YOUR ROADMAP TO BEING AN ELECTED OFFICIAL

Special Feature: Elected Officials Segment
BUILD UPON A STRONG FOUNDATION

Experience, professionalism, expertise, dedication and services are the foundation of Dougherty & Company. For more than 30 years Dougherty & Company has served South Dakota local and state governments, school districts, counties and cities, underwriting over $4 billion in bonds for South Dakota public entities since 1990.

RELY ON DOUGHERTY & COMPANY AS THE FOUNDATION FOR YOUR PUBLIC FINANCING NEEDS.

General Obligation Bonds | Sales Tax Bonds | Special Assessment Bonds
Revenue Bonds | TIF Bonds | Refinancings | Lease-purchases

Dougherty & Company LLC
TRUSTED PUBLIC FINANCE PARTNER SINCE 1977

Pierre, South Dakota | Phone 605.224.5557 | 877.224.5557
Sioux Falls, South Dakota | Phone 605.339.9800 | 800.339.1111

Member SIPC/FINRA
LEAGUE STAFF 1-800-658-3633 Fax: 605-224-8655

Yvonne Taylor Executive Director
Sandi Larson Director of Risk Sharing Services
Lori Martinec Director of Research and Training
Chris Hill Director of Municipal Electric Services
Sara Rankin Director of Marketing & Communications
Lori Butler Director of Finance
Carla McGregor Accounting Assistant
Lisa Nold Office Manager
SD Public Assurance Alliance:
David Pfeifle Executive Director
Kristina Peterson Director of Underwriting
Lynn Bren Director of Member Services
Paytra Nichols Underwriter
Jerry Krambeck Member Services Representative
Deb Corkill Executive Assistant

PRESIDENT
Mike Wendland
Mayor, Baltic

1st VICE PRESIDENT
Pauline Sumption
Finance Officer, Rapid City

2nd VICE PRESIDENT
Debbie Houseman
Finance Officer, Lake Andes

TRUSTEES
Fay Bueno
Finance Officer, Sturgis
Karl Alberts
Finance Officer, Aberdeen
Steve Allender,
Mayor, Rapid City
Christine Erickson
Councilmember, Sioux Falls
Amy Nelson
City Manager, Yankton

PAST PRESIDENT
Meri Jo Anderson
Finance Officer, New Underwood

DISTRICT CHAIRS
Dist. 1 - Mike Grosek
Mayor, Webster
Dist. 2 - Paullyn Carey
Finance Director, Huron
Dist. 3 - Dawn Murphy
Finance Officer, Tea
Dist. 4 - Becky Brunsing
Finance Officer, Wagner
Dist. 5 - Renae Phinney
President, Ree Heights
Dist. 6 - Leland Treichel
Mayor, Roscoe
Dist. 7 - Arnold Schott
Mayor, McLaughlin
Dist. 8 - Harry Weller
Mayor, Kadoka
Dist. 9 - Carolyne Anderson
Finance Officer, Wall
Dist. 10 - Michelle DeNeui
Assistant Finance Officer, Spearfish

South Dakota MUNICIPALITIES
www.sdmunicipalleague.org

President
Mike Wendland
Mayor, Baltic

1st Vice President
Pauline Sumption
Finance Officer, Rapid City

2nd Vice President
Debbie Houseman
Finance Officer, Lake Andes

Trustees
Fay Bueno
Finance Officer, Sturgis
Karl Alberts
Finance Officer, Aberdeen
Steve Allender,
Mayor, Rapid City
Christine Erickson
Councilmember, Sioux Falls
Amy Nelson
City Manager, Yankton

Past President
Meri Jo Anderson
Finance Officer, New Underwood

League Staff 1-800-658-3633 Fax: 605-224-8655

Yvonne Taylor Executive Director
Sandi Larson Director of Risk Sharing Services
Lori Martinec Director of Research and Training
Chris Hill Director of Municipal Electric Services
Sara Rankin Director of Marketing & Communications
Lori Butler Director of Finance
Carla McGregor Accounting Assistant
Lisa Nold Office Manager
SD Public Assurance Alliance:
David Pfeifle Executive Director
Kristina Peterson Director of Underwriting
Lynn Bren Director of Member Services
Paytra Nichols Underwriter
Jerry Krambeck Member Services Representative
Deb Corkill Executive Assistant

LEAGUE STAFF 1-800-658-3633 Fax: 605-224-8655

Yvonne Taylor Executive Director
Sandi Larson Director of Risk Sharing Services
Lori Martinec Director of Research and Training
Chris Hill Director of Municipal Electric Services
Sara Rankin Director of Marketing & Communications
Lori Butler Director of Finance
Carla McGregor Accounting Assistant
Lisa Nold Office Manager
SD Public Assurance Alliance:
David Pfeifle Executive Director
Kristina Peterson Director of Underwriting
Lynn Bren Director of Member Services
Paytra Nichols Underwriter
Jerry Krambeck Member Services Representative
Deb Corkill Executive Assistant

SOUTH DAKOTA MUNICIPALITIES (ISSN 0300-6182, USPS 503-120) is the official publication of the South Dakota Municipal League, published monthly at 208 Island Drive, Ft. Pierre, South Dakota 57532, phone 605-224-8654. This institution is an equal opportunity provider and employer. Periodical postage paid at Pierre, South Dakota and additional mailing offices. Non-member subscriptions are available for $30.00 annually. The opinions expressed herein are not necessarily those of the South Dakota Municipal League. Postmaster: Send address changes to SOUTH DAKOTA MUNICIPALITIES, 208 Island Drive, Ft. Pierre, South Dakota 57532.
One of the most important events of the Municipal League year takes place this month. More than 100 people, from all sizes of towns, will convene August 22 and 23 to determine the legislative policies of the Municipal League. The committees will meet again at the Annual Conference in October before submitting their work to the Resolutions Committee and a vote of the entire membership at the Annual Business Meeting.

The four Municipal League Policy Committees have the responsibility of reviewing the South Dakota Municipal League Statement of Policy, which serves as the League’s legislative policy and gives the League staff direction for lobbying during the Legislative Session, and for contact with the South Dakota Congressional Delegation. The four committees and their topics are:

**General Government**
The charge of the General Government Committee is to review policies dealing with municipal legislative issues, executive municipal policy, elections, and financial administration.

*Examples include:*
- General statements of policy, such as a policy advocating that cities continue to review and upgrade job safety and health standards for all municipal employees, or urging municipalities to require seat belt use by municipal employees while on duty.
- Personnel administration
- Bid laws
- Elections
- Open meetings
- Qualifications for office
- Employee benefits
- Insurance issues
- Intergovernmental cooperation and relations
- Alcoholic beverage policy (as opposed to taxation and fees)

**Public Health, Safety, and Welfare**

**Public Works**
The charge of the Public Works Committee is to review policies dealing with Streets, Sanitation, Water, Planning and Zoning, Electricity, Airports, Telecommunications, Parking, and Cemeteries.

**Taxation and Revenue**
The charge of the Taxation and Revenue Committee is to review policies dealing with Property Taxes, Sales Taxes, Licenses and Permits, Intergovernmental Revenue (Federal/ State Grants and Loans), State Shared Revenue (Bank Franchise Tax, Motor Vehicle Registration Fees, Liquor Taxes, Fire Insurance Reversion), and 9-1-1 Surcharge.

The 2018 Policy Statement, which will serve as the starting point for these committees, is printed on pages 22-37. Policy Committee members are on page 22.

If you have any questions or comments on any of these policies, please contact me at 1-800-658-3633 or e-mail yvonne@sdmunicipalleague.org.

Yvonne Taylor
Executive Director

---

**Director's Notes**

**Pool Testing**

Municipal swimming pools are not regulated by the State of South Dakota, however, these facilities should be tested for coliform bacteria during each week of operation.

All pool samples should be tested for “total coliform,” which is an indicator of bacteria for drinking water and pools.

- **Total Coliform – Negative** means that no coliform bacteria were found and the water is safe.
- **“Total Coliform – Positive”** means that coliform bacteria were found.

Two or more consecutive positive samples indicates a general trend of bacteria presence in the pool. Corrective measures should be taken, such as super-chlorination, to prevent a health related incident caused by poor water quality.
Believe it or not, the summer of 2018 is coming to an end very soon. More than likely, many of us put plenty of miles on our vehicles. We probably attended events such as baseball/softball games, family/class reunions, weddings and hopefully had time to take a family vacation. While traveling down the highway, what did you see? More than likely, you saw a number of unique and beautiful sights. At this year’s District meetings, we heard how Jerry Krambeck takes his camera along with him as he travels across the state to create quite a photo gallery of the history of South Dakota.

Closer to home, when was the last time you took a drive around your city? You might be thinking, what the heck is Mayor Mike talking about? I drive around my city every day. Indeed, that is correct, we all drive around our city every day but the point I would like you to think about is what you see and what VISION does it create for you.

Arguably, one of the most important life lines of a leader is VISION. Having a vision for something isn’t simply just thinking of an idea and work to implement it. There are other characteristics that compliment vision. The first of these characteristics is history. All of us, as leaders, bring to the table a variety of different life experiences or events that in one fashion or another resonates how we view things. Secondly is synergy. Having a group of positive and driven individuals almost acts like a magnet. Of course, vision wouldn’t be complete without listening.

Listen to what people are saying. Often times, it’s the smallest thing that someone says that can be the missing link.

Now, take another drive around your city. This time, think about vision by looking at the history your city has, listening to what visitors and citizens alike are saying and then take that energy to your next city council meeting. If it already doesn’t exist, begin to build that synergy. With all of this in mind, the vision you can begin to create for your city is unlimited.

I believe the slogan for the City of Baltic sums up VISION very well:

Begin Building Tomorrow’s Dreams Today

Mike
Preliminary Agenda Subject to Change

Tuesday, October 2, 2018

2:00 p.m. SDML Golf Tournament Pre-registration required. (Visit www.sdmunicipalleague.org for registration form.)
Hillsview Golf Course, Pierre
Hosted by: City of Pierre
South Dakota Municipal League

7:00 p.m. SDML Board of Directors Meeting

Wednesday, October 3, 2018

8:00 a.m. Registration
8:00 a.m. Exhibits Open
9:00 a.m. Orientation for New Attendees

9:00 a.m. SD City Management Association
Presiding: Justin Weiland, SDCMA President, Dell Rapids
1. Charting Your Leadership Journey
   Rick Melmer, Director, Leadership South Dakota
2. Business Meeting and Election

9:00 a.m. SD Municipal Electric Association
Presiding: Russell Halgerson, SDMEA Vice President, Brookings Municipal Utilities
1. Missouri River Energy Services
   Jeff Peters, Director, Federal & Distributed Power Programs, Missouri River Energy Services
2. Heartland Consumers Power District Update
   Casey Crabtree, Director of Economic Development, Heartland Consumers Power District
3. SD One Call 811 Update
   Larry Janes, Executive Director, SD One Call
4. Western Area Power Administration Update
5 Business Meeting and Election

10:00 a.m. SDML Pooling Meetings
   • South Dakota Public Assurance Alliance
   • Health Pool of South Dakota
   • SDML Workers’ Compensation Fund

11:00 a.m. Pooling Escape Room
Want to get away? Escape the conference and join us to test your risk-sharing pool trivia knowledge...hope you are not claustrophobic!
Brad Wilson, Administrator, SDML Workers’ Compensation Fund and President of Insurance Benefits, Inc.
Lynn Biren, Director of Member Services, SDPAA
Jerry Krambeck, Member Services Representative, SDPAA
Gary Drewes, Marketing Representative, SDML Workers’ Compensation Fund/Insurance Benefits, Inc.
Ladene Bachtell, Account Executive, SDML Workers’ Compensation Fund/Insurance Benefits, Inc.

Noon Safety Awards Luncheon
Presiding: Doug Kirkus, Safety Benefits, Inc.
Hosted by: SDML Workers’ Compensation Fund
South Dakota Public Assurance Alliance

1:00 p.m. Elected Officials Workshop
A great array of information for elected officials is offered at this meeting, including Code Enforcement and dealing with problem properties in your town; Infrastructure Financing and funding available through the Rural
Development Administration; and what elected officials need to know about budgeting and surplus property.

1:00 p.m.  **SD Municipal Attorneys’ Association**  
*Presiding:* Gary Blue, SDMAA President, Wessington Springs  
1. Business Meeting and Election  
2. Supreme Court Status Update - Brant Lake Case  
   *Todd Meierhenry, Meierhenry Sargent LLP*

1:00 p.m.  **SD Building Officials Association**  
*Presiding:* Mike McMahon, SDBOA President, Harrisburg  
1. Business Meeting  
2. TBD

1:00 p.m.  **SD Governmental Finance Officers’ Association**  
*Presiding:* Dawn Murphy, SDGFOA President, Tea  
1. Business Meeting and Election  
2. Utility Rates and Financial Planning - What the Future Holds  
   *Kevin Smith, Operations Manager, AE2S*  
3. DLA Updates  
   *Rod Fortin, Director of Local Government Assistance, SD Department of Legislative Audit*

1:00 p.m.  **SD Police Chiefs’ Association**  
*Presiding:* Lee McPeek, SDPCA President, Watertown  
1. Presentations  
   *Marty Jackley, SD Attorney General*  
   *Denny Kaemingk, SD Department of Corrections*  
   *Trevor Jones, SD Department of Public Safety*  
   *Craig Price, SD Highway Patrol*  
   *Bryan Gortmaker, SD Department of Criminal Investigation*  
   *Stefan Pluta, SD Homeland Security*  
   *Jeff Pierce, SD Bureau of Information & Telecommunications*  
2. Business Meeting and Election

4:00 p.m.  **SDML Policy Committee Meetings**  
*Public Health, Safety, and Welfare*  
*Presiding:* Tom Paisley, Building Official, Spearfish, Chair

4:00 p.m.  **SDML Auditing Committee**  
*Presiding:* Karl Alberts, Finance Officer, Aberdeen, Chair

4:00 p.m.  **SDML Nominating Committee**  
*Presiding:* Dennis Olson, Assistant City Administrator/Finance Officer, Brandon, Chair

5:00 p.m.  **Exhibit Area Social**

6:00 p.m.  **The City of Pierre invites you to enjoy their downtown!**

**Thursday, October 4, 2018**

7:00 a.m.  **SDML 15th Annual Walk/Run**  
*Pre-registration required.*  
*Starts at Ramkota Hotel lobby at 6:30 a.m.*  
*Hosted by: Health Pool of SD*  
*SDML Workers’ Compensation Fund*  
*South Dakota Public Assurance Alliance*

7:45 a.m.  **Breakfast**

7:45 a.m.  **SDML Past Presidents’ Breakfast**

8:00 a.m.  **Registration**

8:00 a.m.  **Exhibits Open**
8:00 a.m. **Resolutions Committee**  
*Presiding: Pauline Sumption, Finance Officer, Rapid City*

9:00 a.m. **Elected Officials Workshop**  
1. Regionalism and Community Success: Stretching Your Resources  
   *David Ivan, Michigan State University*  
2. Top Security Threats and Protecting Your City  
   *James Fry, Enterprise Solutions Engineer, Riverside Technologies Inc.*

9:00 a.m. **SD Airport Management Association**  
*Presiding: Cody Roggatz, SDAMA President, Aberdeen*  
1. Business Meeting and Election  
2. TBA

9:00 a.m. **SD Association of Code Enforcement**  
*Presiding: Geoff Fillingsness, SoDACE President, Beresford*  
1. Business Meeting  
2. TBA

9:00 a.m. **SD Governmental Human Resource Association**  
*Presiding: Paullyn Carey, SDGHRA President, Huron*  
1. Business Meeting and Election  
2. New Employee Orientation and Onboarding - Best Practices  
   *Donna Bottema, Human Resource Generalist, City of Rapid City*  
3. Performance Evaluations and Reviews  
   *TBD*

9:00 a.m. **SD Municipal Street Maintenance Association**  
*Presiding: Pete Jahn, SDMSMA President, Vermillion*  
1. Thin Overlay Pilot Project and other Street Maintenance Strategies  
   *Mark Metzinger, Street Superintendent, City of Pierre*  
   *Kyle Kurth, Engineer Staff Assistant EIT, City of Pierre*  
2. Understanding your South Dakota Retirement System, Supplemental Retirement Plan & Special Pay Plan Benefits  
   *Alan Freng, Retirement Planner, SD Retirement System*  
3. Business Meeting and Election

Noon **Excellence in SD Municipal Government Award Luncheon**  
*Featured Speaker: Governor Dennis Daugaard (Invited)*  
Presentation of the 2018 Excellence in SD Municipal Government Award  
SDML Hall of Fame Induction – Honoring 20 years and more of municipal service.  
*Hosted by: BankWest Trust Department*  
*The First National Bank in Sioux Falls – Trust Department*

1:30 p.m. **SD Chapter, American Public Works Association**  
*Presiding: Jackie Lanning, President, SD Chapter APWA*  
1. TBA  
2. Round Table Discussion  
3. Business Meeting

1:30 p.m. **South Dakota Fire Chiefs Association**  
*Presiding: Michael Koopman, President, SDFCA*  
1. Welcome and Introductions  
2. Fire Marshal's Office  
3. SD EMS  
4. Business Meeting

1:30 p.m. **General Session**  
1. Can Small Cities Be Cool?  
   *Dr. David Ivan, Michigan State University*  
   We live in a changing world. Achieving community vitality requires non-traditional community and economic development strategies. Based on the successful approaches of high performing small to mid-sized towns across North America, this session provides real strategies from real communities on enhancing entrepreneurship, strengthening human talent, addressing youth migration, and building successful regional partnerships.  
2. Mock Council Meeting  
   Learn about doing the right thing by watching this cast of characters do the wrong thing! The most entertaining way to learn!  
3. Gubernatorial Forum  
   Candidates Kristi Noem and Billie Sutton *(invited)* address questions important to South Dakota’s cities and towns in this moderated forum.
5:30 p.m. President’s Reception (for all attendees)
6:30 p.m. Dinner
   Hosted by: Dougherty & Company LLC

Entertainment: Todd Oliver and Friends
Have you ever met a talking dog, a real talking dog?
Get ready because when comedian and ventriloquist Todd Oliver takes the stage you’ll meet his two funny companions - Irving and Lucy. These little dogs are making crowds across the country howl for more. When they get behind the microphone they turn everyday K-9 experiences into knockout comedy. Todd Oliver & Friends are traveling the country with outrageous comedy that has everyone talking. And here’s what audiences are saying: “I’ve never laughed so hard in my life, amazing!” “Incredibly funny!” “A great act!”
   Hosted by: Midcontinent Communications

Friday, October 5, 2018

8:00 a.m. Registration
8:00 a.m. Breakfast
8:30 a.m. General Sessions
   1. Housing: What You Need, How to Get It
      SD Housing Development Authority
   9:30 a.m. 2. Open Meeting - Open Records - Executive Sessions: Everything You Need to Know
      David Pfeifle, Executive Director, SDPAA
      Diane Best, Assistant City Attorney, City of Sioux Falls
      Our experts will take you through all the ins and outs of open meetings, when executive sessions are appropriate, and what you need to know about open records.
10:30 a.m. SDML Annual Business Meeting and Election
   1. Auditing Committee Report
   2. Executive Director’s Report
   3. Resolutions Committee Report
   4. Discussion and Adoption of 2019 Statement of Policy
   5. President’s Report
   6. Nominating Committee Report
   7. Annual Election of Officers
   8. Other Business
   9. Prize Drawing – Must be Present to Win!

Accommodations

<table>
<thead>
<tr>
<th>Hotel</th>
<th>Phone</th>
</tr>
</thead>
<tbody>
<tr>
<td>Ramkota (Host Hotel)</td>
<td>605-224-6877</td>
</tr>
<tr>
<td>ClubHouse</td>
<td>605-494-2582</td>
</tr>
<tr>
<td>Governors Inn</td>
<td>605-224-4200</td>
</tr>
<tr>
<td>Baymont</td>
<td>605-224-4140</td>
</tr>
<tr>
<td>Quality Inn</td>
<td>605-224-0377</td>
</tr>
<tr>
<td>Holiday Inn Express</td>
<td>605-223-9045</td>
</tr>
<tr>
<td>My Place</td>
<td>605-494-2090</td>
</tr>
<tr>
<td>Days Inn</td>
<td>605-224-1336</td>
</tr>
</tbody>
</table>
ANNUAL CONFERENCE REGISTRATION FORM
Pierre ~ October 2-5, 2018

Municipality Represented:
◆ Please TYPE OR PRINT your information as you would like it to appear on the name tag.
◆ For each attendee, check the box(s) of the days they will be attending. Registration Fee Schedule is below.
◆ **FIRST TIME CONFERENCE ATTENDEES**: Please check the box next to your name and include your email. This only applies to SDML Members that are attending the Annual Conference for the first time.

<table>
<thead>
<tr>
<th>Name</th>
<th>Title</th>
<th>Email</th>
<th>Wed 3rd</th>
<th>Thurs 4th</th>
<th>Fri 5th</th>
<th>Amt Paid</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**TOTAL AMOUNT ENCLOSED:** $

Please Return Registration By **September 14, 2018** to: South Dakota Municipal League
*No Refunds After 5:00 p.m. September 21, 2018*
208 Island Drive
Fort Pierre, SD 57532

Payment Must Accompany Registration

**CONFERENCES REGISTRATION FEES**

<table>
<thead>
<tr>
<th>Category</th>
<th>Description</th>
<th>Fee</th>
</tr>
</thead>
<tbody>
<tr>
<td>SDML Members*</td>
<td>Pre-Registration for multiple day attendance – must be postmarked or received by 9/14/18</td>
<td>$100.00</td>
</tr>
<tr>
<td>SDML Members*</td>
<td>Registration for multiple day attendance – received after 9/14/18</td>
<td>$115.00</td>
</tr>
<tr>
<td>Non-member/Government/Non-Profit</td>
<td>Registration for multiple day attendance – received at any time</td>
<td>$200.00</td>
</tr>
<tr>
<td>Company Representative**</td>
<td>Registration – received at any time</td>
<td>$500.00</td>
</tr>
<tr>
<td>Spouse/Guest</td>
<td>Registration – received at any time</td>
<td>$65.00</td>
</tr>
<tr>
<td>Single Day Attendee</td>
<td>Registration for only a single day of attendance – received at any time for only a single day of attendance **Does not apply to Company Representatives</td>
<td>$65.00</td>
</tr>
</tbody>
</table>

*Members are officials and employees of a municipality that pay annual dues to the SD Municipal League.

**Company representatives are individuals representing a company or business that are not participating in the exhibitor program.

If you are unsure which category you should register under, please contact the League at 1-800-658-3633 or info@sdmunicipalleague.org.

**SDML OFFICE USE ONLY:** DATE: _____________________  CHECK #: _____________________  AMOUNT: _____________________
The South Dakota Municipal League Hall of Fame was created to honor those elected and appointed officials and employees who have served municipalities in South Dakota for 20 years or more.

