

AGENDA
Codington County Board of Commissioners
Codington County Court House, 14 1st Ave SE, Watertown SD
Commission Chambers, Room #114
9:00 a.m., Tuesday, September 28, 2021

1. Pledge of Allegiance
2. Call for public comment. Public comment may be submitted via telephone at 605-882-6248 or 605-882-6297
3. Conflict of interest items
4. Action to approve the September 28, 2021 agenda
5. Action to approve the September 21, 2021, minutes of the Board of Codington County Commissioner
6. 9:00 a.m., Public Hearing on the 2022 Provisional Budget
7. Action to adopt the 2022 Budget
8. Action to adopt a Levy Resolution for taxes payable in 2022
9. Monthly reports
 - a. Emergency Management
 - b. Sheriff
10. Action to approve Plat resolution – Jabe Kahnke Addition (Pelican Township)
11. Action to require two factor authentication for County email accounts
12. Action to acknowledge 2020 County Safety awards
13. Action to recognize employees with years of service
 - a. Todd Warne, Highway Shop Foreman Mechanic, 30 years
14. Action to acknowledge passing of former County employees/officials
 - a. Helen Rueschenberg, Highway Secretary
 - b. Nick Endres, Weed Supervisor
 - c. Roger VandePol, Custodian
 - d. Bill Hoff, Weed Sprayer
 - e. John “Jack” Thomas, Commissioner
 - f. Vernon Keirnes, Highway Dept. Equipment Operator
 - g. Chad Nelson, Deputy States Attorney
15. Action to approve updates to Employee Personnel Policy and Procedures Manual regarding medical marijuana
16. Discussion/possible action to pass a resolution to enact a ban on open burning if necessary
17. Action to approve claims for payment
18. Action to approve automatic budget supplements
19. Action to approve personnel changes
20. Action to approve travel requests

21. **Public Notices – a possible quorum of Commissioners could be in attendance at:**
22. **Old Business**
23. **New Business**
24. **Open**
 - a. **Public Comments**
 - b. **Commission Comments**
25. **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)**
26. **Action to adjourn until 9:00 a.m., Tuesday, October 5th, 2021; at the Codington County Court House**

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 Court House
14 1st Ave SE

September 21, 2021

The Codington County Commissioners met in regular session at 9:00 a.m., Tuesday, September 21, 2021, at the Codington County Court House. Commission members present were: Lee Gabel, Charlie Waterman, Myron Johnson, Troy VanDusen, and Brenda Hanten; Chair Hanten presiding. Commissioner VanDusen led the pledge of allegiance.

CALLS FOR PUBLIC COMMENT AND CONFLICT OF INTEREST ITEMS

Chair Hanten called for public comments to be taken up during the open portion of the meeting; none were offered. There were no conflict-of-interest items to note.

AGENDA APPROVED

Motion by VanDusen, second by Gabel, to approve the September 21, 2021 agenda as posted; all voted aye; motion carried.

MINUTES APPROVED

Motion by Johnson, second by Gabel, to approve the minutes of the September 7, 2021 meeting of the Codington County Commissioners; all voted aye; motion carried. Motion by Johnson, second by Gabel, to approve the minutes of the September 7, 2021, combined County – City special meeting; all voted aye; motion carried.

2022 PROVISIONAL BUDGET PUBLIC HEARING

The Board held a public hearing, as previously advertised, to allow any and all interested parties to comment on the 2022 Codington County Provisional Budget. Chair Hanten opened the public hearing at this time. No comments were offered by persons present for this hearing. Chair Hanten closed the public hearing at this time. The Board will conduct a public hearing again, during their regular meeting, on September 28th. The provisional budget will be adopted during the Board's regular meeting on September 28th at which time the budget may be amended upon action of the Board.

MONTHLY REPORTS

Facilities Manager, Steve Molengraaf, updated the Board. Government Buildings – the parking lot project is underway and the monitor for daily court appearances has been installed on ground floor. Detention Center – tile is being replaced in one inmate shower stall for safety/security purposes, the sewer project is set to begin on 9/27 and will take approximately 3 weeks to complete. Extension Center Complex – auction sales continue to be held in the facility and a County/City surplus auction is scheduled for 9/25. Memorial Park – the campground is scheduled to close on 9/30, camping revenues for 2021 are \$202,665.37 through the reservation system, wood and propane sales \$4,956.00, 2105 reservations were made, chip sealing will begin this week. Weed Dept. – spraying along State and County roads is near completion, 25%-30% of Township roads have been sprayed. West Nile – traps have been removed; the fogger has been winterized. Mr. Molengraaf reported on the recently held State Weed Commission meeting and fall tour. **Highway Supt., Rick Hartley**, updated the Board. Fall mowing started 9/20, hot mix patches have been laid in various locations, the bridge deck on County Road 7 was set on 9/13 with grouting of cracks and asphalt ends finishing yet to be completed; work continues to raise the grade on County Road 23-4 (442 Ave) 6 miles north of Tinkertown; the reclamation project, on the haul roads used during the wind energy projects, continues to progress, parts of the project, such as chip sealing, may not

be completed until 2022; reports of mud on roads has been reported and Ag. Producers are asked to clean their equipment before pulling onto County Roads to preserve public safety.

EXTENSION CENTER COMPLEX SIGNAGE

Facilities Manager, Steve Molengraaf, presented the Board with an estimate to replace several signs at the Extension Center Complex. The new signs will be laminated with UV protection and should last longer than the signs now in place. Motion by Gabel, second by Waterman, to approve the cost estimate from Advantage Graphics in the amount of \$2,570.00, for the replacement of signs, per the request of the Facilities Manager; all voted aye; motion carried.

BRIDGE IMPROVEMENT GRANT AWARD

Motion by VanDusen, second by Gabel, to authorize the Chair to sign a 2022 Preliminary Engineering Bridge Improvement Grant award, in the amount of \$42,000.00 from the SD DOT, for Project #BRO 8015(00)22-1, PCN 08TC, Structure #15-157-025, on County Road 2 (Cottonwood Street); all voted aye; motion carried.

SURPLUS HIGHWAY VEHICLES

Highway Supt., Rick Hartley, presented the Board with a list of vehicles to be declared surplus at the 9/25 County surplus auction. Motion by Johnson, second by Gabel, to declare the following items surplus to be sold: GEN01141, 2005 International dump truck, VIN 1283; GEN00951, 2001 International dump truck, VIN 7463; GEN01142, 2005 International dump truck, VIN 1284; GEN00742, 1991 Chevy Pickup, VIN 4861; GEN01309, 2008 Chevy Pickup, VIN 2661; GEN00073, 1987 Ford backhoe, VIN 1051; GEN00934, 2001 Dodge Pickup, VIN 8751; all voted aye; motion carried.

