

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

May 8, 2018

The Codington County Commissioners met in regular session at 9:00 a.m., Tuesday, May 8, 2018, at the Codington County Courthouse. Commission members present were: Lee Gabel, Charlie Waterman, Myron Johnson, Troy VanDusen, and Brenda Hanten; Chairman Johnson, presiding. The meeting was opened with the pledge of allegiance.

**AGENDA APPROVED**

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

**MINUTES APPROVED**

Motion by Hanten, second by Gabel, to approve the minutes of May 1<sup>st</sup>, 2018; all voted aye; motion carried.

**MONTHLY REPORTS**

**Director of Equalization, Shawna Constant**, reported Board changes have been updated on the appropriate property records; November-April sales, splits, and new plats are being processed; re-appraisal cards are being prepared; and re-appraisal of Ag. land and small acreages in Kampeska, Pelican and Sheridan Townships will begin. A brief discussion was held regarding buffer strip legislation.

**Auditor, Cindy Brugman**, reported early voting has begun for the 2018 Primary Election, supplies are being prepared for voting precincts, and election workers are being contacted for working at the polls on election day.

**AUDITOR'S ACCT. W/TREASURER AND REGISTER OF DEEDS FEES**

Motion by Hanten, second by Waterman, to approve the Auditor's Account of the cash and cash items in the hands of the County Treasurer as of the last day of April 2018, all present voted aye; motion carried.

Cash on hand	\$ 10,019.38
Checks in Treasurers' possession	
less than 3 days	\$ 1,474,377.63
Credit Card Charges	\$ 5,961.93
Cash Items	\$ 525.00
<b>TOTAL CASH ASSETS ON HAND</b>	<b>\$ 1,490,883.94</b>
<b>RECONCILED CHECKING</b>	
Great Western Bank Checking (Memorial Park)	\$ 4,394.00
Reliabank Dakota	\$30,309,615.99
<b>INVESTMENTS</b>	
SD Public Funds Investment	\$ 7,017.98
<b>TOTAL CASH ASSETS</b>	<b>\$31,811,911.91</b>
<b>General Ledger Cash Balance by Funds:</b>	
General	\$13,766,794.96
General restricted cash	\$ 500,000.00
Sp. Revenue	\$ 6,272,358.94
Sp. Revenue restricted cash	\$ 10,411.85
Trust & Agency	\$11,262,346.16
(schools 8,554,591.07, townships 120,888.72; city/towns 1,960,853.06)	
<b>TOTAL GENERAL LEDGER CASH</b>	<b>\$ 31,811,911.91</b>

Codington County, May 8, 2018

The Board noted Register of Deeds fees for the month of April in the amount of \$32,342.00 with \$2,710.00 remitted to the State of South Dakota for certified births, deaths, and EVRSS.

**2018-2019 MALT BEVERAGE LICENSE RENEWALS**

Motion by Hanten, second by VanDusen, to approve the following 2018-2019 Malt Beverage renewal applications as announced by the Auditor: Gordon Kliegel, DBA - Rauville Station; David Blutorn, DBA - Rooster Bar; W.J. Schmitt Enterprise, Inc., DBA-Southfork Lounge; and Sisseton-Wahpeton Sioux Tribe DBA Dakota Sioux Casino. Upon vote of the Board; all voted aye; motion carried.

**FY2019 WIC CONTRACT**

Motion by Gabel, second by Hanten, to approve the FY2019 WIC Contract, between the South Dakota Dept. of Health and Codington County, in the amount of \$43,855.00, for the time period June 1, 2018 through May 31, 2019, for the provision of WIC clerical services; all present voted aye; motion carried.

**2018 ROAD STRIPING AGREEMENT**

Motion by Gable, second by Hanten, to authorize the Chairman to sign the funding agreement for the 2018 road striping project with the SDDOT. Paper work submitted by Highway Supt., Rick Hartley, indicates 52 miles could be striped at a total cost of \$54,449.10, with the SDDOT providing \$12,151.71 towards the project and the net cost to the County of \$42,297.39. Upon vote of the Board all voted aye; motion carried.

