

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

January 13, 2015

The Codington County Commissioners met in regular session at 9:00 a.m., Tuesday, January 13th, 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 Gabel, to approve the agenda, all present voted aye; motion carried.

MINUTES APPROVED

Motion by McElhany, second by Johnson, to approve the minutes of January 6th, 2015; all present voted aye; motion carried.

BIDS – SEARCH AND RESCUE VEHICLE

Emergency Management Director, Jim Sutton and Commander of the Search and Rescue Team, Larry Howard, were present for the opening of bids, as previously advertised, for a 1 ton diesel 4x4 crew cab short box truck the Search and Rescue Team. Mr. Sutton announced the following bids which were received by the advertised deadline:

Schuchard’s Westside GMC	\$39,848.00 – 2015 GMC TK38743-3500HD Sierra 4WD Crew Cab
Watertown Ford	\$39,587.90 – 2015 Ford F350 4x4 Diesel Crew Cab Short Box
Sharp Automotive	\$41,381.00 – 2015 Fleet/Non-Retail Chevrolet Silverado 3500HD

The Emergency Management Director reviewed the bids for accuracy and recommended acceptance of the bid from Watertown Ford. Motion by McElhany, second by Gabel, to accept the bid of Watertown Ford in the amount of \$39,587.00; all present voted aye; motion carried. It was noted the funds used to purchase this vehicle will come from Search and Rescue support organization.

MONTHLY REPORTS

Auditor, Cindy Brugman, reported on end of year and beginning of year activities. Tax notices, for taxes payable in 2015, have been mailed to property owners. **Director of Equalization, Shawna Constant**, reported her office is finishing up end of year procedures in anticipation of printing and mailing assessment notices by March 1st. Tax splits and omitted properties are being prepared to send to the Auditor’s Office. Discussion was held regarding the mailing of assessment notices and including a letter to property owners with those notices. The Board discussed including information on right of way violations, road boring procedures, and opening burning practices in the proposed letter.

AUDITOR’S ACCOUNT WITH THE TREASURER AND REGISTER OF DEEDS FEES

Motion by Hanten, second by McElhany, to approve the Auditor’s Account of the cash and cash items in the hands of the County Treasurer as of the last day of December, 2014, all present voted aye; motion carried.

Cash on hand	\$ 3,422.92
Checks in Treasurers’ possession	
less than 3 days	\$ 46,697.18
Credit Card Charges	\$ 758.65
Cash Items	\$ 325.00
TOTAL CASH ASSETS ON HAND	\$ 51,203.75
RECONCILED CHECKING	

Great Western Bank Checking (Memorial Park)	\$ 1,861.05
Reliabank Dakota	\$14,603,965.24
INVESTMENTS	
SD Public Funds Investment	\$ 6,971.76
CERTIFICATES OF DEPOSIT	
Home Federal Bank	\$ 400,000.00
People's State Bank	\$ 200,000.00
TOTAL CASH ASSETS	\$15,264,001.80
General Ledger Cash Balance by Funds:	
General	\$ 9,431,829.45
General restricted cash	\$ 500,000.00
Sp. Revenue	\$ 4,430,715.09
Sp. Revenue restricted cash	\$ 10,411.85
Trust & Agency	\$ 891,045.41
(schools 259,390.63, townships 58,063.17; city/towns 55,847.87)	
TOTAL GENERAL LEDGER CASH	\$15,264,001.80

REGISTER OF DEEDS MONTHLY FEES

The Board noted a report of fees as submitted by Register of Deeds, Ann Rasmussen. Total transactions in December 2014 were in the amount of \$27,407.50; with \$2,380.00 remitted to the State of South Dakota for certified copies of births, deaths, and EVRSS fees.

