

**Official Proceedings
County of Codington, Watertown, South Dakota
Codington County Courthouse
14 1st Ave SE**

August 4, 2015

The Codington County Commissioners met in regular session at 9:00 a.m., Tuesday, August 4th, 2015, at the Codington County Courthouse. Commission members present were: Lee Gabel, Tyler McElhany, Myron Johnson, Elmer Brinkman, and Brenda Hanten; Chairman Brinkman, presiding.

AGENDA APPROVED

Motion by Johnson, second by Gabel, to approve the agenda; all present voted aye; motion carried.

MINUTES APPROVED

Motion by McElhany, second by Hanten, to approve the minutes of July 28, 2015; all present voted aye; motion carried.

DEPUTY STATES ATTORNEY POSITION

Motion by Hanten, second by Gabel, to authorize the process to hire a full time Deputy States Attorney, per the request of States Attorney, Patrick McCann. The States Attorney provided the Board with a proposed salary range for this position and also noted the position would be listed with the SD Bar Association. Upon vote of the Board; all present voted aye; motion carried.

MONTHLY REPORTS

Veterans Service Officer, Al Janzen, reported 122 walk-ins in the month of July and annual training will take place August 24th – 27th. **Weed Supervisor, Steve Molengraaf**; reported on the following items: spraying is up to date and spot inspections are taking place, a Weed Board meeting was held recently, assisted with a BIO control project for poison Hemlock, upcoming weed tour in Hamlin County, upcoming Fall Weed Tour and Weed Commission meeting, a booth at the SD State Fair, and hosting the District Weed meeting scheduled for November 2nd. **Welfare Director, Sarah Petersen**, provided the Board with a report of statistics from the Welfare office for July, 2015. 46 people were served for the following: 10 medical, 7 homeless, 10 housing, 0 housing support, 1 prescription, 2 transportation, 0 burials, 13 utilities, and 2 miscellaneous. \$350.00 in cost was paid out for these contacts. The NACO prescription drug program provided \$4,487.20 in savings to 107 people for the month. Ms. Petersen noted a savings to the County, in the month of June, of \$18,029.48 by the utilization of different programs for the 46 persons who were served by the Welfare Office in July. The Welfare Director briefed the Board on highlights of the NACO Annual Conference, specifically the Health Steering Committee, and also provided the Board with a report of “Homeless Project” statistics from May, June, and July in Codington County.

EMPLOYEE RESIDENCY POLICY

Motion by Hanten, second by McElhany, to approve a residency policy for County employees, as presented by Human Resource Director, Terry Satterlee; all present voted aye; motion carried.

5.13 RESIDENCY REQUIRMENT – REVISED AUGUST 2015

The County Commission prefers that employees of Codington County Government live within Codington County. All applicants who are hired after December 31, 2000 to work for Codington County must live within Codington County or establish residency in the County within 6 months of their hire date.

However, the Commission recognizes that there may be situations where allowing an existing employee or a newly hired employee to live outside the County may be in the best interest of the County. The Commission has the authority to grant such exceptions on a case by case basis. Department Heads may request permission from the Commission to consider applicants who reside outside the County for job openings. Preference shall be given to applicants who are well qualified for a County position and who reside in Codington County.

Existing employees who wish to move out of the County shall make that request to their Department Head. Their request will then be brought to the Commission for consideration of their request.

CHILDREN IN THE WORK PLACE – DIRECTIVE 2015-3

Motion by McElhany, second by Hanten, to adopt Directive 2015-3 as presented by Human Resource Director, Terry Satterlee; upon vote of the Board; Gabel, McElhany, and Hanten voted aye; Johnson and Brinkman voted no; motion carried.

CODINGTON COUNTY COMMISSION DIRECTIVE 2015-3

To: County Department Heads

From: Codington County Commission

Subject: Employees bringing children to work

Date: August 4, 2015

It is the policy of the Codington County Commission that on duty county employees are prohibited from bringing children to the work place.

However, the County Commission recognizes that emergency situations do occur where employees will want to bring children to work for a short period of time until other arrangements can be made.

Employees who want to bring a child to work because of an emergency situation need to contact their supervisor, explain the situation, and ask for authorization to bring a child to work.

If granted permission by the supervisor, the employee is required to closely supervise the child and be present with the child at all times.

The child should only be present at the work place for as long as it takes to make other arrangements.

Consideration should not be given to bringing a child to work who has a contagious illness.

Children are prohibited from playing with or operating any county equipment including county computers.

It is not the intent of the Commission to discourage off duty employees accompanied by their children from stopping in at work for a short visit.

Elmer P. Brinkman

Chairman, Codington County Commission

Codington County, August 4, 2015

COMMISSIONER EXCUSED

Chairman Brinkman was excused at 9:30 a.m. for the remainder of this meeting.

WALLACE POLLING PLACE

Motion by Johnson, second by McElhany, to re-open a polling place in Wallace. The previous polling place was closed by this Board due to noncompliance with HAVA requirements. A new facility has been established in Wallace that is accessible to voters with physical disabilities. Upon vote of the Board; all present voted aye; motion carried.

2016 BUDGET REVIEW

The Board heard 2016 budget presentations for the following offices: Veterans Service and Commissioners.

RESOLUTION TO REQUEST A COUNTY SALES TAX

Motion by Gabel, second by Johnson, to adopt Resolution 2015-20, a resolution calling for the authorization of a County sales tax to fund the construction and renovation of County Courthouses, Jails, and Regional Jails, and to submit said resolution to the SDACC Resolution Board for consideration. Watertown Mayor, Steve Thorson, was present for this meeting to encourage the Board to pursue this legislation. Upon vote of the Board all present voted aye; motion carried.

