

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

May 13, 2014

The Codington County Commissioners met in regular session at 9:00 a.m., Tuesday, May 13, 2014, at the Codington County Courthouse. Commission members present were: George Heller, Tyler McElhany, Myron Johnson, Elmer Brinkman, and Brenda Hanten; Chairman Brinkman presiding.

**AGENDA APPROVED**

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

**MINUTES APPROVED**

Motion by Johnson, second by Hanten, to approve the minutes of May 6, 2014; all present voted aye; motion carried.

**SWINE MORATORIUM**

A delegation from the Chamber Ag. Committee was present at this meeting. Jim Clendenin, representing the Ag. Committee read a letter to the Board from the Committee in light of the Commission's recent action to approve a moratorium on swine events at the Codington County Extension Center Complex. The letter as read aloud by Mr. Clendenin noted that the Commission's action has already raised the possibility of livestock events leaving Watertown and moving to other communities, taking the economic activity with them, despite expert science based input from SDSU Extension and private industry representatives stating the moratorium is not necessary. The letter also stated the Ag. Committee's fear that the Commission's action will have a long term impact and result in loss of opportunities for not only the youth of the area but also the agricultural and business community as a whole. Glen Vilhauer, Chairman of the Board of Directors of the Watertown Area Chamber, advised the Board the letter as presented to the Board by the Ag. Committee has the full support of the entire Board of Directors of the Chamber. Commissioner Johnson asked for agenda time on May 20<sup>th</sup>, 2014 for review of information received at this meeting today and possible reconsideration of lifting the swine moratorium currently in place.

**MONTHLY REPORTS**

**Auditor, Cindy Brugman**, reported on the 2014 SDACO Spring Conference and noted preparations are underway for the 2014 June Primary Election. **Register of Deeds, Ann Rasmussen**, advised the Board of the passage of SB 68 during the 2014 SD Legislative session. Ms. Rasmussen noted this bill will become effective July 1, 2014 and is known as "The Real Property Uniform Electronic Recording Act." This law will allow for the formation of an electronic recording commission to set rules for electronic recording in South Dakota.

**FIRST READING OF ORDINANCE #55**

Zoning Officer, Luke Muller, presented to the Board proposed Ordinance #55, an ordinance to amend Ordinance #30, an ordinance amending Ordinance #15 establishing zoning regulations for Codington County. Mr. Muller noted this ordinance, if approved, would establish a "RR" Rural Residential District to establish boundaries of the said district by adopting "The Official Map of the Residential District." The second reading, public hearing and action to adopt the proposed ordinance is scheduled for 9:00 a.m., Tuesday, May 20<sup>th</sup>, 2014.

**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 April, 2014, all present voted aye; motion carried.

Cash on hand	\$ 11,320.71
Checks in Treasurers' possession	
less than 3 days	\$ 1,231,341.36
Credit Card Charges	\$ 5,163.34
Cash Items	\$ 526.14
<b>TOTAL CASH ASSETS ON HAND</b>	<b>\$ 1,248,351.55</b>
<b>RECONCILED CHECKING</b>	
Great Western Bank Checking (Memorial Park)	\$ 399.29
Reliabank Dakota	\$23,131,826.23
<b>INVESTMENTS</b>	
SD Public Funds Investment	\$ 6,971.11
<b>CERTIFICATES OF DEPOSIT</b>	
Home Federal Bank	\$ 400,000.00
People's State Bank	\$ 400,000.00
<b>TOTAL CASH ASSETS</b>	<b>\$25,187,548.18</b>
<b>General Ledger Cash Balance by Funds:</b>	
General	\$ 9,852,084.04
General restricted cash	\$ 500,000.00
Sp. Revenue	\$ 3,955,090.78
Sp. Revenue restricted cash	\$ 10,411.85
Trust & Agency	\$10,869,961.51
(schools 8,401, 703.72, townships 115,067.77; city/towns 1,819,022.81)	
<b>TOTAL GENERAL LEDGER CASH</b>	<b>\$25,187,548.18</b>

The Board noted the report of fees as submitted by Register of Deeds, Ann Rasmussen: Total transactions in April were in the amount of \$25,575.00; with \$2,340.00 remitted to the State of South Dakota for certified copies of births, deaths, and EVRSS fees.