**REQUEST FOR LOWERED SPEED LIMIT ON 460<sup>TH</sup> AVE**

**Highway Supt., Rick Hartley**, provided the Board with data on speed and types of vehicles that travel on a section of 460<sup>th</sup> Ave (County Road 7-6). A petition was presented to the Board on April 17, 2018, from property owners along this stretch of road, requesting a lowered speed limit of 35-45 mph on the first 1.5 miles south of US Highway 212. The Board will share this data with the property owners before further action is considered.

**CLAIMS**

Motion by VanDusen, second by Gabel, to approve the following list of claims; all voted aye; motion carried: A-OX WELDING SUPPLY 152.95 REP, A-OX WELDING 76.71 SUPPLIES, ACCREDITATION, AUDIT AND 150.00 SVC, A&B BUSINESS SOLUTIONS 1.77 SVC, KEVIN ANGERHOFER 20.00 WIT, JEFF ARGO 25.00 UTILITIES, AT&T MOBILITY 219.01 UTIL, AUSTIN LAW OFFICES 264.80 SVC, AVERA HOME MEDICAL EQUIPMENT 150.00 SUP, AVI SYSTEMS, INC 250.00 SVC, KENNETH BAILLY 50.84 JURY, BEACON CENTER 1000.00 SVC, BEADLE COUNTY SHERIFF 160.00 SVC, ALLEN BENCK 25.00 UTILITIES, BERNIE'S TELEPHONE AND TECH 455.55 MAINT, KYLE BILLINGS 20.00 WIT, BOARMAN KROOS VOGEL GROUP, INC 17350.18 SVC, MATTHEW BLACKWELDER 40.00 CELL, BORNS GROUP 3429.43 POST, BOYS & GIRLS CLUB 1458.33 SVC, BRATLAND LAW 1767.20 SVC, BREKKE SIGNS 70.00 SUP, BROCK WHITE COMPANY 12810.00 SUPPLIES, BROWN CLINIC PLLP 9206.00 SVC, BURNS LAW OFFICE 4148.20 SVC, CARTNEY BEARING & SUPPLY 31.96 REPAIRS/MAINT., JEFF CASE 25.00 UTILITIES, CASHWAY LUMBER INC. 1099.78 SUP, CASTLEWOOD BUILDING SUPPLIES, 72.40 SUP, CENTURYLINK 826.44 UTIL, CERTIFIED LABORATORIES 356.45 SUPPLIES, CHARM-TEX, INC 487.57 SUP, CHILD'S VOICE ROUTE #6361 350.00 SVC, CHUCK'S LOCK & KEYS 388.85 REP, CODINGTON COUNTY HIGHWAY DEPT. 4432.27 SVC, CODINGTON CO. HISTORICAL SOC. 8670.00 REIMB, CODINGTON-CLARK ELECTRIC COOPE 35.71 UTILITIES, COLE PAPERS, INC. 1406.08 SUP, JENNIFER COLLINS 116.80 JURY, CONNECTING POINT COMPUTER CENT 2500.00 MAINT, CONNECTING POINT COMPUTER CENT 2540.90 REP, SHAWNA CONSTANT 25.00 CELL, KERRI COOK-HUBER 50.00 SVC, COUNTY FAIR FOODS 257.69 SUP, CREDIT COLLECTIONS BUREAU 1126.16 PMT, CREDIT COLLECTIONS BUREAU 1066.14 PMT, CHAD CROM 66.00 TRAV, CULLIGAN WATER

