

**AGENDA**  
**Codington County Board of Commissioners**  
**Codington County Courthouse, 14 1<sup>st</sup> Ave SE, Watertown SD**  
**Commission Chambers, Room #114**  
**9:00 a.m., Tuesday, March 31, 2020**

1. Pledge of Allegiance
2. Call for Public Comment
3. Conflict of interest items
4. Action to approve the agenda
5. Action to approve the minutes of March 24, 2020
6. Action to contract with Clark Engineering for engineering services of the Willow Creek Bank Improvements
7. Action to contract with Clark Engineering for rip rap estimates
8. Action to approve hiring of seasonal employee for the Highway Dept.
9. Action on a request to scan records in the Register of Deeds Office
10. Discussion/possible action regarding Commission virtual meetings
11. Discussion/possible action on COVID-19 practices and procedures
12. Action to approve claims for payment
13. Action to approve automatic budget supplements
14. Action to approve personnel changes
15. Action to approve travel requests
16. Public Notices – a possible quorum of Commissioners could be in attendance at:
  - a.
17. Old Business
18. New Business
19. Open
  - a. Public Comments
  - b. Commission Comments
20. Action to enter into Executive session per SDCL 1-25-2
  - (1) Discussion of personnel issues
  - (2) Consulting with legal counsel or reviewing communications from legal counsel regarding proposed or pending litigation or contractual matters

- (3) Preparing for contract negotiations with employees or employee's representatives**
- (4) Discussing information listed in SDCL 1-27-1.5 (8) and 1-27-1.5 (17) (safety or disaster)**

**21. Action to adjourn until 9:00 a.m., Tuesday, April 7<sup>th</sup>, 2020; at the Codington County Courthouse**

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

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

March 24, 2020

The Codington County Commissioners met in regular session at 9:00 a.m., Tuesday, March 24, 2020, at the Codington County Courthouse. Commission members present were: Lee Gabel, Charlie Waterman, Myron Johnson, Troy VanDusen and Brenda Hanten; Chair Brenda Hanten, presiding. Commissioner Waterman lead the pledge of allegiance.

**CALLS FOR PUBLIC COMMENT**

Chair Hanten called for public comments for the Open, none were forthcoming.

**CONFLICT OF INTEREST ITEMS**

There were no conflict of interest items to note.

**AGENDA APPROVED**

Motion by Gabel, second by Waterman, to approve the March 24 agenda as posted; all voted aye; motion carried.

**MINUTES APPROVED**

Motion by Waterman, second by Gabel, to approve the minutes of March 17, 2020; all voted aye; motion carried.

**MONTHLY REPORTS**

**4-H Youth Program Advisor, Jodi Loehrer**, who could not be present for this meeting, provided the Board with the following information: All South Dakota 4-H activities have been suspended through at least April 14<sup>th</sup> due to the ongoing impacts of the coronavirus. SDSU Extension 4-H Program Advisors are planning virtual opportunities for youth along with planning future programming with other advisors. Zoom is being used for daily communications along with a Special Foods/CDM Judging zoom schedule for March 26<sup>th</sup>. The State 4-H Office and SDSU send updates often and conduct weekly Friday zooms with the 4-H Program Director. Letters have been sent to 4-H Achievement Day judges in the hope of planning summer 4-H youth events. **Emergency Management Director, Jamie Torstenson**, reported the following meetings and events have been attended/completed: Local Weed and Townships meeting, National Weather Service briefing, weather spotter training, LEPC quarterly meeting, a Homeland Security Regional meeting and numerous meetings and briefings associated with the COVID-19 response as part of a large local task force. The Emergency Management Director noted the County will receive mobile radios and portable radios utilizing Homeland Security grant funds. Local streams and spillways are being monitored during spring melting. **Sheriff, Brad Howell**, provided the Board with the following statistics, compiled during the month of February 2020, for the Detention Center and Sheriff's Office: fees collected in the amount of \$8,934.00 were retained by the County; 572 cases/calls for service; responded to 10 accidents; 71 arrest warrants served; 220 sets of civil papers served; 3,128 inmate transport miles; average daily inmate population 64.90 (high of 80 and low of 52); 25 individuals wearing SCRAM (security continuous remote alcohol monitor) bracelets; 58 individuals testing twice daily for PBT'S; 48 individuals reporting twice weekly for UA Drug testing; 2 individuals using sweat patches; 221 bookings; \$18,834.00 collected in fees for out of county prisoner contracts; \$4,230.00 collected in work release fees; \$6,680.00 collected in fees for the 24/7 program; and \$4,867.00 collected in SCRAM fees, which were remitted to the office of the SD Attorney General. Sheriff Howell updated the Board on procedures being taken at the Detention Center with regards to COVID-19, including working with