**CLAIMS APPROVED FOR PAYMENT**

Motion by Heller, second by McElhany, to approve for payment the following claims; all present voted aye; motion carried: A-Ox Welding 124.88 Supplies, Accreditation, Audit And 150.00 Svc, Aason Engineering 2965.26 Repairs/Maint., A&B Business Solutions 0.80 Svc, American Legion 70.00 Rep, American Stamp 18.28 Sup, Meredith Anderson 83.05 Wit, AP Auto Pros 332.62 Rep, AT&T Mobility 141.67 Util, AT&T Mobility 69.60 Utilities, Avera McKennan Hospital 608.00 Svc, Bob Barker Co. 781.62 Sup, Graciela Barrantes 60.00 Svc, Batteries Unlimited 22.00 Rep, Gwendolyn Benck 64.80 Jury, Cynthia Bergsbaken 52.22 Jury, Best Care Pet Hospital 1537.34 Svc, Best Western - Pierre 90.99 Trav, Janet Bevers 34.00 Trav, Wylie Bistodeau 20.00 Wit, Scott A. Bohls 40.00 Cell, Borns Group 3152.20 Post, Boys & Girls Club 1000.00 Pmt, Bratland Law 1593.90 Svc, Brian's Glass & Door Inc. 955.00 Repairs/Maint., Brian's Glass & Door, Inc. 401.12 Rep, Brock White Company 19192.25 Supplies, Brown Clinic Plp 810.00 Svc, Brown Clinic - Main 2253.00 Svc, Brownells, Inc 123.40 Sup, Cindy Brugman 34.00 Trav, Burns Law Office 2900.00 Svc, Carquest Auto Parts 29.10 Sup, Cartney Bearing & Supply 26.24 Repairs/Maint., Cashway Lumber Inc. 1764.50 Rep, Cass-Clay Creamery 2031.99 Sup, Centurylink 719.30 Util, Centurylink 37.40 Util, Chuck's Bike & Lock Shop 3.00 Sup, Claims Associates 155.01 Pmt, Codington Co. Historical Soc. 916.37 Reimb, Codington-Clark Electric Coope 35.62 Utilities, Denise Cody 57.00 Svc, Cole Papers, Inc. 1287.71 Sup, Connecting Point Computer Cent 385.00 Maint, Connecting Point Computer Cent 8000.00 Grant, Connecting Point Computer Cent 2404.15 Maint, Shawna Constant 25.00 Cell, Consulting Radiologists Ltd 281.00 Svc, County Fair Foods 183.09 Sup, Crawford Funeral Chapel 7904.00 Svc, Creative Product Sourcing, Inc 65.05 Dare, Creative

