

AGENDA
Codington County Board of Commissioners
Codington County Courthouse, 14 1st 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 7th, 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 1st Ave SE**

March 31, 2020

The Codington County Commissioners met in regular session at 9:00 a.m., Tuesday, March 31, 2020, at the Codington County Courthouse. Commission members present were: Lee Gabel, Charlie Waterman, Myron Johnson, and Brenda Hanten; Commissioner Troy VanDusen was present telephonically; 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. During the time of the COVID-19 crisis phone numbers will be listed on the agenda for the benefit of anyone who wishes to address the Board during the “Open” section of the meeting.

CONFLICT OF INTEREST ITEMS

There were no conflict of interest items to note.

AGENDA APPROVED

Motion by Johnson, second by Waterman, to approve the March 31 agenda as posted; all voted aye; motion carried.

MINUTES APPROVED

Motion by Waterman, second by VanDusen, to approve the minutes of March 24, 2020; all voted aye; motion carried.

WILLOW CREEK BANK IMPROVEMENT PROJECT

Motion by Gabel, second by Waterman, to approve a fee proposal, from Clark Engineering in a lump sum fee of \$22,500.00, for engineering services of the Willow Creek Bank Improvements along 460th Ave, between 169th St. and 170th St., just east of Watertown; per the recommendation of the Highway Supt. and as budgeted; all voted aye; motion carried.

FEE PROPOSAL FOR RIP RAP QUANTITIES ESTIMATE

Motion by Johnson, second by Waterman, to approve a fee proposal, from Clark Engineering in a lump sum fee of \$3,400.00, for determining the quantity of riprap required on both inslopes of 170th St. between 438th and 439th Ave., as well as on 442nd Ave. between 174th & 175th St.; per the recommendation of the Highway Supt.; all voted aye; motion carried.

HIGHWAY DEPARTMENT SEASONAL EMPLOYEE

Motion by Gabel, second by Johnson, to authorize the Highway Supt. to hire a seasonal employee as in previous years; all voted aye; motion carried.

REQUEST TO SCAN RECORDS IN THE REGISTER OF DEEDS OFFICE

Register of Deeds, Ann Rasmussen, informed the Board that Codington County title has requested permission to scan records in her office. Motion by Johnson, second by Gabel, to deny this request at this time when the Courthouse and all County offices are closed to the public. The request will be re-visited when County buildings and offices are once again open to the public. Upon vote of the Board; all voted aye; motion carried.

VIRTUAL MEETING PROCEDURES

Commissioners VanDusen and Gabel updated the Board on the progress of holding County Commission weekly meetings utilizing a remote process. Currently the County's internet available bandwidth is a problem and further investigation into programs continue.

COVID-19, RESOLUTION 2020-8

The Board reviewed Resolution 2020-8 which would repeal Resolution 2020-7, adopted on March 24, 2020, and which will update language pertinent to County government authority. Motion by Gabel, second by Johnson, to adopt Resolution 2020-8, an emergency resolution to address COVID-19; all voted aye; motion carried.

CODINGTON COUNTY RESOLUTION NO. 2020-8

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 16th, 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, Resolution No. 2020-7 is hereby repealed.
2. 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.
3. 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.
4. Effective immediately, 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 strongly urged to close to on-site/on-sale patrons. These businesses are strongly urged to 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.
5. Effective immediately, all recreational facilities, public pools, health clubs, athletic facilities and theaters, including movie theaters and music or entertainment venues are strongly urged to close and cease operations.

6. Effective immediately, all hookah lounges, cigar bars, vaping lounges or other similar business which allow for on-site consumption are strongly urged to cease allowing on-site consumption. Such businesses are strongly urged to only offer products for sale to consume off-site under the same conditions as bars and restaurants outlined in paragraph #4.
7. Effective immediately, all arcades, bingo halls, bowling alleys, skating rinks, and other similar recreational or entertainment facilities are strongly urged to close and cease operations.
8. The urged measures 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 #4.
 - 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.
9. This Resolution shall remain in effect until such time as it is amended or repealed.
10. Businesses that choose to ignore this resolution are reminded of the County's authority under SDCL §7-8-20 (8) and §7-8-20 (9).

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 31st day of March, 2020.

Brenda Hanten
Chair
Codington County Commission

ATTEST:

Cindy Brugman
Auditor
Codington County

PERSONNEL POLICY DIRECTIVE

Motion by Gabel, second by VanDusen, to approve the following personnel policy directive:

Provisional Personnel Policy during the Coronavirus (COVID-19) crisis.
County employees may work from home if:

Codington County, March 31, 2020

The employee can complete a full-time schedule AND
The department head approves
For appointed department heads, the Board of County Commissioners 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 eligible employee may apply to the sick leave bank per existing policy.