CONDITIONING 788.00 SUP, DAKOTA DATA SHRED 178.87 SVC, MATT DARGATZ 25.00 UTILITIES, DATA TRUCK 69.98 UTIL, STEPHANIE DEVINE 55.04 JURY, EDWARD DEVRIES 101.68 JURY, DIAL-A-MOVE, INC 2127.99 SVC, DIAMOND VOGEL 784.10 REP, DIGITAL-ALLY 145.00 EQUIP, JAMIE DOLEN 25.00 UTILITIES, DOUG'S ANCHOR MARINE 128.90 SUP, DUGAN SALES & SERVICE 64.95 REP, BIMBO FOODS, INC 1558.47 SUP, BRUCE EGERSTROM 56.72 JURY, EIGHT TEN PROPERTIES, LLC 1740.00 RENT, ELLYSON LAW OFFICE 2152.38 SVC, SHARLEEN ENGEN 101.68 JURY, EQUIPMENT BLADES INC 6206.90 SUPPLIES, ESRI 400.00 MAINT, RANDY FALVEY 25.00 UTILITIES, FAMILY DENTAL CENTER 190.00 SVC, FARNAMS GENUINE PARTS 253.01 SUP, FARNAMS GENUINE PARTS 612.72 SUPPLIES, FIRST DISTRICT ASSN OF LCL GOV 6008.42 SVC, FLOORS & MORE 690.00 SUP, TOWN OF FLORENCE-PEGGY LINDAHL 132.75 UTILITIES, ALLISON FORBUSH 25.00 CELL, FORD COUNTY SHERIFF 54.00 SVC, FORUM COMMUNICATIONS 82.62 PUB, FSA - FARGO 6598.96 SUP, GALLS, LLC 541.01 UNIF, JASON & SUSAN GAWLRAPP 20.00 REPAIRS/MAINT., GCR TIRE CENTER 276.78 REPAIRS/MAINT., GCR TIRES & SERVICE 960.83 REP, GENOA HEALTHCARE/WATERTOWN 693.60 SUP, GLACIAL INTERACTIVE INC 55.00 SVC, GLASS PRODUCTS INC. 2763.75 SVC, SCOTT GOOD 53.36 JURY, GREEN, ROBY, OVIATT, 4458.33 SVC, MICHAEL GUBKA 40.00 CELL, JUSTIN HALAJIAN 25.00 CELL, RICK HARTLEY 40.00 UTILITIES, DAVE HEDDING 25.00 UTILITIES, JAMES HEDGES 25.00 CELL, TOWN OF HENRY 136.31 UTILITIES, RICHARD HERR 51.68 JURY, JEFF HERSHMAN 25.00 CELL, HILLYARD/SIOUX FALLS 975.23 REP, RICK HOLINKA 25.00 UTILITIES, LARRY HOWARD 40.00 CELL, BRAD HOWELL 40.00 CELL, HYVEE #1871 ACCTS RECEIVABLE 2019.70 SUP, INTERLAKES COMMUNITY ACTION 1227.00 SVC, JOHNSON CONTROLS, INC. 5531.12 REP, GREGORY JOHNSON 53.36 JURY, KIM JOHNSON 15.00 REIMB, BILLIE JONES 58.40 JURY, JURGENS PRINTING 118.28 SUP, MARK KATTERHAGEN 30.00 SVC, TERRY KELLY 108.40 JURY, DANYEL KLOOS 101.68 JURY, JENIFER KRANZ 120.16 JURY, LAKE CITY FIRE EQUIPMENT 397.02 REP, ERIK LEE 101.68 JURY, LEWIS & CLARK BHS 960.00 SVC, LEWNO LAW OFFICE 282.94 SVC, LIGHT AND SIREN 246.00 SUP, LINCOLN CO TREASURER 136.90 SVC, DARCY LOCKWOOD 30.00 SVC, JODI LOEHRER 356.40 REIMB, STEVEN LOWRY 40.00 CELL, LUTHERAN SOCIAL SERVICES 1309.31 SVC, MAC'S INC 14.17 SUPPLIES, MAC'S INC. 274.44 SUP, CHARLES MACK 106.72 JURY, MAHOWALD'S 100.50 SUP, MARCO, INC 323.67 RENT, RUSSELL MATHEWS 40.00 CELL, PATRICK MCCLEMANS 116.80 JURY, MCLEOD'S PRINTING & OFFICE SUP 1497.00 SUP, MENARDS 2972.34 SUP, MENARDS 134.37 SUPPLIES, MIDCONTINENT COMMUNICATIONS 432.68 UTIL, MINNEHAHA COUNTY AUDITOR 965.00 SVC, JENNA MOFFATT CONSULTING 186.25 SVC, MOTOROLA SOLUTIONS, INC 4434.24 EQUIP, MUNICIPAL UTILITIES 12485.95 UTIL, MUNICIPAL UTILITIES 1306.00 UTILITIES, KEN NIGG 66.00 TRAV, NORTHERN SAFETY TECHNOLOGY 2247.54 EQUIP, NORTHWESTERN ENERGY 477.75 UTILITIES, OFFICE PEEPS, INC. 21.70 SUP, OFFICE PEEPS, INC. 4173.54 SUP, OFFICE PEEPS, INC. 118.10 GRANT, JERROD OLSON 40.00 CELL, O'REILLY - STORE 2030 100.01 REP, OTTERTAIL POWER CO, 43.14 UTILITIES, MICHELLE PEDERSON 25.00 CELL, PENNINGTON COUNTY JAIL 432.00 TRAV, PERFORMANCE TOWING 408.53 REP, SARAH PETERSEN 126.92 CELL, PHEASANTLAND INDUSTRIES 924.80 SUPPLIES, PMB 0112 25.50 UTIL, PRAIRIE LAKES HEALTH CARE CENT 4335.00 SVC, PRINT 'EM NOW 210.00 SUP, PRINT EM NOW 11.75 SUPPLIES, RAMKOTA - PIERRE 224.00 TRAV, RAMKOTA- WATERTOWN 123.90 TRAV, PEGGY RAML 39.99 SUP, JOHN REDLINGER 50.84 JURY, REDWOOD TOXICOLOGY LABORATORY 1161.50 SUP, ADAM REEVES 40.00 CELL, REBECCA MORLOCK REEVES 40.00 CELL, ROBYN RITER 25.00 UTILITIES, RON'S SAW SHOP 188.55 SUP, PATSY RORVICK 52.52 JURY, DON ROWLAND 1110.00 TRAIN, RUNNINGS FARM & FLEET 19.99 SUPPLIES, DAWN RUSSELL 190.00 SVC, SAFE-N-SECURE 12634.44 EQUIP, SANFORD HEALTH PATHOLOGY 400.00 SVC, SARGENT COUNTY SHERIFF'S DEPT 25.00 SVC, SATELLITE TRACKING OF PEOPLE 1277.25 SUP, TERRANCE SATTERLEE 1534.56 SVC, DEAN SCHAEFER COURT REPORTING 267.00 SVC, TREVER SCHIMMEL 40.00 CELL, BRAD SCHWINGER 25.00