AMENDED RESOLUTIONS PERTAINING TO ANNUAL ASSESSMENT OF PROPERTY

The South Dakota Dept. of Revenue, Property Tax Division, has recommended updating and adopting the following Resolutions, per a result of SB70 passed by the South Dakota Legislature in 2021, as a clean-up bill, with form and style changes, repeals of obsolete statutes, reorganization/merges, and renumbering. Director of Equalization, Shawna Constant, presented the Board with four resolutions for their consideration. Motion by Johnson, second by VanDusen, to approve the following resolutions; all voted aye; motion carried:

**CODINGTON COUNTY RESOLUTION 2021-26
BEGINNING FARMER'S RESOLUTION
(Replaces Resolution 2008-4)**

BE IT RESOLVED, by the board of County Commissioners of Codington County, South Dakota as follows:

For the taxes due for certain agricultural property as described in South Dakota Codified Law (SDCL) 10-6-113 & 10-6-114.

The tax freeze in SDCL 10-6-113 may be applied to agricultural property classified pursuant to SDCL 10-6-110 if the following criteria are met, and defined, as in SDCL 10-6-114;

- (1) The owner of the property is a beginning farmer who has never before owned agricultural land;
- (2) The property does not exceed one hundred sixty acres or one-half of the median-sized farm in Codington County, currently 557 acres, as determined by the board of County Commissioners, whichever is greater;
- (3) The beginning farmer works on and operates the farm;
- (4) At least half of the beginning farmer's gross income is derived from agriculture;

- (5) The property has not been subject to a beginning farmer's tax freeze for at least twenty years prior to the purchase date.

The board of County Commissioners hereby adopts the following formula under the authority of South Dakota Codified Laws section 10-6-113.

Agricultural property classified pursuant to SDCL 10-6-110 shall be valued for the taxation purposes in the usual manner. However, the board of County Commissioners of the county where such property is located may, in its discretion, freeze the property taxes for a period of 5 years immediately following the purchase of agricultural property by a beginning farmer.

Nothing in this resolution is intended to allow any refund or abatement of taxes levied prior to its passage.

Approved this 21st day of September, 2021

Brenda Hanten
Codington County Commission Chair

ATTEST:

Cindy Brugman
Codington County Auditor

CODINGTON COUNTY RESOLUTION 2021-27
A RESOLUTION IDENTIFYING WATER BODIES OF LOCAL CONCERN FOR THE
PURPOSE OF TAXATION AS A RIPARIAN BUFFER STRIP (Replaces Resolution 2018-18)

WHEREAS, South Dakota Codified Law (SDCL) 10-6-116 authorizes any agricultural land within one hundred twenty (120) feet of:

1. A lake assigned immersion recreation or limited contact recreational beneficial uses in the Administrative Rules of South Dakota (ARSD) 74:51:02:02 and listed in ARSD 74:51:02:04;
2. Or a river or stream assigned any of the warm water or cold-water fish life propagation beneficial uses in ARSD 74:51:03:02 and listed in ARSD 74:51:03:04 to 74:51:03:27, inclusive;

that meets the requirements of SDCL 10-6-117 is classified for the purpose of taxation as a riparian buffer strip.

WHEREAS, SDCL 10-6-116 further allows that the board of county commissioners may, by resolution, authorize the director of equalization to treat any agricultural land within one hundred twenty (120) feet of a water body of local concern, identified by the county commission, that is contiguous and tributary to any lake, river, or stream specified in subdivision (1) and (2) of SDCL 10-6-116, as riparian buffer strip, provided it meets the requirements of SDCL 10-6-117.

WHEREAS, the agricultural land so classified as riparian buffer strip shall be assessed at sixty (60) percent of its agricultural income value as determined by SDCL 10-6-127 to 10-6-133, inclusive.

THEREFORE, BE IT RESOLVED that agricultural land along the following water bodies, contiguous and tributary to a lake, river, or stream specified in ARSD 74:51:02:04 and ARSD 74:51:03:07, may qualify for classification as a riparian buffer strip in Codington County:

Soo Creek, from the confluence with the Big Sioux River upstream to the Codington-Grant County Line;

Mahoney Creek, from the confluence with the Big Sioux River upstream to the west boundary Section 33, Township 119 North/Range 52 West (Germantown Township);

Mud Creek, from the confluence with the Big Sioux River upstream to the north boundary of Section 5, Township 118 North/Range 51 West (Waverly Township);

Unnamed tributary to Mud Creek, from the confluence with Mud Creek upstream to east boundary of Section 1, Township 117 North/Range 52 West (Elmira Township);

Unnamed tributary to the Big Sioux River, from the confluence with the Big Sioux River upstream to the outlet of Still Lake; and

Stray Horse Creek, from the south boundary of Section 26, Township 116 North/Range 51 West (Kranzburg Township) upstream to the Codington-Deuel County Line.

THEREFORE, BE IT FURTHER RESOLVED, that any land adjacent to these water bodies, which meets the requirements of SDCL 10-6-117, shall be assessed at sixty (60) percent of its agricultural income value as determined by SDCL 10-6-127 to 10-6-133, inclusive.

Approved this 21st day of September 2021

Brenda Hanten
Codington County Commission Chair

ATTEST:

Cindy Brugman
Codington County Auditor

CODINGTON COUNTY RESOLUTION 2021-28
Developers Resolution SDCL 10-6-143
(Replaces Resolution 1995-6)

ASSESSED VALUE ON CERTAIN RESIDENTIAL PROPERTY

NOW, THEREFORE, BE IT RESOLVED, by the Board of County Commissioners of Codington County, South Dakota, as follows:

For assessed value to be used for tax purposes on certain residential properties as described in South Dakota Codified Laws section 10-6-143.

Property which can be valued according to this resolution shall meet each of the following conditions:

1. Property must be real property, platted and zoned after March 1, 1992 for future residential construction.

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2. Property must be owned by the person or corporation who developed the real property.
3. Property to be classified for this purpose must contain a minimum of eight (8) lots in the plat.

The Board of County Commissioners hereby adopts the following formula under authority of South Dakota Codified Laws section 10-6-144.

For the first five years following the filing of the plat for the subdivision, the assessed value of the lots that remain unsold shall be the same assessed value of the property, which existed in the year preceding the filing of the plat for the subdivision. Thereafter, such property shall be assessed at full and true value as all other property for tax purposes.