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

The Board noted this policy was originally adopted on March 24th, 2020 and the policy is amended to reflect working at home for appointed Codrington County Department Heads. Upon vote of the Board; all voted aye; motion carried.

EMPLOYMENT APPLICATION DEADLINES

Motion by Waterman, second by Gabel, to extend the deadline, for the filing of applications for the position of Veterans Service Officer, to April 15th, 2020. Motion by Waterman, second by Gabel, to amend the motion to include the applications for a Maintenance position. Upon vote of the Board, on the amendment; all voted aye; upon vote of the Board on the original motion, as amended; all voted aye; motion carried.

CLAIMS

Motion by Johnson, second by VanDusen, to approve for payment the following claim: South Dakota Secretary of State 30.00 notary application; all voted aye; motion carried.

SALARY CLAIMS

Motion by Gabel, second by Waterman, to approve the following salary claims for the month of March; all voted aye; motion carried: Commissioners: 10,417.27 total salaries. Auditor: 21,087.87 total salaries. Co. Treasurer: 31,596.08 total salaries; Lindee Waba 3714.90 step increase. States Attorney: 39,392.34 total salaries; Megan LaFromboise 5500.00 mo. new hire. Gov. Buildings: 21,139.41 total salaries; Eugene Beynon 16.45 per hr. temp position. Dir. Equalization: 43,194.03 total salaries. Reg. of Deeds: 22,141.00 total salaries. Veterans Service: 11,425.31 total salaries; Gena Keller 15.54 per hr. temp new hire. Sheriff: 95,528.45 total salaries; Kristi Gast 4327.38 step increase; Kathy Young 3890.64 step increase. Co. Jail: 119,224.62 total salaries; Julie Gallisath 3589.62 step increase. Coroner: 1,695.49 total salaries. Welfare: 5,249.36 total salaries. County Nurse: 4,899.60 total salaries. Ag. Bldg.: 11,115.80 total salaries; Tom Stanley 15.81 per hr. temp. Co. Extension: 9,942.18 total salaries; Becky Goens 3902.82 step increase. Weed Control: 647.93 total salaries. Planning Board: 481.85 total salaries. Road & Bridge: 95,678.25 total salaries. Emergency Management: 12,391.23 total salaries. Crime Victim: 6,833.33 total salaries. W.I.C.: 4,554.86 total salaries. Total 568,636.26. Breakdown of withholding amounts which are included in the above: S.D. Retirement 51,258.08; S.D. Retirement 66.61 spouse option; S.D. Supplemental Retire. 3,265.00 suppl. retire.; Sanford 76,314.26 ins.; Reliance Standard Life Insurance 452.13 life ins.; Delta Dental 6,407.24 ins.; Avesis 931.26 ins.; Nationwide Retire. Sol. 25.29 suppl. retire.; AFSCME Council 65 519.20 employee union dues; AFLAC 4,220.82 ins.; John Hancock 4,245.00 suppl. retire.; AFLAC 719.44 ins.; Watertown United Way 65.00 employee contributions; Office of Child

Support 535.00 employee payments; Sioux Valley Credit Union 24,117.07 employee payments; SDRS Supplemental Retirement 4,640.00 Roth retirement; Teamsters Local Union 120 273.00 employee union due; Codington County Deputy Sheriff's Association 135.00 employee union dues; ReliaBank Dakota 38,297.53 federal withholding; ReliaBank Dakota 64,309.04 social security; Barbara Curtis 800.00 employee payment; Midwest Credits 149.67 garnishment.

PERSONNEL CHANGES

Motion by VanDusen, second by Waterman, to approve the following personnel changes: Scott & Gail Wahl, Memorial Park Campground Managers, \$17,500.00 per year; and 3 seasonal Memorial Park maintenance positions, Sara Beynon, step 4/\$16.96, effective April 13, 2020; Eugene Beynon, step 4/\$16.96 per hour, effective 4/13/2020; and Steve DeVille, step 7/\$18.64 per hour, effective 4/6/2020; upon vote of the Board; all voted aye; motion carried.

EXECUTIVE SESSION

Motion by Waterman, second by Gabel, to enter into executive session at 9:42 a.m., per SDCL 1-25-2, to discuss personnel issues; all voted aye; motion carried. The Board returned to regular session at 10:11 a.m. The following were present for executive session: States Attorney, Rebecca Morlock Reeves, and present telephonically, Human Resource Director, Terry Satterlee. No action was taken.

ADJOURNMENT

There being no further business to come before the Board a motion was made by Johnson, second by Gabel, to adjourn at 10:15 a.m., until 9:00 a.m., Tuesday, April 7th, 2020; all voted aye; motion carried.

ATTEST:

Cindy Brugman
Codington County Auditor

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