CLAIMS

Motion by Hanten, second by Brinkman, to approve for payment the following claims; all present voted aye; motion carried: Advance Auto Parts 37.98 Rep, Allen Benck 25.00 Utilities, Graciela Barrantes 420.00 Svc, Beacon Center 1960.33 Svc, Scott A. Bohls 40.00 Cell, Borns Group 2489.12 Post, Boys & Girls Club 1000.00 Pmt, Brad Schwinger 25.00 Utilities, Brown Clinic Pllp 900.00 Svc, Burns Law Office 2900.00 Svc, Butler Machinery 6.98 Repairs/Maint., Calvin Engels 25.00 Utilities, Carquest Auto Parts 19.98 Rep, Cartney Bearing & Supply 22.04 Repairs/Maint., Kemps Llc 1082.40 Sup, Centurylink 13.40 Util, Centurylink 658.02 Util, Codington County Sheriff 51.86 Sup, Codington-Clark Electric Coope 35.62 Utilities, Denise Cody 60.00 Svc, Cole Papers, Inc. 1141.01 Sup, Connecting Point Computer Cent 97.50 Rep, Connecting Point 190.00 Supplies, Shawna Constant 25.00 Cell, Coteau Shopper 18.70 Pub, County Fair Foods 146.29 Sup, Credit Bureau Of Watertown Inc 895.84 Pmt, Culligan Water Conditioning 148.75 Sup, David Curtis 40.00 Cell, Dan Busta 25.00 Utilities, Data Truck 39.99 Util, Dave Hedding 25.00 Utilities, Den Herder & Hosmer Law Office 164.99 Svc, Dougherty And Company Llc 5000.00 Svc, Duane Dolen 25.00 Utilities, Bimbo Foods, Inc 757.59 Sup, East Dakota Water Development 539.52 December Apportionment, EMC Insurance Companies 4569.73 Ins, Eric Dargatz 25.00 Utilities, ESE In Inc 1110.00 Rep, F.J. McLaughlin 3537.66 Rentals, Farnams Genuine Parts 342.00 Supplies, First District Assn Of Lcl Gov 3100.00 Svc, Allison Forbush 25.00 Cell, GCR Tires & Services 108.30 Rep, IZIAH Gertsma 20.00 Wit, Gilbarco Inc 153.00 Repairs/Maint., Grainger 458.48 Rep, Green, Roby, Oviatt, 5086.75 Svc, Michael Gubka 40.00 Cell, Jeff Hershman 25.00 Cell, Brad Howell 40.00 Cell, HyVee #1871 Accts Receivable 91.37 Sup, Jamie Dolen 25.00 Utilities, Jeff Case 25.00 Utilities, Marty Karnopp 40.00 Cell, Lewis & Clark Bhs 800.00 Svc, Lewno Law Office 568.47 Svc, Jodi Loehrer 25.00 Cell, Lori Deutsch 170.94 Travel & Conf., Mac's Inc 9.96 Repairs/Maint., Mahowald's 57.62 Rep, Russell Mathews 40.00 Cell, Matt Dargatz 25.00 Utilities, Menards 15.60 Rep, Menards 39.99 Supplies, Midcontinent Communications 156.07 Util, Milbank Communications 900.00 Sup, Jamie Monson 12.50 Cell, Municipal Utilities 14658.12 Util, Municipal Utilities 1577.23 Utilities, Northwestern Energy 565.45 Utilities, Office Peeps, Inc. 1185.45 Sup, Jerrod Olson 40.00 Cell, Otis Elevator Company 991.54 Rep, Ottertail Power Co, 45.84 Utilities, Michelle Pederson 25.00 Cell, PMB 0112 145.49 Util, Pollard & Larson , Llp 180.00 Svc, Prairie Lakes Health Care Cent 2465.00 Svc, Print 'Em Now 711.00 Sup, Productivity Plus Account 125.98 Repairs/Maint., Redwood Toxicology

