

AGENDA
Codington County Board of Commissioners
Codington County Courthouse, 14 1st Ave SE, Watertown SD
Commission Chambers, Room #114
9:00 a.m., Tuesday, September 29, 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 September 29, 2020 agenda**
- 5. Action to approve the minutes of September 22, 2020**
- 6. Public Hearing on the 2021 Provisional Budget and action to adopt Budget and Levy Resolution**
- 7. Monthly reports**
 - a. Emergency Management**
- 8. Action to approve a change order for the 168th Street Grade Raise project**
- 9. Action to approve several Memorial Park roofing projects**
- 10. Discussion with City of Watertown Officials regarding rural ambulance service**
- 11. Note 2020 County safety awards**
- 12. Note employees with years of service**
 - a. Kristi Gast – 25 years**
 - b. Rick Holinka – 25 years**
- 13. Action on recommendations from Safety Benefits**
- 14. Discussion/possible action to enact a ban on opening burning**
- 15. Action to approve claims for payment**
- 16. Action/possible discussion on COVID-19 practices, procedures, policy**
- 17. Action to approve automatic budget supplements**
- 18. Action to approve personnel changes**
- 19. Action to approve travel requests**
- 20. Public Notices – a possible quorum of Commissioners could be in attendance at:**
- 21. Old Business**
- 22. New Business**
- 23. Open**
 - a. Public Comments**
 - b. Commission Comments**

24. 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)**

25. Action to adjourn until 9:00 a.m., Tuesday, October 6th, 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**

September 22, 2020

The Codington County Commissioners met in regular session at 9:00 a.m., Tuesday, September 22, 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. Auditor, Cindy Brugman, 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 VanDusen, to approve the September 22, 2020 agenda as posted; all voted aye; motion carried.

MINUTES APPROVED

Motion by Johnson, second by Waterman, to approve the minutes of September 8, 2020; all voted aye; motion carried.

CODINGTON COUNTY FIVE YEAR HIGHWAY AND BRIDGE IMPROVEMENT PLAN

The Board held a public hearing for input on the development of the Codington County Five Year County Highway and Bridge Improvement Plan. Chair Hanten asked for comments from the public present for this meeting. No comments were offered. The Chair then closed the public hearing. A roster of the public was taken of those in attendance for this public hearing.

2021 PROVISIONAL BUDGET HEARING

The Board held a public hearing on the 2021 Provisional budget for Codington County. Chair Hanten asked for comments from the public and none were given.

MONTHLY REPORTS

Welfare Director, Sarah Petersen, provided the Board with a report of statistics from the Welfare office for the month of July 2020. 16 people were served for the following: 8 housing, 6 medical, 4 homeless, 1 economic assistance, 7 utilities, 3 burials, 1 transportation, and 1 ESG client (Emergency Services Grant); there were \$3,105.00 in funds expended by the County for these contacts and costs in the amount \$8,350.00 were avoided by using other resources. The Welfare Director provided the Board with a breakdown of the hours spent on each type of service provided and referral numbers to other agencies. The Welfare Director advised the Board that clients of the County caused damage to the room that the County rents, for persons in need, at a local motel. The Welfare Director reported on recent meetings attended. The Welfare Director provided the Board with data to support an in-office case manager position which would come at an added cost of approximately \$28,000.00 per year in wages. **Facilities Manager, Steve Molengraaf**, reported: The Courthouse is fully staffed at this time and the concrete ramp project at the south entrance has been completed. Detention Center – phone line issues are occurring and the water heaters that have been on back order should be installed soon. Extension Center Complex – the facility has been used for several meetings and auction sales. The floor tiling project will

begin today. Memorial Park – the campground continues to be near full on weekends and the floor tiling project and roofing repairs are scheduled. The facility is in need of a policy board to advise campers of campground rules and regulations. Weed Dept. – one third of the Townships have been sprayed, State roads are nearing completion, a few County roads remain to be sprayed; the State Weed Commission meeting was recently held in Watertown; and an influx of Canadian Thistles have been spotted in the County. West Nile testing is basically wrapped up for the season and invoices have been mailed.

Highway Supt., Rick Hartley, reported: a change order will be coming for the bridge work on County Road 4; fall mowing has begun; graveling is taking place on County Road 8-2; and several spots on County Road 8-1 are still being worked on. **Sheriff, Brad Howell**, provided the Board with the following statistics, compiled during the months of July and August 2020, for the Detention Center and Sheriff's Office: fees collected in the month of August in the amount of \$7,005.50 were retained by the County; 685 (July) 735 (August) cases/calls for service; responded to 9 (July) 4 (August) accidents; 585 (July) 84 (August) arrest warrants served; 196 (July) 174 (August) sets of civil papers served; 3,845 (July) 3,160 (August) inmate transport miles; average daily inmate population 38.29 (July) 40.39 (August) (high of 42 (July) 35 (August) and low of 34 (July) 46 (August)); 1 (July) 1 (August) individuals wearing SCRAM (security continuous remote alcohol monitor) bracelets; 0 individuals testing daily for PBT'S; 41 (July) 46 (August) individuals reporting twice weekly for UA Drug testing; 4 (July) 4 (August) individuals using sweat patches; 187 (July) 218 (August) bookings; \$9,495.00 (July) \$10,210.00 (August) collected in fees for out of county prisoner contracts; \$0.00 collected in work release fees; \$2,537.00 (July) \$1,511.00 (August) collected in fees for the 24/7 program; and \$184.00 (July) \$326.00 (August) collected in SCRAM fees, which were remitted to the office of the SD Attorney General. Sheriff Howell noted his office is participating in the Avera E-Care pilot program which provides iPads for deputies responding to calls for persons with mental health issues/crisis. The deputies then can utilize their CIT (Crisis Intervention Training) skills to de-escalate the situation.

