

**Official Proceedings
County Of Codington, South Dakota**

July 23, 2013

The Codington County Commissioners met in regular session at 9:00 a.m., Tuesday, July 23rd, 2013, at the Codington County Courthouse. Commission members present were: George Heller, Tyler McElhany, Elmer Brinkman, and Brenda Hanten; absent Myron Johnson; Chairman Brinkman presiding.

AGENDA APPROVED

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

MINUTES APPROVED

Motion by Hanten, second by McElhany to approve the minutes of July 16th, 2013; all present voted aye; motion carried.

MONTHLY REPORTS

Zoning Officer, Luke Muller, presented the Board with mid-year activities of the Planning and Zoning Board along with building permit activity, Zoning Board actions, and budget expense and revenue data; all through July 15th, 2013. **Emergency Management Director, Jim Sutton**, advised the Board that State Emergency Management and FEMA representatives were in Codington County to visit sites suffering damage from the June 21 windstorm that swept through Codington County. Mr. Sutton reported preliminary results are in line with estimates that were previously sent to State officials and word from the Governor's Office should be forthcoming regarding the disaster declarations filed by Codington and neighboring counties. Mr. Sutton noted the Search and Rescue Team will wrap up their assistance at Camp Chance this week and will be assisting with the National Night Out for Law Enforcement on the evening of August 6th on the grounds of the Codington County Courthouse and Detention Center properties.

2014 BUDGET REVIEW

The Board reviewed the following 2014 budget requests: Emergency Management and Planning and Zoning.

CLAIM

Motion by McElhany second by Brinkman, to approve a claim in the amount of \$23,072.10 to the City of Watertown for May 911 surcharge collections; all present voted aye; motion carried.

RURAL DEVELOPMENT SITE ANALYSIS RESOLUTION

Todd Kays, Executive Director of the First District Association of Local Governments; Lucas Lentsch, SD Secretary of Agriculture; and Paul Kostboth, Director of the Division of Agricultural Development within the SD Dept. of Ag.; met with the Board to request that the Board consider adopting a resolution in support of the analysis of rural sites for potential development. Mr. Kays outlined the objectives of the analysis and noted there is no cost to the County or commitment required of the County for the analysis. Motion by Hanten, second by McElhany, to adopt Resolution 2013-18, a resolution to provide for the analysis of rural sites for potential development; all present voted aye; motion carried.

**RESOLUTION 2013-18
AUTHORIZING RESOLUTION
RURAL DEVELOPMENT SITE ANALYSIS**

WHEREAS the Codington County Board of County Commissioners is interested in the analysis of rural sites for potential development; and

WHEREAS this research is based upon various infrastructure, road and land use factors; and

WHEREAS the research may identify sites that are suitable for development according to a classification scale, ranging from “good” to “best”; and

WHEREAS granting permission for such research is not a public declaration of county support for any specific development activity or project; and

WHEREAS the cost of the research is being addressed by other sources, such as the South Dakota Department of Agriculture; and

WHEREAS the results of the research will be made available to the county commission and general public.

NOW THEREFORE BE IT RESOLVED by the Codington County Commission that it authorizes First District Association of Local Governments to conduct the research on behalf of the county and other interested parties.

BE IT ALSO RESOLVED that Codington County officials will cooperate in providing any readily available data or information that may be needed in conducting the research.

Adopted this 23rd day of July 2013.

Elmer P. Brinkman
Chairman Codington County Commissioners

ATTEST:

Cindy Brugman
Codington County Auditor

SENIOR COMPANION EVENT

The Board acknowledged an invitation from Senior Companions of South Dakota to attend an event recognizing the Senior Companions that serve in Brookings, Brown, Codington, Grant, Lake, Miner, and Moody Counties. Commissioner Hanten will attend this event scheduled for 10:30 a.m., Friday, August 2, 2013, at The Drake, in Watertown, SD.

