

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, May 24, 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 May 24th, 2022, agenda**
5. **Action to approve the May 17th, 2022, minutes of the Board of Codington County Commissioners**
6. **Closing audit comments and action to sign the County's letter of representation for said audit**
7. **Monthly Reports**
 - a. **Sheriff**
8. **Action to approve hiring of a Deputy Sheriff to fill a vacancy**
9. **Action to approve a budgeted flooring project in the Detention Center**
10. **Action to approve an agreement to house Grant County inmates**
11. **Action to approve advertising and hiring of a Deputy States Attorney to fill a vacancy**
12. **Action to approve a malt beverage renewal application for Joy Ranch**
13. **Action to approve a resolution declaring a disaster and asking the Governor to declare a disaster for Codington County**
14. **Action to approve a notice to bidders for full depth reclamation and paving on County 9B one mile and 23-5 one mile**
15. **Micro Seal on three miles of County 6A and 17-3**
16. **Discussion regarding funds to be returned to Nextera**
17. **Action to approve lease agreements for Welfare Office space**
18. **Action to approve a new phone system for the Welfare through VAST**
19. **Discussion/possible action to agree to a request to end public defender contracts**
20. **Action to approve claims for payment**

21. Action to approve automatic budget supplements

22. Action to approve personnel changes

23. Action to approve travel requests

24. Public Notices – a possible quorum of Commissioners could be in attendance at:

25. Old Business

26. New Business

27. Open

a. Public Comments

b. Commission Comments

28. 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)

29. Action to adjourn until 9:00 a.m., Thursday, June 9th, 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**

May 24, 2022

The Codington County Commissioners met in regular session at 9:00 a.m., Tuesday, May 24, 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. Michelle Burkhart, South Dakota Dept. of Legislative Audit, 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 May 24th, 2022 agenda as posted; all voted aye; motion carried.

MINUTES APPROVED

Codington County, 24 May 2022

Motion by Johnson, second by Waterman, to approve the minutes of May 17th, 2022; all voted aye; motion carried.

CLOSING AUDIT COMMENTS

Michelle Burkhart, SD Dept. of Legislative Audit, reviewed the 2019 – 2020 Codington County financial statement and compliance audit findings with the Board. Ms. Burkhart noted there were no material findings in this audit. Motion by VanDusen, second by Gabel, to authorize the Chairman to sign the management representation letter pertaining to the audit period; all voted aye; motion carried.

MONTHLY REPORTS

Sheriff, Brad Howell, provided the Board with the following statistics, compiled from the month of April 2022, for the Detention Center and Sheriff's Office: fees were collected in the amount of \$7,983.00 and were retained by the County; 514 cases/calls for service; 14 accident reports were completed; 86 warrants served; 149 sets of civil papers served; 3,778 transport miles; average daily inmate population 70.57 (high ADP 77 and low ADP 64); 22 individuals wearing SCRAM (security continuous remote alcohol monitor) bracelets; 8 individuals using remote breathalyzers; 28 individuals testing twice daily PBT'S; 37 individuals reporting twice weekly for UA Drug testing; 197 bookings; \$13,025.00 collected in fees for out of county prisoner contracts; \$3,980.00 collected in work release fees; \$6,096.00 collected in fees for the 24/7 program; and \$5,511.00 collected for SCRAM fees. Sheriff Howell briefly updated the Board on the Detention Center commissary which has been up and running for approximately two weeks, with a commission of 30% to the County resulting in revenue of \$1,426.00 to date.

DEPUTY SHERIFF POSITION VACANCY

Motion by VanDusen, second by Johnson, to authorize the Sheriff to hire a Deputy Sheriff to fill a pending vacancy on May 27th; all voted aye; motion carried

DETENTION CENTER FLOORING PROJECT

Motion by Gabel, second by Waterman, to approve a flooring project in the Detention Center. Sheriff Howell presented the Board with a quote in the amount of \$8,978.00, from MidWest Grinding, to grind, polish and seal a section of flooring in the Detention Center, as budgeted in 2022. All voted aye; motion carried.

GRANT COUNTY INMATE CONTRACT

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

DEPUTY STATE'S ATTORNEY POSITION VACANCY

Motion by Gabel, second by VanDusen, to authorize State's Attorney, Rebecca Morlock Reeves, to hire a Deputy State's Attorney to fill a vacancy pending June 24th, all voted aye; motion carried.