Rewards & Specialties 8.00 Sup, Credit Bureau Of Watertown Inc 811.70 Pmt, Laura Croyman 20.00 Wit, Culligan Water Conditioning 206.00 Sup, David Curtis 40.00 Cell, Dakota Outdoors 616.05 Rep, Data Truck 39.99 Util, Ds Solutions, Inc 175.00 Sup, Bimbo Foods, Inc 1071.56 Sup, East Dakota Water Development 23603.14 April Apportionment, Ed Roehr Safety Products 3389.24 Equip, Marv Ekeren 15.00 Svc, Election Systems & Software 4015.20 Sup, Electric Motors & Moore Inc 87.00 Rep, EMC Insurance Companies 4772.46 Ins, Kimberly Engelhart 20.00 Wit, Engelstad Electric Co. 212.06 Sup, ESRI 400.00 Maint, Facility Dude.Com 626.67 Svc, Family Dental Center 675.00 Svc, Farnams Genuine Parts 344.60 Supplies, First District Assn Of Lcl Gov 7929.02 Svc, Allison Forbush 25.00 Cell, Gloria Gallisath 51.48 Jury, Galls, An Aramark Company 289.80 Sup, GCR Tire Center 154.25 Rep, Genoa Healthcare/Watertown 26.96 Sup, David Gibbs 40.00 Cell, Tana Gisi 50.74 Jury, Glass Products Inc. 138.75 Rep, Grainger 45.12 Sup, Erica Grant 50.74 Jury, Great Western Bank 87.54 Travel & Conf., Green, Roby, Oviatt, 4158.33 Svc, Michael Gubka 40.00 Cell, Brenda Hanten 290.54 Trav, Jeff Hershman 25.00 Cell, Deanna Hickel 20.00 Wit, Hillyard Floor Care Supply 1790.80 Rep, Brad Howell 40.00 Cell, Hughes County Finance Office 400.00 Jail, Human Service Agency 16645.50 Svc, Glacial Lakes Humane Society 600.00 Svc, Karen Hustad 20.00 Wit, HyVee #1871 Accts Receivable 603.49 Sup, Identifex, Ltd 161.89 Sup, Interlakes Community Action 2076.66 Svc, Intoximeters 600.00 Sup, Johnson Controls, Inc. 4304.91 Maint, Myron Johnson 172.40 Trav, Paul Johnson 400.00 Svc, Jurgens Printing 289.00 Sup, Georgia Kahnke 25.76 Trav, Marty Karnopp 40.00 Cell, Taylor Kathman 20.00 Wit, Robert Kearney 20.00 Wit, Kennedy, Pier & Knoff Llp 180.00 Svc, The King Corporation 1443.95 Rep, Judy Kos 25.76 Trav, Kossuth County Sheriff's Office 18.00 Svc, Lacroix Law Office 176.93 Svc, LATI/Corp Ed 13335.00 Grant, Lake City Fire Equipment 174.43 Rep, Lar Jo's 1018.00 Sup, Lawson Products 356.61 Supplies, Leads Online 594.00 Train, Leisure Interactive 22.43 Svc, Lewis & Clark Bhs 320.00 Svc, Lewno Law Office 654.47 Svc, Lincoln Co Treasurer 478.87 Svc, Locators & Supplies, Inc 143.39 Supplies, Jodi Loehrer 385.00 Trav, Phyllis Lutz 51.48 Jury, Lyle Signs Inc 611.15 Supplies, M & T Fire And Safety 96.00 Supplies, Mac's Inc 222.48 Supplies, Macksteel Warehouse, Inc. 343.18 Sup, Macksteel Warehouse, Inc. 70.91 Salaries & Wages, Mac's Inc. 75.26 Rep, Mahowald's 8.49 Rep, Carol Maloney 34.00 Trav, Mantek 464.96 Supplies, Marco, Inc 363.90 Rent, Mark's Auto 458.13 Rep, Russell Mathews 40.00 Cell, Patrick McCann 422.24 Trav, Nancy McClanahan 205.50 Svc, Tyler McElhany 140.69 Trav, Menards 27.64 Supplies, Menards 401.92 Rep, Midcontinent Communications 95.17 Util, Mikelson Law Office 205.71 Svc, Minnehaha County Auditor 180.00 Svc, Moe Oil Company 3750.30 Supplies, Jamie Monson 12.50 Cell, Municipal Utilities 12424.86 Util, Municipal Utilities 1149.29 Utilities, Nat'l 4-H Counsel 32.22 Sup, NCRAAO 2014 1680.00 Trav, Bryce Nilson 20.00 Wit, Northeast Wi Tech College 175.00 Train, Northwestern Energy 412.12 Utilities, Office Of Fire Marshal 180.00 Maint, Office Peeps 5.98 Supplies, Office Peeps, Inc. 2912.27 Sup, Jerrod Olson 40.00 Cell, Ottertail Power Co, 36.04 Utilities, Overhead Door Co 142.65 Rep, Michelle Pederson 25.00 Cell, Pennington County Sheriff 895.50 Trav, PMB 0112 146.27 Util, Cameron Popkes 20.00 Wit, Prairie Lakes Health Care Cent 3270.00 Svc, PRIA 55.00 Dues, Print 'Em Now 53.00 Sup, RadioShack Corporation 7.99 Supplies, Ann Rasmussen 24.00 Trav, Redlinger Bros. 39.90 Rep, Adam Reeves 20.00 Cell, Brian Richter 40.00 Cell, Roethler Construction 14883.66 Rep, Ron's Saw Shop 328.06 Rep, Don Rowland 1090.00 Svc, Runnings 228.73 Sup, Runnings Farm & Fleet 13.57 Supplies, Dawn Russell 272.80 Svc, Terrance Satterlee 1500.00 Svc, Lila Schaefer 52.22 Jury, SD Attorney General's Office 326.00 Pmt, SD Department Of Revenue 265.00 Svc, SD Department Of Revenue 605.00 Svc, SD Electrical Commission 50.00 Fee, S.D. Federal Property 123.50 Sup, SD State Treasurer 361547.38 May Remittance, SDACC 5490.41 Pmt, SDACHS 30.00 Reg, SDACO 800.00 April M&P Relief Collections, SDN Communications 1129.09 Util, SDN Communications 1129.09 Util, Melissa Sears 25.00 Cell, Securus Technologies 2155.20 Sup, Shepherd Reporting Llc 96.00 Svc, Shreves Law Office 220.05 Svc, Sioux Valley Coop 4191.41 Sup, Sioux Valley Coop 6300.35 Sup, Sioux Valley Coop 8272.03 Supplies, Sirchie Fingerprint Lab 107.40 Sup, Smitty's 75.00 Maint, South Shore Gazette 1196.87 Pub, Spears Law Office 1967.39 Svc, St Mary's Cemetery 537.00 Svc, Star Laundry 161.25 Supplies, Star Laundry 39.19 Sup, Steve's World 90.27 Repairs/Maint., Steve's World 117.04 Rep, Streamlight 35.98 Sup, Karen Swanda 42.00 Svc, Scott Swanson 25.00 Svc, Swps.Com 367.55 Rep, Sysco North Dakota 11800.58 Sup,