EMPLOYEE HEALTH INSURANCE

The Board discussed the process for employees to join the Health Insurance Program made available to Codington County employees. It was noted the County does not have a policy on the adding of employees or their dependents to the program within a specific time frame. Motion by Hanten, second by McElhany, to add to the County’s personnel policy a provision to allow employees to join the benefit plan, outside of the open enrollment period, if the current health care provider so allows; all present voted aye; motion carried.

TRAVEL REQUESTS

Motion by Hanten, second by Heller, to approve the following travel request; all present voted aye; motion carried: Director of Equalization and appraisal staff; Quality, Condition, and Depreciation workshop; in Rapid City.

PERSONNEL CHANGES

Motion by McElhany, second by Heller, to approve the following personnel change; all present voted aye; motion carried: Deputy Sheriff, David Curtis; anniversary step increase; from step 5/\$21.89 per hour to step 6/\$22.62, effective date July 15, 2013; submitted and approved by Sheriff, Toby Wishard.

VIETNAM VETERAN'S MEMORIAL SIDEWALK PROJECT

Motion by McElhany, second by Hanten, allow the local Vietnam Veteran's Association to install a 10' sidewalk directly from the monument, located on the northwest lawn of the Courthouse, to the sidewalk on 1st Ave. north of the Courthouse. Facilities Manager, Milo Ford, noted this project will be financed by the Vietnam Veterans Association with some gravel supplied by the Highway Dept. Upon vote of the Board all present voted aye; motion carried.

BIG SIOUX NURSERY OPEN HOUSE

Commissioner Hanten provided the Board with information regarding the annual membership meeting and open house at the Big Sioux Nursery, beginning at 10:00 a.m., on Wednesday, July 31st.

BUILDING STUDY

Commissioner Heller informed the Board that Architecture Inc. has suggested that the Board tour the government center facilities in Nobles County Minnesota. Commissioner Heller will contact Architecture Inc. to arrange a tour of these facilities on the morning of August 1st.

HEARING – SIOUX RURAL WATER SYSTEM INC., - FRANCHISE RENEWAL

The Board held a hearing on an application of Sioux Rural Water System Inc. for a franchise from the County to use the County roads and highways thereof for a period of twenty (20) years to construct, maintain and operate water pipelines under and through the public right of way of County and Township roads located in Codington County for the purpose of operating its rural water system. Heath Thompson, General Manager for the Sioux Rural Water System, Inc., was present for this hearing and provided the Board with information pertinent to this hearing. Chairman Brinkman turned to the Board for a motion to approve the proposed resolution. Motion by McElhany, second by Heller, to approve Resolution 2013-19. Chairman Brinkman asked for comments from the public, present for this hearing, no comments were offered. Upon vote of those Board members present; the following resolution was unanimously approved; motion carried.

RESOLUTION 2013-19

Resolution 2013-19, granting Sioux Rural Water System, Inc., a county-wide authorization for the purpose of maintaining its present water lines and/or constructing new water lines in the furtherance of its business as a rural water system.

Sioux Rural Water System, Inc. has heretofore applied to the Board of County Commissioners of Codington County, South Dakota, for authorization to construct or lay its water pipeline on, over, across or under public highways and right-of-way for the purpose of providing rural water service in Codington County, South Dakota. Notice was duly given by mail of the application of Sioux Rural Water System, Inc., to all persons, firms or corporations owning or operating electric, telephone, telegraph, gas, cable television or water lines within Codington County, South Dakota, in compliance with SDCL 31-26-13. All comments received were considered by the Codington County Commissioners.

This resolution was adopted pursuant to SDCL 31-26-25 by the Board of County Commissioners of Codington County, South Dakota, at a regular meeting which was held in the Chambers of the County Commissioners in the Courthouse in the City of Watertown, Codington County, South Dakota, on the 23th day of July, 2013.

After discussion, the following resolution, 2013-19, upon motion duly made, seconded and carried, was unanimously adopted.