Applicants, living or deceased, must have completed 20 years of service as of September 30, 2018. Inductees will be recognized at the October 4th Annual Conference Luncheon.

Years of service do not have to be consecutive or with the same municipality. Recognition will be one time per individual.

This recognition will be ongoing, if 20 years of service is completed after September 30, 2018 the official will be eligible to be inducted into the 2019 Hall of Fame.

Name

Living Deceased

Title Retired: Y/N

Municipality

Mailing Address

Total Years Served Offices/Positions Held

Phone Email

Will Inductee be attending the recognition luncheon? Yes__ No__ (If not registered for conference, meal tickets can be purchased on site.)

If you or someone you know is eligible, please complete and return this form by September 15, 2018 to be recognized at the SDML Annual Conference in October and in the November issue of South Dakota Municipal Magazine.

Please provide a photo and a one paragraph description (100 words max, please email if possible) of the Inductee’s biography or major accomplishments while serving the municipality to be used in the November magazine. Digital photos must be at least 300 dpi.

Return to: SDML, 208 Island Drive, Fort Pierre, SD 57532
Fax: 605-224-8655 Email: lisa@sdmunicipalleague.org
2018 SDML “EXCELLENCE IN MUNICIPAL GOVERNMENT AWARD”

Official Nomination Form

This year, the Excellence in South Dakota Municipal Government award will be presented to an elected municipal official in South Dakota. The award recipient will be selected from nominations received by the South Dakota Municipal League Past Presidents’ Committee. All nominations must be submitted in writing by August 15, 2018. The award will be presented at the SDML Annual Conference in Pierre on October 4, 2018.

Name of Nominee: ___________________________ Title: ___________________________

Address of Nominee: __________________________________________________________

Significant contributions to the municipality:
________________________________________________________________________________
________________________________________________________________________________
________________________________________________________________________________

Significant contributions to the community:
________________________________________________________________________________
________________________________________________________________________________
________________________________________________________________________________

Significant contributions to other organizations:
________________________________________________________________________________
________________________________________________________________________________
________________________________________________________________________________

Significant contributions to South Dakota Municipal Government:
________________________________________________________________________________
________________________________________________________________________________
________________________________________________________________________________

Other Comments: ________________________________________________________________
________________________________________________________________________________
________________________________________________________________________________

Submitted by: ___________________________ Phone: ___________________________

DEADLINE: August 15, 2018
Please submit to: South Dakota Municipal League
Nominations are confidential. 208 Island Drive, Ft. Pierre, SD 57532
Additional supporting documents welcome. FAX to 605-224-8655
2018 Municipal/School Election Workshops

Presented by:
South Dakota Municipal League • Office of South Dakota Secretary of State
Associated School Boards of South Dakota

One in-person workshop and six webinar workshops are scheduled to assist election officers in conducting elections. The Secretary of State’s office, Associated School Boards of South Dakota and the South Dakota Municipal League will again co-sponsor workshops covering all aspects of elections - from notices to final canvass - including questions and answer sessions.

Municipal finance officers and school business managers have statutory responsibility to conduct elections in their local jurisdictions. Properly conducted elections are an integral part of the democratic process. The many hours of diligent work on the part of the election officers enhances candidate and voter participation, and provides for accurate and consistent elections.

In-person Workshop (there will be only on in-person workshop held):
September 19th               Pierre, Ramkota Hotel ($25 fee) 10:00 am-3:30 pm (CST)
*New Finance Officers and Business Managers are encouraged to attend the in-person training.
• Training covers all aspects of elections in one day (lunch is provided)

Webinar Workshops - All aspects of elections will be covered over five different webinar workshops
December 5th                 Webinar* (estimated time 45+ min) 9:30 am or 2:30 pm (CST)
• Election types and dates, combining elections vs. holding them the same day, Election Calendar, Precinct and Election Boards, Public Notices and more.

December 20th                Webinar* (estimated 70+ min) 9:30 am or 2:30 pm (CST)
• Candidate eligibility requirements, petitions, financial interest statements, vacancies and campaign finance.

March 5, 2019                Webinar* (estimated 40+ min) 9:30 am or 2:30 pm (CST)
• Ballot preparation, voter registration and residency.

March 12, 2019               Webinar* (estimated 60+ min) 9:30 am or 2:30 pm (CST)
• Absentee Voting - Application, Voting in-person or by mail, UOCAVA Voters

March 19, 2019               Webinar* (estimated 75+ min) 9:30 am or 2:30 pm (CST)
• Election Worker Training and a guide on “What to do on Election Day”

March 21, 2019               Webinar* (estimated 30+ min) 9:30 am or 2:30 pm (CST)
• What to ask your County Auditor, what should you do on election day.

There is no registration fee for the webinars. Those who register to attend the webinar will be emailed the login and call-in information one week prior to the workshop date.

*Each webinar is limited to 100 participants, so please register early if you plan to attend via webinar.

Registration due by September 5, 2018 and can be found at www.sdmunicipalleague.org
Spring Cleaning in August?

Dave Pfeifle, Executive Director, South Dakota Public Assurance Alliance

August may seem like a strange time to talk about spring cleaning. However, our Members frequently ask us throughout the year about record retention issues for their documents. A sound record retention policy would help keep an organized, well-functioning office. A former local government co-worker told me how she once attended a seminar on how to organize your office. The speaker told her that a local government office, especially a government law office, had no hope of ever being organized! It is difficult to find another type of entity that produces and receives more records than a local government. Our offices may look more like Fibber McGee’s closet than we care to admit.

We tend to ignore the issue until we must hastily clear space by either throwing piles of somewhat-related documents in a drawer (a long-honored tradition!) or by scanning documents into electronic storage, hoping we will be able to retrieve them later. We all know from experience that documents that are not readily retrievable due to a lack of organization are almost like not having them at all. Local governments should have an established program where everyone is using the same methods of organizing retained records and using an agreed upon destruction schedule for specific documents—that way, everyone would know if a particular document would still be kept by the entity and where to find it. In fact, SDCL 1-27-18 requires governing bodies of local governments to “promote and implement the principles of efficient records management for local records.” (Emphasis added) The statute also encourages them to accomplish that directive by adopting their own local records management programs which follow, as far as practical, a program established for the management of state records.

Adoption of a sound records management program provides many benefits to a local government, including a reduction in the use of valuable office space for paper file storage, a likely reduction in storage costs, and a reduction in staff time spent filing and retrieving documents. The program will preserve records of continuing value while allowing the orderly destruction of records that are no longer useful.

A good foundation exists to formulate your own program if you do not have one already. As you may be aware, the State of South Dakota Bureau of Administration, Records Management Program, the Department of Legislative Audit, and the South Dakota Municipal League in conjunction with many local government representatives, issued a model Records Retention and Destruction Schedule (The Schedule). The Schedule can be obtained through the SDML website at sdmunicipalleague.org. The Schedule provides a uniform retention and destruction schedule for most types of municipal records that could easily be adapted for use by other local governments. The Schedule recognizes the importance of preserving the public entity’s history for future generations, while also providing for the systematic and legal destruction of unnecessary records.

Since the Schedule was issued in 2004, the technology available has grown exponentially. High speed scanners and other imaging technologies have greatly improved our ability to electronically store items both expeditiously and accurately. Any documents should be scanned through an effective OCR process that allows them to be searched by key terms at a later date. The stored files’ structure should also be kept simple for more accessibility. Expanding technology has also created new types of data that were not contemplated by the Schedule that may need to be addressed by your program, including texts, entries on local government website or Facebook pages, and other emerging types of electronic communications with citizens. My teenage children have mastered these types of communications to avoid talking to their parents.

Before adopting a program of your own, you should consult with your local government’s attorney on any unique retention or destruction requirements. For instance, the Federal Government may have specific retention requirements for some of your records. The planned destruction of some original documents, including records more than 50 years old, records required by the Records Destruction Board to be kept 50 years or longer, annual reports, maps, minutes, or photographs, requires prior notification to the state archivist. See Administrative Rules of South Dakota 24:52:11:04 (Preservation of Government Records). Also, any claims or litigation issues may dictate the duration that certain documents are stored. For a more in-depth discussion on that topic, see the March 2018 issue of South Dakota Municipalities, “Electronic Data Storage is Great...Until You Get Sued—A little prior planning can prevent big headaches later,” by Chris Madsen, General Counsel of Claims Associates, Inc.

Continued on page 21...
Gov. Daugaard Announces Nearly $10.484 Million for Environmental Projects

Gov. Dennis Daugaard says the state Board of Water and Natural Resources has approved nearly $10.484 million for water, wastewater and solid waste projects. The board met today over the Digital Dakota Network.

The $10,483,700 total includes $2.35 million in grants and nearly $8.13 million in low-interest loans, with $3.77 million in principal forgiveness.

The grants and loans awarded by the board are administered through the Department of Environment and Natural Resources (DENR).

“I am pleased to announce that this financial assistance is available,” said Gov. Daugaard. “These grant and loan awards will result in better drinking water, improved wastewater treatment and enhanced protection of the environment.”

A grant was awarded to:
• James River Water Development District, $500,000 grant for South Central Watershed Implementation

A loan was awarded to:
• Butte Meade Sanitary Water District, $413,000 loan for water line replacement

Loans with principal forgiveness were awarded to:
• Grenville, $352,000 loan for water meters and valve replacement, with $282,000 in principal forgiveness
• Leola, $1.891 million loan for water system improvements, with $1.615 million in principal forgiveness
• Marion, $522,000 loan for water meter replacement, with $99,000 in principal forgiveness
• Presho, $4.048 million loan for wastewater and storm sewer replacement, with $1.4 million in principal forgiveness

Grant and loan packages were awarded to:
• Cavour, $956,000 for wastewater collection improvements, which includes a $764,000 grant and $192,000 loan
• Rapid City, $1.5 million which includes a $1 million grant for cell 18 liner and leachate collection and a $500,000 for East Rapid City water system expansion, with $375,000 in principal forgiveness
• Sheridan Lake Homeowners Association, $301,700 for system purchase refinancing and upgrades, which includes a $90,000 grant and $211,700 loan

The grants and loans were awarded from DENR’s Consolidated Water Facilities Construction Program, Drinking Water State Revolving Fund Program, Clean Water State Revolving Fund Program and Solid Waste Management Program.

The Consolidated Water Facilities Construction Program, funded in part by revenues from the Petroleum Release Compensation Tank Inspection fee and the sale of lotto tickets, provides grants and loans for water, wastewater and watershed projects.

The State of South Dakota and the U.S. Environmental Protection Agency fund the Drinking Water State Revolving Fund Program, which provides low-interest loans for public drinking water system projects. The State of South Dakota and the U.S. Environmental Protection Agency fund the Clean Water State Revolving Fund Program, which provides low-interest loans for wastewater, storm water, water conservation, and nonpoint source projects. Principal forgiveness is a subsidy option that results in a reduced loan repayment amount for the borrower.

The Solid Waste Management Program provides grants and loans for solid waste disposal, recycling and waste tire projects. The Legislature annually appropriates dedicated water and waste funding for the Consolidated and Solid Waste programs through the Governor’s Omnibus Water Funding Bill.
DENR Accepting Applications for Water Quality Projects

The South Dakota Department of Environment and Natural Resources (DENR) is accepting applications through Oct. 1 for projects eligible for federal Clean Water Act, Section 319 nonpoint source control grants.

Eligible applicants include governmental agencies; state government subdivisions, such as conservation districts, water development districts, counties and municipalities; universities; certain nonprofit organizations; and federally recognized Indian tribes. Other groups may participate by applying through one of the eligible entities as a project partner.

Entities interested in applying for Section 319 grant funds by the Oct. 1 deadline are encouraged to contact DENR at (605) 773-4254 or obtain application guidance at http://denr.sd.gov/dfta/wp/319.aspx.

This federal Environmental Protection Agency grant requires 40 percent local match.

Section 319 of the federal Clean Water Act provides grants to reduce water pollution from nonpoint sources, such as polluted runoff from urban, agricultural and forest lands. DENR historically has used the Section 319 funds primarily to develop and implement projects designed to reduce nonpoint source pollution to meet Total Maximum Daily Loads (TMDLs). South Dakota water bodies in need of TMDLs are listed in the “2018 Integrated Report for Surface Water Quality Assessment.” A copy of the report is available from the DENR website at http://denr.sd.gov/documents/18irfinal.pdf.

Nonpoint source pollution originates from many sources, including heavily fertilized lawns, urban runoff that carries street and pet wastes, agricultural fields, small livestock operations and natural sources, such as highly erosive soils. The primary nonpoint source pollutants in South Dakota are sediment, phosphorus, nitrogen and E. coli bacteria.

Gov. Daugaard Awards Seven Community Development Block Grants

Gov. Dennis Daugaard has awarded more than $3.1 million in Community Development Block Grant (CDBG) funds to seven projects throughout South Dakota. Leola, Pierre, Presho and Pukwana will use the approved monies to help fund projects totaling more than $14 million. Aberdeen, Burke and Scotland will use $101,890 CDBG funds obligated under the Bulldoze, Build and Beautify (BBB) program to demolish and remove dilapidated structures in each respective community.

“Each year we approve and award funds from the CDBG program that improve the quality of life of those who live, work and do business in communities across South Dakota. When we support and invest in our communities by way of improved wastewater systems, new community buildings and demolition of old, run-down structures, we see people thrive and communities prosper,” said Gov. Daugaard.

The CDBG awards include the following:

- The city of Aberdeen was obligated $7,370 in BBB grant funds to assist with the removal of a dilapidated structure.
- The city of Burke was obligated $4,500 in BBB grant funds to assist with the removal of a duplicated structure.
- The city of Leola was approved for a $770,000 grant to improve its wastewater distribution system.
- The city of Pierre was approved for a $770,000 grant to assist in the renovation and reconstruction of the Boys & Girls Club.
- The city of Presho was approved for a $770,000 grant to assist with improvements to the wastewater infrastructure and storm sewer system.
- The city of Pukwana will use a $770,000 grant to make improvements to the city’s wastewater system.
- The city of Scotland will use $90,020 in BBB grant funds to remove seven dilapidated structures.

CDBG program provides local governments with funding to complete projects that improve living conditions. The CDBG program is funded through the U.S. Department of Housing and Urban Development and administered by the Governor’s Office of Economic Development.

For more information about the CDBG program and other financing programs offered through the GOED, please visit sdreadytowork.com/CDBG.

Find more Grant Opportunities on the League’s website at www.sdmunicipalleague.org.
WE ARE PLEASED TO ANNOUNCE

CONNECT SD

Riverside Technologies, Inc. (RTI) is the primary equipment provider for the municipalities that received technical infrastructure improvements through the state sponsored South Dakota Broadband Initiative. Improvements included wired and wireless network equipment, servers, firewalls for edge security and end user devices such as computers, laptops and tablets. The SDBI project has now closed and RTI would like to help South Dakota municipalities sustain those technical improvements and maximize their potential. Therefore, we are continuing to offer the same products and services to our state’s municipalities and related organizations through a new project called ConnectSD. RTI has a long standing history with public sector, and looks forward to delivering the same level of products and services to which they are accustomed through the ConnectSD project.

Connect with us at: www.riversidetechnologies.com/connectsd/cart

HARDWARE:
• Laptops & Chromebooks
• Desktops & Workstations
• Servers
• Storage
• Access Points
• Printers

DEPLOYMENT:
• Hard Drive imaging
• Asset tagging
• Google Management Console
• Chromebook Elite Services

CUSTOMIZATION:
• Embroidery
• Laser Engraving
• Decals
• Banners
• Carrying Cases & Backpacks

INTEGRATION:
• Active Directory Migration
• Wireless Assessment
• Network Assessment
• Managed IT Services
• Break-fix Services
• Green Delivery
• RTI Backup

FOR MORE INFORMATION, CONTACT RTI TODAY:
866-804-4388  |  866-812-5370
www.RiversideTechnologies.com

Passion | Creativity | Teamwork
Bob Brattmiller was one of the first Electrical Superintendents I met. I first met Bob at the 2017 Superintendent/Foreman Conference. When I arrived in Tyndall, Bob was quick to ask if we were going to be able to have another one next year since we had to cancel this year. Bob was one of the five that actually made it to Watertown before we had to cancel, so I did get to visit with him quite a bit. Bob has always been quiet, reserved, polite and knowledgeable about his occupation.

The City of Tyndall also hired Jeff Honner in October of 2016 to begin learning more about the electrical industry. Jeff did attend Mitchell Technical Institute for Powerline Construction and has been working with MMUA to obtain his Journeyman’s license.

Tyndall is a growing community with several new businesses in town. They have utilized grants from Heartland Consumers Power District which gave rebates in electrical rates and LED energy efficiency upgrades.

One of the changes that Bob mentioned was changing 98% of the city from 2400 volt to 12470. They have also been changing out street lights and have black steel with black fixtures now on main street. They plan to replace 25 lights per year and are hoping to light the city park and walk path with LED as well. Along with the park and walk path, Bob is hoping to bore underground secondary on Birch Street which is the farthest street west in Tyndall and the street you would turn on to get to the school.

MARK YOUR CALENDARS!
Wednesday, August 15, 2018
#cityhallselfie day!
There is also a Main Street underground Primary project which will be completed in the next couple of years. Tyndall already has an AMI system deployed throughout the city along with load management.

Jeff also brought up the Baseball field improvements, which include new lights, and a new concession stand. I immediately perked up when baseball was mentioned and quickly decided that Jeff and I could be friends as he play amateur baseball as well. He will be playing long after I am done, but it’s always fun to talk to people who have the same interests.

Bob and Jeff are both originally from Tabor and now live in Tyndall. They have a beautiful community and as soon as I left, I sent my traditional email to my wife, “Hey Kelsey, I just found a great community, want to move to Tyndall?” I love every community that I get to visit and Tyndall was no exception. Stop and see it, you will also see what makes their HOMETOWN great!

Questions? Comments?
Email me at Chris@sdmunicipalleague.org or call at 605-770-6299.
**Health Department Awards $500,000 for Mosquito Control**

More than 200 South Dakota cities, counties and tribes will share in $499,767 in grants intended to control mosquitoes and prevent West Nile virus (WNV), the Department of Health announced today.

“South Dakota has a disproportionately high number of WNV cases when compared to other states. Local mosquito control efforts play a vital role in protecting our communities,” said Bill Chalcraft, administrator of public health preparedness and response for the Department of Health.

All applying communities received funding, with grants ranging from $300 to $20,000. Grant awards were based on the population of the applying jurisdiction and its history of human WNV cases through 2017.

Since its first human WNV case in 2002, the state has reported 2,432 human cases, including 778 hospitalizations and 42 deaths. Every county has reported cases. This season South Dakota reported its first human WNV case in a blood donor from Todd County earlier this month.

Including this latest round of grants, the state has provided local mosquito control programs with more than $7.5 million in support, in either direct grant funding or control chemicals, since the virus emerged in South Dakota.

A complete list of funded programs and grant amounts is available here.

Visit westnile.sd.gov for prevention information and surveillance updates.

### 2018 SD Mosquito Control Grant Program

<table>
<thead>
<tr>
<th>Location</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Aberdeen</td>
<td>$20,000</td>
</tr>
<tr>
<td>Agar</td>
<td>$1,000</td>
</tr>
<tr>
<td>Akaska</td>
<td>$700</td>
</tr>
<tr>
<td>Altamont</td>
<td>$700</td>
</tr>
<tr>
<td>Andover</td>
<td>$500</td>
</tr>
<tr>
<td>Arlington</td>
<td>$1,429</td>
</tr>
<tr>
<td>Armour</td>
<td>$2,507</td>
</tr>
<tr>
<td>Astoria</td>
<td>$881</td>
</tr>
<tr>
<td>Aurora</td>
<td>$1,065</td>
</tr>
<tr>
<td>Avon</td>
<td>$1,500</td>
</tr>
<tr>
<td>Baltic</td>
<td>$1,071</td>
</tr>
<tr>
<td>Broadland</td>
<td>$500</td>
</tr>
<tr>
<td>Brookings</td>
<td>$6,501</td>
</tr>
<tr>
<td>Brown County</td>
<td>$16,750</td>
</tr>
<tr>
<td>Bruce</td>
<td>$2,142</td>
</tr>
<tr>
<td>Bryant</td>
<td>$1,425</td>
</tr>
<tr>
<td>Buffalo Gap</td>
<td>$881</td>
</tr>
<tr>
<td>Burke</td>
<td>$1,786</td>
</tr>
<tr>
<td>Bushnell</td>
<td>$701</td>
</tr>
<tr>
<td>Canistota</td>
<td>$1,787</td>
</tr>
<tr>
<td>Canton</td>
<td>$2,351</td>
</tr>
<tr>
<td>Carthage</td>
<td>$881</td>
</tr>
<tr>
<td>Chamberlain</td>
<td>$2,884</td>
</tr>
<tr>
<td>Chancellor</td>
<td>$1,603</td>
</tr>
<tr>
<td>Cheyenne River</td>
<td></td>
</tr>
<tr>
<td>Sioux Tribe</td>
<td>$8,160</td>
</tr>
<tr>
<td>Claire City</td>
<td>$1,000</td>
</tr>
<tr>
<td>Claremont</td>
<td>$2,141</td>
</tr>
<tr>
<td>Clark</td>
<td>$2,691</td>
</tr>
<tr>
<td>Clear Lake</td>
<td>$713</td>
</tr>
<tr>
<td>Cotherington</td>
<td>$5,000</td>
</tr>
<tr>
<td>Colman</td>
<td>$1,066</td>
</tr>
<tr>
<td>Colome</td>
<td>$1,243</td>
</tr>
<tr>
<td>Colton</td>
<td>$1,427</td>
</tr>
<tr>
<td>Columbia</td>
<td>$1,061</td>
</tr>
<tr>
<td>Conde</td>
<td>$881</td>
</tr>
<tr>
<td>Corona</td>
<td>$701</td>
</tr>
<tr>
<td>Crooks</td>
<td>$1,433</td>
</tr>
<tr>
<td>Crow Creek</td>
<td></td>
</tr>
<tr>
<td>Sioux Tribe</td>
<td>$1,972</td>
</tr>
<tr>
<td>Davis</td>
<td>$1,421</td>
</tr>
<tr>
<td>De Smet</td>
<td>$4,311</td>
</tr>
<tr>
<td>Delmont</td>
<td>$1,602</td>
</tr>
<tr>
<td>Dimock</td>
<td>$1,241</td>
</tr>
<tr>
<td>Doland</td>
<td>$882</td>
</tr>
<tr>
<td>Dolton</td>
<td>$700</td>
</tr>
<tr>
<td>Eagle Butte</td>
<td>$4,853</td>
</tr>
<tr>
<td>Edgemont</td>
<td>$2,508</td>
</tr>
<tr>
<td>Edmunds County Weed and Pest</td>
<td>$3,000</td>
</tr>
<tr>
<td>Elk Point</td>
<td>$1,080</td>
</tr>
<tr>
<td>Emery</td>
<td>$1,244</td>
</tr>
<tr>
<td>Estelline</td>
<td>$1,248</td>
</tr>
<tr>
<td>Ethan</td>
<td>$1,423</td>
</tr>
<tr>
<td>Faith</td>
<td>$1,604</td>
</tr>
<tr>
<td>Farmer</td>
<td>$700</td>
</tr>
<tr>
<td>Faulkton</td>
<td>$2,867</td>
</tr>
<tr>
<td>Flandreau</td>
<td>$1,983</td>
</tr>
<tr>
<td>Florence</td>
<td>$500</td>
</tr>
<tr>
<td>Fort Pierre</td>
<td>$3,321</td>
</tr>
<tr>
<td>Freeman</td>
<td>$1,973</td>
</tr>
<tr>
<td>Fulton</td>
<td>$1,421</td>
</tr>
<tr>
<td>Garden City</td>
<td>$850</td>
</tr>
<tr>
<td>Gary</td>
<td>$1,422</td>
</tr>
<tr>
<td>Gayville</td>
<td>$1,064</td>
</tr>
<tr>
<td>Geddes</td>
<td>$1,602</td>
</tr>
<tr>
<td>Goodwin</td>
<td>$1,061</td>
</tr>
<tr>
<td>Grant County</td>
<td>$4,914</td>
</tr>
<tr>
<td>Gregory</td>
<td>$1,433</td>
</tr>
<tr>
<td>Grenville</td>
<td>$701</td>
</tr>
<tr>
<td>Groton</td>
<td>$5,215</td>
</tr>
<tr>
<td>Hermosa</td>
<td>$1,244</td>
</tr>
<tr>
<td>Herreid</td>
<td>$1,964</td>
</tr>
<tr>
<td>Highmore</td>
<td>$1,200</td>
</tr>
<tr>
<td>Hitchcock</td>
<td>$1,241</td>
</tr>
<tr>
<td>Hotmer</td>
<td>$500</td>
</tr>
<tr>
<td>Howard</td>
<td>$1,609</td>
</tr>
<tr>
<td>Humboldt</td>
<td>$886</td>
</tr>
<tr>
<td>Hurley</td>
<td>$1,604</td>
</tr>
<tr>
<td>Huron</td>
<td>$9,286</td>
</tr>
<tr>
<td>Interior</td>
<td>$600</td>
</tr>
<tr>
<td>Ipswich</td>
<td>$2,500</td>
</tr>
<tr>
<td>Irene</td>
<td>$1,244</td>
</tr>
<tr>
<td>Isabel</td>
<td>$1,241</td>
</tr>
<tr>
<td>Kadoka</td>
<td>$887</td>
</tr>
<tr>
<td>Kennebec</td>
<td>$1,422</td>
</tr>
<tr>
<td>Kimball</td>
<td>$1,787</td>
</tr>
<tr>
<td>Kranzburg</td>
<td>$702</td>
</tr>
<tr>
<td>Lake Andes</td>
<td>$3,229</td>
</tr>
<tr>
<td>Lake City</td>
<td>$1,421</td>
</tr>
<tr>
<td>Langford, Pierpoint, Roslyn, Eden Cooperative</td>
<td></td>
</tr>
</tbody>
</table>