Heidi Thorson 25.00 Cell, Titan Machinery 411.66 Svc, Toshiba Financial Services 484.52 Rent, Town Of Florence-Peggy Lindahl 25.00 Utilities, Town Of South Shore 110.00 Utilities, Kathleen Turbak 20.00 Trav, Phillip Turgeon 20.00 Wit, Ultramax 236.00 Sup, United States Treasury 13815.21 Pmt, Verizon Wireless 455.27 Util, Great Western Bank 1004.81 Pmt, TCM/Reliabank Dakota 1970.13 Pmt, W.A.C.A 25.00 Dues, Tom Walder 40.00 Cell, Walmart Community 242.93 Sup, Pamela Wandry 99.18 Wit, Watertown Coop Elevator Assn. 281.25 Sup, Watertown Ford 1358.10 Rep, Watertown Public Opinion 1513.38 Pub, Watertown Public Opinion 2652.94 Pub, Watertown Resource Center 4000.00 Pmt, Westside Animal Clinic Pc 185.21 Svc, Wheelco 20.94 Repairs/Maint., Wiles & Rylance, Llp 636.13 Svc, Toby Wishard 770.50 Reimb, Amanda Woodland 20.00 Wit, Wow! Business 363.73 Util, Wow! 49.95 Utilities, Xerox Corporation 259.90 Supplies, Yankton Co. Sheriff 75.00 Svc, Yankton Co Treasurer 220.00 Svc, Patricia Yetter 50.74 Jury, Zep Sales & Service 301.28 Supplies

### **EQUIPMENT REQUESTS**

Motion by Hanten, second by Johnson, to authorize the purchase of two computers from Connecting Point, estimated cost \$2,330.00, for the Register of Deeds Office; all present voted aye; motion carried. Motion by Johnson, second by Hanten, to authorize the purchase of two computers and upgrades for two existing computers from XP to Windows 7, from Connecting Point, estimated cost \$2,975.00, for the Director of Equalization Office; all present voted aye; motion carried. Motion by Hanten, second by Johnson, to authorize the purchase of a 2008 Mercury Mariner, cost \$14,019.00, from Watertown Ford, for the Director of Equalization office; all present voted aye; motion carried. Motion by Heller, second by McElhany, to authorize the purchase of playground equipment and updates to current equipment to meet ADA requirements at the Memorial Park campground, estimated cost \$33,925.00, all present voted aye; motion carried. Motion by Heller, second by McElhany, to authorize the purchase of new carpet for the southwest entry of the Extension Center Expo buildings, estimated cost \$1,065.00; all present voted aye; motion carried.

### **2014 COUNTY AND CONSOLIDATED BOARD OF EQUALIZATION MINUTES**

Motion by Heller, second by Hanten, to approve the 2014 County and Consolidated Board of Equalization minutes; all present voted aye; motion carried.

### **WEED DEPT. MANAGER CONTRACT**

Motion by McElhany, second by Heller, to table action to amend the Weed Dept. Manger Contract for one week to determine the cost of the cell phone contract to be provided for in the language of the contract; Heller, McElhany, and Hanten voted aye; Johnson and Brinkman voted no; motion carried.

### **BOND COUNSEL**

States Attorney, Dawn Elshere, and Financial Advisor, Toby Morris, met with the Board to discuss the need to contract for Bond Counsel for the County's proposed Justice Center building project. States Attorney Elshere made a recommendation to the Board to contract with Betsy Aby of Lindquist & Venum, LLP for bond counsel for the aforementioned project. Financial Advisor, Toby Morris, agreed with the recommendation as made by the States Attorney. Motion by Hanten, second by McElhany, to authorize the chairman to sign a proposal in the amount of \$28,000.00 with Betsy Aby of Lundquist & Venum, LLP, for Bond Counsel services for the County's proposed Justice Center project. States Attorney Elshere noted that payment of the \$28,000.00 fee is contingent upon the approval of Codington County voters of the bond issue which will be placed on the County's 2014 General Election ballot. Upon vote of the Board; all present voted aye; motion carried.

