

Official Proceedings
County of Codington, Watertown, South Dakota
Codington County Courthouse
14 1st Ave SE

April 28, 2020

The Codington County Commissioners met in regular session at 9:00 a.m., Tuesday, April 28, 2020, at the Codington County Courthouse. Commission members physically present were: Lee Gabel, Charlie Waterman, Troy VanDusen and Brenda Hanten; Commissioner Myron Johnson was present via electronic means; Chair Brenda Hanten, presiding. Commissioner Hanten 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 VanDusen, second by Waterman, to approve the April 28 agenda as posted; all voted aye; motion carried.

MINUTES APPROVED

Motion by Gabel, second by Johnson, to approve the minutes of April 21, 2020; all voted aye; motion carried.

MONTHLY REPORTS

Emergency Management Director, Jamie Torstenson, updated the Board of the following: The Emergency Management office is the logistics sector for the COVID-19 Task Force, the Emergency Management office continues to secure PPE supplies for first line responders and local health care officials, local flooding is occurring in the County with water levels still rising in a number of areas, emergency siren seasonal testing has begun. Search and Rescue has assisted with missing persons searches, food drives, and the sale of tickets, for the annual fund raiser, has begun. The Emergency Management Director also updated the Board as to the status of the Extension Center Complex as a polling place for the June 2nd, Primary Election. Prairie Lakes Hospital, as of this time, will be the alternate care site for surge capacity of COVID-19 patients per the SD Dept. of Health. The Extension Center Complex will be used as a polling place as of this date. **Sheriff, Brad Howell**, provided the Board with the following statistics, compiled during the month of March 2020, for the Detention Center and Sheriff’s Office: fees collected in the amount of \$7,146.50 were retained by the County; 581 cases/calls for service; responded to 7 accidents; 58 arrest warrants served; 235 sets of civil papers served; 7,683 inmate transport miles; average daily inmate population 57.39 (high of 80 and low of 37); 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; 172 bookings; \$16,069.97 collected in fees for out of county prisoner contracts; \$4,430.00 collected in work release fees; \$7,142.00 collected in fees for the 24/7 program; and \$3,630.00 collected in SCRAM fees, which were remitted to the office of the SD Attorney General. Sheriff Howell noted 24/7 testing and the work release program has temporarily suspended. The Sheriff has been notified that \$58,008.00 in COVID-19 grant funds have been approved for Codington County for COVID-19 response and wind tower traffic will be picking up as the project is starting up again.

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CELL PHONE STIPEND

Motion by Waterman, second by Gabel, to approve a monthly \$25.00 cell phone stipend, beginning June 1st, for Maintenance employee, Bryan Bleeker, per the request of Facilities Manager, Steve Molengraaf; all voted aye; motion carried.

SEASONAL WEED SPRAYERS

Motion by Gabel, second by VanDusen, to authorize the advertisement and hiring of seasonal weed sprayers; per the request of Facilities Manager, Steve Molengraaf; all voted aye; motion carried.

FLOOR SCRUBBER EQUIPMENT

Motion by Gabel, second by Waterman, to approve the purchase of a floor scrubber from Proline, in the amount of \$18,425.00, for the Extension Center Complex, as budgeted and requested by Facilities Manager, Steve Molengraaf; all voted aye; motion carried.

ORDINANCE #70, 2ND READING, PUBLIC HEARING, ADOPTION

Motion by Gabel, second by VanDusen, to adopt Ordinance #70. Zoning Officer, Luke Muller, who appeared remotely, gave the second reading of Ordinance #70, an emergency ordinance that would allow the Zoning Officer to administratively approve plats which qualify per ordinance language. Chair Hanten opened the public hearing to the public and there were no comments offered or received prior to the hearing. Chair Hanten closed the hearing to the public and turned to the Board for further discussion. No further discussion was held, and all voted aye to adopt Ordinance #70; motion carried.