WELFARE OFFICE LATC JOB SHADOW

Motion by Gabel, second by Johnson, to allow a Community Healthcare Worker student, at LATC, to job shadow in the Welfare Office; all voted aye; motion carried.

WEED TRUCK INJECTION SYSTEM

Motion by Johnson, second by Waterman, to upgrade and purchase a new injection system for one of the Counties weed trucks in the amount of \$14,625.67, from C&R Supply, as budgeted; all voted aye; motion carried.

168TH STREET GRADE RAISE PROJECT AGREEMENT

Motion by Gabel, second by VanDusen, to authorize the Chair to sign the project agreement, for the 168th Street grade raise project, which was awarded by bid to Clausen and Sons Construction; all voted aye; motion carried.

RIP RAP BIDS

The following bid was received, opened and announced by Highway Supt., Rick Hartley, for a rip rap project on County 10-1, 8-1A, and 23-6.

| <u>BIDDER</u> | <u>TOTAL BID</u> |
|--|-------------------------|
| Clausen and Sons Construction Watertown, SD | \$222,570.00 |

Motion by VanDusen, second by Waterman, to accept the bid from Clausen and Sons Construction, the only bid received; all voted aye; motion carried.

CULVERT INSTALLATION BIDS

The following bid was received, opened, and announced by Highway Supt., Rick Hartley, for a culvert installation project on County Road 17-5 (449th Ave).

| <u>BIDDER</u> | <u>TOTAL BID</u> |
|-------------------------------------|-------------------------|
| Deutsch Excavating Watertown, SD | \$34,942.66 |

Motion by VanDusen, second by Watertown, to accept the bid from Deutsch Construction, the only bid received; all voted aye; motion carried.

AB KIOSK AUTOMATED MONITORING SOLUTION – 24/7 PROGRAM

Sheriff, Brad Howell and Chief Correctional Officer, Matt Blackwelder, met with the Board to request authorization to purchase an AB Kiosk Automated Monitoring Solution to aid in the 24/7 breath testing program which has been suspended during the COVID-19 event. The cost for the Kiosk is \$16,200 a year with unlimited use. Motion by VanDusen second by Waterman, to approve the purchase of the Kiosk, in the amount of \$16,200, from Precision Kiosk Technologies; all voted aye; motion carried.

CRIMINAL CIVIL SUPPORT COORDINATOR POSITION

Motion by Gabel, second by Johnson, to approve the hiring of a Criminal Civil Support Coordinator employee for the Sheriff's Office to replace an employee who is resigning; all voted aye; motion carried. Applications, received in June of 2020, for this same position will be used to fill the position.

RESOLUTION TO CANCEL OUTDATED WARRANTS

Resolution #2020-25

The following unclaimed checks and warrants are being presented, for cancellation to the Board of County Commissioners of Codrington County, pursuant to SDCL 7-22-17.

| NUMBER | NAME | AMOUNT |
|--------|---------------------------|-----------|
| 149433 | NICHOLS TILLAGE TOOLS INC | \$ 75.76 |
| 149436 | UNITED PARCEL SERVICE | \$ 668.30 |
| 149557 | ANNETT JOHN | \$ 10.84 |
| 149585 | BUCHOLZ CASSIDIE | \$ 10.00 |
| 149864 | WOHLLEBER ALYSSA | \$ 10.84 |
| 150059 | HINES KRISTINA | \$ 20.00 |
| 150639 | KAYS BRAD | \$ 25.00 |
| 150652 | BRENDEN COLE | \$ 18.33 |
| 150681 | TRACY STEPHEN | \$ 10.00 |
| 150684 | WOLFE JEFFREY | \$ 151.04 |
| 150805 | EVEN VIRGINIA | \$ 10.84 |
| 150843 | HOFFMAN KIMBERLY | \$ 10.84 |
| 150904 | MILLER NICOLE | \$ 20.00 |
| 151061 | YOUNG SAMANTHA | \$ 11.68 |
| 151394 | FAWCETT JEREMIAH | \$ 20.00 |
| 151404 | FROST HEATHER | \$ 20.00 |

| | | |
|--------|-----------------|----------|
| 151406 | FROST JOE | \$ 20.00 |
| 151430 | HELLER JUSTIN | \$ 11.68 |
| 151471 | LUSK TRAVIS | \$ 20.00 |
| 151542 | RILEY MARSHA | \$ 10.84 |
| 151558 | SCHULL JANICE | \$ 12.52 |
| 151788 | HELLE ALLY | \$ 3.67 |
| 151810 | MCELHANY LOGAN | \$ 5.00 |
| 151846 | MEYER DELORES | \$ 14.44 |
| 152221 | BROWN BRANDON | \$ 20.00 |
| 152629 | HANSON SAMANTHA | \$ 20.00 |
| 153071 | SCHLENKER RYAN | \$ 20.00 |
| 153250 | KALLHOFF KYLE | \$ 2.00 |
| 153356 | MICKEY KIMBERLY | \$ 20.00 |
| 153712 | WIRT BROOKE | \$ 20.00 |

Total Remitted as Unclaimed Property \$1,293.62

Motion by Gabel, second by Waterman, to approve the above and foregoing resolution; on this 22nd day of September, 2020; all voted aye; motion carried.

