

**AGENDA**  
**Codington County Board of Commissioners**  
**Codington County Court House, 14 1<sup>st</sup> 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 167<sup>th</sup> St**
- 8. Action to set fee for fingerprinting services**
- 9. Action to approve a contract with Walworth County for housing of inmates**
- 10. 2<sup>nd</sup> 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 3<sup>rd</sup>, 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 1<sup>st</sup> Ave SE  
Watertown, SD 57201

April 26, 2022

The Codington County Commissioners met in regular session at 9:00 a.m., Tuesday, April 26, 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. Commissioner Waterman 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 26<sup>th</sup>, 2022 agenda as posted; all voted aye; motion carried.

**MINUTES APPROVED**

Motion by Johnson, second by Waterman, to approve the minutes of April 19<sup>th</sup>, 2022; all voted aye; motion carried.

Codington County, 26 April 2022

**MONTHLY REPORTS**

**Emergency Management Director, Andrew Delgado**, updated the Board. Severe Weather Preparedness Week in South Dakota is April 25 – 29, sirens will be tested in Codington County on April 27th; SKYWARN Weather Spotter Classes were held in Codington County in April with 50 in attendance; PDM meetings have been held in Kranzburg, Watertown, and South Shore, with an additional meeting scheduled in Florence. The Director also participated in an Airport Tabletop Exercise; assisted State OEM in accessing the State shelter trailer; finished the Independent Study 242 Course, attended EM 102; and will meet with the Director of Regulatory Compliance with Summit Carbon Solutions. The Emergency Management Office is updating credentialing cards for local Fire Departments and has submitted the quarterly report for the LEMPG. A meeting of stakeholders, of the local POD group, has been scheduled to determine the direction in which to proceed with future events. Emergency Management Deputy Director, Cheri Howell, is scheduled to take the EM 103 course. **Sheriff, Brad Howell**, provided the Board with the following statistics, compiled from the month of March 2022, for the Detention Center and Sheriff's Office: fees were collected in the amount of \$7,018.00 and were retained by the County; 599 cases/calls for service; 11 accident reports were completed; 73 warrants served; 256 sets of civil papers served; 3,303 transport miles; average daily inmate population 64.71 (high ADP 75 and low ADP 57); 21 individuals wearing SCRAM (security continuous remote alcohol monitor) bracelets; 9 individuals using remote breathalyzers; 34 individuals testing twice daily PBT'S; 36 individuals reporting twice weekly for UA Drug testing; 0 individuals using sweat patches; 196 bookings; \$8,744.71 collected in fees for out of county prisoner contracts; \$3,700.00 collected in work release fees; \$6,118.00 collected in fees for the 24/7 program; and \$5,138.00 collected for SCRAM fees. Sheriff Howell advised the Board he is monitoring fuel costs within the Sheriff's Office budget and trying to manage those costs along with performing normal active patrols. The Sheriff noted some of the newer vehicles have been switched over to E-30. The Sheriff noted National Correctional Officers Week is observed May 1<sup>st</sup> through May 7<sup>th</sup>.

**FINGER PRINTING FEES**

Motion by Gabel, second by Johnson, to increase finger printing fees from \$10.00 per set to \$20.00 per set, effective May 1<sup>st</sup>, upon the recommendation of Sheriff Howell; all voted aye; motion carried. Sheriff Howell noted new finger printing equipment was recently installed in the Detention Center.

**WALWORTH COUNTY INMATE HOUSING CONTRACT**

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

**ORDINANCES #78, 79, 80, & 81, 2<sup>ND</sup> READING AND ADOPTION**

Zoning Officer, Luke Muller, gave the 2<sup>nd</sup> reading on proposed ordinances #78, #79, #80, and #81. The Zoning Officer noted the Board previously met in special joint session at 6:30 p.m., Tuesday, April 19<sup>th</sup>, with the Codington County Planning and Zoning Board for the first reading and public hearing on proposed ordinances #78, #79, #80 and #81.

Motion by Gabel, second by VanDusen, to adopt 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. Upon roll call vote of the Board; Gabel, Waterman, Johnson, VanDusen, and Hanten, voted aye; motion carried.

Motion by Johnson, second by Gabel, to adopt 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. Upon roll call vote of the Board; Gabel, Waterman, Johnson, VanDusen, and Hanten, voted aye; motion carried.

Motion by VanDusen, second by Gabel, to adopt 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. Upon roll call vote of the Board; Gabel, Waterman, Johnson, VanDusen, and Hanten, voted aye; motion carried.

Motion by Gabel, second by Johnson, to adopt 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. Upon roll call vote of the Board; Gabel, Waterman, Johnson, VanDusen, and Hanten, voted aye; motion carried.

**RICHLAND TOWNSHIP ROAD DISCUSSION**

Attorney, Mitch Koehn, representing the Wittnebel and Wishard families, and the general public addressed the Board regarding the condition of 167<sup>th</sup> street in Richland Township which is designated a minimum maintenance township road. Mr. Koehn noted that due to flooding in the area, Horseshoe Lake road, which was previously considered the main access to properties in the area, is now under water. Mr. Koehn also indicated that requests have been made, to Richland Township officials, to remove the minimum maintenance designation from 167<sup>th</sup> street and build up the road to a full maintenance road. Property owner Doug Wishard also addressed the Board regarding the hardship to reach his property due to these impassable roads. Property owner Barrett Wittnebel addressed the Board with his intent to build a house on his property in this area. Emergency Management Director, Andrew Delgado; Travis Paulson, area representative for the South Dakota Towns and Townships Association; and Zoning Officer, Luke Muller, also participated in this discussion regarding responsibility for maintenance designation of Township roads. Mr. Koehn requested that the Board select an individual to review this area and the aforementioned roads to determine how to move forward to build a viable road for property owners in the area. Chair Hanten advised those present for this discussion that this matter will be discussed with the County's legal counsel to research responsibility to resolve and/or move forward on the matter.

