In this issue:

How to Keep the Workplace and Your Employees Safe

Crafting a Plain-English Financial Policy

The Importance of Active Parks and Recreation Departments
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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.
We will have wrapped up most of the ten district meetings by the time you read this, and while it will be nice to be home again, we really have a great time visiting the towns hosting the meetings this year. From the farthest corner Northeast to its opposite in the Southwest, we’ve really seen a lot this year, and the warm welcome in every community is so special. We really appreciate the hard work each city put into arranging for the wonderful food and meeting places, door prizes, and entertainment – so to Milbank, Howard, Elk Point, Kadoka, Hill City, Faulkton, Colome, Wessington Springs, Herreid, and Faith – THANKS!

District Meetings always renew a sense of amazement that there are so many bright, dedicated people, willing to serve their communities and give their time. Although we go to each town to present a legislative update, we always come away having learned more than we taught.

Back at the office, our attention now turns to our schools and seminars, culminating with the Annual Conference in Rapid City in October. At the last Conference, we had several general session speakers who all received rave reviews – and every one of them was suggested by a member. If you have thoughts on programs you would like to see at the Conference, please contact us!

The April municipal elections are just around the corner, and along with the excellent incumbents, we will have a whole new group of elected officials we look forward to working with. I would urge everyone to try and take advantage of all the services offered by the League – we have many fantastic opportunities to help you grow in your public service position, and while it is hard to quantify, a knowledgeable, involved council will save you money in the long run.

One case in point: a city in South Dakota that reached a pretty dysfunctional level before someone stepped in and even noticed, because it was being quite well hidden by a staff member. A council that had attended even one of our elected officials workshops would have had enough information to have waved a red flag well before it ended up with more than $100,000 in penalties. Make sure to keep an eye on the magazine and website for all the training opportunities this spring and summer.

Please also consider getting involved in the policy committee process. We have four committees, each of which meets in August, and again at the October conference. They will give you a great opportunity to discuss issues with your fellow officials, as well as to direct the activity of the League in the next legislative session.

Until next month, remember we are always available at 1-800-658-3633 or yvonne@sdmunicipalleague.org.

Yvonne Taylor
Executive Director

Visit the League’s website!

Spring is a busy time of year for trainings and meetings. Visit the Events section frequently on the SDML website, www.sdmunicipalleague.org, to find out what events are coming up.
On the way home tonight the moon was pretty, but shrouded by clouds. They came by the moon draping it from view, letting it reappear, only to be replaced by other clouds to obscure my view. At times our thoughts are also shrouded by clouds made up of doubt, misinformation, misdirection, and too much guidance from those around us. I know that in order to make a sound decision we must stay focused on the issue at hand. Even though the clouds get in the way we have to see the problems clearly and not vary off course with the distortions that are thrown in the way.

I had a Mayor once who told me they have medication for adults with ADHD. Do you think she was trying to tell me something? (I prefer to think she was gently telling me I am a bit hyper.) Hence why I am giving you the advice to stay focused!

As community leaders you are bombarded with varying ideas and solutions that each individual feels is the correct course to take, at times getting totally off track. You, as the face of the city, must listen and consider each possible solution, but never lose sight of the real problem at hand and solutions to fix it. Don’t be one of those leaders who gets bogged down with information that has no bearing on the actual problem you are wrestling with. I admit that it is easy to lose focus when others start yammering about things that are off course of the actual goal.

Deal with each dilemma attentive on ways to make your citizens understand and accept. Present the issue at hand and the varying solutions and why you chose the solution you did. That way you let them know you heard them, but also the reason you chose the other course they did not agree with. Please do not attack others to get your point across, just remain calm and focused on the issue. Sometimes you just have to agree to disagree, and move on. You will feel validated if you stay focused and hopefully they will not rip your head off for their idea of the bad choices you make! If it is proven to be an unworkable solution due to unforeseen obstacles you can always fix it. I love that about our governmental system! There are times when circumstances and life’s direction get in the way of a perfectly good plan!

Be proud of yourselves for the dedication you have to your community and your willingness to be of service to your citizens in trying to guide your city/town. I thank each of you for trying to be the best public servant possible. We are all so different but ultimately the same in our desire to do the right thing.

So sharpen up your mind so that you can be fully focused on the decisions you must make every day!

Slip that key on your key chain - FOCUS!

Respectfully, Meri Jo Anderson
President
SD City Management Association Spring Training
April 28-29, 2016 • RedRossa • Pierre, SD

Agenda

Thursday, April 28

1:00 p.m.  Meeting convenes, welcome from Amy Nelson, Introductions

1:30 p.m.  Trooper John Peary,
South Dakota Highway Patrol
Trooper John Peary will lead an interactive discussion about how we can keep our citizens, employees, and ourselves safe
• Best Practices-Building Design
• Situational Awareness
• Educating elected officials, staff, and public
• Active Shooters and workplace violence
• What can you do to prepare yourself and your facilities for the unthinkable

3:30 p.m.  Electronic and Biological Break

3:45 p.m.  SDML Legislative Update and Discussion
Yvonne Taylor, Executive Director, South Dakota Municipal League
• 2016 Legislative Session Update and Impacts to SD Cities
• Lessons Learned from HB 1116
• Legislation important to SDCMA Members in 2017

5:00 p.m.  Meeting adjourns

Friday, April 29

9:00 a.m.  Keeping Your Glass Half Full—Staying Optimistic During Challenging Times in Local Government
Malcom Chapman is a professional speaker and a former Rapid City Councilman. Malcom’s inspiring message and training techniques will address the following topics
• Dealing with difficult citizens
• Coping with personal stress
• Finding Focus
• Reinvigorating your passion for public service
• What to do when things go south

10:30 a.m.  Sharing and Therapy: What is going on in my community

12:00 p.m.  Adjourn

SD City Management Association Spring Training • April 28-29, 2016

Municipality Representing ____________________________________________________________

Name __________________________ Title __________________________ Email __________________________

Name __________________________ Title __________________________ Email __________________________

Registration fee: $50.00 for affiliate members and $85.00 non-members.

Accommodations: Be sure to mention you are with the City Management Association. Make reservations by March 28 to guarantee the conference rate. ClubHouse Hotel and Suites, 605-494-2582, Queen rooms — $129.00 + tax and King rooms — $134.00 + tax.

_______ person(s) @ $50.00 each = $__________  _______ person(s) @ $85.00 each = $__________

Return registration with payment by April 15, 2016 to: SD City Management Association
208 Island Drive, Ft. Pierre, SD 57532

No refunds will be given after April 15, 2016.

Office Use Only: Date:_________________ Check #:_________________ Amount:_________________
...of the 309 municipalities in South Dakota, less than 15 have full time professional Human Resource personnel. Most HR duties are added responsibilities for existing city staff. This training will help anyone with HR responsibilities become better informed in this field, learn who to call on when they need help and where to turn to find resources.

**Agenda**

**Tuesday, June 7**

12:15 p.m. Registration

1:00 p.m. General Business Meeting

1:15 p.m. What you need to know about Wage and Hour (Public Sector)
   Sharon Holt, Investigator, U.S. Department of Labor

3:15 p.m. Break

3:30 to 5:00 p.m. FLSA Updates for Municipalities... and Much More
   Chris Hoyme, Principal, Jackson Lewis P.C.

5:30 p.m. Social

6:00 p.m. Dinner Theater
   Dinner and entertainment featuring the Bukit Litz Players from Spearfish Variety show
   including a One-act Comedy, Musical Numbers and more!

**Wednesday, June 8**

7:30 a.m. Continental Breakfast

8:00 a.m. Workers Compensation Road Map: Q & A
   • Compensability • Denials
   • Benefits • Wheeler Decision/HB 1084
   Jennifer Seitzler, Workers’ Compensation Claims Manager, Claims Associates, Inc.

8:45 a.m. SDPAA Coverage Levels and Updates
   Paytra Nichols, Assistant Underwriter, SDPAA

9:15 a.m. Break

9:30 a.m. How to Correctly Take and Defend Disciplinary Action
   Chris Hoyme, Principal, Jackson Lewis P.C.

11:00 a.m. to 11:30 a.m. Veterans Preference Laws
   Larry Zimmerman, Secretary, SD Department of Veterans Affairs
   Aaron Pollard, Deputy Secretary, SD Department of Veterans Affairs

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**2016 Human Resource School • June 7-8, 2016**

**Municipality Representing __________________________________________________________**

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(Please print or type the name and title as you want them to appear on your name badge)

**Registration fee:** $50.00 for affiliate members and $100.00 non-members.

**Accommodations:** Mention you are with the SDML Human Resource Association. Make reservations by May 7 to guarantee the conference rate. Holiday Inn, 605-642-4683 or online at www.holiday-inn.com/spearfishsd and using the Group Code HRA, $99.95 + tax.

______ person(s) @ $50.00 each = $_______  _______ person(s) @ $100.00 each = $_______

**Return registration with payment by May 25, 2016 to:**  SD Governmental Human Resource Association
208 Island Drive, Ft. Pierre, SD 57532

*No refunds will be given after May 25, 2016*
SD Governmental Finance Officers’ School
June 8, 9, & 10, 2016 • Holiday Inn Convention Center • Spearfish, SD
Preliminary Agenda

Wednesday, June 8

10:30 a.m. – 12:30 p.m. Banyon User Group – Swarm Room
   Jeff Christensen, President, Banyon Data System, Inc.
   Utility Billing, Point of Sale, Fund Accounting, Payroll and New Products will be covered.
   Banyon will be available for individual Q&A following the User Group meeting until 2:00.

Door Prizes will be given away throughout the school – must be present to win.

Noon – 4:00 p.m. Registration – Convention Center Lobby

12:45 p.m. WELCOME by Spearfish Mayor Dana Boke – Oak/Cedar Rooms

1:00 – 1:30 p.m. Business Meeting

1:30 – 2:00 p.m. To Be Announced

2:00 – 2:45 p.m. Legislative Update
   Yvonne Taylor, Executive Director, SD Municipal League

2:45 – 3:00 p.m. Break – Convention Center Lobby

3:00 – 4:00 p.m. Basic Accounting – Oak/Cedar Rooms
   Rod Fortin, Director of Local Government Assistance, SD Department of Legislative Audit

2:45 – 5:15 p.m. Golf Tournament – Elkhorn Ridge Golf Club
   6845 St. Onge Road, Spearfish
   *$28.75/person, includes cart, bottle of water, range balls and 9 holes

6:00 – 8:30 p.m. Welcome Reception and Dinner – Spearfish City Park Central Shelter, 119 S. Canyon Street
   BBQ Dinner 6:30-7:30 – Sand Volleyball – Cornhole – Visit DC Booth Fish Hatchery

   Hospitality room at Holiday Inn opens from 8:30 p.m. – 11:30 p.m.

Thursday, June 9

7:15 – 8:00 a.m. Breakfast Buffet – Ponderosa/Cottonwood Rooms

8:15 – 9:45 a.m. General Session – Oak/Cedar Rooms
   Keynote Speaker: Steve Gilliland, CSP, CPAE
   With an appeal that transcends barriers of age, culture and occupation—plus an interactive and entertaining style—Steve shows audiences how to open doors to success in their careers, their relationships and their lives.