Brenda Hanten

Chair, Codington County Commissioners

ATTEST:

Cindy Brugman

Codington County Auditor

CLAIMS

Motion by Johnson, second by Gabel, to approve for payment the following list of claims; all voted aye; motion carried: VISA Reliabank 2,736.70 sup/trav; Post Office 500.00 election postage; City of Watertown 22,763.29 July 911 surcharge collections.

PERSONNEL CHANGES

Motion by Waterman, second by Gabel, to approve the following personnel change; all voted aye; motion carried: Rusty Mathews, Deputy Sheriff; anniversary step increase; step 12/\$28.41 per hour; effective date 9/15/2020.

TRAVEL REQUEST

Motion by Waterman, second by Gabel, to approve the following travel requests; all voted aye; motion carried: Highway Supt., Rick Hartley; Superintendents meeting and class and Annual Regional Local Road Conference. Emergency Management Director, Jamie Torstenson; Field Force Command & Planning for Executives class.

EXECUTIVE SESSION

Motion by VanDusen, second by Waterman, to enter into executive session at 10:44 a.m., per SDCL 1-25-2, to discuss employee contract negotiations; all voted aye; motion carried. The Board returned to

regular session at 12:07 p.m., Commissioner VanDusen was excused at 11:21 a.m. Human Resource Representative, Natalie Remund, was present for executive session. No action was taken following executive session.

ADJOURNMENT

There being no further business to come before the Board a motion was made by Johnson, second by Waterman, to adjourn at 12:07 a.m., until 9:00 a.m., Tuesday, September 29th, 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 \$_____

| COUNTY TAX LEVIES | DOLLARS | \$'S/1,000 |
|---|--------------|------------|
| WITHIN LIMITED LEVY | 8,825,886.00 | 3.095 |
| *General County Purposes 10-12-9 | | |
| Library | | |
| LIMITED LEVY (10-12-21)- SUB TOTAL | 8,825,886.00 | 3.095 |
| OUTSIDE LIMITED LEVY: | | |
| County Snow Removal Fund (34-5-2) | | |
| Highway and Bridge Reserve (10-12-13) | | |
| Courthouse, Jail, etc., Bldg. (7-25-1) | | |
| Bond Interest Sinking (7-24-18) | | |
| Ag Building (7-27-1) | | |
| UNLIMITED LEVY - SUB TOTAL | 0.00 | 0.000 |
| LIMITED AND UNLIMITED LEVY - SUB-TOTAL | 8,825,886.00 | 3.095 |
| OTHER SPECIAL LEVIES | | |
| SECONDARY ROAD (Unorg. PT-76) (31-12-27) | | |
| Fire Protection (34-31-3) | | |
| TOTAL TAXES LEVIED BY COUNTY | 8,825,886.00 | 3.095 |

ADOPTION OF ANNUAL BUDGET FOR
Codington County, South Dakota

Whereas, (7-21-5 thru 13), SDCL provides that the Board of County Commissioners shall each year prepare a Provisional Budget of all contemplated expenditures and revenues of the County and all it's institutions and agencies for such fiscal year, and,

Whereas, the Board of County Commissioners did prepare a Provisional Budget and cause same to be published by law, and

Whereas, due and legal notice has been given to the meeting of the Board of County Commissioners for the consideration of such Provisional Budget and all changes, eliminations, and additions have been made thereto.

NOW THEREFORE BE IT RESOLVED, That such provisional budget as amended and all it's purposes, schedules, appropriations, amounts, estimates, and all matters therein set forth, SHALL BE APPROVED AND ADOPTED AS THE ANNUAL BUDGET OF THE APPROPRIATIONS AND EXPENDITURES FOR **CODINGTON COUNTY, South Dakota** and all it's institutions and agencies for calendar year beginning January 1, 2021 and ending December 31, 2021, and the same is hereby approved and adopted by the Board of County Commissioners of **Codington County, South Dakota** this 29th day of September, 2020. The Annual Budget so adopted is available for public inspection during normal business hours at the office of the County Auditor, **Codington County, South Dakota**. The accompanying taxes are levied by **Codington County** for the year January 1, 2021 through December 31, 2021.

BOARD OF COUNTY COMMISSIONERS OF
CODINGTON COUNTY, SOUTH DAKOTA

Chair, Brenda Hanten

Commissioner Lee Gabel

Commissioner Charlie Waterman

Commissioner Myron Johnson

Commissioner Troy VanDusen

*These Amounts include the 25% to be distributed to Cities.

As of September 29, 2020, these levies are not approved by the Department of Revenue.

ATTEST:

Cindy Brugman, County Auditor

CHANGE ORDER

Change order No. 1

Date September 22, 2020

Agreement Date September 29, 2020

PROJECT NAME: Bridge Replacement County road 4-4

OWNER: CODINGTON COUNTY

CONTRACTOR Prahm Construction

The following changes are hereby made to the Contract Documents:

Justification: Item A Build cofferdam
Item B Dewatering cofferdam
Item C Labor to build
Item D \$3,000.00 materials cost

Change Order Adjustments Bid Item A, B, C, D = \$ 28,020.00

CONTRACT AFTER CHANGE ORDER \$28,020.00

CHANGE ORDER APPROVED BY: _____

**South Dakota Department of Transportation
Construction Change Order No 1**

PCN 04YH
 Project No BRO 8015(38) County Codington Contract Amt \$926,449.75
 Type of Work Structure (102'-10 1/2" Continuous Concrete Bridge) & Approach Grading
 Contractor Prahm Construction, Inc.