---

**SOUTH DAKOTA MUNICIPALITIES**
Continued from page 14...

Any records retention program needs to consider the amount of possible electronic storage for your local government’s computer system. Your IT personnel or vendor should be consulted to determine the most cost-efficient methods and storage capacity hardware needed for your entity, both now and in the future. Several neighboring public entities in South Dakota have pooled their limited resources to afford to retain a knowledgeable vendor to identify and provide the best solutions for all their needs. These successful joint efforts are another example where pooling works best, just like the 427 Members of the SDPAA have done in providing liability and property coverage for local governments!

While scanning is desirable from a document management and storage standpoint, it can sometimes have its shortcomings. For instance, original plans or blueprints submitted to a Planning and Zoning official may be very difficult and time-consuming to scan accurately. The time and expense needed to meticulously scan these types of documents should be weighed against the resources expended to merely maintain an original of those documents.

Formulating and drafting a sound records retention program may seem daunting at first but you do not need to reinvent the wheel. The Schedule will provide the framework. Several of your colleagues have experienced the same journey and could provide guidance. All the initial effort will be worthwhile for years to come in saved staff time and saved storage costs. Most importantly, psychological studies have clearly demonstrated that clutter around your work area actually makes it more difficult to concentrate and accomplish tasks. Your entire team’s productivity can improve in a more organized office setting. Wouldn’t you rather come to the office staring at a clean desk in the morning?

Have City News to Share?
Email us your copy (250 words max.) detailing your city’s notable achievement (a project, initiative, award or individual honor), preferably with an image.
Contact: Sara Rankin; sara@sdmunicipalleague.org
SDML Policy Committee Meetings
SDML Conference Room, Fort Pierre

Wednesday, August 22, 2018

10:00 a.m. — Public Health, Safety and Welfare Committee: Tom Paisley, Building Official, Spearfish, Chair ♦ Brittany Smith, City Administrator, Philip, Vice Chair ♦ Steve Allender, Mayor, Rapid City ♦ Clint Rux, Councilmember, Aberdeen ♦ Curt Soehl, Councilmember, Sioux Falls ♦ Dave Kull, Police Chief, Brandon ♦ Geoff Fillingsness, Code Enforcement Officer, Beresford, Jill Franken, Public Health Director, Sioux Falls ♦ Larry Christensen, Police Chief, Beresford ♦ Laurie Gronlund, Human Resources Director, Pierre ♦ Lee McPeek, Police Chief, Watertown ♦ Lyndon Overweg, Chief of Public Safety, Mitchell ♦ Marie Marlow, Finance Officer, Britton ♦ Mark Kroontje, City Attorney, Herreid ♦ Michael McMahon, Building Official, Harrisburg ♦ Michelle Deyo-Amende, Recreation Director, Belle Fourche ♦ Mike Glover, Finance Officer, Burke ♦ Mike Weisgram, Councilmember, Fort Pierre ♦ Shauna Meyerink, Finance Officer, Platte ♦ Pat Starr, Councilmember, Sioux Falls ♦ Tom Kurtenbach, Fire Chief, Yankton

1:00 p.m. — General Government Committee: Mike Wendland, Mayor, Baltic, Chair ♦ Stephanie Ellwein, City Administrator, Mitchell, Vice Chair ♦ Amy Nelson, City Manager, Yankton ♦ Angie Utte, Compensation and Benefits Manager, Sioux Falls ♦ Becky Brunsing, Finance Officer, Wagner ♦ Fay Bueno, Finance Officer, Sturgis ♦ Bill O’Toole, Human Resources Director, Sioux Falls ♦ Brett Bill, Planning and Zoning Director, Aberdeen ♦ Bryan Read, City Administrator, Brandon ♦ Christine Erickson, Councilmember, Sioux Falls ♦ Dana Boke, Mayor, Spearfish ♦ Dawn Murphy, Finance Officer, Tea ♦ Dean Hammer, City Attorney, Dell Rapids ♦ Debbie Houseman, Finance Officer, Lake Andes ♦ Donna Klinkhammer, Finance Officer, Howard ♦ Gary Blue, City Attorney, Wessington Springs ♦ Gloria Hanson, Mayor, Fort Pierre ♦ Greg Barnier, City Attorney, Sturgis ♦ Jamison Berreth, City Administrator, Volga ♦ Janet Brekke, Councilmember, Sioux Falls ♦ Jerry Zeimetz, City Administrator, Beresford ♦ Joel Landeen, City Attorney, Rapid City ♦ John Hughes, City Attorney, Baltic ♦ Kristi Honeywell, City Administrator, Pierre ♦ Mary McClung, Finance Officer, Harrisburg ♦ Michael Carlson, Finance Officer, Vermillion ♦ Mike Harmon, City Administrator, Spearfish ♦ Paullyn Carey, Finance Director, Huron ♦ Rick Kiley, Councilmember, Sioux Falls ♦ Roy Lindsay, Mayor, Madison ♦ Sharon Mins, Finance Officer, Belle Fourche ♦ Teresa Gossard, Councilmember, New Underwood ♦ Rich Holland, Councilmember, Vermillion ♦ Sara Caron, Mayor, Watertown ♦ Paula Wagner, Trustee, Brandt Lake

Thursday, August 23, 2018

10:00 a.m. — Taxation and Revenue Committee: Pauline Sumption, Finance Officer, Rapid City, Chair ♦ Meri Jo Anderson, Finance Officer, New Underwood, Vice Chair ♦ Al Cerny, City Administrator/Finance Officer, Gregory ♦ Andrew Pietrus, City Administrator, Harrisburg ♦ Carole Kiecker, Finance Officer, Java ♦ Chuck Turbiville, Mayor, Deadwood ♦ David Bixler, City Council Budget Analyst, Sioux Falls ♦ Dennis Olson, Assistant City Administrator/Finance Officer, Brandon ♦ Daniel Ainslie, City Manager, Sturgis ♦ Dave Dutton, Finance Officer, Spearfish ♦ Jim David, Operations/Legislative Director, Sioux Falls ♦ Jennifer Eimers, Finance Officer, Madison ♦ Julie Hoefert, Finance Officer, Baltic ♦ Karl Alberts, Finance Officer, Aberdeen ♦ Lori Heumiller, Finance Officer, Salem ♦ Greg Neitzert, Councilmember, Sioux Falls ♦ Lori Jorgensen, Finance Officer, Viborg ♦ Mike Levens, Mayor, Aberdeen ♦ Ralph Borkowski, City Planner, Huron ♦ John Prescott, City Manager, Vermillion ♦ Tobias Schantz, Finance Officer, Crooks ♦ Carolynnd Anderson, Finance Officer, Wall ♦ Linda Willman, Finance Officer, Wessington Springs

1:00 p.m. — Public Works Committee: Mark Cotter, Public Works Director, Sioux Falls, Chair ♦ Justin Weiland, City Administrator, Dell Rapids, Vice Chair ♦ Adam Jans, Finance Officer, Parker ♦ Beau Riiopel, Street Superintendent, Spearfish ♦ Bill Lewellen, Electric Superintendent, Miller ♦ Cody Roggatz, Airport Director, Aberdeen ♦ Craig Wagner, Public Works Director, Hartford ♦ George Martin, Councilmember, Spearfish ♦ Ginny Beck, Utility Manager, Crooks ♦ Glen Haines, Mayor, Faith ♦ Harry Weller, Mayor, Kadoka ♦ Jack Trullinger, Mayor, New Underwood ♦ Jackie Lanning, City Engineer, Brookings ♦ Jamie Hafner, Finance Accountant, Spearfish ♦ Larry Cooper, Airport Manager, Huron ♦ Blake Barringer, Commissioner, Pierre ♦ Lynn Lander, City Manager, Aberdeen ♦ Pete Jahn, Street Superintendent, Vermillion ♦ Robin Bobzien, City Engineer, Aberdeen ♦ Ron Hoftiezer, Street Superintendent, Miller ♦ Tracy Davis, Deputy Finance Officer, Rapid City ♦ Theresa Stehly, Councilmember, Sioux Falls ♦ Marshall Selberg, Councilmember, Sioux Falls ♦ Todd Chambers, Electric Superintendent, Miller ♦ Tom Farnsworth, Parks and Recreation Director, Pierre
South Dakota Municipal League
Current Statement of Policy

The SDML Policy Committee will consider policy additions and revisions at their meetings in August in Fort Pierre. SDML member municipalities will vote on the policy resolutions at the 2018 Annual Conference October 2-5 in Pierre. This Statement of Policy is also posted on the League’s website, www.sdmunicipalleague.org. The current League policies follow:

MUNICIPAL EMPLOYEES
1. The SDML supports an amendment to restrict or repeal the presumptions included in SDCL 9-16-45 pertaining to circulatory or respiratory disease as “occupational” in firefighters, and opposes any amendment to expand the disease presumption regarding occupational diseases affecting volunteer and active paid firefighters. (GG – 2000; CB7)

2. The SDML supports legislation authorizing municipal access to federal background checks for licensees. (GG – 2008; 2009)

3. The SDML supports legislation to make municipal laws consistent as to the use of the term “finance officer” rather than “clerk/treasurer.” (GG – 2010)

4. The SDML supports allowing the Finance Officer or their designee to attend meetings. (GG – 2017)

GOVERNMENT ETHICS AND OPERATIONS
5. The SDML supports legislation that would exempt municipalities from the regulations of the unclaimed property laws. (GG – 2000; 12)

6. The SDML supports amending SDCL 12-1-5 to include municipal election officials on the State Board of Elections. (GG – 2000; 13)

7. The SDML supports clarifying signature requirements for all municipal election petitions. (GG – 2016)

8. The SDML supports clarifying the initial election of officers in a newly incorporated municipality. (GG – 2016)


10. The SDML supports amending state law to clarify residence requirements for municipal elected officials. (GG – 2014)

11. The SDML supports moving the deadline established in 9-20-11.2 forward one week. (GG – 2017)

12. The SDML supports efforts by the Secretary of State to provide consistency in election statutes. (GG – 2017)

13. The SDML supports working cooperatively with other state entities to clarify residence for voter registration. (GG – 2015)

14. The SDML supports making provisions for supplementing municipal budgets consistent with provisions found in county law. (GG – 2015)

15. The SDML supports cooperative activities between county and municipal governments, the protection of existing joint activities, and elimination of barriers that hinder the creation of such arrangements. (added by SDML Board of Directors, Dec. 9, 2015) (GG – 2016)

16. The SDML supports increasing the audit “trigger” to $750,000. (GG – 2014)

17. The SDML supports increasing the Internal Control Review range to between $100,000 and $750,000. (GG – 2014)

18. The SDML supports changing the makeup of the local board of equalization to more appropriately reflect the distribution of property tax revenues. (GG – 2008)
**Current Statement of Policy**

19. The SDML would support county efforts to impose a penalty of up to $250 for failure to appear at a requested property tax assessment appeal to the Office of Hearing Examiners. (GG – 2017)

20. The SDML supports publishing minutes within 15 days of the newspaper receiving the minutes from a municipality. (GG – 2017)


22. The SDML supports allowing municipalities alternative publication options. (GG – 2003)

23. The SDML supports amending statutes regarding designation of official newspapers to require the newspaper submit the circulation density by local government jurisdiction. (GG – 2011; 2013)

24. The SDML supports legislation to allow a local option for resolutions to be published by title and abbreviated explanation only. (GG – 2006)


26. The SDML supports reviewing open meeting laws in conjunction with any Open Government Task Force so long as the SDML is adequately represented. (GG – 2009; 2012)

27. The SDML opposes state regulation of the Health Pool of South Dakota, the South Dakota Public Assurance Alliance, or the SDML Workers’ Compensation Fund. (GG – 2003)

28. The SDML supports legislation amending SDCL 34A-6-29 to make the collection of delinquent garbage collection fees consistent with the collection of other delinquent municipal utility fees. (GG – 2006)

---

**IT MATTERS.**

To us, your project isn’t a job - it’s an opportunity to make a positive impact, protect future generations, and ensure the vitality of where we live and work. **It matters.**

Providing engineering and related services to help clients achieve success.

Advanced Engineering and Environmental Services, Inc.
South Dakota Offices: Rapid City, Sioux Falls, Spearfish

www.ae2s.com
Current Statement of Policy

29. The SDML supports allowing counties to add a processing fee of up to 5%, or a minimum of $15.00, for the collection of delinquent municipal utility and other service fees and charges and for nuisance actions. (GG – 2016)

30. The SDML supports legislation to allow funds to be deposited directly to municipalities from the state, rather than going first through the counties. (GG – 2006)

31. The SDML supports allowing the governing body to annually establish compensation for all citizen boards, committees, and commissions, notwithstanding other state laws. (GG – 2017)

32. The SDML will not oppose the addition of a penalty for the late submission of an annual report as long as the deadline for submission can be moved back to May 31 of each year and there is a provision for the Department of Legislative Audit to allow for an extension as circumstances merit. (GG – 2006)

33. The SDML supports amending § 9-22-21 to include all municipalities. (GG – 2017)

34. The SDML supports changing the vote to create a hospital district to a simple majority. (GG – 2007)

35. The SDML supports equal treatment of all government facilities which serve as the official office of elected officials or any buildings where governing bodies officially meet on a regular basis. (GG – 2012)

36. The SDML supports making special assessments for sidewalks consistent with all other special assessment procedures. (GG – 2013)

37. The SDML supports clarifying that nuisance assessments may be made by local resolution. (GG – 2013)

38. The SDML supports amending SDCL 21-10-6 to distinguish between an “assessment” and a “special assessment.” (GG – 2016)

COMMUNITY AND ECONOMIC DEVELOPMENT

39. The SDML supports allowing a separate and additional class of on-sale liquor licenses for golf courses. (GG – 2003; 2007; 2008)

40. The SDML opposes any change to the requirement that alcoholic beverage licenses be given only to a single legal description. (GG – 2000; 21)

41. The SDML supports amending §35-4-11.2 to allow municipalities under 20,000 in population access to convention facility licenses with seating for 150 and 40 sleeping rooms. (GG – 2017)

42. The SDML supports the valuation of platted land based on use, rather than zoning designation, and urges cities and counties to work cooperatively to develop legislation. (GG – 2014)

43. The SDML supports the public financing toolbox for local governments. (GG – 2014)

44. The SDML supports a reduced rate for ballot publications. (GG – 2009)

45. The SDML supports revising the business improvement district statutes to allow municipalities and counties to enter into joint projects and to locally determine all rates. (T&R – 2003)

46. The SDML supports creating incentives within the REDI fund for investment, not just job creation. (T&R – 2003)

47. The SDML supports making REDI funds available for infrastructure and infrastructure master planning. There is plenty of raw land, but it needs infrastructure before it can be sold to prospects or developed in a timely manner. (T&R – 2003)

48. The SDML supports allowing maximum local control of tax increment financing (TIF) districts, an economic development tool that has led to millions of dollars in increased property value, benefitting both the state as a whole and the local entities sponsoring the districts, while at the same time maintaining the integrity of the process. (T&R – 2017)

49. The SDML supports legislation allowing a local vote on up to an additional one cent temporary municipal sales tax to be used for infrastructure projects. (T&R – 2014)

50. The SDML supports amendments to annexation laws that increase local authority. (PW – 2000; 9)
Current Statement of Policy

51. The SDML supports planning and zoning legislation that will encourage continuity between city and county planning and zoning procedures and reduce ambiguities within the adoption process, enabling municipalities to more effectively adopt and administer their comprehensive plan, zoning regulations, and subdivision regulations. (PW – 2000; 10)

52. The SDML would strongly oppose any legislation to overrule local zoning or building codes pertaining to mobile homes, manufactured houses or trailer houses. (PW – 2000; 11)

53. The SDML supports the right and authority of municipalities to have at least an equal voice in platting, zoning, planning, code enforcement, and flood management control in the extraterritorial area. The SDML also supports legislation to enhance municipalities’ ability to gain extraterritorial jurisdiction, and permissive legislation allowing cities and counties to enter into intergovernmental agreements for Urban Growth Areas. (PW – 2000; 12)

54. The SDML supports legislation to amend SDCL 9-4-1 to exclude “registered voters” from the petition process for annexation of contiguous territory. (Transferred from GG – 2000; 13)

55. The SDML supports legislation to ensure that municipalities control planning, zoning, and development issues within the corporate limits. (PW – 2003)

56. The SDML believes municipal governments should be notified of and participate in economic development efforts within their jurisdiction. (PW – 2014)

57. The SDML supports state and federal funding for the Lewis and Clark Regional Water System to complete services to South Dakota communities. (PW – 2014)

58. The SDML would support legislation to prohibit creation of any entity with municipal powers within five miles of any existing municipal boundaries. (PW – 2015)

**Municipal Finance**

59. The SDML supports cooperative efforts to return a portion of the video lottery revenues to municipalities. (T&R – 2000; 2)

60. The SDML supports legislation to increase the license fee that municipalities may charge on video lottery machines. (T&R – 2000; 3)

61. The SDML supports amending SDCL 6-3-3 to return the required percentage of the vote to pass a joint bond issue to a simple majority. (T&R – 2000; 4)

62. The SDML supports amending SDCL 9-19-13 to provide that all administrative resolutions would be effective upon passage and publication. (T&R – 2004)

63. The SDML strongly supports legislation to amend SDCL 10-52A-2 to allow up to 2 percent “bed, booze, and board” tax. (T&R – 2005)

64. The SDML supports legislation requiring counties to notify municipalities of any changes to road and bridge reserve fund levies. (T&R – 2015)

65. The SDML supports legislation to make provisions for taxing all products and services, such as electronic amusement devices, consistent between the state and municipalities. (T&R – 2017)

**Sales Tax**

66. The SDML opposes any legislation that would reduce, remove, repeal or reallocate the municipal sales tax, liquor tax reversion or any other municipal revenues to any other unit of government or that would expand the power to impose a sales or use tax to any other unit of government. (T&R – 2000; 9)

67. The SDML opposes any further exemptions from the sales tax laws. (T&R – 2000; 10)

68. The SDML opposes the repeal of the sales tax on groceries. (T&R – 2004)

69. The SDML supports legislation to allow municipalities to impose an additional tax on the leases or rentals of hotel, motel, campsites, or other lodging accommodations within the municipality. (T&R – 2000; 11)

70. The SDML opposes any attempt by the state to extend their authority over the collection, administration, and redistribution of the municipal sales tax for any purpose. (T&R – 2000; 12)

71. The SDML supports a sales tax on all catalog and
Current Statement of Policy

Internet sales. (T&R – 2000; 14)

72. The SDML strongly opposes any formula-driven redistribution of sales and use tax revenues. The SDML strongly supports maintaining the current system of returning revenues based on sales actually attributed to that point of delivery. (T&R – 2002; 15)

73. The SDML supports allowing broad, local-option authority to municipalities that would enable the return of any potential tax revenue increases to entities or persons deemed appropriate by the municipality. (T&R – 2002; 20)

74. The SDML supports a requirement that all prior debt obligations be covered regardless of any potential initiative, referendum, or legislative action. (T&R – 2002; 22)

75. The SDML is opposed to de minimus exceptions. (The exceptions do not serve to level the playing field and the collection allowance will reimburse sellers for the costs of collecting the taxes.) (T&R – 2002; 23)

76. The SDML opposes any municipal funding of a sales tax collection allowance for all sellers, whether in or out of state. (T&R – 2002; 2004; 2012; 2013)

77. The SDML supports continued local control over local rates and opposes weighted averaging or a state-imposed single rate. (T&R – 2002; 25)

78. The SDML supports retaining the ability of municipalities to impose, adjust, and determine local rates, protect current revenues, prevent loss of revenue, and to account for any future growth. (T&R – 2002; 26)

79. The SDML supports reinstatement of the ability to tax Internet services. (T&R – 2002; 2010; 27)

State/Federal Funding

80. The SDML supports repeal of state taxation on alternative fuels used by local governments, and supports federal tax incentives for government purchases of alternative fuel vehicles. (T&R – 2007)

