

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, December 17, 2024

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 December 17, 2024, agenda
5. Action to approve the December 10, 2024, minutes of the Board of Codington County Commissioners
6. Action to approve Resolution #2024-37 Declaring Official Intent to Reimburse Expenditures
7. Action to approve plat resolutions
 - a. #2024-38 Resen Addition (Dexter Township)
 - b. #2024-39 Bertrang Second Addition (Waverly Township)
 - c. #2024-40 Regnier Addition (Lake Township)
8. Monthly Reports
 - a. Highway
 - b. Facility Manager
9. Discussion/possible action to approve distribution of compensation for 14th Ave. NW Bridge Easements
10. Discussion/possible action to approve Chair to sign Access Lifts Inc. service contract
11. Action to declare office equipment surplus to be destroyed, for various departments
12. Discussion/possible action to change reservation process at Memorial Park
13. Discussion/possible action to designate Weed Board serving area
14. Discussion/possible action to appoint Highway Superintendent
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 upon completion of agenda items

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**

December 17, 2024

The Codington County Commissioners met in regular session at 9:00 a.m., Tuesday, December 17, 2024, at the Codington County Court House. Commission members present were: Lee Gabel, Charlie Waterman, Myron Johnson, Troy VanDusen, and Randall Schweer; Chair Schweer, presiding. The pledge of allegiance was led by Commissioner Gabel.

CALLS FOR PUBLIC COMMENT AND CONFLICT OF INTEREST ITEMS

Chair Schweer 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 agenda for December 17, 2024, as posted; all voted aye; motion carried.

MINUTES APPROVED

Motion by Johnson, second by Gabel, to approve the minutes of December 10, 2024; all voted aye; motion carried.

DECLARING OFFICIAL INTENT TO REIMBURSE EXPENDITURES RESOLUTION APPROVED

Motion by Gabel, second by Johnson, to approve Resolution #2024-37 Declaring Official Intent to Reimburse Expenditures, Colliers Securities LLC representative, Toby Morris, explained to the Board that this informs the IRS the County plans on issuing debt in the future and capture and that any expenditures that the County makes would be considered as equity and sometime in the future will be issuing debt.

Resolution No. #2024-37

**A RESOLUTION DECLARING OFFICIAL INTENT
TO REIMBURSE EXPENDITURES**

WHEREAS, the Codington County, South Dakota (the "County") intends to incur and pay, or has incurred and paid, capital expenditures aggregating approximately \$37,240,000 (the "Capital Expenditures") for the property and project described as the construction, renovation, and equipping of the Court, County Jail, And County Law Enforcement facilities (said property and project is hereinafter referred to as the "Project"); and

WHEREAS, payment of the capital expenditures defined by 26 CFR § 1.150-1 ("Capital Expenditure") will be, or has been, financed, in whole or in part, on an interim basis from moneys other than proceeds of a borrowing (collectively, the "Temporary Advances"); and

WHEREAS, it is reasonably expected that the Temporary Advances will be reimbursed with the proceeds of one or more borrowings not later than 18 months after the later of (i) the date on which the first Capital Expenditure financed by a Temporary Advance was paid, or (ii) the date on which the Project is placed in service or abandoned (but in no event more than 3 years after the date on which the first Capital Expenditure financed by a Temporary Advance was paid); and

Codington County, 17 December 2024

WHEREAS, except for architectural, engineering and similar preliminary expenditures incurred prior to the acquisition or commencement of construction of the Project (but not including land acquisition, site preparation and other similar costs incident to the acquisition or commencement of construction of the Project), this Resolution is being adopted prior to or within 60 days after the payment of the first Capital Expenditure financed by a Temporary Advance;

NOW, THEREFORE, BE IT RESOLVED, by this County Commission, that the County hereby declares its official intent for purposes of Treasury Regulation Section 1.150-2 to reimburse the Capital Expenditures for the Project financed by Temporary Advances with the proceeds of one or more borrowings, the maximum aggregate principal amount of which is not expected to exceed \$37,240,000.

Adopted: December 17, 2024

Randall Schweer
Chairman

ATTEST:

Brenda Hanten
County Auditor

PLAT RESOLUTION APPROVED

Zoning Officer, Luke Muller, reviewed and presented the Board with the Plat of Resen Addition for their approval. The Board took the following action:

RESOLUTION 2024-38

A Resolution to approve the platting of Resen Addition in the County of Codington, South Dakota

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

That an examination has been made of the plat entitled:

Resen Addition located in Southeast Quarter of 19, Township 119 North, Range 54 West of the 5th Prime Meridian; Codington County, South Dakota (Dexter Township), and that the County Planning Commission of the said County has recommended approval of the said plat, and it also appearing that the plat and survey accompanying the same has been executed according to law.

NOW, THEREFORE, said plat is hereby approved and the County Auditor of Codington County, South Dakota, is hereby authorized to endorse on the said plat a copy of the Resolution and to certify to the same thereon.