The following change in plans and/or specifications for the subject project is hereby made:

Abutment #4

Instruction: Add bid items Extra Work and Contractor Furnished Borrow Excavation to the contract.

Reason: There was an error in the plans with Abutment #4, there was no material onsite to build the abutment. This was due to change in alignment of the structure and change in abutment type. After consulting with the Office of Bridge Design and Geotechnical Office, it was determined that the abutment had to be made out of a clay material and in dry conditions, therefore an extra coffer dam and dewatering was needed to construct the abutment. Payment shall be a negotiated lump sum price of \$25,000 including all labor, materials, and incidentals.

Line No. 030 P Extra Work 25,000.000 @ 1.000 / LS New
 Line No. 031 P Contractor Furnished Borrow Excavation 151.000 @ 20.000 / CuYd New

| Line No | Stnd Bid Item No | Item Description | Qty As Now Ordered | Current Change in Qty | Unit Price | Unit | Current Change In Amt |
|---------|------------------|--|--------------------|-----------------------|------------|------|-----------------------|
| 030P | 009E0700 | Extra Work | 25,000.000 | 25,000.000 | 1.000 | LS | 25,000.00 |
| 031P | 120E0600 | Contractor Furnished Borrow Excavation | 151.000 | 151.000 | 20.000 | CuYd | 3,020.00 |

| | |
|---------------------------|---------------------------|
| Increase This Order | <u>\$28,020.00</u> |
| Decrease This Order | <u>\$0.00</u> |
| Net Change This Order | <u>\$28,020.00</u> |
| Net Change To Date | <u>\$28,020.00</u> |

All standard specifications apply unless otherwise noted.

Additional substantial calendar days:

Additional field work calendar days:

Additional substantial working days:

Additional field work working days: 2.00

New substantial completion date:

New field work completion date:

It took the contractor 1 day to drive sheet piling and 1 day to install fill material to build the abutment.

The net change due to this CCO is an increase of \$28,020.00

Prepared by Daniel Sitter Date 09/15/2020

South Dakota Department of Transportation
Construction Change Order No 1

PCN 04YH

Project No BRO 8015(38)

County Codington

Contract Amt \$926,449.75

Type of Work Structure (102'-10 1/2" Continuous Concrete Bridge) & Approach Grading

Contractor Prahn Construction, Inc.

Contractor Acceptance

The changes contained in this construction change order are made in accordance with the provisions of the contract for subject project and when accepted by the Contractor and upon approval by the South Dakota Department of Transportation shall become a part of said contract.

On 9-19-2020
By Matt Prahn
Title President - Prahn Const. Inc.

Watertown Area Engineer Approval

On _____
By _____

County Approval

Date _____
By _____

RJC CONSTRUCTION ESTIMATE

ESTIMATE FOR RE-SHINGLING HOUSE AND SHED AT MEMORIAL PARK

| | |
|--|-------------------|
| Material cost to reshingle house and shed with Certainteed landmark shingles | \$2,812.00 |
| Labor to reshingle house and shed | \$2,500.00 |
| Disposal of old shingles | \$300.00 |
| Replace dmaged rake on office | \$100.00 |
| | |
| Total | \$5,712.00 |
| | |
| EXCISE TAX ON MATERIAL AND LABOR 2.041% | \$116.58 |
| | |
| TOTAL ESTIMATE | \$5,828.58 |

Estimate prepared by Greg Cordell 9/20/2020

H 880 6102

RJC CONSTRUCTION ESTIMATE

ESTIMATES FOR MEMORIAL PARK, LOWER BATH HOUSE

| | |
|---|-------------------|
| Material to put steel roof on bath house. | \$1,850.00 |
| Labor to remove shingles install underlayment and steel roof. | \$2,600.00 |
| Disposal of old shingles | \$300 |
| Total | \$4,750.00 |

EXCISE TAX ON MATERIAL AND LABOR 2.041% \$96.95

TOTAL ESTIMATE **\$4,846.95**

Estimate prepared by Greg Cordell 9/20/2020

Call # 880-6102

RJC CONSTRUCTION ESTIMATE

ESTIMATES FOR MEMORIAL PARK, BATH HOUSE BY SCOUT BUILDING

| | |
|---|------------|
| Material for steel roof | \$2,800.00 |
| Labor to remove shingles, install new felt underlayment and steel roof. | \$2,700.00 |
| Disposal of old shingles | \$350.00 |
| | |
| Total | \$5,850.00 |

EXCISE TAX ON MATERIAL AND LABOR 2.041% \$119.39

TOTAL ESTIMATE **\$5,969.39**

Estimate prepared by Greg Cordell 9/20/2020

Cell # 880 6102

RJC CONSTRUCTION ESTIMATE

ESTIMATES FOR MEMORIAL PARK WEST BATH HOUSE

| | |
|---|-------------------|
| Material to install steel roof. | \$2,800.00 |
| Labor to remove shingles install underlayment and install steel roof. | \$2,700.00 |
| Disposal fee of old shingles. | \$350 |
| | |
| Total | \$5,850.00 |
| | |
| EXCISE TAX ON MATERIAL AND LABOR 2.041% | \$119.39 |
| | |
| TOTAL ESTIMATE | \$5,969.39 |

Estimate prepared by Greg Cordell 9/20/2020

Call ¹⁶ 880-6102

8-9-7. Ambulance service contracts authorized--Maximum term and expenditures.