### **PERMIT TO DISCHARGE FIREWORKS**

Motion by Hanten, second by McElhany, to authorize the Chairman to sign the following application to discharge fireworks in Codington County: May 19<sup>th</sup>, 2014, at dusk, discharged by Lew's Fireworks at a Rotary Social Event to be held at Joy Ranch; all present voted aye; motion carried.

**TRAVEL REQUESTS**

Motion by Hanten, second by McElhany, to approve the following travels requests; all present voted aye; motion carried: Register of Deeds, PRIA/NACRC Annual Conferences in Long Beach, CA. Highway Supt., Superintendents Summer Meeting in Pierre.

**TAX DEED PROPERTY SALE**

The County conducted a tax deed property sale, by public auction, at 10:00 a.m., in the north entrance of the Codington County Courthouse. The auction was conducted by Sheriff, Toby Wishard. One parcel of property was offered for sale and was sold. The sale will be approved at the Board's meeting to be held on Tuesday, May 20<sup>th</sup>, 2014.

**CODINGTON COUNTY MASTER TRANSPORTATION PLAN STUDY**

Cindy Gray and Michael Maddox, representatives from SRF Consulting Group, Inc, met with the Board to review a preliminary draft of the Codington County Master Transportation Plan Study. Highway Supt., Rick Small, was also present. Ms. Gray briefly reviewed the highlights of the draft and noted adoption, of the final plan, by this Board, could take place in June. Ms. Gray noted an open house style public meeting is scheduled for 6:00 p.m., this evening, May 13<sup>th</sup>, at the Codington County Extension Center Complex, to present the preliminary draft and discuss and receive public input on draft elements of the plan.

**TERRY O'KEEFE DAY**

Motion by Johnson, second by Hanten, to approve the following resolution honoring Watertown Public Opinion News Writer, Terry O'Keefe; all present voted aye; motion carried.

**CODINGTON COUNTY  
RESOLUTION 2014-11  
"TERRY O'KEEFE DAY"**

**WHEREAS**, Terry O'Keefe has been employed by the Watertown Public Opinion for 19 years and for many of those years has covered the proceedings of County Government, and

**WHEREAS**, Terry O'Keefe has afforded excellent coverage in the meetings of the Codington County Commissioners, has assisted in promoting County Government Month and many other County activities, and

**WHEREAS**, Terry O'Keefe has the opportunity to move ahead in his field to own and publish his own newspaper at Wilmot, South Dakota, now

**THEREFORE BE IT RESOLVED**, that the Board of Codington County Commissioners do declare Friday, May 16, 2014, as "**TERRY O'KEEFE DAY**" in Codington County, and

**BE IT FURTHER RESOLVED**, this resolution is to be spread upon the minutes of the Commissioners of Codington County.

Dated this 13<sup>th</sup> day of May, 2014

Elmer Brinkman  
Chairman County Commissioners

ATTEST:

Codington County, May 13, 2014

Cindy Brugman  
Codington County Auditor

**JUSTICE CENTER BUILDING PROJECT**

Discussion was held regarding a meeting held on Tuesday, May 6<sup>th</sup>, with the Public Committee for the Justice Center Building project. Department representatives who would move from the Courthouse and Detention Center to the proposed Justice Center were also in attendance at this meeting. Architecture Inc. provided estimates, to those in attendance, of an estimated cost, for the Justice Center alone, in the amount of \$35,000,000.00. Costs to renovate the existing Courthouse and Detention Center ranged from an additional \$4,000,000.00 to \$6,000,000.00. Financial Advisor, Toby Morris, discussed how best to proceed with determining an amount for the resolution to be placed on the 2014 General Election ballot for the Justice Center Building Project. The Board was of the general consensus to prepare the resolution for an amount not to exceed \$35,000,000.00, with alternates, and with a functional levy to be implemented for taxes payable in 2015.

**EXECUTIVE SESSION**

Motion by Hanten, second by McElhany, to enter into executive session at 11:10 a.m. to discuss litigation and a personnel issue; all present voted aye; motion carried. The board returned to regular session at 11:34 a.m., no action was taken. States Attorney, Dawn Elshere; Facilities Manager, Milo Ford; and Human Resource Director, Terry Satterlee; were present during executive session at varying times.

**ADJOURNMENT**

There being no further business to come before the Board a motion was made by Heller, second by Hanten, to adjourn at 11:34 a.m., until 9:00 a.m., Tuesday, May 20<sup>th</sup>, 2014; 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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