81. The SDML supports exempting government projects from the contractors excise tax. (T&R – 2004; 2015)

82. The SDML supports exempting government owned and provided materials from the contractors excise tax. (T&R – 2015)

83. The SDML supports legislation to allow a local option, gross receipts tax on alcoholic beverages for the counties to fund public-safety related items. (T&R – 2015)

84. The SDML supports exempting all municipal projects, facilities, and equipment from sales and use taxes, so long as the municipality retains ownership and control, regardless of who installs or operates the facility or equipment. (T&R – 2011)

85. The SDML supports legislation to require that all
Current Statement of Policy

aviation funds, grants, revenues, taxes, or monies from any other source collected previously and in the future be dedicated for aviation use only. (T&R – 2000; 2010; CB6) (Moved from Core Beliefs)

86. The SDML opposes removing or reducing tax exemptions for municipal bonds. (T&R – 2013)

Property Tax

87. The SDML supports legislation to allow, at local option, the creation of library districts to allow for the equitable funding for libraries that provide service to municipalities, counties, and other overlapping entities. (T&R – 2000; 31)

88. The SDML opposes any legislation that would shift more of the current property tax levy from ag to non-ag property. (T&R – 2000; 32)

89. The SDML opposes attempts to amend the Constitution to cap the growth of property values and base the value on the acquisition value of property. (T&R – 2005)

90. The SDML supports continuing liens and encumbrances on property purchased through a tax deed. (T&R – 2013)

91. The SDML supports legislation to amend SDCL 10-13-35 to set the property tax cap at 3% or the rate of inflation, whichever is greater. (T&R – 2015)

User Fees

92. The SDML supports the concept of user fees for public service calls, including but not limited to law enforcement and fire protection for all tax-exempt properties. (T&R – 2000; 2008; 2010; 33; 2015)

93. The SDML opposes discriminatory charges on county taxpayers living within municipal boundaries for services, including but not limited to 911 emergency services. (T&R – 2012)

94. The SDML supports efforts to increase Medicaid reimbursement rates for ambulance and emergency medical services. (PHSW – 2016)

95. The SDML supports continuation, reinstatement, or new state and federal grants and loans, at sustained levels, including State Revolving Fund monies, to local governments to facilitate construction and upgrading of sewer, stormwater utility, water, and solid waste facilities as mandated by state and federal regulations. (PW – 2000; 2007; 19)

96. The SDML supports state funding to restore the funds transferred from the Aeronautics Trust Fund in order to allow South Dakota airports to continue to comply with safety regulations and to provide needed infrastructure improvements. (PW – 2016)

97. The SDML supports amending the fee structure for wastewater and storm water permits to support SD Department of Environment and Natural Resources staff and programming. (PW – 2017)

LOCAL CONTROL AND HOME RULE

98. The SDML supports legislation that would exclude club licenses (class M licenses) from the limitation on the total number of liquor licenses allowed within a municipality. (GG – 2000; 23)

99. The SDML supports permissive legislation granting municipalities the power to control the number and the fees for on-sale and off-sale liquor, wine, and malt beverage licenses to be granted within the municipality. (GG – 2000; 24)

100. The SDML supports local control of the sale, use, distribution, marketing, and promotion of tobacco products that are more restrictive than those provided by the Legislature. (GG – 2003)

101. The SDML strongly supports legislation to distance state laws from Dillon’s Rule. (GG – 2005)

102. The SDML supports legislation to allow municipalities under 5,000 the same ability to establish the price of a liquor license as is allowed to those municipalities over 5,000 population. (GG – 2007)

103. The SDML supports the ability to use drones for any local government purpose. (Resolutions – 2014)

104. The SDML opposes state legislation limiting municipalities from adopting whichever portions of the International Codes deemed necessary. (PHSW – 2009; 2016)

105. The SDML recommends that the Department of Transportation, the Legislature, and any county affected, carefully review the financial impact of the transfer of any roads, bridges or highways to the municipality. The SDML supports legislation...
Current Statement of Policy

to require counties and the state to provide to municipalities all maintenance records and bridge inspections prior to the negotiation of a transfer. (PW – 2000; 2010; 1)

106. The SDML strongly supports legislation affirming the authority of municipal government to control activities and charge for the use by utilities within public rights-of-way within municipal jurisdiction. (PW – 2000; 2)

107. The SDML opposes any regulation by others of any service provided by or regulated by a municipality. However, the SDML strongly feels that municipalities should be included in any discussion on restructuring of the energy and telecommunication industries. (PW – 2000; 3)

108. The SDML supports state legislation allowing the municipality to own and operate a cable TV system, when allowed by federal law. (PW – 2000; 5)

PUBLIC HEALTH AND SAFETY

109. The SDML supports repealing the sunset on the 911 surcharge and supports efforts to hold telecom wireless companies accountable for all surcharge remittance on wireless services provided. The SDML also supports legislation allowing inflationary increase in the surcharge to keep pace with continued growing costs and inflation. (T&R – 2017)

110. The SDML supports expanding the base for the 911 surcharge to include all means of communicating with a 911 system. (T&R – 2005)

111. The SDML supports enhanced revenue from the state and federal governments to implement heightened security standards necessitated by any state or federal Homeland Security requirements. (T&R – 2002; 36)

112. The SDML encourages the licensing of building contractors by local units of government to ensure that contractors comply with minimum standards to protect the consumer. (PHSW – 2004)

113. The SDML supports legislation to expand affordable housing opportunities in South Dakota. (PHSW – 2014)

114. The SDML supports making affordable public and private health care coverage available to all South Dakotans and strongly encourages efforts to expand Medicaid. (PHSW – 2014; 2015; 2016)

115. The SDML supports a statewide task force to review access and resources for the treatment of alcoholism, drug addiction, and gambling addiction. The SDML calls for the State of South Dakota to assume increased responsibility for funding of detoxification and alcoholic, drug addiction, and gambling treatment facilities from state alcohol beverage taxes and gaming revenues. (PHSW – 2000; 2014 CB2; 2015) (Amended and moved from Core Beliefs)

116. The SDML supports a mechanism for blighted, vacant, or nuisance properties to assist in the costs of their own remediation. (PHSW – 2014; 2016)

117. The SDML supports legislation to provide stronger penalties and increase requirements for mandatory vehicle insurance. (PHSW – 2007)

118. The SDML supports legislation to remove restrictions which prohibit municipalities from prohibiting the use of phosphates in lawn fertilizers within city limits. (PHSW – 2010)

119. The SDML supports continued efforts to reduce
distracted driving. (PHSW – 2012; 2014)

120. The SDML supports adoption of the most recent edition of the International Codes, with the option of local amendments. (PHSW – 2013; 2014; 2017)

121. The SDML strongly supports a statewide task force to review access and resources for the treatment of mental healthcare and increased funding for services and programs. (PHSW – 2015)

122. The SDML supports making seatbelt violations a primary offense. (PHSW – 2016)

123. The SDML opposes any effort to weaken the statewide smoking ban, and will support legislation that strengthens state and local efforts to enforce this prohibition. (PHSW – 2016)

124. The SDML supports state funding for the State Radio System and supports upgrading to P25 technology. (PHSW – 2017)

125. The SDML recommends that the State Department of Transportation analyze and make recommendations to the legislature regarding the adverse effects of state load and length limits on municipal streets, bridges, and traffic patterns regarding state load limits, issuing of permits, or truck lengths. (PW – 2000; 2010; 6)

126. The SDML strongly urges the Department of Environment and Natural Resources and the South Dakota State Legislature to adopt rules, regulations and appropriate legislation to designate the entire Big Sioux River Basin as a water source protection area and to establish a management plan for the allocation of water in the Big Sioux River Basin (the river and associated aquifers.) (PW – 2000; 7)

127. The SDML supports the Safe Drinking Water Act Amendments of 1996; however, the SDML opposes federally mandated drinking water standards unless based upon proven human health risks substantiated by scientific data. The SDML continues to support monetary assistance to public water systems based upon flexible and reasonable incentives. (PW – 2000; 2008; 8)

128. The SDML opposes the US Corps of Engineers’ proposal to levy fees on the storage of water in the Missouri River reservoirs to recover costs of constructing the Missouri River dams. The policy would pose severe economic impacts to municipal and rural water systems in the state. (PW – 2011)

MUNICIPAL UTILITIES

129. The SDML opposes forced transfer or sale of ownership of state or federally owned dams and power marketing administrations. (PW – 2000; 2010; 15) (Deleted portion moved to Core Beliefs)

130. The SDML opposes the practice of the federal government threatening the loss of funding to ensure compliance with federal guidelines. The SDML requests the Department of Environment and Natural Resources to allow flexibility to water systems to meet water certification requirements and urges the Department of Environment and Natural Resources to continue monetary assistance and free training for water certification. (PW – 2000; 2008; 16)

131. The SDML opposes any legislative and regulatory barriers to the creation of municipal electric utilities and supports the fundamental principle of public power and the right of municipalities to provide any utility service desired by their citizens. (PW – 2004)

132. The SDML opposes legislation that removes the ability of municipalities to determine responsibility for service lines between the homeowner and the city. (PW – 2005; 2016)

133. The SDML supports the right and authority of municipalities to retain local control over all aspects of placement and use of individual alternative power systems. (PW – 2008)

134. The SDML encourages policymakers in Congress, the FCC, and the USDA to understand the importance of robust broadband deployment in rural America and how the National Broadband Plan needs to be dramatically altered to avoid a digital divide between rural and urban citizens. (PW – 2010)

135. The SDML supports amending annexation laws to ensure non-contiguous municipal utility facilities, specifically wastewater treatment plants and landfills, be considered to be within municipal boundaries. (PW – 2012)

CORE BELIEFS

Municipal Employees

CB1. The SDML endorses the retention of the existing
Current Statement of Policy

state constitutional right to work law and opposes any state or federal legislation that interferes with or affects that right. While recognizing the right of employees to organize, it is fundamental that each employee be guaranteed individual freedom of choice in joining or not joining a union or other employee organization. (GG – 2000; CB1)

CB2. The SDML advocates that the cities continue to review and upgrade job safety and health standards for all municipal employees and require the use of safety equipment by municipal employees while on duty. (GG – 2000; CB2)

CB3. The SDML supports legislation that prohibits violence in the workplace. (GG – 2000; CB3)

CB4. The SDML urges local governing bodies to adopt those portions of the Municipal League Personnel Manual that meet their local needs. (GG – 2000; CB4)

CB5. The SDML encourages member municipalities to allot funding and paid time for employee and officials training and educational opportunities so that municipal service is made more effective and at the same time employees may become qualified for promotion to higher level positions. The SDML encourages municipal employees and officials to join and participate in professional associations, job related organizations, and other continuing education activities and urges cities to allot funding and paid time for such membership and participation. (GG – 2000; CB5)

CB6. The SDML urges municipalities to prepare and adopt Equal Employment Opportunity policies that comply with law. (GG – 2000; CB6; 2013)

CB7. The SDML is opposed to any legislation or administrative rules adopting binding arbitration. (GG – 2000; 2007; CB10)

CB8. The SDML opposes repeal of Article III, Section 26 of the South Dakota Constitution relating to municipal powers denied to private organizations.
Current Statement of Policy

The SDML opposes any further changes in SDCL 3-18-3 providing for the voting procedure for determination of bargaining unit representation. The SDML supports SDCL 3-18-10 which prohibits strikes by public employees. (GG – 2000; CB11)

CB9. The SDML supports local consideration of “equal pay for equal work” but opposes the development of comparable worth pay systems through DOL rulemaking that advances the notion that government should dictate an organization’s compensation program. (GG – 2000; CB12; 2013)

CB10. The SDML urges cities who do not have a retirement system to join the South Dakota Retirement System after careful fiscal review. (GG – 2000; CB13)

CB11. The SDML recommends that municipalities make available health and life insurance coverage for their employees. (GG – 2000; CB14)

CB12. The SDML urges municipalities and other units of local government to consider joining the SDML Workers’ Compensation Fund, the South Dakota Public Assurance Alliance, the South Dakota Public Funds Investment Trust, the Health Pool of South Dakota, and SDML Municipal Government Software; and to review other services available through the SDML. (GG – 2000; CB15)

CB13. The SDML supports legislation amending SDCL 62-1-5 and SDCL 62-1-5.1 by revising the compensation rate for volunteers not to exceed the salary from regular employment, and for unemployed volunteers not to exceed the minimum compensation rate under law. (GG – 2000; 4)

CB14. The SDML opposes any investment of the assets of the South Dakota Retirement System in “social investing” or “venture capital.” (GG – 2000; 5)

CB15. The SDML opposes any legislative action allowing a participating entity or group of members from being removed from the South Dakota Retirement System. (GG – 2000; 6)

Community and Economic Development

CB16. The SDML urges all municipalities to adopt a fair housing policy. (GG – 2000; CB16)

CB17. The SDML opposes bills similar to the “Bradley Bill” because of the potential environmental, social and economic impacts on the people and governments of South Dakota. (GG – 2000; 20)

CB18. The SDML encourages the Governor and the Legislature and the Ellsworth Authority to assist in the efforts to retain Ellsworth Air Force Base as a viable military facility. (GG – 2003; 15)

CB19. The SDML urges federal and state support for alternative transportation programs that take into account new technologies, mobility, community quality of life, and demographic trends as well as maintenance of traditional modes of transportation. (GG – 2015; 2016) (Moved from General Policy)

CB20. The SDML encourages the Legislature and the Governor to review all laws as they pertain to economic development, and to work with municipalities to develop opportunities and remove impediments to development of our communities. (T&R – 2002; 1)
Current Statement of Policy

CB21. The SDML supports ensuring K-12 education is at the highest academically competitive levels as well as the teaching of basic life skills and responsibilities. (PHSW – 2003)

CB22. The SDML supports the use of public and private colleges and universities in producing labor studies and other studies on local needs and resources, and in the development of a statewide master plan for economic development. (PHSW – 2003)

CB23. The SDML encourages general education cost forgiveness for South Dakota university and technical school graduates who stay in-state for a specified length of time. (PHSW – 2003; 2010)

CB24. The SDML supports the creation of a long-range technology master plan for South Dakota. (PHSW – 2003)

CB25. The SDML encourages investment in research and development and intellectual property using research triangles and incubator programs to promote these endeavors. (PHSW – 2003)

CB26. The SDML recognizes that any mismanagement of the Black Hills National Forest is a health, safety and economic development issue for residents of South Dakota. The SDML supports policies that prioritize quality of life and economic development in the Black Hills National Forest. (PHSW – 2003; 2016)

CB27. The SDML urges the SD Department of Environment and Natural Resources to recognize that environmental regulations cost municipalities an immense amount of money, which could otherwise be spent on economic development and quality of life improvements. The SDML urges DENR to keep environmental regulation as reasonable and affordable as possible for municipalities in South Dakota. (PHSW – 2003)

CB28. The SDML recognizes the importance of maintaining the National Science Lab, and strongly supports its continued scientific efforts at the former Homestake mine. (PHSW – 2005; 14) (Moved from General Policy)

CB29. The SDML encourages the development of a state-wide economic development policy in South Dakota - recognizing that quality of life in communities is a major factor. (PHSW – 2002) (Moved from General Policy)

CB30. The SDML believes that municipal and county governments should formulate and control all local planning and zoning programs. (PW – 2000; CB7)

CB31. The SDML supports enhanced state and federal funding for water supply systems. (PW – 2014)

Government Ethics and Operations

CB32. The SDML endorses the Core Beliefs espoused by the National League of Cities. (GG – 2000; CB18)

CB33. The SDML encourages municipalities to initiate policies to oppose racial profiling in any municipal activity. (GG – 2000; CB19)

CB34. The SDML encourages municipal elections to remain non-partisan. (GG – 2003)

CB35. The SDML supports efforts to review and update state statutes related to municipal government provided the South Dakota Municipal League has
Current Statement of Policy

appropriate representation in that process. (GG – 2000)

Local Control and Home Rule

CB36. The SDML encourages federal, state, and local government leaders to continue to work with American Indian tribes to resolve taxation, regulatory, environmental and infrastructure issues, and law enforcement concerns. Such efforts should address concerns resulting from the federal government placing land into trust on behalf of American Indian tribes without such tribes having entered into a binding agreement with state and local entities on the collection of taxes, law enforcement, infrastructure and environmental concerns, and regulations. (GG – 2000; CB20)

CB37. The SDML encourages consolidation of the Boards of Equalization with the cooperation of all entities of local government in order to relieve taxpayers of unnecessary burdens and encourages legislation to require counties to consolidate Boards of Equalization when requested by a municipality. (GG – 2000; CB21)

CB38. The SDML opposes any legislation expanding the power and authority of special districts, sub-districts, cooperatives, and sanitary districts to render services without allowing municipalities the same options. (GG – 2000; CB22)

CB39. The SDML proactively opposes the mandatory OSHA requirements being applied to municipalities. (GG – 2000; 2)

CB40. The SDML opposes any legislation which would inhibit municipalities from providing services requested by citizens in whatever form the citizens approve. (GG – 2006)

CB41. The SDML opposes any measure that restricts...
Current Statement of Policy

local control over taxation and spending, and urges the defeat of any such measure. Further, the SDML encourages municipalities to work individually and with other local governments to inform citizens of the negative impact of tax and spending limitation measures. (T&R – 2000; CB11)

CB42. The SDML opposes any attempt to impose a tax or regulation on self-insured local government pools or individual self-insured local government entities. (T&R – 2000; CB12)

CB43. The SDML opposes any state environmental laws and regulations that are more stringent than existing federal environmental laws, standards and regulations. (PHSW – 2000; CB4)

CB44. The SDML encourages standards be developed to provide equal 911 service to all citizens and visitors, and encourages cooperative efforts to improve 911 services and efficiency. The SDML opposes mandated consolidation of 911 service centers. (Adopted at Joint Board Meeting between SDML and SDACC, December, 1999; 8; Amended by SDML Board, December, 2006; PHSW – 2016) (Moved from General Policy)

CB45. The SDML recommends that streets and highways constructed with state/federal funds be based upon consultation and coordination with the local government. (PW – 2000; CB4)

CB46. The SDML urges the Transportation Commission, with input from municipal government, to develop and adhere to an adequate transportation plan and supports the development of an access management model. Further, municipalities must be offered participation in any change affecting their area. (PW – 2000; CB5)

CB47. The SDML opposes any state mandated prohibition against the cities’ right to construct with their own crews. (PW – 2003)

Municipal Finance

State/Federal Funding

CB48. The SDML strongly supports the federal government honoring all of its funding obligations, including but not limited to federal highway funding and airport funding. The SDML also strongly supports the continued assistance of the SD Department of Transportation in assuming the local matching portion of federal highway monies. (T&R – 2000; 2010; 2011; CB1)

CB49. The SDML supports periodic evaluation and increases in state motor vehicle license fees for the funding of streets and highways and supports exploring other revenue to fund the highway transportation needs of the state. (T&R – 2000; CB2)

CB50. The SDML will support legislation to repeal the reduction in license fees for commercial vehicles, based on age of the vehicle. (T&R – 2000; CB3)

CB51. The SDML would oppose any redistribution of the motor fuel taxation that would violate the accord reached by the State and local governments in 1985. (T&R – 2000; CB4)

CB52. The SDML supports funding of the South Dakota Local Technical Assistance Program. (T&R – 2000; CB5)
CB53. The SDML recognizes that the US Army Corps of Engineers is responsible for the operation and maintenance of dams on the Missouri River, which due to design deficiencies, have caused stream bank erosion, channel sedimentation, and river bed degradation. Therefore, the cost to operate and maintain the Missouri River system as envisioned in the Flood Control Act of 1944 (Pick-Sloan) should be borne by the Federal Government. (T&R – 2000; CB7)

CB54. The SDML supports legislation for state general funds for training programs at the local level required by the state for firefighters and EMS workers and especially including funds to reimburse volunteers for expenses incurred in training. (T&R – 2000; CB8)

CB55. The SDML requests that the state financially underwrite the full costs of all law enforcement training that is required by the state. Funds levied for training should be used only for training. Adequate funding of the law enforcement academy is essential to the provision of law enforcement officer training. (T&R – 2000; CB9; 2015)

CB56. The SDML supports the provisions of SDCL 6-15-1 and 6-15-2, relating to unfunded mandates, and believes that any new federal or state program, fee, legislation, rule, or regulation imposed upon municipalities must be federally or state funded. (T&R – 2000; CB10)

CB57. The SDML supports repeal of state taxation on fuels used by local governments. (T&R – 2003; 31)

CB58. The SDML believes that whenever possible and proper, additional local government costs should not be funded through increased real estate taxes, but through appropriate user fees or user tax systems or any other non-ad valorem revenue sources. (T&R – 2000; 33)

CB59. The SDML supports continued state and federal financing at sustained levels to local governments for projects rehabilitating and preserving water quality in South Dakota streams, rivers, lakes and aquifers. (T&R – 2000; 29) (Moved from General Policy)

CB60. The SDML supports developing an open, stronger, more cooperative working relationship with the SD Department of Revenue. (T&R – 2010; 2012) (Moved from General Policy)

CB61. The SDML supports federal funding, including the “state-side” share of the Land and Water Conservation Fund, on the condition that the state continues its practice of sharing those funds with municipalities. (T&R – 2000; 2016; 30) (Amended and moved from General Policy)

CB62. The SDML encourages local governments to install 911 and maintain systems using the Funding Surcharge allowed by SDCL 34-45 (Emergency Reporting Telephone) and encourages legislation to increase this surcharge to fully fund the system. (PHSW – 2000; 2007; 2010; CB3)

Municipal Utilities
CB63. The SDML opposes the imposition of any federal or state taxes or fees that would have an effect upon municipally owned enterprises or utilities. (T&R – 2000; 2016; 37) (Moved from General Policy)

CB64. The SDML supports the rights of municipalities to establish electric utility systems to provide service within their corporate limits and adjacent urban growth areas. (PW – 2006)

CB65. The SDML opposes any legislation limiting or eliminating a municipal electric utility’s right to serve customers facilitated by annexation and/or condemnation. (PW – 2006)

CB66. The SDML encourages the state and federal government to maintain dams in a safe and usable condition. (PW – 2010) (Partially moved from General Policy)

CB67. The SDML supports the continued training and certification of landfill operators. (PW – 2000; 2004; 2010; 17) (Moved from General Policy)

CB68. The SDML opposes any changes to the Power Marketing Administrations and specifically the Western Area Power Administration which deviate from the principles of beneficiary pays and cost-based rates. (PW – 2012)

Public Health and Safety
CB69. The SDML believes that the main emphasis of environmental protection should be information and assistance to municipalities and education of the general public. The League urges the State and Federal Government to fully fund programs and provide technical assistance for planning and implementing programs and regulations
Current Statement of Policy

established by state and federal laws. The League urges continued research and pilot studies in the fields of pollution control, flood control, water and conservation, river siltation, forest management and waste management. (PHSW – 2000; CB1)

CB70. The SDML recognizes the costs associated with maintaining and training regional emergency response teams in South Dakota and supports continued funding from the State of South Dakota. (PHSW – 2006; 2007; 2010) (Amended and moved from General Policy)

CB71. The SDML supports legislation that requires that users of private telephone switches or services be provided capabilities of the same level of 911 services as is available to other residents of the jurisdiction. (PHSW – 2000; 1) (Moved from General Policy)

CB72. The SDML supports legislation that continues to maintain compliance with the Juvenile Justice and Delinquency Act of 1974 and supports legislation for funding compliance. (PHSW – 2000; 2007; 3) (Moved from General Policy)

CB73. The SDML supports the right of local jurisdictions to establish firefighting standards. The SDML does not oppose fire standards such as those issued by the National Fire Protection Association (NFPA) as long as such standards allow municipalities real and substantial flexibility for the way municipalities provide fire and emergency medical services. (PHSW – 2002; 7; 2016) (Moved from General Policy)

CB74. The SDML encourages the local units of government to use the funds available from the State of SD to combat West Nile and other mosquito-borne diseases and encourages the State of SD to increase these funds. (PHSW – 2007; 2016) (Amended and moved from General Policy)

CB75. The SDML urges cities to continue weekly testing of pools and public bodies of water as previously required by the Department of Environment and Natural Resources. (PHSW – 2011; 2016) (Moved from General Policy)

CB76. The SDML urges municipalities to develop ordinances that establish water and energy priorities within the municipality to conserve these resources. Further, the SDML urges municipalities to develop and implement public education programs designated to encourage water and energy conservation methods. (PW – 2000; CB1)

CB77. The SDML endorses the wise use of energy and urges local officials to be able to provide adequate input into any energy management or energy standards plan or regulation that affects local government. (PW – 2000; CB2)

CB78. The SDML feels strongly that a concerted effort should be made by the state, counties, and cities of this state to eliminate traffic hazards and provide uniform traffic control devices and signing for streets and highways. (PW – 2000; CB3)

CB79. The SDML supports the Department of Environment and Natural Resources establishing water quality standards that protect public health and the environment, but opposes EPA mandates that establish national one-size-fits-all standards that do not fit South Dakota because they are overly protective, have negligible environmental benefit, and have a dramatic economic impact to publicly owned wastewater treatment works. (PW – 2011; 2016) (Moved from General Policy)

1 Core Beliefs of the National League of Cities
We Believe in...
- Representative, participatory local government
- Local government as the cornerstone of government in the United States
- The value of public service
- The value of diversity throughout our organization and our communities
- Municipal authority over municipal issues
- A commitment to the highest ethical standards among all public officials
- Civility and mutual respect
- Anticipating the needs of communities and developing strategies to meet those needs and improve the quality of life
- Partnerships, coalitions, and collaborations to strengthen cities and our advocacy efforts
Sponsored and Endorsed Programs

Health Pool of South Dakota

The Health Pool of South Dakota (HPSD) is an employee health care benefits plan designed for the special needs of the public entities of South Dakota. Started in 1995, the purpose of the HPSD is to assist local governments in their efforts to control health care costs and keep rates stable for their employee health care coverage. The HPSD is a self-funded program, protected by reinsurance for large catastrophic claims. To keep rates competitive, HPSD has contracted with a large preferred provider network which discounts enrolled hospital, clinic, doctor and pharmacy billings. The HPSD has multiple plans to choose from with a choice of deductibles. Optional coverage for Employee and Dependent Life insurance is also available.