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

Dated this 17th day of December, 2024, at Watertown, Codington County, South Dakota

MONTHLY REPORTS

Interim Highway Supt., Lynn Solberg, updated the Board: highway department staff finished up on some rip rap repairs in the western part of the County since the water level went down and was able to do; highway department staff have been trimming and removing trees in the right of way of county roads; the hot tack oil sprayer has been delivered to the highway department, Niall from Midstates Equipment will return in the spring when we are ready to use it, and he will train staff on how to use it; the new truck has been delivered, after the first of the year will need to get quotes for the dump body for this truck; have been out sanding county roads several times over the last couple of weeks; will start inventory later this week. **Facility Manager, Steve Molengraaf**, updated the board: Ag. Building – fire suppression system continues to be installed; had a meeting last week with Banner Engineering on some frost heaving on the sidewalk by the sale ring doors trying to do a temporary fix until a permanent one next spring; Court House & Detention Center – contractors have a few minor things to wrap up for the HVAC system, the sidewalk was poured a couple weeks ago due to the milder weather that we had, a walk-through is planned for Thursday, December 19th, 2024 at 9:00 a.m.; the new lift was installed last week by the rear doors of the courthouse; looking at updating the panic buttons; Park – nothing to report at this time; Weed – weed board meeting was held last week Wednesday at the extension complex; WNV – nothing to report; on Thursday, December 12th, 2024, defensive driving courses were held by Safety Benefits at the Extension Complex, received certificates and will get them printed and distributed.

APPOINT HIGHWAY SUPERINTENDENT

Motion by VanDusen, second by Gabel, to appoint Randy Falvey for the Codington County Superintendent position, Human Resource Representative, Natalie Remund, informed the Board that the interview selection members consisted of Troy VanDusen, Randall Schweer and herself, they conducted three in-person interviews and Randy Falvey is who they selected to fill the position of the full-time Highway Superintendent, the Board also thanked Lynn Solberg for his time as interim Highway Superintendent; all voted aye; motion carried.

DISTRIBUTE EASEMENT COMPENSATION FOR 14TH AVE. NW BRIDGE PROJECT

Motion by Gabel, second by Waterman, to approve distribution of the permanent easement compensation for the 14th Ave. NW Bridge Project, in the amount of \$760.00, to Jeremy Peterson, as presented by interim Highway Supt., Lynn Solberg; all voted aye; motion carried.

DISTRIBUTE EASEMENT COMPENSATION FOR 14TH AVE. NW BRIDGE PROJECT

Motion by Johnson, second by Waterman, to approve distribution of the permanent easement compensation for the 14th Ave. NW Bridge Project, in the amount of \$1,450.00, to Jonathan D. Tesch and Jessica L. Tesch, as presented by interim Highway Supt., Lynn Solberg; all voted aye; motion carried.

DISTRIBUTE EASEMENT COMPENSATION FOR 14TH AVE. NW BRIDGE PROJECT

Motion by VanDusen, second by Johnson, to approve distribution of the temporary easement compensation for the 14th Ave. NW Bridge Project, in the amount of \$1,200.00, to Douglas D. Sietsema and Gerald P. Jellis, as presented by interim Highway Supt., Lynn Solberg; all voted aye; motion carried.

ACCESS LIFTS INC. SERVICE CONTRACT

Motion by VanDusen, second by Gabel, to approve Chair to sign Access Lifts Inc., Preventative Maintenance Agreement for one year, in the amount of \$975.00, if service is required a regular service rate of \$180.00 per hour for labor and \$0.60 per mile for miles traveled, Facility Manager, Steve Molengraaf, presented the Board with the information; all voted aye; motion carried.

SURPLUS OFFICE EQUIPMENT FOR VARIOUS DEPARTMENTS

Motion by Johnson, second by Gabel, to declare various office equipment for various departments, surplus to be destroyed: Ag Building – Canon printer, MG2922, HP laptop computer, S4540S serial #2CE24225C7; Govt. Buildings – HP laptop- HP pro 4545sAQ6-4400M; Memorial Park-HP Probook laptop serial #404453; Weed-HP Probook laptop PC 4530s; as per request of Facility Manager, Steve Molengraaf; all voted aye; motion carried.

MEMORIAL PARK RESERVATION PROCESS

Motion by Gabel, second by Waterman, to approve Memorial Park reservations which will be updated to include, reservations will now open up for the whole season for all sites with long term camping on certain designated site type, the change will go into effect in 2025; on-line reservations will begin in February and go through September of each year, Facility Manager, Steve Molengraaf, suggested to make this change to the reservation process at Memorial Park; all voted aye; motion carried.

WEED BOARD SERVING AREA

Facility Manager, Steve Molengraaf, informed the Board that there are not any definite serving area designations for the Weed Board members, he presented the Board with maps designating different options on how to split the County into serving areas, the Board requested to narrow down the options to the map to designate seven serving areas and they will address this at a future Board meeting.