Ordinance #70

**AN EMERGENCY ORDINANCE TEMPORARILY
AMENDING THE CODINGTON COUNTY SUBDIVISION ORDINANCE,
PURSUANT TO SDCL 11-2, 1967, AND AMENDMENTS THEREOF**

BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF CODINGTON COUNTY, SOUTH DAKOTA: Section 204.2 Final Plat Approval [Procedure] in Article II Subdivision Application and Approval Process, of the Codington County Subdivision Ordinance, as amended, be amended to add the following Section:

- d. In accordance with SDCL 11-3-8 the Codington County Zoning Officer may hereby administratively approve any plat which:
 - i. Creates only lots with a minimum lot area that meets or exceeds the minimum required lot area of the applicable zoning district or is compliant with an order of the Codington County Board of Adjustment authorizing a minimum lot area less than the minimum requirement; and
 - ii. Does not require the dedication of right-of-way or construction of new streets; and
 - iii. Does not landlock or otherwise remove all ingress or egress to or from the any adjacent property; and
 - iv. Creates three (3) or fewer lots.
- e. The provisions of Subsection “d” above shall expire with no further action on September 1, 2020.

Passed and adopted this 28th day of April, 2020.

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Brenda Hanten
Chair, Codington County Commission

ATTEST:

Cindy Brugman
Codington County Auditor

2020 ROAD STRIPING AGREEMENT

Motion by Gabel, second by Johnson, to authorize the Chairman to sign a funding agreement for the 2020 road striping project with the SDDOT. Paper work submitted by Highway Supt., Rick Hartley, indicates approximately 30 miles could be striped at a total cost of \$31,591.26, with the SDDOT providing \$8,294.72 towards the project and the net cost to the County of \$23,296.54. Upon vote of the Board all voted aye; motion carried.

NOTICE TO BIDDERS, WILLOW CREEK BANK STABILIZATION

Motion by Waterman, second by Gabel, to approve a notice to bidders for the Willow Creek Bank Stabilization project; all voted aye motion carried. Bids will be opened at the Board's meeting schedule for May 12, 2020.

LAKESIDE WORSHIP SERVICES AT MEMORIAL PARK

Motion by Johnson, second by VanDusen, to allow the Lutheran Church of our Redeemer to conduct worship services at Memorial Park during the 2020 park season. Commissioner Waterman noted there are currently no restroom facilities open at Memorial Park for a full congregation. Correspondence from the Church noted church services will not occur until such time as churches are allowed to again gather, due to the COVID-19 pandemic and also not until Memorial Park opens to the public. Church services will be held through September 6th, 2020 if the aforementioned items occur. Upon vote of the Board; all voted aye; motion carried.

RESOLUTION 2020-9 TO ADDRESS COVID-19, A PUBLIC HEALTH CRISIS

Motion by VanDusen, second by Waterman, to approve Resolution 2020-9 which will repeal Resolution 2020-8, passed on March 31, 2020, all voted aye; motion carried.

**CODINGTON COUNTY RESOLUTION NO. 2020-9
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 SDCLS7-8-20 (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 COVID19 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 COVID19; 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,

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. 2020-8 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 apply social-distancing guidelines promulgated by the Governor's Executive Orders concerning the COVID-19 crisis, the CDC and the South Dakota Department of Health in their places of business.
5. ~~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.~~
6. ~~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.~~
7. ~~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.~~
8. ~~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.~~
9. ~~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 .~~
 - 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.~~
10. ~~This Resolution shall remain in effect until such time as it is amended or repealed.~~
11. ~~Businesses that choose to ignore this resolution are reminded of the County's authority under SDCL 57-8-20 (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 28th, day of April, 2020

Brenda Hanten

Chair, Codington County Commission

ATTEST:

Cindy Brugman

Codington County Auditor

MEMORIAL PARK CAMPGROUND COVID-19 OPERATIONAL TIME PERIOD

Motion by VanDusen, second by Waterman, to open the restroom facilities to the west of the Pavilion building at Memorial Park due to increasing traffic at the park. Facilities Manager, Steve Molengraaf, advised the Board the restroom will be sanitized on a regular basis throughout the day. These facilities are restrooms only and have no showers. Upon vote of the Board; Gabel, Waterman, Johnson, and VanDusen, voted aye; Hanten voted no; motion carried.