9:45 – 10:00 a.m. Break – Convention Center Lobby

10:00 – 10:55 a.m. Concurrent Sessions (Pick one; these sessions will be repeated in the afternoon)
   • Utility Billing Panel – Willow Room
     Meri Jo Anderson, Finance Officer, City of New Underwood
     Anita Lowary, Finance Officer, City of Groton
   • De-Escalating Verbal Conflict – Aspen Room
     Dr. Pat Simpson, Dean, College of Education and Behavioral Sciences, BHSU
   • To Be Announced – Spruce Room
11:00 – 11:55 a.m. Concurrent Sessions (Pick one; these sessions will be repeated in the afternoon)
- The World of Liquor – Willow Room
  Marne Dooley, Revenue Section Coordinator, Property and Special Tax Division, SD Department of Revenue
  Jody Cloud, Property and Special Tax Division, SD Department of Revenue
- Preparing for an Audit – Aspen Room
  Rod Fortin, Director of Local Government Assistance, SD Department of Legislative Audit
- Code Enforcement – Spruce Room
  Dave Smith, Code Enforcement Officer, City of Sturgis
  Geoff Fillingsness, Code Enforcement Officer, City of Beresford
  Tom Frieberg, City Attorney, City of Beresford

12:00 – 12:45 p.m. Lunch Buffet - Years of Service Pins will be Presented – Ponderosa/Cottonwood Rooms

1:00 – 2:30 p.m. General Session – Oak/Cedar Rooms
  Keynote Speaker: Steve Gilliland – continued

2:30 – 2:45 p.m. Break – Convention Center Lobby

2:45 – 3:40 p.m. Concurrent Sessions (Pick one)
- Utility Billing Panel – Willow Room
  Meri Jo Anderson, Finance Officer, City of New Underwood
  Anita Lowary, Finance Officer, City of Groton
- Preparing for an Audit – Aspen Room
  Rod Fortin, Director of Local Government Assistance, SD Department of Legislative Audit
- To Be Announced – Spruce Room

3:45 – 4:40 p.m. Concurrent Sessions (Pick one)
- The World of Liquor – Willow Room
  Marne Dooley, Revenue Section Coordinator, Property and Special Tax Division, SD Department of Revenue
  Jody Cloud, Property and Special Tax Division, SD Department of Revenue
- De-Escalating Verbal Conflict – Aspen Room
  Dr. Pat Simpson, Dean, College of Education and Behavioral Sciences, BHSU
- Code Enforcement – Spruce Room
  Dave Smith, Code Enforcement Officer, City of Sturgis
  Geoff Fillingsness, Code Enforcement Officer, City of Beresford
  Tom Frieberg, City Attorney, City of Beresford

6:00 p.m. President’s Social – Ponderosa/Cottonwood Rooms

7:00 p.m. Finance Officer of the Year Banquet – Ponderosa/Cottonwood Rooms
  Speaker: Dr. Priscilla Romkema, Dean, College of Business and Natural Sciences, BHSU
  Hospitality room opens after Banquet until 11:30 p.m.

Friday, June 10

Municipal Pride Day!
Wear a shirt, hat or pin that promotes your city!

7:30 – 8:15 a.m. Breakfast Buffet – Ponderosa/Cottonwood Rooms

8:15 – 8:30 a.m. Last Minute Announcements – Oak/Cedar Rooms

8:30 – 10:00 a.m. To Be Announced

10:00 – 10:30 a.m. Break – Convention Center Lobby

10:30 – Noon Property Taxes 101 – Oak/Cedar Rooms
  Wendy Semmler, Property Tax Program Manager, SD Department of Revenue

Registration form can be found online at www.sdmunicipalleague.org under SDML Events.
2016 - 2017
"FINANCE OFFICER OF THE YEAR"
Official Nomination Form

All nominations must be submitted in writing by May 1, 2016. The Finance Officer of the Year award will be presented during the 2016 Finance Officers’ School held June 8-10 in Spearfish.

Name of Nominee: __________________________________________

Position: ___________________________________________________

Years of service to the municipality: _______________________________________________________________________

Contributions to the municipality as a Finance Officer: ____________________________________________________________
__________________________________________________________________________________________________________
__________________________________________________________________________________________________________

Contributions to the community as a citizen: ________________________________________________________________
__________________________________________________________________________________________________________
__________________________________________________________________________________________________________

Significant contributions to any other organizations: ____________________________________________________________
__________________________________________________________________________________________________________
__________________________________________________________________________________________________________

Personal accomplishments: ____________________________________________________
__________________________________________________________________________________________________________
__________________________________________________________________________________________________________

Other Comments: ____________________________________________________________
__________________________________________________________________________________________________________
__________________________________________________________________________________________________________

Submitted by: ___________________________ Phone: ______________________________

DEADLINE: May 1, 2016
Nominations will be kept confidential.
Use additional paper if necessary.
Additional nomination letters are welcome.

Please submit to: South Dakota Municipal League
208 Island Drive
Ft. Pierre, SD 57532
Fax: 605-224-8655
**Scholarship Funds Available**

**SD Building Officials’ Association Scholarship**
The scholarship is to attend the ICC Code Hearings Conference. Applicant must be a voting member of the South Dakota Building Officials’ Association and a voting member of the ICC or become one prior to scholarship award.

The Scholarship fund allows for reimbursement for expenses related to registration, airfare, lodging, transportation, and meals not included in the conference package. Recipient is responsible for keeping all receipts and submitting them to the SDML for reimbursement. All reimbursement costs are subject to SDBOA board approval.

One scholarship to be awarded to an individual that has not previously attended an ICC Code Hearing, and one scholarship will be awarded to an individual that may have attended a previous ICC Code Hearing in the past.

Scholarships to attend the ICC Code Hearings are NOT limited to in-state use only.

Approval of the applicant’s City Council, Commission, or Supervisor must be received with application.

All applications must be received in the office of the SDML, 208 Island Drive, Ft. Pierre, SD 57532 or fax to 605-224-8655, no later than July 1 each year to be eligible. Notification of award will be given a week later.

An official scholarship form can be obtained by visiting www.sdmunicipalleague.org then the Building Officials section under the Affiliate Organizations tab.

**SD Association of Code Enforcement Scholarship**
The scholarship is to attend the American Association of Code Enforcement (AACE) Conference which will be October 24-28, 2016 in New Orleans, LA and information can be found at: http://www.aace1.org/.

Applicant must be a member of the SD Association of Code Enforcement.

SoDACE will pay for roundtrip airfare, lodging for the conference dates only, AACE conference registration fee, transportation (taxi, airport shuttle; not rental car) and meals not included in the conference package. Recipient is responsible for keeping all receipts and submitting them to SDML for reimbursement. All reimbursement costs are subject to SoDACE board approval.

Please submit application to the SDML, 208 Island Drive, Ft. Pierre, SD 57532 or fax to 605-224-8655 by July 1, 2016, to be considered for the scholarship.

An official scholarship form can be obtained by visiting www.sdmunicipalleague.org then the Code Enforcement section under the Affiliate Organizations tab.

**SD City Management Association Scholarship**
The scholarship is to attend the 2016 ICMA Conference which will be September 25-28 in Kansas City/Jackson County, Missouri. Applicant must be a member of the SD City Management Association.

SDCMA will reimburse the City of the scholarship recipient $1,500.00 toward expenses related to registration, airfare, lodging, transportation, and meals not included in the conference package. Recipient is responsible for keeping all receipts and submitting them to the SDML for reimbursement. All reimbursement costs are subject to SDCMA board approval.

Please submit the completed application to SDML, 208 Island Drive, Ft. Pierre, SD 57532 or fax to 605-224-8655 no later than June 1, 2016, to be considered for the scholarship.

An official scholarship form can be obtained by visiting www.sdmunicipalleague.org then the City Management section under the Affiliate Organizations tab.

**SD Municipal Street Maintenance Association Scholarship**
The scholarship is to attend the American Public Works Association Conference which will be August 28-31, 2016 in Minneapolis, MN and information can be found at http://www.apwa.net/Congress.

Applicant must be a member of the SD Municipal Street Maintenance Association.

SDMSMA will pay the cost of mileage at the state rate, lodging for the conference dates only, APWA conference registration fee and meals not included in the conference package at the state meal rate. Recipient is responsible for keeping all receipts and submitting them to the SDML for reimbursement. All reimbursement costs are subject to SDMSMA board approval.

Please submit the completed application to SDML, 208 Island Drive, Ft. Pierre, SD 57532 or fax to 605-224-8655 no later than June 1, 2016, to be considered for the scholarship.

An official scholarship form can be obtained by visiting www.sdmunicipalleague.org then the Street Maintenance section under the Affiliate Organizations tab.
**Funding for Trails**

South Dakota State Parks Director Doug Hofer announced that applications are being accepted for grants from the Recreation Trails Program (RTP). The grants will be available for trail projects sponsored by municipalities, counties, state parks, federal land management agencies or tribal governments.

“When it comes to promoting healthy communities, recreational trails are key,” Hofer said. “As safe corridors for exercise and recreation, trails give families the opportunity to spend quality time together and enjoy the natural beauty of our state.”

The Recreational Trails Program provides partial reimbursement for approved trail projects. Eligible projects include construction of new public trails, rehabilitation of existing public trails, development of trail-related facilities and educational programs that relate to recreational trails.

The program provides up to 80% reimbursement funds for all kinds of recreational trail uses including, but not limited to: Pedestrian use, Bicycling, In-line skating, Equestrian use, Cross-country skiing, Off road motorcycles, OHV & UTV riding, Four wheeling, and Snowmobiling.

The application deadline is Friday, April 15, 2016.

RTP funds come to the state through the Federal Highway Administration and are apportioned to states by Congress to fund both motorized and non-motorized public recreation trail projects. The amount available is based upon the number of recreational vehicles licensed in each state.

Application packets are available online at the Game, Fish and Parks website, http://gfp.sd.gov, under the Agency Information tab. For more information, contact Grants Coordinator Randy Kittle at 605-773-5490 or by e-mail at randy.kittle@state.sd.us.

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**Grants Available for Local Mosquito Control Programs**

The Department of Health is again offering grant funds to help South Dakota cities, counties and tribes control mosquitoes and prevent West Nile virus (WNV).

“Personal protective measures and strong community mosquito control programs at the local level are the keys to reducing the risk of West Nile,” said Susan Gannon, outbreak response coordinator for the department. “We’re pleased to have funding to help support those local efforts again this year.”

Gannon said the department has a total of $500,000 in grant funding available for local mosquito control programs. Individual grant awards could range from $500 to $20,000 and will be based on the population of the applying jurisdiction and its number of human WNV cases through 2015.

Since WNV emerged in South Dakota, the department has provided local control programs with $5.6 million in support, including direct grant funding as well as mosquito control chemicals.

Since the state’s first human case in 2002, South Dakota has reported 2,208 cases, including 696 hospitalizations and 32 deaths. Every county has reported cases.

Grant applications are available on the department’s WNV website, westnile.sd.gov. The deadline for submitting applications is June 1. Grant awards will be issued after July 1.

Local Road Grant Funds Available

The South Dakota Department of Transportation is now accepting applications for its Community Access, Industrial Park and Agri-Business Grant Programs. Funding for these programs has increased to $2.5 million for the Community Access Grant Program, $1 million for Agri-Business and $0.5 million for the Industrial Park Grant Program.

These programs provide for 60% of the construction costs of the project, not including engineering or utility work.

The Community Access Grant Program provides funds on a competitive basis to communities with populations less than 5,000 for use on new projects involving the repair or replacement of important local roads, such as the road to the elevator, to the school or hospital and in the main business district.

The Community Access applications are due to the SDDOT by July 15, 2016 with a maximum grant amount of $400,000. The application deadline is intended to provide successful applicants sufficient lead-time to complete design of projects prior to the 2017 construction season. Only applications for projects that have not been constructed will be considered.

The Industrial Park grants will be made to any local unit of government for the development of new or expanded access for new industry located within industrial parks. Applications are due April 15, July 15, or October 15.

The Agri-Business grants will be made to any local unit of government for the development of new or expanded agri-business industries. Applications are due April 15, July 15, or October 15.

The applications are reviewed by SDDOT as well as the Governor’s Office of Economic Development before being considered by the Transportation Commission.

Applications are available from: SD Department of Transportation, Office of Local Government Assistance, 700 Broadway Avenue East, Pierre, SD 57501, or can be downloaded from the Internet at: http://sddot.com/business/local/economic/Default.aspx. For additional information please contact Paula Huizenga with the SDDOT at paula.huizenga@state.sd.us or 605-773-6253.
Summer Recreation Programs Risk Management

By Kristina Peterson, Director of Underwriting, SDPAA

Summer is right around the corner, the time of year when we enjoy a wide variety of outdoor recreation. Many SDPAA Members are involved in hosting, sponsoring and/or promoting outdoor recreational opportunities as vital community services. From playgrounds and arts to water and sports, communities in South Dakota are busy providing summer activities and fun for people (and pets!) of all ages.

Along with the educational, physical fitness, and entertainment aspects which entity-sponsored summer recreation activities provide, comes a duty for the entity to protect the safety of participants, employees and volunteers to reduce the risk of injury, death, damage or liability as a result of participation in recreational offerings.

Sometimes activities and programs are sponsored solely by the public entity, sometimes they are co-sponsored with other businesses or organizations, and sometimes an outside group or organization utilizes public property or facilities for their recreational purposes. Whatever the case, there are risk management considerations and loss control measures the public entity must entertain prior to activities and programs.

