BUILD UPON A STRONG FOUNDATION

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

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

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

DOUGHERTY & COMPANY LLC
TRUSTED PUBLIC FINANCE PARTNER SINCE 1977

Pierre, South Dakota | Phone 605.224.5557 | 877.224.5557
Sioux Falls, South Dakota | Phone 605.339.5800 | 800.339.1111

Member SIPC/FINRA
South Dakotans pride themselves on their toughness, their independence, and their common sense. As a result, we don’t spend money we don’t have. That is a fabulous characteristic, and has kept our state’s budget balanced, and our local budgets extremely lean. But when does “don’t spend money we don’t have” lead to “don’t invest in what we should?” I’m afraid we are there, and have been for quite a few years.

We’ve allowed what we call a conservative nature to hold down taxes – but we have done so to the point of irresponsibility. We have not made necessary investment in infrastructure to allow us to continue to grow and develop.

Growth is just one issue that makes our cities unique. While the state population grew by 59,000 in the last census, the MUNICIPAL population grew by 63,000 people. Our cities and towns can’t just sit still – they have to provide the infrastructure to every one of those folks. The fact that they do so is very good for our entire state.

We also have infrastructure issues that go deeper, literally, than other local entities. While road funding is a major issue for all of South Dakota, in municipalities, those roads go over water, sewer, and stormwater systems – all of which are at least as expensive as that over-lying road.

Those underlying systems are also responsible for the incredible amount of money cities spend meeting environmental mandates.

Because municipalities have access to some sales tax revenue, they are often not as sympathetic as other entities more tied to property taxes. But the unique and extremely expensive utility services cities provide needs to be recognized. The economic root of South Dakota is our cities – who provide the infrastructure to support the businesses and industries we so hope to attract.

There is going to be quite a bit of talk this summer and fall about how to fund our streets and roads. But when it comes to our infrastructure, streets and roads are just the tip of the iceberg.

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

Yvonne Taylor
Executive Director
Happy summer! Hopefully everyone is having an enjoyable one. I have decided for the next two articles, no more fluff, fluff. Let’s get down to what some might say is “heavy stuff,” “food for thought,” and others may call “inspirational.”

Last year the Wagner Community School staff started the year with Top 20 Training. I started reading the book, “Top 20 Teachers” and found that MUCH of the information is this book can be applied to our daily lives professionally and personally regardless if we are in the education profession. The following are excerpts from the book:

*Potential is a power in each person that wants to make a positive difference.*

What happens to that potential over time? For many people nothing happens to it. They have undeveloped potential that remains dormant year after year. These people are represented on the graph by the dotted line.

For many people their potential develops at a rate that would be commonly expected. They are achieving reasonable goals and getting along fine with others. They are represented by the broken line.

But for some people, their potential explodes. They are represented by the solid line.

The purpose of Top 20 training is to help people become aware of Top 20 and Bottom 80 ways of thinking, learning, and communicating. When we operate as a Top 20 person, we think, learn and communicate, or TLC, in highly effective ways. When we operate as bottom 80s, our thinking, learning and communicating is highly ineffective. In a real sense, each person is a Top 20. When we use this Top 20 and Bottom 80 language, we are not comparing ourselves to other people; it’s simply a way of our understanding these two dimensions about ourselves.

The Frame is a simple but powerful concept. It suggests that how we **SEE** something (how we think about it, our beliefs, perceptions or opinions) influences how we feel; how we **FEEL** influences what we do (our behaviors or actions); what we **DO** influences what we get (the results); and typically what we **GET** reinforces how we see it.

Top 20s understand that. They realize that what they are getting out of life or a certain experience has to do with how they are seeing it. Bottom 80s could claim that what they are getting out of life has to do with something external: their spouse, their boss, or something in their environment.

Top 20s and Bottom 80s respond quite differently when they are not getting the results they want to be getting. The following are three common Bottom 80 responses.

1. **Change nothing.** Bottom 80s change nothing but expect things to get better.
2. **Change what we ‘Do.’** Bottom 80s believe that if they change what they do they will change what they get. This is logical and sometimes works. However, if we only change what we do, the change will be small and short-lived.
3. **Blame.** The clearest indication that we are operating as a Bottom 80, however, is revealed when we blame someone or something when we are not getting the results we desire. Whether we are aware of it or not,

*continued on page 6*
whenever we blame, we give up power to make a positive difference in our life. Because we don’t take responsibility, we pass power to someone else and can stay stuck in yuck for a long time.

We blame because we have a need to be right. When we are not getting the results we want to get, our need to be right gets activated and comes out in the form of blame.

Top 20s understand that See is the most powerful corner of the Frame. They know that what they are getting is the result of how they are seeing. Consequently, when they are not getting desired results, they go to the See corner and ask questions like: How can I see this differently? How can I see this other person differently? How can I see myself differently? In other words, Top 20s use curiosity to see things differently. Top 20s value curiosity because it allows them to see differently or see more than they originally saw.

In closing, every situation in our life, we can take one of two paths, the Bottom 80 path, or the Top 20 path. As we become more and more aware of what each of these paths entails, we will be more able to choose the Top 20 path.

<table>
<thead>
<tr>
<th>BOTTOM 80 PATH</th>
<th>TOP 20 PATH</th>
</tr>
</thead>
<tbody>
<tr>
<td>I don’t see.</td>
<td>I don’t see</td>
</tr>
<tr>
<td>Because I don’t know that I don’t see, I think I see everything exactly the way it is.</td>
<td>Because I know that I don’t see, I know I don’t see everything exactly the way it is.</td>
</tr>
<tr>
<td>Therefore, I think I’m RIGHT.</td>
<td>Therefore, I am CURIOUS.</td>
</tr>
<tr>
<td>Then I BLAME.</td>
<td>Then I LEARN</td>
</tr>
<tr>
<td>I lose power.</td>
<td>I see more.</td>
</tr>
<tr>
<td>I’m a victim.</td>
<td>I’m a difference maker.</td>
</tr>
<tr>
<td>I stay stuck in yuck.</td>
<td>I get a better experience.</td>
</tr>
</tbody>
</table>

Which path will you choose? Choose wisely! Until next month,

Becky Brunsing
President

The Police Executive Development Institute will be held October 13 – 17, 2014 at the Law Enforcement Training Academy in Pierre

Course Description
This specialized training was developed with the chief law enforcement officer in mind. Both seasoned chiefs and new chiefs will benefit from this executive level training. Chiefs and their command staffs are welcome to attend the course. Chiefs will have priority to attend if the course is full.

Topics in the 40-hour course include:
- Leadership and Ethics
- Generational Differences in the Work Place
- Community Policing Partnerships/Problem Solving/Organizational Alignment and Branding your Agency
- SD Administrative Rules for Law Enforcement Agencies
- Recruitment, Selection, Retention Values Based Hiring and Firing
- Internal Affairs and Discipline
- Budgeting and Finance
- Grants and Resources
- SD Open Records Laws
- Media Relations
- Civil Liability
- Social Media
- Maneuvering Successfully in the Political Environment
- Technology in the 21st Century
- Volunteers in Policing
- Supporting those Who Defend Our Freedom
- Wellness, Leadership Legacy/Spiritual Fitness and the SDPCA Mentoring Program
- Collective Bargaining and Labor Relations

Faculty
Instructors are veteran chiefs and other subject matter experts on these critical management topics. This mix of faculty provides opportunities for discussion about real scenarios in our agencies.

To apply, send a standard LET form to Chief Gary D. Will Jr. of the Huron Police Department at PO Box 1369, Huron, SD 57350; or email to garyw@huronpolice.com or fax to 605-353-8554.

The course will be held at the George S. Mickelson Criminal Justice Center, 1302 East Highway 14, Suite 5, Pierre, South Dakota.

Lodging is being provided by the Division of Criminal Investigation.

The cost for Civil Liability and the 12 high liability areas is provided by a partnership with PATC.

Command staff are normally those who are considered second in command and/or are a deputy chief, assistant chief, commander, captain, lieutenant or a sergeant.
Preliminary Agenda Subject to Change

Tuesday, October 7, 2014

2:00 p.m.  SDML Golf Tournament (Visit www.sdmunicipalleague.org for registration form.)
Spearfish Canyon Country Club, Spearfish
Hosted by: City of Spearfish
SD Municipal League

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

Wednesday, October 8, 2014

8:00 a.m.  Registration

8:00 a.m.  Exhibits Open

8:00 a.m.  ABC’s of Municipal Websites
Ross Heupel, Marketing Director, GovOffice Web Solutions

9:00 a.m.  Orientation for New Attendees

9:00 a.m.  SD City Management Association
Presiding: Leon Schochenmaier, SDCMA President, Pierre
1. Business Meeting and Election
2. Professional Development Session

9:00 a.m.  SD Municipal Electric Association
Presiding: Todd Chambers, SDMEA President, Watertown
1. Technology Roadmap for Public Power Utilities
   Pat Corrigan, Vice President – Public Utilities, Elster Solutions, LLC
2. MRES and Heartland Update
3. Business Meeting and Election

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

11:00 a.m.  Let’s Make A Work Comp Deal
An audience participation ‘Game Show’ regarding the SDML Workers’ Compensation Fund.

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

1:00 p.m.  Spearfish Hydro Plant Tour – Pre-registration required. (Will repeat again at 2:15 p.m., 3:30 p.m. and Thursday.)
(Visit www.sdmunicipalleague.org for registration form.)