CLAIMS

Motion by Gabel, second by VanDusen, to approve for payment the following list of claims; all voted aye; motion carried. ACCESS ELEVATOR & LIFTS, INC 8373.00 PMT, A-I COMPUTER SOLUTIONS 1299.99 SUP, ALCOHOL MONITORING SYSTEMS 873.00 SVC, BANNER ASSOCIATES, INC 3691.79 PMT, BIRMINGHAM & CWACH LAW OFFICES 305.46 SVC, BLUEPEAK 883.68 UTIL, BORNS GROUP 3869.65 POST, CODINGTON-CLARK ELECTRIC COOPE 35.62 UTILITIES, COLE PAPERS, INC. 2643.55 SUP, COMPASS COUNSELING 23750.00 SVC, CONSOLIDATED CORRECTIONAL 14674.84 SUP, CULLIGAN WATER CONDITIONING 235.75 SUP, DEUTSCH EXCAVATING 18418.40 OTHER EXP., DIAMOND DRUGS, INC 394.57 SVC, ELECTION SYSTEMS & SOFTWARE 53.39 SUP, MARIA ESCAMILLA 200.00 SVC, TOWN OF FLORENCE 80.95 UTILITIES, GALLS, LLC 2396.07 SUP, GWORKS 1858.00 MAINT, HEALTHEQUITY 72.00 FEE, HILLYARD/SIOUX FALLS 724.10 SUP, JOHNSON CONTROLS, INC. 212492.90 PMT, KXLG-FM 575.00 SVC, LAKE AREA DOOR 494.39 REP, LINCOLN CO TREASURER 1075.42 SVC, MACQUEEN 38587.83 GRANT, MASTERS TELECOM LLC 257.99 UTIL, MIDSTATES EQUIPMENT & SUPPLY 43750.00 EQUIPMENT, MOE OIL COMPANY 3454.00 SUPPLIES, NELSON & ERICSSON LAW OFFICE, 671.50 SVC, OPTICS4BIRDING 5114.94 GRANT, PERFORMANCE TOWING 185.00 SVC, PETERS DISTRIBUTING, INC 1052.47 REP, POMP'S TIRE SERVICE, INC. 4831.12 SUPPLIES, PRAIRIE LAKES HEALTH CARE CENT 979.99 SVC, SD DEPARTMENT OF HEALTH 3705.00 SVC, SD INVESTIGATIVE SERVICES 1837.13 SVC, SDAE4-HP 200.00 TRAV, SDN COMMUNICATIONS 846.02 UTIL, SIOUX RURAL WATER SYSTEM 57.50 UTILITIES, SIOUX VALLEY COOP 3097.04 SUPPLIES, SIOUX VALLEY COOP 4982.93 SUP, TOWN OF SOUTH SHORE 96.00 UTILITIES, UNITED SERVICES LLC 520.38 UTIL, VERIZON WIRELESS 3121.85 UTIL, RELIABANK VISA 90.58 PMT, WAVERLY TOWNSHIP 41600.00 PMT, WEST CENTRAL COMMUNICATIONS 2040.80 SUP, YOUNGBERG LAW 989.00 SVC. Motion by Johnson, second by Gabel, to approve a claim in the amount of \$37,396.93 payable to the City of Watertown for October 2024, 911 surcharge collections, Gabel, Johnson, Schweer and Waterman; voted aye; VanDusen was recused; motion carried.

AUTOMATIC BUDGET SUPPLEMENT

Motion by Johnson, second by Gabel, to approve an automatic budget supplement, to the Community Services Budget, in the amount of \$82,468.48 with ERA-2 funds; all voted aye; motion carried.

OLD BUSINESS

The Board noted the Court House and all County Offices will be closed on Monday, December 23rd, Tuesday, December 24th, and Wednesday, December 25th, 2024; and Wednesday, January 1st, 2025; per previously adopted policy; the Board will meet on December 31st, 2024, which is the 5th Tuesday of the month, to address any year end business.

OPEN

Public comments – Travis Paulsen, SDT&T Board member and Eden Township Board member, informed the Board that he appreciated the comments in regard to support good working relationships between the County and Townships. He mentioned two items he would like to see improve: 1. Address farming in the rights-of-way, work together with Townships to control and maintain them; 2. Road maintenance issues with two County gravel roads in Eden Township, County Road 2 and 25A, he would like to have a grade issue addressed because he feels there is a safety issue with them.

Commission comments – Commissioner Gabel reported to the Board that the Sheriff, Chief Correctional officer and himself visited the Clay County jail which is presently under construction, the design team meetings continue which consists of Tegra representative, Architect, Sherrif, Chief Correctional Officer and Commissioner Gabel.

EXECUTIVE SESSION

Motion by VanDusen, second by Gabel, to enter into executive session, per SDCL 1-25-2 (1) discussion of personnel issues, at 10:01 a.m.; all voted aye; motion carried. The Board returned to regular session at 10:20 a.m. Human Resource Representative, Natalie Remund and Auditor, Brenda Hanten were present for executive session.

When the Board returned to regular session the following action was taken: Motion by VanDusen, second by Gabel, to deny the appeal and affirm the termination decision of employee discussed in Executive Session, all voted aye; motion carried.

ADJOURNMENT

Upon conclusion of all business to come before the Board, a motion was made by Johnson, second by Waterman to adjourn at 10:22 a.m., all voted aye; motion carried.

ATTEST:

Brenda Hanten
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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