Laboratory 352.77 Sup, Adam Reeves 40.00 Svc, Brian Richter 40.00 Cell, Rick Hartley 40.00 Utilities, Rick Holinka 25.00 Utilities, Ricky Small 40.00 Supplies, Robyn Riter 25.00 Utilities, Runnings 1835.75 Sup, Trever Schimmel 40.00 Cell, SD Attorney General's Office 166.00 Pmt, SD Dept Of Public Safety 2700.00 Util, SD Department Of Revenue 35.00 Pmt, SD State Treasurer 300819.16 January Remittance, SDACO 1176.00 Pmt, SDN Communications 1129.09 Util, Melissa Sears 25.00 Cell, Securus Technologies 1446.80 Sup, Heidi Selchert 25.00 Cell, Sioux Valley Coop 5192.74 Sup, South Dakota Dept. Of Transpor 1398.21 Repairs/Maint., South Shore Gazette 2118.80 Pub, Spears Law Office 1603.97 Svc, Star Laundry 65.13 Sup, Star Laundry 61.67 Supplies, Sutton Law Office Pc 14260.59 Svc, Karen Swanda 60.00 Svc, Scott Swanson 25.00 Cell, Sysco North Dakota 7189.81 Sup, T&M Autobody, Inc 740.91 Rep, Technicolor Screen Printing 168.00 Svc, Toshiba Financial Services 268.91 Rent, Town Of Florence-Peggy Lindahl 25.00 Utilities, Town Of Henry 136.10 Utilities, Trugreen, Watertown 585.88 Maint, United State Geological Survey 8498.00 Pmt, Verizon Wireless 154.90 Svc, Tom Walder 40.00 Cell, Todd Warne 25.00 Cell, Watertown Development Company 35000.00 Pmt, Watertown Public Opinion 1476.03 Pub, Watertown Public Opinion 268.40 Sub, Watertown Area Transit Inc 25000.00 Pmt, Watertown Volunteer Center 2500.00 Pmt, Weed & Pest Conference 250.00 Trav, Wells Fargo Securities, Llc 46068.90 Pmt, Westside Animal Clinic Pc 81.90 Svc, Toby Wishard 40.00 Cell, Wow! Business 384.80 Util, WOW! 49.95 Utilities, Watertown Landfill 30.37 Maint, WW Tire Service Inc 155.40 Rep, Yankton Co. Sheriff 50.00 Svc, Yankton Co Treasurer 303.90 Svc.

FIRST DISTRICT ASSOCIATION OF LOCAL GOVERNMENTS

Todd Kays, Executive Director with the First District Association of Local Governments, met with the Board to update the Board on staff activities and economic development activities of the First District in 2014. Mr. Kays briefly outlined the history of the First District from its inception in 1971 and provided the Board with a copy of First District's activities and services within Codington County in 2014; reviewed funding sources for the First District; grant and business loan results within Codington County; and reviewed current staffing levels within First District's organization.

TITLE VI POLICY STATEMENT

Motion by McElhany, second by Gabel to authorize the Chairman to sign the annual Title VI policy statement; all present voted aye; motion carried.

CORRECTIONAL OFFICER RETIREMENT/RESIGNATION

Motion by Johnson, second by McElhany to accept the notice of retirement from Correctional Officer, Marie Suman, effective January 31, 2015; all present voted aye; motion carried. The Board noted Ms. Suman will continue on a part time basis (without benefits) at the Detention Center.

CORRECTIONAL OFFICER POSITION

Motion by Johnson, second by Gabel to advertise, internally only, the position of full time Correctional Officer; all present voted aye; motion carried.

EMERGENCY MANAGEMENT DIRECTOR WAGE SCALE

Motion by McElhany, second by Hanten, to adjust the Emergency Management Director wage scale, as recommended by Human Resource Director, Terry Satterlee, to the same scale as currently applied to the positions of the Treasurer and Register of Deeds; all present voted aye; motion carried.