Codington County, March 24, 2020

Judges for early release of work release inmates, 24/7 has been suspended by direction of the Courts, activities have been minimized, no civil fingerprints being processed, incoming inmate screening in the sally port, making room to quarantine inmates if necessary, and limiting visitation.

**PATROL CARS**

Motion by VanDusen, second by Waterman, to authorize Sheriff Howell to order two patrol vehicles as budgeted in 2020. Sheriff Howell advised the Board he has a quote from Watertown Ford for a Dodge Ram pick in the amount of \$27,743.00 and a Dodge Caravan from the state bid lid, Wegner Auto, in the amount of \$21,262.00. Upon vote of the Board, all voted aye; motion carried.

**ZONING OFFICE PROCEDURES**

The Board discussed the following procedures that will be implemented until further notice: The Zoning Officer will be available via telephone or email from 9:00 a.m. to 11:00 a.m., Mondays, Wednesdays, and Fridays. However, the Zoning Officer will not be meeting in-person or with drop-ins until further notice. Additional information on applying for building permits or other zoning related items is available on the County's website.

**SD DOT NOXIOUS WEED CONTROL CONTRACT**

Motion by VanDusen, second by Gabel, to authorize the Chairman to sign a contract with the SDDOT to authorize the County Weed Dept. to provide noxious weed control in 2020 within the State highway right of way for an estimated cost of \$24,865.00; all voted aye; motion carried.

**TREASURER MAILING FEES**

Treasurer, Carol Maloney, met with the Board to request a waiver of mailing fees for license plates/tags during the closure of the Courthouse to the public. Motion by VanDusen, second by Gabel, to waive customer mailing fees for license plates and license tags during the closure of the Courthouse until further notice/action by this Board; all voted aye; motion carried.

**RESOLUTION 2020-7 COVID-19**

The Board held a discussion regarding the adoption of proposed Resolution 2020-7, which would address a public health crisis related to COVID-19. The Board heard comments from Watertown City Council President, Glen Vilhauer and Chris Schilken, Executive Director at Watertown Development Company. Councilman Vilhauer noted the City of Watertown has taken action similar to the language in the County's proposed resolution along with setting up a \$150,000.00 revolving loan fund through the Watertown Development Company. Mr. Schilken informed the Board that the revolving loan fund rules are yet to be finalized at this time. Mr. Schilken noted one of the goals of the fund would be to assist small businesses financially impacted by the COVID-19 event. Motion by Gabel, second by Waterman, to approve Resolution 2020-7, an emergency resolution regarding COVID-19. Upon vote of the Board; all voted aye; motion carried. The Board will review the situation on a weekly basis.