Nothing in this resolution is intended to allow any refund or abatement of taxes levied prior to its passage.

Approved this 21st day of September, 2021

Brenda Hanten
Codington County Commission Chair

ATTEST:

Cindy Brugman
Codington County Auditor

CODINGTON COUNTY RESOLUTION No. 2021-29
Discretionary Formula SDCL 10-6-137
(Replaces Resolution 2020-14)

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 § 10-6-137.

NOW, THEREFORE, BE IT RESOLVED, that the following properties shall be, and hereby are, specifically classified for the purpose of taxation pursuant to SDCL § 10-6-137:

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 § 10-6-137);

Any new commercial structure, or any addition to an existing structure, except a commercial residential structure as described in SDCL § 10-6-137, if the new structure or addition has a full and true value of thirty thousand dollars or more (SDCL § 10-6-137);

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 § 10-6-137);

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 § 10-6-137);

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. In 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 21st day of September, 2021

Brenda Hanten
Codington County Commission Chair

ATTEST:

Cindy Brugman
Codington County Auditor

2020 LEMP GRANT SUPPLEMENTAL GRANT AGREEMENT

Motion by Gabel, second by Waterman, to authorize the Chair to sign a supplemental grant agreement, to the 2020 LEMPG (Local Emergency Management Performance Grant), special project reimbursement 85-21, for additional grant funding for the purchase of upgraded electronics in the Codington County E.O.C.; all voted aye; motion carried.

PLAT RESOLUTIONS

Zoning Officer, Luke Muller, presented and reviewed plats of the Jack Engels Addition, Fischer Addition, and O’toole Addition, for the Board’s consideration. The Zoning Officer noted one additional plat, of the Jabe Kahnke Addition, which was also listed on the agenda, will not be acted upon at this time due to the need for additional information. The Board took action as follows:

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RESOLUTION #2021-30

A Resolution to approve the platting of the Jack Engels 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:

Jack Engels Addition, located in the North Half (N1/2) of the Southwest Quarter (SW1/4) of Section 19-T116N-R53W of the 5th Prime Meridian, 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 Gable; all voted aye; whereupon the Chair of the Board of County Commissioners declared the same to be duly passed and adopted.

Dated this 21st day of September, 2021, at Watertown, Codington County, South Dakota

Brenda Hanten

Commission Chair, Codington County, South Dakota

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 2021-30, adopted by the Board of County Commissioners of Codington County, South Dakota.

Dated this 21st day of September 2021, at Watertown, Codington County, South Dakota.

Cindy Brugman

County Auditor, Codington County, South Dakota

RESOLUTION #2021-31

A Resolution to approve the platting of the Fischer 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:

Fischer Addition, located in the South West Quarter (SW1/4) of Section 12-T116N-R51W of the 5th Prime Meridian, in the County of Codington, South Dakota; and it appearing to the Board of County

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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 VanDusen, second by Commissioner Gabel; all voted aye; whereupon the Chair of the Board of County Commissioners declared the same to be duly passed and adopted.

Dated this 21st day of September, 2021, at Watertown, Codington County, South Dakota

Brenda Hanten
Commission Chair, Codington County, South Dakota

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 2021-31, adopted by the Board of County Commissioners of Codington County, South Dakota.

Dated this 21st day of September 2021, at Watertown, Codington County, South Dakota.

Cindy Brugman
County Auditor, Codington County, South Dakota

RESOLUTION #2021-32

A Resolution to approve the platting of the O'Toole 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:

O'Toole Addition, located in the South West Quarter (SW1/4) of Section 32-T119N-R52W of the 5th Prime Meridian., in the Sisseton and Wahpeton Indian Reservation, 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.

Codington County, 21 September 2021

The above and foregoing resolution was moved for adoption by Commissioner Gabel, second by Commissioner VanDusen; all voted aye; whereupon the Chair of the Board of County Commissioners declared the same to be duly passed and adopted.

Dated this 21st day of September, 2021, at Watertown, Codington County, South Dakota

Brenda Hanten

Commission Chair, Codington County, South Dakota

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 2021-32, adopted by the Board of County Commissioners of Codington County, South Dakota.

Dated this 21st day of September 2021, at Watertown, Codington County, South Dakota.

Cindy Brugman

County Auditor, Codington County, South Dakota

AUDITOR'S ACCOUNT W/TREASURER; MONTHLY REGISTER OF DEEDS FEES

Motion by Gabel, second by VanDusen, to approve the Auditor's Account of the cash and cash items in the hands of the County Treasurer as of the last business day of August, 2021, all present voted aye; motion carried.

Cash on hand	\$	7,902.70
Checks in Treasurers' possession		
less than 3 days	\$	66,943.20
Credit Card Charges	\$	12,115.52
Cash Items	\$	450.00
TOTAL CASH ASSETS ON HAND	\$	87,411.42
RECONCILED CHECKING		
Great Western Bank Checking (Memorial Park)	\$	4,622.00
Reliabank Dakota		\$39,563,740.40
INVESTMENTS		
SD Public Funds Investment	\$	7,254.43
TOTAL CASH ASSETS	\$	\$39,663,028.25
General Ledger Cash Balance by Funds:		
General	\$	16,621,134.12
General restricted cash	\$	500,000.00
Sp. Revenue	\$	21,507,902.63
Custodial	\$	1,033,991.50
(schools 248,692.84, townships 57,063.80; city/towns 67,070.12)		
TOTAL GENERAL LEDGER CASH	\$	\$39,663,028.25

The Board noted Register of Deeds fees in the amount of \$54,752.65 were collected in the month of August 2021.

