

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, April 26, 2022

- 1. Pledge of Allegiance**
- 2. Call for public comment. Public comment may be submitted in person or via telephone at 605-882-6248 or 605-882-6297**
- 3. Conflict of interest items**
- 4. Action to approve the April 26, 2022, agenda**
- 5. Action to approve the April 19, 2022, minutes of the Board of Codington County Commissioners**
- 6. Monthly Reports**
 - a. Emergency Management Director**
 - b. Sheriff**
- 7. 9:30 a.m., discussion with Richland Township property owners regarding Township road 167th St**
- 8. Action to set fee for fingerprinting services**
- 9. Action to approve a contract with Walworth County for housing of inmates**
- 10. 2nd reading and action to approve:**
 - a. Ordinance #78**
 - b. Ordinance #79**
 - c. Ordinance #80**
 - d. Ordinance #81**
- 11. Action to authorize Lutheran Church of Our Redeemer to conduct Sunday worship services at Memorial Park**
- 12. Action to re-state Nationwide Retirement plan documents per IRS requirements**
- 13. Action to approve County and Consolidated Board of Equalization minutes**
- 14. Discussion/possible action to approve a MOU for Rides to Wellness Grant**
- 15. Action to approve abatement applications**
- 16. Action to approve claims for payment**
- 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, May 3rd, 2022; 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
Codington County Court House
14 1st Ave SE
Watertown, SD 57201**

April 19, 2022

The Codington County Commissioners met in regular session at 9:00 a.m., Tuesday, April 19, 2022, at the Codington County Court House. Commission members present were: Lee Gabel, Charlie Waterman, Myron Johnson, Troy VanDusen and Brenda Hanten; Chair, Brenda Hanten, presiding. Auditor, Cindy Brugman, 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 April 19th, 2022 agenda as posted; all voted aye; motion carried.

MINUTES APPROVED

Motion by Johnson, second by Gabel, to approve the minutes of April 12th, 2022; all voted aye; motion carried.

MONTHLY REPORTS

Auditor, Cindy Brugman, updated the Board. Ballots have been created and are in transit for the June Primary; Codington County will have a Republican ballot and Non-Political ballot for the 2022 Primary; a search for precinct workers will begin soon; notices to appellants from the County Board of Equalization have been mailed; and 2023 budget worksheets have been distributed to all offices for preparation. **Facilities Manager, Steve Molengraaf**, updated the Board: a quote has been received in the amount of \$3,500,000 for improvements to the HVAC systems at the Court House and Detention Center; fire extinguishers will be distributed to offices in the near future; the toilet sanitary system in one unit at the Detention Center is in need of replacement in the amount of \$6,000; Memorial Park seasonal staff are in place to prepare for the 2022 camping season; Memorial Park reservations total \$26,054.00 in revenue to date; a Weed Board meeting will be held to address the 2023 budget; and the West Nile equipment will be calibrated on April 20th. **Highway Supt., Rick Hartley**, updated the Board: Highway employees have been plowing snow on a regular basis; hauling rip rap due to erosion caused by recent high winds; crack sealing when possible; and repairing blow-outs on a number of roads where hauling has occurred. Frost heaves are mellowing out; shoulder pulling will begin when it stops snowing; recent moisture has assisted the motor grader operators with smoothing of gravel roads; the shoulders on the new pavement from 2021 are extremely soft; producers are exiting feed lots and leaving mud and manure on roads; and discussion was held regarding changing the speed limits on several County roads to match new speed limits around Lake Kampeska recently implemented by the City of Watertown.

COURT HOUSE ROOFING PROJECT BIDS

Facilities Manager, Steve Molengraaf, presented the Board with a recommendation from designARC Group, LLC, regarding the bids received on 4/12/2022, for the Court House roofing project. Motion by Waterman, second by Gabel, to accept the bid of Guarantee Roofing & Sheet Metal, in the amount of \$104,695.00, as recommended by Architect, Tom Squires; all voted aye; motion carried. The architects estimate for this project was \$120,000.00.

Codington County, 19 April 2022

BIDDER**BID AMOUNT**

Guarantee Roofing & Sheet Metal of South Dakota
Sioux Falls, SD

\$104,695.00
bid bond enclosed, addendum 1 acknowledged

Pro-Tec Roofing
Watertown, SD

\$146,880.00
bid bond enclosed, addendum 1 acknowledged

SURPLUS WHEEL LOADER

Motion by Gabel, second by VanDusen, to declare GEN01226, a 2007 950H Cat Loader, s/n Cat095HH5K01145, surplus to be traded to Butler towards the purchase of a new loader; all voted aye; motion carried.

MOODY COUNTY INMATE HOUSING CONTRACT

Motion by Gabel, second by Johnson, to approve a contract between Codington County and Moody County for the housing of Moody County inmates in the Codington County Detention Center; all voted aye; motion carried.

VACANT CORRECTIONAL OFFICER POSITION

Motion by VanDusen, second by Gabel, to authorize the hiring of a full-time Correctional Officer to fill a vacancy. Chief Correctional Officer, Matt Blackwelder, advised the Board that a vacancy has occurred due to the resignation of a full time officer. The Chief Correctional will fill this position internally by promoting a part-time officer to full-time. Upon vote of the Board; all voted aye; motion carried.

AUDITOR'S COMPUTER EQUIPMENT

Motion by Johnson, second by Waterman, to approve the purchase of three computers for the Auditor's office, in the amount of \$5,253.00, and as budgeted in 2022; all voted aye; motion carried.

PERSONNEL CHANGES

Motion by Gabel, second by VanDusen, to approve the following personnel change: Re-hire, seasonal Highway Dept. Maintenance, pay grade AA/step 1, \$15.26 per hour; Jeff Riley, effective 5/1/2022; all voted aye; motion carried.

EXECUTIVE SESSION

Motion by VanDusen, second by Gabel, to enter into executive session, per SDCL 1-25-2 (2) contractual matters; at 9:25 a.m.; all voted aye; motion carried. The Board returned to regular session at 9:58 a.m., no action was taken. States Attorney, Rebecca Morlock Reeves, was present for executive session.

ADJOURNMENT

With no further business to come before the Board, a motion was made by Gabel, second by Johnson, to adjourn at 9:58 a.m., until 9:00 a.m., Tuesday, April 26th, 2022; 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 \$ _____

Codington County, 19 April 2022

Ordinance #78

AN ORDINANCE ENTITLED, AN ORDINANCE AMENDING ARTICLE III DISTRICT REGULATIONS OF ORDINANCE 65, AN ORDINANCE AMENDING ORDINANCE 15, AN ORDINANCE ESTABLISHING COMPREHENSIVE ZONING REGULATIONS FOR CODINGTON COUNTY, SOUTH DAKOTA, AND PROVIDING FOR THE ADMINISTRATION, ENFORCEMENT, AND AMENDMENT THEREOF, PURSUANT TO SDCL 11-2, 1967, AND AMENDMENTS THEREOF, AND FOR THE REPEAL OF ALL RESOLUTIONS AND/OR ORDINANCES IN CONFLICT HEREWITH.

BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF CODINGTON COUNTY, SOUTH DAKOTA: that Article III District Regulations adopted by Ordinance #65, March 27, 2017, as amended, of the Zoning Ordinance of Codington County be amended by adding Chapter 3.10A "TD-R" RAUVILLE TOWN DISTRICT as follows:

CHAPTER 3.10A "TD-R" RAUVILLE TOWN DISTRICT.

Section 3.10A.01 Purpose and Establishment

- 1. The Rauville Town District "TD-R" is hereby established to allow for the continuation and limited expansion of residential, commercial, and industrial uses in the unincorporated village of Rauville provided South Dakota Department of Agriculture and Natural Resource wastewater rules can be met.**
- 2. Unique restrictions on use, lot size, and performance standards exist in this district due to the situation of Rauville over the Wellhead Protection Area for the City of Watertown.**
- 3. The "TD-R" Zoning Designation shall hereby applied to the following legally described property and any adjacent street and railroad right-of-way:**
 - The South 270 Feet of Outlot "A" in the Southwest Quarter of Section 32, Township 118 North, Range 52 West of the 5th Prime Meridian, Codington County, South Dakota.**
 - The North 200 Feet of the South 470 Feet of Outlot "A" in the Southwest Quarter of Section 32, Township 118 North, Range 52 West of the 5th Prime Meridian, Codington County, South Dakota.**
 - The North 201 Feet of the South 671 Feet of Outlot "A" less the West 110 feet of the North 20 feet of the South 671 feet of Outlot "A" in the Southwest Quarter of Section 32, Township 118 North, Range 52 West of the 5th Prime Meridian, Codington County, South Dakota.**
 - The West 110 feet of the North 20 feet of the South 671 feet of Outlot "A", and the North 120 feet of the South 791 feet Outlot "A" in the Southwest Quarter of Section 32, Township 118 North, Range 52 West of the 5th Prime Meridian, Codington County, South Dakota.**

- All that part of Outlot "A" of the plat entitled Outlot "A" in the SW1/4 of Section 32, Township 118 North, Range 52 West of the 5th Prime Meridian, Codington County, South Dakota. lying South of property conveyed by a deed as recorded in the office of the Register of Deeds, Codington County, South Dakota, Book 113 of Deeds on Page 143, less all the S671' thereof.

Section 3.10A.02 Permitted Uses.

1. Single-family residential usage, including Type A manufactured homes permitted; Type B manufactured homes; and shop-style homes.
2. Public parks.
3. Agriculture and horticulture uses, excluding feedlots.

Section 3.10A.03 Permitted Special Uses.

In accordance with Section 4.02.03, the following uses are permitted in the "TD-R" District.

1. Shop-style dwellings provided written consent of one hundred (100) percent of adjacent landowners is obtained.

Section 3.10A.04 Permitted Accessory Uses

The following accessory uses and structures shall be permitted in the "TD-R" Rauville Town District:

1. Accessory uses and structures customarily incidental to permitted uses and structures when established within the space limit of this district.
2. Home occupation.
3. On-premise signs.

Section 3.10A.05 Conditional Uses.

1. Light manufacturing.
2. Warehouse.
3. Commercial storage units.
4. Contractor shop, office, and/or yard.
5. Storage, processing, handling, and loading of agricultural production excluding animal waste.

Section 3.10A.06 Prohibited Uses and Performance Standards

1. Any use not listed as a Permitted Use, Conditional Use, Accessory Use, or Special Permitted Use is prohibited in the "TD-R" Rauville Town District.
2. The Rauville Town District is located over Zone A of the Aquifer Protection District. Additional prohibited uses and performance standards for all uses in the Rauville Town District can be found in Sections 3.12.03.03 and 3.12.06.
3. Unless written approval on behalf of Watertown Municipal Utilities is presented to the Board of Adjustment, storage of products for sale and storage or parking of any petroleum products; and commercial equipment, vehicles, trailers, implements, etc. overnight shall only occur over concrete surfaces.
4. The Board of Adjustment may prohibit outdoor storage or overnight parking for any commercial or industrial use.

Section 3.10A.07 Area Regulations

1. Minimum lot area, maximum building height, maximum lot coverage and minimum yard requirements shall be regulated in accordance with the following tables and figures:

Table 3.10A.07.1.a.

Use	Qualifying Factors (if necessary)		Minimum Lot Area	Minimum Front Yard	Minimum Rear Yard*	Minimum Side Yard
Single-Family Residence/ Manufactured Homes/ Shop-Style Homes	Lots Created Before April 1, 2022	Public Water Supply/ Septic Tank	20,000 sq ft.	25'	25'	15'
		Well/ Septic Tank	43,560 sq ft.			
		Public Water Supply/ Holding Tank or Public Sewer	9,600 sq ft.			
	Lots Created After April 1, 2022		2 acres			
Public Parks			43,560 sq ft.	25'	25'	15'
Agricultural uses			35 acres	50'	25'	15'
Conditional Uses			To be determined by the Board of Adjustment			
*Adjacent to railroad right-of-way						

Table 3.10A.07.1.b.