**CODINGTON COUNTY RESOLUTION NO. 2020-7**

**AN EMERGENCY RESOLUTION TO ADDRESS A PUBLIC HEALTH CRISIS BY IMPLEMENTING CERTAIN MEASURES WHICH HAVE BEEN DEEMED NECESSARY TO SLOW THE COMMUNITY SPREAD OF CORONAVIRUS (COVID-19).**

WHEREAS, the Codington County Commission has the authority to pass Resolutions, per SDCL§7-8-20 (10), for the purpose of promoting the health, safety, morals and general welfare, of the community and the promotion of health and the suppression of disease; and

WHEREAS, an outbreak of the disease COVID-19, which is caused by the novel coronavirus, has been confirmed in more than 100 countries, including the United States; and

WHEREAS, COVID-19 is a severe respiratory disease transmitted by person-to-person contact, or by contact with surfaces contaminated by the virus. In some cases, especially among older adults and persons with serious underlying health conditions, COVID-19 can result in serious illness requiring hospitalization, admission to an intensive care unit, and death; and

WHEREAS, the World Health Organization (WHO), the Centers for Disease Control and Prevention (CDC), and the Secretary of the U.S. Department of Health and Human Services have declared the outbreak of COVID-19 as a public health emergency; and

WHEREAS, on March 13, 2020, the President of the United States declared a national emergency in response to the global pandemic of COVID-19; and

WHEREAS, on the same day, Governor Kristi Noem, issued Executive Order 2020-04 which declared a state of emergency to exist in the State of South Dakota in response to the spread of COVID-19; and

WHEREAS, a case of COVID-19 has been confirmed in Codington County, South Dakota; and

WHEREAS, the CDC and health experts have recommended social distancing to slow the spread of COVID-19; and

WHEREAS, social distancing is a method of slowing down or stopping the spread of a contagious disease by reducing the probability of contact between infected persons and those not infected in order to minimize disease transmission; and

WHEREAS, in response to the need to implement social distancing all schools in the state have been closed for at least two weeks; and

WHEREAS, on March 16<sup>th</sup>, 2020, the White House issued guidance recommending that social gatherings of more than ten people be avoided and that people avoid eating or drinking at bars, restaurants, and food courts; and

WHEREAS, the guidance issued by the White House further recommended that in states with evidence of community transmission, bars, restaurants, food courts, gyms, and other indoor and outdoor venues where people congregate should be closed; and

WHEREAS, many states and communities across the country have already implemented the White House recommendations by ordering all bars, restaurants, food courts, gyms, and other indoor and outdoor venues where people congregate be closed until the public health emergency is over; and

WHEREAS, the failure to successfully implement social distancing will likely result in higher numbers of infected individuals and has the potential to overwhelm the capacity of the County's health care providers; and

WHEREAS, it is important that control measures be taken to reduce or slow down the spread of COVID-19 in order to protect the health and safety of the County's residents, especially for seniors and those with underlying health conditions that make them particularly vulnerable to COVID-19.

NOW THEREFORE, BE IT RESOLVED, by the Codington County Commission that:

1. Effective immediately, all Codington County Facilities are closed to the general public. County and Unified Judicial System offices will continue to operate and conduct business by mail, email, online, by phone or by arranging to work face-to-face/in person on a case-by-case basis.
2. Effective immediately, in cases when a member(s) of the public displays symptoms of COVID-19, as specified by the South Dakota Department of Health, the County offices are directed to refuse face-to-face/in person service and encourage the individual(s) to seek medical attention as specified by public health authorities.
3. Effective at 12:01 a.m. on March 26, 2020, all restaurants, food courts, coffee houses, bars, breweries, distilleries, wineries, clubs, cafes and other similar places of public accommodation offering food and beverages for on-site consumption, including any alcohol licensees with on-sale privileges, are closed to on-site/on-sale patrons. These businesses may continue to operate in order to provide take-out, delivery, curbside service, drive-thru service. Any business continuing to operate in order to provide off-site service should implement procedures to ensure social distancing and operate in compliance with federal and state health guidance in order to prevent the spread of COVID-19.
4. Effective at 12:01 a.m. on March 26, 2020, all recreational facilities, public pools, health clubs, athletic facilities and theaters, including movie theaters and music or entertainment venues are directed to close and cease operations.
5. Effective at 12:01 a.m. on March 26, 2020, all hookah lounges, cigar bars, vaping lounges or other similar business which allow for on-site consumption are directed to cease allowing on-site consumption, but may continue to offer products for sale to consume off-site under the same conditions as bars and restaurants outlined in paragraph #1.
6. Effective at 12:01 a.m. on March 26, 2020, all arcades, bingo halls, bowling alleys, skating rinks, and other similar recreational or entertainment facilities are directed to close and cease operations.
7. The prohibitions and closures in this order do not apply to the following businesses:
  - a. Places of public accommodation that offer food and beverages for off-site consumption, including grocery stores, markets, retail stores that offer food, convenience stores, pharmacies, drug stores, and food pantries, other than any portion of such business which would be subject to the requirements of paragraph #1.
  - b. Room service in hotels.
  - c. Health care facilities, residential care facilities, congregate care facilities, and correctional facilities.
  - d. Crisis shelters, homeless shelters, soup kitchens, or other similar institutions.
  - e. Airport concessionaires.
  - f. Any emergency facilities necessary for the response to the current public health emergency or any other community emergency or disaster.