This resolution was published in an official newspaper for this county on August 10th, 2013, and became an effective resolution on August 30th, 2013, as it was not suspended by operation of a referendum:

BE IT RESOLVED that the Sioux Rural Water System, Inc., a corporation, shall be allowed and permitted to run an underground pipeline for transmitting water for all purposes for which said corporation was formed along any and all public rights-of-way, including all rights-of-way between all sections in Codington County, South Dakota, so long as said transmission and distribution line is buried so as not to interfere with the building of any roads or causing any liability to Codington County;

BE IT FURTHER RESOLVED that the Sioux Rural Water System, Inc., a corporation, shall bear the expense of any subsequent movement of the pipe, if such is required by Codington County;

BE IT FURTHER RESOLVED that when the pipeline is installed in the public right-of-way, such right-of-way shall be restored to as near its original condition as is practical with normal construction methods;

BE IT FURTHER RESOLVED that the installation of such pipeline and appurtenances in the public right-of-way shall conform to plans and specifications to be submitted (if requested by the county commission or its designee) to the county, prior to construction, for review and comment, and said plans and specifications shall include the following conditions:

1. Notice Prior to Starting Work: Before starting construction work, the county road superintendent or other designated employee of the county will be notified at least 48 hours in advance of the time work is to begin.
2. Minimum Interference with Traffic: All work will be planned and carried out so as to minimize inconvenience to the traveling public. If construction workers or equipment shall at any time prior to, during or after the construction process, occupy any portion of the roadway proper and/or roadway shoulder, said occupied site shall in all respects be signed in accordance with the standards for signing as outlined by the most current version of the Manual on Uniform Traffic Control Devices for Streets and Highways.
3. Storage of Material: No material shall be stored within eight (8) feet from the edge of pavement or traveled way or within the shoulder line unless otherwise approved by the county superintendent.
4. Clean Up Right-of-Way: Upon completion of work, litter will be removed and the right-of-way left in as presentable a condition as before work started.
5. Care of Drainage: If the contemplated work interferes with established drainage, provisions will be incorporated in the project during construction to maintain normal drainage.
6. Location Plans: Upon completion of the work, a copy of the record drawings will be furnished to the county for their records and use.

7. Maintenance: The pipelines and appurtenances placed in the county right-of-way will be maintained and reasonable care exercised in inspecting and repairing any damage to any portion of the right-of-way which occurs as a result of the operation and maintenance of the pipelines and appurtenances.

8. Paved and FAS (Future Paved) Roads: Pipelines installed perpendicular to asphalt or concrete paved roadways will be installed by boring or jacking methods or by an open cut. Pipelines installed longitudinally in a right-of-way will be by an open cut or plow. A minimum of one-half of paved surfacing will be left clear and open to traffic at all times. All lanes will remain clear and open during the hours of darkness.

9. Graveled and Other Roadways: Pipelines installed transversely or longitudinally in a graveled or other road right-of-way will be by an open cut or plow method. Roadways may be closed during construction, provided detour signing is maintained. All lanes will remain clear and open during the hours of darkness. Pipeline installed longitudinally in a right-of-way will be by an open cut or plow.

10. Depth of Pipelines: Pipelines will be placed to a depth of cover consistent with design standards for water pipelines for the area. Where additional pipeline cover is necessary to accommodate future roadways, the county, at the time of county review, shall so advise Sioux of the need for additional pipeline cover.

BE IT FURTHER RESOLVED that this franchise shall be in effect for a period of twenty (20) years as authorized by SDCL 31-26.

ADOPTED THIS 23rd day of July, 2013.

CODINGTON COUNTY COMMISSION

BY: Elmer P. Brinkman

ITS: Chairman

ATTEST:

Cindy Brugman

Codington County Auditor

ADJOURNMENT

There being no further business to come before the Board a motion was made by Hanten, second by McElhany, to adjourn at 10:07 a.m., until 9:00 a.m., Tuesday, August 6th, 2013; 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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