	Maximum Lot Coverage	Maximum Height	Minimum Lot Width
		(A)	
Permitted Uses (lots created prior to April 1, 2022)	25%	35'	50'
Permitted Uses (lots created after April 1, 2022)	25%	35'	300'
Other Conditional Uses	To be determined by the Board of Adjustment		

2. Commercial Uses/Lots - Lot size shall be determined by off-street parking needs; availability of water and sewage disposal systems; adjacent land uses; need for screening; and type of business. Front, side, and rear yards shall be determined by the Board of Adjustment

3. Industrial Uses/Lots - Lot size shall be determined by off-street parking needs; impact of adjoining land use and need for screening or buffering from residential areas; availability of water and sewage disposal facilities; type of manufacturing or storage facilities; type of manufacturing or storage facilities. Front, side, and rear yards shall be determined by the Board of Adjustment.

Passed and adopted this ___ day of _____, 2022.

Chairperson

Auditor

Dated this ___ day of _____, 20__
Auditor, Codington County, South Dakota

Ordinance #79

AN ORDINANCE ENTITLED, AN ORDINANCE AMENDING CHAPTER 3.12 AP AQUIFER PROTECTION OVERLAY DISTRICT OF ORDINANCE 65, AN ORDINANCE AMENDING ORDINANCE 15, AN ORDINANCE ESTABLISHING COMPREHENSIVE ZONING REGULATIONS FOR CODINGTON COUNTY, SOUTH DAKOTA, AND PROVIDING FOR THE ADMINISTRATION, ENFORCEMENT, AND AMENDMENT THEREOF, PURSUANT TO SDCL 11-2, 1967, AND AMENDMENTS THEREOF, AND FOR THE REPEAL OF ALL RESOLUTIONS AND/OR ORDINANCES IN CONFLICT HEREWITH.

BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF CODINGTON COUNTY, SOUTH DAKOTA: that Section 3.12.03.01 [Permitted Uses in Zone A] of CHAPTER 3.12 AQUIFER PROTECTION OVERLAY DISTRICT adopted by Ordinance #65, March 27, 2017, as amended, of the Zoning Ordinance of Codington County be amended by adding the text in bold and underline font and removing text in strikethrough font:

Section 3.12.03.01 Permitted Uses in Zone A:

The following uses are permitted provided they meet appropriate performance standards outlined for aquifer protection overlay zones:

1. Agriculture, excluding all classes of new Concentrated Animal Feeding Operations.
2. Horticulture.
3. Parks, greenways or publicly owned recreational areas.
4. Necessary public utilities/facilities designed so as to prevent contamination of groundwater.
5. All ~~uses~~ **Permitted Uses** and **Special Permitted Uses** in the underlying district which do not pose a potential risk to groundwater resources and are not a prohibited use.

BE IT FURTHER ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF CODINGTON COUNTY, SOUTH DAKOTA: that Section 3.12.03.03 [Prohibited Uses in Zone A] of CHAPTER 3.12 AQUIFER PROTECTION OVERLAY DISTRICT adopted by Ordinance #65, March 27, 2017, as amended, of the Zoning Ordinance of Codington County be amended by adding the text in bold and underline font:

Section 3.12.03.03 Prohibited Uses in Zone A.

The following uses are expressly prohibited in Zone A:

1. PR Planned Residential District.
2. New concentrated animal feeding operations of all classes after July 31, 2001.
3. Disposal of solid waste except spreading of manure.
4. Outside unenclosed storage of road salt.

5. Disposal of snow containing de-icing chemicals.
6. Processing and storage of PCB contaminated oil.
7. Car washes.
8. Auto service, repair or painting facilities and junk or salvage yards.
9. Disposal of radioactive waste.
10. Graveyards or animal burial sites.
11. Detonation sites, except blasting of rock for farming purposes.
12. Open burning except ditches, fields and non-hazardous yard and household wastes such as paper, wood and leaves.
13. Public sewer systems and wastewater lagoons.
14. Fall application of nitrogen fertilizer except spreading of manure.
15. Land spreading of petroleum contaminated soil.
16. Land spreading or dumping of waste oil.
17. Industrial process water and waste disposal wells--5W20 type Class V injection wells.
18. Automobile service station disposal wells--5X28 type Class V injection wells.
19. All other facilities, not existing at the time of the adoption of this chapter, involving the collection, handling, manufacture, use, storage, transfer or disposal of any solid or liquid material or waste having a potentially harmful impact on groundwater quality.
19. Expansion of existing Concentrated Animal Feeding Operations (Existing as of June 30, 1997) beyond a cumulative total of three hundred (300) animal units.
21. Earthen storage basins and lagoons.
22. Stockpiling of solid waste.
- 23. New or expansion of existing sand, gravel or quarry operation; mineral exploration and extraction; rock crushers; and concrete and asphalt mixing plants to property without a permit for such use as of May 1, 2022.**

BE IT FURTHER ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF CODINGTON COUNTY, SOUTH DAKOTA: that Section 3.12.04.01 [Permitted Uses in Zone B] of CHAPTER 3.12 AQUIFER PROTECTION OVERLAY DISTRICT adopted by Ordinance #65, March 27, 2017, as amended, of the Zoning Ordinance of Codington County be amended by adding the text in bold and underline font and removing text in strikethrough font:

Section 3.12.04.01 Permitted Uses in Zone B.

The following uses are permitted provided they meet appropriate performance standards outlined for aquifer protection overlay zones:

1. Agriculture, excluding all new Concentrated Animal Feeding Operations
2. Horticulture.
3. Parks, greenways or publicly owned recreational areas.
4. Necessary public utilities/facilities designed so as to prevent contamination of groundwater.
5. All ~~uses~~ Permitted **Uses** and **Special Permitted Uses** in the underlying district which do not pose a potential risk to groundwater resources and are not a prohibited use.

BE IT FURTHER ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF CODINGTON COUNTY, SOUTH DAKOTA: that Section 3.12.04.02 [Conditional Uses in Zone B] of CHAPTER 3.12 AQUIFER PROTECTION OVERLAY DISTRICT adopted by Ordinance #65, March 27, 2017, as amended, of the Zoning Ordinance of Codington County be amended by adding the text in bold and underline font and removing text in strikethrough font:

Section 3.12.04.02 Conditional Uses in Zone B:

The following uses are permitted only under the terms of a Conditional Use Permit and must conform to provisions of the underlying zoning district and meet Performance Standards outlined for Aquifer Protection Overlay Zones.

1. Expansion, modification, alteration, or relocation of existing permitted or conditional uses to the extent they remain or become nonconforming and to the extent allowed by the underlying district. The Board of Adjustment shall not grant approval unless it finds the proposed expansion does not pose greater potential for groundwater contamination than the existing use.
2. Expansion of existing Concentrated Animal Feeding Operations (Existing as of June 30, 1997) not to exceed cumulative total of three hundred (300) animal units.
3. ~~Uses permitted by conditional use in the underlying district which do not pose a potential risk to groundwater resources and are not a prohibited use.~~ **All uses permitted by conditional use in the underlying district which do not pose a potential risk to groundwater resources and are not a prohibited use may be approved by the Board of Adjustment provided they can meet Performance Standards outlined for the Aquifer Protection Overlay Zones.**
4. Earthen storage basins and lagoons.
5. Stockpiling of solid waste.
6. ~~All uses permitted by conditional use in the underlying district which do not pose a potential risk to groundwater resources and are not a prohibited use may be approved by the Board of~~

Adjustment provided they can meet Performance Standards outlined for the Aquifer Protection Overlay Zones.

BE IT FURTHER ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF CODINGTON COUNTY, SOUTH DAKOTA: that Section 3.12.05.01 [Permitted Uses in Zone C] of CHAPTER 3.12 AQUIFER PROTECTION OVERLAY DISTRICT adopted by Ordinance #65, March 27, 2017, as amended, of the Zoning Ordinance of Codington County be amended by adding the text in bold and underline font and removing text in strikethrough font:

Section 3.12.05.01 Permitted Uses in Zone C.

1. All ~~uses~~ Permitted **Uses** and **Special Permitted Uses** in the underlying zoning districts, with the exception of those prohibited, provided that they can meet the Performance Standards as outlined for the Aquifer Protection Overlay Zones.

BE IT FURTHER ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF CODINGTON COUNTY, SOUTH DAKOTA: that Section 3.12.05.02 [Conditional Uses in Zone C] of CHAPTER 3.12 AQUIFER PROTECTION OVERLAY DISTRICT adopted by Ordinance #65, March 27, 2017, as amended, of the Zoning Ordinance of Codington County be amended by adding the text in bold and underline font and removing text in strikethrough font:

Section 3.12.05.02 Conditional Use in Zone C.

1. All Conditional **Uses** allowed in underlying districts, with the exception of those prohibited, may be approved by the Board of Adjustment provided they can meet Performance Standards outlined for the Aquifer Protection Overlay Zones.
2. New Class 4 and expansion of existing Class 4 up to nine hundred ninety-nine (999) animal units (Class 3). The County shall require soil borings to determine impermeable material between land surface and the aquifer.
3. Earthen storage basins and lagoons.

Passed and adopted this ___ day of _____, 2022.

Chairperson

Auditor

Dated this ___ day of _____, 20__
Auditor, Codington County, South Dakota

Ordinance #80

AN ORDINANCE ENTITLED, AN ORDINANCE AMENDING ARTICLE III DISTRICT REGULATIONS AND CHAPTER 5.12 EXTENDED HOME OCCUPATIONS OF ORDINANCE 65, AN ORDINANCE AMENDING ORDINANCE 15, AN ORDINANCE ESTABLISHING COMPREHENSIVE ZONING REGULATIONS FOR CODINGTON COUNTY, SOUTH DAKOTA, AND PROVIDING FOR THE ADMINISTRATION, ENFORCEMENT, AND AMENDMENT THEREOF, PURSUANT TO SDCL 11-2, 1967, AND AMENDMENTS THEREOF, AND FOR THE REPEAL OF ALL RESOLUTIONS AND/OR ORDINANCES IN CONFLICT HEREWITH.

BE IT FURTHER ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF CODINGTON COUNTY, SOUTH DAKOTA: that Section 3.04.01 [Permitted Uses] of CHAPTER 3.04 AGRICULTURAL DISTRICT adopted by Ordinance #65, March 27, 2017, as amended, of the Zoning Ordinance of Codington County be amended by adding the text in bold and underline font:

15. Extended Home Occupation "A." (See Section 5.12.2.a).

BE IT FURTHER ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF CODINGTON COUNTY, SOUTH DAKOTA: CHAPTER 3.04 AGRICULTURAL DISTRICT adopted by Ordinance #65, March 27, 2017, as amended, of the Zoning Ordinance of Codington County be amended by adding **Section 3.04.01A Special Permitted Uses** and the text in bold and underline font:

Section 3.04.01A Special Permitted Uses.