Any civil township in this state may, through its board of supervisors, when and to the extent deemed expedient by the board, enter into contracts for the furnishing of ambulance service, equipment and protection for the township, with any other political subdivision or subdivisions of this state, or any fire protection, ambulance service, or funeral service corporation or association legally organized in this state. No contract authorized by this section may exceed a term of ten years. Further, no contract authorized by this section may provide for an expenditure by a township of more than one thousand dollars per year, unless it has been submitted to, and approved by, the voters of the township in the manner provided by subdivision 8-3-2(8).

Source: SL 1977, ch 67.

34-11-1. Service provided by counties and municipalities--Agreements for service--Licensing and regulation.

Any county or municipality may provide ambulance service and enter into agreements with other governmental subdivisions and with other persons for such services. Any county or municipality may appropriate funds for such purposes and may enter into an agreement with such other governmental subdivision or any competent person to furnish funds for such purposes on an annual basis as may mutually be agreed upon. The funds shall be paid to such person or political subdivision when a claim has been duly filed, audited, and allowed by the county or municipality. Any county or municipality may license and regulate persons providing such services.

Source: SL 1967, ch 23, § 1; SL 1968, ch 24, § 1; SL 1992, ch 240, § 1.



September 22, 2020

Cindy Brugman, Auditor
Codington County
14 First Ave. SE
Watertown SD 57201

Re: July 21, 2020 – Loss Control Survey

Dear Cindy,

It was a pleasure meeting with you to review the loss control program for Codington County. I appreciated your cooperation and the cooperation of the others in providing important and necessary information to complete my survey.

Improvement recommendations have been developed and are enclosed in this letter. These recommendations are to assist you in your loss control efforts. When reviewing the Recommendations for Improvement, please read the disclaimer at the bottom of the green insert. You should note that this survey was a general survey and does not replace your own internal loss control surveys and practices.

We ask that you review the recommendations with members of the city council and inform us within **60 days** of any actions the council decides to take for each recommendation. Both the SDML Workers' Compensation Fund and the South Dakota Public Assurance Alliance Boards of Trustees and Directors have approved giving a Loss Control Credit to pool members who respond to our Recommendations for Improvement.

If you have any questions or need more information regarding the improvement recommendations, please call me (888) 313-0839. I look forward to continuing working with you and other employees on your loss control efforts. Thank you again for your time and allowing me to be of assistance.

Sincerely,

Jeff Lanning, Loss Control Representative
South Dakota Public Assurance Alliance
SDML Workers' Compensation Fund

Enclosure

Improvement Recommendations - Both

for Codington County (7/21/2020)

Administrative

Name of Person
Completing Form: _____ Title: _____

"A" Priority

- A01** It is recommended you update your written personnel policies and procedures to include:
-Grievance procedure
-sexual harassment

Each employee should receive a copy and be required to sign an acknowledgment form stating they received a copy, read, and understand the policies and procedures. Updates should be handled in the same manner.

Date Completed: _____ If Not, Target Date (Please Explain): _____ **A-ADM-3c**

"B" Priority

- B01** It is recommended that a policy be developed that prohibits non-employees from riding in an entity-owned vehicle/equipment without first having them sign a waiver. If the non-employee is a minor then a parent or legal guardian must also sign it.

Date Completed: _____ If Not, Target Date (Please Explain): _____ **B-ADM-23**

- B02** It is recommended that an incident report be completed whenever an AED is used.

Date Completed: _____ If Not, Target Date (Please Explain): _____ **B-ADM-21**

Improvement Recommendations - Both

for Codington County (7/21/2020)

Maintenance/Custodial

Name of Person _____
Completing Form: _____ Title: _____

"A" Priority

A01 It is recommended a bloodborne pathogens disease prevention program be developed. This program should include three phases:

a) educational training of employees on bloodborne diseases such as the HIV virus, Hepatitis B, Hepatitis C and Tuberculosis.

b) making available the Hepatitis B shots to employees

c) record keeping of the consent/decline forms on the Hepatitis B shots and employee exposure to bodily fluid. Safety Benefit Inc. can provide you with a video training program on this subject.

Date Completed: _____ If Not, Target Date (Please Explain): _____ **A-11a**

A02 It is recommended each member of your service be offered Hepatitis B vaccinations. If a member refuses to receive the vaccinations they should sign a waiver stating they were offered the vaccinations, but they refused them.

Date Completed: _____ If Not, Target Date (Please Explain): _____ **A-11d**

A03 It is recommended d that if a member refuses to receive the vaccinations, they sign a waiver stating they were offered them, but refused them. Safety Benefits Inc. has a sample available upon request.

Date Completed: _____ If Not, Target Date (Please Explain): _____ **A-11e**

"C" Priority

C01 It is recommended any training an employee receives be documented. It is recommended these training hours be recorded in the employee's personnel file, or training file. Included should be the date, where the training was received, the name of the instructor, the name and a brief description of the course, and the number of hours of training.