CLAIMS APPROVED

Motion by Gabel, second by Johnson, to approve for payment the following list of claims; all voted aye; motion carried: A-OX WELDING 293.97 SUPPLIES, ACCREDITATION, AUDIT AND 150.00 SVC, ADVANCE AUTO PARTS 21.11 REPAIRS/MAINT., AGTERRA TECHNOLOGIES, INC 70.00 SVC, ALCOHOL MONITORING SYSTEMS 503.20 SVC, ALLIED 100 LLC 99.00 SUP, AMERICAN TRUST INSURANCE 80.00 SVC, MITCHELL ANDERSON 14.20 JURY, AP AUTO PROS 6908.32 EQUIP, JEFFREY ARGO 25.00 CELL, AUSTIN LAW OFFICES 6043.55 SVC, AUTO VALUE 263.35 REPAIRS/MAINT., AUTOMATIC BUILDING CONTROLS 1005.50 REP, AVERA MEDICAL GROUP 2250.00 SVC, AXON ENTERPRISE, INC 1307.82 EQUIP, JAMES BAKKE 130.00 TRAV, ALISON BAKKEN 40.00 CELL, BANNER ASSOCIATES, INC 18725.30 REPAIRS/MAINT., BOB BARKER CO. 1852.20 SUP, BATTERIES UNLIMITED 1115.00 REP, BATTERIES UNLIMITED 300.00 REPAIRS/MAINT., BEACON CENTER 1000.00 SVC, ALLEN BENCK 25.00 CELL, BENCO PRODUCTS, INC 160.00 SUP, GENE BENSHOOF 11.68 JURY, JEROME BIEWER 10.84 JURY, BRYAN BLEEKER 25.00 CELL, BORNS GROUP 2209.27 POST, BOYS & GIRLS CLUB 1541.67 PMT, BRATLAND LAW 792.00 SVC, ELAINE BROICH 310.08 JURY, BROWN COUNTY SHERIFF 53.00 SVC, BURNS LAW OFFICE 3000.00 SVC, BUTLER MACHINERY 5353.78 SUPPLIES, MEGAN BYER 54.20 JURY, CAHILL FUNERAL CHAPEL 3075.00 SVC, CAHILL FUNERAL CHAPEL 1377.00 SVC, CARTNEY BEARING & SUPPLY 135.66 REPAIRS/MAINT., JEFF CASE 25.00 CELL, CENTURYLINK 696.20 UTIL, JERROLD CHANDLER 310.08 JURY, DARRIN CHRISTENSEN 54.20 JURY, CODINGTON-CLARK ELECTRIC COOPE 71.24 UTILITIES, CODINGTON COUNTY SHERIFF 136.86 SUP, CODINGTON TREASURER PETTY CASH 25.00 SVC, COLE PAPERS, INC. 4158.37 SUP, COLE'S PETROLEUM 1684.20 SUPPLIES, CONFIDENTIAL INVESTIGATIVE SVC 783.40 SVC, CONNECTING POINT COMPUTER CENT 24144.85 SVC, CONNECTING POINT 1425.00 SUPPLIES, CONSOLIDATED CORRECTIONAL 14463.21 SUP, COUNTY FAIR FOODS 29.46 SUP, C & R SUPPLY 715.70 SUP, CREATIVE REWARDS 150.00 SUP, CREDIT COLLECTIONS BUREAU 374.20 PMT, CREDIT COLLECTIONS BUREAU 393.10 PMT, C & S CHEMICAL 150.00 REP, CULLIGAN WATER CONDITIONING 230.00 SUP, DAVID CURTIS 160.00 TRAV, BRYCE DAHLE 52.52 JURY, MATTHEW DARGATZ 25.00 CELL, DATA TRUCK 223.28 UTIL, GRETA DAVIS 11.68 JURY, DETCO 3083.69 SUP, DETCO 664.64 SUPPLIES, STEVEN DEVILLE 14.20 JURY, DIGITAL-ALLY 1460.00 REP, DUANE DOLEN 31.00 JURY, JAMIE DOLEN 25.00 CELL, DUANE'S FLOOR COVERING LLC 725.00 REP, DUININCK INCORPORATED 863524.72 IMP, EBERTS PROPERTIES 430.00 RENT, TERRY EGERSTROM 15.04 JURY, EIGHT TEN PROPERTIES, LLC 1740.00 CELL, ELLYSON LAW OFFICE 733.59 SVC, EMC INSURANCE COMPANIES 167.00 PMT, ENGELSTAD ELECTRIC CO. 512.94 REP, MARIA ESCAMILLA 40.00 CELL, WILLIAM EUBANK 111.76 JURY, RANDALL G. FALVEY 25.00 CELL, FAMILY DENTAL CENTER 949.00 SVC, FARNAMS GENUINE PARTS 23.66 SUP, FARNAMS GENUINE PARTS 565.08 SUPPLIES, FASTENAL COMPANY 63.92 REP, DANIEL FELTCH 12.52 JURY, FIRE CONSTRUCTION SERVICES 340.00 MAINT, FIRST DISTRICT ASSN OF LCL GOV 9601.92 SVC, FISHER SAND & GRAVEL CO. 11870.44 SUPPLIES, FLORENCE FIRE DEPT 3.06 PMT, TOWN OF FLORENCE-PEGGY LINDAHL 78.20 UTILITIES, FOLEY & FOLEY LAW OFFICE 584.10 SVC, ALLISON FORBUSH 40.00 CELL, COURTNEY FORTIN 103.36 JURY, SARA FOUST 262.48 TRAV, TINA FRENSKO 13.36 JURY, DAVID FUCHS 51.68 JURY, NATHAN GAST 12.52 JURY, GRAINGER 964.56 SUP, GREAT AMERICA FINANCIAL SVC 352.75 RENT, GREEN, ROBY, OVIATT, 5290.00 SVC, GREGORY COUNTY SHERIFFS OFFICE 122.00 SVC, KEVIN GRIBBLE 11.68 JURY, WILLIAM GRIPENTROG 50.84 JURY, JUSTIN HALAJIAN 55.00 CELL, PATRICIA HANTEN 15.88 JURY, CONNIE HARTLEY 24.96 REIMB, RICK HARTLEY 40.00 CELL, RON HARTLEY 25.00 CELL, ANDREW HAWKINS 310.08 JURY, DAVID HEDDING 25.00 CELL, JAMES HEDGES 25.00 CELL, HENRY FIRE DEPT 1.68 PMT, PAULA HILL 10.84 JURY, ANGELA HILLBERG 10.84 JURY, DAVID HOFF 103.36 JURY, RICK HOLINKA 25.00 CELL, KAYLA HOOTS 157.56 JURY, LARRY HOWARD 20.00 CELL, HYVEE #1871 ACCTS RECEIVABLE 1924.68 SUP, I STATE TRUCK CENTER 2486.96