In general, regardless of what the entity’s role is in providing for or allowing recreational activities on public property, the following measures should be taken:

- Ensuring public property is maintained and meets any required or expected standards (i.e. Consumer Products Safety Commission standards for playgrounds). Property and equipment should be regularly inspected with documentation/records of inspections appropriately filed.
- Supervision is performed by appropriately screened and trained employees and/or volunteers.
- When warranted, ensure appropriate first aid, ambulance, fire department, security, and/or law enforcement are in place.
- When warranted, individual waivers of liability should be signed by participants. Information regarding waivers, and sample forms can be found on our website, www.sdpaaonline.org.
- When warranted, Facilities Use Agreements should be entered into. These agreements should contain insurance requirements and hold harmless/indemnification language. For example, a City-owned baseball field is being utilized by a Baseball Association. In the Agreement between the City and the Baseball Association setting out the terms and conditions for use of the field, the City should require the Association to show evidence that the Association maintains at least $1,000,000 in liability insurance and has added the City as an additional insured on the policy. Individual waivers of liability signed by each participant (or parent/legal guardian in the case of minors) should reflect both the Association and the City as being held harmless. Facilities Use Agreement, hold harmless/indemnification clause language, and insurance requirements information is also available on the SDPAA’s website.
- All contracts with vendors and all facility use agreements should be reviewed by the entity’s attorney.

SDPAA staff welcomes your questions regarding risk management of your summer recreation activities. Please contact our office at 800.658.3633 for assistance. And, a safe and enjoyable summer to all!

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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
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

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- Laser Engraving
- Decals
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Spring Maintenance Season is Upon Us

By Greg Vavra & Ken Skorseth, SDLTAP

A recent visit with a retired street superintendent was interesting. He stated the spring pothole and breakup period on paved streets was his biggest challenge in nearly 30 years of management. This article will focus briefly on a good approach to spring pavement repair.

Some good advice is always focus on long-term pavement management. That may be hard to do when there are immediate needs and citizens are clamoring for quick response to their complaints. The common pothole often causes the biggest headache. It is best to patch small potholes as quickly as possible before the problem expands to major pavement breakup.

The challenge is what is the most effective way to patch potholes? It’s never easy when it is cool and wet. On very low volume streets (i.e., under 50 vehicles per day), it may be cost effective to simply put recycled asphalt or even gravel in the holes for a quick fix until the subgrade stabilizes, the weather warms, and permanent repair can be done. Cold-mixed asphalt still works, but not without preparation. First, a way of drying and blowing debris out of the hole needs to be done. Next, the mix needs to be warm and workable. Some agencies use “hot trailers” or often referred to as a “hot box” to do this. That is very helpful, but be careful not to overheat the mix and harden the binder in the mix. Finally, always do some method of compaction even if it is just wheel compaction with a maintenance vehicle. Never use the old “throw and go” method! Simply throwing some patch mix in the hole and moving on, assuming traffic will compact it, does not work.

Higher quality patching methods, such as, spray injection or full-depth cutout and replacement of base and surfacing have much higher success rates. Spray injection requires the right type of emulsified binder that is compatible with the stone being used and a skilled worker at the end of the spray injection hose. That may not seem important, but operator skill really is a key factor in spray injection patching. Full-depth cutout is generally done later in the season.

There are many specialty pothole patching mixes on the market. We advise caution in selecting one of these products. Some have provided reasonably good performance; some have failed. As with any product, we advise testing it in small quantities before making a commitment for a large purchase. Most of these are expensive in cost per ton, but could be very cost effective if they perform well. Some of you may be aware of a recent test of a product called Aquaphalt™ by the City of Sioux Falls. The manufacturer guarantees the product will work even when placed with water in the hole. We will monitor this and report to our customers.

Once again, we advise: always think long-term. If a street is in overall fair to poor condition, don’t spend a lot of money on repairs. If it is scheduled for rehabilitation in the near future and traffic volume is low, it may be wise to temporarily place reclaimed asphalt over the holes or even some good quality surface gravel. Another thing to consider: if utility replacement is scheduled in the next year or two, don’t spend a lot of money on street repair.
since major repair will have to be done again during utility construction.

Here is some final advice. Many potholes and nearly all major pavement breakup is due to poor base and subgrade strength and/or poor drainage. Repair of subgrade and base is generally the real key to pavement performance along with good drainage. That type of repair cannot be done until later in the season when soils are stable, haul roads are stable and weather is suitable for a larger project. However, this repair is the most cost effective in the long term. The article will not cover construction techniques, but removing weak and unstable soils – generally to a depth of 12 to 18 inches, possibly using geotextile fabric stabilization over the prepared subgrade, then bringing in good quality base aggregate and compacting it in fairly thin layers will correct 90% of the problems that lead to surface problems in pavement.

We want all of our customers to have a good maintenance season in 2016.

For more information contact Greg Vavra, SDLTAP Program Manager, email Gregory.vavra@sdstate.edu or call 605-695-0901.
GOED’s REDI Fund Loan to Assist Vermillion Technology Center Reach Full Capacity

Vermillion’s 32,000-square-foot state-of-the-art technology center will be operating at full capacity thanks to a REDI (Revolving Economic Development and Initiative) Fund loan, approved last month by the Board of Economic Development. The approved financing will assist the Vermillion Area Chamber & Development Company (VCDC) lease space to two companies, Biotest Pharmaceuticals Corporation (“Biotest”), whose headquarters are based in Boca Raton, FL, and Navigant Cymetrix Corporation (Navigant Cymetrix), based in Irvine, CA.

“It’s a pleasure to welcome Biotest to South Dakota, and I’d like to congratulate both companies on their decisions to move into the Vermillion Technology Center (VTC),” Gov. Dennis Daugaard said. “The VTC is a great facility, and I’m pleased to hear the REDI Fund can assist with securing two quality companies.”

Navigant Cymetrix, which now includes the former Alleviant LLC operations following a merger of those two entities, provides healthcare organizations and physician practices with comprehensive business process outsourcing solutions. The company initially opened a facility in Vermillion in 2013 and currently employs approximately 70 professionals at that location.

Biotest is a leader in the collection of source plasma. The plasma collected is used to manufacture critical care therapies that treat life-threatening disorders in a variety of therapeutic areas. Biotest expects to bring approximately 50 jobs to the area with an expected average annual payroll of $1.8 million. Biotest owns and operates 18 plasmapheresis centers across the country and plans on expanding to a total of 22 facilities by the end of 2016.

“We’ve worked hard to bring and retain innovative businesses to Vermillion,” said Nate Welch, VCDC executive director. “We’d really like to thank the GOED and the Board of Economic Development for partnering with us on this project. The support we’ve received from the VCDC board of directors and the community has helped us fully capitalize on for this beautiful building.”

Welch says after completing minor renovations, Navigant Cymetrix will be fully moved into the VTC by May. The space Biotest will occupy requires some remodeling and the company should be moved in and operating by October.

Please visit www.sdreadytowork.com/finance, for more information about the REDI Fund program and other GOED finance programs.
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The object is simplicity.
National League of Cities Announces
2016 Federal Priorities

By Clarence Anthony, CEO & Executive Director, National League of Cities

Nearly seven years after the Great Recession, many of you are reporting improvement in your local economy. Job growth, increasing residential property values, and retail sector health are helping to put cities on a stronger fiscal footing. Despite cuts in federal and state aid, you continue to raise the bar, increasing citizen engagement and government transparency and improving the quality and accessibility of city services.

However, we know there is another side to this story. While we see an economy that continues to outpace the rest of the world in innovation and entrepreneurship, we also see one weighed down by slow productivity growth and stagnant wages. Critical infrastructure across the nation is in a state of neglect and disrepair. Rising home prices are helping replenish local tax bases, but at the same time exacerbate the affordable housing crisis.

Cities work best when the economy works for every resident. True to the founding principles of this organization more than 90 years ago, we believe when the most trusted level of government has the authority to implement locally-driven solutions, our communities grow stronger. We also believe a well-functioning partnership among all levels of government is imperative.

NLC’s 2016 federal priorities reflect important issues around the economy, infrastructure and public safety, providing a framework to empower cities to address the challenges we face and move our nation forward. Specifically, NLC calls on Congress and the administration to:

- **Close the online sales tax loophole**
  Today’s marketplace offers more choices than ever. But simply put, the playing field isn’t level for all sellers - and states and localities are unable to collect more than a fraction of the revenue that’s owed. Over 23 billion dollars a year are lost. That’s why we’re calling on Congress to close the online sales tax loophole by passing e-fairness legislation.
- **Protect the tax exemption for municipal bonds**
  Protecting the tax exemption for municipal bonds is critical to local government’s ability to respond to community needs. If the tax exemption is eliminated or limited, states and localities will be forced to pay more to finance projects, leading to less infrastructure investment, fewer jobs and a greater burden on local residents in the form of higher taxes and fees.

- **Reform federal sentencing**
  We urge Congress to reform the federal criminal justice system to allow for greater flexibility in sentencing and increased resources to support re-entry programs. Reentry programs tailored to the specific needs of our communities are essential to reduce recidivism and bolster the success of ex-offenders. We call on Congress to pass the “Sentencing Reform and Corrections Act of 2015” (S. 2123), which adjusts prison sentences for certain non-violent drug offenders, targets violent criminals, and supports recidivism reduction programs. We also support the Second Chance Reauthorization Act (S. 1513/H.R. 3406), which would provide resources to local governments to improve outcomes for individuals returning to communities reducing in recidivism rates.

- **Reauthorize the EPA brownfields program**
  Many local governments, out of necessity, take ownership of brownfields properties. The U.S. Environmental Protection Agency (EPA) Brownfields Program provides grants and technical assistance to communities and other stakeholders, giving them the resources they need to prevent, assess, safely clean up, and sustainably reuse brownfields. The EPA Brownfields Program is vital for local governments in aiding their redevelopment efforts and supporting the productive reuse of property which otherwise remains a blight on the community. To strengthen the program, NLC calls on Congress to expand liability protections for local governments that acquire contaminated brownfields sites but had no involvement in the contamination, as well as increase the assistance available under the program.

In addition to these priorities, we will monitor and advocate for the interests of cities on other important issues. In 2016, NLC will work to:

- **Revise the “Waters of the U.S.” rule**
  We support congressional efforts to direct the EPA and the Army Corps of Engineers to create a more open and transparent rulemaking process with input from all levels of government. Cities need federal regulators to conduct a comprehensive regulatory and economic impact analysis on how the rule will impact each Clean Water Act program. We also support revising the rule in a way that addresses lingering concerns regarding the certainty and clarity of the terms of the existing rule.

- **Ensure swift implementation of the Fixing America’s Surface Transportation (FAST) Act**
  The legislation may have passed, but the work has just begun. We are working closely with the U.S. Department of Transportation to ensure the FAST Act provides local leaders with the greatest possible control over how federal funding is spent in their regions.

We’ll work hard throughout the year to move this agenda forward, but we need you to be involved. Cities are strong when we stand together.
GFOA’s 2016 Federal Outlook

By Dustin McDonald, GFOA’s Federal Liaison Center

The 2016 congressional agenda will be geared toward shaping and supporting the debate among presidential candidates, leading up to the November election. With Republican and Democratic congressional leaders focused on producing positive election outcomes, the congressional agenda will focus on volatile and divisive policy issues that each party hopes will resonate with voters and drive party faithfuls to the polls. In the background, Congress and federal departments and agencies will continue to deliberate on legislative and regulatory proposals that are of concern to state and local government finance officers. GFOA priority items in these discussions will include continued efforts to overhaul the federal tax code through comprehensive reform, attempts to revise the Dodd-Frank Wall Street Reform and Consumer Protection Act (Dodd-Frank Act), support of legislation that classifies investment-grade municipal bonds as high quality liquid assets (HQLA), education efforts surrounding public pension systems, ongoing efforts to repeal or significantly reform the Affordable Care Act (ACA), and consideration of legislation dealing with taxation of internet access and state and local collection of taxes on remote sales.

GFOA will also monitor and comment on the Internal Revenue Service’s 2015 proposal on a new definition for the issue price of a municipal bond. Below is an overview of expected federal activity in 2016, including discussion of GFOA’s related advocacy campaigns.

**Tax Reform**

While 2015 discussions on comprehensive tax reform between congressional leaders and the White House broke down, House and Senate tax writing committees began to identify portions of the federal tax code that could be the subject of future reform. Last April the Senate Finance Committee, under the new leadership of Chairman Orrin Hatch (R-Utah), divided into working groups to review the tax code and solicit recommendations on restructuring portions of it to lower corporate and individual tax rates, close corporate tax loopholes and simplify the tax code. The committee aggregated the recommendations, which will serve as the basis of their work on developing tax reform legislation this year. Under the leadership of Wisconsin Congressman Paul Ryan, the House Ways and Means Committee also spent a good portion of 2015 exploring tax reform.