1:00 p.m.  Elected Officials Workshop
1. Disaster Recovery
2. Budgeting and Fiscal Responsibility for Elected Officials
1:00 p.m. **SD Municipal Attorneys’ Association**  
*Presiding: Dean Hammer, SDMAA President, Dell Rapids*  
1. Business Meeting and Election  
2. Roundtable Discussion

1:00 p.m. **SD Building Officials’ Association**  
*Presiding: Greg Miller, SDBOA President, Brookings*  
1. Business Meeting  
2. Building Officials Handbook Revisions  
   *Mark Humphreys, Executive Director, SD Board of Technical Professions*

1:00 p.m. **SD Governmental Finance Officers’ Association**  
*Presiding: Mary McClung, SDGFOA President, Harrisburg*  
1. Business Meeting and Election  
2. Legislative Audit Updates  
   *Rod Fortin, Director of Local Government Assistance, SD Dept. of Legislative Audit*  
3. Disaster Preparedness  
   *Jack Dokken, Public Assistance Officer, SD Office of Emergency Management*

1:00 p.m. **SD Police Chiefs’ Association**  
*Presiding: Lyndon Overweg, SDPCA President, Mitchell*  
1. Business Meeting and Election  
2. Presentations:  
   - Marty Jackley, SD Attorney General  
   - Craig Price, SD Highway Patrol  
   - Bryan Gortmaker, SD DCI  
   - Scott Rechtenbaugh, SD Law Enforcement Training  
   - Dennis Kaemingk, SD Dept. of Corrections  
   - Jon Bierne, SD Forensics Lab

1:00 p.m. **SD Municipal Street Maintenance Association**  
*Presiding: Craig Wagner, SDMSMA President, Hartford*  
1. Business Meeting and Election  
2. Cleaning out Cricks and Waterways – Rules and Regulations  
   *SD LTAP*  
3. Drainage  
   *SD LTAP*

4:00 p.m. **SDML Policy Committee Meetings**

**General Government**  
*Presiding: Mike Wendland, Mayor, Baltic*

**Public Health, Safety, and Welfare**  
*Presiding: Tom Paisley, Building Official, Spearfish, Chair*

**Public Works**  
*Presiding: Mark Cotter, Public Works Director, Sioux Falls, Chair*

**Taxation and Revenue**  
*Presiding: Pauline Sumption, Finance Officer, Rapid City, Chair*

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

4:00 p.m. **SDML Nominating Committee**  
*Presiding: Tracy Turbak, Director of Finance, Sioux Falls, Chair*

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

6:00 p.m. **Dinner on Your Own**

Busing will be provided by the City of Spearfish on a first-come-first-served basis on a set route to five restaurants.* Meet at the Convention Center entrance to catch the buses.  
*Find a listing of these and other restaurants in Spearfish at www.sdmunicipalleague.org.
Thursday, October 9, 2014

7:00 a.m.  SDML 11th Annual Walk/Run – Pre-registration required.
(Visit www.sdmunicipalleague.org for registration form.)
Meet in Holiday Inn lobby at 6:45 a.m.
Hosted by: Health Pool of SD, SDML Workers’ Compensation Fund, SD Public Assurance Alliance

7:45 a.m.  Breakfast

7:45 a.m.  Past Presidents’ Breakfast

8:00 a.m.  Registration

8:00 a.m.  Exhibits Open

8:00 a.m.  Resolutions Committee
Presiding: Jeanne Duchscher, Finance Officer, Parker, Chair

9:00 a.m.  Elected Officials Workshop
Presiding: Philip Tiedeman, SDAMA President, Brookings
1. Funding and Planning for Utility Projects
   Jeff Hines, President, American Water Works Association
2. Data Resources for Cities
   Erick Abrahamson, Black Hills Knowledge Network
3. The World of Libraries
   Daria Bossman, SD State Librarian
4. Elected Officials and Employee Relations

9:00 a.m.  SD Airport Management Association
Presiding: Philip Tiedeman, SDAMA President, Brookings
1. Review of Projects around the State
   Jon Becker, SD DOT Office of Aeronautics
2. New Consultant Selection Requirements
   Colton Stahl, SD DOT Office of Aeronautics
3. Unmanned Aerial Systems (UAS) and Unmanned Aerial Vehicles (UAV)
   Steven Hoogerhyde, FAASTeam Program Manager, Federal Aviation Administration
4. Business Meeting and Election

9:00 a.m.  SD Association of Code Enforcement
Presiding: Scott Simianer, SoDACE President, Hot Springs
1. Business Meeting
2. Proposed State Legislation Discussion – Special Property Tax Levy on Blighted Properties and State
   Adoption of the International Property Maintenance Code
   Scott Simianer, Building Official/Zoning Administrator, City of Hot Springs
3. Discussion and Review of Code Enforcement Brochures
   SoDACE Education Committee Members

9:00 a.m.  SD Governmental Human Resource Association
Presiding: Donna Langland, SDGHRA President, Brookings
1. Business Meeting and Election
2. Ensuring Success in Succession Management
   Ray Weinberg, Principal, metamHReases Solutions

9:00 a.m.  SD Municipal Liquor Control Association
Presiding: Bill Purrington, SDMLCA Vice President, Brookings
1. Business Meeting and Election
2. Discussion of dissolving the Association

9:15 a.m.  Spearfish Hydro Plant Tour – Pre-registration required. (Will repeat again at 10:30 a.m.)
(Visit www.sdmunicipalleague.org for registration form.)

Noon  Excellence in SD Municipal Government Award Luncheon
Featured Speaker: Governor Dennis Daugaard (Invited)
Presentation of the 2014 Excellence in SD Municipal Government Award
SDML Hall of Fame Induction – Honoring 20 years and more of municipal service.
(Visit www.sdmunicipalleague.org for nomination form.)
Hosted by: BankWest Trust Department
The First National Bank in Sioux Falls – Trust Department
1:00 p.m.  SD Chapter, American Public Works Association
Presiding: John Childs, President, SD Chapter APWA

1:00 p.m.  South Dakota Fire Chiefs Association
Presiding: Jim Sideras, President, SDFCA

1:30 p.m.  General Sessions
1. Cleaning Up
   Cory Chalmers, CEO and Founder, HOARDERS.com and Crime Scene Steri-Clean
   Featured on the Emmy nominated TV series, Hoarders, Cory takes his 19 years of experience in biohazard and hoarding remediation across the country, cleaning up some of the worst hoarding cases ever seen. Corey works with cities, hotels, companies, and Fortune 500 companies.

3:45 p.m.  2. Bringing it Home
   Our panel of SD Experts discuss how to take what we’ve learned from Cory Chalmers and “Bring it Home.”
   Scott Simianer, Building Official/Zoning Administrator, City of Hot Springs
   Mike Olson, Code Enforcement Officer, City of Aberdeen
   Adam Altman, City Attorney, City of Aberdeen

4:15 p.m.  3. Rural Transit Issues and Answers

5:30 p.m.  President’s Reception (for all attendees)
   Hosted by: D.A. Davidson & Co.

6:30 p.m.  Celebrate South Dakota Dinner
   Hosted by: Dougherty & Company, LLC
   Entertainment: Gordy Pratt as Seth Bullock: The Spirit of the West
   As we “Celebrate South Dakota” with our 125th Statehood Celebration, Gordy Pratt brings the past alive as the ghost of Seth Bullock in Seth Bullock: The Spirit of the West. Gordy uses “first-hand” stories and original songs to weave a colorful tale of the Wild West. His mix of humor, history and music richly bring to life such famous figures as Wild Bill Hickok, Calamity Jane and Bullock’s good friend Theodore Roosevelt.
   Hosted by: Midcontinent Communications

---

Friday, October 10, 2014

8:00 a.m.  Registration
8:00 a.m.  Breakfast
8:30 a.m.  General Session
   Keeping Them Local!
   Craig Schroeder, Senior Associate of Youth Engagement and Hometown Competitiveness Coordinator, Center for Rural Entrepreneurship
   Craig Schroeder’s Youth Attraction Formula is a tool for cities to use to address persistent population decline largely due to significant youth out-migration. Craig, who grew up in a town with a population of 223 people, brings more than 20 years of agricultural and rural work experience and graduated from the University of Nebraska-Lincoln with a Bachelor of Science degree in Agricultural Economics with emphasis in Rural Community Economics and Marketing.

10:30 a.m.  SDML Annual Business Meeting and Election
   1. Auditing Committee Report
   2. Executive Director’s Report
   3. Resolutions Committee Report
   4. Discussion and Adoption of 2015 Statement of Policy
   5. President’s Report
   6. Nominating Committee Report
   7. Annual Election of Officers
   8. Other Business
   9. Prize Drawing – Must be Present to Win!

Visit www.sdmunicipalleague.org for SDML Annual Conference information and forms.
## 2014 ANNUAL CONFERENCE REGISTRATION FORM

**Municipality Represented:**

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

<table>
<thead>
<tr>
<th>Name</th>
<th>Title</th>
<th>Email</th>
<th>Wed</th>
<th>Thurs</th>
<th>Fri</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**TOTAL AMOUNT ENCLOSED $_________**

Please Return Registration By September 16, 2014 to:

*No Refunds After September 23, 2014*

South Dakota Municipal League  
208 Island Drive  
Fort Pierre, SD 57532

**Payment Must Accompany Registration**  
(Sorry No Credit Cards Accepted)

### CONFERENCE REGISTRATION FEES

<table>
<thead>
<tr>
<th>Category</th>
<th>Description</th>
<th>Fee</th>
</tr>
</thead>
<tbody>
<tr>
<td>SDML Members*</td>
<td>Pre-Registration for multiple day attendance – must be postmarked or received by 9/16/14</td>
<td>$100.00</td>
</tr>
<tr>
<td>SDML Members*</td>
<td>Registration for multiple day attendance – received after 9/16/14</td>
<td>$115.00</td>
</tr>
<tr>
<td>Non-member/Government/Non-Profit</td>
<td>Registration for multiple day attendance – received at any time</td>
<td>$200.00</td>
</tr>
<tr>
<td>Company Representative**</td>
<td>Registration – received at any time</td>
<td>$500.00</td>
</tr>
<tr>
<td>Spouse/Guest</td>
<td>Registration – received at any time</td>
<td>$65.00</td>
</tr>
<tr>
<td>Single Day Attendee</td>
<td>Registration for only a single day of attendance – received at any time for only a single day of attendance **Does not apply to Company Representatives</td>
<td>$65.00</td>
</tr>
</tbody>
</table>

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

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

If you are unsure which category you should register under, please contact the League at 1-800-658-3633 or april@sdmunicipalleague.org.
This year, the Excellence in South Dakota Municipal Government award will be presented to an elected municipal official in South Dakota. The award recipient will be selected from nominations received by the South Dakota Municipal League Past Presidents’ Committee. All nominations must be submitted in writing by August 15, 2014. The award will be presented at the SDML Annual Conference in Spearfish on October 9, 2014.