**Codington County Board of Commissioners
Resolution 2015-20**

Authorization of County Sales Tax to Fund the Construction and Renovation of County Courthouses and Jails and Regional Jails

WHEREAS; The US and South Dakota Constitutions state that our Country and State exist to “establish justice” and

WHEREAS; The proper functioning of justice and its due process require adequate court and jail facilities and

WHEREAS; Counties are required by SDCL § 16-6-7 and §16-12A-29.1 to provide adequate court facilities and

WHEREAS; Counties are required by SDCL § 24-11-2 to provide adequate jail facilities or house inmates under the provisions of SDCL § 24-11-3 and

WHEREAS; This situation results in de facto regional jails located throughout South Dakota that must at times be renovated or replaced to accommodate growing inmate populations in accordance with § 24-11-23 and

WHEREAS; This can result in a disproportionate burden upon the county hosting a de facto regional jail for the construction expenses of renovation or replacement of a jail and

WHEREAS; SDCL § 7-25-3 requires that capital purchases, including for courthouse and jail buildings, greater than can be paid for out of the annual revenue of the county for the current year, the revenue from the special levy provided by § 7-25-1, together with the amount of any debt service fund theretofore provided for such purpose, must be put to a vote of the residents of the county and

WHEREAS; State Law provides property tax as the only source for a county to fund such projects and

WHEREAS; Lack of authority for counties to assess sales tax limits the ability of counties to fund legally mandated court and jail construction,

NOW THEREFORE BE IT RESOLVED; that the Codington County Commissioners request that the South Dakota Association of County Commissioners pursue legislation to:

- authorize county commissioners to refer to voters of their county the imposition of up to a .5 percent countywide temporary sales tax for the purpose of issuing bonds for the construction expenses of renovation or replacement of adequate court facilities as required by SDCL § 16-6-7 and § 16-12A-29.1,
- authorize county commissioners to refer to voters of their county the imposition of up to a .5 percent countywide temporary sales tax for the purpose of issuing bonds for the construction expenses of renovation or replacement of adequate jail facilities as required by SDCL § 24-11-2 and § 24-11-23,
- limit the combined countywide sales tax for the above purposes to .75 percent, should a county need to simultaneously renovate both court and jail facilities,
- authorize county commissioners of counties that house inmates in other counties, as permitted by SDCL § 24-11-3, to refer to voters of their county the imposition of up to a .5 percent countywide temporary sales tax for the purpose of proportionately sharing with another county/other counties the construction sales tax to renovate or replace a jail facility in accordance with standards addressed in SDCL § 24-11-23,
- cause any excess revenue received and remaining after the termination of such sales tax to be applied to the expenses of maintaining and operating the jail of the county in which the court or jail facilities were renovated or replaced.

The above and foregoing resolution was passed, by unanimous decision of those present, dated this 4th day of August, 2015

Elmer P. Brinkman
Chairman

ATTEST:

Cindy Brugman
Codington County Auditor

SURPLUS EQUIPMENT

Motion by McElhany, second by Gabel, to declare GEN00085, a 1989 Ford Tractor/Rotary Mower, surplus to be traded in on a new mower, per bids received on July 7, 2015; all present voted aye; motion carried.

MEMORIAL PARK NEW CAMPSITES ELECTRICAL

Motion by Johnson, second by McElhany, to proceed with a project to install electrical service to new campsites at Memorial Park, at a cost of \$10,230.00 as quoted by Engelstad Electric; and as requested by Facilities Manager, Milo Ford, and as previously budgeted; all present voted aye; motion carried.

AUTOMATIC BUDGET SUPPLEMENT

Motion by McElhany, second by Gabel, to approve an automatic expenditure budget supplement to the Memorial Park budget, in the amount of \$5,804.82, with reimbursement funds received from the SDGF&P for the installation of a boat dock at Memorial Park; all present voted aye; motion carried.

COMMISSIONERS CONTINGENCY TRANSFER

Motion by McElhany, second by Gabel, to transfer, \$7,747.87 in Commissioners Contingency, to the General Fund Intergovernmental Expenditure budget to provide for the apportionment of tax deed revenue collected by the County to various taxing entities; all present voted aye; motion carried.

PERSONNEL CHANGES

Motion by Johnson, second by McElhany, to approve the following anniversary step increase personnel changes; all present voted aye; motion carried: Treasurer Clerk, Betty Overlie, from step 8/\$17.43 per hour to step 9/\$17.69 per hour; effective date August 15, 2015; Treasurer Clerk, Sandy Theye, from step 4/\$15.63 per hour to step 5/\$16.15 per hour, effective date August 1, 2015; and Correctional Officer, Kelly Oelrich, from step 2/\$17.32 per hour to step 3/\$17.87 per hour, effective date August 1, 2015.

TRAVEL REQUESTS

Motion by McElhany, second by Gabel, to approve the following travel requests; all present voted aye; motion carried: Director of Equalization Clerical staff, Ultra Software user meeting and Director of Equalization and appraisal staff, SDAAO School.

JUSTICE ADVISORY COMMITTEE

Commissioner Gabel advised the Board the next meeting of the Justice Advisory Committee will be held at 6:00 p.m., on August 18th, at LATI.

ADJOURNMENT

There being no further business to come before the Board a motion was made by Johnson, second by Gabel, to adjourn at 10:16 a.m., until 9:00 a.m., Tuesday, August 11th, 2015; all present voted aye; motion carried.

ATTEST:

Cindy Brugman
Codington County Auditor

Codington County does not discriminate on the basis of color, national origin, sex, religion, age, or disability in employment or the provision of service.

Published once at the total approximate cost of \$_____.