SURPLUS EQUIPMENT

Motion by Hanten, second by Gabel, to declare the following items surplus to be destroyed as recommended by Sheriff Toby Wishard; all present voted aye; motion carried: Smart Buy 6000P MT HP Computer, Digital Video Recorder 16 channel, Digital Video Recorder Everfocus, GEN01521 Digital Video Recorder, and Intercom System Aiphone.

CHARTER FOR THE CODINGTON COUNTY JUSTICE ADVISORY COMMITTEE

The Board discussed a draft resolution for a, “Charter for the Codington County Justice Advisory Committee,” as prepared by Commissioner Gabel. The following draft resolution will be acted upon by the Board on Tuesday, February 3, 2014:

I. The Committee will be called the Codington County Justice Advisory Committee, (hereafter referred to as “CCJAC”). It is created by the Codington County Board of Commissioners (hereafter referred to as “the Commissioners”), and will serve at the pleasure of the same. The Commissioners may amend this charter at their discretion.

II. Purposes

In light of the stated intent in the U.S. and South Dakota Constitutions to “establish justice,” the CCJAC, is created to advise the Commissioners concerning Codington County’s criminal justice responsibilities.

- In light of South Dakota Codified Laws 7-12-1, 24-11-2 and 24-11-23, the CCJAC shall provide information and offer recommendations to the Commissioners regarding the operation, budget, and facilities of the Codington County Sheriff’s Office and Detention Center.
- In light of South Dakota Codified Laws 16-6-7 and 16-12A-29.1, the CCJAC shall provide information and offer recommendations to the Commissioners regarding facilities for the Circuit and Magistrate Court proceedings and related Court administration that take place in Codington County.

III. Relationship of CCJAC to the Commissioners

The CCJAC shall offer recommendations and provide information relevant to the County’s criminal justice responsibilities. The CCJAC has no authority to expend funds or to make decisions on behalf of the Commissioners.

IV. Membership

Composition: The advisory committee shall consist of up to seven members. The Commissioners shall appoint up to two members of the public. The ex-officio members of the committee shall be:

- Two County Commissioners, to be appointed by the Commissioners
- The County Sheriff
- The Chief Correction Officer
- One Judge of the 3rd Judicial Circuit chambered in Codington County, to be appointed by the Court. The appointed Judge may designate another 3rd Judicial Circuit Judge or 3rd Judicial Circuit Administration official to attend and vote at CCJAC meetings on the appointed judge’s behalf.

Term: A term of membership for the two County Commissioners and two members of the public shall last for two years. Terms will begin on February 1st. At the end of the two year term, the Commissioners may re-appoint serving committee members or appoint new members.

The appointment of appointed members shall be recorded in the minutes of the official proceedings of the Commissioners.

V. Organizational Structure

Officers: The committee will have a chair and vice chair, who are elected for one-year terms by the members of CCJAC. The CCJAC will also have a recording secretary elected for a one-year term by

the members of CCJAC. The recording secretary need not be a CCJAC member. There are no limits on consecutive terms. Elections will be held at the first meeting of the new membership year.

Duties of Officers: The chair shall ensure that the committee complies with this charter and preside over committee meetings. The vice-chair shall fulfill the duties of the chair in the chair's absence. The recording secretary shall record and keep minutes.

VI. Procedural Rules

By-Laws: The committee will operate according to Roberts Rules of Order. The committee may adopt by-laws at its discretion to further govern committee operation. By-laws shall require a two-thirds vote for adoption or change.

Meetings: The committee will meet at least two times per year. All meetings shall be public and shall be held in compliance with South Dakota public meeting laws (South Dakota Codified Law, Chapter 1-25). Notices of upcoming meetings will be communicated to members and to the public sufficiently in advance to allow members and the public to make plans to attend.

Minutes: Minutes of each meeting will be kept. Copies will be filed with the County Auditor and made available to the public in accordance with South Dakota public meeting laws.

Instructions to the CCJAC: When the Commissioners refer a specific question or issue instructions to the CCJAC, the Commissioners shall record such in the minutes of the official proceedings of the Commissioners.