1. Extended Home Occupation "B." (See Section 5.12.2.b).

BE IT FURTHER ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF CODINGTON COUNTY, SOUTH DAKOTA: that Section 3.04.02 [Conditional Uses] of CHAPTER 3.04 AGRICULTURAL DISTRICT adopted by Ordinance #65, March 27, 2017, as amended, of the Zoning Ordinance of Codington County be amended by adding the text in bold and underline font:

45. Extended Home Occupation "C." (See Section 5.12.2.c).

BE IT FURTHER ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF CODINGTON COUNTY, SOUTH DAKOTA: that Section 3.07.02 [Permitted Uses] of CHAPTER 3.07 "LP" LAKE PARK DISTRICT adopted by Ordinance #65, March 27, 2017, as amended, of the Zoning Ordinance of Codington County be amended by adding the text in bold and underline font:

10. Extended Home Occupation "D." (See Section 5.12.3.a).

BE IT FURTHER ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF CODINGTON COUNTY, SOUTH DAKOTA: that Section 3.07.03 [Conditional Uses] of CHAPTER

3.07 "LP" LAKE PARK DISTRICT adopted by Ordinance #65, March 27, 2017, as amended, of the Zoning Ordinance of Codington County be amended by adding the text in bold and underline font:

10. Extended Home Occupation "E." (See Section 5.12.3.b).

BE IT FURTHER ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF CODINGTON COUNTY, SOUTH DAKOTA: that Section 3.10.02 [Permitted Uses] of CHAPTER 3.10 "TD" TOWN DISTRICT adopted by Ordinance #65, March 27, 2017, as amended, of the Zoning Ordinance of Codington County be amended by adding the text in bold and underline font and removing the text in strikethrough font:

Section 3.10.012 Permitted Uses.

1. Single-family residential usage, including Type A manufactured homes permitted; Type B manufactured homes, provided that provisions of Section 5.7 are met.
2. Public parks.
3. Agriculture and horticulture uses, excluding feedlots.
4. Shop-style dwellings provided written consent of one hundred (100) percent of adjacent landowners is obtained. (*Amended: Ord. 72; April 27, 2021*)

5. Extended Home Occupation "D." (See Section 5.12.3.a).

BE IT FURTHER ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF CODINGTON COUNTY, SOUTH DAKOTA: that Section 3.10.02 [Conditional Uses] of CHAPTER 3.10 "TD" TOWN DISTRICT adopted by Ordinance #65, March 27, 2017, as amended, of the Zoning Ordinance of Codington County be amended by adding the text in bold and underline font and removing the text in strikethrough font:

8. **Extended Home Occupation "E." (See Section 5.12.3.b).** ~~The Board of Adjustment may permit other uses which in its opinion are not detrimental to other uses. These may include manufacturing and processing uses.~~

BE IT FURTHER ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF CODINGTON COUNTY, SOUTH DAKOTA: that Section 3.13.02 [Permitted Uses] of CHAPTER 3.13 "RR" RURAL RESIDENTIAL DISTRICT adopted by Ordinance #65, March 27, 2017, as amended, of the Zoning Ordinance of Codington County be amended by adding the text in bold and underline font:

10. Extended Home Occupation "D." (See Section 5.12.3.a).

BE IT FURTHER ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF CODINGTON COUNTY, SOUTH DAKOTA: that Section 3.13.04 [Conditional Uses] of CHAPTER 3.13 "RR" RURAL RESIDENTIAL DISTRICT adopted by Ordinance #65, March 27, 2017, as amended, of the Zoning Ordinance of Codington County be amended by adding the text in bold and underline font:

12. Extended Home Occupation "E." (See Section 5.12.3.b).

BE IT FURTHER ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF CODINGTON COUNTY, SOUTH DAKOTA: that CHAPTER 5.12 EXTENDED HOME OCCUPATIONS adopted by Ordinance #65, March 27, 2017, as amended, of the Zoning Ordinance of Codington County be amended by adding the text in bold and underline font; and striking the text in strikethrough font:

CHAPTER 5.12 EXTENDED HOME OCCUPATION.

There are significant differences between home occupations conducted in residential dwellings ~~on small tracts~~ and ~~agricultural-based~~ extended home occupations. **Extended home occupations are not intended to provide services that encourage traffic to leave urban commercial areas for, but they provide services complimentary to the uses in the same zoning district with little indication to the neighborhood that the business is being operated on the property.** The nature of resources available for use, the benefits and disadvantages created by home occupations, and the problems generated necessitate a distinction between home occupations conducted in residential dwellings on small tracts and agricultural-based extended home occupations.

1. **Businesses operated as extended home occupations shall be principally owned and operated by the resident of the lot.** ~~For the purposes of this section, provided all requirements are met, the following shall be considered extended home occupations:~~
 - a. ~~Welding repair conducted in a safe manner;~~
 - b. ~~Veterinarian's office;~~
 - c. ~~Blacksmith;~~
 - d. **Service office.**
 - e. ~~Others which, in the opinion of the Board of Adjustment would not conflict with adjoining land uses.~~
2. **Extended Home Occupation standards in the Agricultural District:** **Performance Standards**
 - a. **Extended Home Occupation "A" as a Permitted Use:**

	Types of Businesses	Number of Employees	Signs	Retail Sales	Appearance	Traffic and Parking	Performance Standards
Section 5.12.2.a Extended Home Occupation 'A' (Permitted Uses)	Agribusiness services	Not more than one (1) employee other than the owner/operator and family members living on-site. (Exception: additional seasonal employees may be allowed provided said employees report directly to the off-premise job site rather than the site of the extended home occupation.)	Number: One (1) sign Maximum Area: 16 Sq. Ft. Type: Wall or Freestanding Prohibitions: Illumination of any kind; off-premise signs associated with the business (SDDOT commercial, directional signs known as "blue signs" may be allowed adjacent to State and Federal Highways.)	Sale of products necessary to perform the service provided by the business and incidental accessory sale of excess inventory	There shall be no visible evidence of the conduct of such home occupation (other than signs allowed herein) There shall be no outdoor storage of materials, vehicles, etc. related to the Extended Home Occupation except operable farm related equipment or vehicles without advertising and owned by the operator.	No traffic shall be generated by such Extended Home Occupation in greater volumes than would normally be expected for an Agricultural Use at a residence. No on-street parking will be allowed with the Extended Home Occupation.	No equipment or process shall be used in such Extended Home Occupation which creates noise, vibration, glare, fumes, odors, or electrical interference detectable to the normal senses off the lot. In the case of electrical interference, no equipment or process shall be used which creates visual or audible interference in any radio or television receivers off the premises, or causes fluctuations in line voltage off the premises. <i>All services performed by the Extended Home Occupation shall occur "off-premise" from the place of business. (Exception: a home office/ storage/ shop associated with the business is allowed provided all other conditions are met.)</i>
	Agronomic and horticultural services						
	General residential and agricultural contracting (home and accessory building builders, electrical contractors, plumbing contractors, grain bin contractors)						
	Custom farm services (combining, fertilizer application, drain tile application, herbicide application, custom tillage, custom planting) not including commercial grain storage						
	Truck driver and traveling sales of farm related products in which no phase of the sale (viewing, sampling, sale, pick-up, etc.) occurs at the site of the extended home occupation						
	Traveling small engine and automobile repair in which no phase of the repair occurs at the site of the extended home occupation.						

b. Extended Home Occupation "B" as a Special Permitted Use:

d. Specific Requirements for Permitted Special Uses (Reference Section 5.12.2.b):

i. Veterinarian:

a. Not more than fifty (50) animal units may be confined on site associated with the business for more than forty-five (45) consecutive days.

ii. Custom farm services (combining, fertilizer application, drain tile contracting, herbicide application, custom tillage, custom planting) not including commercial grain storage:

a. Storage of fertilizer, herbicide, pesticide, and other chemicals other than those used on the farm of the extended home occupation owner is prohibited.

iii. Slaughterhouse or butcher shop:

a. Documentation of applicable license/permits is provided to the administrative official; and

b. Slaughter and butcher is limited to animals owned or raised by the owner/operator of the extended home occupation.

iv. Private storage business

a. Operated inside an accessory structure constructed Prior to January 1, 2022; or

b. Operated inside a structure originally constructed for an agricultural use or other extended home occupation after January 1, 2022.

e. Specific Requirements for Conditional Uses (Reference Section 5.12.2.c):

i. Veterinarian:

a. More than fifty (50) animal units are confined on site associated with the business for more than forty-five (45) consecutive days.

ii. Agricultural Processing:

a. The primary component of the product being processed shall be raised by the extended home occupation owner/operator.

iii. General residential and agricultural contracting (home and accessory building builders, electrical contractors, plumbing contractors, grain bin contractors, gravel/ excavating contractors, road/bridge contractors) with or without limited outdoor storage provided:

a. No vehicle or equipment is stored outside, between the structure in which

the extended home occupation is carried out and the nearest adjacent right-of-way.

b. All storage of petroleum based products in a tank or series of tanks exceeding 1,000 gallons (inside and outside) shall occur over concrete or asphalt surfacing if in Zone A, B, or C of the Aquifer Protection District.

c. Any vehicles or equipment associated with the extended home occupation which are stored outside shall be screened on all sides by means of buildings and/or conifer trees spaced not more than thirty (30') feet, and greater than five (5') feet at the time of planting.

d. Any trees required for screening shall comply with shelterbelt setback requirements.

iv. Slaughterhouse or butcher shop:

a. Documentation of applicable license/permits is provided to the administrative official.

v. Farm equipment, implement, and automobile repair (including auto body repair) with outdoor storage of up to ten (10) vehicles or pieces of equipment provided:

a. No vehicle or equipment is on site for more than six (6) months

b. No vehicle or equipment is stored outside, between the structure in which the extended home occupation is carried out and any adjacent right-of-way.

c. All storage and repair (inside and outside) shall occur over concrete or asphalt surfacing if in Zone A, B, or C of the Aquifer Protection District

d. Any vehicles or equipment associated with the extended home occupation which are stored outside shall be screened from the right-of-way by means of buildings and/or solid walled fence, not more than eight (8') feet in height and conifer trees spaced not more than forty-five feet (45'), and greater than five feet (5') at the time of planting. (Fences are not required where storage area is greater than 300' from right-of-way)

e. Any vehicles or equipment associated with the extended home occupation which are stored outside shall be screened from side and rear yards by means of buildings and/or conifer trees spaced not more than 30', and greater than 5' at the time of planting.

f. Any trees required for screening shall comply with shelterbelt setback requirements.

a. Other individuals engaged in such occupation shall consist of family members residing on the premises and up to three (3) non-family employees.

- b. There shall be no change in the outside appearance of the buildings or premises, or other visible evidence of the conduct of such home occupation other than one on-premise sign, not to exceed sixteen (16) square feet in area, non-illuminated.
- c. Off premise signage for extended home occupations shall be limited to South Dakota Department of Transportation (SDDOT) commercial, directional signs, also known as "Blue Signs". These signs, with SDDOT approval, may be located adjacent to State and Federal Highways.
- d. The only retail sales allowed shall consist of the sale of commodities/products prepared on the premises in connection with such occupation or activity. Exception: Seed Sales.
- e. There shall be no outdoor storage of materials, vehicles, etc. related to the extended home occupation.
- f. Extended home occupations should be agriculturally related and be conducted in an accessory building.
- g. No traffic shall be generated by such extended home occupation in greater volumes than would normally be expected in a residential neighborhood, and any need of parking generated by the conduct of such extended home occupation shall be provided off the street and other than in a required front yard.
- h. No equipment or process shall be used in such extended home occupation which creates noise, vibration, glare, fumes, odors, or electrical interference detectable to the normal senses off the lot. In the case of electrical interference, no equipment or process shall be used which creates visual or audible interference in any radio or television receivers off the premises, or causes fluctuations in line voltage off the premises.

