

**Official Proceedings**  
**County of Codington, Watertown, South Dakota**  
**Codington County Courthouse**

May 6, 2014

The Codington County Commissioners met in regular session at 9:00 a.m., Tuesday, May 6, 2014, at the Codington County Courthouse. Commission members present were: George Heller, Tyler McElhany, Myron Johnson, Elmer Brinkman, and Brenda Hanten; Chairman Brinkman presiding.

**AGENDA APPROVED**

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

**MINUTES APPROVED**

Motion by Hanten, second by McElhany, to approve the minutes of April 22, 2014; all present voted aye; motion carried.

**JAKE BRAKE ORDINANCE**

The Board held the second reading on proposed Ordinance #54, an ordinance to prohibit the use of engine and compression brakes in Codington County. Motion by Hanten, second by McElhany, to adopt Ordinance #54 as previously read. Chairman Brinkman asked for public comment at this time. Mike Lantsberger addressed the Board and spoke in favor of the proposed ordinance. There were no other comments from the public. Chairman Brinkman closed the public hearing at this time and turned to the Board for discussion. The Board offered the following observations: The prohibition of engine and compression brakes could cause safety issues; there could be enforcement issues with the ordinance; enforcement would occur only in the areas with signage; a lower speed limit in the area of Highway 81 south could resolve the noise issue and a request has been made to the State for a speed study in that stretch of highway; the ordinance could affect the many Ag. producers in the area; the ordinance as written does not define excessive noise; and the City of Watertown already has signage in the area prohibiting the use of these types of brakes. Upon vote of the Board; McElhany and Hanten voted aye; Heller, Johnson, and Brinkman voted no; motion failed.

**MONTHLY REPORTS**

**Welfare Director, Sarah Petersen**, submitted the following statistics for the time period April 2<sup>nd</sup> through May 5<sup>th</sup>, 2014: 3 applications; with 2 approved for County assistance; 1 denial; 0 pending or referred; 0 other resources utilized; 0 guarantees; and 0 new clients approved. Total Assistance: \$8,441.00 for two burials; 0 active medical cases and 2 medical applications pending decision. The Welfare Director noted statistics for the NACo Prescription Drug Program in Codington County during the month of March with 179 persons utilizing the program and a realized savings of \$5,307.76 for the month. Ms. Petersen advised the Board that an application for medical assistance, which could result in a significant expenditure to the Welfare budget, has been approved and pricing is being sought at this time. Ms. Petersen noted funds previously received through ICAP for use with indigent clients utility and rental eviction bills will not be available to the County this year as ICAP has utilized those funds in full. Commission Johnson noted Ms. Petersen has been appointed to the SDACC Catastrophic County Poor Relief (CCPR) Advisory Committee. This committee, comprised of a States Attorney, County Auditor/Welfare Director and Ms. Petersen, will assist and provide support to the CCPR Board when requested. **4-H/Youth Program Advisor, Jodi Loehrer**, updated the Board on the following items: 4H horse safety training; bicycle safety training; a beginners judging workshop; a scheduled meeting of the 4H Promotion and Expansion Committee; 4H youth attending Camp Poinsett; a Kid Care babysitting clinic and Save Our Farm youth camp. **SDSU Field Specialist, Warren Rusche**, reported the Watertown Regional Office hosted a statewide meeting over the Dakota Digital Network system regarding changes to

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the F.S.A. livestock indemnity and livestock forage program. Mr. Rusche also reported several staffing changes which are occurring in the Regional Office at this time. **Community Health Nurse, Karla Moes**, who could not be present for this meeting provided the Board with a written quarterly report covering the following items: meetings attended; office fees collected; office visits; immunizations administered; WIC cases; baby care; prenatal health reviews; and school screenings. **Veterans Service Officer, Al Janzen**, reported Veteran reach out clinics have been held in Florence and Wallace with additional clinics scheduled in the coming months. The Veterans Service office has made contact with Veterans in the County via a list received from the State of South Dakota. Addresses were verified with the Veterans who were contacted, questions were answered regarding benefits available to veterans and several veterans were assisted with signing up for health care and other veteran programs. The Veterans Service office will receive another list of names to contact this month. **Weed Dept. Supervisor, Steven Molengraaf and Weed Dept. Manager, Paul Johnson**, reported the spraying equipment is being readied for the upcoming spraying season; the ULV machine for spraying mosquitoes has been tested and certified; and funding is available for communities who wish to participate in West Nile control measures. Mr. Molengraaf noted this region has the highest number of West Nile cases in the nation. Discussion was also held regarding an amendment to the Weed Dept. Manager contract pending Paul Johnson's new position as the State Weed Specialist.