SUPPLIES, INTERLAKES COMMUNITY ACTION 2586.55 PMT, J&B SCREEN PRINTING 847.50 UNIF, JOHN DEERE FINANCIAL 1269.85 REPAIRS/MAINT., JOHNSON CONTROLS, INC. 863.41 REP, JURGENS PRINTING 358.00 SUP, MITCHELL KALLHOFF 25.00 CELL, DAKOTA KALSBECK 305.04 JURY, DAN KANNAS 10.84 JURY, MARK KATTERHAGEN 15.00 SVC, SANDRA KEYES 14.20 JURY, GREGORY KLEIN 325.20 JURY, EDWARD KNADLE 310.08 JURY, CLIFFORD KNOX 10.84 JURY, MICHAEL KOHL 17.56 JURY, RICHARD KOHN 25.00 CELL, DILLON KRANZ 18.40 JURY, GREGORY KURKOWSKI 12.52 JURY, KWAT-AM/ALPHA MEDIA USA, LLC 300.00 ADV, CARMEN LANGEROCK 262.60 JURY, KELLI LARDY 61.20 SVC, LATI/CORP ED 50.00 CONF, LAW ENFORCEMENT SEMINARS LLC 385.00 TRAV, LAWSON PRODUCTS, INC 115.40 SUPPLIES, JILL LENARDS 10.00 JURY, LEWIS & CLARK BHS 184.00 SVC, LEWNO LAW OFFICE 166.51 SVC, LINCOLN CO TREASURER 1449.31 SVC, DARCY LOCKWOOD 15.00 SVC, JODI LOEHRER 99.84 TRAV, STEVEN LOWRY 40.00 CELL, MAC TOOLS 900.00 SUPPLIES, CAPITOL ONE TRADE CREDIT 111.82 SUP, CAPITOL ONE TRADE CREDIT 207.90 SUPPLIES, MACKSTEEL WAREHOUSE, INC. 65.76 SUPPLIES, MAINSTREAM REALTY 650.00 RENT, NICHOLE MARK 53.36 JURY, MARK'S AUTO 67.00 REP, MARSHALL & SWIFT/BOECKH, LLC 2056.30 MAINT, MATHESON TRI-GAS INC 164.80 SUP, RUSSELL MATHEWS 40.00 CELL, MAXWELL FOOD EQUIPMENT 105.41 SUP, TIMOTHY MCELHANY 101.68 JURY, PAUL MCINTIRE 52.52 JURY, MCKESSON MEDICAL SURGICAL 1035.72 SUP, MCLEOD'S PRINTING & OFFICE SUP 491.58 SUP, MELLETTE MEMORIAL ASSOCIATION 6000.00 PMT, MENARDS 840.72 SUP, MENARDS 61.14 REPAIRS/MAINT., MEND CORRECTIONAL CARE 14487.57 SVC, MID-AMERICAN RESEARCH CHEMICAL 386.83 SUPPLIES, MIDCONTINENT COMMUNICATIONS 440.02 UTIL, ERIC MILES 12.52 JURY, MOE OIL COMPANY 3633.50 SUPPLIES, KATHLEEN MOES 62.60 JURY, MICHAEL MORGAN 40.00 CELL, MULTI BUSINESS SOLUTIONS INC 3250.00 SVC, MUNICIPAL UTILITIES 19268.02 UTIL, MUNICIPAL UTILITIES 428.56 UTILITIES, NEWMAN TRAFFIC SIGNS 72.55 SUPPLIES, SHAWN NILLS 40.00 CELL, KERRI NOELDNER 14.20 JURY, NORTHWESTERN ENERGY 377.49 UTILITIES, OFFICE PEEPS, INC. 4937.79 SUP, OFFICE PEEPS, INC. 156.43 SUP, OFFICE PEEPS 13.65 SUPPLIES, JERROD OLSON 40.00 CELL, O'REILLY AUTO PARTS 18.61 REPAIRS/MAINT., OTTERTAIL POWER CO, 49.02 UTILITIES, MICHELLE PEDERSON 40.00 CELL, PENNINGTON COUNTY JAIL 709.92 TRAV, PETERS DISTRIBUTING, INC 905.96 REP, PHARMCHEM INC 85.65 SUP, PHEASANTLAND INDUSTRIES 5935.10 SUP, MHERA PICORRO 10.84 JURY, PMB 0112 275.05 UTIL, POMP'S TIRE SERVICE, INC 12.47 REP, POMP'S TIRE SERVICE, INC. 1107.30 SUPPLIES, PPWIX WEBSITE SERVICES 254.73 SVC, PRAHM CONSTRUCTION INC. 8521.20 REPAIRS/MAINT., PRAIRIE LAKES HEALTH CARE CENT 6930.79 SVC, MELISSA PULSCHER 315.12 JURY, RAMKOTA HOTEL 154.00 TRAV, MICHELLE RAML 105.04 JURY, CARMEN REDLIN 310.08 JURY, JEROME REDLIN 21.00 JURY, REDWOOD TOXICOLOGY LABORATORY 1777.50 SUP, ADAM REEVES 40.00 CELL, REBECCA MORLOCK REEVES 40.00 CELL, REILLY REPAIR INC 1028.31 REP, ROBYN RITER 25.00 CELL, RON'S SAW SHOP 223.00 SUP, TODD ROSE 305.68 TRAV, TERESA ROWLAND 50.00 JURY, RUNNINGS 8.16 SUP, DAWN RUSSELL 68.00 SVC, SANFORD HEALTH 2362.00 SVC, SANFORD HEALTH PATHOLOGY 1917.60 SVC, TREVER SCHIMMEL 40.00 CELL, ROGER SCHLIESMAN 22.60 JURY, AARON SCHMILLEN 52.52 JURY, SCHUMACHER ELEVATOR COMPANY 785.07 REP, BRAD SCHWINGER 25.00 CELL, SD ATTORNEY GENERAL'S OFFICE 3198.00 PMT, SD DEPARTMENT OF HEALTH 3020.00 SVC, SD DEPT OF LABOR & REGULATIONS 54.52 PMT, SOUTH DAKOTA DEPT. OF TRANSPOR 397.93 REPAIRS/MAINT., S.D. FEDERAL PROPERTY 106.00 SUP, SD STATE TREASURER 643530.36 SEPTEMBER REMITTANCE, SDACO 1260.00 PMT, SDN COMMUNICATIONS 1363.51 UTIL, MELISSA SEARS 40.00 CELL, SECURUS TECHNOLOGIES 4418.40 SUP, HEIDI SELCHERT 40.00 CELL, JODY SHEPHERD 54.00 REF, SHERWIN WILLIAMS 1372.96 EQUIP, SIOUX EQUIPMENT 5720.57 REPAIRS/MAINT., SIOUX RURAL WATER SYSTEM 50.00 UTILITIES, SIOUX VALLEY COOP 13314.28 SUP, SIOUX VALLEY COOP 13582.92 SUPPLIES, NATHANIAL SMITH 11.68 JURY, LYNN SOLBERG 40.00 CELL, BRENT