8. This Resolution shall remain in effect until such time as it is amended or repealed.
9. Any violation of this Resolution is subject to the general penalty provision in SDCL 7-18A-32. Each day a violation of this Resolution is allowed to occur is considered a separate offense.

BE IT FURTHER RESOLVED, that this Resolution is necessary for the immediate preservation of the public peace, health, safety, and welfare of Codington County and shall become effective immediately upon passage.

Dated this 24<sup>th</sup> day of March, 2020.

Brenda Hanten  
Chair  
Codington County Commission

ATTEST:

Cindy Brugman  
Auditor  
Codington County

**CLAIMS**

Motion by Gabel, second by VanDusen, to approve for payment the following claims: VISA Reliabank 1,562.92 sup/trav and City of Watertown 23,177.91 January 911 surcharge collections; all voted aye; motion carried.

**PERSONNEL CHANGES**

Motion by Gabel, second by Waterman, to approve the following personnel changes: Kathy Young, Sheriff's Office Criminal Civil Support Coordinator, anniversary step increase, step 14/\$22.36 per hour, effective 3/1/2020; Kristi Gast, Sheriff's Office Records Manager, anniversary step increase, step 13/\$24.87, effective date 3/1/2020; upon vote of the Board; all voted aye; motion carried.

**TRAVEL REQUEST**

Motion by Johnson, second by Gabel, to approve the following travel request; Director of Equalization and appraisal staff, SDAAO Midyear School; all voted aye; motion carried.

**EXECUTIVE SESSION**

Motion by Gabel, second by Waterman, to enter into executive session at 10:37 a.m., per SDCL 1-25-2, to discuss personnel issues, contract negotiations, and safety/disaster information; all voted aye; motion carried. The Board returned to regular session at 11:49 a.m. The following were present for executive session: Facilities Manager, States Attorney, Sheriff, Emergency Management Director, and via teleconference, Human Resource Director, Satterlee. Commissioner VanDusen was excused at 11:15 a.m.

**HIGHWAY DEPT. UNION CONTRACT**

Motion by Johnson, second by Waterman, to approve the 2020 Agreement between AFSCME Local 2488A (Codington County Highway Department Employees) and Codington County; all voted aye; motion carried.

**PERSONNEL POLICY AND PROCEDURES MANUAL COVID-19 DIRECTIVE**

Motion by Gabel, second by Waterman, to adopt a provisional personnel policy, effective during the coronavirus crisis. Discussion was held regarding the proposed policy regarding employees working from home or the use of leave during the coronavirus crisis. Commissioner Gabel withdrew his original motion to allow for additional language in the proposed policy. Motion by Gabel, second by Waterman to approve, the following personnel policy directive:

County employees may work from home if:

- The employee can complete a full-time schedule AND
- The department head approves

If an employee should self-isolate, has an underlying health condition, or must look after a family member as a result of the COVID-19 crisis AND cannot work from home (as noted above) AND the department head approves.