UTILITIES, SD ATTORNEY GENERAL'S OFFICE 4744.00 PMT, SD ATTORNEY GENERAL'S OFFICE 328.00 PMT, SD DEPARTMENT OF REVENUE 2235.00 SVC, SD STATE TREASURER 440705.23 MAY REMITTANCE, ASSN OF SD COUNTY WEED&PEST 150.00 DUES, SDACO 822.00 PMT, SDN COMMUNICATIONS 1151.28 UTIL, MELISSA SEARS 25.00 CELL, SECURUS TECHNOLOGIES 2933.60 SUP, HEIDI SELCHERT 25.00 CELL, SHARP AUTOMOTIVE 490.89 REP, SHOPKO EYECARE 4054 188.97 SVC, SIGNPRO 292.00 SUP, DEVIN SINER 110.08 JURY, SIOUX VALLEY COOP 4233.85 SUP, SIOUX VALLEY COOP 9051.31 SUPPLIES, SIOUX RURAL WATER SYSTEM 36.89 UTILITIES, LYNN SOLBERG 25.00 UTILITIES, BRENT SOLUM 40.00 CELL, SOUTH DAKOTA DEPT. OF TRANSPOR 7396.10 REPAIRS/MAINT., SOUTH SHORE GAZETTE 2062.10 PUB, STAR LAUNDRY 1866.36 SUP, STAR LAUNDRY 109.54 SUPPLIES, STEVE'S WORLD 147.79 REP, STREICHER'S - MINNEAPOLIS 111.95 UNIF, STURDEVANTS AUTO PARTS 13.48 REPAIRS/MAINT., THOMAS STURM 52.52 JURY, SHS 500.00 REP, SUTTON LAW OFFICE PC 15881.88 SVC, SCOTT SWANSON 25.00 CELL, SYSCO NORTH DAKOTA 7008.73 SUP, T&M AUTOBODY, INC 1431.24 REP, AMANDA TESCH 120.00 SVC, THOMSON REUTERS-WEST 285.85 SVC, THURMAN LAW OFFICE 205.10 SVC, PRODUCTIVITY PLUS ACCOUNT 147.61 REPAIRS/MAINT., TITAN MACHINERY 42.83 REP, DOUG TORSTENSON 25.00 UTILITIES, TOSHIBA FINANCIAL SERVICES 389.45 RENT, TRANSOURCE 3694.05 REPAIRS/MAINT., TRAV'S OUTFITTER INC 167.97 UNIF, ULTIMATE DUCT CLEANING 465.00 REP, UNIVERSITY OF NORTH DAKOTA 2094.00 SVC, TYLER VARNS 40.00 CELL, VAST BUSINESS 588.62 UTIL, VAST BROADBAND 49.95 UTILITIES, VERIZON WIRELESS 437.30 UTIL, GREAT WESTERN BANK 10.64 PMT, GREAT WESTERN BANK 241.94 PMT, GREAT WESTERN BANK 496.95 SUP; LONIE VOGELSANG 25.00 UTILITIES, TOM WALDER 40.00 CELL, WALMART COMMUNITY 188.98 SUP, WALMART COMMUNITY 96.97 SUPPLIES, TODD WARNE 25.00 UTILITIES, WATERTOWN FORD 76.99 REP, WATERTOWN PUBLIC OPINION 3093.71 PUB, CITY OF WEBSTER 525.00 SVC, WHEELCO 163.20 REPAIRS/MAINT., WIGHT & COMES FUNERAL CHAPEL 3952.00 SVC, WILES & RYLANCE, LLP 4799.87 SVC, WATERTOWN LANDFILL 19.88 MAINT, WW TIRE SERVICE INC. 19.72 REPAIRS/MAINT., YANKTON CO. SHERIFF 150.00 SVC, YANKTON CO TREASURER 707.80 SVC, ZEP SALES & SERVICE 418.86 SUPPLIES.

