

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

June 28, 2016

The Codington County Commissioners met in regular session at 9:00 a.m., Tuesday, June 28, 2016, at the Codington County Courthouse. Commission members present were: Lee Gabel, Tyler McElhany, Myron Johnson, Elmer Brinkman, and Brenda Hanten; Chairman Elmer Brinkman presiding.

**AGENDA APPROVED**

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

**MINUTES APPROVED**

Motion by Johnson, second by Gabel, to approve the minutes of June 21<sup>st</sup>, 2016; all present voted aye; motion carried.

**SCHWINGER ADDITION PLAT RESOLUTION**

Commissioner Johnson reviewed the proposed Schwinger Addition plat which is located within Dexter Township. Commissioner Johnson noted this plat has been recommended for approval by the Codington County Planning and Zoning Commission.

**RESOLUTION #2016-13**

A Resolution to approve the platting of the “Schwinger 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:

Schwinger Addition located in the SE1/4 of Section 7-T119N-R52W of the former Sisseton-Wahpeton Reservation, in the County of Codington, South Dakota; and it appearing to the Board of County Commissioners that the arrangement of streets and alleys and the area within its jurisdiction have not been interfered with by the said plat and survey, 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, second by Commissioner Gabel; whereupon the Chairman of the Board of County Commissioners declared the same to be duly passed and adopted.

Dated this 21<sup>st</sup> day of June, 2016, at Watertown, Codington County, South Dakota.

Elmer P. Brinkman

Chairman, Board of County Commissioners

Codington County, June 28, 2016

STATE OF SOUTH DAKOTA  
 COUNTY OF CODINGTON §

I, the undersigned, the duly appointed, elected, qualified, and acting County Auditor of Codington County, South Dakota, do hereby certify that the foregoing is a true and correct copy of Resolution 2016-13, adopted by the Board of County Commissioners of Codington County, South Dakota.

Dated this 21<sup>st</sup> day of June, 2016, at Watertown, Codington County, South Dakota.

Cindy Brugman  
 County Auditor, Codington County, South Dakota

**2016 ASPHALT MAT CONSTRUCTION BIDS**

The following bid was received, opened and announced by Highway Supt., Rick Small, as previously advertised, for 2016 Asphalt Mat Construction:

Duinick, Inc., Prinsburg, MN; bid bond included;		
Bid option	Virgin product	Recycled product
A – 9000 tons*	\$ 65.20 per ton	\$ 60.20 per ton
B – 2500 tons*	\$ 88.60 per ton	\$ 83.60 per ton
C – 1500 tons*	\$106.00 per ton	\$101.00 per ton
D – 500 tons*	\$ 60.00 per ton	\$ 55.00 per ton
*tons are approximate more or less		
Total project per product:	\$997,300.00	\$929,800.00

Highway Supt., Small, reviewed the bid for accuracy and recommended approval of the bids and recommended use of the recycled product. Motion by Hanten, second by McElhany, to approve the bids per the recommendation of the Highway Supt., Discussion was held regarding the recycled product bids which were not part of the bid specs. Mr. Small will contact the department of Legislative Audit regarding the acceptance of the bid for recycled products as Duinick, Inc. was only the bidder. Upon vote of the Board; all present voted aye; motion carried.

**INTERSTATE 29 INTERSECTING COUNTY ROADS**

Highway Supt., Rick Small, advised the Board the SDDOT has a project in its construction program to perform improvements to numerous intersecting roads that cross Interstate 29 in Brookings, Deuel, Hamlin, Grant, and Roberts Counties. In completing this project the State of South Dakota is asking each of the respective counties involved in the project to sign a joint powers agreement with the State to establish maintenance responsibilities at each site after the project is fully completed. Mr. Small noted the State has not offered any compensation, to the aforementioned counties, to provide the road maintenance services set out in a draft agreement. Mr. Small indicated action by the County is not necessary at this time. Mr. Small will keep the Board apprised of the proposed agreement as it evolves.

**COUNTY ROAD 20-3 RIGHT OF WAY AGREEMENT**

Motion by McElhany, second by Hanten; to authorize the Chairman to sign the following agreement for right of way acquisition for the County Road 20-3 paving project, as presented and recommended by Highway Supt., Rick Small: Holdgrafer Family Partnership, LLC, \$500.00. Upon vote of the Board; all present voted aye; motion carried.