- The employee may use sick leave OR
- The employee may use vacation time OR
- The employee may use accumulated comp time.

After the above provisions have been exhausted, an employee may apply to the sick leave bank per existing policy.

Department heads will keep the County Commission apprised of any actions taken based on this provisional policy either through their Commissioner liaison or during their regular report.

**ADJOURNMENT**

There being no further business to come before the Board a motion was made by Johnson, second by Gabel, to adjourn at 11:59 a.m., until 9:00 a.m., Tuesday, March 31<sup>st</sup>, 2020; 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 \$\_\_\_\_\_



March 19, 2020

Rick Hartley  
Highway Superintendent  
Codington County Highway Department  
1201 10<sup>th</sup> St. NW  
Watertown, SD 57201

**Willow Creek Bank Improvements along 460<sup>th</sup> Ave**

Mr. Hartley:

Clark Engineering Corporation (Clark) is pleased to provide this fee proposal for engineering services of the Willow Creek Bank Improvements along 460<sup>th</sup> Ave between 169<sup>th</sup> St. and 170<sup>th</sup> St. just east of Watertown in Codington County, SD.

**SCOPE OF SERVICES**

**Surveying Services**

- Development of Bid-Ready documents to include:
  - Boundary Survey
  - Plans
  - Contract Documents (to EJCDC standards)
  - Preparation of Easement Documents
  
- Assist the County with the bidding process to include:
  - Assist with the advertisement for bids.
  - Distribution of plans and specs to bidders.
  - Fielding contractor questions.
  - Attend the bid opening.
  - Provide a recommendation to award a contract.

Items not included are construction administration, and construction testing.

**COMPENSATION**

Clark proposes to complete the above-mentioned design engineering services for a lump sum fee of \$22,500.00.

Billing will be monthly covering the services performed during that period. Payment is due within thirty (30) days or a 1% service charge will be assessed.

**SCHEDULE**

Acceptance and signing of this proposal will allow us to allocate and schedule personnel to complete the Bid-Ready Plans, Contract Documents, and Easement Documents within 2 months of receiving the signed proposal to allow construction during the construction season of 2020.

If you have any questions or concerns, please contact me directly at (605) 878-0414.

Sincerely,  
Clark Engineering Corporation



Steven J. Myer, PE  
Senior Associate / Project Executive

Acceptance By:

\_\_\_\_\_

By:

\_\_\_\_\_  
(Please Print)

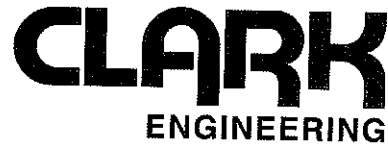
Title:

\_\_\_\_\_

Date:

\_\_\_\_\_





March 19, 2020

Rick Hartley  
Highway Superintendent  
Codington County Highway Department  
1201 10<sup>th</sup> St. NW  
Watertown, SD 57201

**Riprap Quantities Estimate for 170<sup>th</sup> St. and 442<sup>nd</sup> Ave**

Mr. Hartley:

Clark Engineering Corporation (Clark) is pleased to provide this fee proposal for determining the quantity of riprap required on both inslopes of 170<sup>th</sup> St. between 438<sup>th</sup> Ave. and 439<sup>th</sup> Ave. as well as on 442<sup>nd</sup> Ave. between 174<sup>th</sup> St. and 175<sup>th</sup> St. in Codington County, SD.

**SCOPE OF SERVICES**

**Design Engineering Services**

Determination of the inslope length at 250' intervals

Determination of a volume (and weight) of riprap required for both inslopes along both sites at 2' thick.

Items not included are bidding services, construction administration, and construction testing.