SOLUM 40.00 CELL, TOWN OF SOUTH SHORE 66.00 UTILITIES, SOUTH SHORE FIRE DEPT 2.62 PMT, SOUTH SHORE GAZETTE 1904.10 PUB, STEVE STAHLKE 25.00 CELL, STAN HOUSTON EQUIPMENT 1129.90 SUPPLIES, STAR LAUNDRY 3107.68 SUP, STAR LAUNDRY 105.12 SUPPLIES, JOEL STIMSON 11.68 JURY, SUBWAY#31923-0 75.45 SUP, SUTTON LAW OFFICE PC 19034.77 SVC, SCOTT SWANSON 25.00 CELL, KIMBERLY THOMPSON 71.00 JURY, THOMSON REUTERS-WEST 880.41 SUP, T&M AUTOBODY 149.00 REP, DOUGLAS D. TORSTENSON 25.00 CELL, JAMES TORSTENSON 54.00 TRAV, TRAFFIC SOLUTIONS INC. 64554.50 REPAIRS/MAINT., TRANSOURCE 805.52 REPAIRS/MAINT., TSCHETTER & ADAMS LAW OFFICE 1826.79 SVC, RAYMOND TURBAK 12.52 JURY, TWO WAY SOLUTIONS, INC 711.94 SUP, TWO WAY SOLUTIONS, INC 99.99 REPAIRS/MAINT., TYLER TECHNOLOGIES, INC 620.00 MAINT, TYLER VARNS 40.00 CELL, VAST BUSINESS 79.99 UTIL, VAST BROADBAND 49.95 UTILITIES, VERIZON WIRELESS 1508.94 UTIL, GREAT WESTERN BANK 158.74 PMT, GREAT WESTERN BANK 317.56 PMT, GREAT WESTERN BANK 185.24 TRAVEL & CONF., GREAT WESTERN BANK 139.00 TRAV, VISA – RELIABANK 1229.38 TRAV, VISA – RELIABANK 660.46 SUP, SHIRLEY VLASMAN 11.68 JURY, MARLONIE VOGELSANG 25.00 CELL, JOSHUA VOLKART 101.68 JURY, GAIL WAHL 3000.00 PMT, DOUGLAS WALL 10.84 JURY, WALLACE FIRE DEPT 1.00 PMT, WALMART - CAPITAL ONE 400.12 SUP, WARNE PLUMBING 1168.84 REP, TODD B WARNE 40.00 CELL, WATERTOWN AMBULANCE 750.00 SVC, WATERTOWN CITY FINANCE OFFICE 61.64 PMT, WATERTOWN LAWN & GARDEN 233.51 REP, THERESA WEIGEL 16.72 JURY, WHEELCO 187.97 REPAIRS/MAINT., SARAH WHITNEY 11.68 JURY, JON WILEY 106.72 JURY, STACY WIRTJES 315.12 JURY, WW TIRE SERVICE INC 544.47 REP, WW TIRE SERVICE INC. 760.00 REPAIRS/MAINT., XEROX CORPORATION 242.71 SUPPLIES, YANKTON CO. SHERIFF 100.00 SVC, YANKTON CO TREASURER 240.10 SVC, SHANE YOST 40.00 CELL, AMY YOUNG 50.84 JURY, DAVID ZAMBO 340.32 JURY, REBECCA ZIMMERMAN 254.20 JURY.

Motion by Gabel, second by Johnson, to approve a claim in the amount of 22583.71 payable to the Watertown City Finance Officer, for July 911 surcharge collections; Gabel, Waterman, Johnson and Hanten voted aye; VanDusen abstained; motion carried.

AUTOMATIC BUDGET SUPPLEMENT

Motion by Gabel, second by Johnson, to approve an automatic supplement to the Road and Bridge revenue and expenditure budgets in the amount of \$859,534.11 with unanticipated funds received for haul road restoration; all voted aye; motion carried.

TRAVEL REQUEST

Motion by Gabel, second by VanDusen, to approve the following travel request: Director of Equalization, Exam for CAA Certification at the Pearson Professional Center; all voted aye; motion carried.

ADJOURNMENT

There being no further business to come before the Board a motion was made by Johnson, second by Gabel, to adjourn at 9:53 a.m., until 9:00 a.m., Tuesday, September 28th, 2021; all voted aye; motion carried.

ATTEST:

Cindy Brugman

Codington County, 21 September 2021

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	9,028,467.00	3.072
*General County Purposes 10-12-9		
Library		
LIMITED LEVY (10-12-21)- SUB TOTAL	9,028,467.00	3.072
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	9,028,467.00	3.072
OTHER SPECIAL LEVIES		
SECONDARY ROAD (Unorg. PT-76) (31-12-27)		
Fire Protection (34-31-3)		
TOTAL TAXES LEVIED BY COUNTY	9,028,467.00	3.072

**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, 2022 and ending December 31, 2022, and the same is hereby approved and adopted by the Board of County Commissioners of **Codington County**, South Dakota this 28th day of September, 2021. 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, 2022 through December 31, 2022.

**BOARD OF COUNTY COMMISSIONERS OF
CODINGTON COUNTY, SOUTH DAKOTA**

Chair Brenda Hanten

Commissioner Lee Gabel

Commissioner Charlie Waterman

Commissioner Myron Johnson

Commissioner Troy VanDusen

ATTEST:

Cindy Brugman, County Auditor

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

As of September 28th, 2021 these levies are not approved by the Department of Revenue.

Smoking-3 options:

2.6 Smoking:

It is the policy of the County that smoking and vaping (of tobacco and medical marijuana (THC)) shall not be permitted in County buildings, facilities, grounds, vehicles or enclosed equipment.

2.6 Smoking:

It is the policy of the County that smoking and vaping (of tobacco and medical marijuana (THC)) shall not be permitted in County buildings, facilities, grounds, vehicles or enclosed equipment, except that tobacco may be smoked in designated smoking areas.

2.6 Smoking:

It is the policy of the County that smoking and vaping (of tobacco and medical marijuana (THC)) shall not be permitted in County buildings, facilities, grounds, vehicles or enclosed equipment, except in designated smoking areas.