Name of Nominee: ___________________________ Title: ___________________________

Address of Nominee: _______________________________________________________

Significant contributions to the municipality: _____________________________________

____________________________________________________________________________

____________________________________________________________________________

Significant contributions to the community: _______________________________________

____________________________________________________________________________

____________________________________________________________________________

Significant contributions to other organizations: _________________________________

____________________________________________________________________________

____________________________________________________________________________

Significant contributions to South Dakota Municipal Government: __________________

____________________________________________________________________________

____________________________________________________________________________

Other Comments: _____________________________________________________________________________________________

____________________________________________________________________________

____________________________________________________________________________

Submitted by: __________________________________ Phone: ___________________________

DEADLINE: August 15, 2014 Please submit to: South Dakota Municipal League
Nominations are confidential 208 Island Drive, Ft. Pierre, SD 57532
Additional supporting documents welcome. FAX to 605-224-8655
Wessington Springs: Moving Forward After Disaster

By Jeff Mehlhaff, SDML Staff

The events of June 18, 2014 and the weeks following have brought the quiet community of Wessington Springs closer together in a time of hardship and devastation.

Shortly after the storm Mayor Melissa Mebius and Finance Officer Linda Willman were at the Wessington Springs Fire Hall along with the Jerauld County Sheriff’s Department to assess the situation and begin a coordinated effort to respond to the aftermath of the storm.

“The planning initially before cleanup was how are we going to cleanup? Who do we all need to bring in?” Mayor Mebius said.

With area fire departments, the National Guard, South Dakota Office of Emergency Management (SD OEM), the highway patrol, police departments, state agencies and others arriving in town, the city implemented the Incident Command System (ICS) to organize and coordinate the relief effort.

“Within a half an hour we had a pretty good idea that everyone was safe and accounted for, which I think is amazing and what a small town is,” Mebius said.

Identifying the proper staging areas for various groups, cleanup zones and traffic lanes ahead of time was an important part to a successful recovery. With all the National Guardsmen and massive amounts of equipment they brought in, it required a large gathering area. On top of that, designated paths through the city for trucks moving debris and other big equipment were needed. Other groups like the Red Cross, Lutheran Social Services, United Methodist and others also needed areas to assemble and help in the relief effort.

The first night in the command center Mebius recalls, “They come in and say this is what is available to you from the State, would you like these?”

“That night right away, you are setting up who is in charge and all these different positions for a disaster like this,” Mebius said in referring to ICS.

The organizational chart below is the structure Wessington Springs used during the recovery. The structure includes the incident command leaders at the top, a safety officer and liaison support people. Branching down included operations, logistics and finance sections. The operations section included four main blocks of debris removal, law enforcement, mass care and public infrastructure. There were at least eight to ten specific positions assigned and some positions changed and evolved as the recovery moved forward.

“There was a reason we lived in the command center for days,” Mebius recalled during those first few days in the command center.

Mebius described attending several daily meetings including an operation briefing, management team planning, community briefing, daily media conference, objectives meeting and others. Aside from these meetings, Mebius
described having daily city council meetings in the morning to keep everyone informed on what was going on.

“Take what the State is willing to offer to you because they are the professionals in this and they don’t tell you what to do, they just kind of help guide you. They are very much here for you and doing what you want do to because you know your community the best. The State’s resources and guidance is what I think helped our cleanup go so superb,” Mebius said when asked about what advice you would give to another city facing a similar disaster.

“You have to learn to delegate, that was hard for me in the beginning, just delegating off those different jobs,” Mebius also mentioned.

Ensuring strong communication with the community was another piece of advice Mebius suggested.

“Get out a community newsletter to keep your community informed. Keeping that communication open has been a huge asset to us,” Mebius said.

A community newsletter was developed and provided to the community on a daily basis every day following the disaster to provide information about what was happening and where people could find help. Mebius continued the newsletter after SD OEM Incident Management Assistance Team (IMAT) left and also established a facebook page.

“I think the State of South Dakota learned a lot about tornado disasters from Spencer, where they had 7,000 people on the ground that next day,” Mebius said in discussing the decision to close the community.

Willman added, “It got dark so quickly we weren’t sure what all the hazards were out there.”

Willman mentioned several serious hazards including downed power lines, potential leaking propane tanks and blocked streets.

“When people did come in there was a system in place so we knew where people were going and that they weren’t going on private property where people didn’t want them,” Mebius said as another reason for closing the city off.

“As good as training is, just as with anything, until you are in the real life moment it doesn’t mean as much to you because you don’t think it is going to happen to you until it does,” Mebius said when asked about prior training and experience with the ICS.

Preplanning for a disaster event can mitigate the initial shock of the disaster and help speed along the recovery effort. The South Dakota Office of Emergency Management does offer ICS courses, emergency planning training and other resources to help in organizing for a disaster event.

“Before we allowed any volunteers to go on private property the property owners had to sign a release,” Mebius recalls when discussing issues that may arise during the recovery period.

Use of small backup generators was another issue when trying to restore power to the city because the crews trying to repair the power could not work on the power lines if there was a generator back feeding into the system.

“Your city employees and staff from the finance office to the electric, street and water department play such a crucial role in getting the city back to that new normal,” Mebius said.

The small, but capable eleven person city staff worked overtime and often with no or little breaks during the recovery effort in Wessington Springs.

The local churches stepped up in a big way as well by organizing and distributing the influx of donations to Wessington Springs as well as supporting the AmeriCorps volunteers.
Overall, there was very little damage to city owned buildings; however, many of the city’s overhead power lines were down and numerous poles snapped in half. The city streets were damaged the most because of the heavy equipment driving throughout the city hauling load after load of debris out.

“There were just mounds of debris,” Willman mentioned regarding the amount of damage everywhere.

Willman was impressed by the overall effort of the National Guard, community members and groups as well as other volunteers in how fast the debris was cleared and how well everyone worked together.

Wessington Springs has established a recovery team. The recovery team consists of six committees: executive, volunteer, unmeet needs, public relations, case management, and emotional care. These committees currently meet weekly and as the recovery moves forward, the committees may meet less often.

“These are all things I don’t think people realize after a disaster. It’s not, ok, three weeks out and we are done, it’s a marathon now,” Mebius said when discussing the ongoing and future recovery efforts in Wessington Springs.

Driving through Wessington Springs three weeks after, the city pool is open and full of people, yards are being mowed, most of the debris is gone and people are rebuilding.

“Wessington Springs is open for business and we are going to grow and continue on, we are not shutting down because of the disaster, we are moving forward,” Mebius said in closing.
Burke, Pierre, Rapid City and Sioux Falls will use $5,000 grants from the South Dakota Department of Health to audit just how easy it is for residents to walk and bike in their communities.

“A walk audit is a simple way for a community to assess its sidewalks, crosswalks, street lights, parks or green spaces, and other structures that make walking and biking around town safe, easy and appealing,” said Linda Ahrendt, the department’s administrator of chronic disease prevention and health promotion. “The research shows that people are more active when they live in communities where the built environment makes it easy to walk and bike.”

Ahrendt said a walk audit is a first step for communities interested in implementing healthy design principles to encourage their residents to be more physically active. It involves a cross section of community members, often led by design experts, on actual walks through the community to assess walkability. All four grant communities participated in a 2013 training session and audit in Pierre with Mark Fenton, a nationally recognized active transportation consultant.

Information gathered from walk audits can help policymakers support urban design, land use and transportation policies in their state, community or neighborhood that promote physical activity. It can spark both short and long term policy planning efforts, and position communities for future larger grant opportunities to enhance the built environment.

Ahrendt said the department will provide ongoing technical assistance to the grant communities and others interested in healthy community design strategies.

Helping South Dakotans across the lifespan to be physically active, eat healthy and be tobacco free is a key objective of the department’s 2020 initiative.
The Belle Fourche Industrial & Rail Park has been approved as a South Dakota Certified Ready Site. The announcement was made during a presentation at the Belle Fourche Development Corporation’s monthly board meeting in July.

“Belle Fourche has made some incredible strides in economic development the last year,” Pat Costello, Commissioner of the Governor’s Office of Economic Development (GOED) said. “Greg Krajewski and other leaders in the community understand the value the South Dakota Certified Ready Sites Program brings to its community. The Belle Fourche Development Corporation is no stranger to partnering with the GOED and its programs. I appreciate Belle’s continued commitment to economic development.”

“Getting the Belle Fourche Industrial & Rail Park certified ready was a major goal for the Belle Fourche Development Corporation in 2014,” said Greg Krajewski, executive director, Belle Fourche Development Corporation. “Now we can market this designation not only on our website, but on the GOED website as well. Heavy industrial parks such as ours have to have the ‘Certified Ready Site’ designation to get a serious look from site selectors. The GOED had the foresight to create the Certified Ready Site program to ensure South Dakota communities who have this designation will do well in attracting manufacturing companies to their cities.”