**COMPENSATION**


Clark proposes to complete the above-mentioned design engineering services for a lump sum fee of \$3,400.00.

Billing will be monthly covering the services performed during that period. Payment is due within thirty (30) days or a 1% service charge will be assessed.

**SCHEDULE**

Acceptance and signing of this proposal will allow us to allocate and schedule personnel to complete in a timely fashion.

If you have any questions or concerns, please contact me directly at (605) 878-0414.

Sincerely,  
Clark Engineering Corporation  
  
Steven J. Myer, PE  
Senior Associate / Project Executive

Acceptance By:

\_\_\_\_\_


By: \_\_\_\_\_  
(Please Print)

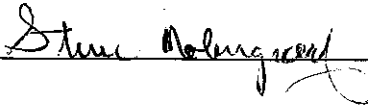
Title: \_\_\_\_\_

Date: \_\_\_\_\_

PERSONNEL TRANSACTION - NEW HIRE/CHANGE OF STATUS

EMPLOYEE NAME : Sara Beynon		DATE: 3/20/2020
EFFECTIVE DATE: 4/13/2020	POSITION TITLE: Building Maintenance	DEPARTMENT: Memorial Park
CURRENT STEP: 3	NEW STEP: 4	
CURRENT PAY RATE: \$16.17	NEW PAY RATE: \$16.96	
REASONS FOR CHANGE:  Seasonal Memorial Park rehire		

EMPLOYEE SIGNATURE 

DEPARTMENT HEAD SIGNATURE 

DATE 3-25-20

COUNTY COMMISSIONERS \_\_\_\_\_

DATE \_\_\_\_\_

PLEASE SUBMIT FORM TO THE AUDITOR'S OFFICE ONE MONTH PRIOR TO THE EFFECTIVE OR ANNIVERSARY DATE.

**FILED**

MAR 27 2020

CODINGTON COUNTY AUDITOR

PERSONNEL TRANSACTION - NEW HIRE/CHANGE OF STATUS

EMPLOYEE NAME : Eugene Beynon		DATE: 3/20/2020
EFFECTIVE DATE: 4/13/2020	POSITION TITLE: Building Maintenance	DEPARTMENT: Memorial Park
CURRENT STEP: #3	NEW STEP: #4	
CURRENT PAY RATE: \$16.45	NEW PAY RATE: \$16.96	
REASONS FOR CHANGE:  Seasonal Memorial Park rehire		

EMPLOYEE SIGNATURE Eugene Beynon

DEPARTMENT HEAD SIGNATURE Steve Moloney

DATE 3-24-20

COUNTY COMMISSIONERS \_\_\_\_\_

DATE \_\_\_\_\_

PLEASE SUBMIT FORM TO THE AUDITOR'S OFFICE ONE MONTH PRIOR TO THE EFFECTIVE OR ANNIVERSARY DATE.

**FILED**  
MAR 27 2020  
CODINGTON COUNTY AUDITOR

PERSONNEL TRANSACTION - NEW HIRE/CHANGE OF STATUS

EMPLOYEE NAME : Steve Deville		DATE: 3/20/2020
EFFECTIVE DATE: 4/6/2020	POSITION TITLE: Building Maintenance	DEPARTMENT: Memorial Park
CURRENT STEP: 6	NEW STEP: 7	
CURRENT PAY RATE: \$18.06	NEW PAY RATE: \$18.64	
REASONS FOR CHANGE:  Seasonal Memorial Park rehire		

EMPLOYEE SIGNATURE Steve R. Deville

DEPARTMENT HEAD SIGNATURE Steve Malmgren

DATE 3-24-20

COUNTY COMMISSIONERS \_\_\_\_\_

DATE \_\_\_\_\_

**FILED**

MAR 27 2020

PLEASE SUBMIT FORM TO THE AUDITOR'S OFFICE ONE MONTH PRIOR TO THE EFFECTIVE OR ANNIVERSARY DATE.