**MONTHLY REPORTS**

**States Attorney, Patrick McCann**, reviewed with the Board a report of cases, opened and closed, since January 1<sup>st</sup>, 2016. Mr. McCann noted an all-time high number of cases, 318, were opened in May of this year. The States Attorney advised the Board the numbers are on track for 3,000 cases to be opened in 2016. Discussion was held regarding the types of offenses being prosecuted. Discussion was also held regarding the proposed use of a risk assessment tool when setting bonds for Domestic Violence cases.

**Emergency Management Director, Jim Sutton**, advised the Board that Emergency Management and or the Search and Rescue Team will assist with the following activities: June 21<sup>st</sup> Farm Safety Camp, July 3<sup>rd</sup> fireworks display at the Redlin Art Center, July 9<sup>th</sup> Hy-Vee Mini Triathlon, July 11<sup>th</sup> hosting a Regional E.M. meeting, July 13<sup>th</sup>, 20<sup>th</sup>, & 27<sup>th</sup> Camp Chance, July 16<sup>th</sup> Outland Challenge at Lake Cochrane, and July 19<sup>th</sup> State Emergency Management IMAT meeting. Mr. Sutton reported the Search and Rescue Team has purchased a new boat utilizing funds raised strictly through fund raisers with no County funds used for the purchase. The boat currently on loan to the S&R Team will be returned to the SD GFP upon arrival of the new vessel. **Highway Supt., Rick Small**, updated the Board on two projects that have long been in the works. Mr. Small noted a pre-construction meeting was held on June 22<sup>nd</sup> for the County-wide signing project and a pre-construction meeting was held on June 27<sup>th</sup> for the rumble striping project that will take place north on old Highway 81 (County Road 11).

**FFY2016 EMERGENCY MANAGEMENT SLA AMENDMENT #1**

Emergency Management Director, Jim Sutton, presented the Board with an amended 2016 SLA (State and Local Agreement). The only change to this agreement is the provision of the dollar amount the County will receive for FFY2016. The County can expect to receive \$46,885.24 to be used for salary and administrative costs related to the operation of the Codington County Emergency Management Office for the time period October 1, 2015 through September 30, 2016.

**BURN BAN DISCUSSION**

Emergency Management Director, Jim Sutton, reported he has spoken with area Fire Chiefs regarding the dry conditions in Codington County. The consensus of the local Chiefs is that a burn ban is not necessary at this time but should be reconsidered on a week to week basis. Mr. Sutton advised extreme caution when using fireworks or any open burning at this time

**CLAIMS**

Motion by McElhany, second by Hanten, to approve a claim in the amount of \$21,686.37 payable to the City of Watertown reflecting 95% of the total 911 surcharge collections in the month of April, 2016; all present voted aye; motion carried.

**SALARY CLAIMS**

Motion by Hanten, second by Gabel, to approve the following salary claims; all present voted aye; motion carried: Commissioners: 9,844.25 total salaries. Auditor: 19,082.22 total salaries; Jodi Pearson 3,459.12 step increase. Co. Treasurer: 27,662.00 total salaries. States Attorney: 36,165.41 total salaries. Gov. Buildings: 19,117.98 total salaries. Dir. Equalization: 37,620.39 total salaries; Michelle Pederson 3,685.32 step increase. Reg. of Deeds: 18,853.07 total salaries. Veterans Service: 9,417.94 salaries. Sheriff: 81,580.11 total salaries; Adam Reeves 3,887.16 step increase. Co. Jail: 96,587.09 total salaries; Marcy Rossow 3,011.94 step increase. Coroner: 1,130.32 total salaries. Care of the Poor: 4,561.26 total salaries. County Nurse: 4,254.29 total salaries. Co. Park: 9,776.53 total salaries. Ag. Bldg.: 8,857.58 total salaries. Co. Extension: 8,589.49 total salaries. Weed Control: 8,450.46 total salaries. Planning Board: 287.92 total salaries. Road & Bridge: 85,627.04 total salaries. Emergency Management: 10,322.21 total salaries. Crime Victim: 6,053.77 total salaries. W.I.C.: 3,726.94 total salaries; Sara Aman 2,691.78 step increase. Total 507,568.27. Breakdown of withholding amounts which are included in the above: S.D. Retirement 45,505.78; S.D. Retirement 280.98 spouse option; S.D. Supplemental Retire. 2,870.00 suppl. retire.; Avera 62,332.61 ins.; Reliance Standard Life Insurance 418.32 life ins.; Delta Dental 6010.28 ins.;