The Belle Fourche Industrial & Rail Park is the community’s first site to be approved as a South Dakota Certified Ready Site.

The program is an economic development tool available to all counties, cities, townships, planning districts, business improvement districts and developers.

The South Dakota Certified Ready Sites Program is operated under the supervision of the GOED for the purpose of providing consistent information on sites available throughout the state. For more information on the program, visit www.sdreadytopartner.com.

---

**Pool Testing**

Municipal swimming pools are no longer regulated by the State of South Dakota, however, these facilities should be tested for coliform bacteria during each week of operation.

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

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

Two or more consecutive positive samples indicates a general trend of bacteria presence in the pool. Corrective measures should be taken, such as super-chlorination, to prevent a health related incident caused by poor water quality.
U.S. Senator Tim Johnson (D-SD) announced that the National Endowment for the Arts (NEA) has awarded an Our Town federal grant of up to $150,000 to the City of Freeman to support the design of the Freeman Arts Earth Center. Our Town is an NEA program that awards competitive, matching grants to support the development of arts programs in rural and urban communities across the country.

“This grant will provide seed funding to support the creation of the Freeman Arts Earth Center,” Johnson said. “This arts and agricultural center will host performances, shows, and events for residents of Freeman and surrounding areas. The completion of this arts facility will be a real boon to the community, and I’m pleased that the National Endowment for the Arts has awarded this grant to Freeman.”

The award, as described by the NEA:
Project Description: To support a master plan, community engagement activities, and conceptual design for the Freeman Arts Earth Center in South Dakota. Architect Stephen Luoni will be the lead designer for a 16,000-square-foot cultural center, which will house a theater, recital hall, and space for arts and agriculturally-based programming. The center will be a new model for rural communities seeking innovative approaches to restoring economic and cultural vitality by combining arts training, performances, and heritage food production under one roof. The master plan will ensure that the center is designed as an anchor institution with strategic connections to other facilities and amenities in Freeman.

The City of Freeman’s partners include the University of Arkansas Community Design Center, Center for Architectural and Rural Sustainability, and Partners with Freeman Academy. Located on U.S. Highway 81, Freeman is a rural community of 1,300, with the potential to become a new attraction for tourists that are drawn to the region to visit historic Yankton, the Corn Palace, and Mount Rushmore.
SDML Policy Committee Meetings  
SDML Conference Room, Fort Pierre  
Wednesday, August 13, 2014

10:00 a.m. — Public Works Committee: Mark Cotter, Public Works Director, Sioux Falls, Chair • Justin Weiland, City Administrator, Dell Rapids, Vice Chair • Beau Riopel, Street Superintendent, Spearfish • Bill Lewellen, Electric Superintendent, Miller • Craig Wagner, Public Works Director, Hartford • Don Hosek, Mayor, Wagner • Greg Jamison, Councilmember, Sioux Falls • Ginny Beck, Utility Manager, Crooks • Glen Haines, Mayor, Faith • Harry Weller, Mayor, Kadoka • Jack Trullinger, Mayor, New Underwood • Jackie Lanning, City Engineer, Brookings • Jeanne Duchescher, Finance Officer, Parker • Jerry Buam, Street Superintendent, Elk Point • Rex Rolfig, Councilmember, Sioux Falls • Larry Cooper, Airport Manager, Huron • Leon Schoenmaier, City Administrator, Pierre • Linda Kramer, Town Board President, Hermosa • Lynn Lander, City Manager, Aberdeen • Philip Tiedeman, Airport Manager, Brookings • Rick Bush, Public Works Director, Sturgis • Robin Bobzien, City Engineer, Aberdeen • Ron Hofteizer, Street Superintendent, Miller • Ron Olson, Street Superintendent, Mitchell • Kermit Staggers, Councilmember, Sioux Falls • Todd Chambers, WMU Director of Operations, Watertown • Tracy Davis, Chief Accountant, Rapid City •

1:00 p.m. — General Government Committee: Mike Wendland, Mayor, Baltic, Chair • Anita Lowary, Finance Officer, Groton • Adam Altman, City Attorney, Aberdeen • Al Ruhlman, Human Resources Director, Aberdeen • Angie Utte, Compensation and Benefits Manager, Sioux Falls • Arnie Waddell, Councilmember, Murdo • Becky Brunsing, Finance Officer, Wagner • Brett Bill, Planning Director, Aberdeen • Christine Erickson, Councilmember, Sioux Falls • Dana Boke, Mayor, Spearfish • Dean Hammer, City Attorney, Dell Rapids • Denise Parker, Commissioner, Lead • Bill O’Toole, Human Resources Director, Sioux Falls • Dennis Nelsen, City Administrator, Elk Point • Donna Klinkhammer, Finance Officer, Howard • Donna Langland, Human Resources Director, Brookings • Lorie Hogstad, City Clerk, Sioux Falls • Fay Bueno, Finance Officer, Sturgis • Greg Barnier, City Attorney, Sturgis • Jerry Zeimetz, City Administrator, Beresford • Joe Neeb, City Administrator, Spearfish • Joel Landeen, City Attorney, Rapid City • Kendra Siemonsma, Special Projects Manager, Sioux Falls • Mary Jo Nelson, Finance Officer, Deadwood • Mary McClung, Finance Officer, Harrisburg • Michael Carlson, Finance Officer, Vermillion • Neal Pinnow, Mayor, Lemmon • Paul Young, Councilmember, Spearfish • Paullyn Carey, Finance Director, Huron • Rick Kiley, Councilmember, Sioux Falls • Roy Lindsay, Mayor, Madison • Sharon Mins, Finance Officer, Belle Fourche • Tim Reed, Mayor, Brookings •

Thursday, August 14, 2014

10:00 a.m. — Public Health, Safety and Welfare Committee: Tom Paisley, Building Official, Spearfish, Chair • Brittany Smith, Deputy Police Officer, Philip, Vice Chair • Brad Hartmann, Code Enforcement Officer, Sioux Falls • Clint Rux, Councilmember, Aberdeen • Frank Scott, Police Chief, Kimball • Greg Miller, Building Services Administrator, Brookings • Jill Franken, Public Health Director, Sioux Falls • Jim Balleweg, Building Inspector, Vermillion • Jim Bush, Police Chief, Sturgis • Larry Christensen, Police Chief, Beresford • Larry Graham, Councilmember, New Underwood • Laurie Gronlund, Human Resources Director, Pierre • Lyndon Overweg, Chief of Public Safety, Mitchell • Marie Marlow, Finance Officer, Britton • Mark Kroonje, City Attorney, Herreid • Michelle Deyo-Amende, Recreation Director, Belle Fourche • Michelle Erpenbach, Councilmember, Sioux Falls • Mike Glover, Finance Officer, Burke • Mike Maltaverne, Fire Chief, Rapid City • Roger Bell, Building Inspector, Huron • Ryan Fleek, Police Chief, Elk Point • Scott Simianer, Building Official/Zoning Administrator, Hot Springs • Kenny Anderson, Jr., Councilmember, Sioux Falls • Tom Kurtenbach, Fire Chief, Yankton •

1:00 p.m. Taxation and Revenue Committee: Pauline Sumption, Finance Officer, Rapid City, Chair • Meri Jo Anderson, Finance Officer, New Underwood, Vice Chair • Al Cerny, City Administrator/Finance Officer, Gregory • Tom Huber, Assistant Director of Finance, Sioux Falls • Andrew Pietrus, City Administrator, Harrisburg • Chuck Turbiville, Mayor, Deadwood • Daniel Ainslie, City Manager, Sturgis • Dave Dutton, Finance Officer, Spearfish • Dean Karsky, Councilmember, Sioux Falls • Dennis Olson, Assistant City Administrator/Finance Officer, Brandon • Elaine Hendrickson, Finance Officer, Baltic • Jim David, Operations/Legislative Director, Sioux Falls • Georann Silvernail, Commissioner, Deadwood • James Kanable, Mayor, Mound City • Jeff Weldon, City Manager, Brookings • Jennifer Eimers, Finance Officer, Madison • John Prescott, City Manager, Vermillion • Karl Alberts, Finance Officer, Aberdeen • Linda Willman, Finance Officer, Wessington Springs • Marilyn Wilson, Finance Officer, Mitchell • David Bixler, City Council Budget Analyst, Sioux Falls • Mike Levens, Mayor, Aberdeen • Ralph Borkowski, City Planner, Huron • Shelly Ebbers, Finance Officer, Watertown • Tracy Turbak, Director of Finance, Sioux Falls •
The SDML Policy Committees will consider policy additions and revisions at their meetings August 13 and 14 in Ft. Pierre. SDML member municipalities will vote on the policy resolutions at the 2014 Annual Conference October 7-10 in Spearfish. This Statement of Policy is also posted on the League’s website, www.sdmunicipalleague.org.

