

**Official Proceedings**  
**County of Codington, Watertown, South Dakota**  
**Codington County Courthouse**  
**14 1<sup>st</sup> Ave SE**

April 28, 2015

The Codington County Commissioners met in regular session at 9:00 a.m., Tuesday, April 28<sup>th</sup>, 2015, at the Codington County Courthouse. Commission members present were: Lee Gabel, Tyler McElhany, Myron Johnson, Elmer Brinkman, and Brenda Hanten; Chairman Brinkman, presiding.

**AGENDA APPROVED**

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

**MINUTES APPROVED**

Motion by Johnson, second by Hanten, to approve the minutes of April 21, 2015; all present voted aye; motion carried.

**ORDINANCE #60 AMENDED AND ADOPTED**

Zoning Officer, Luke Muller, was present and reviewed the proposed amendment to this ordinance as submitted by Paul Leiseth at the Board's meeting and public hearing on April 21<sup>st</sup> and as follows: Written consent of all owners of property between the outlet of the drainage pipe and **either (1) the nearest downstream wetland or drainage course identified as a stream on the "Official Map of Identified Wetlands and Streams for Codington County."** (See Chapter 2.03); **or (2) one mile, whichever is less.** If any such owners of property refuse to provide written consent, written proof that a copy of the site plan, as described in Chapter 2.02.(2)(A), was sent to such owners of property by certified mail. Mr. Muller advised the Board he has been in contact with the Codington County States Attorney regarding the proposed language submitted by Mr. Leiseth. Mr. Muller noted the States Attorney had no objection to the proposed language change. Motion by Hanten, second by McElhany, to take from the table a motion, recorded on April 21<sup>st</sup>, to approve Ordinance #60; all present voted aye; motion carried. Motion by Hanten, second by Johnson, to amend Ordinance #60 with the language as proposed by Mr. Leiseth. Chairman Brinkman then opened the floor to the public regarding this amended language. Scott Campbell addressed the Board and requested that the Board approve the amended language. Upon vote of the Board all present voted aye; motion carried. Chairman Brinkman then brought before the Board the original motion, as submitted by Commissioner McElhany and second by Commissioner Hanten, on April 21<sup>st</sup>, to approve Ordinance #60. Mr. Campbell addressed the Board and stated that if the Board did approve Ordinance #60 as amended this would satisfy State law and most likely result in the dropping of the law suit against the County by the Plaintiffs. Upon vote of the Board all present voted in favor of adopting Ordinance #60 as amended; motion carried.

**ORDINANCE #61 SECOND READING, PUBLIC HEARING, ACTION**

The Board held the second reading on Ordinance #61 which would change the Zoning Ordinance regarding several identified properties, in Lake Township, currently classified as "A" agricultural to "RR" rural residential. Zoning Officer, Luke Muller, advised the Board that the Codington County Planning and Zoning Board has unanimously recommended this ordinance be disposed of after testimony received from property owners against the proposed rezoning. Motion by McElhany, second by Hanten, to approve Ordinance #61. Chairman Brinkman opened the floor to the public at this time. No persons were present to offer comments. Chairman Brinkman then turned to the Board for discussion. Upon vote of the Board; all present vote no; motion failed.



to be stationed throughout the Courthouse during the tour. Facilities Manager, Milo Ford, was present for this discussion and spoke in favor of the request as the use of volunteers would cut down on the cost to the County as far as overtime for his department. Motion by Hanten, second by Gabel, to allow the Courthouse to be added to the fund raising tour as requested by Ms. Lickei; all present voted aye; motion carried.

### **MONTHLY REPORTS**

**Emergency Management Director, Jim Sutton**, reported on the following items: Search and Rescue call out for a vehicle crash in Deuel County, attending a City Dept. meeting, a printer on loan from the State E.M. office to print ID cards, attending a 911 Board meeting, delivery of the new Search and Rescue Team truck and assisting with President Obama's visit to Watertown along with the Search and Rescue team. **Sheriff, Toby Wishard**, submitted the following statistics for the month of March, 2015, for the Detention Center and Sheriff's Office: Average daily inmate population 57.65; bookings 255; \$11,760.04 collected in fees for out of county prisoner contracts; \$4,495.00 collected in work release fees; \$4,056.00 collected in fees for the 24/7 program; \$4,261.00 collected in SCRAM fees, which were remitted to the office of the SD Attorney General; 40 individuals testing twice daily for PBT'S; 14 individuals reporting twice weekly for UA Drug testing; and 30 individuals wearing SCRAM (security continuous remote alcohol monitor) bracelets; 470 cases/calls for service; 4 traffic accident investigated; 147 arrest warrants served; 267 sets of civil papers served; and 23 prisoner transports for a total of 5,945 miles traveled. Sheriff Wishard presented the Board with a report of fees collected in the amount of \$7,644.86 and retained by the County, during the month of March, 2015. The County Auditor received revenue in the amount of \$2,161.00 from Attorney General's Office for the 1<sup>st</sup> quarter collection of SCRAM fees. Discussion was held regarding the types of offenses currently pushing the inmate numbers in an upward trend. Sheriff Wishard advised the Board that due to, in part, the current female inmate population, the PMP (Population Management Plan) has been implemented. Commissioner Johnson requested that the Sheriff monitor the costs to the County stemming from the recently approved M.O.U. between Codrington County and the Watertown Fire Rescue regarding inmate ambulance calls.

### **SURPLUS EQUIPMENT**

Motion by Hanten, second by Gabel, to declare GEN01354, a 2008 Chevy Uplander, surplus to be traded towards the purchase of a 2015 Ford Explorer for the Sheriff's Office; all present voted aye; motion carried.

