

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, August 16, 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 August 16, 2022, agenda**
5. **Action to approve the August 9, 2022, minutes of the Board of Codington County Commissioners**
6. **2nd reading, Public Hearing, and action to amend Ordinance #8-96 (speed limits)**
7. **Monthly Reports**
 - a. **Extension**
 - b. **Facilities Manager**
 - c. **Highway Superintendent**
8. **Action to declare equipment surplus to be traded – spray logger**
9. **Action to authorize application of Health Improvement Innovation grant funds**
10. **Action to approve discretionary valuation resolutions**
11. **Action to advertise and hire part-time States Attorney Administrative Support to fill a vacancy**
12. **Discussion/possible action to enact a Burn Ban**
13. **Review of 2023 Budget requests**
14. **Action to approve claims for payment**
15. **Action to approve automatic budget supplements**
16. **Action to approve personnel changes**
17. **Action to approve travel requests**
18. **Public Notices – a possible quorum of Commissioners could be in attendance at:**
 - a. **SDACO/SDACC annual convention, September 12-13, Pierre, SD**
19. **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)

20. Old Business

21. New Business

22. Open

- a. Public Comments
- b. Commission Comments

23. Action to adjourn until 9:00 a.m., Tuesday, August 23rd, 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**

August 16, 2022

The Codington County Commissioners met in regular session at 9:00 a.m., Tuesday, August 16, 2022, at the Codington County Court House. Commission members present were: Lee Gabel, Charlie Waterman, Myron Johnson, Troy VanDusen and Brenda Hanten; Chair Hanten, presiding. The pledge of allegiance was led by Commissioner Gabel.

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 Waterman, second by VanDusen, to approve the August 16th, 2022 agenda as posted; all voted aye; motion carried.

MINUTES APPROVED

Motion by Johnson, second by Gabel, to approve the minutes of August 9th, 2022; all voted aye; motion carried.

AMENDMENT TO ORDINANCE #8-96 SECOND READING, PUBLIC HEARING, ADOPTION

The Board held the second reading and public hearing to amend Ordinance #8-96 pertaining to the speed limit on sections of County road 14. Chair Hanten gave the second reading and opened the public hearing. There were no comments from the public. Chair Hanten closed the public hearing at this time. Chair Hanten called for a motion to amend Ordinance 8-96. Motion by VanDusen, second by Gabel, to adopt the proposed amendment to Ordinance #8-96. Commissioner VanDusen noted this ordinance will set County speed limits, consistent with City speed limits, in this area around Lake Kampeska. The following Ordinance was adopted:

Codington County, 16 August 2022

AMENDMENT TO ORDINANCE # 8-96

WHEREAS, in the judgment of the Board of Commissioners of Codington County, South Dakota, In the interest of travel efficiency and safety for all citizens, it has been determined that Ordinance numbered 8-96 shall be amended to include the following described segment of Codington County Road number 14.

Codington County Road # 14, Beginning at the intersection of County Road 17-5, then proceeding west approximately 1315 feet shall be posted at 35 MPH. From intersection of 139 proceeding east on County Road # 14 approximately 1725 feet shall be posted 35 MPH.

THEREFORE, be it ordained that the Highway Superintendent be ordered to post the above-mentioned road segment at the designated speeds, and that the designated speed limits shall be effective upon erection of the signs.

First reading: July 26, 2022
Second reading: August 16, 2022
Public Hearing: August 16, 2022
Adopted date: August 16, 2022
Effective: upon posting of speed limit signage

The above and foregoing amendment was moved for adoption by Commissioner VanDusen, second by Commissioner Gabel; and upon roll call vote; Gabel, Waterman, Johnson, VanDusen and Hanten voted “aye”; whereupon the Chair declared the amendment duly passed and adopted.

Dated at Watertown, South Dakota, this 16th day of August, 2022

Brenda Hanten
Commission Chair

ATTEST:

Cindy Brugman
Codington County Auditor

MONTHLY REPORTS

4-H/Youth Program Advisor, Jodi Loehrer, updated the Board. The 2022 4-H Achievement days was a success and thanks was expressed for the recent installation of air conditioning in the North Expo. Jodi also expressed thanks for the many supporters of Codington County 4-H. Several of the Achievement Day Champions will advance to a “sweet 16” competition consisting of the 16 counties located in the north east part of the state. State Fair planning is underway and the NE Advisors are working on the next 4-H Regional Teen Dash. **Facilities Manager, Steve Molengraaf**, updated the Board. Extension Center Complex – the barn has been cleaned up following achievement days; auction sales and a Fiber Fair event are scheduled for the immediate future. Government Buildings – fire extinguisher training was attended by 24 employees and work continues to find a new phone system for County offices. Detention Center – no major issues at this time. Memorial Park – staff are cleaning and painting; bookings have resulted in revenue of \$142,964.08 to date, with \$3,028.00 collected for point-of-sale items (firewood & LP gas). The District Manager of the Dakota Horizons Girls Scouts has contacted Mr. Molengraaf and an agreement is being drafted to turn over the Girl Scout building, located at Memorial Park, to the County. Weed Department – spraying along County Roads 6 & 17 has taken place to clean up weeds along the road shoulders and cracks in the road. West Nile – Culex numbers vary each week and spraying will take