Unlike the Senate, the House opted to organize a series of individual bills aimed at addressing reforms to select portions of the code. Several of these bills were approved by the House. With Congressman Ryan having ascended to the position of House Speaker last fall, his tax reform strategy is expected to continue in 2016 under new Ways and Means Chairman Kevin Brady (R-Texas). And while House and Senate committees continue their work in this area, they do so with an eye to 2017 as the nearest target for enacting such an overhaul, recognizing that tax-themed legislation and election years seldom pair successfully.

Tax reform, whether piecemeal or comprehensive, has numerous implications for state and local governments. GFOA’s Federal Liaison Center will continue to work cooperatively with others in the state and local advocacy community to protect the best interests of our members in the areas discussed below.

**Changes to Municipal Securities.** Congress and the presidential administration continue to present tax proposals that would limit or eliminate the federal tax exemption on municipal bond interest. Both of these suggested reforms would have a negative impact on state and local governments by increasing their bond issuance costs. For example, a 2013 report issued by a coalition of state and local government associations indicates that the White House proposal to impose a 28 percent cap on itemized investor deductions (to include tax-exempt interest) would increase issuer interest costs by at least 70 basis points. The report also estimates that eliminating the tax exemption would increase issuer interest costs by at least 200 basis points. GFOA will oppose any plans to cap the amount of municipal bond interest that taxpayers can exclude from their federal taxes, as well as oppose any proposals to eliminate the federal tax exemption altogether.1 GFOA will work with its state and local government association partners to educate Congress and the Administration on the utility of tax-exempt bonds and the value of this critical financing tool in meeting our country’s infrastructure needs.

**Deductibility of State and Local Taxes.** GFOA will work to defeat any proposals to limit or eliminate the federal deduction of state and local taxes. GFOA continues to support legislation that would permanently allow taxpayers to deduct state and local sales taxes on their federal tax return.

**Municipal Bonds**

In addition to the implications possible tax reform efforts could have on municipal securities, there are many other important bond-related matters that GFOA will continue to monitor, including the following.

**Disclosure Standards.** In July of 2012, the Securities and Exchange Commission (SEC) released a report citing the need for greater issuer disclosure standards for governments
that issue municipal securities. In 2014 the SEC’s Enforcement Division increased its focus on improving continuing disclosure compliance through the Municipalities Continuing Disclosure Cooperation (MCDC) initiative. Under the initiative, municipal bond issuers and underwriters were encouraged to self-report instances of material misstatements in bond offering documents regarding the issuer’s prior compliance with its continuing disclosure obligations. Initiative participants were offered predetermined and more lenient settlement terms than non-participants that the SEC deemed responsible for material misstatements.

GFOA urged members to exercise caution and familiarize themselves with the details of the initiative before consenting to engage in this program. For example, though the terms of the initiative preclude the SEC from imposing monetary fines on participating issuers, the SEC reserves the right to pursue separate enforcements against individuals within a government that it deems to be culpable of the misstatements. To help issuers approach the initiative, GFOA published three alerts, which are available at www.gfoa.org.

By the end of 2014 a large number of underwriters and issuers had filed under the initiative, and in 2015 the SEC settled 58 MCDC cases with underwriters, imposing $13.5 million in fines through two settlement rounds based on violations of SEC Rule 15c2-12. The rule, which prohibits an underwriter from purchasing or selling municipal securities unless an issuer has committed to annually provide financial information and operating data specified in a written continuing disclosure agreement (CDA), also requires underwriters to obtain and review a final official statement that discloses whenever the issuer has failed to file information required by the CDA during the previous five years. The first two settlement rounds focused on 2010 to 2014 violations in which underwriters failed to conduct adequate due diligence to identify misstatements and omissions before offering and selling bonds as required by SEC Rule 15c2-12. More than 90 percent of the violations that were the subject of the settlements were on negotiated bond deals, and violations included failure to file agreed-upon continuing disclosure as well as instances of filing instances.

Municipal market participants expect one more settlement round with underwriters before the SEC hones in on municipal securities issuers this year. In preparation for the issuer phase of settlements, GFOA is developing an alert to provide issuers with insights into how settlement cases with underwriters were organized. The alert will focus on what issuers should expect from the SEC, including the timeline during which municipal securities issuers should be prepared to act to settle their cases. For example, underwriting firms that received proposed settlement letters from the SEC were given only two weeks to sign them. Such a short turnaround could present significant challenges to issuers, which may need to gain approval from elected bodies before they can sign any such settlement.

**Implementing the Dodd-Frank Act.** GFOA is also expecting the SEC and the Municipal Securities Rulemaking Board to continue development of regulations that affect municipal securities issuers and the professionals they hire, related to the SEC’s approval of its final Municipal Advisors Rule in the fall of 2013. GFOA plans to comment on the rules in an effort to protect the interests of state and local governments. These expected new rules include a detailed regulatory framework over financial advisors and changes to regulations over broker/dealers.

**Legislation to Classify Municipal Securities as High Quality Liquid Assets.** In September 2014, the Federal Deposit Insurance Corporation (FDIC), the Board of Governors of the Federal Reserve System, and the Office of the Comptroller of the Currency (OCC) approved a rule establishing minimum liquidity requirements for large banking organizations. The liquidity coverage ratio rule was designed to ensure that large banks maintain liquid assets that can easily be converted to cash during times of national economic crisis. The rule identifies HQLA to meet the requirement but fails to include municipal securities in any of the acceptable investment categories (despite including foreign sovereign debt). Not classifying municipal securities as HQLA will increase borrowing costs for state and local governments to finance public infrastructure projects, as banks will likely demand higher interest rates on yields on the purchase of municipal bonds during times of national economic stress, or even forgo the purchase of municipal securities. The resulting cost impacts for state and local governments could be significant, with bank holdings of municipal securities and loans having increased by 86 percent since 2009:

In the absence of cooperation from the FDIC and OCC in amending the rule to account for investment-grade municipal securities, GFOA is working with bipartisan champions in Congress to change the rule through legislation. On November 3, 2015, the House Financial Services Committee voted 56-1 to approve HR 2209, bipartisan legislation that would require federal regulators to classify all investment-grade, liquid, and readily marketable municipal securities as HQLA. The House is expected to vote on HR 2209 in February 2016, and GFOA is working with its state association partners on the introduction of a Senate companion bill. As these efforts move forward, GFOA asks its members to contact their representatives in Congress and engage them in supporting municipal securities issuers on this legislation. GFOA Federal Liaison Center staff has organized a resources page for this purpose, which is available through the federal government relations page at http://gfoa.org/flc.
Bank Qualified Debt Limit. GFOA will work with our state and local government and industry partners to increase the number of House cosponsors on HR 2229 – the Municipal Bond Market Support Act. HR 2229 would increase the bank qualified debt limit from $10 million to $30 million. Bank-qualified bonds were created in 1986 to encourage banks to invest in tax-exempt bonds and to provide smaller, less frequent municipal bond issuers with cost-effective access to credit by allowing them to bypass the traditional underwriting system and sell their tax-exempt bonds directly to local banks. In addition to the higher costs of issuance in the normal underwriting process, many small issuers have a difficult time selling their bonds because investors are not as familiar with them, also leading to a higher interest rate for small issuers. After 1986, bank-qualified issuers paid lower interest rates than other municipal borrowers – historically, 25 to 40 basis points less. The difference was entirely attributable to greater liquidity and increased demand from banks.

Congress temporarily increased that limit to $30 million in 2009 and 2010, but the limit reverted back to $10 million in 2011. GFOA is asking its members to send letters to their members of Congress encouraging them to sign on as cosponsors of HR 2229, and has organized a resource page on bank qualified debt to assist members in getting engaged. Draft letters and informational material is available in the resource center, which can be accessed on the federal government relations page at http://gfoa.org/flc.

IRS Redefining Issue Price. In October 2015 GFOA testified at the IRS hearing on its proposed issue price rule change. The proposed rule would maintain that the issue price of the bonds is the first price at which a substantial amount of the bonds is sold to the public as of the sale date, but replace the reasonable expectations standard with a 10 percent actual sales test. The definition of issue price is essential for determining the yield of a tax-exempt bond issue for arbitrage compliance purposes. At the hearing, GFOA explained that the use of actual sales prices likely will result in lower bond offering prices to ensure that each maturity of an issue would meet the 10 percent threshold. These lower bond prices would increase borrowing costs for issuers, increase bond yields for arbitrage purposes, and increase federal tax subsidies, while likely reducing net proceeds to issuers, who may be more adversely impacted, as the market demand for small maturities is frequently less than the demand for larger maturities, which are perceived to be more liquid.

GFOA offered several counter proposals, including the suggestion that the Internal Revenue Service (IRS) maintain current rules for competitive bond sales. We also suggested that for negotiated sales, in cases in which underwriters have not sold at least 10 percent of each maturity of an issue by the time the bond purchase agreement is signed, the issue price could still be established at the time of the bond purchase agreement signing if the underwriter had sold at least 50 percent of the entire issue by that time. The IRS is considering these suggestions and is expected to announce next steps in the agency’s February 2016 proposal.

Pensions and Compensation
Continued scrutiny of state and local government retirement plans are also expected to continue this year. GFOA, along with other Public Pension Network members (representing both state and local governments and retirement systems), will continue to educate members of Congress about the true fiscal condition of public pension systems, consider whether proposed initiatives support flexibility to provide retirement security to public-sector employees, and oppose congressional proposals to undermine state and local governmental authority to effectively govern and finance their pension plans. Congressional proposals to address pension “problems” are not limited to the plans that are in distress, but also impose a federal mandate on all state and local governments in areas that are the fiscal responsibility of sovereign states and localities, which creates conflicts as well as being administratively burdensome and costly.

An example is the Puerto Rico Assistance Act of 2015 (S 2381), legislation introduced by Senate Finance Committee Chairman Orrin Hatch that aims to address Puerto Rico’s potential bond default by slashing employee payroll taxes and extend targeted funding. Beyond addressing the situation in Puerto Rico, the bill would also tack on other broad public pension requirements that are not germane to the underlying legislation, and do not protect benefits, lower costs or improve retirement system funding. S 2381 includes language from the Secure Annuities for Employees (SAFE) Act, which would allow state and local governments to offer a new type of defined benefit plan consisting of individual deferred fixed income annuity contracts. These contracts would be purchased by state and local government employers on behalf of their employees from annuity providers whose contracts would be fully guaranteed by a state guaranty association.

Also included in S 2381 is The Public Employee Pension Transparency Act (PEPTA), sponsored in the past by Representative Devin Nunes (R-California) and Senator Richard Burr (R-North Carolina). This section of bill would require state and local governments to report their financial data to the U.S. Treasury Department as though they were invested only in U.S. Treasuries, rather than the diversified portfolios actually in use. This would create a false picture of the true condition of public pensions. State and local government plan sponsors that do not comply with the legislation’s reporting requirement will lose their abilities to issue tax-exempt
bonds and receive direct subsidies under the Build America Bonds program and other direct subsidy bond programs. GFOA will therefore continue to express our strong opposition to S 2381 and any attempts to introduce its components through other legislation.

In addition to the continued conversations about existing public pensions, Congress and the president have extended the conversation to initiatives that expand access to low-cost, high-quality retirement plans to all workers in the United States. In 2015 the focus was on employees of small companies who do not have access to a retirement savings program. In many of these proposed plans, the assets would be kept in the state’s Treasury. Encouraged by states that are already moving ahead with their own programs to improve retirement security, President Obama directed the Labor Department’s attention to establishing rules and guidelines for Secure Choice plans and their relationship with the Employee Retirement Income Security Act (ERISA) guidelines. In late 2015 the Department delivered those rules, which provide state-specific design features that would ensure the plans do not fall under ERISA preemption. As the rule develops alongside Secure Choice plans in states across the country, GFOA will continue to monitor and provide comment to the Department of Labor in 2016 in order to shape mutually favorable outcomes for finance officers as well as the Department of Labor.

Overtime pay will also be on the 2016 Congressional radar. GFOA, as part of a broader public employer group coalition, continues to ask Congress to ease the burden of a new rule that will sharply increase the number of U.S. workers who are eligible for overtime pay. The Department of Labor’s final rule on overtime eligibility raises the salary limit for who is eligible for overtime pay from $23,660 per year to $50,400, a change that would span diverse occupations and make millions more U.S. workers eligible for overtime pay. An informal 2015 GFOA member survey showed that while results of magnitude varied among employer groups, members overwhelmingly indicated that the impact would be widespread because of the outdated “duties” testing in public service careers as well as the increase in exempt employee salary threshold. Although the Labor Department’s original timeline had the bill going into effect late 2015 or early 2016, a revised timeline indicated that the rule is not likely to appear before late 2016 – a considerable relief for all employer groups across the country. GFOA will continue to educate Congress on the impact of this rule locally and across states, as Congress...
will likely consider legislation that will provide relief to the rule’s effect.