3. Extended Home Occupation standards in the Rural Residential, Town, and Lake Park Districts:

- a. **Extended Home Occupation "D" as a Permitted Use:**

	Types of Businesses	Number of Employees	Signs	Retail Sales	Appearance	Traffic and Parking	Performance Standards
Section 5.12.3.a Extended Home Occupation 'D' (Permitted Uses)	Offices for agribusiness, agronomic services, financial services, insurance, travel services, traveling sales, provided customers do not come to the site of the extended home occupation.	Not more than one (1) employee other than the owner/operator and family members living on-site. (Exception: additional seasonal employees may be allowed provided said employees report directly to the off-premise job site rather than the site of the extended home occupation.)	Number: One (1) sign Maximum Area: 16 Sq. Ft. Type: Wall or Freestanding Prohibitions: Illumination of any kind; off-premise signs associated with the business (SDDOT commercial, directional signs known as "blue signs" may be allowed adjacent to State and Federal Highways.)	Sale of products necessary to perform the service provided by the business and incidental accessory sale of excess inventory	There shall be no visible evidence of the conduct of such home occupation (other than signs allowed herein) There shall be no outdoor storage of materials, vehicles, etc. related to the Extended Home Occupation.	No traffic shall be generated by such Extended Home Occupation in greater volumes than would normally be expected for an Agricultural Use at a residence. No on-street parking will be allowed with the Extended Home Occupation.	No equipment or process shall be used in such Extended Home Occupation which creates noise, vibration, glare, fumes, odors, or electrical interference detectable to the normal senses off the lot. In the case of electrical interference, no equipment or process shall be used which creates visual or audible interference in any radio or television receivers off the premises, or causes fluctuations in line voltage off the premises. <i>All services performed by the Extended Home Occupation shall occur "off-premise" from the place of business. (Exception: a home office/ storage/ shop associated with the business is allowed provided all other conditions are met.)</i>
	General residential contracting (home and accessory building builders, electrical contractors, plumbing contractors)						
	Truck driver and traveling sales in which no phase of the sale (viewing, sampling, sale, pick-up, etc.) occurs at the site of the extended home occupation						
	Traveling small engine and automobile repair in which no phase of the repair occurs at the site of the extended home occupation.						

b. Extended Home Occupation "E" as a Conditional Use Permit:

	Types of Businesses	Specific Requirements	Number of Employees	Signs	Retail Sales	Appearance	Traffic and Parking	Performance Standards
Section 5.12.3.b Extended Home Occupation 'E' (Conditional Use)	Any use in Section 5.12.3.a without Specific Requirements listed, where the applicant may meet the conditions of Section 5.12.3.b, but not 5.12.3.a.	N/A	Not more than three (3) employees other than the owner/operator and family members living on-site.	Number: One (1) sign Maximum Area: 16 Sq. Ft. Type: Wall or Freestanding	Sale of products necessary to perform the service provided by the business and incidental accessory sale of excess inventory	There shall be no visible evidence of the conduct of such home occupation (other than signs allowed herein)	No traffic shall be generated by such Extended Home Occupation in greater volumes than would normally be expected for an Agricultural Use at a residence. The applicant shall provide documentation of notification of the the applicable road authority.	No equipment or process shall be used in such Extended Home Occupation which creates noise, vibration, glare, fumes, odors, or electrical interference detectable to the normal senses off the lot. In the case of electrical interference, no equipment or process shall be used which creates visual or audible interference in any radio or television receivers off the premises, or causes fluctuations in line voltage off the premises.
	Adult and physical education		(Exception: additional seasonal employees may be allowed provided said employees report directly to the off-premise job site rather than the site of the extended home occupation.)	Prohibitions: Illumination of any kind; off-premise signs associated with the business (SDDOT commercial, directional signs known as "blue signs" may be allowed adjacent to State and Federal Highways.)	Sale of products associated with the business, produced on site.	There shall be no outdoor storage of materials, vehicles, etc. related to the Extended Home Occupation except if allowed with specific screening listed in 5.12.3.c	The administrative official may require a haul road agreement at request of the road authority.	
	Personal Services	N/A				There shall be no outdoor storage of materials, vehicles, etc. related to the Extended Home Occupation except if allowed with specific screening listed in 5.12.3.c		
	Repair, service, and manufacture of recreational vehicles, equipment, trailers, watercraft, and personal automobiles.	See Section 5.12.3.c.i				"Specific Requirements"	No on-street parking will be allowed with the Extended Home Occupation.	
	Small engine and automobile repair, and automobile cleaning services (excluding auto body repair)	See Section 5.12.3.c.ii						
	Private storage business	See Section 5.12.3.c.iii						

c. Specific Requirements for Permitted Special Uses (Reference Section 5.12.3.b):

i. Repair, service, and manufacture of recreational vehicles, equipment, trailers, watercraft, and personal automobiles:

- a. Not more than four (4) items waiting to be repaired or picked up shall be stored outdoors at any time.
- b. No vehicle or equipment is on site for more than six (6) months
- c. No vehicle or equipment is stored outside, between the structure in which the extended home occupation is carried out and any adjacent right-of-way.
- d. All storage and repair (inside and outside) shall occur over concrete or asphalt surfacing.
- e. Any vehicles or equipment associated with the extended home occupation which are stored outside shall be screened from the right-of-way by means of buildings and/or solid walled fence, not more than eight (8') feet in height as determined by the Board of Adjustment. In addition to or in lieu of a solid walled fence, the Board may require planting of conifer trees greater than five feet (5') at the time of planting, and spaced at a distance to be established by the Board. (Fences may not be required where storage area is greater than 300' from right-of-way)

- f. Any vehicles or equipment associated with the extended home occupation which are stored outside shall be screened from side and rear yards by means of buildings and/or conifer trees spaced not more than 30', and greater than 5' at the time of planting. (Exception: with written consent from the affected adjacent landowner, screening from a side or rear yard may be provided by an alternative means, ie: fence, wall, hedge, or agreement that no screening is necessary.)
 - g. Any trees required for screening shall comply with shelterbelt setback requirements from agricultural uses.
- ii. Small engine and automobile repair, and automobile cleaning services (excluding auto body repair):
 - a. Not more than four (4) items waiting to be repaired or picked up shall be stored outdoors at any time.
 - b. No vehicle or equipment is on site for more than six (6) months
 - c. No vehicle or equipment is stored outside, between the structure in which the extended home occupation is carried out and any adjacent right-of-way.
 - d. All storage and repair (inside and outside) shall occur over concrete or asphalt surfacing.
 - e. Any vehicles or equipment associated with the extended home occupation which are stored outside shall be screened from the right-of-way by means of buildings and/or solid walled fence, not more than eight (8') feet in height as determined by the Board of Adjustment. In addition to or in lieu of a solid walled fence, the Board may require planting of conifer trees greater than five feet (5') at the time of planting, and spaced at a distance to be established by the Board. (Fences may not be required where storage area is greater than 300' from right-of-way)
 - f. Any vehicles or equipment associated with the extended home occupation which are stored outside shall be screened from side and rear yards by means of buildings and/or conifer trees spaced not more than 30', and greater than 5' at the time of planting. (Exception: with written consent from the affected adjacent landowner, screening from a side or rear yard may be provided by an alternative means, ie: fence, wall, hedge, or agreement that no screening is necessary.)
 - g. Any trees required for screening shall comply with shelterbelt setback requirements from agricultural uses.
- iii. Private storage business:
 - a. Allowed as an extended home occupation in the Lake Park District provided 5.12.3.c.iii.b-d are followed.
 - b. Operated inside an accessory structure on a lot not adjacent to the

applicable lake.

- c. The structure shall meet maximum size requirements of an accessory structure in the Lake Park District.
- d. The accessory use may be operated on a lot across the right-of-way or easement from the primary structure provided restriction, covenant or some other document is recorded at the Codington County Register of Deeds ensuring the lot with the primary and accessory structure shall be transferred together in the future.
- e. Private storage businesses in the Rural Residential District shall be operated in accordance with the requirements of Section 5.12.2.d.iv.
- f. Private storage businesses may be allowed in the Town District provided all storage occur within a structure with a concrete or asphalt floor.

Passed and adopted this ___ day of _____, 2022.

Chairperson

Auditor

Dated this ___ day of ____, 20__
Auditor, Codington County, South Dakota

Ordinance #81

AN ORDINANCE ENTITLED, AN ORDINANCE AMENDING ARTICLE II DEFINITIONS AND ARTICLE IV ADMINISTRATION OF ORDINANCE 65, AN ORDINANCE AMENDING ORDINANCE 15, AN ORDINANCE ESTABLISHING COMPREHENSIVE ZONING REGULATIONS FOR CODINGTON COUNTY, SOUTH DAKOTA, AND PROVIDING FOR THE ADMINISTRATION, ENFORCEMENT, AND AMENDMENT THEREOF, PURSUANT TO SDCL 11-2, 1967, AND AMENDMENTS THEREOF, AND FOR THE REPEAL OF ALL RESOLUTIONS AND/OR ORDINANCES IN CONFLICT HEREWITH.

BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF CODINGTON COUNTY, SOUTH DAKOTA: that ARTICLE II DEFINITIONS adopted by Ordinance #65, March 27, 2017, as amended, of the Zoning Ordinance of Codington County be amended by adding the text in bold and underline font:

Aggrieved person: a person aggrieved is any person directly interested in the outcome of and aggrieved by a decision or action or failure to act pursuant to this Ordinance who:

- 1. Establishes that the person suffered an injury, an invasion of a legally protected interest that is both concrete and particularized, and actual or imminent, not conjectural or hypothetical;**
- 2. Shows that a causal connection exists between the person's injury and the conduct of which the person complains. The causal connection is satisfied if the injury is fairly traceable to the challenged action, and not the result of the independent action of any third party not before the court;**
- 3. Shows it is likely, and not merely speculative, that the injury will be redressed by a favorable decision, and;**
- 4. Shows that the injury is unique or different from those injuries suffered by the public in general.**

BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF CODINGTON COUNTY, SOUTH DAKOTA: that Section 4.01.01 [Permits Required] of CHAPTER 4.01 GENERAL adopted by Ordinance #65, March 27, 2017, as amended, of the Zoning Ordinance of Codington County be amended by adding the text in bold and underline font and removing text in strikethrough font:

Section 4.01.01. Permits Required.

1. No building or other structure shall be erected, moved, added to, structurally altered, or used without a permit issued by the Zoning Officer. The Zoning Officer except in conformity with the provisions of this ordinance shall issue no permit, unless he received a written order from the Board of Adjustment in the form of an administrative review, under conditional use, or variance as provided by this ordinance. (Amended: Ord. 67; April 10, 2018)
2. It shall be unlawful to commence the excavation for the construction of any **structure, or to**

commence the moving onto a property, or alteration of any structures, until the Zoning Officer has issued a building permit for such work.~~building or any accessory building without a permit.~~ A permit is also required for any filling, grading, lagooning, or dredging which is related to site preparation for future construction.

BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF CODINGTON COUNTY, SOUTH DAKOTA: that Section 4.02.02 [Duties] of CHAPTER 4.02 ZONING OFFICER adopted by Ordinance #65, March 27, 2017, as amended, of the Zoning Ordinance of Codington County be amended by adding the text in bold and underline font and removing text in strikethrough font:

CHAPTER 4.02. ZONING OFFICER.

Section 4.02.02. Duties.

The powers and duties of the Zoning Officer shall be as follows:

1. Issue all building/use permits and make and maintain records thereof.
2. Conduct inspections of buildings, structures, and the use of land to determine compliance with this Ordinance.
3. Notify in writing persons responsible for violations, indicating the nature of the violation and ordering action necessary to correct.
4. Order discontinuance of illegal use of land, buildings, or structures; removal of illegal buildings or structures or of illegal additions; alterations or structural changes; discontinuance of any illegal work being done; or shall take any other action authorized by this Ordinance to ensure compliance with or to prevent violation of its provisions.
5. Revoke any permit, which was unlawfully issued, or any permit wherein defective work has been performed, and when such work has not been corrected within ninety (90) days of notification.
6. Maintain permanent and current records of this regulation, including, but not limited to, all maps, amendments, variances, appeals, and applications.
7. Prepare documents, easements, letters of assurance, waivers, etc. as required by this Ordinance, or at the direction of the Codington County Planning Commission and/or the Codington County Board of Adjustment and/or Codington County Commissioners.
8. Provide public information relative to all matters arising out of this Ordinance.
9. Forward to the Planning Commission all plats and/or applications for amendments to this Ordinance.
10. Forward to the Board of Adjustment, applications for appeals, conditional uses, variances, or other matters on which the Board of Adjustment is required to pass under this ordinance.

