

AGENDA
Codington County Board of Commissioners
Codington County Courthouse, 14 1st Ave SE, Watertown SD
Commission Chambers, Room #114
9:00 a.m., Tuesday, June 23, 2020

1. **Pledge of Allegiance**
2. **Call for public comment. Public comment may be submitted via telephone at 605-882-6248 and 605-882-6297**
3. **Conflict of interest items**
4. **Action to approve the agenda**
5. **Action to approve the minutes of June 16, 2020**
6. **Monthly reports**
 - a. **Emergency Management**
 - b. **Sheriff**
7. **Discussion/possible action to enact, by resolution, the County's ban on opening burning**
8. **Action to approve a video system upgrade in the Detention Center**
9. **Action to accept the resignation of Sheriff Sergeant, Mike Gubka**
10. **Action to hire a deputy Sheriff to fill a vacancy**
11. **Action to approve a plat resolution of the Boydston Addition in Sheridan Township**
12. **Action to adopt a discretionary formula for reduced taxation of new structures and additions**
13. **Action to adopt a resolution regarding Treasurer's administrative fees**
14. **Action to approve an agreement for the Willow Creek Stabilization project**
15. **Discussion/possible action to approve the purchase of a side dump trailer**
16. **Note Independence Day office closures**
17. **Discussion/possible action on COVID-19 practices and procedures**
18. **Action to approve claims for payment**
19. **Action to approve automatic budget supplements**
20. **Action to approve personnel changes**

21. Action to approve travel requests
22. Public Notices – a possible quorum of Commissioners could be in attendance at:
 - a.
23. Old Business
24. New Business
25. Open
 - a. Public Comments
 - b. Commission Comments
26. 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)
27. Action to adjourn until 9:00 a.m., Tuesday, July 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

June 23, 2020

The Codington County Commissioners met in regular session at 9:00 a.m., Tuesday, June 23, 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, Troy VanDusen, 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 VanDusen, second by Gabel, to approve the June 23 agenda as posted; all voted aye; motion carried.

MINUTES APPROVED

Motion by Johnson, second by Waterman, to approve the minutes of June 16, 2020; all voted aye; motion carried.

MONTHLY REPORTS

Emergency Management Director, Jamie Torstenson, updated the Board on the following: COVID-19 task force meetings and current numbers in Codington County; preliminary numbers of the local government COVID recovery fund which allocates to Codington \$1,850,268 in allowable expenditures related to the public health emergency from March 1, 2020 through December 30, 2020; numerous weather events have been tracked in the month of June; a quarterly POD meeting was held in June with an exercise date set for October 26th, 2020 at the Codington County Extension Center Complex; and weather procedures and rosters have been updated with the local 911 dispatch center. The Codington County Search and Rescue team has been called out on several EMS responses this month, including a mutual aid assistance call out of Minnesota; has assisted with logistics for COVID-19 related food drives; continues with training exercises and selling of raffle tickets for the annual fund raiser. **Sheriff, Brad Howell**, who appeared via ZOOM, provided the Board with the following statistics, compiled during the months of April and May 2020, for the Detention Center and Sheriff's Office: fees collected in the month of May in the amount of \$6,205.65 were retained by the County; 583 (April) 766 (May) cases/calls for service; responded to 3 (April) 11 (May) accidents; 30 (April) 52 (May) arrest warrants served; 172 (April) 133 (May) sets of civil papers served; 3,182 (April) 2,580 (May) inmate transport miles; average daily inmate population 31.63 (April) 31.45 (May) (high of 37 (April) 39 (May) and low of 26 (April) 27 (May); 22 (April) 1 (May) individuals wearing SCRAM (security continuous remote alcohol monitor) bracelets; 51 (April) 0 (May) individuals testing twice daily for PBT'S; 57 (April) 27 (May) individuals reporting twice weekly for UA Drug testing; 0 (April) 4 (May) individuals using sweat patches; 105 (April) 176 (May) bookings; \$4,735.00 (April) \$6,075.00 (May) collected in fees for out of county prisoner contracts; \$0.00 April & May collected in work release fees; \$514.00 (April) \$543.00 (May) collected in fees for the 24/7 program; and \$252.00 (April) \$168.00 (May) collected in SCRAM fees, which were remitted to the office of the SD Attorney General. The new food service program is

scheduled to begin June 25th; firearms training continues; several protests were held in June on the Courthouse grounds; and the Boy's and Girl's Club has received another year of JDAI grant funding.