### **PERSONNEL CHANGES**

Motion by VanDusen, second by Gabel, to approve a salary step increase for part time Criminal Support Coordinator, Charles Rossow, to step 2/\$16.69 per hour; all voted aye; motion carried. Motion by VanDusen, second by Gabel, to approve a salary step increase for Welfare Assistant, Angela Hyde, to step 6/\$17.40 per hour (clerk pay series); all voted aye; motion carried.

### **9:30 AM, SECOND READING/PUBLIC HEARING ON ORDINANCE #68**

The Board held a second reading and public hearing on Ordinance #68. Motion by Hanten, second by Gavel, to approve Ordinance #68. Zoning Officer, Luke Muller, gave the Second Reading of Ordinance #68, An ordinance amending Article II Definitions and Chapter 5.22 Wind Energy Systems (WES) of Article V General Requirements, of Ordinance 65, an ordinance amending Ordinance 15, An ordinance establishing comprehensive zoning regulations for Codington County, South Dakota, and providing for the Administration, Enforcement, and Amendment thereof, pursuant to SDCL 11-2, 1967, and amendments thereof and for the repeal of all resolutions and/or ordinances in conflict herewith. Chairman Johnson advised those present for this hearing that discussion will be limited to one hour during the public hearing portion of the meeting and each person speaking will be allowed a maximum of 3 minutes to speak to the ordinance. The Zoning Officer, Luke Muller, took this time to introduce the topic of Ordinance #68, which has been approved by the Codington County Planning Commission. The following spoke against Ordinance #68: Dennis Garvey, Greg Wall, Amber Christianson, Patrick Lynch, Teresa Kaaz, Tim Lindgren, Linda Lindgren, Garry Ehlebracht, Al Robish, Kristi Mogen, Jon Henslin, and Daniel Kaaz. The following spoke in favor of Ordinance #68: Joel Koustrup, Lynn Waeye, Karen

Kasperson, Jeff Riley, Mark Fransen, Tim Nelson, Al Kasperson, Tyler Wilhelm with NextEra Energy, and Chris Ollson with NextEra Energy. Chairman Johnson closed the public hearing at 10:42 a.m. and turned to the Board for further discussion. Motion by Gabel, second by Waterman, to publish a notice of below amendment to the current draft of Ordinance #68, and to postpone action to adopt Ordinance #68 until after the public hearing on said amendment (to be scheduled for June 7<sup>th</sup>, 2018):

**Amend Paragraph 2.i. Table 5.22.03.2**

**From this:**

		<b>Setback Distance*</b>	
		<b>Vertical Height of Tower 75' to 500'</b>	<b>Vertical Height of Tower Over 500'</b>
<b>Participating occupied residence, business, church, or school</b>		<b>550'</b>	<b>550' plus 2.5' feet for each additional vertical foot more than 500' in height</b>
<b>Municipal Boundaries at the time of Conditional Use Permit Application</b>		<b>5,280'</b>	<b>5,280'</b>
<b>Non-Participating occupied residence, business, church, or school</b>	<b>Town District</b>	<b>5,280'</b>	<b>5,280'</b>
	<b>All other Districts</b>	<b>1,500'</b>	<b>1,500' plus 2.5' feet for each additional vertical foot more than 500' in height</b>
<b>Distance from the Right-of-Way of Public Road</b>		<b>110% of the height of the wind turbine**</b>	
<b>Distance from Property Line</b>		<b>110% of the height of the wind turbine***</b>	

**To this:**

	<b>Setback Distance if vertical height of tower is over 75'*</b>
<b>Participating occupied residence, business, church, or school</b>	<b><u>The greater of the manufacturer's recommended safe distance or 550' plus 2.5 for each additional vertical foot more than 500' in height.</u></b>
<b>Non-Participating occupied residence, business, church, or school</b>	<b><u>The greater of the manufacturer's recommended safe distance or 4 times the height of the tower</u></b>
<b>Non-Participating occupied residence, business, church, or school in Town District(s)</b>	<b>5280'</b>
<b>Municipal Boundaries at the time of Conditional Use Permit Application</b>	<b>5280'</b>
<b>Distance from Right of Way line of Public Road</b>	<b>110% of the height of the tower**</b>

<b>Distance from Property Line</b>	<b>110% times the height of the tower***</b>
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After further discussion and upon roll call vote of the Board on Commissioner Gabel's motion; Gabel vote aye, Waterman voted aye, Johnson vote no, VanDusen voted aye, and Hanten voted no; motion carried.

### **TRAVEL REQUESTS**

Motion by Hanten, second by VanDusen, to approve the following travel requests; all voted aye; motion carried: Highway Supt., County Highway Superintendents summer meeting; and Welfare Director, 2018 NACo Annual Conference. Commissioner Hanten noted her intent to also attend the 2018 NACo Annual Conference.

### **ADJOURNMENT**

There being no further business to come before the Board a motion was made by Hanten, second by Gabel, to adjourn as a Board of Commissioners at 11:18 a.m., until 9:00 a.m., Tuesday, May 15<sup>th</sup>, 2018; all 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 \$\_\_\_\_\_.