11. Initiate, direct, and review, from time to time, a study of the provisions of this ordinance, and to make such reports available to the Planning Commission.
12. The Zoning Officer shall receive applications required under this ordinance, specifically but not limited to Building Permits, Conditional Uses, Variances, and Zoning Amendments.
 - a. For building/use permits and ~~permitted~~-special **permitted** use permits, the Zoning Officer shall approve the application only in accordance with the provisions of the County's Zoning Ordinance. (*Amended: Ord. 67; April 10, 2018*)
 - b. For Conditional Uses and Variances, the Zoning Officer shall review the application, and shall make recommendations regarding said application to the Board of Adjustment.
 - c. For Zoning Amendments, the Zoning Officer shall review the application, and shall make recommendations regarding said application to the Planning Commission and Board of County Commissioners.

BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF CODINGTON COUNTY, SOUTH DAKOTA: that Section 4.02.03 [Procedures for Approval of Permitted Special Use Permit] of CHAPTER 4.02 ZONING OFFICER adopted by Ordinance #65, March 27, 2017, as amended, of the Zoning Ordinance of Codington County be amended by adding the text in bold and underline font and removing text in strikethrough font:

Section 4.02.03. PROCEDURES FOR APPROVAL OF SPECIAL PERMITTED SPECIAL USE PERMIT (*Amended: Ord. 67; April 10, 2018*)

1. The ~~Permitted~~-Special **Permitted** Use procedure is an administrative review process, where the Zoning Officer shall have the power to review an application for conformance with the applicable standards and approval criteria and issue a ~~Permitted~~-Special **Permitted** Use permit. Requests for **Special** Permitted ~~special~~ Uses may be granted if it has been determined that the prescribed conditions for a specific use have been met or assurance has been provided that the conditions will be met. ~~If any of the performance standards cannot be met, the applicant may apply to variance from the specific standard.~~ A **Special** Permitted ~~Special~~ Use Permit shall not be granted unless and until: (*Amended: Ord. 67; April 10, 2018*)
 - a. A written application for a **Special** Permitted ~~special~~ Use is submitted, indicating the section of this Ordinance under which the **Special** Permitted ~~special~~ Use is sought and stating the grounds on which it is requested. (*Amended: Ord. 67; April 10, 2018*)
 - b. The Zoning Officer shall review the application for conformance with this ordinance. (*Amended: Ord. 67; April 10, 2018*)
 - c. ~~If the application does not meet all of the performance standards for the Permitted Special Use, or the applicant fails to meet any of the prescribed conditions or safeguards; the Zoning Officer shall determine that the application is not in conformance with Section 4.02.03 and appropriate Permitted Special Use Standards. The applicant may then apply for a variance from the applicable requirement as allowed for in Section 4.05.02, or appeal the decision of the Zoning Officer as described in Section 4.04.06~~ (*Amended: Ord. 67;*

April 10, 2018)

- d. If the Zoning Officer determines that the application is in conformance with the prescribed performance standards, the Zoning Officer shall make written findings certifying compliance with the specific standards governing the specific Special Permitted Special Use Permit and that satisfactory provisions and arrangements have been made concerning the prescribed conditions for the specific Special Permitted Special Use Permit.
- d. The Zoning Officer shall then issue the Special Permitted Special Use Permit subject to the applicant agreeing to any conditions prescribed by this ordinance or the zoning officer for the specific Special Permitted Special Use Permit. (Amended: Ord. 67; April 10, 2018)
- e. The Zoning Officer shall then issue any other associated building/use permits. shall notify owners of property adjacent to the site and publish notice in a newspaper of general circulation in the area affected that the Permitted Special Use Permit has been issued prior to the meeting at which the Zoning Officer reports the issuance of the Permitted Special Use Permit to the Board of Adjustment. (Amended: Ord. 67; April 10, 2018)
- f. The Zoning Officer shall report the issuance of the Permitted Special Use Permit to the Board of Adjustment at a regularly scheduled meeting where the Board's designee will sign the letter of assurance if applicable. (Amended: Ord. 67; April 10, 2018) If the application does not meet all of the performance standards for the Special Permitted Use, or the applicant fails to meet any of the prescribed conditions or safeguards; the Zoning Officer shall determine that the application is not in conformance with this Section and appropriate Special Permitted Use standards. The applicant may, as appropriate:
 - i. Apply for a variance from lot area, or size of yards, and open spaces.
 - ii. Apply for Conditional Use Permit, if eligible.
 - iii. Appeal the decision of the Administrative Official in accordance with Sections 4.04.04, 4.04.05, and 4.04.06.
- g. The Zoning Officer shall then issue any other associated building/use permits. (Amended: Ord. 67; April 10, 2018) A Special Permitted Use permit shall expire six months (6) months from the date upon which it becomes effective if no actual construction has commenced. Upon written request to the Administrative Official and prior to the Special Permitted Use expiration date, a six (6) month time extension for the Special Permitted Use may be granted by the Zoning Officer.
- h. If a decision by the Administrative Official to issue a Special Permitted Use permit is appealed to circuit court the special permitted use permit that was granted does not expire for a period of two (2) years following completion of any final appeal of the decision.

BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF CODINGTON COUNTY, SOUTH DAKOTA: that Section 4.04.06 [Appeals, Record of Appeal, Hearing and Stays] of CHAPTER 4.04 BOARD OF ADJUSTMENT adopted by Ordinance #65, March 27, 2017, as amended, of the Zoning Ordinance of Codington County be amended by adding the text in bold and underline font and removing text in strikethrough font:

Section 4.04.06. Appeals, Record of Appeal, Hearing and Stays

1. It is the intent of this Ordinance that all questions of interpretation and enforcement shall be first presented to the Zoning Officer, and that such questions shall be presented to the Board of Adjustment only on appeal from the decision of the Zoning Officer and that recourse from the decision of the Board of Adjustment shall be to the courts as provided by the laws of the State of South Dakota. *(Amended: Ord. 67; April 10, 2018)*
2. An appeal to the Board of Adjustment may be taken by any person **meeting the definition of an "aggrieved person" within this ordinance** or by an officer, department, board or bureau of the County affected by any decision of the zoning officer, that is not a ministerial act or other preliminary act to bring an application or matter before the Board of Adjustment for hearing and a final decision. ~~The applicant shall file with the Zoning Officer a notice of appeal~~ **Such appeals shall be taken within a reasonable time not to exceed twenty-one (21) days, as provided by the rules of the Board of Adjustment by filing with the Administrative Official from whom the appeal is taken and with the Board of Adjustment** specifying the grounds thereof. The Zoning Officer shall forthwith transmit to the Board of Adjustment all papers constituting the record upon which the action appealed from was taken. ~~Such appeal shall be taken within thirty (30) days.~~ All appeals relating to a particular action or property shall be consolidated and heard at the time of the initial appeal. *(Amended: Ord. 67; April 10, 2018)*
3. An appeal stays all proceedings in furtherance of the action appealed from, except ministerial or other preliminary acts necessary to allow consolidated appeals on all matters prior to final decision by the Board of Adjustment, unless the Zoning Officer from whom the appeal is taken certifies to the Board of Adjustment after the notice of appeal shall have been filed with him, that by reason of facts stated in the certificate a stay would, in his opinion, cause imminent peril to life or property. *(Amended: Ord. 67; April 10, 2018)*
4. In such case, proceedings shall not be stayed otherwise than by a restraining order which may be granted by the Board of Adjustment or by a court of record on application on notice to the office from whom the appeal is taken and on due cause shown.
5. The Board of Adjustment shall hear and decide, on not less than ten (10) days public notice prior to an affixed time and place for hearing appeals where it is alleged by the appellant that there is error in any order, requirement, permit decision, determination or refusal made by the Zoning Officer or other administrative officers in carrying out the enforcement of any provision of this Ordinance, and for interpretation of the Zoning Map. At the hearing, any party may appear in person or by agent or attorney.
6. **The Board of Adjustment shall decide the appeal within sixty (60) days of receiving a notice of appeal. Any party may appear at the hearing in person or by agent or by attorney.**

BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF CODINGTON COUNTY, SOUTH DAKOTA: that Section 4.05.01 [Powers and Jurisdiction Relating to Conditional Uses] of CHAPTER 4.05 PROCEDURES FOR CONDITIONAL USE, VARIANCES, AND ZONING AMENDMENTS adopted by Ordinance #65, March 27, 2017, as amended, of the Zoning Ordinance of Codington County be amended by adding the text in bold and underline font and removing text in strikethrough font:

Section 4.05.01. Powers and Jurisdiction Relating to Conditional Uses.

The Board of Adjustment shall have the power to hear and decide, in accordance with the provisions of this Ordinance, requests for conditional uses or for decisions upon other special questions upon which the Board of Adjustment is authorized by this Ordinance to pass; to decide such questions as are involved in determining whether special conditions and safeguards as are appropriate under this Ordinance, or to deny conditional uses when not in harmony with the purpose and intent of this Ordinance. A conditional use shall not be granted by the Board of Adjustment unless and until:

1. A written application for a conditional use is submitted, indicating the section of this Ordinance under which the conditional use is sought and stating the grounds on which it is requested.
2. Property owners adjacent to the proposed site shall be notified of the conditional use request by certified or registered mail, at the cost of the applicant. *(Amended: Ord. 67; April 10, 2018)*
3. Notice of hearing shall be published once, ten (10) days prior to the Board of Adjustment public hearing, in a paper of general circulation in the area affected.
4. The public hearing shall be held. Any party may appear in person, or by agent or attorney.
5. The Board of Adjustment shall make a finding that it is empowered under the section of this Ordinance described in the application to grant the conditional use, and that the granting of the conditional use will not adversely affect the public interest.
6. The granting of any conditional use, by the Board of Adjustment shall be based upon written findings certifying compliance with the specific rules governing individual conditional uses and that satisfactory provision and arrangements have been made concerning the following, where applicable: *(Amended: Ord. 67; April 10, 2018)*
 - a. Access: *(Amended: Ord. 67; April 10, 2018)*
 - i. The roads providing access to the property shall be determined to be adequate to meet the transportation demands of the proposed conditional use. The Board of Adjustment may require the applicant to enter into a written contract with the applicable road authority regarding the upgrading and continued maintenance of any roads used for conditional use requested prior to issuance of a Conditional Use Permit. *(Amended: Ord. 67; April 10, 2018)*
 - ii. Reasonable provisions have been made for safe vehicular and pedestrian entrance and exit of the property for daily and emergency traffic. *(Amended: Ord. 67; April 10, 2018)*
 - b. Parking and internal traffic: *(Amended: Ord. 67; April 10, 2018)*
 - i. The parking areas and driveways will be covered in materials appropriate for the internal traffic generated by the use. *(Amended: Ord. 67; April 10, 2018)*