OPEN BURNING BAN DISCUSSION

The Board held a discussion with Emergency Management Director, Jamie Torstenson, regarding potential dry conditions in the County. The Emergency Management Director indicated, after conversations at the state and local level, there is not a need, at this time, to implement the County's ban on open burning.

DETENTION CENTER VIDEO SYSTEM UPGRADE

Motion by Gabel, second by Hanten, to approve a project for a video security upgrade at the Detention Center. A proposal has been received from Integrated Technology & Security, in the amount of \$31,210.00, for the first phase of this project. Sheriff Howell noted this project is a 2020 budgeted item. Upon vote of the Board; all voted aye; motion carried.

SHERIFF SERGEANT RESIGNATION

Motion by Gabel, second by Waterman, to accept the resignation of Sheriff Sergeant, Michael Gubka, effective June 19, 2020; all voted aye; motion carried.

DEPUTY SHERIFF HIRE

Motion by Gabel, second by Hanten, to authorize the Sheriff to advertise and hire a Deputy Sheriff, to fill a vacancy; all voted aye; motion carried.

BOYDSTON PLAT RESOLUTION

Zoning Officer, Luke Muller, who appeared via ZOOM, presented the Board with a plat of the Boydston Addition and reviewed the same. The Board adopted the following resolution:

RESOLUTION #2020-15

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

BE IT RESOLVED by the County Commissioners of Codington County, South Dakota, as follows:
That an examination has been made of the plat entitled:

Boydston Addition, in the North Half of the Southeast Quarter of Section 30-T116N-R52W of the 5th 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 Johnson, second by Commissioner Gabel; whereupon the Chair of the Board of County Commissioners declared the same to be duly passed and adopted.

Dated this 23rd day of June, 2020, at Watertown, Codington County, South Dakota

Codington County, June 23, 2020

Brenda Hanten
Chair, Codington County

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 2020-15, adopted by the Board of County Commissioners of Codington County, South Dakota.

Dated this 23rd day of June, 2020, at Watertown, Codington County, South Dakota.

Cindy Brugman
County Auditor, Codington County, South Dakota

DISCRETIONARY FORMULA RESOLUTION

Director of Equalization, Shawna Constant, presented the Board with a discretionary formula resolution to replace Resolution 2019-7 previously adopted. The need for the adoption of a new resolution, by July 1, 2020, is based on passage of HB1259 during the 2020 Legislative session. The Director of Equalization noted nothing in the passage of the bill changes the types of formula, valuation thresholds, or the overall functionality of the discretionary formula but simply creates a one-stop shop for finding the property types eligible to receive the discretionary formula. Motion by VanDusen, second by Gabel, to adopt Resolution 2020-14; all voted aye; motion carried.

RESOLUTION 2020-14
Discretionary Formula SDCL 10-6-35.2
(Replaces Resolution 2019-7)

WHEREAS, the County of Codington, State of South Dakota has deemed it in the best interest of the County to adopt a Resolution implementing a Discretionary Formula for the reduced taxation of new structures and additions and partially constructed structures pursuant to SDCL 10-6-35.2.

NOW, THEREFORE, BE IT RESOLVED, that the following properties shall be, and hereby are, specifically classified for the purpose of taxation pursuant to SDCL § 10-6-35.2:

Any new industrial structure, including a power generation facility, or an addition to an existing structure, if the new structure or addition has a full and true value of thirty thousand dollars or more (SDCL § 10-6-35.2(2));

Any new commercial structure, or any addition to an existing structure, except a commercial residential structure as described in SDCL § 10-6-35.2(5), if the new structure or addition has a full and true value of thirty thousand dollars or more (SDCL § 10-6-35.2(4));

Any new commercial residential structure, or addition to an existing structure, containing four or more units, if the new structure or addition has a full and true value of thirty thousand dollars or more (SDCL § 10-6-35.2(5));

Any new nonresidential agricultural structure, or any addition to an existing structure, if the new structure or addition has a full and true value of ten thousand dollars or more (SDCL § 10-6-35.2(3)); and

