

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

June 7, 2018

The Codington County Commissioners met in regular session at 9:00 a.m., Thursday, June 7, 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 Gabel, to approve the agenda; all voted aye; motion carried.

**MINUTES APPROVED**

Motion by Hanten, second by VanDusen, to approve the minutes of May 22<sup>nd</sup>, 2018; all voted aye; motion carried.

**2018 PRIMARY ELECTION CANVASS**

The Board conducted the canvass of the vote totals for the 2018 Primary Election, held in Codington County, on Tuesday, the 5<sup>th</sup> day of June, 2018. Motion by Hanten, second by VanDusen, to approve the results of the 2018 Primary Election as presented by the Auditor; all present voted aye; motion carried.

**CELL PHONE STIPEND APPROVED**

Motion by Hanten, second by Waterman, to approve a \$25.00 monthly cell phone stipend for Government Buildings employee, Larry Merchant, per a request from Facilities Manager, Milo Ford; all voted aye; motion carried.

**FINAL WAGE/BENEFITS OFFER TO HIGHWAY DEPARTMENT UNION EMPLOYEES**

Human Resource Director, Terry Satterlee, met with the board to recommend the Board take action to implement the final wage/benefit offer to the Highway Department union employees, who originally rejected the Board's offer and filed impasse with the South Dakota Department of Labor. Mr. Satterlee noted this offer was accepted by the other two Codington County employee bargaining units and was also given to all non-union employees, effective January 1, 2018. Mr. Satterlee noted this offer includes a 1.5% wage increase, increase in vacation and sick leave accumulation, and an increase in longevity payments to employees who have worked for the County for an uninterrupted period of 25+ years. Mr. Satterlee advised the Board that the impasse hearings did not result in any resolution between the Highway Department and Codington County. Mr. Satterlee noted rules set by the Department of Labor allow management the right to implement the final offer after the hearing process is over. Motion by Hanten, second by Gabel, to implement the final offer to the Highway Department Union employees; all voted aye; motion carried.

**HUMAN RESOURCE POSITION REQUEST FOR PROPOSALS**

Motion by Gabel, second by Hanten, to approve the advertisement for a request for proposals for the following: Human Resource Management Consultant and/or Labor Contract Negotiation Services. Upon vote of the Board; all voted aye; motion carried.

**SISSETON WAHPETON OYATE GAMING COMPACT**

The Board noted correspondence from AJ Franken, General Counsel to the State of South Dakota, advising the Board that the Sisseton Wahpeton Oyate have requested an amendment of it's gaming

compact with the State of South Dakota. A major point the Oyate wishes to revisit is the amount of the annual payments it makes to Codington and Roberts Counties. A copy of the Oyate's proposal was included in the correspondence from the State. States Attorney, Rebecca Morlock Reeves, who reviewed the proposed amendment, advised the Board that while the Oyate want authority for additional gaming machines they also want to reduce the current scheduled annual payments to Codington and Roberts Counties for law enforcement, fire, ambulance, and road maintenance services, provided by each County. Motion by VanDusen, second by Hanten, to notify General Counsel Franken that Codington County does not agree to amending the gaming compact as proposed by the Oyate; all voted aye; motion carried. Motion by Gabel, second by Hanten, to authorize the Chairman to sign a letter of input, to be sent to the office of the South Dakota Governor, with this Board's recommendations for payment for these services in Codington County; all voted aye; motion carried.

### **ORDINANCE #68**

Zoning Officer, Luke Muller, was present for this meeting regarding final action on Ordinance #68 as introduced at the Board's meeting held on May 8<sup>th</sup>, 2018. A motion by Commissioner Gabel at the May 8<sup>th</sup> meeting was approved to allow publication of a notice of public hearing on a proposed amendment to Ordinance #68. The Zoning Officer noted any amendment to proposed Ordinance #68 will require a minimum of four affirmative votes for adoption. This being the time and place set for said public hearing, motion by Commissioner Gabel second by Commissioner Waterman, to offer the following amendment and key changes to proposed Ordinance #68:

**Amend Paragraph 2.i. Table 5.22.03.2;** to amend the setback for wind turbines for participating residences, for wind towers above 75', to the greater of the manufactures recommended safe distance or 550' plus 2.5' for each additional vertical foot more than 500' in height; for non-participating occupied residences, business, church or school the greater of the manufacturers recommended safe distance or 4 times the height of the tower. Motion by VanDusen, second by Hanten, to open the hearing to the public at this time. The following spoke in favor of the proposed amendment to Ordinance #68: Dennis Garvey, Amber Christianson, Allen Robish, and Dan Kaaz. The following spoke and were not in favor of the proposed amendment: Dr. Christopher Ollson on behalf of NextEra, Tyler Wilhelm on behalf of NextEra, Roger Solum, Karen Kasperson, and Leo Kannas. The Zoning Officer advised the Board that he received written communication from Rose Steen who is in favor of proposed Ordinance #68 as approved by the Planning and Zoning Board. David Ristvedt and Anton Mack also addressed the Board. The public hearing was closed at this time and the Chairman turned to the Board for further discussion and upon vote of Commissioner Gabel's motion to amend proposed Ordinance #68, the following roll call vote was recorded: Gabel aye, Waterman aye, Johnson no, VanDusen aye, and Hanten no; motion failed. The Board then discussed Ordinance #68 as approved and recommended by the Codington County Planning and Zoning Board. The Board of County Commissioners, at this time, commended and expressed their thanks to the Codington County Planning and Zoning Board for their work on Ordinance #68. Upon vote of Commissioner Hanten's motion on May 8<sup>th</sup> to adopt Ordinance #68 the following roll call vote was recorded: Gabel aye, Waterman aye, Johnson aye, VanDusen aye, and Hanten aye; motion carried.

### **HOPPER PLAT RESOLUTION**

Zoning Officer, Luke Muller, reviewed the plat of the Hopper Addition and noted the plat was approved by the Planning and Zoning Board with the inclusion of a letter of assurance for accessibility. The Board took action on the following resolution:

### **RESOLUTION #2018-14**

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

BE IT RESOLVED by the County Commissioners of Codington County, South Dakota, as follows:

Codington County, June 7, 2018

That an examination has been made of the plat entitled: Hopper Addition located in Government Lot 3 and the North Half of the Northwest Quarter of Section 9 Township 116 North, Range 53 West 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 Hanten, second by Commissioner Gabel; whereupon the Chairman of the Board of County Commissioners declared the same to be duly passed and adopted.

Dated this 7<sup>th</sup> day of June, 2018, at Watertown, Codington County, South Dakota

Myron Johnson  
Chairman

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 2018-14, adopted by the Board of County Commissioners of Codington County, South Dakota.

Dated this 7<sup>th</sup> day of June, 2018, at Watertown, Codington County, South Dakota.

Cindy Brugman  
County Auditor, Codington County, South Dakota

**EXTENSION CENTER EXPO FLOOR PROJECT**

Facilities Manager, Milo Ford, requested authorization to install an epoxy floor finish in the south Expo restrooms with an estimated cost of \$3,200.00. Mr. Ford noted this is a budgeted item. Motion by Hanten, second by VanDusen, to approve the aforementioned project; all voted aye; motion carried.

**LAW ENFORCEMENT GENERATOR**

Emergency Management Director, Jim Sutton, apprised the Board of a possible fuel line problem with the emergency generator in the Codington County law enforcement center. Mr. Sutton advised the Board that a contractor has been hired to determine if the problem is a break in the line to the fuel tank or if the problem may be more extensive.

**CLAIMS**

Motion by VanDusen, second by Waterman, to approve for payment a claim in the amount of \$23,400.19 to the City of Watertown for March 911 surcharge collections as remitted to the County by the State of South Dakota; all vote aye; motion carried.