The current League policies follow:

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

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

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

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

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

6. The SDML supports establishing a deadline 90 days in advance of the annual municipal election for the submission of initiative or referendum petitions or petitions involving recall elections. (GG – 2011)

7. The SDML supports clarifying the voting requirements for non-ordinance items in the aldermanic form of government. (GG – 2010)

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


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

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


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

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

15. The SDML supports legislation to raise the threshold for requiring a performance bond to $50,000. (GG – 2006)

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

AUGUST 2014
17. The SDML supports legislation to allow funds to be deposited directly to municipalities from the state, rather than going first through the counties. (GG – 2006)

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

19. The SDML supports the repeal of restrictions contained in SDCL 4-3-27 regarding payments by electronic transaction. (GG – 2009)

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

21. The SDML supports legislation stating a vacancy is created if no one files a petition. (GG – 2012)

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

23. The SDML supports the repeal of SDCL 9-38-42 in order to allow park boards to submit budgets on the same schedule as all other departments. (Resolutions Committee – 2012)

24. The SDML supports comprehensive clean up in Title 9 clarifying distinctions between appointed and hired employees. (GG – 2013)

25. The SDML supports clarifying municipal statutes to provide procedures consistent with state laws on absentee voting, including the absentee voting deadline and when absentee voting begins. (GG – 2013)

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

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

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

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

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

31. The SDML supports amendments to annexation laws that increase local authority. (PW – 2000; 9)

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

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

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

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

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

37. The SDML would support legislation broadening authority of existing municipalities’ control of the
Current Statement of Policy

incorporation of new municipalities within three miles of existing corporate limits. (PW – 2006)

38. The SDML supports legislation to provide guidance for wastewater regionalization. (PW – 2012)

39. The SDML opposes the proposals set forth in the March 16, 2012 memo by Department of Energy Secretary Chu because the policies could adversely affect the continual operation of municipally owned electric systems in South Dakota. (PW – 2012)

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

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

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

LOCAL CONTROL AND HOME RULE

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

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

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

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

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

48. The SDML supports legislation restricting the use of carrier licenses by prohibiting alcoholic beverages in taxicabs. (GG – 2013)

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

Current Statement of Policy

51. The SDML recommends that the Department of Transportation, the Legislature, and any county affected, carefully review the financial impact of the transfer of any roads, bridges or highways to the municipality. The SDML supports legislation to require counties and the state to provide to municipalities all maintenance records and bridge inspections prior to the negotiation of a transfer. (PW – 2000; 2010; 1)

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

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

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

PUBLIC HEALTH AND SAFETY

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

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

57. The SDML encourages the local units of government to use the funds available from the State of SD to combat West Nile and encourages the State of SD to increase these funds. (PHSW – 2007)

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

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

60. The SDML urges cities to continue weekly testing of pools and public bodies of water as previously required by the Department of Environment and Natural Resources. (PHSW – 2011)

61. The SDML encourages legislation to reduce distracted driving. (PHSW – 2012)

62. The SDML supports legislation specifically allowing local adoption of the Property Maintenance Code. (PHSW – 2013)

63. The SDML supports legislation revising aviation statutes to create consistency between state and federal law. (PHSW – 2013)

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

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

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

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

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

69. The SDML supports amending SDCL 34-45-4 to increase the maximum monthly 911 surcharge. (T&R – 2000; 35)

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

71. The SDML supports legislation to allow the sheriff to designate other governmental entities to provide services under the 24/7 program, including the collection, deposit, and use of funds collected from providing such services. (T&R – 2010)

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

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

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

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

76. The SDML supports legislation that empowers municipalities to determine responsibility for service lines between the homeowner and the city. (PW – 2005)

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

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

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

80. The SDML opposes the imposition of any federal or state taxes or fees that would have an effect upon municipally owned enterprises or utilities. (T&R – 2000; 37)

MUNICIPAL UTILITIES

81. The SDML urges the Board of Water and Natural Resources to remove the percentages set by SDCL 34A-6-85 for the Solid Waste Management Grant Program, thereby allowing all applications equal opportunity to be considered for funding based on the merit of the project. (PW – 2000; 18)

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

83. The SDML encourages the reinstatement, by the SD DOT Commission, of the 90/10 Swap Program as soon as practical. (PW – 2009)
Current Statement of Policy

84. The SDML supports allowing municipalities to transfer drainage utility funds as needed to best serve the drainage system of their community. (PW – 2012)

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

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

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

88. The SDML supports allowing local governing bodies to set the cap on the accumulation of funds allowed in SDCL 9-47-1 and 9-48-2. (T&R – 2004)

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

Sales Tax

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

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

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

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

BRIDGING THE FINANCING GAP

Sometimes projects need a boost when trying to cross over from concept to reality. AE2S Nexus helps bridge that gap. We focus on creating solid plans, aggressively pursuing funding options, and assisting you with implementation to make sure your project is on solid ground.

SERVICES

• Utility Rate Analysis
• Funding/Financing
• Project Development and Administration
• Economic Development
• Asset Management

AE2S Nexus
The Financial Link
A Division of AE2S (Advanced Engineering and Environmental Services, Inc.)

www.AE2SNexus.com
The SDML supports legislation to allow municipalities to impose an additional tax on the leases or rentals of hotel, motel, campsites, or other lodging accommodations within the municipality. (T&R – 2000; 11)

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

The SDML supports a sales tax on all catalog and Internet sales. (T&R – 2000; 14)

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

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

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

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

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

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

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

The SDML opposes any moratorium on taxation of Internet services. (T&R – 2002; 2010; 27)

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

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

The SDML supports exempting municipal projects from the contractors excise tax. (T&R – 2004)

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

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

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

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

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

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

114. The SDML supports legislation to clarify that property tax appeals be filed on the appropriate form by the statutory deadline. (T&R – 2013)

115. The SDML supports removing exceptions for special assessment liens in SDCL 9-43-100. (T&R – 2013)

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

User Fees

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

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

CORE BELIEFS

Municipal Employees

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

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

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

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

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

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

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

CB8. The SDML opposes repeal of Article III, Section 26 of the South Dakota Constitution relating to municipal powers denied to private organizations. The SDML opposes any further changes in SDCL 3-18-3 providing for the voting procedure for determination of bargaining unit representation. The SDML supports SDCL 3-18-10 which prohibits strikes by public employees. (GG – 2000; CB11)

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

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

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

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

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

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

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

CB16. The SDML supports permissive legislation to allow municipalities the option of providing a matched supplemental retirement plan. (GG – 2000; 7) (Moved from General Policy)

Community and Economic Development

CB17. The SDML urges all municipalities to adopt a fair housing policy. (GG – 2000; CB16)

CB18. The SDML opposes bills similar to the “Bradley Bill” because of the potential environmental, social and economic impacts on the people and governments of South Dakota. (GG – 2000; 20)

CB19. The SDML encourages the Governor and the Legislature and the Ellsworth Authority to assist in the efforts to retain Ellsworth Air Force Base as a viable military facility. (GG – 2003; 15)

CB20. The SDML supports ensuring K-12 education is at the highest academically competitive levels as well as the teaching of basic life skills and responsibilities. (PHSW – 2003)

CB21. The SDML supports the use of public and private colleges and universities in producing labor studies and other studies on local needs and resources, and in the development of a statewide master plan for economic development. (PHSW – 2003)

CB22. The SDML encourages general education cost forgiveness for South Dakota university and technical school graduates who stay in-state for a specified length of time. (PHSW – 2003; 2010)
Current Statement of Policy

CB23. The SDML supports the creation of a long-range technology master plan for South Dakota. (PHSW – 2003)

CB24. The SDML urges investment in research and development and intellectual property using research triangles and incubator programs to promote these endeavors. (PHSW – 2003)

CB25. The SDML recognizes that the mismanagement of the Black Hills National Forest is a health, safety and economic development issue for residents of South Dakota. The SDML supports policies that prioritize quality of life and economic development in the Black Hills National Forest. (PHSW – 2003)

CB26. The SDML urges the SD Department of Environment and Natural Resources to recognize that environmental regulations cost municipalities an immense amount of money, which could otherwise be spent on economic development and quality of life improvements. The SDML urges DENR to keep environmental regulation as reasonable and affordable as possible for municipalities in South Dakota. (PHSW – 2003)

CB27. The SDML recognizes the importance of maintaining the National Science Lab, and strongly supports its development at the former Homestake mine. (PHSW – 2005; 14) (Moved from General Policy)

CB28. The SDML encourages the development of a state-wide economic development policy in South Dakota—recognizing that quality of life in communities is a major factor. (PHSW – 2002) (Moved from General Policy)

CB29. The SDML believes that municipal and county governments should formulate and control all local planning and zoning programs. (PW – 2000; CB7)

CB30. The SDML encourages the Legislature and the Governor to review all laws as they pertain to economic development, and to work with municipalities to develop opportunities and remove impediments to development of our communities. (T&R – 2002; 1)

Government Ethics and Operations

CB31. The SDML endorses the Core Beliefs espoused by the National League of Cities.¹ (GG – 2000; CB18)

CB32. The SDML encourages municipalities to initiate policies to oppose racial profiling in any municipal activity. (GG – 2000; CB19)

CB33. The SDML encourages municipal elections to remain non-partisan. (GG – 2003)

CB34. The SDML supports efforts to review and update state statutes related to municipal government provided the South Dakota Municipal League has appropriate representation in that process. (GG – 2000)

Local Control and Home Rule

CB35. The SDML encourages federal, state, and local government leaders to continue to work with American Indian tribes to resolve taxation, regulatory, environmental and infrastructure issues, and law enforcement concerns. Such efforts should address concerns resulting from the federal government placing land into trust on
Current Statement of Policy

behalf of American Indian tribes without such tribes having entered into a binding agreement with state and local entities on the collection of taxes, law enforcement, infrastructure and environmental concerns, and regulations. (GG – 2000; CB20)

CB36. The SDML encourages consolidation of the Boards of Equalization with the cooperation of all entities of local government in order to relieve taxpayers of unnecessary burdens and encourages legislation to require counties to consolidate Boards of Equalization when requested by a municipality. (GG – 2000; CB21)

CB37. The SDML opposes any legislation expanding the power and authority of special districts, sub-districts, cooperatives, and sanitary districts to render services without allowing municipalities the same options. (GG – 2000; CB22)