BE IT FURTHER RESOLVED, that any structure classified pursuant to this Resolution shall, following construction, initially be valued for taxation purposes in the usual manner, and that value shall be referred to in this Resolution as the “Pre-Adjustment Value”; and

BE IT FURTHER RESOLVED, that the assessed value to be used for tax purposes of any structure classified pursuant to this Resolution shall, following construction, be calculated as follows:

- a. For the first tax year following construction, 0% of the Pre-Adjustment Value;
- b. For the second tax year the following construction, 0% of the Pre-Adjustment Value;
- c. For the third tax year following construction, 0% of the Pre-Adjustment Value;
- d. For the fourth tax year following construction, 0% of the Pre-Adjustment Value;
- e. For the fifth tax year following construction, 0% of the Pre-Adjustment Value; and

BE IT FURTHER RESOLVED, that the Board of County Commissioners may, if requested by the owner of any of the above described property, not apply the above formula, in which case the full assessment shall be made without application of the formula. Upon waiving this formula for the structure of one owner, the Board of County Commissioners is not prohibited from applying the formula for subsequent new structures by that owner; and

BE IT FURTHER RESOLVED, that for purpose of this Resolution, the assessed valuation during any of the five years may not be less than the assessed valuation of the property in the year preceding the first year of the tax years following construction; and

BE IT FURTHER RESOLVED, that any structure that is partially constructed on the assessment date may be valued for tax purposes pursuant to this Resolution and the valuation may not be less than the assessed valuation of the property in the year preceding the beginning of construction; and

BE IT FURTHER RESOLVED, that following the five-year period under this section, the property shall be assessed at the same percentage as is all other property for tax purposes.

Approved this 23rd day of June, 2020

Brenda Hanten
Codington County Commission Chair

ATTEST:

Cindy Brugman
Codington County Auditor

(Seal)

RESOLUTION FOR TREASURER’S ADMINISTRATIVE FEES

Treasurer, Carol Maloney, presented to the Board and recommended adoption of a resolution that allows the County to charge an administrative fee for certain title and registration services. Motion by Gabel, second by Waterman, to approve Resolution 2020-16; all voted aye; motion carried:

RESOLUTION 2020-16

Codington County, June 23, 2020

**Establishment of an Administrative Fee for Certain Title and Registration Services
SDCL 32-3-18.1**

WHEREAS, the County of Codington, State of South Dakota allows applicants to title motor vehicles and large boats entirely by mail; and

WHEREAS, any title, interstate title and initial registration applications that are processed entirely by mail are more time consuming and result in higher administrative expenses and allocation of staff time for the Treasurer's Office; and

WHEREAS, SDCL 32-3-18.1 allows counties to charge an administrative fee for applications for title, interstate title and initial registrations completed entirely by mail; and

WHEREAS, pursuant to SDCL 7-8-20(7), the Codington County Commission is empowered with the responsibility to super intend the fiscal concerns of the county and secure their management in the best possible manner;

NOW, THEREFORE, BE IT RESOLVED, that, as of July 1, 2020, the Codington County Treasurer's Office will charge an administrative fee of \$25.00 for any title, interstate title or initial registration application that is received and processed entirely by mail.

Approved this 23rd day of June, 2020

Brenda Hanten
Codington County Commission chair

ATTEST:

Cindy Brugman
Codington County Auditor

(Seal)

WILLOW CREEK BANK STABILIZATION PROJECT CONTRACT

Motion by Gabel, second by VanDusen, to authorize the Chair to sign a contract with Deutsch Excavating, the successful bidder, for the Willow Creek Bank Stabilization project; all voted aye; motion carried.

HIGHWAY DEPT. SIDE DUMP TRAILER

Highway Supt., Rick Hartley, requested authorization to purchase a TK60SSD-43 steel side dump trailer, from Butler, in the amount of \$49,883.56. Discussion was held regarding the availability of a DEMCO trailer from local vendor, Peterson Motors, in the amount of \$49,100.00. The Highway Supt. noted an issue with the DEMCO trailer with regards to the back axle being single instead of tandem. Mr. Hartley noted a tandem axle provides additional stability. Peterson Motors representative, Cougar Griffin, was present for this discussion, and indicated the DEMCO trailer could be adapted for duals, at no charge to the County. Motion by VanDusen, second by Johnson, to purchase a side dump trailer. Discussion was held regarding the need for comparable quotes from the vendors involved in the transaction. Commissioner Gabel offered a substitute motion, second by VanDusen, to postpone action until the Board meets on July 7th; all voted aye; motion carried.