2022-2023 MALT BEVERAGE LICENSE RENEWAL

Motion by Johnson, second by Waterman, to approve the following 2022-2023, on/off sale, Malt Beverage license renewal application: Joy Ranch of South Dakota; all voted aye; motion carried.

DISASTER DECLARATION

Emergency Management Deputy Director, Cheri Howell, met with the Board to request a disaster declaration for Codington County due to violent weather which occurred on May 12, 2022. Motion by Johnson, second by Gabel, to approve Resolution 2022-12; requesting the Governor of the State of South Dakota and the President of the United States, to declare a disaster; all voted aye; motion carried.

Resolution #2022-12

WHEREAS, Codington County, South Dakota, has suffered damage, brought on by severe winds, rain and tornados on May 12, 2022; and

WHEREAS, Codington County has committed all available resources and taken all possible actions within the jurisdictional boundaries to combat and to alleviate the emergency/disaster and local resources are not adequate to cope with the situation.

WHEREAS, Codington County recognizes that all municipal, tribal and rural electric cooperatives, utility companies, farmers and ranchers have taken all possible actions within the jurisdictional boundaries to combat and to alleviate the emergency/disaster.

THEREFORE, BE IT RESOLVED that the Codington County board of Commissioners for, and on behalf of the citizens of Codington county, request the Governor of the State of South Dakota to petition the President of the United States of America to declare Codington County, South Dakota an emergency/disaster area.

Dated this 24th day of May, 2022.

Brenda Hanten

Chairman, Codington County Board of Commissioners

ATTEST:

Cindy Brugman

Codington County Auditor

NOTICE TO BIDDERS ROAD RECLAMATION AND MICROSEAL PROJECT

Motion by Gabel, second by Johnson, to approve a notice to bidders for stabilized full depth reclamation and microseal on various Codington County roadways; all voted aye; motion carried. Bids will be opened and publicly announced at the Board's meeting schedule for June 14, 2022.

NEXTERA ROAD RECLAMATION FUNDS

County Highway Supt., Rick Hartley and Banner Project Manager, Waylon Blasius, met with the Board to discuss the funds provided to Codington County by NextEra for the restoration construction efforts of the haul roads utilized by NextEra Energy Resources and their affiliates during the construction of the Crowned Ridge Wind and Crowned Ridge Wind II developments. In June of 2021 NextEra provided the County with funding in the amount of \$11,484,475.00 to be utilized to cover all costs incurred by the County to facilitate the restoration construction efforts. Discussion was held regarding the remaining restoration items that were carried over from 2021 due to seasonal restrictions. Mr. Blasius recommended a refund to NextEra in the amount of \$2,933,318.93 with sufficient funds retained for the final restoration items to be completed. Discussion was held regarding the certainty of the amount of funds that may be needed to complete the final items. The Board did not take action, to refund NextEra, at this time.

WELFARE OFFICE SPACE LEASE

Welfare Director, Sara Foust, presented the Board with a revised lease agreement for office space, located at 7 West Kemp, for the Welfare Office. The revised lease provides for electrical upgrades at the Landlord's expense. The County's liability insurance provider has notified the Welfare Director that the liability insurance limits can also be met per the landlord's requirement at no additional cost to the

Codington County, 24 May 2022

County. Motion by VanDusen, second by Gabel, to approve the lease as submitted; all voted aye; motion carried.

WELFARE OFFICE PHONE SYSTEM

Motion by VanDusen, second by Johnson, to approve a new phone service, for the Welfare Office, through VAST; all voted aye; motion carried.

PUBLIC DEFENDER CONTRACTS

Motion by Gabel, second by VanDusen, to end the current Primary and Secondary Public Defender contracts, effective 5/31/2022, per requests from current contract holders, Sutton Law Offices and Green Roby Oviatt LLP; all voted aye; motion carried.

CLAIMS

Motion by Gabel, second by Johnson to approve a claim in the amount of \$23594.92, payable to the City of Watertown, for March 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 claims totaling \$1842.86, payable to VISA Reliabank for misc. items; all voted aye; motion carried.

TRAVEL REQUESTS

Motion by Johnson, second by Waterman, to approve the following travel request: Facilities Manager, Spring Weed ID tour; all voted aye; motion carried.

ADJOURNMENT

With no further business to come before the Board, a motion was made by Johnson, second by Gabel, to adjourn at 10:05 a.m., until 9:00 a.m., Thursday, June 9th, 2022; all voted aye; motion carried.

ATTEST:

Cindy Brugman
Codington County Auditor

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