

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Kathy Wingert, Auditor

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Randy Reider, Chairperson

Publish Once Approximate Cost