**SALARY CLAIMS**

Motion by Hanten, second by Gabel, to approve for payment the following May salary claims; all voted aye; motion carried: Commissioners: 10,035.71 total salaries. Auditor: 20,067.18 total salaries. Co. Treasurer: 28,999.36 total salaries. States Attorney: 37,390.50 total salaries; Barb Maxwell 3,989.25 final pay; Lisa Felch 2,757.90 new hire. Gov. Buildings: 20,279.32 total salaries; Larry Merchant 2,757.90 new hire. Dir. Equalization: 39,759.92 total salaries; Diane Merchant 3,669.66 step increase; Sarah Tesch 2,937.12 step increase. Reg. of Deeds: 19,960.07 total salaries. Veterans Service: 9,818.56 total salaries. Sheriff: 83,022.82 total salaries; Mike Morgan 3,857.58 new hire. Co. Jail: 113,824.79 total salaries; Lori Mills 3,960.24 step increase; Laurie Smith 17.46 PT new hire; Jacob Millett 17.46 PT new hire; Alex Hanson 17.46 PT new hire; Charles Rossow 16.69 step increase. Coroner: 1,695.49 total salaries. Care of the Poor: 6,349.24 total salaries; Angela Hyde 17.40 PT step increase. County Nurse: 4,419.43 total salaries. Co. Park: 10,059.45 total salaries; Carol Ford 804.87 Memorial Park Caretaker; Milo Ford 804.86 Memorial Park Caretaker; Kathy Austin 13.97 PT seasonal; Jef Schnackenberg 14.97 PT step increase. Ag. Bldg.: 8,619.44 total salaries. Co. Extension: 9,145.66 total salaries. Weed Control: 6,947.35 total salaries; Steve Molengraaf 3768.84 step increase; John Engels 16.19 PT step increase; Tom Stanley 14.79 PT step increase. Planning Board: 436.64 total salaries. Road & Bridge: 78,702.90 total salaries; Larry Stahl 13.97 PT seasonal; Lynn Solberg 3,358.20 step increase; Doug Torstenson 3,358.20 step increase. Emergency Management: 11,396.19 total salaries. Crime Victim: 6,340.22 total salaries. W.I.C.: 3,859.14 total salaries. Total 531,129.38. Breakdown of withholding amounts which are included in the above: S.D. Retirement 47,467.76; S.D. Retirement 204.76 spouse option; S.D. Supplemental Retire. 3,025.00 suppl. retire.; Sanford 61,905.46 ins.; Reliance Standard Life Insurance 439.20 life ins.; Delta Dental 6,109.86 ins.; Avesis 854.37 ins.; Nationwide Retire. Sol. 25.29 suppl. retire.; AFSCME Council 65 472.00 employee union dues; AFLAC 3,539.18 ins.; John Hancock 7,235.00 suppl. retire.; AFLAC 622.93 ins.; Watertown United Way 60.00 employee contributions; Office of Child Support 535.00 employee payments; Sioux Valley Credit Union 24,019.26 employee payments; Cod. Co. Treasurer 28,700.00 employee monthly draw; Teamsters Local Union 120 312.00 employee union due; Codington County Deputy Sheriff's Association 105.00 employee union dues; ReliaBank Dakota 34,342.06 federal withholding; ReliaBank Dakota 61,506.78 social security; SDRS Special Pay Plan 45.00 participation fee; SDRS Special Pay Plan final pay for Steven Deville 4,169.16.

**PERSONNEL CHANGES**

Motion by VanDusen, second by Gabel, to approve the following personnel changes; all voted aye; motion carried:

Part time legal secretary, Ruth Swenson, step increase, step 9/\$18.49 per hour  
WIC Clerical, Sara Aman, anniversary step increase, step 5/\$16.88 per hour  
Seasonal Highway Maintenance, Larry Stahl, step 1/\$13.97 per hour

**TRAVEL REQUESTS**

Motion by Hanten, second by Gabel, to approve the following travel request; all voted aye; motion carried: Weed Supervisor, Poison Hemlock larvae collection.

**COURTHOUSE REMODEL PROJECT**

Commissioner Gabel reported on a contractor's progress meeting which was held for the Courthouse Remodel project.

**COUNTY SALES TAX RESOLUTION**

The Board briefly discussed a proposed resolution to be presented during the SDACC/SDACO annual conference. The proposed resolution, if approved by the SDACC, would then be sent to the SD Legislature requesting authorization for a County sales tax to fund the construction and renovation of County Courthouses, Jails, and Regional Jails.

**EXECUTIVE SESSION**

Motion by Hanten, second by Waterman, to enter into executive session at 11:00 a.m., per SDCL 1-25-2, (1) discussion of personnel issues and (4) preparing for contract negotiations with employees or employee representatives; all voted aye; motion carried. The Board returned to regular session at 11:15 a.m., no action was taken. The Human Resource Director was present for executive session.

**ADJOURNMENT**

There being no further business to come before the Board a motion was made by Hanten, second by Waterman, to adjourn at 11:15 a.m., until 9:00 a.m., Tuesday, June 12<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.

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