Health Care
On December 18, 2015, Congress passed legislation that will delay implementation of the excise tax on high-cost health insurance plans (what’s popularly known as the Cadillac tax) by two years. Adopted as part of the Patient Protection and Affordable Care Act (ACA), the Cadillac tax required that plans costing more than $10,200 annually for individuals and $27,500 for families be taxed at 40 percent of the costs above these limits. Thanks in part to an informational campaign conducted by GFOA, with a broad coalition of public and private employers, retirement systems, and many other interested groups, the omnibus spending legislation passed in late 2015 contains a two-year delay of the implementation of the Cadillac Tax. Repealing the Cadillac tax levied on high-cost employer-sponsored health coverage gained bipartisan and bicameral support throughout the last few months of 2015.

The Cadillac tax, originally intended to take effect in 2018, has well over half of the members in both chambers opposing the tax as cosigners on legislation that would fully repeal the tax. For example, on December 3, 2015, an amendment to repeal the tax easily passed the Senate in a 90-10 vote. This vote was merely symbolic, as the measure was tacked to the reconciliation bill, which the White House vetoed. While it was made clear that the White House would not support a two-year delay, the president did not veto the omnibus legislation, which included language for the postponement. Thus, implementation of the Cadillac tax has been postponed to 2020. GFOA will continue to monitor and advocate for ACA implementation funding alternatives that preserve the authority of state and local governments to design and maintain health insurance arrangements that are tailored to the specific needs of employers.

Marketplace Fairness and the Preemption of State and Local Government Taxes
For the past few years, state and local governments have witnessed a growing parade of industries actively urging Congress to preempt state and local government taxing authority of their particular industry through enactment of federal legislation. From the wireless industry, to the rental car industry, to online travel companies, these businesses ask Congress for preferential tax treatment at the expense of local communities, individuals and families. Many of these industry groups are already working with Congress to secure introduction of this kind of legislation. Some examples of these proposals include the Wireless Tax Fairness Act, the End Discriminatory State Taxes for Automobile Renters Act, the Digital Goods and Services Tax Fairness Act, and the Internet Tax Freedom Act (IFTA). GFOA and its partners in the state and local government community will continue to strongly oppose any federal preemption of state and local taxing authority. These measures threaten to reduce state and local tax revenues even as states and localities struggle to fund critical services like education, health care, and public safety. Moreover, they permit Congress to choose winners and losers at the expense of other industries, individual taxpayers and families, and state and local governments.

While most of this legislation was not considered during the 2015 legislative year, the IFTA was. Congressional champions of a permanent ITFA extension snuck the language of their bill (HR 235/S 431) into an unrelated measure (HR 644), which the House approved on December 11, 2015. However Senate leadership soon realized that they lacked the votes to pass the a measure that included permanent ITFA language, it thanks to a swift and direct information campaign from GFOA, its state and local government association partners, and a coalition of senators who support the groups’ position on ITFA. This successful advocacy efforts stalled Senate consideration of HR 644, forcing Congress to enact a one-year ITFA extension, which is a welcome contrast to a permanent extension of the ITFA.

As Congress returns to work, some Senators are expected to revisit their debate on enacting a permanent ITFA through HR 644, while others are likely to work to include the language of the Marketplace Fairness Act in the bill. The Marketplace Fairness Act legislation would compel retailers to collect and remit taxes to state and local governments on online purchases. Since GFOA opposes a permanent extension of ITFA and supports the Marketplace Fairness Act, it is asking senators to strip the permanent ITFA language from HR 644 and enact the Marketplace Fairness Act. The Federal Liaison Center continues to keep GFOA members apprised on all activity related to this effort and to ask members to reach out to the senators using the resources on our Marketplace Fairness Act and The Remote Transactions Parity Act Resource Center, which can be accessed at http://gfoa.org/flc.

Notes

Dustin McDonald is director of GFOA’s Federal Liaison Center in Washington, D.C.

Hello
nice place you have here.

JLG ARCHITECTS IS NOW IN SIOUX FALLS.
CNN, Forbes and Time Magazine have named Sioux Falls one of the best places to live in the United States. Inc. Magazine, Architectural Record, and the Zweig Group have named JLG one of the top architecture firms in the United States. We think this is the beginning of a beautiful relationship.
If you have any exposure to the daily news or, in some places, just look out your window, you can find more than ample proof that the world is a scary place. Life can be dangerous and difficult, and everyone is constantly looking for ways to minimize their risk.

**Recent Shooting Sparks Concern**

Sometimes our concern seems excessive. Everyone is familiar with the warning on any small electrical appliance, such as your toaster oven, that tells you not to use it in the shower or bathtub. It makes you want to write in and ask the manufacturer, who’s making toast in the bathtub? Sometimes, like with the recent tragedy involving WDIB employees in Virginia, circumstances leave us all shocked and scrambling for a way to ensure our safety.

The shooting in Virginia was terrifying. Vester Flanagan, a former employee, gunned down two coworkers on live television and used his own camera to record and later post the incident online. One of the victims, Adam Ward, had complained about the gunman to HR. Flanagan apparently believed the other victim, Alison Parker, had interacted with him in an inappropriate way.

Such heinous violence automatically spurs employers to review their hiring and screening processes, internal processes, including basic security measures like locking the doors, and other ways to keep employees safe. A workplace free from violence is particularly important considering the standards set by the Occupational Health and Safety Act (OSH Act), which provides that employers must maintain “a place of employment which is free from recognized hazards that are causing or are likely to cause death or serious physical harm.” That broad statement is referred to as the General Duty Clause.

Although the OSH Act doesn’t contain detailed standards for maintaining a safe workplace, the federal agency that enforces the Act, the Occupational Safety and Health Administration (OSHA), has issued safety guidelines and recommends that employers adopt a violence prevention program, which can be incorporated into the employee handbook.
How Can Violence Prevention Be ADA-Compliant?
In several recent news articles and blogs, writers have been circulating the idea that employers need to inquire more strictly into mental health issues at the time of hire or during the course of employment. However, as you know, the Americans with Disabilities Act (ADA) prohibits inquiries of that type into a job applicant’s background. Moreover, an employer cannot legally inquire about current employees’ medical conditions, except under fairly limited circumstances.

There have also been calls for forced mental health evaluations when people exhibit disturbing or “out-of-the-norm” behavior. Those demands were particularly strong after a suicidal Germanwings pilot crashed a plane into the French Alps last March, killing 144 passengers and six crew members. However, even in these situations, there are limitations that wouldn’t allow an employer to force an employee to undergo a mental health examination, particularly in industries less safety-sensitive than the airline industry. As you can imagine, determining what’s “out of the norm” could leave an employer open to all manner of discrimination complaints and concerns about disability discrimination and profiling.

None of this diminishes employers’ concerns about finding ways to keep employees safe. Immediately after the Virginia shooting, several employers canceled planned terminations for fear of copycat action. But how do you protect employees when a former coworker decides, two years after the allegedly offensive or discriminatory interaction, to exact revenge with a gun?

There is very little you can do to inquire into prospective employees’ mental health or stability. You can certainly check references with former employers to determine whether the employee worked well with others, was capable of teamwork, or had any red flag issues. Of course, the former employer must be willing to talk to you. Because many employers stick to “name, rand, and serial number” references to avoid lawsuits by former employees, useful data might not be available.

You can also employ basic processes such as North Dakota courts online search to determine if a candidate has an extensive criminal history or contract with a third party background check company to address such issues. However, having a criminal record isn’t necessarily indicative of future problems on the job, and too much reliance on old criminal convictions can run afoul of the Equal Employment Opportunity Commission (EEOC) guidelines.

You could do skills-based testing, but many tests have come under legal fire for being intrusive and containing inherent bias. Discrimination claims stemming from employment testing are fairly common. Further, testing cannot account for a person’s future mental changes, and the progression of mental health issues is tough to predict. Even if there was some magic crystal ball that allowed you to say “this person has an issue,” you would still have to make an ADA-based assessment about whether a perceived problem could be reasonably and appropriately accommodated in the workplace.

What If I’m Concerned About A Current Employee?
What happens when an existing employee begins behaving erratically? Acting out in ways that are inappropriate? Showing a disproportionate amount of anger? Or exhibiting any of a myriad of behavioral issues that can affect his own and his coworkers performance? Certainly, if the issues appear to be related to drug use and you have a properly published and implemented drug testing policy that allows for reasonable suspicion testing, you could require the employee to undergo a drug screen.

Referring the employee to your employee assistance program (EAP) could be an effective response to behavioral...
changes. Keep in mind that if your EAP requires counseling, you could be accused of violating the ADA by forcing an employee to undergo certain kinds of evaluation or treatment. And although your EAP may be a valuable workplace tool, it isn’t a panacea. An EAP is typically a short-term process that includes recommendations for long-term counseling when there is a continuing need. An employee with significant mental health issues is unlikely to be fully served by an EAP, and a referral to the program may only trigger further anger or upset.

You might choose to talk to the employee directly. The ADA requires employers to engage in an interactive process. If an employee is behaving in a way that makes you think that a health condition is having a negative impact on his work performance, it’s incumbent upon you, as the employer, to engage in the interactive process. That means initiating a conversation with the employee about his performance issues, any factors that may be affecting his ability to perform his job, and what, if anything, might help him alleviate and address any problems. Providing an employee the opportunity to talk with you about any workplace issues can help offset concerns and problems.

You can also offer the employee leave protected by the Family and Medical Leave Act (FMLA) if appropriate. Leave policies help when they allow leave for treatment, don’t punish the employee, and are well published so employees understand how to request leave. If an employee doesn’t have any leave or doesn’t know the procedure for requesting it, he might not take time off to seek treatment.

The ADA creates a narrow exception for employers that terminate employees who pose a direct threat to their own safety or the safety of others. The EEOC has defined “direct threat” as a “significant risk of substantial harm to the health or safety of [the] employee or others, which cannot be eliminated or reduced by a reasonable accommodation.”

An individualized assessment to determine if an employee poses a direct threat should include consideration of (1) the duration of the risk, (2) the nature and severity of the potential harm, (3) the likelihood the potential harm will occur, and (4) the imminence of the potential harm. Before taking any adverse employment action against an individual who may have a perceived or actual disability, you should document facts that support each of those four factors. Although the employee may still file a discrimination claim under the ADA, a thorough investigation and documentation establishing that he posed a direct threat to workplace safety may help insulate your company from liability.

If you choose to speak with an employee about his behavior, do it in a way that is non-confrontational and supportive, make sure you have another person present, and never get between the employee and the door. In fact, any time you conduct an employee interview, even if you have no concerns about the employee’s behavior, don’t put yourself between him and a way to leave.

If you try to talk an employee into staying, touch him, or engage in any other behavior that could impede his exit from the room, not only could you trigger inappropriate behavior, but you could also be accused of assault or even kidnapping. If the employee wants to storm out of the room, let him storm. You can follow him out to make sure he either calms down at his workstation or leaves the premises.

I’m Scared Of An Employee – What Do I Do?
When you have specific concerns about an employee’s behavior, it’s incumbent upon you to put in place a safety plan to address the issue. If you already have a workplace safety plan, review it to check the options that are available to you. Some employers don’t have on-site security or are located in rural areas with no law enforcement close by, which creates uncertainty about how to manage confrontational situations. You should be aware of the resources you can rely on to handle any issues.

Your local police or sheriff’s department. If you’re conducting a difficult termination or an employee is making threats or behaving erratically, contact the police or your local sheriff. Inform the officer or deputy that there has been a problem, ask for advice, and make sure the office knows that if someone from your company calls, you probably need assistance right away. You can even ask for extra patrols by your workplace if you anticipate vandalism or any other property crime. Make the police aware of when the termination will occur in case they want to help you out by having a patrol nearby. Off-duty officers can frequently be hired to provide security or recommend someone.

Domestic abuse and other violence hotlines and websites. A website can provide a wealth of information on how to manage an erratic person who is prone to violence. In some cases, the person with violent tendencies targets an individual employee or small group of employees. Domestic abuse websites can provide information on how to avoid potential issues as well as how to set up additional safety measures for individual employees.

Some proactive measures might include varying the time the potential victim leaves the building or ensuring that workers always leave in groups. You may need to change where an employee parks so she is closer to the front
General physical security. Always double-check the general physical security of your workplace. Make sure doors are locked, passwords and locks are changed, and any electronic access to the premises is cut off. Warn employees not to sit in the darkest corner of the parking lot alone at midnight. Ensure that security lights around the property and street lights are properly lit.