#### **SD DOT NOXIOUS WEED CONTROL CONTRACT**

Motion by Johnson, second by McElhany, to authorize the Chairman to sign a contract with the SD DOT for the County Weed Dept. to provide noxious weed control within the State highway right of way; all present voted aye; motion carried. Weed Dept. Supervisor, Steve Molengraaf, noted changes to the contract from the previous year are related to the cost of chemical. Said contract is in the amount of \$24,940.00.

#### **SCHEDULE OF WEED SPRAYING FEES**

Motion by Hanten, second by McElhany, to approve a 2014 fee schedule for Weed Spraying, as recommended by the Dept. of Legislative Audits; all present voted aye; motion carried. The Board approved the following fee schedule:

#### **2014 WEED SPRAYING RATES SCHEDULE OF FEES**

##### **Township & County**

Truck & Operator	\$35.00 per hour
ATV & Operator	\$35.00 per hour
2-4D Amine	\$12.21 per gallon
Tordon 22K	\$45.96 per gallon
Glyphosate	\$12.50 per gallon
Glyphosate aquatic	\$18.97 per gallon
Plateau	\$112.27 per gallon

##### **State, City & Private**

Truck	\$60.00 per hour
ATV	\$50.00 per hour
Operator	\$27.50 per hour
2-4D Amine	\$17.50 per gallon
Tordon 22K	\$65.00 per gallon
Glyphosate	\$17.50 per gallon
Glyphosate aquatic	\$26.65 per gallon
Plateau	\$157.18 per gallon
Forefront	\$70.00 per gallon



A Resolution to approve the platting of the Raml First Addition in the County of Codington, South Dakota.

BE IT RESOLVED by the County Commissioners of Codington County, South Dakota, as follows:  
That an examination has been made of the plat entitled:

Raml First Addition located in the W1/2 of the SW1/4 of Section 17-T117N-R52W, of the 5<sup>th</sup> P.M., in the County of Codington, South Dakota; and it appearing to the Board of County Commissioners that the arrangement of streets and alleys and the area within its jurisdiction have not been interfered with by the said plat and survey, and that the County Planning Commission of the said County has recommended approval of the said plat, and it also appearing that the plat and survey accompanying the same has been executed according to law.

NOW, THEREFORE, said plat is hereby approved and the County Auditor of Codington County, South Dakota, is hereby authorized to endorse on the said plat a copy of the Resolution and to certify to the same thereon.

The above and foregoing resolution was moved for adoption by Commissioner Johnson, second by Commissioner Hanten; whereupon the Chairman of the Board of County Commissioners declared the same to be duly passed and adopted.

Dated this 6<sup>th</sup> day of May, 2014, at Watertown, Codington County, South Dakota.

Elmer P. Brinkman  
Chairman, Board of County Commissioners

STATE OF SOUTH DAKOTA  
§  
COUNTY OF CODINGTON

I, the undersigned, the duly appointed, elected, qualified, and acting County Auditor of Codington County, South Dakota, do hereby certify that the foregoing is a true and correct copy of Resolution 2014-9, adopted by the Board of County Commissioners of Codington County, South Dakota.

Dated this 6<sup>th</sup> day of May, 2014, at Watertown, Codington County, South Dakota.

Cindy Brugman  
County Auditor, Codington County, South Dakota

**RESOLUTION #2014-10**

A Resolution to approve the platting of the Weatherford Addition in the County of Codington, South Dakota.

BE IT RESOLVED by the County Commissioners of Codington County, South Dakota, as follows:  
That an examination has been made of the plat entitled:

Weatherford Addition located in the NE1/4 of Section 10-T119N-R54W, of the 5<sup>th</sup> P.M., in the County of Codington, South Dakota; and it appearing to the Board of County Commissioners that the arrangement of streets and alleys and the area within its jurisdiction have not been interfered with by the said plat and survey, and that the County Planning Commission of the said County has recommended approval of the

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said plat, and it also appearing that the plat and survey accompanying the same has been executed according to law.

NOW, THEREFORE, said plat is hereby approved and the County Auditor of Codington County, South Dakota, is hereby authorized to endorse on the said plat a copy of the Resolution and to certify to the same thereon.

The above and foregoing resolution was moved for adoption by Commissioner Johnson, second by Commissioner McElhany; whereupon the Chairman of the Board of County Commissioners declared the same to be duly passed and adopted.