CB38. The SDML proactively opposes the mandatory OSHA requirements being applied to municipalities. (GG – 2000; 2)

CB39. The SDML opposes any legislation which would inhibit municipalities from providing services requested by citizens in whatever form the citizens approve. (GG – 2006)

CB40. The SDML believes that the main emphasis of environmental protection should be information and assistance to municipalities and education of the general public. The League urges the State and Federal Government to fully fund programs and provide technical assistance for planning and implementing programs and regulations established by state and federal laws. The League urges continued research and pilot studies in the fields of pollution control, flood control, water and conservation, river siltation, forest management and waste management. (PHSW – 2000; CB1)

CB41. The SDML supports continuing legislative review of the treatment of alcoholism, drug addiction, and gambling addiction. The SDML calls for the State of South Dakota to assume increased responsibility for funding of detoxification and alcoholic, drug addiction, and gambling treatment facilities from state alcohol beverage taxes and gaming proceeds. (PHSW – 2000; CB2)

CB42. The SDML recognizes the costs associated with maintaining and training regional emergency response teams in South Dakota and supports continued funding from the State of South Dakota. (PHSW – 2006; 2007; 2010) (Amended and moved from General Policy)

CB43. The SDML supports legislation that requires that users of private telephone switches or services be provided capabilities of the same level of 911 services as is available to other residents of the jurisdiction. (PHSW – 2000; 1) (Moved from General Policy)

CB44. The SDML supports legislation that would require communication companies to make customer records available, in electronic format, to municipalities for enhanced 911 services. (PHSW – 2000; 2) (Moved from General Policy)
Current Statement of Policy

CB45. The SDML supports legislation that continues to maintain compliance with the Juvenile Justice and Delinquency Act of 1974 and supports legislation for funding compliance. (PHSW – 2000; 2007; 3) (Moved from General Policy)

CB46. The SDML opposes any state environmental laws and regulations that are more stringent than existing federal environmental laws, standards and regulations. (PHSW – 2000; CB4)

CB47. The SDML recommends that streets and highways constructed with state/federal funds be based upon consultation and coordination with the local government. (PW – 2000; CB4)

CB48. The SDML urges the Transportation Commission, with input from municipal government, to develop and adhere to an adequate transportation plan and supports the development of an access management model. Further, municipalities must be offered participation in any change affecting their area. (PW – 2000; CB5)

CB49. The SDML opposes any state mandated prohibition against the cities’ right to construct with their own crews. (PW – 2003)

CB50. The SDML opposes any measure that restricts local control over taxation and spending, and urges the defeat of any such measure. Further, the SDML encourages municipalities to work individually and with other local governments to inform citizens of the negative impact of tax and spending limitation measures. (T&R – 2000; CB11)

CB51. The SDML opposes any attempt to impose a tax or regulation on self-insured local government pools or individual self-insured local government entities. (T&R – 2000; CB12)

Municipal Finance

CB52. The SDML encourages local governments to install 911 and maintain systems using the Funding Surcharge allowed by SDCL 34-45 (Emergency Reporting Telephone) and encourages legislation to increase this surcharge to fully fund the system. (PHSW – 2000; 2007; 2010; CB3)
Current Statement of Policy

State/Federal Funding

CB53. The SDML strongly supports the federal government honoring all of its funding obligations, including but not limited to federal highway funding and airport funding. The SDML also strongly supports the continued assistance of the SD Department of Transportation in assuming the local matching portion of federal highway monies. (T&R – 2000; 2010; 2011; CB1)

CB54. The SDML supports periodic evaluation and increases in state motor vehicle license fees for the funding of streets and highways and supports exploring other revenue to fund the highway transportation needs of the state. (T&R – 2000; CB2)

CB55. The SDML will support legislation to repeal the reduction in license fees for commercial vehicles, based on age of the vehicle. (T&R – 2000; CB3)

CB56. The SDML would oppose any redistribution of the motor fuel taxation that would violate the accord reached by the State and local governments in 1985. (T&R – 2000; CB4)

CB57. The SDML supports funding of the South Dakota Local Technical Assistance Program. (T&R – 2000; CB5)

CB58. The SDML recognizes that the US Army Corps of Engineers is responsible for the operation and maintenance of dams on the Missouri River, which due to design deficiencies, have caused stream bank erosion, channel sedimentation, and river bed degradation. Therefore, the cost to operate and maintain the Missouri River system as envisioned in the Flood Control Act of 1944 (Pick-Sloan) should be borne by the Federal Government. (T&R – 2000; CB7)

CB59. The SDML supports legislation for state general funds for training programs at the local level required by the state for firefighters and EMS workers and especially including funds to
reimburse volunteers for expenses incurred in training. (T&R – 2000; CB8)

CB60. The SDML requests that the state financially underwrite the full costs of all police training that is required by the state. Funds levied for training should be used only for training. Adequate funding of the law enforcement academy is essential to the provision of law enforcement officer training. (T&R – 2000; CB9)

CB61. The SDML supports the provisions of SDCL 6-15-1 and 6-15-2, relating to unfunded mandates, and believes that any new federal or state program, fee, legislation, rule, or regulation imposed upon municipalities must be federally or state funded. (T&R – 2000; CB10)

CB62. The SDML supports repeal of state taxation on fuels used by local governments. (T&R – 2003; 31)

CB63. The SDML believes that whenever possible and proper, additional local government costs should not be funded through increased real estate taxes, but through appropriate user fees or user tax systems or any other non-ad valorem revenue sources. (T&R – 2000; 33)

CB64. The SDML supports continued state and federal financing at sustained levels to local governments for projects rehabilitating and preserving water quality in South Dakota streams, rivers, lakes and aquifers. (T&R – 2000; 29) (Moved from General Policy)

CB65. The SDML supports developing an open, stronger, more cooperative working relationship with the SD Department of Revenue. (T&R – 2010; 2012) (Moved from General Policy)

Municipal Utilities

CB66. The SDML supports the rights of municipalities to establish electric utility systems to provide service within their corporate limits and adjacent urban growth areas. (PW – 2006)

CB67. The SDML opposes any legislation limiting or eliminating a municipal electric utility’s right to serve customers facilitated by annexation and/or condemnation. (PW – 2006)

CB68. The SDML encourages the state and federal government to maintain said dams in a safe and usable condition. (PW – 2010) (Partially moved from General Policy)

CB69. The SDML supports the continued training and certification of landfill operators. (PW – 2000; 2004; 2010; 17) (Moved from General Policy)

CB70. The SDML opposes any changes to the Power Marketing Administrations and specifically the Western Area Power Administration which deviate from the principles of beneficiary pays and cost-based rates. (PW – 2012)

Public Health and Safety

CB71. The SDML urges municipalities to develop ordinances that establish water and energy priorities within the municipality to conserve these resources. Further, the SDML urges municipalities to develop and implement public education programs designated to encourage water and energy conservation methods. (PW – 2000; CB1)

CB72. The SDML endorses the wise use of energy and urges local officials to be able to provide adequate input into any energy management or energy standards plan or regulation that affects local government. (PW – 2000; CB2)

CB73. The SDML feels strongly that a concerted effort should be made by the state, counties, and cities of this state to eliminate traffic hazards and provide uniform traffic control devices and signing for streets and highways. (PW – 2000; CB3)

1 Core Beliefs of the National League of Cities
We Believe in...
- Representative, participatory local government
- Local government as the cornerstone of government in the United States
- The value of public service
- The value of diversity throughout our organization and our communities
- Municipal authority over municipal issues
- A commitment to the highest ethical standards among all public officials
- Civility and mutual respect
- Anticipating the needs of communities and developing strategies to meet those needs and improve the quality of life
- Partnerships, coalitions, and collaborations to strengthen cities and our advocacy efforts
“Technology doesn’t have to be expensive.” That’s what the sales people tell us. These words trigger the warning bell in our heads. But sometimes it turns out to be true, as the city leaders in Lewiston, Maine (pop. 36,600) discovered in their partnership with NLC Corporate Partner CGI Communications.

Prominent on the city’s website, www.ci.lewiston.me.us, is a new video tour that highlights the community generally and offers a specialized focus on arts and entertainment, economic development, community organizations and quality of life. The high resolution streaming video costs the city nothing. CGI Communications builds the entire package and secures sponsorships from area businesses.

I have never been to Lewiston, but now, thanks to the video, I know lots about the community and am looking for an excuse to host an event there. The historic buildings in the downtown are enough to draw my interest and the Lewiston Art Walk is an added bonus. Likewise, the access to the natural world – hiking trails, river kayaking and a wildlife preserve – complement the built environment.

While we all might be drawn to a place because of its natural beauty, its architecture, its amusements and amenities, most of us still have to earn a living. The Lewiston videos offer information on the economic strengths as well as the artistic and recreational opportunities. The economy is diversified across health care, manufacturing, financial services and telecommunications industries. The local fiber optic network serves both businesses and residents and the riverfront development projects represent significant commercial investments.

Video on a city website is not new. But smaller cities like Lewiston tend to spend their local resources on direct service delivery. A web portal, while essential in the present era, is often a no frills site. Lewiston, through its public private partnership with CGI has shown that the city can have the frills and still spend community dollars on key local services.

About the Author: James Brooks is NLC’s Director for City Solutions. He specializes in local practice areas related to housing, neighborhoods, infrastructure, and community development and engagement. Follow Jim on Twitter @JamesABrooks.