Bottom line.
Dealing with potential workplace violence starts to feel like a lose-lose situation when you’re an HR director. You begin to wonder if you should start playing the lottery and hope your winnings allow you to retire and avoid facing any of these issues. But you have to realize there’s no way to provide perfect security. As HR, you must evaluate the circumstances, assess the variables, and make judgment calls within the parameters of your situation, your policies, and the requirements of the law. Put safety first, and take it seriously.

Restraining orders. Restraining orders can be useful but are typically granted only upon request after someone has made an actual threat. Merely being afraid of an employee usually won’t be sufficient to convince a court to issue any type of restraining order. If an employee has made specific or direct threats, has destroyed property, is stalking someone at your workplace, or is making abusive or obscene phone calls, then the court will consider a restraining order against him. If you are granted a restraining order and the former employee wasn’t present in court when it was granted, you will want to mail him a copy of the order and provide local law enforcement with a copy so they know it’s in place.

This article first appeared in the November 2015 issue of the North Dakota Employment Law Letter. Reprinted with the permission of the publisher. For more information, contact BLR 800-274-6774.
Crafting a Plain-English Financial Policy

By Merrill King

Financial policies are critical in setting criteria for acceptable and unacceptable courses of action, government operations, and fiscal performance. When crafted well, they are of great benefit in guiding (and explaining) important financial decisions. But sound principles alone are not enough. Policies must be communicated effectively and accurately in order to be of practical use to end users and governing boards.

After a financial policy is developed, it must be adopted and implemented, and communicated to a wide variety of people (who have varying degrees of expertise) along the way. The policy should be accessible to everyone in its audience, especially those who don’t have the same depth of knowledge as the person or people who created it. In fact, it’s ironic that the deep knowledge one needs to create a financial policy can in fact be a roadblock to clear communication. Experts sometimes inadvertently use specialized concepts or language, or make incorrect assumptions about how much a non-expert knows about a given topic.

Identify Your Audience

It’s critical to identify your audiences from the outset. With financial policies, there is always more than one. Writing with these diverse audiences in mind will help guide the policy’s development.

The first group to consider is elected officials and other policymakers, including all applicable governing boards (e.g., councilmembers, appointed committee/board members, and, potentially, elected officials from oversight agencies at a state or regional government level). Keep in mind the current professions and backgrounds of these individuals whenever possible.

Another important segment of your audience is taxpayers and the general public. It’s important to understand

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A financial policy should be accessible to everyone in its audience, especially those who don’t have the same depth of knowledge as the person or people who created it.
demographics, level of engagement, how they can be influenced by interest, and so on. Consider the community’s historical level of engagement in local government issues and residents’ needs.

Finally, consider the policy’s end users, especially governmental employees (both current and future). Auditors will use the policy to judge your compliance, and rating agencies will employ it to discern fiscal soundness. Other financial professionals may draw upon it to provide services to your government, and your financial peers may make use of it for their own deliberations as a point of comparison or example.

**Cover All the Bases**

Most financial policies include sections about goals and objectives, scope, provisions, and administrative information. It can be helpful to start with an outline – a consciously structured skeleton of the final document.

**Goals and Objectives.** Sometimes labeled as a preamble or statement of purpose, the goals and objectives section of the policy states the principles that are critical to establishing agreement and buy-in of various audience members, particularly policymakers and end users. It also explains the policy’s relevancy. An excerpt from a policy of the City of Minnetonka, Minnesota, illustrates the basic information included in this section:

**Purpose of Policy:** This policy establishes appropriate level of fund balances in government funds to ensure the city maintains prudent financial resources to protect itself against the need to reduce service levels or raise taxes and fees due to temporary revenue shortfalls or unpredicted one-time expenses or mandates.

**Background:** The City of Minnetonka recognizes it is essential to maintain adequate fund balances in its government funds to mitigate against current and future risks, to ensure stable tax rates, and to provide for long-term financial planning. Historically, maintaining such balances has significantly contributed to recognition of the city’s continued creditworthiness, which has provided financial benefits to the city’s taxpayers including lower costs of borrowing. Furthermore, a policy to establish appropriate level of fund balance is desirable, so that excess government funds may be made available for alternative, appropriate uses.

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**Experts sometimes inadvertently use specialized concepts or language, or make incorrect assumptions about how much a non-expert knows about a given topic.**
Statement of Scope. The scope section sets out the parameters of the policy and identifies its application. Defining application boundaries enables the policy to be both comprehensive and concise. It helps prevent the policy’s audiences from becoming overwhelmed and keeps policy development targeted and realistic.

This text, taken from Minnetonka’s fund balance policy, lays out the policy’s scope simply and completely:

The following policy applies to the city’s general fund and capital funds and addresses the unrestricted portion of fund balances, which consists of committed, assigned, and unassigned classification of resources.

Provisions. The provisions section of the policy should provide guidelines with enough flexibility to accomplish the organization’s goals under different types of circumstances. It may also contain definitions and explicit numerical targets and goals as needed. (Specificity is best for clarity.) In addition, the provisions section may identify reporting requirements and timeframes for subsequent review of the policy.

Financial policies must appear in writing. The vocabulary and composition of that writing is hugely important in making it an effective communication tool.

The City of Minnetonka fund balance policy defines terms needed by its audiences to understand its provisions, as shown in the following examples:

- **Committed** balances are amounts that are constrained by formal action of the city council.
- **Assigned** balances are amounts intended for specific purposes as designated by the city manager.
- **Unassigned** balances are amounts that have not been designated for explicit purposes.

Administrative Information. Finally, a financial policy should be labeled with its dates of adoption and subsequent amendment(s). These notations identify its formal endorsement, delineate authentication, can provide historical context when it is reviewed in the future.

Put It in Writing

GFOA best practices are very clear that financial policies must appear in writing. The vocabulary and composition of that writing is hugely important in making it an effective communication tool.
First and foremost, use concrete language throughout the policy. Complex material requires simple language. Avoid jargon or other words that requires special knowledge or expertise. If you do need to use a special term, define it for laypeople. Always spell out acronyms.

The written policy should be concise. Avoid repetition and write with the goal of longevity, so that the text is understandable both now and in the future. The policy should not use the language of contemporary management and planning tools. Despite their usefulness, the vernacular of instruments such as Total Quality Management or Theory Z do not belong in financial policies.

**Design and Format.** Presentation can be a meaningful component in communicating financial policies to their intended audiences. Careful document design and formatting can boost effective communication. Effective use of formatting tools such as italics, boldface, bullets, numbering, colors, and fonts can create an executive summary of sorts, allowing readers to scan the documents and statements more quickly and find targeted provisions. By the same token, over-formatting can be counterproductive, generating visual confusion.

Tables are an effective way to present information, especially complex and multifaceted provisions of a finance policy. Note, however, that financial policies should not be presented in spreadsheets. Though Excel-style spreadsheets are familiar and useful to finance professionals, they may confound other readers and obscure the meaning of the policy.

It may also be useful to ensure consistency within and amongst the different and distinct financial policies used by a government. Use of formatting conventions, including size, layout, fonts, etc., can invoke recognition by the audiences of the documents’ reliability and authority.

**Accessibility.** The GFOA best practice on financial policies suggests that policies should be available to stakeholders in a variety of formats. Today, publishing financial policies on the organization’s website is expected. Hard copies may not be strictly necessary, though some people continue to find paper copies more functional and handy.

Electronic editions of the policy should be designed for ease of searching, downloading, and updating. Consider hyperlinks within documents, keeping in mind that links can break when references are changed or updated. Saving a master copy of collated financial policies in separate electronic files can greatly facilitate later reviews and amendments of each separate policy.

**Other Resources**
Model policies – examples taken from organizations that are similar to yours – can be a great resource as you craft or revise your government’s financial policy. Within the same state and/or county, peer governments are operating under the same statutory structures and legal constraints. When peer governments have similar community populations, governing structures, and/or tax bases, they likely will have experienced similar political, financial, and logistical challenges in adopting and applying their financial policies.

**Conclusions**
A financial policy is central to your government’s long-term strategy for financial management. Thoughtful and carefully crafted communication can help with the development of the policy itself, establish buy-in from stakeholders, and successfully employ effective and sound financial policies.

**Note**

*Merrill Shepherd King is the finance director and treasurer of the City of Minnetonka, Minnesota.*

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Recreation and leisure are important to have in every stage of life. Miriam-Webster defines leisure as freedom from work or duties. Therefore, any activity that you willingly engage in that is not work related is considered leisure. In adulthood, it may be the leisure activities on weekends that help us muster up the energy to go another five days at work. Throughout teenage and adolescent years, leisure and recreation activities are how an individual forms bonds and discovers life-long interests and hobbies. These activities form our personalities and help develop skills.

Recreation and leisure are often viewed as being one in the same. Leisure choices are at-will, passive activities that we engage in during unobligated free time. Recreational activities are those that bring joy and involve fun and excitement. Both are important and parks and recreation departments serve as a means for individuals of all ages to engage in these types of activities.

Active communities are important for good quality of life. An active parks and recreation department has the ability to add value to a city for this reason alone. There is much more to recreation and leisure activities than deviation from the stresses of work and school. The National Recreation and Park Association (NRPA) released a report which summarizes the key categories in which parks and recreation departments contribute to the building of healthy, vibrant communities. Physical activity, mental health, social function and youth development were listed among the top benefits of these types of facilities. Let’s examine how these factors can contribute to a city.

Physical health is important in all stages of life. From infancy to late adulthood, without health, very little in life can be enjoyed. Parks and recreation departments help to promote health through physical activity for individuals of all ages, not only through sports, but also through programs such as fitness courses and active programs for children. According to the CDC, more than one-third of U.S. adults and one in six children are obese. Obesity related conditions such as type 2 diabetes and certain cancers are leading causes of preventable death in the U.S. Increased physical activity can greatly reduce these numbers in both populations.

Michelle Obama’s “Let’s Move Outside” campaign aims to fight childhood obesity through the promotion of physical activity. Parks provide activities such as organized sports, biking trails, swimming and many other activities that help combat this issue. Parks also play a key role in the health and wellbeing of senior adults in a community. The availability of green spaces results in higher levels of physical activity for older adults.

In addition to enhancing physical activity, the presences of neighborhood parks promote mental health and psychological wellbeing. Numerous studies demonstrate that access to green views and environments can improve cognitive functioning, impulse control, resilience to stressful life events, and overall mental health. Conversely, studies report a link between low nature access with increases in deficit/hyperactivity disorder (ADHD), clinical depression, stress, and anxiety.

Social function is another benefit of parks and recreation in a community. Parks aid in forming relationships with individuals in neighborhoods and helps develop a greater sense of community as well. Once a sense of community is
Active parks and recreation departments prove to have many benefits for communities. Physical health, mental health, social function and youth development are key areas affected by programs offered through municipal recreation departments. Creating avenues for engagement in both organized recreational activities as well as leisure prove to be essential to the overall wellbeing of any community. Providing opportunities through trails, the availability of greenspaces and parks, as well as organized sports and recreational programming are just some examples of ways to keep the community active, thus increasing the overall quality of life.

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- http://www.planning.org/cityparks/briefingpapers/saferneighborhoods.htm

Article originally published in the Mississippi Municipal League’s quarterly publication of Mississippi Municipalities, Volume 64, Issue 4, written by Chandra Fontenot, President of the Mississippi Recreation and Park Association.

Although the demographics for those engaging in criminal activity vary, some cities have large percentages of criminal activity among youth. Recreational programming can help reduce these numbers. It is unrealistic to claim that organized youth sport alone can reduce the levels of youth crime in society because the causes of youth crime are complex and multidimensional. Organized sport programs can, however, contribute to reducing youth crime by giving young people a positive identity, feelings of empowerment and by helping youth acquire leadership, teamwork and self-governance skills under adult supervision (Jamieson and Ross, 2007).

Recreation programs play a key role in youth development in other aspects as well. When you hear Parks and Recreation, your mind may wonder to times of playing ball in a local league or to the many hours spent on a neighborhood playground. Participating in recreational programming helps children and adolescents develop skills that are essential throughout their lives. It is through active play that they develop and discover the person that they will become in adulthood.

established, it leads to increases in civic-mindedness, generosity and trust. This sense of community can very well lead to reduced crime. Research conducted by the American Planning Association suggests that neighborhoods with parks and green spaces have fewer violent and property crimes and neighbors tend to support and look out for one another (APApaginationbook.com). This should be a goal of any city.
Mitigating the Worst Effects of Silos

By Shayne Kavanagh

Many local government managers have long appreciated the potential benefits of breaking down silos – the barriers that exist between specialized functions – within government. However, for just as long (and usually successfully), silos have resisted integration. There is a good reason why silos persist: Different tribes of government workers, such as police, fire, building inspectors, and even public finance, benefit from having distinctive languages, cultures, and work processes, which help organize the complexity of highly specialized professional endeavors. Anthropologist Gillian Tett writes about ways in which all organizations, public and private, bridge these internal functional divides.