For more information contact Sandi Larson at 800-658-3633 or sandi@sdmunicipalleague.org, visit www.healthpoolsd.org.

South Dakota Public Assurance Alliance

Since 1987, the South Dakota Public Assurance Alliance (SDPAA) has been helping municipalities, counties, townships, conservation districts, and special districts protect their assets by providing broad specialized coverages and outstanding risk management and loss control services at competitive, stable pricing. The SDPAA currently provides the following coverages: General Liability, Automobile Liability, Public Officials Liability, Law Enforcement Liability, Property, Vehicle Physical Damage, Boiler and Machinery, Enhanced Crime, and Cyber Liability. The SDPAA is owned by the public entities who are its Members. The SDPAA takes pride in its responsiveness and loyalty to its Members, and the return on investment it provides its Members.

For more information contact the SDPAA office at 800-658-3633, email sdpaa@sdmunicipalleague.org or visit www.sdpaaonline.org.

SDML Workers Compensation Fund

Created in 1987, the SDML Workers’ Compensation Fund is a self-funded mechanism created for its members and is overseen by its members to provide statutory workers’ compensation coverage for public entities. The SDML Workers’ Compensation Fund has a strong commitment to providing a competitive workers’ compensation program for the public entities in South Dakota through administrative, loss control and technical services.

For more information contact Insurance Benefits, Inc. at 800-233-9073 or info@sdmlwcfund.com, visit www.sdmlwcfund.com.

South Dakota Public Funds Investment Trust (FIT)

In 1991 the League endorsed the South Dakota Public Funds Investments Trust (FIT). FIT is a professionally managed cash management service for municipalities, counties, school districts, townships, water and sanitary districts, cooperative education service units, and ambulance districts. It is the only investment program exclusively managed for local governments in South Dakota. FIT offers a liquid government investment pool, fixed rates, cash flow analysis and a bond proceeds management program.

For more information contact Sara Rankin at 800-658-3633 or sara@sdmunicipalleague.org, visit www.sdpfit.org.
American Legal Publishing Corporation
American Legal Publishing is a full-service legal publisher that publishes codes of ordinances for over 1,800 local governments across the country. Services include codification, supplementation, legal editorial analysis, CD-ROM Internet publishing and document imaging. American Legal Publishing, in partnership with the South Dakota Municipal League, publishes the South Dakota Basic Code, a model code of ordinances based on South Dakota state law, for municipalities in South Dakota.

For more information contact deRicci Getty at 800-445-5588 or dgetty@amlegal.com, visit www.amlegal.com.

Banyon Data
Banyon Data develops, supports and maintains full-featured business office software for South Dakota cities and towns. Software includes Fund Accounting, Payroll, Utility Billing, Fixed Assets, Special Assessment, Cemetery, Animal Licensing, Point of Sale Interface Module, Permits, Licensing, Billing-Invoicing and essential add on modules (Direct Payment, Direct Deposit, Email Billing, Internet Payments, Retirement reporting, Meter Device Interface, Hydrant Maintenance, oning Complaint Violation Module, etc).

For more information contact Jeff Christensen at 800-229-1130 or sales@banyon.com, visit www.banyon.com.

GovOffice Web Solutions
Does your municipal website look outdated and it’s hard to update? Then make the switch to GovOffice, the easy-to-use and affordable municipal web development solution used by over 50 South Dakota communities. Custom designs are available to showcase your community and you’ll be able to offer your citizens new interactive features. No previous web technical training or programming skills necessary, live training sessions and toll-free assistance are provided. All SDML members receive discount pricing - make the switch to GovOffice!

For more information call 877-564-4979, press 3 or email sales@govoffice.com, visit www.govoffice.com.

U.S. Communities Government Purchasing Alliance
U.S. Communities is the leading national government purchasing cooperative that reduces the cost of goods and services by aggregating the purchasing power of public agencies nationwide. U.S. Communities provides participants with access to a broad line of competitively solicited contracts with national suppliers that have committed to providing their lowest overall public agency pricing. Visit www.uscommunities.org to discover the differences that set U.S. Communities apart from the other regional and national programs.

For more information contact Chris Oltmanns at 402-672-8219 or coltmanns@uscommunities.org, visit www.uscommunities.org.
Who We Are

The South Dakota Municipal League (SDML) was organized in 1934 as a nonpartisan, nonprofit association of incorporated municipalities in South Dakota.

The League’s mission is the cooperative improvement of municipal government in South Dakota. A vote of the members at the annual conference determines the League’s major policies. A nineteen-member governing body elected from among the members carries the responsibility of implementing these policies. A full-time executive director and staff administer the policies in their service to all members. By cooperating through the League, South Dakota municipalities provide themselves with a strong research program and an effective legislative voice.

The League’s primary source of financing comes through the membership dues cities, towns, and affiliated organizations pay. The dues payments are based on population. Other League-sponsored activities and the sale of publications help generate additional revenue.

What We Do

Problem Solving
Perhaps the most widely used service is individualized problem solving assistance. Municipal officials may contact the League office with any question or problem. A library of extensive municipal information and experience covering years of city history is at every member’s disposal through the League hotline. From Americans with Disability Act to zoning, the League staff is ready and willing to help you with any problem.

Publications
Each month, officials of member municipalities receive *South Dakota Municipalities*, the official magazine on issues that affect municipal operations on a daily basis. Member municipalities may place classified ads in the magazine and on the League’s website at no charge.

The *Handbook for South Dakota Municipal Officials*, developed with municipal officials in mind, represents the most complete and authoritative digest of South Dakota municipal laws available. The handbook remains current through staff-compiled annual updates.

Other Publications available include:
- Directory of South Dakota Municipal Officials
- Sample Personnel Policies
- Guide to South Dakota’s Open Meetings Law

Legislative Advocacy
The legislative program is a predominant activity for the SDML. Throughout the year, the League staff works closely with legislators and committees toward the enactment of laws favorable to municipal governments. The League is the recognized legislative voice for the South Dakota municipalities.

State-Local Relations
As more programs shift from the federal level to the state and local level, a strong relationship with state officials has gained significance. The League acts as a liaison between municipal, county, and state governments to help meet this need. The League helps coordinate contacts between municipal and state officials.

Conferences
Municipal officials meet regularly at the SDML Annual Conference and at ten district meetings. These forums provide training in city government, as well as an opportunity to exchange ideas and hear outstanding speakers on municipal affairs. Further, the League sponsors or co-sponsors a number of training schools, programs and special meetings, including:
- Governmental Finance Officers’ School
- Governmental Human Resource School
- Elected Officials Workshop
- Election Workshops
- Annual Report Workshops

Online Resources
The League’s website, www.sdmunicipalleague.org, is a wealth of information at your fingertips 24/7. Find the latest news, event information, and much more! The Library section has resources on everything from code enforcement and elections to special assessments.

National Affairs
As a member of the National League of Cities, SDML is able to cooperate with the NLC and 48 other state leagues on matters of national interest. This membership makes available to the South Dakota Municipal League the publications and library of NLC and brings valuable assistance and information on federal regulations and programs, as well as congressional representation.

Financial Assistance
The South Dakota Municipal League has established several programs to assist municipalities with cash management and investments, and with rising liability and insurance costs.

The SDML sponsors three risk sharing pools. The SDML
Workers’ Compensation Fund was created in 1987. The South Dakota Public Assurance Alliance (SDPAA) has been providing liability and property coverage since 1987. The Health Pool of South Dakota (HPSD) was created July 1, 1995.

In 1991 the League endorsed the South Dakota Public Funds Investments Trust (FIT). This program assists local governments with their cash management and investment needs. Municipalities are using the FIT program as their tool for highly competitive rates, excellent service, flexible cash management options, sound investment advice, and a growing return on their funds. The FIT program representative can be reached at 800-658-3633.

Affiliate Members

Affiliate organizations enjoy the advantage of being members of the South Dakota Municipal League. These organizations hold their meetings at the League’s Annual Conference and receive SDML staff support. Affiliates include:

- SD Airport Management Association
- SD Municipal Attorneys’ Association
- SD Building Officials’ Association
- SD City Management Association
- SD Association of Code Enforcement
- SD Municipal Electric Association
- SD Governmental Finance Officers’ Association
- SD Governmental Human Resource Association
- SD Police Chiefs’ Association and
- SD Municipal Street Maintenance Association

Municipal League Districts

A listing of the cities in each District can be found on pages 98-100 of the 2018-2019 Directory of Municipal Officials.

**District 1:** All incorporated municipalities within Marshall, Day, Clark, Roberts, Grant, Codington, Hamlin, and Deuel counties.

**District 2:** All incorporated municipalities within Beadle, Kingsbury, Brookings, Sanborn, Miner, Lake, and Moody counties.

**District 3:** All incorporated municipalities within Hanson, McCook, Minnehaha, Hutchinson, Turner, Lincoln, Bon Homme, Yankton, Clay, and Union counties.

**District 4:** All incorporated municipalities within Tripp, Gregory, Charles Mix, Douglas, Brule, Aurora, and Davison counties.

**District 5:** All incorporated municipalities within Sully, Hyde, Hand, Hughes, Lyman, Buffalo, and Jerauld counties.

**District 6:** All incorporated municipalities within McPherson, Brown, Edmunds, Faulk, and Spink counties.

**District 7:** All incorporated municipalities within Corson, Campbell, Ziebach, Dewey, Walworth, and Potter counties.

**District 8:** All incorporated municipalities within Haakon, Stanley, Jackson, Jones, Mellette, Bennett, and Todd counties.

**District 9:** All incorporated municipalities within Pennington, Custer, Fall River, and Shannon counties.

**District 10:** All incorporated municipalities within Harding, Perkins, Butte, Meade, and Lawrence counties.

Contact the League

South Dakota Municipal League
208 Island Drive
Ft. Pierre, South Dakota 57532
Member Hotline: 800-658-3633
Website: www.sdmunicipalleague.org

Staff

Yvonne Taylor, Executive Director
yvonne@sdmunicipalleague.org

Sandi Larson, Director of Risk Sharing Services
sandi@sdmunicipalleague.org

Lori Martinec, Director of Research and Training
martinec@sdmunicipalleague.org

Chris Hill, Director of Municipal Electric Services
chris@sdmunicipalleague.org

Sara Rankin, Director of Marketing & Communications
sara@sdmunicipalleague.org

Lori Butler, Director of Finance
lori@sdmunicipalleague.org

Carla McGregor, Accounting Assistant
Carla@sdmunicipalleague.org

Lisa Nold, Office Manager
Lisa@sdmunicipalleague.org

SD Public Assurance Alliance Staff
www.sdpaaonline.org
sdpaa@sdmunicipalleague.org

David Pfeifle, Executive Director

Kristina Peterson, Director of Underwriting

Lynn Bren, Director of Member Services

Paytra Nichols, Underwriter

Jerry Krambeck, Member Services Representative

Deb Corkill, Executive Assistant
Overview of Municipal Government in SD

Elected Officials Segment

The Elected Officials segment is an introduction to municipal government for newly elected and appointed officials and a refresher for veteran officials. This segment is not intended to be all encompassing. Refer to the SDML’s Handbook for Municipal Officials for a more detailed outline of the statutes that pertain to municipal government.

The Municipal League offers Elected Officials’ Orientation Packets customized for each form of government. These packets are free from the League and can be downloaded from the Library section on the League’s website, www.sdmunicipalleague.org.

The Elected Officials’ Orientation Packet includes information on the following topics:

Municipal Powers
- Ordinances and Resolutions
- Open Meetings Laws
- Open Records
- Rules of Order
- Finances and Budgeting
- Revenue Sources
- Bids and Contracts
- Liquor Licensing

Information presented at the Elected Officials Workshop held July 18, 2018 in Pierre can also be found in the Library section of the League’s website under Elected Officials’ Orientation Packet.

Municipal Powers

Municipalities have many powers listed in South Dakota law. For more details, refer to the SDML’s Handbook for Municipal Officials and to South Dakota Codified Laws.

It is extremely important to keep in mind that although a municipality has many powers, there are almost always conditions and restrictions on the use of those powers.

Municipal government is primarily governed by the provisions of Title 9 of South Dakota Codified Law, but several other chapters of law apply to municipalities. Title 9 and other codified laws are available online at http://sdlegislature.gov/Statutes/Codified_Laws/default.aspx.

Overview

There are 309 incorporated municipalities in South Dakota. They are grouped according to two different factors: population and form of government.

Population:
There are three classes of municipalities:
- **First Class**: Those with populations of 5,000 or over. There are 17 first class municipalities;
- **Second Class**: Those with populations between 500 and 5,000. There are 98 second class municipalities;
- **Third Class**: Those with populations of 500 or less. There are 194 third class municipalities.

There are some cases where the size of the municipality determines what it may or may not do, but generally laws governing municipal government apply to all municipalities, regardless of size.

Form of Government:

There are five forms of government in South Dakota, all five are briefly outlined here:

- **Trustee Form**: Between three and five board members are elected at-large for three year terms. The Trustees elect one of their own members to serve as the president of the board for a one year term. There are 159 Trustee Municipalities in South Dakota.
- **Aldermanic Form**: These municipalities are governed by a common council, which consists of a mayor who is elected at-large and two aldermen from each ward. Terms of office are traditionally two years, but may be set by ordinance for up to five years. There are 128 Aldermanic Municipalities in South Dakota.
- **Commissioner Form**: The board of commissioners consists of a mayor and two or four commissioners who are all elected at-large. The terms of office are determined by ordinance, but may not exceed five years. There are 12 Commissioner Municipalities in South Dakota.
- **City Manager Form**: These municipalities are either aldermanic or commissioner form, but employ a city manager. In the Aldermanic Form with a City Manager, the mayor and alderman are elected in the same manner as described above. There are three municipalities in South Dakota using this form of government: Brookings, Vermillion, and Sturgis. In Commissioner Form municipalities that employ a city manager, the number of
commissions is nine, each elected for a three-year term. There are three municipalities in South Dakota using this form of government: Aberdeen and Yankton.

**Home Rule:** There are ten municipalities which have adopted a home-rule charter: Aberdeen, Beresford, Brookings, Elk Point, Faith, Fort Pierre, Pierre, Sioux Falls, Springfield, and Watertown. A home rule charter must be adopted by a majority vote of the electors of the municipality. Article IX of the South Dakota Constitution states, “A chartered governmental unit may exercise any legislative power or perform any function not denied by its charter, the Constitution or the general laws of the state. The charter may provide for any form of executive, legislative and administrative structure that shall be of superior authority to statute, provided that the legislative body so established be chosen by popular election and that the administrative procedures be subject to judicial review. Powers and functions of home rule units shall be construed liberally.”

**Aldermanic Form of Government**

**Composition and Qualification**
The common council shall consist of the mayor elected at large and two aldermen elected from and by the voters of each ward of the municipality, who shall hold office for two years, unless a municipality adopts an ordinance establishing the term of office to be three, four, or five years, and serves until their successors are elected and qualified (§9-8-4). A person may be nominated, elected, or appointed as a mayor or alderman if the person is a citizen of the United States, a voter of and resident of the municipality, and, if an alderman, a voter of and resident of the ward for which the person is to hold office (§9-8-1.1).

**Vacancies**
When a vacancy exists in the office of mayor, it shall be filled by appointment by a majority vote of the aldermen or special election. Until the vacancy is filled or during the time of temporary disability of the mayor, the powers and duties of mayor shall be executed by the president of the city council (§9-8-2).

When a vacancy exists on a municipal governing body, the remaining members shall appoint a replacement to serve until the next annual municipal election, or the vacancy may be filled by special election as provided in §9-13-14.2. In the aldermanic form, the appointment must be a
person from the same ward of the first or second class municipality. There are also special provisions available for temporarily filling a vacancy caused by a member of the governing body being called to active duty (§3-4-8) or in cases where a member is incapacitated by illness or accident (§3-4-9).

**Mayor, President, and Vice President**
The chief executive officer in the aldermanic form is the mayor, who is elected for a term of not less than two but not more than five years as determined by ordinance (§9-8-1).

The mayor presides at all meetings but only votes in case of a tie. The mayor may not break a tie on an ordinance or proposal to expend or appropriate money. (§9-8-3; 9-8-10) The mayor performs the duties of office as prescribed by both laws and ordinances and is responsible for enforcing all the laws and ordinances of the municipality. (§9-8-3) The mayor can make recommendations to the common council and has the power to veto any ordinance or resolution or one or more items of appropriation ordinances or resolutions. (§9-8-3) The veto, with written objections, must be filed with the finance officer within ten days after final passage. (§9-19-10) If the mayor vetoes any ordinance, resolution, or other item, the finance officer shall present the vetoed item, along with the mayor’s written objection, to the council at their next meeting considered. If the ordinance or resolution passes by a two-thirds vote of the aldermen, it shall be published and become effective. (§9-19-11)

At the first regular meeting after the annual election in each year and after the qualification of the newly elected alderman, the council shall elect from among its own members a president and vice-president, who shall hold their respective offices for the municipal year. In the absence of the mayor, the president of the common council is acting mayor and has all the powers of the mayor. In the absence or disability of the mayor and president, the vice-president shall perform the duties of the mayor and president. (§9-8-7)

**Meetings**
The council shall hold its regular meetings on the first Monday of each month. It may prescribe by ordinance the manner in which special meetings may be called and may so change the day of its regular monthly meetings. A quorum is a majority of the aldermen. A quorum is necessary to do business. When a seat on the council is vacant due to removal, resignation, death, or by operation of law, the quorum consists of the majority remaining aldermen who are qualified to serve by election or appointment. It shall sit with open doors and shall keep a journal of its proceedings (§9-8-8). The yeas and nays shall be taken upon the passage of all ordinances and upon any proposal to create a liability against the municipality or for the expenditure or appropriation of its money, and in all other cases at the request of any member, which shall be entered on the minutes. The concurrence of a majority of the aldermen is necessary for the passage of an ordinance or proposal which expends or appropriates money. A two-thirds vote is required to sell any municipal property.

**Five-Commissioner Form of Government**

**Composition and Qualification**
Under the commission form, where a city manager is not employed, the board of commissioners shall consist of the mayor and two or four commissioners elected at large (§9-9-1). The commissioners must be citizens of the United States and residents and voters of the municipality (§9-9-2).

**Terms of Office**
The term of office of the members of the board shall be not less than two or more than five years as determined by ordinance (§9-9-3).

**Vacancies**
The resignation of the mayor or a commissioner shall be submitted in writing to the board. If the mayor or a commissioner moves his or her permanent residence outside the corporate limits of the municipality, the office is immediately vacated (§9-9-6).

If there is a vacancy in the office of the mayor, the vacancy shall be filled by appointment pursuant to §9-9-8 until the position is filled by election at the next annual election (§9-9-6) or by special election as provided in §9-13-14.2.

In case of a vacancy in the office of the mayor due to
absence or disability, the board of commissioners shall appoint by a majority vote one of its members to act as mayor. The appointed commissioner’s official designation shall be “acting president of the board of commissioners” and is invested with all the powers and shall perform all duties of the mayor, during the mayor’s absence or sickness. The acting president has only one vote as a commissioner and is not entitled to vote as acting president (§9-9-8).

The Mayor
The mayor shall be president of the board and shall have a vote upon all questions but shall not have the right of veto (§9-9-7).

If any municipality is governed by a board consisting of five commissioners, the mayor is the chief executive officer of the municipality, presides at all meetings of the board, and has general supervision over all departments and officers. In the absence or inability of a commissioner the mayor shall temporarily take charge of the department of that commissioner. The mayor shall enforce all the laws of the municipality and require that the conditions of the grant of any franchise or privilege are faithfully complied with and performed. The mayor shall grant all licenses or permits, except as are required by ordinance to be granted by the board or by some other department or officer. The mayor shall supervise each public building of the municipality and each city park except in any municipality that has a park board, and the lighting of the streets, alleys, and public buildings of the municipality. The mayor shall annually and from time to time give the board information relative to the affairs of the municipality and shall recommend for the board’s consideration any measure the mayor deems expedient (§9-9-20).