Dated this 6<sup>th</sup> day of May, 2014, at Watertown, Codington County, South Dakota.

Elmer P. Brinkman

Chairman, Board of County Commissioners

STATE OF SOUTH DAKOTA

§

COUNTY OF CODINGTON

I, the undersigned, the duly appointed, elected, qualified, and acting County Auditor of Codington County, South Dakota, do hereby certify that the foregoing is a true and correct copy of Resolution 2014-10, adopted by the Board of County Commissioners of Codington County, South Dakota.

Dated this 6<sup>th</sup> day of May, 2014 at Watertown, Codington County, South Dakota.

Cindy Brugman

County Auditor, Codington County, South Dakota

### **SWINE MORATORIUM**

Discussion was held regarding the swine moratorium which was passed by the Board on March 25, 2014. The following area pork producers offered testimony regarding the P.E.D.V. and the swine moratorium passed by the Board: Charles Rossow, Andy Rossow, and Rod Foster. These producers also requested that the Board lift the moratorium currently in place. The Pork Producers were of the general opinion that precautions can be taken to limit the risk of exposure to the virus which would then allow 4-H youth to participate in swine shows. Jeff Wolff, committee member of the Dakota Youth Prospect Show representing Grant County also addressed the Board and was also in favor of lifting the moratorium. Additional testimony was received from Glenn Mueller, Executive Director of the SD Pork Producer Council; Dr. Russ Daley, SDSU Extension Veterinarian; and Dr. Bob Thaler, SDSU Swine Specialist. These Specialists advised the Board that there are steps that can be taken to disinfect an area following a show or sale. The specialists also noted there is currently no vaccine to control the virus although the virus primarily affects baby pigs which would not normally be present at these shows or sales. Discussion was held regarding the difficulty in disinfecting the dirt floors at the Extension Center Complex and the unbudgeted expense for such disinfection. States Attorney, Dawn Elshere, advised the Board that there is no guarantee that the County would not be held liable for animals that carried the virus back to an operation or farm after being shown at any event at the Extension Center Complex. Facilities Manager, Milo Ford; 4H Youth Program Advisor, Jodi Loehrer; and Extension Center Office Coordinator, Becky Goens also offered testimony and information pertinent to this matter. Motion by Johnson, second by Brinkman, to lift the swine moratorium approved by the Board on March 25<sup>th</sup>, 2014; Johnson and Brinkman voted aye; Heller, McElhany, and Hanten vote no; motion failed.

**JUSTICE CENTER ACCESS ROAD**

Highway Supt., Rick Small provided the Board with an estimate of what it would cost to build an access road to the proposed Justice Center Building. Mr. Small advised the Board that an 800' stretch of road would range in construction costs from \$177,695 to \$245,930 depending on the inclusion of sidewalks, water line, sewer lines, man holes, etc. This estimate does not include the cost of purchasing approximately one acre of right of way which is unknown at this time.

**PROPERTY TAX ABATEMENT APPLICATIONS**

Motion by McElhany, second by Hanten, to approve the following applications for property tax abatements:

<u>Property tax record</u>	<u>Abatement allowed</u>
8781	\$733.12 Property owner qualified for State assessment program

Upon vote of the Board; all present voted aye; motion carried.