Codington County, June 23, 2020

INDEPENDENCE DAY CLOSURE

The Board noted per previously adopted policy the Courthouse and all County offices will be closed on Friday, July 3rd, 2020; in observance of the Independence Day holiday; all voted aye; motion carried.

COVID-19 COUNTY FACILITIES USE WAIVERS

Motion by Gable, second by VanDusen, to rescind a motion made on June 4th, which requires COVID-19 waivers for those who rent or use County facilities. Commissioner Hanten has been contacted by individuals who would like to resume rental of the Codington County Extension Center Complex, and who has indicated the waivers are too restrictive to hold various events. Commissioner Hanten has contacted other Counties who have indicated they have not adopted requirement of the waivers which were recommended by the SDPAA. The County received revenue in the amount of \$24,808.23 in 2019 for various rentals at the Extension Center Complex. Upon vote of Commissioner Gabel's motion; all voted aye; motion carried. The Board will investigate the use of proper signage regarding social distancing and personal responsibility of those attending events at County facilities.

CLAIMS

Motion by VanDusen, second by Gabel, to approve for payment the following claims; all voted aye; motion carried: Jurgens Printing 410.00 sup, Print 'Em Now 303.00 sup, VISA Reliabank 316.65 sup/trav, Watertown City 22668.41 surcharge 911.

PERSONNEL CHANGES

The Board held a discussion regarding the effective date for the recent promotion of Highway Dept. employee, Todd Warne. Human Resource Officer, Terry Satterlee, noted the position did not exist prior to the adoption of the job description on June 16 and that date should be considered the effective date of the promotion. Motion by Johnson, second by Gabel, to make the promotion for Highway employee, Todd Warne, effective June 16, 2020; all voted aye; motion carried.

TERRY SATTERLEE RESOLUTION OF RECOGNITION

Commissioner VanDusen read aloud a resolution recognizing the services of Terry Satterlee during his tenure with Codington County. Motion by Gabel, second by Johnson, to approve Resolution 2020-18; all voted aye; motion carried.

**CODINGTON COUNTY
RESOLUTION 2020-18
TERRY SATTERLEE RECOGNITION**

WHEREAS, Terry Satterlee has been the Human Resources Specialist and Labor Contract Negotiator for Codington County and,

WHEREAS, Terry Satterlee has provided excellent service on behalf of the citizens of Codington County and,

WHEREAS, Terry Satterlee has worked to advise the Codington County Commissioners with great insight and expertise and,

WHEREAS, Terry Satterlee has earned the respect of all those who have worked with him during his tenure as a Codington County Human Resources Specialist; and

WHEREAS, Terry Satterlee is leaving his service with Codington County on July 1st, 2020

THEREFORE, BE IT RESOLVED, that the Board of County Commissioners expresses its deep appreciation to Terry Satterlee for his superb service to the Citizens of Codington County.

Upon vote of the Board this resolution was adopted this 23th day of June, 2020.

Brenda Hanten, District V
Chair

Commissioner D. Lee Gabel, District I

Commissioner Charlie Waterman, District II

Commissioner Myron Johnson, District III

Commissioner Troy VanDusen, District IV

ATTEST:

Cindy Brugman
Codington County Auditor

HUMAN RESOURCE AND LABOR NEGOTIATION SERVICES CONTRACT

The Board briefly met with Natalie Remund, representative with Multi Business Solutions, regarding a contract between Codington County and Multi Business Solutions, for human resource and labor negotiation services. Commissioner Gabel noted the contract is near completion and action to adopt will occur at the Board's meeting scheduled for July 7th.

ADJOURNMENT

There being no further business to come before the Board a motion was made by Johnson, second by Gabel, to adjourn at 10:24 a.m., until 9:00 a.m., Tuesday, July 7, 2020; all voted aye; motion carried.

ATTEST:

Cindy Brugman
Codington County Auditor

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