- ii. The number of parking spaces is appropriate for the proposed use of the property. *(Amended: Ord. 67; April 10, 2018)*
 - c. Utilities and refuse: *(Amended: Ord. 67; April 10, 2018)*
 - i. The manner by which electricity, water, sewer, natural gas and other utilities will be provided has been described. *(Amended: Ord. 67; April 10, 2018)*
 - ii. Consideration has been given to the location of refuse and service areas and manner for disposing of trash, junk, or other debris. *(Amended: Ord. 67; April 10, 2018)*
 - d. Screening, buffering, and open space: *(Amended: Ord. 67; April 10, 2018)*
 - i. The type, dimensions, and character of any fences, walls, hedges or other materials used for screening; and/or open space is appropriate for the proposed use in reference the specific property. *(Amended: Ord. 67; April 10, 2018)*
 - e. Lighting: *(Amended: Ord. 67; April 10, 2018)*
 - i. Lights associated with the use will not create a nuisance nor distract traffic.
 - ii. Brightness, intensity, glare of lights will be similar to lighting which would be customarily used for permitted uses in the applicable zoning district. *(Amended: Ord. 67; April 10, 2018)*
 - f. General compatibility with adjacent properties and other property in the district. *(Amended: Ord. 67; April 10, 2018)*
 - i. Any use listed as a Conditional Use is generally compatible in the district it is listed in. *(Amended: Ord. 67; April 10, 2018)*
 - ii. General compatibility is used when prescribing conditions for approval of a permit. *(Amended: Ord. 67; April 10, 2018)*
7. In granting any conditional use, the Board of Adjustment may prescribe appropriate conditions and safeguards in conformity with this regulation. Violation of such conditions and safeguards, when made a part of the terms under which the variance is granted, shall be deemed a violation of this regulation and punishable under the terms of this regulation. **The Board of Adjustment may, after notice and hearing, revoke a conditional use permit in the event of a violation of any of the conditions upon which such permit was issued. In addition, the conditional use permit may not be transferred during any violation.**
8. The concurring vote of **a simple majority of two-thirds (2/3)** of the present and voting members of the Board of Adjustment is required to pass any application for a Conditional Use. *(Amended: Ord. 67; April 10, 2018)*
9. **Expiration of a Conditional Use Permit**
- a. Unless otherwise specified by the Board of Adjustment, a Conditional Use Permit shall expire one (1) year from the date upon which it becomes effective if no **actual construction work** has commenced. **Upon written request to the Board of Adjustment and prior to the conditional use permit expiration date, a one (1) year time extension for the conditional use may be granted by the Board of Adjustment.** *(Amended: Ord. 67; April 10, 2018)*
 - b. **If a decision by the Board of Adjustment to grant a Conditional Use Permit is appealed to circuit court, the Conditional Use Permit that was granted does not expire for a period of two years following the completion of any final appeal of the decision.**

10. Any alteration, construction, use of earthmoving equipment, or other change pursuant to a zoning permit or allowed land use on neighboring land that began after the date on which an application for a conditional use is received, and that causes the application to fail to meet one or more of the criteria or requirements for conditional use under the zoning ordinance, does not cause the request for a conditional use permit to be considered nonconforming until a final disposition of the conditional use request is determined pursuant to SDCL 11-2-61 or SDCL 11-2-65. If the conditional use permit is granted, the conditional use shall be considered a lawful use, lot, or occupancy of land or premises and may be continued even though the use, lot, or occupation does not conform to the provisions of the ordinance. If the conditional use is not pursued by the applicant for a period of more than one year, any subsequent use, lot, or occupancy of the land or premises shall conform with the zoning ordinance.

Passed and adopted this ___ day of _____, 2022.

Chairperson

Auditor

Dated this ___ day of _____, 20__
Auditor, Codington County, South Dakota

Cindy Brugman

From: Robbyn Givens <robbyn@lcoorwatertown.org>
Sent: Tuesday, April 19, 2022 5:24 PM
To: Cindy Brugman
Cc: Pastor Dave & Linda Nerdig
Subject: [EXT] Worship at Memorial Park

Cindy,

Would you please add this item to the Codington County Commission agenda?

Lutheran Church of Our Redeemer would again like to request permission from the Codington County Commissioners to hold worship services in the picnic area of Memorial Park on Sundays from Memorial Weekend, May 29th through Labor Day weekend, September 4th, 2022. The worship services begin at 9 a.m. and conclude following a coffee time, approximately around 10:30 a.m.

We are also asking to reserve the nearby picnic shelter building each Sunday morning from Memorial Weekend through Labor Day weekend. Prior to the pandemic we worked out an arrangement with the park to pay an honorarium of \$500 for the summer to reserve the picnic shelter through 11:00 a.m. each Sunday morning. Is this amount still appropriate? We understand that there are expenses that need to be met and the picnic shelter rental helps meet those expenses. We want to support our community.

We would like to again thank the commission for working with us to provide worship in this beautiful setting for campers and our congregation, alike. We will continue to do our best to guide parking in the picnic area and keep the vehicles traveling at the appropriate speed. We will also continue to work to pick up after ourselves and do what we can to keep the garbage in the garbage cans.

Please let me know if you have any questions or need further information. Thank you for bringing this to the commissioners' attention.

Godspeed,

Robbyn

Robbyn Givens
Worship & Music Coordinator
Lutheran Church of Our Redeemer
2001 2nd St. NW
Watertown, SD 57201-7251
Phone: 605.886.2696, ext. 206
Fax: 605.886.3362
E-mail: robbyn@lcoorwatertown.org
www.lcoorwatertown.org



Nationwide®
is on your side

Cindy Brugman
14 1ST AVE SE
WATERTOWN SD 57201-3611

Cindy Brugman
Page 1 of 2

Date prepared	March 18, 2022
Plan name	Codington County Deferred Compensation Matching Plan
Account number	385-55002
Questions?	Call 800-772-2182
Visit us online	nationwide.com

FILED

MAR 24 2022

CODINGTON COUNTY AUDITOR

Third Cycle Restatement

Dear Cindy Brugman,

A qualified retirement Plan is required to have a written plan document that defines the terms and conditions related to the operation and administration of the Plan. Since the law pertaining to retirement Plans is constantly changing, the written plan document must be updated periodically to comply with these changes.

Plan details

Plan name:	Codington County Deferred Compensation Matching Plan
Plan number:	385-55002

Additional information

On a short-term basis, Plan changes can be accommodated with an interim amendment, but every six years the Internal Revenue Service ("IRS") requires all pre-approved plan documents to be completely restated to incorporate the interim amendments and to document Plan operations since the last restatement period. Your Plan is utilizing a Nationwide sponsored pre-approved plan document which is subject to the current six-year restatement cycle that will expire on July 31, 2022.

Failure to timely execute the restated documents by July 31, 2022, will result in a Plan Document failure which is a qualification situation for your Plan and would have severe tax consequences to both the Employer and Employees of the Plan.

What you need to do

Your restated plan documents were sent to the authorized signers of your Plan for e-signature or via e-mail depending upon your preferences but as of the date of this letter, it does not appear that your fully executed documents have been returned to Nationwide Retirement Solutions ("NRS").

See next page for additional information

17701000223012

Access your information online
Register for the online service center at nationwide.com.

Since we are quickly approaching the execution due date, we wanted to formally reach out one last time to request that these documents be executed and returned to your Relationship Consultant at NRS. Should you need another copy of the restated documents, please reach out to your Relationship Consultant and they can provide them to you.

To be considered fully executed, both the Adoption Agreement and either the Trust Agreement or the Special Trustee Agreement will need to be executed. The Adoption Agreement should be executed by an Authorized Signer for the Employer and if your Plan has a Trust Agreement, then it will need to be executed by all of the Trustees and the Authorized Signer for the Employer. If your Plan has a Special Trustee Agreement, then it will need to be executed by the Special Trustee for the collection of contributions.

NOTE: We suggest you consult with your attorney and/or tax advisor before making a decision relative to the document restatement.

We're here to help

If you have any questions or need additional information, contact our solutions center at 800-772-2182. Our specialists are available Monday through Friday, 8 a.m. to 11 p.m. and Saturday, 9 a.m. to 6 p.m. Eastern time.

Sincerely,

Molly Sullivan
Relationship Consultant
Nationwide Retirement Solutions

PO Box 183046, Columbus OH 43218-3046

The Nationwide Group Retirement Series includes unregistered group fixed and variable annuities and trust programs. The unregistered group fixed and variable annuities are issued by Nationwide Life Insurance Company, Columbus, Ohio. Trust programs and trust services are offered by Nationwide Trust Company, FSB. Nationwide Investment Services Corporation, member FINRA, Columbus, Ohio.

Nationwide, the Nationwide N and Eagle, Nationwide is on your side are service marks of Nationwide Mutual Insurance Company. © 2022 Nationwide
PNN-2109AO (02/22)

OFFICIAL PROCEEDINGS
 Codington County Board of Equalization
 April 12, 2022 – 1:00 p.m.
 Commissioners Chambers - Codington County Court House
 14 1st Ave SE, Watertown, SD 57201

The 2022 meeting of the Codington County Board of Equalization convened at 1:00 p.m., Tuesday, April 12, 2022, in the Commissioners Chambers in the Codington County Courthouse. Board members present were Lee Gabel, Charlie Waterman, Myron Johnson, Troy VanDusen and Brenda Hanten; Chair Hanten, presiding. Codington County Director of Equalization, Shawna Constant and Equalization Staff; were present for this meeting. Board members signed their Equalization member oaths.

AGENDA APPROVED

Motion by VanDusen, second by Johnson, to approve the agenda; all present voted aye; motion carried.

APPEALS

The following appeals were presented:

Name	DOE#	Assessor's Value	Appeal Value	Assessor's Recommendation
Douglas & Cynthia Kasuske	3735	\$425,330	\$360,000	\$371,070

Appellant was present for this appeal. Appellant objected to the increase in value based on two major factors - the garage addition is not insulated or finished and the lookout has no foundation underneath. The Director provided the Board with comparable sales to prove equalization on this property. The Director of Equalization noted this property was part of a re-appraisal area and the recommended value is based on comparable properties and market value. The Director provided the Board with data on 4 comparable properties. Motion by Gabel, second by VanDusen, to concur with the Director's recommended value; all voted aye; motion carried.

Name	DOE#	Assessor's Value	Appeal Value	Assessor's Recommendation
Lavern & Lulabell Becking	3042	\$178,894	\$85,000	\$178,494

Appellant was present for this appeal. Appellant objected to value and asserted the value is too high for the income from this property. Appellant also noted this property is mostly pasture ground with only 30 to 35 acres farmable due to the high slope on the property. The Director provided the Board with comparable properties to prove equalization on this property. The Director of Equalization also provided the Board with a soils report which is used to determine the value. The Director noted this property does not qualify for wetlands classification despite wet areas on the property. Motion by Johnson, second by Waterman, to concur with the Director's recommended value; all voted aye; motion carried.

Name	DOE#	Assessor's Value	Appeal Value	Assessor's Recommendation
Roger Mohr	3499	\$319,624	\$209,904	\$319,624

Appellant was present for this appeal. Appellant objected to value based on the fact that the house was built in 1989 at a cost of \$82,000, with an addition valued at \$110,000 in 2010. Appellant noted the Director's value increased by \$264,000 from the last assessment year. The Director provided the Board with comparable sales to prove equalization on this property. The Director of Equalization noted this property was part of a re-appraisal area and the recommended value is driven by market value. Motion by VanDusen, second by Gabel, to concur with the Director's recommended value; Gabel, Johnson, VanDusen and Hanten voted aye; Waterman voted no; motion carried.

STIPULATIONS

Motion by Gabel, second by Waterman, to approve the following stipulated changes as recommended by the Director of Equalization; all present voted aye; motion carried:

Name	DOE#	Assessor's Value	Stipulated Value	
Gary & Linda Owen	17390	\$604	0	mobile home removed prior to November 1 st

Todd & Tracey Swenson	2646	\$96,896	\$72,322	entry gained
Eric & Patricia Johnson	20867	\$390,265	\$362,000	private appraisal value
SD Rental Properties LLC	5183	\$44,515	\$18,630	purchase price + market increases

OWNER OCCUPIED DWELLING ADDITIONS

Motion by VanDusen, second by Gabel, to approve owner-occupied status on the following properties; all voted aye; motion carried.