The Commissioners
In a municipality governed by a board of five members, the commissioners shall designate by a majority vote one commissioner to be the “commissioner of public safety,” one commissioner to be the “commissioner of public works,” one commissioner to be the “commissioner of utilities,” and one commissioner to be the “commissioner of finance and revenue” (§9-9-18).

The Public Safety Commissioner
If any municipality is governed by a board consisting of five commissioners, the commissioner of public safety shall have under his supervision the police and fire departments and the department’s officers and employees. The commissioner of public safety is also in charge of animal control within the municipality, including animal impoundments and shelter (§9-9-21).

The Public Works Commissioner
If a municipality is governed by a board consisting of five commissioners, the commissioner of public works shall supervise the streets, alleys, public grounds, and municipal improvements, and all public property, except as otherwise specially provided. The commissioner shall maintain the property in a clean and sanitary condition, and enforce all of all contracts, rules, and regulations necessary. (§9-9-22).

The Finance and Revenue Commissioner
If a municipality is governed by a board consisting of five commissioners, the commissioner of finance and revenue shall enforce all laws for the assessment and collection of taxes of every kind and collection of all revenues belonging to the municipality from whatever source derived. The finance and revenue commissioner shall examine into and keep the board informed on the finances of the municipality and its assets and property (§9-9-24).

The Utilities Commissioner
If a municipality is governed by a board consisting of five commissioners, the commissioner of utilities shall supervise the construction, maintenance, and operation of the waterworks, sewerage, and any other utility departments of the municipality. The commissioner of utilities shall enforce all regulations with respect to that department and its revenue (§9-9-23).

Meetings
The board shall meet at least once each week or as otherwise determined by ordinance in regular meeting at a time and place as fixed by the board, to consider, take under advisement, and act on the business as may come before the board (§9-9-11). Each meeting of the board is open to the public and the board shall keep a journal of its proceedings (§9-9-13). The yeas and nays shall be taken upon the passage of each ordinance and for any proposal to expend or appropriate money and in any other cases at the request of any commissioner, and each vote shall be entered on the journal of the board’s proceedings. A two-thirds vote of the board is required to sell any municipal property. (§9-9-16).

A special meeting may be called by the mayor or by any two commissioners at any time, to only consider the matter mentioned in the call for the meeting. A notice of a special
meeting shall be given pursuant to §1-25-1.1 and shall be provided to each commissioner (§9-9-12).

A majority of the board constitutes a quorum to do business. If a seat on the board is vacant due to removal, resignation, death, or by operation of law, the quorum consists of the majority of the remaining commissioners who are qualified to serve by election or appointment pursuant to chapter 9-13. The board may compel the attendance of any absentee under penalties as prescribed by ordinance. No action of the board is effective unless upon a vote of a majority of the board (§9-9-14).

No official may participate in discussing or vote on any issue in which they have a direct pecuniary interest (§6-1-17).

Aldermanic Form With City Manager
Composition and Qualification
Under the aldermanic form, where a city manager is employed, the common council shall consist of the mayor elected at large and two aldermen elected from and by the voters of each ward of the municipality, who shall hold office for two years, unless a municipality adopts an ordinance establishing the term of office to be three, four, or five years, and serves until their successors are elected and qualified (§9-8-4). No person is eligible to be nominated, elected or appointed as a mayor or as an alderman unless such person is a citizen of the United States, a voter of and resident of the municipality, and if an alderman, a voter of and resident of the ward for which such person is to hold office (§9-8-1.1).

Vacancies
When a vacancy exists in the office of mayor, it shall be filled by appointment by a majority vote of the aldermen or by special election (§9-8-2). Until the vacancy is filled or during the time of temporary disability of the mayor, the powers and duties of mayor shall be executed by the president of the city council (§9-8-2).

When a vacancy exists on a municipal governing body, the remaining members shall appoint a replacement to serve until the next annual municipal election, or the vacancy may be filled by special election as provided in SDCL 9-13-14.2. In the aldermanic form, the appointment must be a person from the same ward of the first or second class municipality. There are also special provisions available for temporarily filling a vacancy caused by a member of the governing body being called to active duty (SDCL 3-4-8) or in cases where a member is incapacitated by illness or accident (SDCL 3-4-9).

The Mayor
The mayor shall be president of the board and shall have a vote upon all questions but shall not have the right of veto (SDCL 9-10-7). The Mayor is also the recognized head of the municipality for service of civil process and for military and ceremonial purposes; has emergency powers during times of public danger or emergency; and may have other duties prescribed by ordinance or resolution that are not inconsistent with the city management form of government (§9-10-7).

The City Manager
The City Manager is responsible for the administration of all affairs of the municipality which are placed in his care. He can appoint or remove all officers or employees in the administrative service of the municipality. (SDCL 9-10-13) Further responsibilities of the city manager are to:

1) See to the enforcement of the law and ordinances;
2) Supervise the administration of the affairs of the municipality;
3) Make recommendations to the governing body;
4) Advise the governing body of the financial status of the municipality;
5) Prepare an annual budget;
6) See that all terms and conditions in any contract or franchise are kept;
7) Be present at all meetings of the governing body, except when the governing body is considering his removal;
8) Sign all warrants after approval by the governing body, which warrants must then be counter signed by the finance officer;
9) Prepare and introduce ordinances and take part in discussion, but he does not have the power to vote;
10) Carry out any further powers and duties prescribed by ordinance or resolution. (SDCL 9-10-15)

Meetings
The governing body shall hold its regular meetings on the first Monday of each month at such hour as may be fixed by it. It may prescribe by ordinance the manner in which special meetings may be called and may also so change the date of its regular monthly meetings and so provide for regular meetings oftener than once a month (§9-10-8). All sessions of the board shall be open to the public. It shall keep a journal of its proceedings (§9-8-8). The yeas and nays shall be taken upon the passage of all ordinances and upon any proposals to create a liability against the municipality or for the expenditure or appropriation of its money, and in all other cases at the request of any member, and shall be entered on the journal of its proceedings (§9-8-10). The concurrence of a majority of the aldermen is necessary for the passage of an ordinance or proposal which expends or appropriates money. A two-thirds vote is required to sell any municipal property (§9-8-10).

No official may participate in discussing or vote on any issue in which they have a direct pecuniary interest (§6-1-17).

Commissioner Form With City Manager
Composition and Qualification
Under the commission form, where a city manager is employed, the board of commissioners shall consist of nine commissioners elected at large (§9-10-5 and 9-10-6). The commissioners must be citizens of the United States and residents and voters of the municipality (§9-9-2).
At the first regular meeting in May of each year, the commissioners elect one of their number to act as mayor for a term of one year (§9-10-6).

Before entering into the duties of their respective offices, the mayor and the commissioners must file an oath supporting the Constitution of the United States and of this state and to faithfully discharge the duties of his office. The oath also states that the official is not under direct or indirect obligation to appoint or elect any person to any office, position, or employment in the municipality (§9-9-4). Finally, the mayor and the commissioners must also execute a bond, payable to the municipality, for the amount of two thousand dollars in second class cities, and for the amount of five thousand dollars in first class cities (§9-9-5).

Terms of Office
The term of office of the commissioners shall be three years (§9-10-5).

Vacancies
The resignation of the mayor or a commissioner shall be submitted in writing to the board. If the mayor or a commissioner moves his or her permanent residence outside the corporate limits of the municipality, the office is immediately vacated (§9-9-6).

If there is a vacancy in the office of the mayor, the vacancy shall be filled by appointment pursuant to §9-9-8 until the
position is filled by election at the next annual election (§9-9-6) or by special election as provided in §9-13-14.2.

In case of a vacancy in the office of the mayor due to absence or disability, the board of commissioners shall appoint by a majority vote one of its members to act as mayor. The appointed commissioner’s official designation shall be “acting president of the board of commissioners” and is invested with all the powers and shall perform all duties of the mayor, during the mayor’s absence or sickness. The acting president has only one vote as a commissioner and is not entitled to vote as acting president (§9-9-8).

The Mayor
The mayor shall be president of the board and shall have a vote upon all questions but shall not have the right of veto (SDCL 9-10-7). The Mayor is also the recognized head of the municipality for service of civil process and for military and ceremonial purposes; has emergency powers during times of public danger or emergency; and may have other duties prescribed by ordinance or resolution that are not inconsistent with the city management form of government (§9-10-7).

The City Manager
The city manager is responsible for the administration of all affairs of the municipality which are placed in his care. He can appoint or remove all officers or employees in the administrative service of the municipality. (SDCL 9-10-13) Further responsibilities of the city manager are to:

1) See to the enforcement of the law and ordinances;
2) Supervise the administration of the affairs of the municipality;
3) Make recommendations to the governing body;
4) Advise the governing body of the financial status of the municipality;
5) Prepare an annual budget;
6) See that all terms and conditions in any contract or franchise are kept;
7) Be present at all meetings of the governing body, except when the governing body is considering his removal;
8) Sign all warrants after approval by the governing body, which warrants must then be counter signed by the finance officer;
9) Prepare and introduce ordinances and take part in discussion, but he does not have the power to vote;
10) Carry out any further powers and duties prescribed by ordinance or resolution. (SDCL 9-10-15)

Meetings
The board shall meet at least once each week or as otherwise determined by ordinance in regular meeting at a time and place as fixed by the board, to consider, take under advisement, and act on the business as may come before the board (§9-9-11). Each meeting of the board is open to the public and the board shall keep a journal of its proceedings (§9-9-13). The yeas and nays shall be taken upon the passage of each ordinance and for any proposal to expend or appropriate money and in any other cases at the request of any commissioner, and each vote shall be entered on the journal of the board’s proceedings. A two-thirds vote of the board is required to sell any municipal property. (§9-9-16).

A special meeting may be called by the mayor or by any two commissioners at any time, to only consider the matter mentioned in the call for the meeting. A notice of a special meeting shall be given pursuant to §1-25-1.1 and shall be provided to each commissioner (§9-9-12).

A majority of the board constitutes a quorum to do business. If a seat on the board is vacant due to removal, resignation, death, or by operation of law, the quorum consists of the majority of the remaining commissioners who are qualified to serve by election or appointment pursuant to chapter 9-13. The board may compel the attendance of any absentee under penalties as prescribed by ordinance. No action of the board is effective unless upon a vote of a majority of the board (§9-9-14).

No official may participate in discussing or vote on any issue in which they have a direct pecuniary interest (§6-1-17).

Trustee Form of Government
Composition and Qualification
The board of trustees of a third class municipality shall consist of not less than three nor more than five members elected at large. Each shall be a legally qualified voter of the municipality. The number of trustees of a municipality may be increased to five or reduced to three in the manner prescribed by chapter 9-11 (§9-7-1).

Qualifying for Office
The members of the board of trustees shall qualify for office within ten days after the first meeting of the month.
next succeeding the election by filing an oath or affirmation of office (§9-13-28).

Term of Office
The members of the board of trustees shall hold office for three years and until their successors are elected and qualified. However, at the first election after incorporation, one trustee is elected for one year, one trustee is elected for two years, and one trustee is elected for three years. At subsequent elections each trustee is elected for a term of three years (§9-7-3).

Vacancies
When a vacancy exists on a municipal governing body, the remaining members shall appoint a replacement to serve until the next annual municipal election, or the vacancy may be filled by special election as provided in §9-13-14.2. There are also special provisions available for temporarily filling a vacancy caused by a member of the governing body being called to active duty (§3-4-8) or in cases where a member is incapacitated by illness or accident (§3-4-9).

President Elected
At the first regular meeting after their election, the trustees must elect one of their members to serve as president of the board of trustees. This term of office is for one year (§9-7-5).

Meetings
The board shall hold regular meetings at such times as may be provided by ordinance. Special meetings of the board may be held at any time upon call of the president or clerk by oral or written notice to the members present within the municipality (§9-7-6). A majority of the members of the board shall constitute a quorum, but no act of the board shall be effective unless assented to by a majority of the members (§9-7-7).

No official may participate in discussing or vote on any issue in which they have a direct pecuniary interest (§6-1-17).

Ordinances and Resolutions

Municipalities may enact, make, amend, revise, or repeal all such ordinances, resolutions, and regulations as may be proper and necessary to carry into effect the powers granted thereto (§9-19-3).

The word “ordinance” means a permanent legislative act within the limits of its powers of the governing body of a municipality (§9-19-1).

A resolution, on the other hand, means any determination, decision, or direction of the governing body of a municipality of a temporary or special character for the purpose of initiating, effecting, or carrying out its administrative duties and functions (§9-19-1). In the case of State ex rel. Wagner v. Summers, 33 S.D. 40, 54, 144 N.W. 730, 734 (1913) the Court ruled that the terms “resolution” and “motion” are practically synonymous.

Ordinances must be in the following style:

“An ordinance (insert title)

Be it ordained by the (city or town) of (insert the name of the municipality)” The substance of the ordinance follows (§9-19-6).

Ordinances can only have one subject, which must be expressed in its title (§9-19-5). The formalities of style, reading, publication and the effective date of ordinances are not applicable to resolutions (City of Brookings v. Martinson, 1933, 61 SD 168, 246 NW 916).

Municipalities are authorized to provide for the punishment of each violation of an ordinance, resolution or regulation with a fine not exceeding five hundred dollars or by imprisonment not exceeding thirty days or by both such fine and imprisonment (§9-19-3).

All ordinances shall be read twice by title with at least five days between each reading. If passed, the ordinances shall be signed by the mayor or acting mayor or president of the board of trustees, and filed with the finance officer. With few exceptions, ordinances, after being signed and filed, must be published at least once in the official newspaper (§9-19-7). The vote on the second reading of all ordinances must be recorded and published (§9-19-9).

Resolutions differ from ordinances in that any resolution may be passed after only one reading. The resolution must be published at length either separately or in the minutes of the meeting. The votes for and against the resolution must also be published (§9-19-8).

Unless an ordinance or resolution is drawn to take effect immediately upon passage, all ordinances and resolutions become effective on the twentieth day after passage and publication, unless suspended by operation of a referendum (§9-19-13).

Voters have the right to propose their own ordinances through the initiative process, or to refer any legislative decision of the governing body through the referendum process. More information on these processes can be found in the Handbook for Municipal Officials or in §9-20.
The governing body of each municipality must publish the full accounts of its meetings. The publication is to appear in the official newspaper of the municipality, or if there is no official newspaper, any legal newspaper which serves the municipality. The proceedings must be published within twelve business days after each meeting (§9-18-1). The publication must include a detailed statement of all expenditures of money, showing the names of all persons who received remuneration as well as the service provided (§9-19-1). It is further required that the finance officer deliver a copy of the proceedings to be published in the official newspaper within five business days from the date the meeting was held (§9-18-1.1).

If a meeting is required to be open to the public, and if any printed material relating to an agenda item of the meeting is distributed before the meeting to all members of the governing body, the material shall either be posted on the governing body’s website or made available at city hall at least twenty-four hours prior to the meeting or at the time the material is distributed to the governing body, whichever is later. If the material is not posted to the governing body’s website, at least one copy of the printed material shall be available in the meeting room for inspection by any person while the governing body is considering the printed material. These requirements do not apply to materials exempt from disclosure or to printed material or records related to an agenda item of an executive or closed meeting (§1-27-1.16).

The law requires every municipal officer to keep a record of the official acts and proceedings of his office. These records must be open for public inspection during business hours under reasonable restrictions (§9-18-2).

Documentary material or data which consists of trade secrets or commercial or financial information made or received by a municipality or an economic development corporation receiving municipal funds for the purpose of furnishing assistance to a business is not a public record (§9-34-19).

Patient information identifying the patient’s name, address, diagnosis, or treatment received by an ambulance is not a public record and is confidential (§34-11-5.1).
Council Meetings 101: Basics on Procedures

Just a meeting…right? Nothing to worry about…right? I just need to show up and vote…right? Council meetings, although, seemingly simple can become complicated. Such meetings involve many procedures, statutory direction and ethical obligations.

Open Meetings Law
The open meeting law (SDCL Chapter 1-25) is intended to encourage public participation in government. The provisions of this idea are contained in three different statutes. Meetings are subject to the direction of these three statutes are those meetings of boards and commissions which are created by law OR which are entitled to receive revenue directly from public tax funds. Therefore, all your city meetings must comply with the open meeting requirements. Any time a legal quorum of your entity is discussing public business, meaning any matter relating to the activities of the entity, you must notify the public in the appropriate manner in the appropriate timeframe. This applies whether the discussion is in person, by telephone or any other electronic means.

SDCL 1-25-11 further states that recording of open public meetings is permitted. No state, political subdivision, or public body may prevent a person from recording, through audio or video technology, a public meeting that is open to the public as long as the recording is reasonable, obvious, and not disruptive.

The open meetings law requires that all public bodies prominently post a notice and copy of the proposed agenda, that is visible, readable, and accessible, at the organization’s principal office at least 24 hours PRIOR to the meeting. The notice shall also be posted on the public body’s website as soon as possible if one exists. Special provisions exist for special or rescheduled meetings. The notice must be delivered in person, by mail, by email, or by telephone, to all local news media that have asked to be notified (SDCL 1-25-1.1).

There are specific circumstances where a meeting can be closed to the public and the media (Executive Session). Such circumstances include (SDCL 1-25-2):

1. The elected officials may discuss the qualifications, competence, performance, character or fitness of any officer or employee including prospective officers or

Nelson Auto Center’s Government Fleet Sales Department has over 50 years of experience working with agencies just like yours fulfilling your vehicle needs.

We offer:
- Cooperative Purchasing Connection competitive contract pricing!
- Complete upfitting services!
- Police Car Trade-ins Welcome!
- Municipal Lease Plans!

Call us today for a quote
employees. Contractors are not included in the term officer or employee.

2. The elected officials may consult with their attorney or receive communication from their attorney about proposed or pending law suits or contract problems.

3. The elected officials may prepare for labor negotiations with the municipality’s employees.

4. The elected officials may discuss marketing or pricing strategies of a business owned by the municipality (electric, liquor, telephone, etc.) if public discussion may be harmful to the competitive position of the business. This includes utility boards.

In addition, when a municipality or an economic development corporation receiving municipal funds is considering furnishing assistance to a business, and has made or received material or data consisting of trade secrets or commercial or financial information regarding the operation of that business, such discussion or consideration may be done in executive session closed to the public (SDCL 9-34-19).

Please keep in mind, however, no official action (votes) may be taken in such a private meeting…and you must disclose the purpose of the executive session. Such purpose must be included in the minutes of the meeting (SDCL1-25-2).

In order to go into an executive, or closed, meeting a majority vote of the governing body is required. The matters discussed during the executive meeting are restricted to the purposes specified in the motion to go into executive session.

An open meetings commission has been established by the Attorney General’s Office to investigate and determine whether a violation occurred. Additional information regarding this set of laws can be found on the SDML website. The Attorney General’s website (http://atg.sd.gov) also has further information regarding the laws.

Meeting Procedures
All municipalities are encouraged to establish some model under which to operate…whether this is Robert’s Rules of Order or some other procedure. Although state law provides certain parameters regarding how business items are handled, the city has some discretion over their parliamentary procedure. These procedures might govern everything from rules for public participation to how motions are made.

Motions and Resolutions
To conduct business, the city council takes one of three actions: motions, resolutions or ordinances. Ordinances are a permanent legislative act within the limits of municipal power. A resolution on the other hand means any determination, decision, or direction of the governing body of a municipality of a temporary or special character for the purpose of initiating, effecting, or carrying out its administrative duties and functions. Resolutions and motions are practically synonymous.

To conduct any business a quorum must first be present. A quorum is a majority of the elected body. Then, a majority of the elected body must affirmatively vote on a particular action for passage. Reading and publishing requirements follow the introduction of an ordinance or resolution. Unless an ordinance or resolution is drawn to take effect immediately upon passage, all ordinances and resolutions become effective on the 20th day after passage and publication.
Municipal Funding

This is only a summary; consult the League’s Handbook for Municipal Officials for more details.

Statute indicates resources a municipality is permitted to receive. Further, statutes expressly and/or implicitly state the purposes for which those resources may be used. All resources received and spent shall be according to the law. For this reason, municipalities have evolved a means of indicating legal compliance by use of “fund accounting.” (Municipal Accounting Manual, produced by SD Department of Legislative Audit)

Cities must hire a finance officer that looks after Municipal Funding, keeps books and oversees various other aspects of city business. Despite, however, the hiring of a brilliant, intuitive finance officer elected officials are urged to become generally familiar with Municipal Funding. All government, regardless of its level, is based upon the old checks and balances idea. If you don’t get involved and learn about all aspects of your city’s business you cannot be an active participant in that balancing system.

The term “Fund” is defined as, “a fiscal and accounting entity with a self-balancing set of accounts recording cash and other financial resources, together with all related liability and residual equities or balances, and changes therein, which are segregated for the purpose of carrying on specific activities or attaining certain objectives in accordance with special regulations, restrictions or limitations.” (Defined by The Governmental Accounting Standards Board.)

Municipalities are charged with a diverse set of obligations…and therefore the checks and balances system is essential and necessary when determining legal compliance. The required accounts are organized on the basis of funds, each of which is completely independent of any other. Each fund must be so accounted for that the identity of its resources, obligations, revenues, expenditures and fund equities is continually maintained. Funds are classified according to the source of revenue and the type of activities they finance. Funds of a similar nature are classified according to fund groups.

The Budget

This is only a summary; consult the League’s Handbook for Municipal Officials for more detail!

The municipal fiscal year begins January first. South Dakota statutes require, as preparation for the budget, an estimate of expenditures and revenues for the ensuing year to be reported on or before the first day of September. The finance officer should report this estimate to the governing body. Cities that employ a city manager are, however, exempt from this rule and must submit an annual report to the governing body not later than August first of each year. In preparing this budget the finance officer may include a line item for contingencies (not to exceed five percent of the total budget). Expenses cannot be charged to this item, but by resolution budget authority can be transferred out where needed. In order to aid the finance officer in preparing the annual BUDGET the various boards and commissions are required to submit an annual report estimating the expenses to be incurred for the ensuing year.

No later than the first regular meeting of the governing body in September or within 10 days thereafter, the annual appropriations ordinance for the ensuing year must be introduced. The purpose of the appropriations ordinance is

Bid Booklet Available

A link to the Bid Booklet from the SD Department of Legislative Audit can be found at www.sdmunicipalleague.org under Bid Laws in the Library Section. Printed booklets are not available for order but can be printed from the link.
to appropriate such sums of money as may be deemed necessary to meet the lawful expenses and liabilities of the municipality. In specifying the functions and sub-functions made in the appropriations ordinance, the governing body is required to follow, as far as it is applicable, the classification of expenditures for each department and office of the municipality as prepared by the state department of legislative audit.