place in several communities this week. **Highway Supt., Rick Hartley**, updated the Board. The Bus Barn road has been ground and laid back with paving to start this week. County road 23, north of Tinkertown, has been ground and injected. The top cut has been completed on all gravel and asphalt County roads; fall mowing will begin in September; gravel continues to be hauled to soft spots; brooming of pea rock, used to chip seal roads, is underway; 2 large culverts on County road 9-3 (458 Ave north of 166 St) have rusted out and been replaced; a project to inventory all culverts on County roads is being planned for this fall; type, size and location meetings have been held to determine future plans for bridges on County road 20 (160 St) and on County road 2-3 (Cottonwood St.); load limits on the 14th Ave bridge will be enforced as soon as signage become available; work continues with First District Association of Local Governments to prepare the County's 5 Year Road and Bridge Plan. Pelican Township is the only Township that has provided the Highway Dept. with a 5 Year Plan. The new fuel pumps have been installed at the Highway Dept.

SURPLUS SPRAY LOGGER

Motion by Johnson, second by Gabel, to declare GEN01678, a spray logger E3 unit, s/n MF1005, and accessories, surplus to be traded in for new equipment; all voted aye; motion carried.

HEALTH IMPROVEMENT INNOVATION GRANT APPLICATION

Motion by Johnson, second by Gabel, to authorize Welfare Director, Sara Foust, to apply for a Health Improvement Innovation Grant; all voted aye; motion carried. If awarded this grant will be used to develop a marketing plan for Strategic Planning.

DISCRETIONARY VALUES RESOLUTIONS

Motion by VanDusen, second by Gabel, to approve Resolution 2022-19, as prepared by Director of Equalization, Shawna Constant, in order to comply with SDCL 10-6-137, regarding discretionary values on new affordable housing structures; all voted aye; motion carried.

CODINGTON COUNTY RESOLUTION No. 2022-19 Discretionary Formula SDCL 10-6-137

WHEREAS, the County of Codington, State of South Dakota has deemed it in the best interest of the County to adopt a Resolution implementing a Discretionary Formula for the reduced taxation of new structures and additions and partially constructed structures pursuant to SDCL § 10-6-137.

NOW, THEREFORE, BE IT RESOLVED, that the following properties shall be, and hereby are, specifically classified for the purpose of taxation pursuant to SDCL § 10-6-137(5), (6), and (7):

Any new commercial residential structure, or addition to an existing structure, containing four or more units, if the new structure or addition has a full and true value of thirty thousand dollars or more (SDCL § 10-6-137(5));

Any new affordable housing structure containing four or more units with a monthly rental rate of the units at or below the annually calculated rent for the state's sixty percent area median income being used by the South Dakota Housing Development Authority, for a minimum of ten years following the date of first occupancy, if the structure has a full and true value of thirty thousand dollars or more (SDCL § 10-6-137(6));

Any new residential structure, or addition to or renovation of an existing structure, located within a redevelopment neighborhood established pursuant to SDCL § 10-6-141 if the new structure, or addition, or renovation has a full and true value of five thousand dollars or more. The structure shall be located in an area defined and designated as a redevelopment neighborhood based on conditions provided in SDCL § 11-7-2 or SDCL § 11-7-3 (SDCL § 10-6-137(7));

BE IT FURTHER RESOLVED, that any structure classified pursuant to this Resolution shall, following construction, initially be valued for taxation purposes in the usual manner, and that value shall be referred to in this Resolution as the “Pre-Adjustment Value”; and

BE IT FURTHER RESOLVED, that the assessed value to be used for tax purposes of any structure classified pursuant to this Resolution shall, following construction, be calculated as follows:

- a. For the first tax year following construction, 0% of the Pre-Adjustment Value;
- b. For the second tax year the following construction, 0% of the Pre-Adjustment Value;
- c. For the third tax year following construction, 0% of the Pre-Adjustment Value;
- d. For the fourth tax year following construction, 0% of the Pre-Adjustment Value;
- e. For the fifth tax year following construction, 0% of the Pre-Adjustment Value;
- f. For the sixth tax year following construction, 0% of the Pre-Adjustment Value; and
- g. For the seventh tax year following construction, 100% of the Pre-Adjustment Value;

BE IT FURTHER RESOLVED, that the Board of County Commissioners may, if requested by the owner of any of the above described property, not apply the above formula, in which case the full assessment shall be made without application of the formula. In waiving this formula for the structure of one owner, the Board of County Commissioners is not prohibited from applying the formula for subsequent new structures by that owner; and

BE IT FURTHER RESOLVED, that for purpose of this Resolution, the assessed valuation during any of the seven years may not be less than the assessed valuation of the property in the year preceding the first year of the tax years following construction; and

BE IT FURTHER RESOLVED, that any structure that is partially constructed on the assessment date may be valued for tax purposes pursuant to this Resolution and the valuation may not be less than the assessed valuation of the property in the year preceding the beginning of construction; and

BE IT FURTHER RESOLVED, that following the seven-year period under this section, the property shall be assessed at the same percentage as is all other property for tax purposes.