Drug & Alcohol Policy-2 options:

Option 1:

9.1 General: The County is committed to providing a safe work environment and complying with the Drug-Free Workplace Act of 1988, the State's and Department of Transportation laws and regulations. The County, therefore, prohibits the unlawful possession, use, distribution, dispensation, sale or manufacture of controlled substances including alcohol while employees are on the County's property and while conducting business-related activities off the County's premises. The legal use of prescribed drugs (including but not limited to medical marijuana (THC)) is permitted on the job only if it does not impair an employee's ability to perform the essential functions of the job effectively and in a safe manner that does not endanger other individuals in the workplace. Notwithstanding, certified law enforcement officers, employees fulfilling duties related to a federal contract, employees in DOT positions, and employees in safety sensitive positions are prohibited from using or possessing medical marijuana (THC) under any circumstance regardless of valid prescription. Any employee found to be in violation of this policy or any of the provisions set forth in the plan below will be subject to discipline up to and including termination of employment.

9.2 Testing: Testing for drugs or alcohol may be done pre-employment and during employment based on required testing for certain positions, on reasonable suspicion, on post-accident situations where serious property or physical injury occurred, on random testing, and/or on follow-up testing required related to discipline.

Option 2:

9.1 County's Commitment to Drug and Alcohol Free Workplace:

The County has a strong commitment to its employees to provide a safe, healthful, and productive work environment and to promote high standards of employee health. Consistent with the spirit and intent of this objective the County will act to eliminate any substance abuse which could impair an employee's ability to safely and effectively perform a particular job and which increases the potential for accidents, absenteeism, substandard performance, and tends to undermine public confidence in the County's work force. The County's goals are to establish and maintain a work environment that is free from the effects of alcohol and drug abuse and to maintain the reputation and integrity of the County by preventing unacceptable behavior by its employees that discredits the County and its employees.

While the County has no intention of unreasonably intruding into the private lives of its employees, the County does expect employees to report for work in a condition to perform their duties, make the work environment safe for other employees, and represent a proper image to the citizens. It is clear that employee off-the-job, as well as on-the-job, involvement with drugs and alcohol can have an impact on the County's goals.

The County complies with the Drug-Free Workplace Act of 1988, the State's administrative rules, Department of Transportation (DOT) regulations, and the County's policies. The unlawful possession, use, distribution, dispensation, sale or manufacture of controlled substances including alcohol is prohibited while employees are on the County's property and while conducting business-related activities off the County's premises. The legal use of prescribed drugs (including but not limited to medical marijuana (THC)) is permitted on the job only if it does not impair an employee's ability to perform the essential functions of the job effectively and in a safe manner that does not endanger other individuals in the workplace. Notwithstanding, certified law enforcement officers, employees fulfilling duties related to a federal contract, employees in DOT positions, and employees in safety sensitive positions are prohibited from using or possessing medical marijuana (THC) under any circumstance regardless of valid prescription. Any employee found to be in violation of this policy or any of the provisions set forth in the plan below will be subject to discipline up to and including termination of employment.

9.2 General Policies:

The following are the policies of the County regarding drug and alcohol abuse:

1. The unlawful manufacture, distribution, dispensing, possession or use of controlled drugs or substances, or the use of alcohol while on duty, on or off business property owned or leased by the County is proper cause for disciplinary action.
2. Any illegal controlled drug or substance possessed while on duty by employees will be turned over to the appropriate criminal justice agencies and may result in criminal prosecution. This does not apply to public safety officers who are in possession of an illegal controlled drug or substance while acting in the line of duty.
3. It is not permitted for an employee to be under the influence of controlled drugs or substances or alcohol on the job, except as provided for in item four (4).

4. The legal use of controlled drugs or substances prescribed by a licensed physician is not prohibited, but employees in positions where side effects of the prescribed medication could affect performance and safety on the job are required to make such use known to their supervisor.

5. Certified law enforcement officers, employees fulfilling duties related to a federal contract, employees in DOT positions, and employees in safety sensitive positions are prohibited from using or possessing medical marijuana (THC) under any circumstance regardless of valid prescription.

6. The illegal use, sale, and possession of controlled drugs or substances while off duty and off County premises which results in a criminal conviction is unacceptable. Off-duty, alcohol-related, criminal convictions are also unacceptable. They may affect the job performance and the confidence of the public in the County's ability to meet its responsibilities.

7. Whenever disciplinary action is used in this policy, it shall include but not be limited to: oral reprimand, written reprimand, suspension, demotion or discharge.

9.3 Employee Responsibilities:

1. An employee must not report to work while his/her ability to perform his/her job duties is impaired due to on or off duty alcohol or drug (including medical marijuana) use. Employees called in for emergency duty to work outside their regular work schedule must not report to work impaired by off-duty alcohol or drug (including medical marijuana) use.

2. An employee must not possess or use alcohol or illegal drugs or prescription drugs without a prescription during working hours or while subject to duty, on breaks, or during meal periods.

3. An employee must notify his/her supervisor, before beginning work, when taking any medication or drugs (including medical marijuana (THC)), prescription or nonprescription, which may interfere with the safe and effective performance of duties or operation of County equipment.

4. An employee must notify his/her immediate supervisor of any drug or alcohol related criminal statute conviction for a violation occurring in the workplace no later than five (5) days after such conviction.

9.4 Management Responsibilities and Guidelines:

1. Supervisors and department heads shall not physically search the persons of employees nor shall they search the personal possessions of employees without the freely given consent of, and in the presence of, the employee.

2. Supervisors and department heads shall notify the appropriate law enforcement agency when they have reasonable suspicion to believe that an employee may have illegal drugs in his or her possession or in an area jointly or fully controlled by the County.

3. Any supervisor or department head encountering an employee who refuses to consent to a drug and/or alcohol analysis when "reasonable suspicion" has been identified, shall remind the employee of the requirements of the policy and that he or she may be subject to disciplinary action. The reason(s) for the refusal shall be considered in determining the appropriate disciplinary action. Where there is reasonable suspicion that the employee is under the influence of alcohol or drugs, the manager or supervisor should direct the employee to remain at work for a reasonable time until the employee can be safely transported home.

9.5 Testing for Drugs or Alcohol:

9.5.1 Post Offer/Pre-Employment. The County may require an individual post offer but pre-employment, as well as employees transferring to certain positions, to undergo controlled substance testing and if so, work in such position shall not be permitted until testing is completed and results are given to _____.

9.5.2 Reasonable Suspicion. The County may request that the employee undergo drug and alcohol testing if there is a "reasonable suspicion" that the employee is under the influence of alcohol, controlled substance, prescriptive medication, over the counter medication or medical marijuana (THC) during work hours. Reasonable suspicion tests should be administered as soon as practical following the determination of reasonable suspicion. If the alcohol test is not administered within 2 hours of the determination of reasonable suspicion, the attending supervisor will document the reason for the delay. If the alcohol test is not administered within 8 hours of the determination of reasonable suspicion all attempts to conduct the alcohol test will cease and the attending supervisor will document the reasons for the failure to test. If the controlled substances test is not administered within 8 hours of the determination of reasonable suspicion, the test should still proceed. The attending supervisor must document the reasons for the delay. If the controlled substances test has not been administered within 32 hours of the determination of reasonable suspicion, all attempts to conduct the controlled substances test will cease and the reasons will be documented by the attending supervisor.