SALARY CLAIMS

Motion by VanDusen, second by Johnson, to approve for payment the April salary claims; all voted aye; motion carried. Commissioners: 10,417.26 total salaries. Auditor: 21,089.91 total salaries. Co. Treasurer: 31,738.03 total salaries. States Attorney: 38,961.50 total salaries. Gov. Buildings: 20,936.87 total salaries. Dir. Equalization: 43,198.01 total salaries. Reg. of Deeds: 22,143.02 total salaries. Veterans Service: 12,284.04 salaries; Todd Rose 4094.22 new hire. Sheriff: 95,727.10 total salaries; Dave Curtis 3694.02 step increase; Jerrod Olson 4868.52 step increase; Steve Lowry 4440.48 step increase; Tyler Varns 4153.38 step increase. Co. Jail: 108,535.69 total salaries. Welfare: 5,281.87 total salaries. County Nurse: 4,900.09 total salaries. Co. Park: 438.18 total salaries; Eugene Beynon 16.96 per hr. seasonal; Sara Beynon 16.96 per hr. seasonal; Ag. Bldg.: 9,571.60 total salaries. Co. Extension: 10,004.50 total salaries; Kim Johnson 3398.22 step increase. Planning Board: 481.90 total salaries. Road & Bridge: 94,872.63 total salaries. Emergency Management: 12,327.65 total salaries. Crime Victim: 6,833.84 total salaries. W.I.C.: 4,555.37 total salaries. Total 554,299.06. Breakdown of withholding amounts which are included in the above: S.D. Retirement 51,203.14; S.D. Retirement 66.61 spouse option; S.D. Supplemental Retire. 3,265.00 suppl. retire.; Sanford 74,888.90 ins.; Reliance Standard Life Insurance 487.70 life ins.; Delta Dental 6254.20 ins.; Avesis 905.16 ins.; Nationwide Retire. Sol. 25.29 suppl. retire.; AFSCME Council 65 519.20 employee union dues; AFLAC 4,135.91 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 24,317.07 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 37,083.73 federal withholding; ReliaBank Dakota 62,524.66 social security; Barbara Curtis 800.00 employee payment; Midwest Credits 149.67 garnishment; SDRS Special Pay Plan 90.00 participation fee; SDRS Special Pay Plan 10,851.74 final pay for Al Janzen & Jeff Hershman.

PERSONNEL CHANGES

Motion by Gabel, second by Waterman, to approve the following personnel changes: Justin Halajian, Lead Building Maintenance promoted to Deputy Maintenance Supervisor, step 9/\$23.16 per hour, effective 5/1/2020 and Doug Torstenson, Highway Maintenance II, anniversary step increase, step 6/\$21.65 per hour, effective 5/1/2020.

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COURTHOUSE FIRE PROTECTION SYSTEM PROJECT

Commissioner Gabel informed the Board that the Courthouse fire sprinkler system is complete with the exception of several cosmetic items and wiring of the alarms.

EXECUTIVE SESSION

Motion by VanDusen, second by Gabel, to enter into executive session at 10:01 a.m., per SDCL 1-25-2, to discuss personnel issues; all voted aye; motion carried. The Board returned to regular session at 10:48 a.m. Human Resource Director Satterlee, Sheriff Howell, and Welfare Officer Petersen were present for executive session, either in person or electronically.

PROVISIONAL PERSONNEL POLICY – COVID-19

Commissioner Gabel outlined a change to the COVID-19 Provisional Personnel Policy, which would allow employees, who are working from home, to use personal equipment that meets approval by the authority who approve working from home. Motion by Gabel, second by VanDusen, to approve this change to the policy; all voted aye; motion carried.

ADJOURNMENT

There being no further business to come before the Board a motion was made by VanDusen, second by Waterman, to adjourn at 10:56 a.m., until 9:00 a.m., Tuesday, May 5, 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.

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