Date Completed: _____ If Not, Target Date (Please Explain): _____ **C-ADM-7f**

Improvement Recommendations - Both

for Codington County (7/21/2020)

Streets/Highways

Name of Person
Completing Form: _____ Title: _____

"A" Priority

- A01** It is recommended rollover protective structures be installed on your equipment in accordance with manufacturers' recommendations. According to statistics, over 500 tractor related deaths occur annually. Of these, 53% are due to rollovers onto the operator. In addition, seat belts should be installed to hold the operator in place so the rollover protective structure can perform it's duty properly.

Date Completed: _____ If Not, Target Date (Please Explain): _____ **A-61a**

- A02** It is recommended that all flaggers be properly trained as outlined in Part VI of the Standards and Guides for Traffic Controls for Streets and Highway Construction, Maintenance, Utility, and Incident Management Operations.

The Associated General Contractors Building Chapter in Sioux Falls (605) 336-9338 and the South Dakota Local Transportation Assistance Program in Brookings (800) 422-0129 can provide this training for you.

Date Completed: _____ If Not, Target Date (Please Explain): _____ **A-STR-16e**

"C" Priority

- C01** It is recommended any training an employee receives be documented. It is recommended these training hours be recorded in the employee's personnel file, or training file. Included should be the date, where the training was received, the name of the instructor, the name and a brief description of the course, and the number of hours of training.

Date Completed: _____ If Not, Target Date (Please Explain): _____ **C-ADM-7f**

Improvement Recommendations - Both

for Codington County (7/21/2020)

Weed

Name of Person
Completing Form: _____ Title: _____

"B" Priority

B01 It is recommended that employees be required to wear a DOT approved helmet when operating an ATV to reduce the risk of head injuries in a crash.

Date Completed: _____ If Not, Target Date (Please Explain): _____ **B-STR-20**

GRIEVANCE PROCEDURES EXPLANATION

3-18-15.1. Grievance procedures to be established. The governing officer or board of each governmental agency shall enact, by agreement, ordinance, rule, or resolution, and make known to its employees a procedure which its employees may follow for prompt informal dispositions of their grievances.

Source: SL 1970, ch 27, § 1; SL 1993, ch 375, § 5.

3-18-15.5. Grievance procedures for employees of political subdivisions. The provisions of § 3-18-15.1 do not apply to employees of political subdivisions unless those employees are members of a public employee union or the governing body of a political subdivision has adopted an ordinance or resolution establishing a grievance procedure for all employees of the political subdivision.

Source: SL 2013, ch 23, § 1.

The SDPAA has provided the following information.

*No grievance procedure **(RECOMMENDED)**:*

*State law no longer requires a city/county to have a grievance procedure in place for **NON-UNION** employees. To avoid later legal issues, it is recommended that you do not include a grievance procedure for non-union employees. But if your city/county prefers that you have a grievance procedure then a written policy is recommended. A sample is available through the SDPAA. If you employ union employees, you need to follow your collective bargaining agreement for those union employees. If all of your employees are union employees, then you will need to have a grievance procedure.*

**RELEASE AND WAIVER OF LIABILITY, ASSUMPTION OF THE RISK AND INDEMNITY AGREEMENT
AND CONSENT TO MEDICAL TREATMENT**

By my signature below, I acknowledge that I am aware of, appreciate the character of, and voluntarily assume the risks involved in participating in

By my signature below, on behalf of myself, my heirs, next of kin, successors in interest, assigns, personal representatives, and agents, I hereby:

1. Waive any claim or cause of action against and release from liability the (Name of Entity) its officers, employees, and agents for any liability for injuries to my person or property resulting from my participation in the activity listed above;
2. Agree to indemnify and hold harmless the (Name of Entity), its officers, employees, and agents for any claims, causes of action, or liability to any other person arising from my participation in the activity listed above; and
3. Consent to receive any medical treatment deemed advisable during my participation in the activity listed above.

I HAVE READ THIS RELEASE AND WAIVER OF LIABILITY, ASSUMPTION OF THE RISK AND INDEMNITY AGREEMENT AND CONSENT TO MEDICAL TREATMENT, FULLY UNDERSTAND ITS TERMS, UNDERSTAND THAT I HAVE GIVEN UP SUBSTANTIAL RIGHTS BY SIGNING IT, AND HAVE SIGNED IT FREELY AND VOLUNTARILY WITHOUT ANY INDUCEMENT, ASSURANCE, OR GUARANTEE BEING MADE TO ME AND INTEND MY SIGNATURE TO BE A COMPLETE AND UNCONDITIONAL RELEASE OF ALL LIABILITY TO THE GREATEST EXTENT ALLOWED BY LAW.

Name _____ Date of Birth _____

Signature _____

Address _____

Date _____

Bloodborne pathogens exposure control plan

Use this document to help you develop your entity's exposure control plan. You can change the document to meet your entity's needs.

[Your entity] has made a commitment to the prevention of incidents or accidents that can result in employee injury or illness. This exposure control plan is an element of our safety and health program.

[Employer's name or job title] has the authority and responsibility to ensure that all elements of the exposure plan are in place. Employees can read the plan [identify where employees can read the plan].

Purpose

The purpose of this exposure plan is to eliminate or minimize employee occupational exposure to blood or other potentially infectious materials (OPIM), identify employees occupationally exposed to blood or OPIM in the performance of their regular job duties and provide information and training to employees exposed to blood and OPIM.