**SALARY CLAIMS**

Motion by Heller, second by Johnson, to approve April salary claims; all present voted aye; motion carried: Commissioners: 9,434.04 total salaries. Auditor: 18,459.14 total salaries. Co. Treasurer: 26,496.16 total salaries. States Attorney: 32,680.06 total salaries. Gov. Buildings: 18,479.77 total salaries. Dir. Equalization: 39,495.31 total salaries. Register of Deeds: 17,719.43 total salaries. Veterans Service: 8,910.08 total salaries. Sheriff: 76,303.69 total salaries; Brian Richter 2605.60 step increase. Co. Jail: 84,061.18 total salaries; Jennifer Guest 1333.26 step increase; Amy Coon 1997.27 step increase; Jeff Hershman 1886.09 step increase. Coroner: 161.48 total salaries. Care of the Poor: 4,287.50 total salaries. County Nurse: 4,008.79 total salaries. County Park: 5,972.15 total salaries. Ag. Bldg.: 8,439.31 total salaries. Co. Extension: 8,547.59 total salaries. Weed Control: 5,765.28 total salaries. Planning Board: 651.56 total salaries. Road & Bridge: 78,050.72 total salaries; Calvin Engels 1836.29 step increase. Emergency Management: 10,274.57 total salaries. Crime Victim: 5,699.73 total salaries. W.I.C.: 4,003.34 total salaries. Total: 467,900.88. Breakdown of withholding amounts which are included in the above: S.D. Retirement 41,936.24; S.D. Retirement 359.58 spouse option; S.D. Supplemental Retire. 1,635.00 suppl. retire.; Wellmark 63,753.83 ins.; Lincoln Financial Group 446.50 life ins.; Delta Dental 5,582.36 ins.; Avesis 711.14 ins.; Nationwide Retire. Sol. 214.29 suppl. retire.; AFSCME Local #2488 352.80 employee union dues; AFLAC 2,521.05 ins.; Assurity Life Insurance Company 151.41 ins.; U.M.B. Bank 2,542.00 suppl. retire.; AFLAC 400.15 ins.; Watertown United Way 125.42 employee contributions; Office of Child Support 100.00 employee payments; Sioux Valley Credit Union 11,941.00 employee payments; Cod. Co. Treasurer 34,150.00 employee monthly draw; New York Life 32.75 ins.; Teamsters Local Union 243.00 employee union dues; Codington County Deputy Sheriff's Association 120.00 employee union dues; ReliaBank Dakota 35,478.60 federal withholding; ReliaBank Dakota 52,881.40 social security; Breit Law Office 510.52 employee payment; Barbara Curtis 800.00 employee payment; Washington National Ins. 20.20 ins.; employee payment.

**FY2015 WIC CONTRACT**

Motion by Hanten, second by McElhany, to approve the FY2015 WIC Contract, between the South Dakota Dept. of Health and Codington County, in the amount of \$34,220.00, for the time period June 1, 2014 through May 31, 2015, for the provision of WIC clerical services; all present voted aye; motion carried.

**SURPLUS EQUIPMENT**

Motion by Hanten, second by Heller, to declare the following video recorder equipment, surplus to be destroyed, per the request of Sheriff, Toby Wishard; all present voted aye; motion carried: 2-002 DVR – Digital Video Recorder, Everfocus, Serial #16X159250075

2-031 DVR – Digital Video Recorder, Everfocus, Serial #16X159250077

2-030 DVR – Digital Video Recorder, Everfocus, Serial #16X038190003 (GEN01407)

**LIQUOR LICENSE TRANSFER REQUEST**

The Board discussed a verbal request from a current County liquor license holder for a one day transfer of said license holder's on sale alcoholic beverage license to a private property within Codington County for the purpose of selling alcoholic beverages at a wedding reception. Sheriff, Toby Wishard and States Attorney, Dawn Elshere were present for this discussion. A determination was made that the license holder must submit to the Board a written request before the Board can take action on the request. The Board noted this request would also be subject to action by the Codington County Planning and Zoning Board. The Zoning Board would need to approve a conditional use permit for the sale of alcohol on private property. Commissioner Johnson will contact the license holder regarding these requirements.

**AUTOMATIC BUDGET SUPPLEMENT**

Motion by Johnson, second by McElhany, to approve an automatic budget supplement to the Sheriff's budget with Homeland Security Grant reimbursement funds in the amount of \$243.11; all present voted aye; motion carried.

**TRAVEL REQUESTS**

Motion by McElhany, second by Hanten, to approve the following travels requests; all present voted aye; motion carried: Welfare Director; 9<sup>th</sup> Annual Homeless Summit in Chamberlain. Emergency Management Director; State E.M. meeting in Pierre.

**PERSONNEL CHANGES**

Motion by Johnson, second by Hanten, to approve the following personnel changes; all present voted aye; motion carried: Dan Busta, Highway Maintenance II; anniversary step increase to step 8/\$20.32 per hour. Mike Gubka, Deputy Sheriff; anniversary step increase to step 6/\$22.85 per hour. Jacki Manning, Register of Deeds Clerk; anniversary step increase to step 9/\$17.26 per hour.

**JUSTICE CENTER BUILDING PROJECT**

Commissioner Heller noted a meeting of the Justice Center Building Project public committee will be held at 1:30 today in the County Commissioners chambers. Architecture Inc. and other County departments will also attend this meeting.

**ADJOURNMENT**

There being no further business to come before the Board a motion was made by Hanten, second by McElhany, to adjourn at 11:29 a.m., until 9:00 a.m., Tuesday, May 13<sup>th</sup>, 2014; 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.

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