### **NOTICE OF PUBLIC AUCTION LEASE OF COUNTY PROPERTY**

Motion by Johnson, second by Gabel, to authorize the Auditor to publish a notice of public hearing for the lease of County owned property for haying purposes; all present voted aye; motion carried. The public auction will be held at 9:00 a.m., Tuesday, May 19<sup>th</sup>, 2015, in the office of the County Commissioners.

### **CLAIMS APPROVED**

Motion by McElhany, second by Hanten, to approve for payment the following claims; all present voted aye; motion carried: Watertown City \$21702.84 surcharge collections, Watertown Ford 25262.00 2015 Ford Explorer.

### **SALARY CLAIMS**

Motion by Hanten, second by McElhany, to approve April salary claims; all present voted aye; motion carried: Commissioners: 9,644.96 total salaries. Auditor: 19,238.78 total salaries. Co. Treasurer: 27,189.92 total salaries. States Attorney: 34,383.50 total salaries. Gov. Buildings: 19,215.57 total salaries. Dir. Equalization: 40,767.62 total salaries. Reg. of Deeds: 18,569.06 total salaries. Veterans Service: 9,289.62 salaries. Sheriff: 75,285.96 total salaries; Brian Richter 4,339.56 step increase; Mike Gubka 4,212.54 step increase. Co. Jail: 84,392.84 total salaries; Jennifer Guest 3,640.08 step increase;

Amanda Falk 16.70 hr. new hire P/T; Justin Halajian 2,895.36 new hire; Karter Lingen 16.70 hr. new hire P/T. Jeff Hershman 3,446.94 step increase. Care of the Poor: 4,438.41 total salaries. County Nurse: 4,180.25 total salaries. Co. Park: 5,993.32 total salaries; John Schwandt 14.71 hr. P/T Seasonal; Donnie Olson 14.71 hr. P/T Seasonal; Charles Warner 13.35 hr. P/T Seasonal. Ag. Bldg.: 6,067.43 total salaries. Co. Extension: 8,861.10 total salaries. Weed Control: 6,319.12 total salaries. Planning Board: 271.16 total salaries. Road & Bridge: 84,893.03 total salaries; Calvin Engels 3,678.36 step increase. Emergency Management: 11,531.56 total salaries. Crime Victim: 5,938.42 total salaries. W.I.C.: 1,543.14 total salaries; Deb Hartle 1,367.76 final pay. Total: 478,014.77. Breakdown of withholding amounts which are included in the above: S.D. Retirement 43,492.48; S.D. Retirement 327.27 spouse option; S.D. Supplemental Retire. 2,770.00 suppl. retire.; Wellmark 66,202.01 ins.; Lincoln Financial Group 483.54 life ins.; Delta Dental 5,656.72 ins.; Avesis 775.92 ins.; Nationwide Retire. Sol. 244.29 suppl. retire.; AFSCME Council 65 432.00 employee union dues; AFLAC 2,594.01 ins.; Assurity Life Insurance Company 151.41 ins.; U.M.B. Bank 3,002.00 suppl. retire.; AFLAC 344.88 ins.; Watertown United Way 115.85 employee contributions; Office of Child Support 100.00 employee payments; Sioux Valley Credit Union 14,996.00 employee payments; Cod. Co. Treasurer 35,215.00 employee monthly draw; New York Life 32.75 ins.; Teamsters Local Union 120 195.00 employee union due; Codington County Deputy Sheriff's Association 120.00 employee union dues; ReliaBank Dakota 34,554.51 federal withholding; ReliaBank Dakota 53,904.76 social security; Breit Law Office 140.00 employee wage deduction; Barbara Curtis 800.00 employee payment; United Accounts Inc. 430.69 employee wage deduction; Washington National Ins. 20.20 ins.; employee payment.

#### **BOARD OF EQUALIZATION MINUTES**

Motion by Gabel, second by Hanten, to approve the 2015 County Board of Equalization minutes; all present voted aye; motion carried. Motion by Johnson, second by McElhany, to approve the 2015 Consolidated Board of Equalization minutes; all present voted aye; motion carried.

#### **PROPERTY ABATEMENT**

Motion by McElhany, second by Hanten, to approve a property tax abatement on record #12883 in the amount of \$583.74; all present voted aye; motion carried.

#### **AUTOMATIC BUDGET SUPPLEMENT**

Motion by Hanten, second by McElhany, to approve automatic budget supplements in the amount of \$3,180.00 to the Sheriff's budget and General Fund revenue budget; and \$38,778.20 to the Emergency Management expenditure and revenue budgets; all present vote aye; motion carried.

#### **TRAVEL REQUESTS**

Motion by McElhany, second by Gabel, to approve the following travel requests; all present voted aye; motion carried: Director of Equalization and appraisal staff, SDAAO Annual Conference and Weed and Pest Supervisor, VanDiest Mosquito Workshop and Calibration.

#### **PERSONNEL CHANGES**

Motion by Hanten, second by Gabel, to approve the following personnel changes; all present voted aye; motion carried: Memorial Park seasonal rehired, Charles Warner, Custodial step 1/\$13.35 per hour; Weed Supervisor, Steve Molengraaf, anniversary step increase to step 9/\$19.81 per hour, effective date 5/1/2015; Highway Maintenance II, Dan Busta, anniversary step increase to step 9/\$21.14 per hour, effective date 5/1/2015; and Seasonal Weed Sprayers, John Engels and Bill Hoff, step 3/\$14.15 per hour, effective date 5/1/2015.

**ADJOURNMENT**

There being no further business to come before the Board a motion was made by Hanten, second by McElhany, to adjourn at 10:00 a.m., until 9:00 a.m., Tuesday, May 5<sup>th</sup>, 2015; all present 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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