Neither the governing body nor any department can expend any sum in excess of the amount appropriated for any purpose within the department except as provided by SDCL 9-21-9.2, which provides that any authorized expenditures to be used for the benefit of another political subdivision shall be restored to the fund from which it was withdrawn. There are also exceptions for newly available funds due to the receipt of grant money. See SDCL 9-21-9 and 9.1.

Appropriation ordinances must be approved by a majority of all aldermen (the mayor cannot vote to break a tie), trustees or members of the board of commissioners. Some veto power does, however, exist. See SDCL 9-8-3 and 9-19-10 for more detail. Upon passage, the appropriations ordinance must be published in the same manner as all other ordinances. Please note that supplemental appropriation ordinances and emergency appropriation ordinances are appropriate under specific circumstances and may be passed in the event sufficient revenues are not available for an indispensable function of government.

Fund Accounts
The FINANCE OFFICER shall keep a separate account of each fund or appropriation and the debts and credits. Going back to the definition of a FUND ACCOUNT… monies spent from such fund shall only be spent for the purposes for which the fund was established! There are procedures established to transfer funds, this requires a 2/3 vote of the governing body. AND the money transferred cannot be expended for any purpose not authorized by the annual appropriations ordinance.

Disbursement of Funds
Before any money can be spent an itemized invoice must be presented along with a voucher verified by the appropriate municipal official. The invoice and voucher shall be filed in the Finance Office. In addition, such expenditures shall be fully itemized and entered in governing body meeting minutes.

No money can be paid out of the treasury except upon the warrant of the mayor or president of the board of trustees and countersigned by the finance officer. In cities employing a city manager, the warrant must be signed by the manager and countersigned by the finance officer before any sum can be paid.

As of July 1, 2012, cities are allowed to establish an incidental account from which advanced payment or claims requiring immediate payment may be made. The amount available in the fund is to be established by the governing body, with detailed account of expenditures to be presented not less than monthly. All expenditures from this account shall be listed with other bills in the regular proceedings of the governing body. All claims made on the incidental account require the signatures of two officers of the municipality. (SDCL 9-23-23)

Annual Reports
SDCL 9-22-21 requires the annual financial report to be submitted to the governing body at the first regular meeting of May and published within thirty days thereafter or upon completion of the annual audit. By the last day of May each year, the financial officer shall file a copy of the report with the Department of Legislative Audit.

The municipal annual report for smaller municipalities is designed to be a simplified financial report. SDCL 4-11-4 authorizes the auditor general to accept an annual report in lieu of a formal audit of the records of a municipality which receives less than six hundred thousand dollars in annual revenues and receives less than five hundred thousand dollars of federal financial assistance in any one year. As a result, small municipalities should file the annual report forms with the Department of Legislative audit immediately after the report to the governing body.

Municipal Financial Calendar

January
Personal property inventories of all municipal departments shall be filed with the finance officer not later than January 10 of each year.

A complete list of salaries of all officers and employees should be published with the minutes of the first meeting in January or within thirty days thereafter. Added salaries of new employees and increased salaries of existing employees should be shown in the month in which they occur.

The due date for special assessment installments, which are payable under either Plan One or Plan Two option, is January first.

March
Urban renewal agencies are required to file an annual report on or before March 31 with the governing body and the Auditor General.

May
The finance officer shall at the first regular meeting in May present the annual report to the governing board and publish it within thirty days or upon completion of the annual audit. By the last day of May each year, the financial officer shall file a copy of the report with the Department of Legislative Audit.
Special assessment installments become delinquent on May first.

**September**
Not later than the first regular meeting of September or within ten days thereafter, the annual appropriation ordinance is introduced.

Between the fifteenth day of September and the first day of October, the auditor or finance officer must certify all Plan Two delinquent special assessments to the county auditor.

**October**
The tax levy must be certified to the county auditor on or before October 1.

**November**
The special assessment roll or all assessments payable under Plan One must be delivered to the county auditor no later than November 1.

**December**
Fiscal year ends December 31.

**Auditing of Accounts**
The Department of Legislative Audit provides an approval function for municipal audits in that engagements are approved up-front and a draft of the final report is approved at the end of each audit. Audits of municipalities are performed by Independent Public Accountants or by the Department of Legislative Audit at least once every two years. Any city who receives an independent audit shall make the audit report available on their website.

Please note that in lieu of an audit, an “internal control review” is required to be performed at least once every five years in municipalities with revenues ranging from six hundred thousand dollars to one hundred thousand dollars.

Further, upon the request of the governing body or for special reasons the auditor general may audit the books and records of any office or any officer of the municipality, or upon request by a petition signed by twenty percent of resident taxpayers of a taxing district.

The *Municipal Accounting Manual*, produced by SD Department of Legislative Audit, can be found at http://legislativeaudit.sd.gov/ under the Resources tab.
The First 90 Days

As a newly elected public official, the public arena may seem foreign. Not only are you charged with knowledge of your local ordinances and policies, you must feel comfortable with state statutes and policies. To assist both newly elected officials and those previously elected to office, the League publishes the *Handbook for Municipal Officials*. The handbook introduces newly elected officials to their new jobs and also serves as a reference manual throughout an official’s tenure in office. The handbook references state statutory law and Attorney General Opinions offering further commentary on state law.

To help newly elected officials get started and to help returning officials review their accepted duties, we have created the following timeline of: important actions to take within the first 90 days of office.

Your First 30 Days in Office:

- Check with the finance officer about being covered by a bond – a bond is required of certain elective and appointive municipal offers (SDCL 3-1-5). (Bond amount is determined by particular office and city size.)
- Learn about the South Dakota Open Meetings law and become familiar with bid laws and surplus property laws. Cities must follow specific procedures to acquire, dispose of or exchange property. You can find both of these topics under the Library tab on the League’s website, www.sdmunicipalleague.org.
- Become familiar with how your public office will affect your ability to become personally involved with areas of city concern.
- Request a detailed map of your city.
- Request and review a copy of the current city budget.
- Request a copy of the city code of ordinances and then review the table of contents so that you are somewhat familiar with what the code contains.
- Review city council meeting minutes from the previous three to six months.
- Meet your city employees.
- Review the most recent list of goals and objectives, if any, adopted by the city council.
- Talk with your fellow policy leaders and key staff members about the processes and methods used to effectively work together.

Your First 60 Days in Office:

- Review the current city budget and the most recent city audit or annual financial report.
- Review a list of city employees that shows the name, job title, salary, and tenure of each person on the payroll. Compare this information with the salaries from surrounding communities of similar size. Are salaries reasonable?
- Read your city’s capital improvements plan or community builder plan or long-term projects list, if they exist.

Your First 90 Days in Office:

- Get to know the League…we are here as a resource.
- Review the job descriptions on file for city employees.
- Review the city’s policy manuals and employment contracts. Do you have a personnel policy? Are you aware of any current human resource issues within the city? The SDML has Sample Personnel Policies available for purchase; contact the League at 800-658-3633.
- Request a copy of the city’s zoning and district map for your reference.
- Review your city’s civil defense plan and/or disaster preparedness and emergency response plan, if one exists. If you do not have one, consider whether it is necessary.
- Read your city’s most recent water and wastewater inspection reports.
- Review your city’s urban renewal plans or urban renewal district plans, if any exist.
- Review your city’s comprehensive plan, if one exists.
- Review your city’s investment policy. As a great investment alternative, the League endorses the South Dakota Public Funds Investment Trust (FIT). Contact Sara Rankin at the League (800-658-3633) regarding FIT or for a sample investment policy.
- Review your workers’ compensation and insurance policies…we can help with this too! Contact the League office at 800-658-3633.
What Is a Conflict...
What Do I Do If It Applies to Me?

City officials are required to abide by specific laws regarding behavior and business decisions to prevent situations involving a conflict of interest. There are several types of “conflict:” holding concurrent offices with conflicting interests, involvement in a government contract and personal or pecuniary interest in a vote. If identified and handled correctly a “conflict” is not an issue.

Each official shall decide if any conflict of interest requires such official to be disqualified from participating in a discussion or voting. So, if a conflict exists, how can an individual be impartial enough to make this judgment call? When you begin to have a personal vested interest in a particular issue, it may be time to voluntarily excuse yourself from the issue. It is part of your responsibility as an elected official to recognize when this exists and remedy it.

The law goes on to occasionally FORCE you to remove yourself. NO SUCH official may participate in discussing or vote on an issue if the following circumstances apply (SDCL 6-1-17):
- The official has a direct pecuniary interest in the matter before the governing body or (this applies to any financial interest in the decision…such as family member employees, a new street in front of your business, etc.)
- At least 2/3 of the governing body votes that an official has an identifiable conflict of interest that should prohibit such official from voting on a specific matter.

Next is the contract issue: It is unlawful for any public officer or his agent to be interested in any contract entered into by the municipality. There are, however, some exceptions to this rule (SDCL 6-1-2):
- Any contract involving five thousand dollars or less regardless of whether other sources of supply or services are available within the county, municipality, township, or school district,
provided that the consideration therefore is reasonable and just;

- Any contract involving more than five thousand dollars but less than the amount for which competitive bidding is required, and there is no other source of supply or services available within the county, municipality, township, or school district provided that the consideration therefore is reasonable and just and further provided that the accumulated total of such contracts paid during any given fiscal year shall not exceed the amount specified in SDCL 5-18A-14;

- Any contract with any firm, association, corporation, or cooperative association for which competitive bidding is not required and where other sources of supply and services are available within the county, municipality, township, or school district, and the consideration therefore is reasonable and just, unless the majority of the governing body are members or stockholders who collectively have controlling interest, or any one of them is an officer or manager of any such firm, association, corporation, or cooperative association then any such contract shall be null and void;

- Any contract for which competitive bidding procedures are followed pursuant to SDCL 5-18A or 5-18B, and where more than one such competitive bid is submitted;

- Any contract for professional services with any individual, firm, association, corporation or cooperative, if the individual or any member of the firm, association, corporation or cooperative is an elected or appointed officer of a county, municipality, township or school district, whether or not other sources of such services are available within the county, municipality, township or school district, provided the consideration therefore is reasonable and just.

- Any contract for commodities, materials, supplies, or equipment found in the state price list established pursuant to SDCL 5-18D-6 and 5-18A-28, at the price there established or below.

- Any contract or agreement between a governmental entity specified in SDCL 6-1-1 and a public post-secondary educational institution when an employee of the Board of Regents serves as an elected or appointed officer for the governmental entity, provided that the employee does not receive direct compensation or payment
as a result of the contract or agreement.

- Any contract with any firm, association, corporation, individual, or cooperative association for which competitive bidding procedures are followed pursuant to chapter 5-18A, and where only one such competitive bid is submitted, provided the procedures established in SDCL 6-1-2.1 are followed.

All of the conditions in each subsection must be met fully in order for the contract to be valid. (SDCL 6-1-2)

Another statutory exemption to the provisions of SDCL 6-1-1 appears in SDCL 6-1-3. This statute allows a bank to be the official depository of funds notwithstanding that an officer, director, stockholder, or employee of a bank is an elected or appointed officer or treasurer of such county, municipality, township, or school district. (SDCL 6-1-3)

If competitive bidding procedures have been followed pursuant to chapter 5-18A, and the bid notice has been placed on the central bid exchange pursuant to SDCL 5-18A-13 for two weeks prior to the opening of bids, a bid from an officer of the governing body may be opened and accepted provided the consideration is reasonable and just as determined by the governing body or a disinterested governmental entity. (SDCL 6-1-2.1)

Finally, an elected official cannot hold concurrent offices if such positions are incompatible. The major lines of delineation in this area have been made by the Attorney General. For example, the Attorney General has determined that there are essentially four instances when offices are incompatible. They are: 1) when there are statutory prohibitions; 2) when one is subordinate to the other; 3) when one has supervision over the other; and 4) when the duties of the two offices are conflicting. (AGR 1949-50, p.37)

However, the Attorney General has also determined that, while the determination of whether a person may hold two or more positions is usually based upon incompatibility or inconsistency, the question of incompatibility or inconsistency never arises when there is a special statutory prohibition. The rule that governs will change from situation to situation. (AGR 1959-60, p.45)

Positions which are compatible include the following:
1) Mayor and state’s attorney; (AGR 1907-08, p. 215)
2) Office of mayor and member of the board of county commissioners; (AGR 1949-50, p. 37)
3) Mayor and state senator; (AGR 1949-50, p. 358)
4) Treasurer of a school district and trustee of an incorporated municipality; (AGR 1949-50, p. 75)
5) Assessor and register of deeds; (AGR 1949-50, p.56)
6) Office of county commissioner and membership on the governing board of a municipality; (AGR 1929-30, p. 278)
7) Office of state’s attorney and city attorney; (AGR 1949-50, p. 331)
8) Municipality marshal and sheriff or deputy sheriff; (AGR 1953-54, p. 84)
9) Police magistrate and candidate for the state legislature; (AGR 1953-54, p. 292)
10) Office of county clerk of courts and city councilman; (AGR 1955-56 p. 68-9)
11) Office of register of deeds and mayor; (AGR 1955-56, p. 217)
12) Office of county sheriff and peace officer of a municipality within the county; (AGR 1955-56, p.420)
13) Appointed municipality treasurer and treasurer of a school district. (AGR 1959-60, p. 45)
14) No mayor, alderman, commissioner, or trustee in a municipality is disqualified from holding office as a result of holding any liquor license. (SDCL 9-14-16)
15) City council and county commission. (AG Opinion 88-24)
16) Any mayor, alderman, commissioner, or trustee may serve in a volunteer, unsalaried municipal position or provide any service for the municipality if the compensation for such service does not exceed $5,000 per calendar year. (SDCL 9-14-16.1)

Positions which are incompatible include the following:
1) No mayor, alderman, commissioner, or trustee shall hold any other office under the municipality while an incumbent of any such office. No auditor or clerk may hold the office of treasurer in the municipality while an incumbent of such office. (SDCL 9-14-16)
2) A mayor may not be an attorney for a defendant in a criminal case for a crime committed within the municipality of which he is mayor. (State ex rel. Jones v. Taylor, 46 SD 354)
3) A city councilman may not be the defense attorney or counselor for a defendant charged with the violation of a municipal ordinance or a state law where the facts would also be a violation of the laws of his municipality. (AGR 1953-54, pp. 184-186)
4) Member of municipality board and janitor of a municipal building; (AGR 1932-34, p. 492)
5) County judge and city attorney; (AGR 1949-50, p. 133)
6) Member of a city council and municipal building, electrical, and plumbing inspector; (AGR 1955-56, pp. 105-106)
7) Member of city council and county high school board; (AGR 1949-50 page 75 and 1953-54, p. 73)
8) Office of director of assessments and member of municipal governing board; (AGR 1955-56, p. 304)
9) County justice of the peace and the municipal chief of police; (AGR 1957-58, p. 116)
10) Municipality auditor and county auditor. (AGR 1959-60, p. 84)
11) Legislator and school board member. (AG Opinion No. 84-24)
12) Mayor and school board member of encompassing school district. (AG Opinion No. 85-23; Raymond v. Richardson, 6th Judicial Circuit, Sept. 18, 1985)
13) County director of equalization and school board member. (AG Opinion 86-6)

Despite the guidance provided by the Attorney General and case law, conflict remains a confusing subject. If (and when) you experience a conflict issue consult with your city attorney or contact the League at 800-658-3633.
At Diamond Mowers, we believe that no task should be beyond your reach.

For more information, contact Paul Schreurs at 605.929.3083 or PSchreurs@DiamondMowers.com
Election Notice

SDML Workers’ Compensation Fund

Notice of Board of Trustees Election

Wednesday, October 3, 2018

Ramkota Hotel and Conference Center, Pierre, SD

The SDML Workers’ Compensation Fund Board of Trustees election will be held Wednesday, October 3, 2018, at the Annual Membership meeting during the SDML Annual Conference in Pierre, SD.

Two city seat are up for election. The positions are currently held by:

- Jodi Friedel, HR Director, Spearfish
- Mary Jo Nelson, Finance Officer, Deadwood

If you are interested in a position on the SDML Workers’ Compensation Fund Board or would like to nominate someone who is a Member of the SDML Workers’ Comp Fund and is either an elected or appointed official, please send a letter of application by the deadline date of September 3, 2018 to:

Sandi Larson
SDML Director of Risk Sharing Services
208 Island Drive
Ft. Pierre, South Dakota 57532
Phone: 1-800-658-3633
E-mail: sandi@sdmunicipalleague.org

Positions on the Board of Trustees are for three years and successful candidates will be seated on January 1, 2019. All nominations for the election will be forwarded to the Nominating Committee.

---

Election Notice

The South Dakota Public Assurance Alliance (SDPAA) Board of Directors election will be held Wednesday, October 3, 2018, at the SDPAA Annual Membership meeting during the SDML Annual Conference in Pierre, SD. The election shall be determined by a majority of those SDPAA Member entities present and voting with each Member entity having one vote. Election winners will be seated on the Board of Directors January 1, 2019. A copy of the Board of Directors Election Policy Resolution is available upon request.

If you are interested in a position on the SDPAA Board of Directors, you must meet the following qualifications:

Article V – Paragraph 2 - Qualifications of Members of the Board.

Members of the Board shall be either:

a. Elected officials of an Alliance Member, or
b. Representatives, employees or appointed officials of an Alliance Member provided the governing Board of the Member in question has supported their appointment or candidacy by resolution.

SDPAA Board of Directors positions up for election are currently held by:

- Mike Hall, City Risk Manager, Sioux Falls
- Mike Wiese, Brown County, Aberdeen
- Jim Borszich, President and CEO, Greater Huron Economic Development Corp., Huron

Please send a letter of application and supporting Resolution, if applicable, by the deadline date of August 31, 2018 to:

Lisa Nold, SDML Office Manager
208 Island Dr.
Ft. Pierre, South Dakota 57532
Phone: 1-800-658-3633
Email: Lisa@sdmunicipalleague.org

All applications will be forwarded to the SDPAA Nominating Committee.
Supreme Court Review for Local Governments

By Lisa Soronen, State and Local Legal Center

The State and Local Legal Center (SLLC) files Supreme Court amicus curiae briefs on behalf of the Big Seven national organizations representing state and local governments.

*Indicates a case where the SLLC has filed or will file an amicus brief.

If the only case the Supreme Court decided was South Dakota v. Wayfair, last term would have been one of the most important for states and local governments in this century. But of course the Court consumed it steady diet of about 70 cases. In a couple of these cases, the Court didn’t decide nearly as much as it could have. For example, in Gill v. Whitford and Benisek v. Lamone the Supreme Court failed to articulate a standard for when partisan gerrymandering is unconstitutional, without closing any doors, as it has since 1986. Likewise, in the infamous “cake case” the Supreme Court failed to decide whether a cake maker had a First Amendment right to not make a wedding cake for a same-sex couple. But a number of other cases were as big as could be for states and local governments. This article covers the three biggest cases for local governments.

In South Dakota v. Wayfair*, the Supreme Court ruled that states and local governments can require vendors with no physical presence in the state to collect sales tax. In a 5-4 decision, the Court concluded, “economic and virtual contacts” are enough to create a “substantial nexus” with the state, allowing the state to require collection.

In an opinion written by Justice Kennedy, the Court offered three reasons for why it was abandoning the physical presence rule from Quill v. North Dakota (1992). “First, the physical presence rule is not a necessary interpretation of the requirement that a state tax must be ‘applied to an activity with a substantial nexus with the taxing State.’ Second, Quill creates rather than resolves market distortions. And third, Quill imposes the sort of arbitrary, formalistic distinction that the Court’s modern Commerce Clause precedents disavow.”

To require a vendor to collect sales tax, the vendor must still have a “substantial nexus” with the state. The Court found a “substantial nexus” in this case based on the “economic and virtual contacts” Wayfair has with South Dakota, reasoning that a business could not do $100,000 worth of business or 200 separate transactions in the state “unless the seller availed itself of the substantial privilege of carrying on business in South Dakota.”

In Abood v. Detroit Board of Education (1977), the Supreme Court upheld “agency shop” arrangements where public employees who do not join a union are still required to pay their “fair share” of union dues for collective-bargaining, contract administration, and grievance-adjustment. In Janus v. AFSCME, the Supreme Court overruled Abood in a 5-4 opinion. The Court also held that employees must “affirmatively consent” to join a union.

In an opinion written by Justice Alito, the Court repudiated the two main justifications for “fair share” in Abood: “labor peace” and avoiding free riders. In Janus, the Court pointed out that labor peace exists in federal employment (where agency fee is disallowed), as well as states without agency fee. The second defense for agency fee in Abood was to avoid free riders who “enjoy the benefits of union representation without shouldering the costs.” But the Court pointed out Janus’ analogy that “he
is not a free rider on a bus headed for a destination that he wishes to reach but is more like a person shanghaied for an unwanted voyage.’’

Finally, the Court looked at the five factors it typically weighs when deciding whether to overturn precedent: the quality of the Court’s reasoning, the workability of the rule it established, its consistency with other related decisions, developments since the decision was handed down, and reliance on the decision. Only one factor, the Court concluded, weighed in favor of keeping Abood. But that factor-reliance — reliance — “does not carry decisive weight.”

In a Carpenter v. United States, the Supreme Court held 5-4 that the Fourth Amendment requires the government to get a warrant to obtain cell-site location information (CSLI).

Robbery suspects gave the FBI Timothy Carpenter’s name and cell phone number as an accomplice who participated in a number of robberies. Prosecutors obtained Carpenter’s CSLI for over 100 days, and were able to show that Carpenter was located at four of the robberies at the exact time they occurred. Per the Stored Communications Act (SCA), prosecutors applied a less-stringent court order rather than a warrant to obtain the records.

In concluding that obtaining CSLI was a search, the Court rejected the argument that the “third-party” doctrine applies in this case. In previous cases, the Court had held that persons have no legitimate expectation of privacy in information voluntarily turned over to third parties, meaning such information to which the Court applied the third-party doctrine in previous cases (bank records and dialed phone numbers) isn’t comparable to “the ability to chronicle a person’s past movements through the record of his cell phone signals.”

The Court also concluded the government needs to obtain a warrant because warrants are typically required where “a search is undertaken by law enforcement officials to discover evidence of criminal wrongdoing.” The SCA’s requirement to show “reasonable grounds” for believing that the records were “relevant and material to an ongoing investigation” falls well short of the probably cause required for a warrant.”

It would be remiss not to mention Trump v. Hawaii.* Although this case doesn’t involve local government authority it is significant because numerous local governments joined amicus briefs at all stages of the litigation.

In a 5-4 decision, the Supreme Court upheld President Trump’s travel ban. The third travel ban indefinitely prevents immigration from six countries: Chad, Iran, Libya, North Korea, Syria, and Yemen. Hawaii and others sued President Trump claiming the ban was illegal and unconstitutional.

The Supreme Court, in an opinion written by Chief Justice Roberts, held that the travel ban fell “well within” the President’s authority under the Immigration and Nationality Act (INA). The INA allows the President to “suspend the entry of all aliens or any class of aliens” whenever he “finds” that their entry “would be detrimental to the interests of the United States.”