Avesis 848.63 ins.; Nationwide Retire. Sol. 239.29 suppl. retire.; AFSCME Council 65 302.40 employee union dues; AFLAC 2,586.47 ins.; Assurity Life Insurance Company 151.41 ins.; U.M.B. Bank 5,345.00 suppl. retire.; AFLAC 373.22 ins.; Watertown United Way 92.92 employee contributions; Office of Child Support 535.00 employee payments; Sioux Valley Credit Union 19,939.40 employee payments; Cod. Co. Treasurer 30,600.00 employee monthly draw; New York Life 32.75 ins.; Teamsters Local Union 120 251.00 employee union due; Codington County Deputy Sheriff's Association 120.00 employee union dues; ReliaBank Dakota 38,789.50 federal withholding; ReliaBank Dakota 58,366.34 social security; Barbara Curtis 800.00 employee payment; Washington National Ins. 20.20 ins. SDRS Special Pay Plan 45.00 participation fee; SDRS Special Pay Plan 2,225.84 final pay out for Terry Keogan.

**RESOLUTION TO DISCHARGE COUNTY LIENS**

County Auditor, Cindy Brugman, presented to the Board a resolution for the discharge of County liens. The Auditor advised the Board that these lien are considered uncollectible as the persons against whom the liens are filed have been deemed deceased with no assets. The list assembled by the Auditor's Office contains 800 names and totals \$2,688,459.97. Motion by Hanten, second by Gabel, to approve the following resolution; all present voted aye; motion carried.

**RESOLUTION 2016-14  
"TO DISCHARGE COUNTY AID LIENS"**

**WHEREAS**, the Codington County Auditor's office has furnished a list of liens filed in the Register of Deeds Office and has recommended the discharge of these liens as the individuals who incurred the liens are determined to be deceased, with no assets, and

WHEREAS, as of July 1, 1970 these existing liens total approximately \$2,688,459.97, and

WHEREAS, there is no evidence collection will be made on any of the total of the approximately \$2,688,459.97

NOW, THEREFORE, BE IT RESOLVED: by the Codington County Board of Commissioners, that the Register of Deeds is hereby directed to discharge the liens of known deceased from July 1, 1970 to the present time, as listed on file in the Auditor's Office.

Dated this 28<sup>th</sup> day of June, 2016.

Elmer P. Brinkman  
Chairman Codington County Commission

ATTEST:

Cindy Brugman  
Codington County Auditor

**CCJAC UPDATE**

Commissioner Lee Gabel updated the Board on the progress of the Codington County Justice Advisory Committee and provided the Board with a handout of the process being used to review existing information, prepare for kick-off meetings and tours, space programming and confirmation, and concept site evaluations.

**AUTOMATIC BUDGET SUPPLEMENT**

Motion by Johnson, second by Hanten, to approve an automatic budget supplement to the Emergency Management Budget in the amount of \$1,346.66, to the Sheriff's Budget in the amount of \$295.82, and to the respective Revenue budgets in the same amounts with Homeland Security Grant reimbursement funds; all present voted aye; motion carried.

**PERSONNEL CHANGES**

Motion by Hanten, second by McElhany, to approve the following anniversary step increase personnel changes; all present voted aye; motion carried: Mary Fransen, Deputy Register of Deeds, from step 8/\$21.43 to step 9/\$21.76 per hour. Deputy Sheriff, Trever Schimmel, from step 3/\$21.72 to step 4/\$22.34 per hour.

**TRAVEL REQUESTS**

Motion by Johnson, second by Hanten, to approve the following travel requests: 4H Youth Program Advisor, Jodi Loehrer, National Association of Extension 4H Agents National Conference; Director of Equalization, Shawna Constant, and Appraisal Staff, SDAAO School; and Welfare Director, Sarah Petersen, SD NAMI Conference speaker. Upon vote of the Board; all present voted aye; motion carried.

**JUVENILE DETENTION FACILITIES**

Commissioner Gabel reported on a meeting he recently attended in Huron, with Sheriff Wishard and Chief Correctional Officer Walder, regarding juvenile detention and the challenge of secure and non-secure incarceration facilities for juveniles.

**EXECUTIVE SESSION**

Motion by Hanten, second by McElhany, to enter into executive session at 10:13 a.m., to discuss litigation with States Attorney, Patrick McCann; all present voted aye; motion carried. The Board returned to regular session at 10:37 a.m., no action was taken.

**ADJOURNMENT**

There being no further business to come before the Board a motion was made by Hanten, second by Johnson, to adjourn at 10:37 a.m., until 9:00 a.m., Tuesday, July 5<sup>th</sup>, 2016; 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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