Curbing Fire Fatalities in New York

The Silo Effect begins with a story from the City of New York municipal government. In the decade leading up to 2011, New York City had experienced thousands of house fires each year, resulting in approximately 85 fatalities annually. Despite the number of building inspectors the city employed – more than 200 – finding hazardous buildings before a fire occurred was very difficult. Just 13 percent of inspections revealed unsafe conditions, even when the inspections were prompted by complaints about potential fire hazards.

The mayor’s office formed a team to improve this state of affairs. They started by working closely with frontline staff and examining data sets from departments including police, fire, building, water, and housing. Looking across these departments, they found some important predictors of dangerous buildings:

- Built before 1938, when building codes were made more stringent.
- Located in poor neighborhoods.
- Owners were delinquent on their mortgages.
- Buildings have generated complaints about other issues relating to poor upkeep, like vermin.

Putting together these factors and their respective data sets from across departments, the city was able to generate a list of buildings for inspectors to target.

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Though the inspectors were initially unsure about using this information, encouragement from the mayor’s office convinced them to do so – and they found violations 70 percent of the time, a four-fold improvement over just using the complaints lodged with their department. Using this cross-departmental technique, the mayor’s office went on to realize improvements in dealing with problems as diverse as cigarette tax evasion, illegal sales of prescription drugs, and stopping illegal disposal of cooking grease by restaurants.

Working with Silos

Why, then, despite the impressive gains that can be achieved, don’t silos cooperate more often? It is because the human brain makes sense of complexity by storing information in categories. Sometimes these categories are unstated, but sometimes they are explicit, like the departments within a local government. We can’t get rid of these categories because they serve a valuable purpose in helping us understand the world around us. Problems emerge when these categories become too rigid and people are blinded to both risks and opportunities. Given that silos cannot and should not be eliminated, Tett believes that the answer is taking steps to prevent silos from becoming so entrenched that they become dysfunctional. The Silo Effect presents a number of case studies that illustrate how public and private organizations have been harmed by inflexible silos and how they need to overcome these problems. Tett uses the case studies to draw five conclusions about how to mitigate the problems created by silos and enable collaboration across organizational internal boundaries.

Keep Boundaries Flexible and Fluid. This is achieved primarily by providing opportunities for employees to meet and share ideas and viewpoints. For instance, staff could be rotated among departments. In the City of Baltimore, Maryland, staff members from the finance and budget office are sometimes posted in operating departments, where they help the operating department better align financial resources with their service provision goals. This also helps the finance staff learn more about the real needs of the operating department. Problem solving through temporary cross-functional teams is another opportunity. Governments that use Lean or Six Sigma process improvement methods routinely use such teams to analyze and improve processes that cross departments. Finally, simply having physical spaces that encourage people to mix can be helpful. When different functional groups are physically isolated from each other, cultural isolation is more likely to follow.

Spread Financial Incentives across Departments. In The Silo Effect, Tett primarily referred to the compensation incentives individuals in different departments might face (e.g., when profits generated by one division of a firm might come at the expense of another division). If an individual’s salary depends on the profit created by his or
her division, that person is unlikely to cooperate in ventures with other divisions that might lower his own division’s profit, even if it would benefit the entire company. In governments, Tett’s finding might apply to the budget process. Where the budget process pits one department against another in a competition for resources, cooperation is likely to be harmed. Rather, consider how departments might make joint budget proposals to solve pressing public policy challenges. For example, Miami-Dade County, Florida, has cross-departmental teams that analyze and plan for each of the county’s major strategic initiatives. These plans are then translated into budgets for each participating department.

Share Information – the Right Way. Technology makes it easy to share information across the organization at little or no cost. However, simply dumping raw data out to other groups is not sufficient; other groups must have the capability to interpret the data. For example, if a data set produced by one department does not include the data definitions or meta-data needed for outsiders to make sense of it, then it is of little value. More broadly, organizations need people who can translate the languages different silos use so information can be shared in a useful way. For example, anyone who has worked in government has doubtlessly encountered the seemingly obscure language used by police, fire, engineers, teachers, etc. And the language used by public finance is probably as specialized and opaque to the outsider as any of these.

Re-examine your Categories and Classification Systems. When classification systems go unexamined for too long, they can become outdated and obsolete. This is when opportunities are missed or risks transform into crises. In public finance, a good example is incremental budgeting, which classifies spending into departments or divisions, with spending patterns remaining largely unchanged from year to year. Eventually, however, these spending decisions may no longer be affordable or even relevant to the problems that the community faces. Budget methods that move away from incremental decision making provide a way to break up these silos and reallocate resources to more optimal uses. In another

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 example, mandates are often used to justify certain spending. After a while, the category of “mandated spending” may go unquestioned until it is no longer required, if one were to examine the letter of the law.

As a broader rule, Tett recommends that organizations examine how they have organized themselves and rethink it from the perspective of their customers. For example, in the past many local government websites were organized primarily by departments - internal distinctions that mattered little to the citizens. Now, an increasing number of websites are organized by the tasks that citizens wish to complete. Departments may benefit from thinking about a similar reclassification for their own operations.

Use Technology to Challenge Silos. This conclusion was illustrated by the story of New York earlier in this article, where the mayor’s office used data from across different departments to create a new way of approaching inspecting for fire hazards. Of course, computers by themselves cannot change human behavior, but they can provide a subtle push that, when paired with other efforts, can lead to important changes. For example, perhaps seeing that other departments have useful data to offer might lead one to wonder what else another department could offer.

Conclusions
In conclusion, Tett’s key message is that “our world does not function effectively if it is always rigidly streamlined. Living in specialized silos might make life seem more efficient in the short-term. But a world that is always divided into a fragmented and specialist pattern is a place of missed risks and opportunities. If we become blind creatures of habit our lives are poorer as a result … the choice lies with us. And the first step to mastering our silos is the most basic one of all: to think how we all unthinkingly classify the world around us each day. And then try to imagine an alternative.”

Shayne Kavanagh is senior manager of research for GFOA’s Research and Consulting Center in Chicago, Illinois. He can be reached at skavanagh@gfoa.org.

The second grant is in partnership with Stan Houston Equipment to assist members with the purchase of an ICS® Saw Package. The ICS® saw is very beneficial in reducing the risk of injury during activities that require the use of a chop saw, particularly to cut and repair broken water pipes in a confined space. Thirty-two grants that total $38,000 have been awarded to our members. Congratulation to the 32 grant recipients listed below:

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- Mission
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- Winner
- Yankton

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Due to upcoming elections this will be the last Directory Changes until after the 2016-2017 Directory of South Dakota Municipal Officials is printed in July.

Do you remember Gordon Gekko, the character portrayed by Michael Douglas in the iconic 1987 movie “Wall Street”? If you do, you might also remember scenes in which Douglas’ character makes phone calls from his state-of-the-art Motorola, which had Americans wondering what it must be like to have one of their own. While a lot has changed since 1987 – including no longer having to be Gordon Gekko rich to own a mobile phone – some things have not. Americans still want the latest and greatest technology available at their fingertips, and as mobile devices have gotten smaller and their operating systems faster, we have fully integrated these devices and the technology they offer into our day-to-day lives.

Think about everything you’re able to do with a mobile device and the ease with which you’re able to do it. A seat on a flight to London can be booked from the seat of your car in traffic, and a pizza can be ordered and delivered by texting or tweeting an emoji from your mobile phone. The technology that exists today allows us to connect instantaneously with people from coast to coast, and through apps like Facebook, Twitter, Periscope, and others, citizen journalists can broadcast from around the world.

It’s pretty amazing to think of the technological advancements we’ve seen over the last decade, which begs the question, what new advancements will we see in the decade to come? Imagine a world in which lightbulbs, wheelchairs, and even the roads and bridges we drive on potentially become Internet-connected. What if download speeds were no longer relevant, and the content you want and need could be instantly accessed from wherever you’re located? While we’re not there yet, I think we’re on the path to achieving it.

In order to get there, I believe we need to work toward deploying a fifth generation or “5G” wireless broadband network throughout the country, and there’s a collective duty as policymakers and innovators to see that it’s done as effectively and efficiently as possible. 5G shouldn’t be viewed simply as the next incremental step in wireless broadband technology, but instead as an enormous leap toward a revolution in our wireless capability in America. These networks will not only bring the already connected world closer together, but they can help connect rural areas, like some places in South Dakota, where high costs and other difficulties have delayed the high-speed broadband needed for robust Internet access.

As chairman of the Senate Committee on Commerce, Science, and Transportation, I’ve authored legislation, the Making Opportunities for Broadband Investment and Limiting Excessive and Needless Obstacles to Wireless (MOBILE NOW) Act, which would help usher in the 5G era by facilitating the investment and technology required to get there. MOBILE NOW is bipartisan, supported by industry leaders, and if enacted, would benefit consumers and businesses alike. This bill cleared an important hurdle when it was unanimously approved by the Commerce Committee in early March, and we’re going to work hard in the coming weeks and months to see that it makes its way through Congress so America’s innovators can continue their work on our 5G future.
THE NEW STANDARD IN WHEEL LOADERS

Your duties may not change much over the years, but the machines you use to get the job done are continually evolving. The new Cat® M Series wheel loaders set the standard for productivity, fuel efficiency and operator comfort. With a wide range of wheel loaders and attachments, Butler Machinery has the equipment to meet your operation’s needs.

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701.775.4230

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MAY Community Events

February 20 - June 18
Sioux Falls Storm
Sioux Falls

March 5 - May 14
Bookworms Reading Program
Sioux Falls

April 30 - May 1
Fort Pierre Pari-Mutuel Horse Racing
Fort Pierre

May 3
Korczak Day
Crazy Horse

May 4 - 7
Black Hills Film Festival
Hill City

May 6
Anne’s Day at Crazy Horse Memorial
Crazy Horse

May 7
Avera Race Against Breast Cancer
Sioux Falls

May 7 - 8
Fort Pierre Pari-Mutuel Horse Racing
Fort Pierre

May 8
1880 Train Mother's Day Express
Hill City

May 19
Summer Porch at Strawbale Winery
Renner

Florida Georgia Line
Rapid City
May 20
Tesla Road Trip Car Rally
Custer

11th Annual Custer Stampede Buffalo Art
Auction Unveiling
Custer

Country Legends: Mickey Gilley, Johnny Lee and
Jeannie Seely
Mitchell

May 20 - 22
State Parks Open House and Free Fishing Weekend
Pierre

6th Annual South Dakota Birding Festival
Pickstown

May 21
Frühlingsfest and Spring Market
Rapid City

1880 Train’s Appreciation Day
Hill City

May 21 - 22
Northeast Area Pari-Mutuel Horse Racing
Aberdeen

May 22
Strawbale Winery Sangria Sunday
Renner

Florida Georgia Line
Sioux Falls

May 26
Summer Porch at Strawbale Winery
Renner

Purses with a Purpose
Sioux Falls

May 27 - 30
Memorial Day Weekend Open House at
Crazy Horse Memorial
Crazy Horse

May 27 - October 10
Legends in Light® Laser Light Show at
Crazy Horse Memorial
Crazy Horse

May 28 - 29
Annual SDRA Foothills Rodeo
Wessington Springs

May 28 - 30
Northeast Area Pari-Mutuel Horse Racing
Aberdeen

May 29
Strawbale Winery Sangria Sundays
Renner

For details visit www.travelsouthdakota.com.

Submit your event!

Want to submit an in-state event for the
Department of Tourism’s Calendar of Events
on www.travelsouthdakota.com?

Visit http://sdvisit.com/programs/coop/
events/index.asp for details.

Free HOUSING DEVELOPMENT WORKSHOP
AN OPPORTUNITY TO LEARN HOW TO
PLAN, FINANCE AND DEVELOP AFFORDABLE HOUSING

Wednesday, April 20, 2016
8:00 am – 5:00 pm
SDHDA Conference Room, 3060 E. Elizabeth Street, Pierre, SD
Lunch provided

IS YOUR COMMUNITY IN NEED OF HOUSING?
This one-day workshop will help you and your community delve into
the process of developing housing from finding financing programs,
connecting the people, reducing the barriers, financing the deal and
complying with regulations.