Name	DOE#
Jeremy J Block	9291
Don C & Linda K Ragels	9995
Merle & Sara Tschakert	6496 – add
Merle & Sara Tschakert	13266 – remove

DISABLED VETERAN PROPERTY TAX EXEMPTION

Motion by Johnson, second by Gabel, to approve exemption status for applicants who qualify for a Disabled Veteran Exemption, up to \$150,000.00 in assessed value; all voted aye; motion carried.

ASSESSMENT FREEZE FOR DISABLED AND SENIOR CITIZENS

Motion by Gabel, second by VanDusen, to approve the applications for freeze on assessments of dwellings of disabled persons and senior citizens, as recommended by the Director of Equalization; all voted aye; motion carried.

TAX EXEMPT PROPERTY APPLICATIONS

Motion by VanDusen, second by Waterman, to approve the applications for annual tax-exempt status, as recommended by the Director of Equalization; all voted aye; motion carried.

Motion by Waterman, second by Gabel, to approve the applications for 5-year tax-exempt status, as recommended by the Director of Equalization; all vote aye; motion carried.

RENEWABLE ENERGY RESOURCE

Motion by Johnson, second by VanDusen, to approve the applications for renewable energy resources, as recommended by the Director of Equalization; all voted aye; motion carried.

BOARD ADJOURNS

There being no further business to come before this Board a motion was made by Johnson, second by Gabel, to adjourn at 1:56 p.m., as a 2022 Codington County Board of Equalization; 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 \$_____

Official Proceedings

Consolidated Board of Equalization

Watertown, South Dakota

April 12, 2022

The Codington County/City of Watertown Consolidated Board of Equalization met on April 12, 2022 at 6:30 PM in the Council Chambers, City Hall, 23 2nd St NE. Chairman Brenda Hanten presided. Upon roll call the following members were present: Codington County Commissioners: Brenda Hanten, Myron Johnson, Lee Gabel & Charlie Waterman; City Council Members: Dan Schutte and Randy Tupper; and Watertown School District Board Member Jean Moulton.

Motion by Tupper, seconded by Johnson, to approve the agenda as presented. Motion carried.

The following appeals were heard by the Board:

Name	DOE #	Abstract Code	Assessor's Value	Owner's Value	Assessor's Recommendation
		NA-DC2	\$21,983,683	\$19,311,030	\$21,983,683
Terex South Dakota Inc.	13080	NA-DC	\$1,438,970	\$1,438,970	\$1,438,970

Stephanie Nyhus a representative from DMA presented the appeal on the owners behalf. Motion by Johnson, seconded by Tupper, to concur with the assessor's recommended total value of \$23,422,653. Motion carried with all voting Aye.

Store Investment Corporation		NA-DC2	\$670,603	\$369,697	\$670,603
Legacy Apple LLC	18183	NA-DC	\$516,601	\$516,601	\$516,601

Matt Groce a representative from DMA presented the appeal on the owners behalf. Motion by Gabel, seconded by Tupper, to concur with the assessor's recommended total value of \$1,187,204. Motion carried with all voting Aye.

Cole HL Watertown SD LLC		NA-DC2	\$2,658,701	\$999,665	\$2,658,701
CIM Group	20324	NA-DC	\$1,194,335	\$1,194,335	\$1,194,335

Gabriel Ehlers a representative from Ryan presented the appeal on the owners behalf. Motion by Gabel, seconded by Johnson, to concur with the assessor's recommended total value of \$3,853,036. Motion carried with all voting Aye.

GMR Watertown LLC		NA-DC2	\$1,768,504	\$1,089,649	\$1,768,504
Altus Group	15480	NA-DC	\$278,951	\$278,951	\$278,951

Gabriel Ehlers a representative from Ryan presented the appeal on the owners behalf. Motion by Johnson, seconded by Tupper, to concur with the assessor's recommended total value of \$2,047,455. Motion carried with all voting Aye.

Motion by Gabel, seconded by Schutte, to approve the following stipulated changes to the assessed values:

OWNER	RECORD #	2022 ASSESSED VALUE	2022 RECOMMENDED VALUE
Lisa Demers	6804	\$242,696	\$177,977
Chester Maack & Judy Dahl	10721	\$97,766	\$68,284
Robert & Catherine Gjerdingen	10060	\$343,361	\$150,000
Willis Dewitt Jr. & Cheryl Dewitt	20288	\$371,953	\$316,926
High Plains Dev. Corp. Inc.	20857	\$22,312	\$489
Edgewood Watertown MC 2 LLC	6087	\$715,118	\$642,139
Dutenhoffer Real Estate	15663	\$914,397	\$700,000
John & Adeline Conroy	20787	\$278,211	\$242,500
SD Rental Properties LLC	5836	\$219,614	\$212,000

There being no further appeals before the Board for consideration, motion by Johnson, seconded by Tupper to adjourn.
Motion carried with all voting Aye.

Brenda Hanten

Codington County Commissioner

Kristen Bobzien

Watertown City Finance Officer

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 \$_____

Memorandum of Understanding between River Cities Public Transit (RCPT),
Community Transit of Watertown/Sisseton (CTWS), and Vermillion Transit (VT)

and Prairie

For

Transportation Services for Passengers through the National Rural Transit
Assistance Program (NRTAP) Community Rides Grant Program (CRGP)

Summary

The intent of this Memorandum of Understanding (MOU) is to make clear the provisions under which RCPT, CTWS and VT, hereinafter Transit Agencies (TA) will provide transportation to passengers through the CRGP and the responsibilities of all parties involved.

Transit Agency's Responsibilities

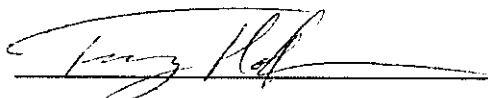
RCPT will administer the CRGP through the NRTAP. TA will provide transportation services for those unmet needs of CCVS. Transportation services will be provided at full cost to the agency or individual until the grant funds are no longer available. TA will need passenger information from CCVS that includes the name and contact information of the passenger, age, ethnicity and reason for transportation (medical, nutrition, ect.) and sign the claim voucher for each ride given. TA will provide training to CCVS for scheduling programs available online and any rules that need to be followed for transportation (ex: mask wearing). TA will record and report/file claims to NRTAP for reimbursement of costs for the CRGP.

Agency/Individual Responsibilities

Any agency or individual receiving transportation services through the CRGP must adhere to all policies the TA are subject to through the Federal Transit Administration (FTA), NRTAP and CRGP. CCVS staff must schedule all rides through the TA and provide the necessary information about the passenger to the TA. When available, the agency shall use the software/program available to schedule the ride online. Any Medicaid rides that are available for the TA shall be made available for the TA. CCVS will work with TA to help provide any information needed for reporting purposes under the CRGP.

General Terms

TA will provide rides through the CRGP as long as funding is available through this grant. Agencies receiving transportation services through this grant should help find sources available to sustain the program into the future.



Community Transit of Watertown/Sisseton date

Coudington County Veterans Services date

APPLICATION FOR ABATEMENT OR REFUND OF TAXES
under the provisions of SDCL 10-18-1
TO THE BOARD OF COUNTY COMMISSIONERS OF CODINGTON COUNTY, SOUTH DAKOTA

NAME Florence School District
MAILING ADDRESS PO Box 66
CITY Florence STATE SD ZIP CODE 57235
Record # 4653 Legal Description of Property Lots 1-5
Blk 34
Ways Add Florence Village

Application for an abatement / refund of taxes if being presented due to the following reason (check applicable provision).

- ☐ An error has been made in any identifying entry of description of the real property; in entering the valuation of the real property or in the extension of the tax, to the injury of the complainant;
- ☐ Improvements on any real property were considered or included in the valuation of the real property, which did not exist on the real property at the time fixed by law for making the assessment;
- ☒ The complainant or the property is exempt from the tax;
- ☐ The complainant had no taxable interest in the property assessed against the complainant at the time fixed by law for making the assessment;
- ☐ Taxes have been erroneously paid or error made in noting payment or issuing receipt for the taxes paid;
- ☐ The same property has been assessed against the complainant more than once in the same year, and the complainant produces satisfactory evidence that the tax for the year has been paid.
- ☐ A loss occurred because of flood, fire, storm, or other unavoidable casualty;
Date of Loss _____
- ☐ Structures have been removed after the assessment date (upon verification by the director of equalization).
Date structures removed _____
- ☐ Applicant, having otherwise qualified for the Assessment Freeze for the Elderly and Disabled, but missed the deadline as prescribed in § 10-6A-4.
- ☐ Applicant, having otherwise qualified for classification of owner-occupied single family dwelling, but missed the deadline as prescribed by law due to temporary duty assignment for the military.
- ☐ Other / Comments _____

(No tax may be abated on any real property which has been sold for taxes, while a tax certificate is outstanding - Any abatement on property within corporate limits of a municipality must be first approved by the governing body of the municipality.)

I hereby apply for an abatement / refund of property taxes for the above reasons.

[Signature]
Applicant's Signature

Subscribed and sworn to, before me this 16 day of March, 2022

[Signature]
Notary / Auditor / Deputy Auditor



Date received in the County Auditor's Office 3-18-2022 Received by Ansin Nante
Taxes due in 2022 Total Taxable Value 1,397 Total Taxes Due 16.13
Tax levy 11.553 Property classification Ag
Taxable Value Abated 1,397 Amount Abated 16.13 Amount Refunded _____

APPLICATION FOR ABATEMENT OR REFUND OF TAXES
under the provisions of SDCL 10-18-1
TO THE BOARD OF COUNTY COMMISSIONERS OF CODINGTON COUNTY, SOUTH DAKOTA

NAME Florence School District
MAILING ADDRESS PO Box 66
CITY Florence, SD STATE SD ZIP CODE 57235
Record # 4653 Legal Description of Property That pt E 1/2 SE 5-118-54
Formerly described as Blks 35-38 Ways Add
Florence Village

Application for an abatement / refund of taxes if being presented due to the following reason (check applicable provision).

- ☐ An error has been made in any identifying entry of description of the real property; in entering the valuation of the real property or in the extension of the tax, to the injury of the complainant;
- ☐ Improvements on any real property were considered or included in the valuation of the real property, which did not exist on the real property at the time fixed by law for making the assessment;
- ☒ The complainant or the property is exempt from the tax;
- ☐ The complainant had no taxable interest in the property assessed against the complainant at the time fixed by law for making the assessment;
- ☐ Taxes have been erroneously paid or error made in noting payment or issuing receipt for the taxes paid;
- ☐ The same property has been assessed against the complainant more than once in the same year, and the complainant produces satisfactory evidence that the tax for the year has been paid.
- ☐ A loss occurred because of flood, fire, storm, or other unavoidable casualty;
Date of Loss _____
- ☐ Structures have been removed after the assessment date (upon verification by the director of equalization),
Date structures removed _____
- ☐ Applicant, having otherwise qualified for the Assessment Freeze for the Elderly and Disabled, but missed the deadline as prescribed in § 10-6A-4.
- ☐ Applicant, having otherwise qualified for classification of owner-occupied single family dwelling, but missed the deadline as prescribed by law due to temporary duty assignment for the military.
- ☐ Other / Comments _____

(No tax may be abated on any real property which has been sold for taxes, while a tax certificate is outstanding - - Any abatement on property within corporate limits of a municipality must be first approved by the governing body of the municipality.)

I hereby apply for an abatement / refund of property taxes for the above reasons.