Recommendations and Reports: Committee recommendations and reports shall be approved by a simple majority of CCJAC members present and will be submitted in writing to the Commissioners and may be presented during the official proceedings of the Commissioners. The Commissioners' reaction/response to such recommendations/reports shall be recorded in the minutes of the official proceedings of the Commissioners. The Commissioners may attach written reactions/responses to the minutes of the Commissioners proceedings.

Dismissal: Appointed members who are absent without reasonable cause from two successive meetings will be considered to have resigned their seat. The Commissioners will move to fill the position.

VI. Liability and Indemnification

Neither the CCJAC nor any CCJAC member shall be corporately or personally liable for decisions or recommendations made by the CCJAC. Codington County shall indemnify the members of the CCJAC to the fullest extent possible allowed by law with respect to duties performed on behalf of the CCJAC and shall advance all expenses and other costs incurred by or on behalf of such persons in connection with any legal or other proceedings thereto, unless and until a final determination is made that the person has been found to have acted with negligence, gross negligence or willful misconduct with respect to such duties.

PERSONNEL CHANGES

Motion by Hanten, second by Gabel to approve the following anniversary step increases as submitted by the corresponding department head; all present voted aye; motion carried: Deputy States Attorneys, Patrick McCann \$30.25 per hour and Chad Nelson \$31.16 per hour; Highway Maintenance III, Jeff Case \$21.85 per hour, Highway Maintenance II, Matt Dargatz \$18.64 per hour, Jamie Dolen \$17.51 per hour, Robyn Riter \$17.51 per hour; and Highway Mechanic, Todd Warne \$21.85 per hour.

HOUSING AND REDEVELOPMENT COMMISSION

Motion by McElhany, second by Hanten, to appoint Commissioner Gabel, to finish the term of former Commissioner Heller, on the Housing and Redevelopment Commission; all present voted aye; motion carried.

**CERTIFICATE OF APPOINTMENT OF COMMISSIONERS OF THE
HOUSING AND REDEVELOPMENT COMMISSION OF
CODINGTON COUNTY, SOUTH DAKOTA**

WHEREAS, the Board of Commissioners of Codington County, South Dakota, held a regular meeting on the 23rd day of July, 2002; and

WHEREAS, at said meeting resolution #2002-18 was passed and adopted declaring the need for a Housing and Redevelopment Commission;

NOW, THEREFORE, pursuant to the provisions of the County and Municipal Housing and Redevelopment Law (S.D. Codified Laws 11-7-12(1995)), and by virtue of my office as chairman, I hereby appoint the five persons hereinafter named to serve as Commissioners of the Housing and Redevelopment Commission of Codington County, South Dakota, and each to serve until the expiration date appearing after his or her name.

Georgia Kahnke, term expires 12/31/2015

Judy Kos, term expires 12/31/2016

~~George Heller~~ Lee Gabel, term expires 12/31/2017

Kathy Turbak, term expires 12/31/2018

Elmer Brinkman, term expires 12/31/2019

IN TESTIMONY WHEREOF, I have hereunto signed my name as Chairman of the Board of Commissioners of Codington County, South Dakota, caused the corporate seal of said Codington County to be attached hereto this 13th day of January, 2015.

Elmer P. Brinkman
(Chairman)

ATTEST:

Cindy Brugman
(Auditor)

EXECUTIVE SESSION

Motion by Hanten, second by McElhany, to enter into executive session at 10:15 a.m. to discuss a personnel issue; all present voted aye; motion carried. The Board returned to regular session at 10:23 a.m., action was not taken.

ADJOURNMENT

There being no further business to come before the Board a motion was made by Hanten, second by Johnson, to adjourn at 10:23 a.m., until 9:00 a.m., Tuesday, January 20th, 2015; all present voted aye; motion carried.

Codington County, January 13, 2015

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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