WORKSHOP TOPICS...
• Why do we want to develop housing?
• Importance of local support and your key partners.
• Finding a suitable site.
• Budgets and business plan – what do they mean and why are they so
important?
• Financial resources – what is out there to help finance development costs?
• Design Standards – what requirements must be met?
• How to manage construction and occupancy.
• Filling out a successful application.

REGISTER...
by visiting
https://freehousingdevelopmentworkshop.eventbrite.com

HOSTED BY...
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 April 15 for the May 2016 issue. Email ads to carrie@sdmunicipalleague.org or fax to 605-224-8655. Visit www.sdmunicipalleague.org for more classifieds.

CHAMBER & ECONOMIC DEVELOPMENT DIRECTOR: The progressive community of Hartford, SD is accepting applications for a full time Chamber & Economic Development Director. This position will recruit new businesses and be an advocate for existing businesses for the City of Hartford. The position will also serve as the Director for the Hartford Chamber of Commerce and Hartford Area Development Corporation as an advisor and liaison. The ideal candidate should possess a degree in public or business administration, marketing, economics or related field. Previous relevant experience in economic development is preferred. Any equivalent combination of education and /or experience may be accepted. Salary DOQ, plus benefits. Applications will be accepted until April 15, 2016 at City Hall, 125 N Main Hartford, SD 57033. A complete job description and application is available by calling 605-528-6187 or by downloading an application and job description at the city website www.hartfordsd.us. EOE.

CHIEF OF POLICE: The City of Faith is accepting applications for a full time Chief of Police. Salary negotiable based on qualifications. Must be certified or be able to be certified through the South Dakota Law Enforcement Training Center within one year of hiring. Applicants must be highly motivated with a great work ethic and have the ability to work cooperatively with other agencies, the public and city personnel. The position will remain open until filled. Must be willing to relocate to Kimball. Please submit cover letter and resume to City of Kimball, Attn: City Finance Officer, PO Box 16, Kimball, SD 57355 or email to kimballcitysd@midstatesd.net. Phone: 605-778-6277. EOE.

FINANCE OFFICER: The City of Parkston is seeking a professional candidate for the full-time position of Finance Officer. Candidates for this position must have at least two years college or vocational school and two years of job experience, or an equivalent combination of experience, education and training which provides the desired knowledge, skills and abilities. Must be bondable; have a valid drivers license. Excellent benefit package. Salary DOE. This position will remain open until filled. Interested applicants can obtain an application and full job description at the Parkston Finance Office at 207 W. Main St. or by calling 605-928-3321 during regular business hours. Applications are also available on the city’s website: www.cityofparkston.org. Click on Job Openings. The City of Parkston is an Equal Opportunity Employer.

MAINTENANCE WORKER: Hoven, SD. Work areas include but are not limited to water, sewer, streets, snow removal, landfill, swimming pool and airport. The following certifications/licenses must be possessed or be able to obtain: Commercial Applicators License, Class I Water Distribution, Class I Wastewater Treatment and Collection. Knowledge with all types of equipment is desired. Wage DOE. Please contact the City of Hoven, PO Box 157, Hoven, SD 57450. You may also call 605-948-2257. Position open until filled.

MAINTENANCE WORKER: The City of Parkston is accepting applications for a full-time Maintenance Worker. Must be able to perform manual labor, which involves heavy lifting, and operate heavy equipment. Must have a valid driver’s license and be able to obtain a Class A (CDL), with city assistance, within 60 days of hire. Employee will be subject to pre-employment physical plus, pre-employment, random, reasonable-suspicion, post-accident, follow up, and return-to-duty drug and alcohol testing. The employee will work in all departments, which include but not limited to streets, water, sewer, parks and swimming pool. Position requires working outdoors in all weather conditions and may require reporting to and working at unusual times of the day or night, which may include holidays and weekends. Benefits: Employee health insurance, S.D. Retirement, Vacation, Sick Leave and 9 paid holidays. Wage depending
on experience. Position open until filled. Interested applicants can obtain an application at the Parkston Finance Office at 207 W. Main St. or by calling 605-928-3321 during regular business hours. Applications are also available on the city’s website: www.cityofparkston.org. Click on Job Openings. EOE.

PATROL OFFICER: Brookings, SD. Must exercise independent judgment and use discretion acting decisively during times of crisis and emergency. Must be 21 years of age with no convictions of any crime by any state or federal government punishable by imprisonment in a federal or state penitentiary. Valid driver’s license required with acceptable driving record. Law Enforcement Standards and Training Commission certification must be obtained within one year of hire date. Will work rotation of various shifts. Hourly pay range $21.79 - $26.51/hr. Full benefit package with shift differential. To apply: Visit www.cityofbrookings.org for job application and position description. Submit application with resume to SD Department of Labor and Regulation – Brookings or: City of Brookings, 520 3rd St., Suite 230, PO Box 270, Brookings, SD 57006-0270, 605.697.8668 Fax 605.697.8661. dlangland@cityofbrookings.org. AA/EOE.

POLICE OFFICER: The Viborg Police Department has an opening for a part-time Police Officer. This position will be under the direct supervision of the Chief of Police. Hours include days, nights, weekends and holidays. A certified officer is preferred but not required. Interested parties may obtain an application by contacting the Police Department or City Hall at 110 North Main Street in Viborg, SD. This position will be open until filled. EOE.

WATER AND WASTE WATER OPERATOR Position: The City of Lennox, population 2111, is accepting qualified applications for the Water and Waste Water Operator position. The requirements for the position include a high school graduation or GED, Class I Wastewater Treatment, and possession of a Class B commercial driver’s license. Desired qualification is to possess a Class II Water/Wastewater Collection and Class II collection/distribution certificates from the State of South Dakota. Salary will depend on experience and qualifications. The position includes an excellent benefit package including SD Retirement System, health insurance, life insurance, AFLAC, Delta Dental and paid sick leave and vacation. Job description and application are available at the Finance Office, 107 S Main St. Lennox, SD 57039 and on the City’s website www.cityoflennoxsd.com. Applications and resume can be sent to Jeremy Gulbranson, Water/Sewer Supt. PO Box 228, Lennox SD 57039. The
position will be open until filled. The City of Lennox is an equal opportunity employer.

FOR SALE: Notice is hereby given that sealed bids will be received by the City of Chamberlain, Brule County, South Dakota until 5:00 p.m. on May 2, 2016, for a 2005 MDL Johnston 3000 Street Sweeper. Sweeper has less than 1,800 hours and has been power washed after every use. It is in mint condition. Submit bids or request additional information at the Chamberlain Finance Office, 715 North Main Street, Chamberlain, SD 57325 during regular business hours, 8:00 a.m. to 5:00 p.m. Bid openings are scheduled for the May 2nd Council meeting. The Chamberlain City Commission hereby reserves the right to accept or reject any or all bids or any part thereof.

FOR SALE: Sensus RadioRead Water Meter Equipment. The City of Piedmont, SD has seventy-eight (78) new “Sensus Radio Readers” Model # M510P-F1-3W-X-P for sale. Asking price is $75.00 each. Sensus RadioRead features the most robust, high-powered radio frequency transmitter available for use with walk-by or drive-by automatic meter reading systems. A handheld unit can be used for reading RadioRead equipped meters. If interested, contact the City of Piedmont at 605-716-5495.

FOR SALE OR MAKE OFFER: 1975 Chevy C65 5 speed manual transmission Smeal 1,000 gal tank 750 gpm stationary pumper firetruck 5,902 original miles. 1979 GMC 7000 4 wheel drive automatic transmission 500 gal tank Emergency One Box, pump and roll firetruck 23,868 miles on chassis 3,000 miles on engine. Both sold as is, contact Dana Horn, City of Tripp, 605-935-6332 or 605-770-9542.

FOR SALE: Older (New 2004) but barely used Hussey (www.husseyseating.com) brand bleachers for sale. Each section has 10 Rows with 93 seats total. There are four telescopic sections, the jacks for moving them, and the motorized device for extending the bleachers into operation. Will sell individually or as a set and assistance will be provided with loading the bleachers in Deadwood. Currently located at the Deadwood Pavilion. Call Lee Harstad at 605-578-1876 or lee@deadwood.org for more information and to make an offer. If you are interested in seeing images of the bleachers they can be sent via email.

SURPLUS PROPERTY: City of Hoven, SD. 17 Fire Hydrants that are complete and work - $300.00 a piece. 12 man hole covers with rings - $150.00. 138 3/4” plastic water meters and 19 1” plastic water meters, we do not have a price as of now for the water meters. Contact Wendy Rausch at 605-948-2257 or hovencity@venturecomm.net.
Municipal Calendar

April 2016

At least one day before the election – The Finance Officer must deliver the precinct registration lists to the local election officials. (SDCL 12-4-24; See Hdbk., sec. 7.170)

Second Tuesday of April – Annual elections for the officers of a municipality are required to be held. (SDCL 9-13-1; See Hdbk., sec. 7.050) A municipality may combine its election with a school district election and hold this election on the school election date (third Tuesday in June) or on the first Tuesday in June, or in conjunction with the June primary. (SDCL 9-13-1.1; 9-13-37; 9-13-6)

Second Tuesday in April – The consolidated board of equalization meets and completes equalization in no more than three weeks. (SDCL 10-11-66 through 10-11-76; See Hdbk., sec. 12.120)

Within two days after the election is declared – The finance officer must notify all persons elected to office. The officials elected to office then have ten days after the first meeting of the month next succeeding the election to qualify for the office by filing an oath or affirmation of office. (SDCL 9-13-28) If the governing body chooses an election day other than the second Tuesday of April, as provided in SDCL 9-13, that Election Day must be established by January 14 of the election year. (SDCL 9-13-1)

Within seven days following the election – Election returns are to be canvassed. (SDCL 9-13-24; See Hdbk., sec. 7.600)

Three weeks from Election Day – If a municipality has passed an ordinance requiring a secondary election and no candidate in a race involving three or more candidates receives a majority of the votes cast, a secondary election shall be held three weeks from the date of the first election. Provisions for tie votes in the first election are also provided for. The person receiving the highest number of votes at the secondary election is elected. (SDCL 9-13-26.1; See Hdbk., sec. 7.600)

June elections – Follow the Municipal Election Calendar for all election deadlines.

May 2016

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

May 1 – Special assessment installments which are payable under either the Plan One or Plan Two options become delinquent. (SDCL 9-43-109; See Hdbk., sec. 12.160)

First meeting following election – Except as otherwise provided, every officer of the municipality will begin to discharge his duties on the first meeting of the month next succeeding the election, or as soon as the officer has qualified. (SDCL 9-14-5; See Hdbk., sec. 5.115)

First meeting following election – Appointed municipal officials are usually appointed. The appointment may be annual, or for an interval determined by the governing body. (SDCL 9-14-3)
**First meeting following election** – In municipalities having the mayor and common council form of government, the council must elect a president and vice-president for the ensuing year. (SDCL 9-8-7; See Hdbk., sec. 2.520)

**First meeting following election** – In municipalities governed by a mayor and four commissioners, the board must designate by a majority vote, the following commissioners: Public Safety, Public Works, Utilities, and Finance and Revenue. Commissioners are assigned areas of responsibility under the law. (SDCL 9-9-18 to 9-9-24; See Hdbk., sec. 2.590)

**First meeting following election** – In municipalities governed by a mayor and two commissioners, the board shall by a resolution adopted by a majority, assign and apportion between the members, all duties that are not assigned to the mayor. (SDCL 9-9-27; See Hdbk., sec. 2.595)

**First meeting following election** – In those municipalities employing a city manager and under the commissioner form of government, at the first regular meeting in the month following the annual election, the commissioners must elect one of their members to serve as mayor for a term of one year. (SDCL 9-10-6; See Hdbk., sec. 2.615)

**By May 15** – The secretary of revenue shall apportion the money in the local government highway and bridge fund. (SDCL 32-11-35; See Hdbk., sec. 12.255(6))

**Tax levy** – The governing body of the municipality may impose an excess tax levy with an affirmative two-thirds vote of the governing body on or before July fifteenth of the year prior to the year the taxes are payable. The decision to increase taxes must be published within 10 days of the decision (certain publication size restrictions apply), and may be referred upon a petition signed by at least five percent of the registered voters in the municipality and filed within twenty days of publication of the decision. The referendum election shall be held on or before October first preceding the year the taxes are payable. (SDCL 10-13-36; See Hdbk., sec. 12.170)

**Last Monday of May** – Memorial Day – State holiday (SDCL 1-5-1)

**June elections** – Follow the Municipal Election Calendar for all election deadlines.

*Find the Municipal Calendar for the entire year in the SDML Handbook for Municipal Officials, Directory of SD Municipal Officials, or at www.sdmunicipalleague.org.*
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