**LAKESIDE WORSHIP SERVICES AT MEMORIAL PARK**

Motion by Johnson, second by Waterman, to allow the Lutheran Church of our Redeemer to conduct worship services at Memorial Park during the 2022 park season, from May 29<sup>th</sup> through September 4<sup>th</sup>, 2022 and to allow the Church to reserve the picnic shelter through 11:00 a.m. for these dates as well; all voted aye; motion carried.

**NATIONWIDE RETIREMENT PLAN DOCUMENT RE-STATEMENT**

Motion by Gabel, second by Hanten, to approve the restated 457(b) Governmental Plan Document for Codington County through Nationwide Retirement Solutions, per regulations of the Internal Revenue Service; all voted aye; motion carried.

**2022 BOARD OF EQUALIZATIONS MINUTES**

Motion by Gabel, second by Waterman, to approve the minutes of the 2022 County Board of Equalization; all voted aye; motion carried. Motion by Gabel, second by Johnson, to approve the minutes of the 2022 Consolidated Board of Equalization.

**RIDES TO WELLNESS GRANT PARTNERS MOU**

Motion by VanDusen, second by Gabel, to approve an MOU regarding the Rides to Wellness grant. This grant allows transportation services for passengers through the National Rural Transit Assistance Program Community Rides Grant Program. This MOU will allow for the transport of Veterans, working with the Codington County Veteran's Service office, at no cost to the Veteran. All voted aye; motion carried.

**ABATEMENT APPLICATIONS**

Motion by Johnson, second by Gabel, to approve property tax applications on the following properties: Property record #4653, tax bill #5195 - \$16.13; Property record #4653, tax bill #15787 - \$224.00; & Property record #20416, tax bill #5196 - \$17.07; all voted aye; motion carried.

**CLAIMS**

Motion by Gabel, second by Johnson, to approve the following claim for payment: City of Watertown, \$22,080.41, February 911 surcharge collections; Gabel, Waterman, Johnson and Hanten voted aye; VanDusen was recused; motion carried. Motion by Gabel, second by VanDusen, to approve for payment the following claims: Debbie Melville 17.90 sup; SD Dept. Health 7254.50 qtrly svc pmt; VISA – First Interstate Bank 366.42 sup/misc; VISA Reliabank 3884.34 sup/travel; all voted aye; motion carried.

**SALARY CLAIMS**

Motion by VanDusen, second by Waterman, to approve for payment the following salary claims for the month ending April, 2022; all voted aye; motion carried: Commissioners: 10,775.98 total salaries. Auditor: 23,327.64 total salaries. Co. Treasurer: 33,918.10 total salaries. States Attorney: 36,277.83 total salaries. Gov. Buildings: 18,580.18 total salaries. Dir. Equalization: 47,425.88 total salaries. Reg. of Deeds: 25,552.50 total salaries. Veterans Service: 12,202.70 total salaries. Sheriff: 103,862.43 total salaries. Co. Jail: 127,640.05 total salaries; New Hire Abby Wentz PT 22.62 per hour; New Hire Nolan Koistinen PT 22.62 per hour; New Hire Brandon Anderson PT 22.62 per hour. Welfare: 16,080.43 total salaries; New Hire Nicole LaVille 3406.92. County Nurse: 5,304.33 total salaries. Ag. Bldg.: 10,398.13 total salaries. Co. Extension: 10,724.86 total salaries. Weed: 4,489.89 total salaries. Planning Board: 376.74 total salaries. Road & Bridge: 103,932.83 total salaries. Emergency Management: 12,478.75 total salaries. Crime Victim: 7,429.89 total salaries. W.I.C.: 4,970.40 total salaries. Total 615,749.54. Breakdown of withholding amounts which are included in the above: S.D. Retirement 57,605.32; S.D. Retirement 74.12 spouse option; S.D. Supplemental Retire. 3,615.00 suppl. retire.; Sanford 85,071.87 ins.; Reliance Standard Life Insurance 763.98 life ins.; Delta Dental 6483.76 ins.; Avesis 903.75 ins.; Nationwide Retire. Sol. 25.29 suppl. retire.; AFSCME Council 65 439.65 employee union dues; AFLAC 3,901.26 ins.; John Hancock 5,750.00 suppl. retire.; AFLAC 865.69 ins.; Watertown United Way 90.00 employee contributions; Office of Child Support 435.00 employee payments; Sioux Valley Credit Union 25,156.00 employee payments; SDRS Supplemental Retirement 4,195.00 Roth retirement; Teamsters Local Union 120 422.00 employee union due; Codington County Deputy Sheriff's Association 120.00 employee union dues; ReliaBank Dakota 40,841.63 federal withholding; ReliaBank Dakota 56,176.82 social security; ReliaBank Dakota 13,138.04 medicare.

**TRAVEL REQUESTS**

Motion by Johnson, second by Gabel, to approve the following travel requests: Director of Equalization and Appraiser, District meeting; Welfare Director and Community Care Coordinator, 2022 CHW Annual Conference; all voted aye; motion carried.

**EXECUTIVE SESSION**

Motion by Johnson, second by Gabel, to enter into executive session, per SDCL 1-25-2 (1) & (2), personnel issues and contractual matters; at 10:12 a.m.; all voted aye; motion carried. The Board returned to regular session at 10:36 a.m., no action was taken. Human Resource Representative, Natalie Remund, was present for executive session.

**ADJOURNMENT**

With no further business to come before the Board, a motion was made by Johnson, second by VanDusen, to adjourn at 10:36 a.m., until 9:00 a.m., Tuesday, May 3<sup>rd</sup>, 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.

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