Approved this 16th day of August, 2022

Brenda Hanten
Codington County Commission Chair

ATTEST:

Cindy Brugman
Codington County Auditor

Motion by VanDusen, second by Gabel, to approve Resolution 2022-20, as prepared by Director of Equalization, Shawna Constant, to update language regarding SDCL 10-6-137; all voted aye; motion carried.

CODINGTON COUNTY RESOLUTION No. 2022-20
Discretionary Formula SDCL 10-6-137
(Replaces Resolution 2021-29)

WHEREAS, the County of Codington, State of South Dakota has deemed it in the best interest of the County to adopt a Resolution implementing a Discretionary Formula for the reduced taxation of new structures and additions and partially constructed structures pursuant to SDCL § 10-6-137.

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

Any new industrial structure, including a power generation facility, or an addition to an existing structure, if the new structure or addition has a full and true value of thirty thousand dollars or more (SDCL § 10-6-137);

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

Any new nonresidential agricultural structure, or any addition to an existing structure, if the new structure or addition has a full and true value of ten thousand dollars or more (SDCL § 10-6-137);

BE IT FURTHER RESOLVED, that any structure classified pursuant to this Resolution shall, following construction, initially be valued for taxation purposes in the usual manner, and that value shall be referred to in this Resolution as the “Pre-Adjustment Value”; and

BE IT FURTHER RESOLVED, that the assessed value to be used for tax purposes of any structure classified pursuant to this Resolution shall, following construction, be calculated as follows:

- h. For the first tax year following construction, 0% of the Pre-Adjustment Value;
- i. For the second tax year the following construction, 0% of the Pre-Adjustment Value;
- j. For the third tax year following construction, 0% of the Pre-Adjustment Value;
- k. For the fourth tax year following construction, 0% of the Pre-Adjustment Value;
- l. For the fifth tax year following construction, 0% of the Pre-Adjustment Value; and

BE IT FURTHER RESOLVED, that the Board of County Commissioners may, if requested by the owner of any of the above described property, not apply the above formula, in which case the full assessment shall be made without application of the formula. In waiving this formula for the structure of one owner, the Board of County Commissioners is not prohibited from applying the formula for subsequent new structures by that owner; and

BE IT FURTHER RESOLVED, that for purpose of this Resolution, the assessed valuation during any of the five years may not be less than the assessed valuation of the property in the year preceding the first year of the tax years following construction; and

BE IT FURTHER RESOLVED, that any structure that is partially constructed on the assessment date may be valued for tax purposes pursuant to this Resolution and the valuation may not be less than the assessed valuation of the property in the year preceding the beginning of construction; and

BE IT FURTHER RESOLVED, that following the five-year period under this section, the property shall be assessed at the same percentage as is all other property for tax purposes.

Approved this 16th day of August, 2022

Brenda Hanten
Codington County Commission Chair

ATTEST:

Cindy Brugman
Codington County Auditor

PART TIME STATE’S ATTORNEY ADMINISTRATIVE SUPPORT POSITION

Motion by Gabel, second by Waterman, to advertise and fill a part-time Administrative Support position in the State’s Attorney’s office due to a recent resignation of same; all voted aye; motion carried.

TRAVEL REQUESTS

Motion by Gabel, second by Waterman, to approve the following travel requests; all voted aye; motion carried: Extension Administrative Specialist, State Fair booth set up; Emergency Management Director, three events, POD training, Advanced Professional Development Series Course, and Sport Event Risk Management Course.

SDACC CORRESPONDENCE

Chair Hanten noted correspondence from SDACC President, Dean Karsky, encouraging all County Commissioner board members to take an active role in the SDACC by attending the annual conference and district meetings held through-out the year.

EXECUTIVE SESSION

Motion by Gabel, second by Johnson, to enter into executive session, per SDCL 1-25-2 (3), preparing for contract negotiations with employees or employee’s representatives; at 9:44 a.m.; all voted aye; motion carried. The Board returned to regular session at 10:30 a.m., no action was taken. Human Resource Representative, Natalie Remund was present for executive session.

REQUEST TO USE MEMORIAL PARK FACILITIES

Facilities Manager, Steve Molengraaf, advised the Board he has just been contacted by organizers of the “End of Summer Fest” scheduled to be held on Lake Kampeska this weekend. The organizers are looking for a backup plan, to allow the band to setup at Memorial Park, if winds do not cooperate for this event. The Board held a brief discussion regarding this request and determined the use of Memorial Park could be allowed if the event can comply with the County’s liability insurance requirements.

ADJOURNMENT

With no further business to come before the Board, a motion was made by Gabel, second by Waterman, to adjourn at 10:45 a.m., until 9:00 a.m., Tuesday, August 23rd, 2022; all voted aye; motion carried.

ATTEST:

Codington County, 16 August 2022

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 \$_____