Exposure determination

Employees who are reasonably expected to have skin, eye, mucous membrane, or parenteral contact with blood and/or any body fluids that are contaminated with blood resulting from the performance of their assigned job duties. Although Good Samaritan acts are not covered under the bloodborne pathogen standard, it is our policy to provide evaluation and treatment of employees who sustain exposure to blood or OPIM who assist an injured employee but are not required to.

Table 1 lists job classifications and associated tasks identifying employees at risk of exposure to blood or other potentially infectious materials. Exposure determinations are made without regard to use of PPE.

Table 1: Employees at risk

| Job classification | Task or exposure |
|--------------------|------------------|
|--------------------|------------------|

Table 2 lists job classifications and tasks in which some employees may have occupational exposures to blood or OPIM.

Table 2: Employees who may be at risk

| Job classification | Task or exposure |
|--------------------|------------------|
|--------------------|------------------|

Compliance methods

Universal precautions

Universal precautions is an approach to infection control in which all human blood and other potentially infectious materials are handled as if they were known to be infectious for bloodborne pathogens. Consider difficult- or impossible-to-identify body fluids as potentially infectious.

Bloodborne pathogens exposure control plan

Engineering and work practices controls

Use the following controls to eliminate or minimize occupational exposure.

Sharp containers

Place contaminated needles and other sharp objects in a sharps container. Replace containers routinely and do not allow overfilling. When moving containers of contaminated sharps from the area of use, close containers to prevent spillage or protrusion of contents.

Work practices

Clean up blood spills or body fluids as soon as possible. Use disposable absorptive materials, such as paper towels or gauze pads, to soak up the fluids. Clean the area with chemical germicides or a 1:10 solution of liquid bleach. Place absorptive towels, pads, and other material used to mop up spills in plastic bags or designated, labeled containers and treat as biohazardous waste.

Employees must wash their hands upon removal of gloves and other protective gear. In an emergency, if soap and water are not immediately available, use disposable antiseptic towelettes or germicidal gels to clean hands after removing gloves. Employees must wash their hands with soap and water as soon as possible.

Employees may not eat, drink, smoke, apply cosmetics or lip balm, or handle contact lenses where occupational exposure can occur.

Personal protective equipment (PPE)

PPE is provided at no cost to employees. Employees receive training in its use, maintenance, and disposal annually.

Storage area

[Identify the location] is the storage area for bloodborne protective gear. Supplies include disposable gloves; face shields; impervious disposable coveralls and booties; resuscitation devices; large, heavy-duty plastic bags and ties; sharps containers; biohazard signs or labels; absorbent pressure dressings for wounds; antiseptic towelettes; disposable absorptive material for cleaning up spilled blood; rubber gloves; and bleach solutions or germicides.

PPE use and disposal

Employees engaging in activities that may involve direct contact with blood, OPIM, contaminated objects, mucous membranes, or open wounds must wear disposable gloves made of vinyl or latex. Use reusable rubber gloves (inspected and free of apparent defects) or disposable gloves to clean up spill areas. Disinfect reusable gloves with diluted liquid bleach or germicides after use.

Wear face shields or goggles with disposable surgical masks whenever splashes, spray, or spatters of blood droplets or OPIM may be generated and eye, nose, or mouth contamination can be reasonably anticipated.

Use resuscitation devices, which minimize contact with mucous membranes, to perform cardiopulmonary resuscitation.

Bloodborne pathogens exposure control plan

Remove used personal protective equipment at the exposure location or as soon as feasible to avoid contamination of other work areas. Place in a biohazard container or in a plastic bag with a biohazard label. PPE must not be taken from the work site.

Housekeeping

Employees who have received bloodborne pathogen training and who have been included under the exposure plan can clean up spills and work surfaces such as bench tops.

Clean and decontaminate all equipment and working surfaces after completion of procedures in which blood or body fluids contaminated with blood are handled and immediately, or as soon as feasible, when surfaces are overtly contaminated with blood and at the end of the work shift if the surface may have been contaminated since the last cleaning. Inspect all biohazardous waste receptacles and decontaminate weekly or immediately upon visible contamination.

Use chemical germicides or solutions of 5.25 percent sodium hypochlorite (liquid bleach) diluted 1:10 with water for cleaning. Chemical germicides approved for use as hospital disinfectants and effective against HIV can also be used.

Broken glassware or glass items must not be picked up directly with the hands. Use a mechanical means, such as a brush and dust pan, tongs, or forceps. Handle as a biohazardous waste. Decontaminate equipment used to pick up glassware with a 1:10 bleach solution or an approved germicide.

Contaminated laundry

Handle non-disposable linen, such as any clothing visibly contaminated with blood using disposable gloves. Minimize the time spent handling laundry. Bag laundry as close as possible to the location where it was used. Place laundry in a bag that prevents soak-through and/or leakage of fluids to the exterior; place a biohazard label on the bag.

Employees cannot wash contaminated items at home. [Identify where contaminated items will be cleaned]

Hepatitis B vaccine [*Consideration should be given to offer these to any employees who are expected to provide 1st aid to injured employees that have not already received these.*]

The hepatitis B vaccine is offered, at no cost, to exposed employees within 10 working days of initial assignment. Employees who have potential exposure to bloodborne pathogens but decline to take the vaccination must sign a declination statement. Employees who initially decline can still receive the vaccination should they decide at a later date to accept. Previously vaccinated new hires must provide a vaccination record that includes the vaccination dates. Employees must sign a declination statement if the vaccination record is not available and revaccination is declined or not appropriate.