"Reasonable suspicion" means an articulable belief based on specific facts and reasonable inferences drawn from those facts that an employee is under the influence of drugs or alcohol. Circumstances which constitute a basis for determining reasonable suspicion may include, but are not limited to:

1. A pattern of abnormal or erratic behavior that is so unusual that it warrants summoning a supervisor, department head or other individual for assistance.
2. Information provided by a reliable and credible source with personal knowledge.
3. Direct observation of drug or alcohol use.
4. Presence of the physical symptoms of drug or alcohol use; (i.e. glossy or blood-shot eyes, alcohol odor on breath, slurred speech, poor coordination and/or reflexes).
5. Possession of substances in violation of the County's drug and alcohol policy.

The employee, where "reasonable suspicion" exists, may be asked to submit to blood and/or urine testing by a qualified medical physician or hospital at the County's expense. Prior to testing, the proper authority shall secure a signed release statement from the employee to have the hospital/physician release medical information to the County. An employee who refuses to consent to a drug and alcohol test when reasonable suspicion exists may be subject to disciplinary action. A positive result from the drug and/or alcohol test confirming the reasonable suspicion may result in disciplinary action. The proper authority is required to detail in writing the specific facts, symptoms, or observations that led to the reasonable suspicion. This documentation, which includes the results of the drug or alcohol test as confirmation of the use of drugs or alcohol on the job, shall be given to the _____ and placed in the employee's file only if confirmed by the drug and/or alcohol test.

9.5.3 Post-Accident. Any County employee involved in a work-related vehicular accident causing serious property or physical injury may be subject to post-accident testing where reasonable suspicion exists. Nothing in this section, however, will be construed to require the delay of

necessary medical attention for injured people following an accident or to prohibit an employee from leaving the scene of an accident for the period necessary to obtain assistance in responding to the accident, or to obtain necessary emergency medical care.

9.5.4 Random Testing. Any employee whose job duties involve operation of heavy equipment, equipment requiring a CDL, and/or equipment that may cause serious injury to the employee, coworkers or the public may be subjected to unannounced alcohol and/or controlled substance testing. The County will provide written notice to the employees who are subject to the random drug testing. Up to ___ employees per year will be pulled for the random testing, one/two/etc. each ___ (week, quarter, semi-annually, annually). The employees tested in a calendar year will not be subjected to random testing the next calendar year.

9.5.5 Follow-Up Testing. If a medical provider determines that an employee is in need of assistance in solving problems with alcohol use and/or controlled substances use, an employee may be subject to unannounced follow-up alcohol and/or controlled substances testing if they are allowed to continue their employment with the County. Follow-up testing will not exceed 60 months from the date of the employee's return to duty, so long as the employee remains drug and alcohol free. It is preferred that the employee will have no less than 6 unannounced follow-up alcohol and controlled substances tests within the first 12 months following the employee's return to work, provided the employee remains employed and drug- and alcohol-free for that period.

9.6 Drugs to be Tested For:

The following drug groups were selected based on the ability of each drug to adversely affect physical/mental performance. All are controlled substances under state and federal law.

1. Alcohol, ethyl
2. Amphetamines/Methamphetamines; i.e., speed
3. Barbiturates; i.e., to include but not limited to amobarbital, butabarbital, phenobarbital, cecobarbital
4. Cocaine, Cocaine Metabolites
5. Benzodiazepines
6. Opiates; i.e., to include but not limited to codeine, heroin, morphine, hydromorphone, hydrocodone
7. Phencyclidine (PCP)
8. THC (Marijuana) Metabolite

9.7 Testing Procedure:

Whenever an applicant or employee is required or requested to submit to any controlled substances testing, the applicant or employee may, upon request, be permitted to have a representative present during collection or testing when reasonably possible without disrupting the timeliness or effectiveness of the testing process.

Testing for employees is conducted by analyzing an employee's specimen according to the protocol of the testing facility. If testing involves urine collection and the employee attempts and fails to provide an adequate amount of urine, _____ will refer the employee for a medical evaluation, at the employee's expense, to determine if the employee's inability to provide an adequate volume of urine is medically genuine or constitutes a refusal to test.

9.8 Consequences to Employee Engaging in Prohibited Conduct:

1. Positive Results
 - a. If the results of a confirmatory pre-employment test are positive, the applicant will be disqualified for employment. If the results are positive as to any test required for a transfer, the transfer request may be withdrawn and the test results may be used as otherwise consistent with these policies.
 - b. An employee who tests positive for alcohol with a concentration level above 0.02 grams alcohol / 210 L breath or who tests positive for the presence of an illegal controlled substance will be subject to disciplinary action up to and including termination.

2. Refusal to Submit to Required Testing
 - a. An applicant who refuses to take a drug and alcohol test or does not report to the testing facility at the scheduled date/time shall be disqualified from further consideration for the conditionally offered or transfer position with the County.
 - b. A refusal by an employee to submit to alcohol and/or controlled substance testing required under this policy will be treated as a positive test result. The employee will not be permitted to work. The refusal may be considered sufficient cause for disciplinary action up to and including discharge.

3. Return to Work Following Positive Results
 - a. If an employee has been found to have violated the requirements of this policy, such as testing positive for the presence of alcohol and/or controlled substances while on duty, the employee may in certain circumstances be permitted to return to his or her position. This decision is entirely in the discretion of the County.
 - b. If an employee is permitted to return to work following a positive drug or alcohol test, his or her continued employment may be conditional upon very specific requirements including but not limited to certain testing and treatment requirements.

9.9 Confidentiality:

Information from an employee's drug and/or alcohol test is confidential, and only those with a need to know are to be informed of the results. Disclosure of test results to any other person, agency, or organization is prohibited unless written authorization is obtained from the employee. However, disclosure without employee's consent may occur in the following circumstances:

1. The information is compelled by law or by judicial or administrative process;
2. The information has been placed at issue in a formal dispute between the County and the employee; or
3. The information must be disclosed pursuant to a genuine emergency wherein the information must be disclosed to protect the safety or welfare of any person. Even in such situations, however, if time permits, the County shall attempt to obtain a judicial order to disclose this information.