The Court next addressed the challenge to the travel ban as violating the Establishment Clause of the First Amendment due to “anti-Muslim animus.” The Court acknowledged the anti-Muslim statements of the President and his advisers, but state the issue before the Court “is not whether to denounce statements.” Because this case was involved a “national security directive regulating the entry of aliens abroad” the Court only applied “rational basis review” where it would uphold the travel ban “so long as it can reasonably be understood to result from a justification independent of unconstitutional grounds. “ According to the Court, “it cannot be said that it is impossible to ‘discern a relationship to legitimate state interests’ or that the policy is ‘inexplicable by anything but animus.’”

**Conclusion**

With the exception of the cell-site location information case, Justice Kennedy provided the crucial fifth vote in all of these cases. While he leaned conservative this term, his retirement will shift the Court to the right if he is replaced by a more reliable conservative. In some cases a more conservative Court will benefit the local governments, while in other cases it will not. Regardless, his retirement marks another significant shift that will have lasting effects on local governments.
Washington Report:

By Rep. Kristi Noem

About eight months ago, we finalized one of the largest tax cuts ever delivered to the American people. Families saw the Child Tax Credit double from $1,000 to $2,000 and the marriage penalty eliminated, while still being able to benefit from the Child Care Credit. For couples, the first $24,000 they make every year is now tax free. Family farmers and ranchers can invest in their operations with greater confidence. And small businesses in every industry can take advantage of a new, never-before-given 20 percent tax deduction.

For some, it’s all the little ways tax reform helps their family. I had a mom come up to me recently; she just wanted to say that because of the tax cuts, her son could get a new pair of basketball shoes. That extra money gave her family the peace of mind they needed.

In total, the average South Dakota family of four will save $2,400 on their taxes this year, but the direct savings are only part of the benefits people are experiencing. For instance, utility companies, like Black Hills Energy, are passing savings down to their customers, helping mitigate the cost of electricity.

Many families also received raises, bonuses and improved benefits. AaLadin Industries in Elk Point offered bonuses of up to $1,000 to their employees, while announcing they’d be investing $1-2 million back into the business to grow. Great Western Bank, meanwhile, announced they would increase their base wage to $15/hour, offer a meaningful pay raise to 70 percent of their workforce, and put more money into community projects. Ryder in Sioux Falls and Rapid City offered bonuses too. And the list could go on.

Megacompanies made new investments in South Dakota families as well. Walmart expanded maternity and paternity leave, while offering $2.1 million in cash bonuses to South Dakota employees. AT&T gave $1,000 bonuses to nearly 200 people in the state. Lowe’s, which employs hundreds of South Dakotans, awarded bonuses and added adoption assistance to their benefit package. Comcast gave bonuses. T.J.Maxx gave bonuses. Again, the list could go on.

Needless to say, we’re seeing tax reform work. Whether families started getting bigger paychecks, better benefits, lower utility bills, or more work opportunities, a positive economic shift was felt from the onset – a shift I’m optimistic we’ve only seen the beginning of.

Tax Reform: Eight Months In

SOUTH DAKOTA BASIC CODE
Affordable Codification for Small and Mid-Sized South Dakota Municipalities

A comprehensive model code of ordinances for municipalities featuring:

- Subject matter encountered by municipalities
- Annual state law updates
- A comprehensive index and a title devoted to your unique local ordinances
- Published by American Legal and the South Dakota Municipal League
- For more information call or e-mail deRicci Getty at 1-800-445-5588 or dgetty@amlegal.com
STABLE BLADE TECHNOLOGY. CONTROLL BOUNCE. MINIMIZE REWORK. CUT COSTS.

CAT 140M3 MOTORGRADER

HAND AND ARM MOVEMENT REDUCED UP TO 78%* REDUCED FUEL CONSUMPTION UP TO 14%**

Experience the most comfortable cab in the industry. Joystick controls replace levers, so hand and arm movement is reduced by 78%, helping reduce operator fatigue for better productivity. A new standard Economy (ECO) Mode can be turned on to help save fuel by reducing engine speed so the machine works in a more efficient range.

*Compared to traditional motorgraders. **Compared to previous models.

CAT CONNECT

MAKES USE OF TECHNOLOGY TO HELP IMPROVE JOBSITE EFFICIENCY.

M Series 3 motor graders are equipped with Product Link™, which helps fleet owners track location, hours, fuel usage, productivity, idle time, and diagnostic codes through the online VisionLink® interface.

BUTLERMACHINERY.COM

Butler CAT
### SEPTEMBER Hometown Happenings

<table>
<thead>
<tr>
<th>Date Range</th>
<th>Event Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>May 25 - September 30</td>
<td>Legends in Light Laser Light Show Crazy Horse Memorial</td>
</tr>
<tr>
<td>May 25 - September 30</td>
<td>Mount Rushmore Evening Lighting Ceremony Keystone</td>
</tr>
<tr>
<td>August 27 - September 2</td>
<td>Sturgis Mustang Rally Sturgis</td>
</tr>
<tr>
<td>August 30 - September 3</td>
<td>South Dakota State Fair Huron</td>
</tr>
<tr>
<td>September 1</td>
<td>Annual Southern Hills Triathlon Hot Springs</td>
</tr>
<tr>
<td>September 1 - 3</td>
<td>Labor Day Weekend Open House at Crazy Horse Memorial</td>
</tr>
<tr>
<td>September 2</td>
<td>Studebaker Car Show Custer</td>
</tr>
<tr>
<td></td>
<td>Annual Dakota Five-O Spearfish</td>
</tr>
<tr>
<td></td>
<td>Strawbale Winery Sangria Sunday Renner</td>
</tr>
<tr>
<td></td>
<td>Billy Bolander Memorial Demolition Derby Winner</td>
</tr>
<tr>
<td>September 3</td>
<td>Labor Day Parade Winner</td>
</tr>
<tr>
<td>September 4</td>
<td>Trolley on the Trail Lead</td>
</tr>
<tr>
<td>September 6</td>
<td>Summer Porch at Strawbale Winery Renner</td>
</tr>
<tr>
<td>September 2</td>
<td>Studebaker Car Show Custer</td>
</tr>
<tr>
<td></td>
<td>Annual Dakota Five-O Spearfish</td>
</tr>
<tr>
<td></td>
<td>Strawbale Winery Sangria Sunday Renner</td>
</tr>
<tr>
<td></td>
<td>Billy Bolander Memorial Demolition Derby Winner</td>
</tr>
<tr>
<td></td>
<td>Labor Day Parade Winner</td>
</tr>
<tr>
<td></td>
<td>Trolley on the Trail Lead</td>
</tr>
<tr>
<td></td>
<td>Summer Porch at Strawbale Winery Renner</td>
</tr>
<tr>
<td></td>
<td>Billy Bolander Memorial Demolition Derby Winner</td>
</tr>
</tbody>
</table>

---

We are celebrating 80 years! We are pleased with the success we've had throughout the years and thrilled for what is yet to come. We couldn't have done it without you! Thank you for trusting in us to partner with you as your consulting engineering and land surveying advisors.

Clark-eng.com

Sioux Falls | Aberdeen | Pierre | Watertown | Minneapolis

SOUTH DAKOTA MUNICIPALITIES
<table>
<thead>
<tr>
<th>Date</th>
<th>Event Name</th>
<th>Location</th>
</tr>
</thead>
<tbody>
<tr>
<td>September 7 - 9</td>
<td>James Valley Threshing and Tractor Show</td>
<td>Andover</td>
</tr>
<tr>
<td>September 7 - 8</td>
<td>Ribbs, Rods &amp; Rock n’ Roll</td>
<td>Vermillion</td>
</tr>
<tr>
<td>September 8 - 9</td>
<td>Annual Grape Stomp Festival</td>
<td>Rosholt</td>
</tr>
<tr>
<td>September 8</td>
<td>Foothills Budlight Bull Bash</td>
<td>Wessington Springs</td>
</tr>
<tr>
<td>September 8</td>
<td>Sidewalk Arts Festival</td>
<td>Sioux Falls</td>
</tr>
<tr>
<td>September 9</td>
<td>Sioux Falls Marathon &amp; Half Marathon</td>
<td>Sioux Falls</td>
</tr>
<tr>
<td>September 9</td>
<td>Strawbale Winery Sangria Sundays</td>
<td>Renner</td>
</tr>
<tr>
<td>September 12</td>
<td>Trolley on the Trail</td>
<td>Lead</td>
</tr>
<tr>
<td>September 13 - 15</td>
<td>St. Joseph’s Indian School Annual Powwow</td>
<td>Chamberlain</td>
</tr>
<tr>
<td>September 14 - 15</td>
<td>NESD Celtic Fair and Games</td>
<td>Aberdeen</td>
</tr>
<tr>
<td>September 14 - 16</td>
<td>North Country Fiber Fair</td>
<td>Watertown</td>
</tr>
<tr>
<td>September 14 - 16</td>
<td>Eureka German-Russian Schmeckfest</td>
<td>Eureka</td>
</tr>
<tr>
<td>September 15</td>
<td>Dakota Western Heritage Festival</td>
<td>Fort Pierre</td>
</tr>
<tr>
<td>September 15</td>
<td>1880 Train Wine Express</td>
<td>Hill City</td>
</tr>
<tr>
<td>September 15</td>
<td>Strawbale Winery Sangria Sunday</td>
<td>Renner</td>
</tr>
<tr>
<td>September 15</td>
<td>Harvest Fest</td>
<td>Lake City</td>
</tr>
<tr>
<td>September 15</td>
<td>Stirling Family Ranch Rodeo</td>
<td>Fort Pierre</td>
</tr>
<tr>
<td>September 16</td>
<td>South Dakota Film Festival</td>
<td>Aberdeen</td>
</tr>
<tr>
<td>September 16</td>
<td>South Dakota Festival of Books</td>
<td>Deadwood</td>
</tr>
<tr>
<td>September 16</td>
<td>Annual Sturgis Off Road Rally</td>
<td>Sturgis</td>
</tr>
<tr>
<td>September 17 - 18</td>
<td>Menno Pioneer Power &amp; Toy Show</td>
<td>Menno</td>
</tr>
<tr>
<td>September 21 - 23</td>
<td>Annual Watertown Radio Chili Cook-off</td>
<td>Watertown</td>
</tr>
<tr>
<td>September 22</td>
<td>Black Hills Plein Air Paint-Out</td>
<td>Hill City</td>
</tr>
<tr>
<td>September 22</td>
<td>Custer State Park Buffalo Roundup and Arts Festival</td>
<td>Custer</td>
</tr>
<tr>
<td>September 22</td>
<td>Sioux Falls PREMIER Rodeo</td>
<td>Sioux Falls</td>
</tr>
<tr>
<td>September 22</td>
<td>Wheelin’ to Wall</td>
<td>Wall</td>
</tr>
<tr>
<td>September 22</td>
<td>Great Downtown Pumpkin Festival</td>
<td>Rapid City</td>
</tr>
<tr>
<td>September 22</td>
<td>Living History Fall Festival</td>
<td>Groton</td>
</tr>
<tr>
<td>September 22</td>
<td>1880 Train Oktoberfest Express</td>
<td>Hill City</td>
</tr>
<tr>
<td>September 22</td>
<td>Northern Plains Indian Art Market</td>
<td>Sioux Falls</td>
</tr>
<tr>
<td>September 22</td>
<td>Fall Volksmarch at Crazy Horse Memorial</td>
<td>Crazy Horse</td>
</tr>
</tbody>
</table>

**Submit your event!**

CLASSIFIED ADS POLICY: Member municipalities receive free insertions and free postings on the League website. Non-member advertisers are billed $50 per insertion. All ads are subject to editing if necessary. The next deadline is August 13 for the September 2018 issue. Email ads to sara@sdmunicipalleague.org or fax to 605-224-8655. Visit www.sdmunicipalleague.org for more classifieds.

CHIEF OF POLICE: Yankton, SD - The City of Yankton is now seeking a proven leader to serve as its Police Chief. The desired candidate will be an enthusiastic and committed professional, have a passion for community-oriented policing, and an outstanding ability to work with and develop teams. A bachelor’s degree in criminal justice or related field and seven years of experience including five years of supervisory experience or a master’s degree in criminal justice or a related field is desirable. Experience in local government and law enforcement may substitute for education. The annual salary range is $77,760 to $98,444. Placement in this range is dependent on qualifications and experience of the individual selected. The successful candidate must reside within the City corporate limits. As an equal opportunity employer, the City of Yankton welcome and encourages all to apply. Applications can be found online at cityofyankton.org/employment and must be accompanied by a cover letter, resume and three personal references. Applications can be submitted online or emailed to Sue Hanson, Human Resources at shanson@cityofyankton.org. Position open until filled, with the first review of applications beginning August 15, 2018.

CITY ENGINEER: Belle Fourche, SD - The City of Belle Fourche is looking for a full-time City Engineer. This position is appointed by the Mayor and confirmed by the City Council. Compensation depends on experience. Excellent benefits package. Bachelor’s degree from a four-year college or university and two years related experience or combination equivalent of training/experience as deemed acceptable by Mayor and Council or Engineer-in-training with certification per recommendation. This senior-level position is responsible for all duties undertaken by the Engineering, Planning and Zoning and Building Inspection departments and assisting the other city departments in maintaining and improving the City’s buildings and infrastructure. A full description, application form and benefits listing are located at our website at www.bellefourche.org or at Belle Fourche City Hall, 511 6th Avenue, Belle Fourche, SD 57717. Applications accepted until position is filled. EOE.

CITY MANAGER: Alliance, NE - The city of Alliance, NE is seeking a City Manager. Alliance provides a wide range of services, including police and fire protection, transportation, airport, bus service, sewer, water, refuse, landfill, 18-hole golf course, electric utility, parks and recreation, planning, building and safety, public improvements, and general administration. The city employs 105 FTEs of which 18 FTEs are assigned to the Police Department and 4 FTEs are assigned to the Fire Department. Alliance has a 2018 all funds budget of approximately $47 million, with a reserve in the General Fund of $3 million. The City of Alliance utilizes the council/manager form of government. Serving at the pleasure of the City Council, the City Manager is responsible for implementing City Council policy, and for planning, organizing, directing and controlling the activities and operations of the City of Alliance. The City Manager also develops policy recommendations for City Council action and provides highly responsible and complex administrative support to the City Council. A bachelor’s degree in business administration, public administration, or political science and progressively responsible administrative or staff experience in municipal government with three years of high-level administrative responsibility at a department head or Assistant City Manager level is desirable. A master’s degree in a related field may substitute for experience. To learn more about the community and position, please view the City Manager Position Profile at www.cityofalliance.net. Email your application, resume, and cover letter by July 20, 2018 (first review date) to jobs@cityofalliance.net. Application materials will only be accepted electronically. For questions contact Rick Kuckkahn or Carla Mayhew at 308-762-5400.

ELECTRICAL SUPERINTENDENT: Plankinton, SD - The City of Plankinton is seeking an Electrical Superintendent to manage and maintain the municipal electric system. Candidates for this position must have successfully completed an approved Electrical Line Worker program and have Journeyman experience. This position requires a strong working knowledge of a municipal electric system, departmental budgeting and a vision for long range electrical planning. Applicants must be proficient with computers, including Microsoft, mapping and AMI systems. The Electrical Superintendent reports directly to the Mayor. Candidates must possess a Class A Driver’s license and are subject to random drug and alcohol testing. Salary depends on experience and qualifications. The city also offers a competitive benefits
package. To apply, submit a cover letter, resume, salary history and three work-related references to Jeanette Smith, Finance Officer, City of Plankinton, PO Box 517, Plankinton, SD 57368 or by email at finance@plankinton.com. For more information or questions related to this position, contact the above individual at 605-942-7767. Position is open until filled.

STREET/SOLID WASTE SUPERINTENDENT:
Spearfish, SD - The City of Spearfish is seeking a full-time Street/Solid Waste Superintendent. This position will direct and oversee the overall operation of the Street, Motor Pool and Solid Waste Departments under the general supervision of the Public Works Director or designee. A Bachelor’s degree from a four-year college or university in a related field is required. Five years progressively responsible experience with street and road maintenance activities, including two years of supervisory experience or any such combination of education and experience as may be acceptable by the hiring authority. Candidates should have knowledge of materials, methods, and current practices essential to the construction and maintenance of City streets and roadways; knowledge of Manual on Uniform Traffic Control Devices (MUTCD) standards; experience with heavy equipment, truck, and machinery operation and maintenance; ability to be tactful, courteous, and effective with the public and co-workers; supervisory experience; skills in computers and associated software to perform the essential functions of this position; possession or ability to obtain a valid South Dakota CDL Class 1A driving certificate with air brakes, combination and tanker endorsement license within 90 days of employment; must possess or obtain National Incident Management System Certification (NIMS) level 100, 200 and 700; insurable driving history. Residency required within a distance from adequate to meet a thirty (30) minute response time requirement. Interested persons must submit City application, cover letter, resume and salary requirements to the Human Resource Office, 625 Fifth Street, Spearfish, SD 57783; 605-642-1354 or jodi.friedel@cityofspearfish.com. EOE.

Visit www.sdmunicipalleague.org for additional classifieds.
August 2018

<table>
<thead>
<tr>
<th>S</th>
<th>M</th>
<th>T</th>
<th>W</th>
<th>T</th>
<th>F</th>
<th>S</th>
</tr>
</thead>
<tbody>
<tr>
<td>5</td>
<td>6</td>
<td>7</td>
<td>8</td>
<td>9</td>
<td>10</td>
<td>11</td>
</tr>
<tr>
<td>12</td>
<td>13</td>
<td>14</td>
<td>15</td>
<td>16</td>
<td>17</td>
<td>18</td>
</tr>
<tr>
<td>19</td>
<td>20</td>
<td>21</td>
<td>22</td>
<td>23</td>
<td>24</td>
<td>25</td>
</tr>
<tr>
<td>26</td>
<td>27</td>
<td>28</td>
<td>29</td>
<td>30</td>
<td>31</td>
<td></td>
</tr>
</tbody>
</table>

September 2018

<table>
<thead>
<tr>
<th>S</th>
<th>M</th>
<th>T</th>
<th>W</th>
<th>T</th>
<th>F</th>
<th>S</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>2</td>
<td>3</td>
<td>4</td>
<td>5</td>
<td>6</td>
<td>7</td>
</tr>
<tr>
<td>8</td>
<td>9</td>
<td>10</td>
<td>11</td>
<td>12</td>
<td>13</td>
<td>14</td>
</tr>
<tr>
<td>15</td>
<td>16</td>
<td>17</td>
<td>18</td>
<td>19</td>
<td>20</td>
<td>21</td>
</tr>
<tr>
<td>22</td>
<td>23</td>
<td>24</td>
<td>25</td>
<td>26</td>
<td>27</td>
<td>28</td>
</tr>
<tr>
<td>29</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**August**

No later than August 1 – The liquor tax reversion must be made. (SDCL 35-5-22; See Hdbk., sec. 11.600)

No later than August 1 – In those municipalities employing a city manager, the city manager is required to prepare and submit an annual budget to the governing body. (SDCL 9-10-15(5); See Hdbk., sec. 12.065)

Sales tax ordinance deadlines – The effective date of any new or amended municipal sales tax ordinance must fall on either January first or July first. The municipality must notify the Department of Revenue of the ordinance at least 90 days prior to the effective date. (SDCL 10-52-9; 10-52A-13; See Hdbk. Sec. 12.260)

**On or before September 1** – The finance officer must report annually to the governing body an estimate of the expenses of the municipality and likewise the revenue necessary to be raised for the current year in budget form similar to that recommended by the municipal accounting manual as provided in SDCL 4-11-6. (SDCL 9-22-23; See Hdbk., sec. 12.065)

At the first regular meeting in September, or within ten days thereafter – The annual appropriation ordinance for the ensuing year must be introduced. (SDCL 9-21-2; See Hdbk., sec. 12.066)

Boundary changes – Municipalities must notify the Department of Revenue of any resolution or amendment enacted which changes the boundaries of the municipality. Notification shall be in written form, shall contain a copy of the resolution or amendment, and may be sent by electronic means or registered mail. Municipalities shall also provide any changes and additions to streets and addresses. (SDCL 10-52-13; See Hdbk., sec. 14.172)

**September**

On or before September 1 – The finance officer must report annually to the governing body an estimate of the expenses of the municipality and likewise the revenue necessary to be raised for the current year in budget form similar to that recommended by the municipal accounting manual as provided in SDCL 4-11-6. (SDCL 9-22-23; See Hdbk., sec. 12.065)

Before September 2 – If the number of on-sale and off-sale liquor licenses is not fixed by ordinance, the governing body may determine by resolution the number of on-sale and off-sale liquor licenses and the fees to be charged for each. (SDCL 35-4-11; See Hdbk., sec. 11.205)

First Monday of September – Labor Day – State holiday (SDCL 1-5-1)

At the first regular meeting in September, or within ten days thereafter – The annual appropriation ordinance for the ensuing year must be introduced. (SDCL 9-21-2; See Hdbk., sec. 12.066)

On or before October 1 – The governing board of any municipality may, on or before the first of October preceding the annual municipal election, approve an ordinance requiring a secondary election as found in SDCL 9-13-27.1 and SDCL 9-13-26.1 (SDCL 9-13-25; See Hdbk., sec. 7.600)

On or before October 1 – Immediately upon passage and publication of the annual appropriation ordinance, the auditor or clerk must certify the tax levies contained therein to the county auditor on or before October first in the following form:

For general purposes________________________________

For interest and debt service fund_____________________

(SDCL 9-21-20 and SDCL 10-12-7; See Hdbk., sec. 12.066)

Boundary changes – Municipalities must notify the Department of Revenue of any resolution or amendment enacted which changes the boundaries of the municipality. Notification shall be in written form, shall contain a copy of the resolution or amendment, and may be sent by electronic means or registered mail. Municipalities shall also provide any changes and additions to streets and addresses. (SDCL 10-52-13; See Hdbk., sec. 14.172)
Let’s show the world what we can do together.

Day by day. Project by project.
Together we’re improving mobility
and moving the world forward.
South Dakota Public Assurance Alliance

Our Mission:
To provide exceptional coverage and service to our Members, ensuring stable rates and risk reduction for South Dakota’s future.

We offer broad specialized coverage to public entities as follows:

- General Liability
- Automobile Liability
- Automobile Physical Damage
- Public Officials Liability
- Law Enforcement Liability
- Property
- Boiler and Equipment Breakdown
- Enhanced Crime
- Cyber Liability

Member-Owned, Protecting Local Government Assets since 1987

For More Information contact the SDPAA at 800-658-3633 Option #2 or at sdpaonline.org

Specializing in Workers’ Compensation for Public Entities

- Stable Rates
- Financial Stability
- Investments in SD Banks
- Free Loss Control

For more information, contact:

Insurance Benefits Incorporated
800-233-9073
Email: info@sdmlwcfund.com
www.sdmlwcfund.com

Sponsored & Endorsed By:

SOUTH DAKOTA MUNICIPAL LEAGUE