Reprinted from CitiesSpeak.org, the official blog of the National League of Cities.
**Sponsored and Endorsed Programs**

**Health Pool of South Dakota**

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

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

**South Dakota Public Assurance Alliance**

Formed in 1986, the South Dakota Public Assurance Alliance (SDPAA) helps protect municipalities, counties, townships, conservation districts and special districts from liability and their property. The SDPAA has broad specialized coverage in the following areas (volunteers, appointed and elected officials are included): General Liability, Automobile Liability, Public Officials Liability, Law Enforcement Liability, Property Coverage, Auto Physical Damage and Boiler Coverage. The SDPAA is owned by the public entities who are its members. It differs from a traditional insurance program in that the SDPAA is responsible to and loyal to its members.

For more information contact Hagan Benefits, Inc. at 877-273-1712 or garydrewes@hagangroup.com, visit www.sdpaa.org.

**SDML Workers’ Compensation Fund**

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

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

**South Dakota Public Funds Investment Trust (FIT)**

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

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

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

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

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

GovOffice Web Solutions
Does your municipal website look outdated and it’s hard to update? Then make the switch to GovOffice, the easy-to-use and affordable municipal web development solution used by over 40 South Dakota communities. Custom designs are available to showcase your community and you’ll be able to offer your citizens new interactive features. No previous web technical training or programming skills necessary, live training sessions and toll-free assistance are provided. All SDML members receive discount pricing - make the switch to GovOffice!

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

U.S. Communities Government Purchasing Alliance
U.S. Communities is the leading national government purchasing cooperative, providing world class procurement resources and solutions to local and state government agencies, school districts, institutes of higher education, and nonprofits looking for the best overall supplier government pricing. Visit www.uscommunities.org to discover the differences that set U.S. Communities apart from the other regional and national programs.

For more information contact Jason Angel at 415-328-8109 or jangel@uscommunities.org, visit www.uscommunities.org.
SD Municipal League: Who We Are & What We Do

Who We Are

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

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

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

What We Do

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

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

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

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

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

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

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

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

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

Financial Assistance
The South Dakota Municipal League has established several programs to assist municipalities with cash management and investments, and with rising liability and insurance costs.
The SDML sponsors three risk sharing pools. The SDML Workers’ Compensation Fund was created in 1987. The South Dakota Public Assurance Alliance (SDPAA) has been providing liability and property coverage since 1986. The Health Pool of South Dakota (HPSD) was created July 1, 1995.

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

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

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

### Municipal League Districts

A listing of the cities in each District can be found on pages 98-100 of the 2014-2015 Directory of Municipal Officials.

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

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

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

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

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

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

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

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

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

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

---

Contact the League:
South Dakota Municipal League
208 Island Drive
Ft. Pierre, South Dakota 57532

Member Hotline: 1-800-658-3633
E-mail: firstname@sdmunicipalleague.org
Website: www.sdmunicipalleague.org

South Dakota Municipal League Staff:

Yvonne Taylor, Executive Director
Sandi Larson, Director of Risk Sharing Services
Christine Lehrkamp, Director of Research and Training
Jeff Mehlhaff, Director of Municipal Electric Services
Carrie Harer, Director of Marketing and Communications
Lori Butler, Director of Finance
April LeBeau, Finance and Administrative Services

SD Public Assurance Alliance:
Judith Payne, Executive Director
Bob Strachan, Director of Underwriting
Ron Burmood, Director of Member Services
Deb Corkill, Executive Assistant
Email: firstinitiallastname.sdpaa@sdmunicipalleague.org
Overview of Municipal Government in SD

Population:
There are three classes of municipalities:
First Class: Those with populations of 5,000 or over. There are 16 first class municipalities;
Second Class: Those with populations between 500 and 5,000. There are 99 second class municipalities;
Third Class: Those with populations of 500 or less. There are 194 third class municipalities.

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

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

Trustee Form: Between three and five board members are elected at-large for three year terms. The Trustees elect one of their own members to serve as the president of the board for a one year term. There are 159 Trustee Municipalities in South Dakota.

Aldermanic Form: These municipalities are governed by a common council, which consists of a mayor who is elected at-large and two aldermen from each ward. Terms of office are traditionally two years, but may be set by ordinance for up to five years. There are 128 Aldermanic Municipalities in South Dakota.

Commissioner Form: The board of commissioners consists of a mayor and two or four commissioners who are all elected at-large. The terms of office are traditionally two years, but may be set by ordinance for up to five years. There are 12 Commissioner Municipalities in South Dakota.

City Manager Form: These municipalities are either aldermanic or commissioner form, but employ a city manager. In the Aldermanic Form with a City Manager, the mayor and alderman are elected in the same manner as described above. There are three municipalities in South Dakota using this form of government: Brookings, Vermillion, and Sturgis. In Commissioner Form municipalities that employ a city manager, the number of commissioners is nine, each elected for a three-year term. There are three municipalities in South Dakota using this form of government: Aberdeen, Canton, and Yankton.

Home Rule: There are ten municipalities which have adopted a home-rule charter: Aberdeen, Beresford, Brookings, Elk Point, Faith, Fort Pierre, Pierre, Sioux Falls, Springfield, and Watertown. A home rule charter

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

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

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

Overview
There are 309 incorporated municipalities in South Dakota. They are grouped according to two different factors: population and form of government.
Vacancies
If there is a vacancy in the office of the mayor, the vacancy shall be filled by appointment by a majority vote of the members-elect of the common council, or by special election as provided in §9-13-14.2. Until the vacancy is filled or during the time of temporary disability of the mayor, the powers and duties of mayor shall be executed by the president of the city council (§9-8-2).

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

Mayor, President, and Vice President
The chief executive officer of a first or second class municipality under the aldermanic form shall be a mayor. The mayor shall hold office for a term of not less than two nor more than five years as determined by ordinance (§9-8-1).
The mayor shall preside at all meetings of the council but shall have no vote except in case of a tie as long as the vote does not create a liability or appropriate money. He shall perform such other duties as may be prescribed by the laws and ordinances, and take care that such laws and ordinances are faithfully executed. He shall annually and from time to time give the council information relative to the affairs of the municipality, and shall recommend for their consideration such measures as he may deem expedient. He shall have the power to sign or veto any ordinance or resolution passed by the common council, and the power to veto any part or item of an ordinance or resolution appropriating money (§9-8-3). The veto, with written objections, must be filed with the finance officer within ten days after final passage (§9-19-10). The vetoed ordinance or resolution must then be presented by the finance officer, with the mayor’s written objection, to the council at their next meeting for reconsideration. If the ordinance or resolution passes by a two-thirds vote of all the aldermen, it shall be published and become effective (§9-19-11).

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

Meetings
The council shall hold its regular meetings on the first Monday of each month. It may prescribe by ordinance the manner in which special meetings may be called and may so change the day of its regular monthly meetings. A majority of the aldermen elected shall constitute a quorum to do business, but a smaller number may adjourn and may compel the attendance of absentees under such penalties as may be prescribed by ordinance. It shall sit with open doors and shall keep a journal of its proceedings (§9-8-8). The yeas and nays shall be taken upon the passage of all ordinances and upon any proposal to create a liability against the municipality or for the expenditure or appropriation of its money, and in all other cases at the request of any member, which shall be entered on the minutes. The concurrence of a majority of all the aldermen shall be necessary to the passage of any such ordinance or proposal, but it shall require a two-thirds vote of all the aldermen to sell any city property (§9-8-10). No official may participate in discussing or vote on any issue in which they have a direct pecuniary interest (§6-1-17).

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

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

Terms of Office
The term of office of the members of the board may not exceed five years as determined by ordinance (§9-9-3).

Vacancies
In case the mayor is unable to perform the duties of his office by reason of absence or sickness, the board shall appoint by a majority vote of all members thereof one of its members to act in his stead, whose official designation shall be “acting president of the board of commissioners.” The commissioner so appointed shall be invested with all the powers and shall perform all the duties of the mayor during such absence of sickness (§9-9-8).

The resignation of the mayor or any commissioner shall be in writing to the board. The permanent removal of the mayor or any commissioner from the territorial limits of the municipality shall create a vacancy in his office (§9-9-6).

In case of a vacancy in the office of the mayor due to absence or disability, the board of commissioners shall appoint by a majority vote of all the members thereof one of its number as acting mayor, who shall be invested with all the powers and shall perform all duties of the mayor, during such absence or sickness (§9-9-8). A vacancy in the office of the mayor shall be filled by appointment pursuant to §9-9-8 until filled by election at the next annual election (§9-9-6) or by special election as provided in §9-13-14.2.

The Mayor
The mayor shall be president of the board and shall have a vote upon all questions but shall not have the right of veto (§9-9-7).
In a municipality with a five-member board, the mayor shall be the chief executive officer of the municipality, shall preside at all meetings of the board, and shall have general supervision over all departments and officers. In the absence or inability of a commissioner he shall temporarily take charge of the department of such commissioner. He shall see that all the laws of the municipality are enforced and that the conditions of the grant of any franchise or privilege are faithfully complied with and performed. He shall grant all licenses or permits, except as such are required by ordinance to be granted by the board or by some other department or officer. He shall have under his special charge the supervision of all public buildings of the municipality and of all city parks except in municipalities having a park board, and the lighting of the streets, alleys, and public buildings of the municipality. He shall annually and from time to time give the board information relative to the affairs of the municipality and shall recommend for its consideration such measures as he may deem expedient (§9-9-20).

The Commissioners

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

The Public Safety Commissioner

The public safety commissioner shall have under his supervision the enforcement of all police regulations of the municipality and general supervision of the police and fire departments and of their officers and employees and all other departments assigned or apportioned by resolution of the governing board, adopted by a majority thereof at the first meeting of the board in the month of May each year. He shall have charge of all apparatus and personal property used by these departments. He shall also have charge of the municipal pound and supervision of the public weigher and measurer (§9-9-21).