[Employer's name or job title] will schedule vaccinations at the [identify the location or the facility] and will keep employees' vaccination records in their medical files.

Exposure incident and post-exposure evaluation and follow-up

An exposure incident to bloodborne pathogens is defined as an eye, mouth, other mucous membrane, non-intact skin, or parenteral contact with blood or other potentially infectious

Bloodborne pathogens exposure control plan

materials that results from the performance of an employee's duties. It is [your entity's name] policy to include Good Samaritan acts performed by an employee at the work site.

Whenever an exposure occurs, wash the contaminated skin immediately with soap and water. Immediately flush contaminated eyes or mucous membranes with copious amounts of water. Medically evaluate exposed employees as soon as possible after the exposure incident in order that post-exposure prophylaxis, if recommended, can be initiated promptly.

The medical evaluation is to include the route(s) of exposure and the exposure incident circumstances; identification and documentation of the source individual, where feasible; exposed employee blood collection and testing of blood for HBV and HIV serological status; post-exposure prophylaxis, where indicated; counseling; and evaluation of reported illnesses. Source test results and identity will be disclosed to the exposed employee according to applicable laws and regulations concerning disclosure and confidentiality.

[Identify the facility] provides hepatitis B vaccinations and medical evaluations and post-exposure follow-up after an exposure incident.

Information provided to the health care professional

[Employer's name or job title] is responsible for ensuring that the health care professional who evaluated the employee after an exposure incident receives the following information:

- A description of the employee's duties as they relate to the exposure incident
- Documentation of the route(s) and circumstances of the exposure
- The results of the source individual's blood testing, if available
- All medical records relevant to the appropriate treatment of the employee, including vaccination status

Health care professional's written opinion

[Employer's name or job title] will provide the employee with a copy of the health care professional's written opinion within 15 days after completion of the evaluation.

Limit the health care professional's written opinion(s) for the hepatitis B vaccination to whether the vaccination is indicated and whether the employee has received the vaccination.

Limit the health care professional's written opinion for the post-exposure evaluation to the following information:

- Whether the employee was informed of the evaluation results
- Whether the employee was told about any medical conditions resulting from exposure to blood or OPIM that may require further evaluation or treatment.

Training and training records

All employees who have occupational exposure to bloodborne pathogens receive training on the epidemiology, symptoms, and mode of transmission of bloodborne pathogen diseases. In addition, the training program will include the following topics:

- An explanation of activities and tasks that may involve exposure to blood and OPIM

Bloodborne pathogens exposure control plan

- How appropriate engineering controls, work practices, and PPE will prevent or reduce exposure
- The basis for the selection of PPE; the types, use, location, removal, handling, decontamination, and disposal procedures
- Hepatitis B vaccine information including that the vaccine is provided at no cost, the benefits of being vaccinated and methods of administration
- Employer responsibilities for post-exposure evaluation and medical follow-up; how and who to contact should an exposure incident occur
- An explanation of the signs and hazard labels
- How to review or obtain a copy of the exposure control plan and the standard

[Employer's name or job title] trains employees prior to initial assignment to tasks in which occupational exposure may occur. Training is repeated every 12 months or sooner when there are new tasks or changes to the existing procedures/tasks. Training records are maintained [identify the location] for three years and include the date(s) and content of the training program, name and qualifications of the trainer(s), and names and job titles of the attendees.

Record keeping

Medical records for employees with occupational exposure to bloodborne pathogens include the employee's name, social security number, and hepatitis B vaccination status, including dates of hepatitis B vaccination and any medical records relative to the employee's ability to receive the vaccination. Medical records are kept for the duration of employment plus 30 years. Medical records are confidential. Employees must sign a written consent for disclosure.

In the event of an exposure incident, the following records will be kept in the employee's medical file:

- The results of any examination, medical testing, and follow-up procedures.
- A copy of the treating physician's written opinion to the employer.
- A copy of all information provided by the employer to the health care professional regarding the exposure incident.

Plan evaluation and review

Review the exposure control plan and update it at least annually. [Employer's name or job title] is responsible for the annual review. Sign and date this exposure plan when the review has taken place.

Signature: _____

Date:

Statement of Declination

The following statement must be signed by every employee who declines the hepatitis vaccine. The statement can only be signed by the employee after he or she has received training about hepatitis B, hepatitis B vaccination, and the method and benefits of vaccination. Employees must be told that the vaccine and vaccination are provided at no charge. The statement is not a waiver; employees can request and receive the hepatitis B vaccination at a later date if they remain occupationally at risk for hepatitis B.

Employee's statement of declination

I understand that due to my occupational exposure to blood or other potentially infectious materials, I may be at risk of acquiring hepatitis B virus (HBV) infection. I have been given the opportunity to be vaccinated with hepatitis B vaccine, at no charge to myself. However, I decline hepatitis B vaccination at this time. I understand that by declining this vaccine, I continue to be at risk of acquiring hepatitis B, a serious disease. If in the future I continue to have occupational exposure to blood or other potentially infectious materials and I want to be vaccinated with hepatitis B vaccine, I can receive the vaccination series at no charge to me.

Employee's signature _____

Date _____

Witness's signature _____

DRAFT