Shen Sumner
Applicant's Signature

Subscribed and sworn to, before me this 16 day of March, 2022

Sarah Tesch
Notary / Auditor / Deputy Auditor / Director
SARAH TESCH
NOTARY PUBLIC
SEAL SOUTH DAKOTA SEAL

Date received in the County Auditor's Office 3-18-2022 Received by Austin Naute
Taxes due in 2022 Total Taxable Value 19,387 Total Taxes Due 224.00
Tax levy 11.553 Property classification Ag
Taxable Value Abated 19,387 Amount Abated 224.00 Amount Refunded _____

APPLICATION FOR ABATEMENT OR REFUND OF TAXES
under the provisions of SDCL 10-18-1
TO THE BOARD OF COUNTY COMMISSIONERS OF CODINGTON COUNTY, SOUTH DAKOTA

NAME Florence School District
MAILING ADDRESS PO Box 66
CITY Florence STATE SD ZIP CODE 57235
Record # 20416 Legal Description of Property
Lots 6-10
Blk 34 Way's Add

Application for an abatement / refund of taxes if being presented due to the following reason (check applicable provision).

- ☐ An error has been made in any identifying entry of description of the real property; in entering the valuation of the real property or in the extension of the tax, to the injury of the complainant;
- ☐ Improvements on any real property were considered or included in the valuation of the real property, which did not exist on the real property at the time fixed by law for making the assessment;
- ☒ The complainant or the property is exempt from the tax;
- ☐ The complainant had no taxable interest in the property assessed against the complainant at the time fixed by law for making the assessment;
- ☐ Taxes have been erroneously paid or error made in noting payment or issuing receipt for the taxes paid;
- ☐ The same property has been assessed against the complainant more than once in the same year, and the complainant produces satisfactory evidence that the tax for the year has been paid.
- ☐ A loss occurred because of flood, fire, storm, or other unavoidable casualty;
Date of Loss _____
- ☐ Structures have been removed after the assessment date (upon verification by the director of equalization),
Date structures removed _____
- ☐ Applicant, having otherwise qualified for the Assessment Freeze for the Elderly and Disabled, but missed the deadline as prescribed in § 10-6A-4.
- ☐ Applicant, having otherwise qualified for classification of owner-occupied single family dwelling, but missed the deadline as prescribed by law due to temporary duty assignment for the military.
- ☐ Other / Comments _____

(No tax may be abated on any real property which has been sold for taxes, while a tax certificate is outstanding - - Any abatement on property within corporate limits of a municipality must be first approved by the governing body of the municipality.)

I hereby apply for an abatement / refund of property taxes for the above reasons.

Ghim Sumner
Applicant's Signature

Subscribed and sworn to, before me this 16 day of March, 2022

Sarah Tesch
Notary / Auditor / Deputy Auditor
SARAH TESCH
NOTARY PUBLIC
SEAL
SOUTH DAKOTA

Date received in the County Auditor's Office 3-18-2022 Received by Arlene Nante
Taxes due in 2022 Total Taxable Value 1,478 Total Taxes Due 17.07
Tax levy 11.553 Property classification Ag
Taxable Value Abated 1,478 Amount Abated 17.07 Amount Refunded _____

CODINGTON COUNTY
WATERTOWN, SD 57201-3611

* * * * *

Invoice # / Description	Account #	From Budget	Amount
1ST & 2ND- PUBLIC HEALTH NURSE	101 - 421.0 - 429.00	COUNTY NURSE	7,254.50

TOTAL: 7,254.50

Claim Of:
SD DEPARTMENT OF HEALTH

615 E 4TH ST
PIERRE, SD 57501-2536

Amount Allowed: \$ 7254.50

<-- VOUCHER #

I declare and affirm under the penalties of perjury that this claim has been examined by me, and to the best of my knowledge and belief, is in all things true and correct.

Claimant

Date

I declare and affirm under the penalties of perjury that this claim has been examined by me, and to the best of my knowledge and belief, is in all things true and correct. I further certify that the above services were rendered, or that the above listed materials were received in an acceptable condition, and that the above claim is hereby approved by me for payment on this day 04/19/2022 .

Chairman / authorized agent

Authorized Official

Date

CODINGTON COUNTY
WATERTOWN, SD 57201-3611

* * * * *

Invoice # / Description	Account #	From Budget	Amount
REIMBURSE - TARGET FOLDERS	101 - 120.0 - 426.00	ELECTION	17.90

TOTAL: 17.90

Claim Of:
DEBBIE MELVILLE

1024 17TH ST NE
WATERTOWN, SD 57201

Amount Allowed: \$ 17.90

<-- VOUCHER #

I declare and affirm under the penalties of perjury that this claim has been examined by me, and to the best of my knowledge and belief, is in all things true and correct.

Claimant.

Date

I declare and affirm under the penalties of perjury that this claim has been examined by me, and to the best of my knowledge and belief, is in all things true and correct. I further certify that the above services were rendered, or that the above listed materials were received in an acceptable condition, and that the above claim is hereby approved by me for payment on this day 04/19/2022 .

Chairman / authorized agent

Authorized Official

Date

CODINGTON COUNTY
WATERTOWN, SD 57201-3611

* * * * *

Invoice # / Description	Account #	From Budget	Amount
ACCT END:5414 - FORT PIERRE	226 - 222.0 - 427.00	EMERGENCY MANAG	236.42
ACCT END:5414 - BATTERIES UNL	226 - 222.0 - 429.20	EMERGENCY MANAG	130.00

TOTAL: 366.42

Claim Of:
FIRST INTERSTATE BANK
C/O VISA
35 1ST AVE NE
WATERTOWN, SD 57201

Amount Allowed: \$ 366.42

<-- VOUCHER #

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Claimant

Date

I declare and affirm under the penalties of perjury that this claim has been examined by me, and to the best of my knowledge and belief, is in all things true and correct. I further certify that the above services were rendered, or that the above listed materials were received in an acceptable condition, and that the above claim is hereby approved by me for payment on this day 04/19/2022 .

Chairman / authorized agent

Authorized Official

Date

CODINGTON COUNTY
WATERTOWN, SD 57201-3611

* * * * *

Invoice # / Description	Account #	From Budget	Amount
ACCT END:0232 - AMAZON	101 - 411.0 - 429.05	CARE OF POOR	382.12

TOTAL: 382.12

Claim Of:
VISA

PO BOX 4512
CAROL STREAM, IL 60197-4512

Amount Allowed: \$ 382.12

<-- VOUCHER #

I declare and affirm under the penalties of perjury that this claim has been examined by me, and to the best of my knowledge and belief, is in all things true and correct.

Claimant

Date

I declare and affirm under the penalties of perjury that this claim has been examined by me, and to the best of my knowledge and belief, is in all things true and correct. I further certify that the above services were rendered, or that the above listed materials were received in an acceptable condition, and that the above claim is hereby approved by me for payment on this day 04/19/2022 .

Chairman / authorized agent

Authorized Official

Date

CODINGTON COUNTY
WATERTOWN, SD 57201-3611

* * * * *

Invoice # / Description	Account #	From Budget	Amount
ACCT END: 0786 - STAMPS	101 - 211.0 - 426.00	SHERIFF	150.50
ACCT END: 0786 - TRAVEL	101 - 211.0 - 427.00	SHERIFF	1,675.86
ACCT END: 0786 - TRAVEL	101 - 212.0 - 427.00	COUNTY JAIL	1,675.86

TOTAL: 3,502.22

Claim Of:
VISA

PO BOX 4512
CAROL STREAM, IL 60197-4512

Amount Allowed: \$ 3502.22

<- VOUCHER #

I declare and affirm under the penalties of perjury that this claim has been examined by me, and to the best of my knowledge and belief, is in all things true and correct.

Claimant

Date

I declare and affirm under the penalties of perjury that this claim has been examined by me, and to the best of my knowledge and belief, is in all things true and correct. I further certify that the above services were rendered, or that the above listed materials were received in an acceptable condition, and that the above claim is hereby approved by me for payment on this day 04/19/2022 .

Chairman / authorized agent

Authorized Official

Date

CODINGTON COUNTY
WATERTOWN, SD 57201-3611

* * * * *

Invoice # / Description	Account #	From Budget	Amount
FEB 2022 - 911 SURCHARGE	207 - 225.0 - 429.10	E-911	22,080.41

TOTAL: 22,080.41

Claim Of:
WATERTOWN CITY FINANCE OFFICE
P.O. BOX 910
WATERTOWN, SD 57201-0910

Amount Allowed: \$ 22080.41

<-- VOUCHER #

I declare and affirm under the penalties of perjury that this claim has been examined by me, and to the best of my knowledge and belief, is in all things true and correct.

Claimant

Date

I declare and affirm under the penalties of perjury that this claim has been examined by me, and to the best of my knowledge and belief, is in all things true and correct. I further certify that the above services were rendered, or that the above listed materials were received in an acceptable condition, and that the above claim is hereby approved by me for payment on this day 04/19/2022 .

Chairman / authorized agent

Authorized Official

Date

CODINGTON COUNTY

INDIVIDUAL EMPLOYEE TRAVEL REQUEST

Department Director of Equalization Office
Name of traveling employee Shawna Constant & Heidi Selchert
Employee title Director & Appraiser II Employee status exempt ☒ nonexempt ☒
Purpose of travel District Meeting
Method of transportation County Vehicle
Destination _____
Departure date _____ Arrival date and time _____
Return departure date _____ Return arrival date and time _____

Costs of travel

Conveyance expense (airplane, vehicle mileage, vehicle rental, etc.) N/A
Lodging expense N/A
Meals N/A Registration N/A
Other costs _____
Overtime costs involved in the requested travel N/A

Can the traveling employee's hours be flexed to reduce or eliminate overtime costs?

Yes ☒ No _____ If no, why _____

Is this travel a budgeted item? Yes ☒ No _____

County Commission

Travel request approved: yes _____ no _____ Comments _____

Commission Chairman, _____

Date _____

FILED

APR 20 2022

CODINGTON COUNTY AUDITOR

CODINGTON COUNTY

INDIVIDUAL EMPLOYEE TRAVEL REQUEST

Department Welfare

Name of traveling employee Sara Foust

Employee title Director Employee status exempt ☐ nonexempt ☒

Purpose of travel 2022 CHW Annual Conference

Method of transportation Vehicle

Destination _____

Departure d _____ n.

Return depa _____

Costs of travel

Conveyance expense (airplane, vehicle mileage, vehicle rental, etc.) \$125 mileage

Lodging expense None

Meals 15.00 maximum Registration 0

Other costs n/a

Overtime costs involved in the requested travel not anticipated

Can the traveling employee's hours be flexed to reduce or eliminate overtime costs? yes, hours will be flexed

Yes ☒ No ☐ If no, why _____

Is this travel a budgeted item? Yes X No Covered under grant

County Commission

Travel request approved: yes _____ no _____ Comments _____

Commission Chairman, _____ Date _____

CODINGTON COUNTY

INDIVIDUAL EMPLOYEE TRAVEL REQUEST

Department Welfare

Name of traveling employee Nicole LaVallie

Employee title Director Employee status exempt ☐ nonexempt ☒

Purpose of travel 2022 CHW Annual Conference

Method of tran

Destination

Departure date

Return departure date and time rival date an

Costs of travel

Conveyance expense (airplane, vehicle mileage, vehicle rental, etc.) \$125 mileage

Lodging expense None

Meals 15.00 maximum Registration 0

Other costs n/a

Overtime costs involved in the requested travel not anticipated

Can the traveling employee's hours be flexed to reduce or eliminate overtime costs? yes, hours will be flexed

Yes ☒ No ☐ If no, why

Is this travel a budgeted item? Yes X No Covered under grant

County Commission

Travel request approved: yes ☐ no ☐ Comments

Commission Chairman, Date