The Public Works Commissioner

The commissioner of public works shall have under his supervision the streets, alleys, public grounds, and improvements thereof, and all public property, except as otherwise specially provided, and shall maintain such in a clean and sanitary condition, and the enforcement of all contracts, rules, and regulations necessary to these ends and all other departments assigned or apportioned by
resolution of the governing board, adopted by a majority thereof at the first meeting of the board in the month of May each year (§9-9-22).

The Finance and Revenue Commissioner
In a municipality with a five-member board, the commissioner of finance and revenue shall have under his supervision enforcement of all laws for the assessment and collection of taxes of every kind and collection of all revenues belonging to the municipality from whatever source the same may be derived. He shall examine into and keep the board informed as to the finances of the municipality and as to its assets and property. He shall also supervise all other departments assigned or apportioned by resolution of the governing board, adopted by a majority thereof at the first meeting of the board in May each year (§9-9-24).

The Utilities Commissioner
The utilities commissioner shall have under his supervision the construction, maintenance, and operation of the waterworks and sewerage departments of the municipality and all other departments assigned or apportioned by resolution of the governing board, adopted by a majority thereof at the first meeting of the board in May each year. The utilities commissioner shall see to the enforcement of all regulations with respect to that department and its revenue (§9-9-23).

Meetings
The board shall meet at least once every week or as otherwise determined by ordinance in regular meeting at such time as shall be fixed by the board, at the city hall or other designated place, to consider, take under advisement, and act upon such business as may come before it (§9-9-11). All sessions of the board shall be open to the public. It shall keep a journal of its proceedings (§9-9-13). The yeas and nays shall be taken upon the passage of all ordinances and upon any proposals to create a liability against the municipality or for the expenditure or appropriation of its money, and in all other cases at the request of any member, and shall be entered on the journal of its proceedings (§9-9-16). The concurrence of a majority of all the members of the board of commissioners shall be necessary to the passage of any such ordinance or proposal. However, the two-thirds vote of all the commissioners elected is required to sell any city real property (§9-9-17).

Special meetings may be called by the mayor or by any two commissioners at any time, to consider only such matters as shall be mentioned in the call for such meeting by written notice thereof given to each member of the board (§9-9-12).

No final action shall be taken in any matter concerning the special department of any absent commissioner unless such business has been made the special order of the day, or such action is taken at a regular meeting of the board (§9-9-15).

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

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

Vacancies
If there is a vacancy in the office of the mayor, the vacancy shall be filled by appointment by a majority vote of the members-elect of the common council, or by special election as provided in SDCL 9-13-14.2. Until the vacancy is filled or during the time of temporary disability of the mayor, the powers and duties of mayor shall be executed by the president of the city council (§9-8-2).

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

The Mayor
The mayor shall be president of the board and shall have a vote upon all questions but shall not have the right of veto (SDCL 9-10-7). The Mayor is also the recognized head of the municipality for service of civil process and for military and ceremonial purposes; has emergency powers during times of public danger or emergency; and may have other duties prescribed by ordinance or resolution that are not inconsistent with the city management form of government (§9-10-7).
The City Manager
The city manager is responsible for the administration of all affairs of the municipality which are placed in his care. He can appoint or remove all officers or employees in the administrative service of the municipality. (SDCL 9-10-13) Further responsibilities of the city manager are to:

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

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

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

Commissioner Form With City Manager
Composition and Qualification
Under the commission form, where a city manager is employed, the board of commissioners shall consist of nine commissioners elected at large (§9-10-5 and 9-10-6). The commissioners must be citizens of the United States and residents and voters of the municipality (§9-9-2).

At the first regular meeting in May of each year, the commissioners elect one of their number to act as mayor for a term of one year (§9-10-6).

Before entering into the duties of their respective offices, the mayor and the commissioners must file an oath supporting the Constitution of the United States and of this state and to faithfully discharge the duties of his office. The oath also states that the official is not under direct or indirect obligation to appoint or elect any person to any official position.

From the Ground Up!
Building and maintaining great tanks, that’s what Maguire Iron has been doing since 1915. We are now in 30 states so let us do it for you too from the ground up!

JSA ENGINEERS AND LAND SURVEYORS
6810 S. Lyncrest Avenue · Suite 101
Sioux Falls, South Dakota 57108-2515
605-367-1036 · Fax 605-367-1002

www.MaguireIron.com

We designed it. We fabricated it.
We erected it. We painted it. We maintain it.
office, position, or employment in the municipality (§9-9-4). Finally, the mayor and the commissioners must also execute a bond, payable to the municipality, for the amount of two thousand dollars in second class cities, and for the amount of five thousand dollars in first class cities (§9-9-5).

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

Vacancies
In case the mayor is unable to perform the duties of his office by reason of absence or sickness, the board shall appoint by a majority vote of all members thereof one of its members to act in his stead, whose official designation shall be “acting president of the board of commissioners.” The commissioner so appointed shall be invested with all the powers and shall perform all the duties of the mayor during such absence of sickness (§9-9-8).

The resignation of the mayor or any commissioner shall be in writing to the board. The permanent removal of the mayor or any commissioner from the territorial limits of the municipality shall create a vacancy in his office (§9-9-6).

In case of a vacancy in the office of the mayor due to absence or disability, the board of commissioners shall appoint by a majority vote of all the members thereof one of its number as acting mayor, who shall be invested with all the powers and shall perform all the duties of the mayor during such absence of sickness (§9-9-8). A vacancy in the office of the mayor shall be filled by appointment pursuant to §9-9-8 until filled by election at the next annual election (§9-9-6) or by special election as provided in §9-13-14.2.

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

The City Manager
The city manager is responsible for the administration of all affairs of the municipality which are placed in his care. He can appoint or remove all officers or employees in the administrative service of the municipality. (SDCL 9-10-13) Further responsibilities of the city manager are to:
1) See to the enforcement of the law and ordinances;
2) Supervise the administration of the affairs of the municipality;
3) Make recommendations to the governing body;
4) Advise the governing body of the financial status of the municipality;
5) Prepare an annual budget;
6) See that all terms and conditions in any contract or franchise are kept;
7) Be present at all meetings of the governing body, except when the governing body is considering his removal;
8) Sign all warrants after approval by the governing body, which warrants must then be counter signed by the finance officer;
9) Prepare and introduce ordinances and take part in discussion, but he does not have the power to vote;
10) Carry out any further powers and duties prescribed by ordinance or resolution. (SDCL 9-10-15)

Meetings
The board shall meet at least once every week or as otherwise determined by ordinance in regular meeting at such time as shall be fixed by the board, at the city hall or other designated place, to consider, take under advisement, and act upon such business as may come before it (§9-9-11). All sessions of the board shall be open to the public. It shall keep a journal of its proceedings (§9-9-13). The yeas and nays shall be taken upon the passage of all ordinances and upon any proposals to create a liability against the municipality or for the expenditure or appropriation of its money, and in all other cases at the request of any member, and shall be entered on the journal of its proceedings (§9-9-16). The concurrence of a majority of all the members of the board of commissioners shall be necessary to the passage of any such ordinance or proposal. However, the two-thirds vote of all the commissioners elected is required to sell any city real property (§9-9-17).

Special meetings may be called by the mayor or by any two commissioners at any time, to consider only such matters as shall be mentioned in the call for such meeting by written notice thereof given to each member of the board (§9-9-12).

No final action shall be taken in any matter concerning the special department of any absent commissioner unless such business has been made the special order of the day, or such action is taken at a regular meeting of the board (§9-9-15).

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

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

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

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

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

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

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

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

For more details, refer to the SDML’s Handbook for Municipal Officials and to the South Dakota Codified Laws online at http://legis.sd.gov/Statutes/default.aspx.
Municipalities may enact, make, amend, revise, or repeal all such ordinances, resolutions, and regulations as may be proper and necessary to carry into effect the powers granted thereto (§9-19-3).

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

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

Ordinances must be in the following style:

“An ordinance ________________________ (insert title)

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

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

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

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

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

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

Voters have the right to propose their own ordinances through the initiative process, or to refer any legislative decision of the governing body through the referendum process. More information on these processes can be found in the Handbook for Municipal Officials or in §9-20.
Open Records

The governing body of each municipality must publish the full accounts of its meetings. The publication is to appear in the official newspaper of the municipality, or if there is no official newspaper, any legal newspaper which serves the municipality. The proceedings must be published within thirty days after each meeting (§9-18-1). The publication must include a detailed statement of all expenditures of money, showing the names of all persons who received remuneration as well as the service provided (§9-19-1). It is further required that the finance officer deliver a copy of the proceedings to be published in the official newspaper within one week after the meeting (§9-18-1.1).

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

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

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

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

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

Open Meetings Law
The open meetings law (SDCL Chapter 1-25) is intended to encourage public participation in government. The provisions of this idea are contained in three different statutes. Meetings subject to the direction of these statutes are those meetings of boards and commissions which are created by law OR which are entitled to receive revenue directly from public tax funds. Therefore, all your city meetings must comply with the open meeting requirements. If ever: (i) a legal quorum of your entity is present at the same place and at the same time and (ii) public business, meaning any matter relating to the activities of the entity is discussed, you must notify the public in the appropriate manner in the appropriate time frame.

The Guide to Open Meetings Law can be found on the League’s website, www.sdmunicipalleague.org, under the Library section.

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

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

1. The elected officials may discuss the qualifications, competence, performance, character or fitness of any officer or employee including prospective officers or employees. Contractors are not included in the term officer or employee.
2. The elected officials may consult with their attorney or receive communication from their attorney about proposed or pending law suits or contract problems.

Every AVK fire hydrant is backed by guaranteed next-day parts delivery and 10-year warranty – the best and most comprehensive in the industry. More importantly, every AVK fire hydrant is designed to last far beyond the life of the warranty. For example, the one-piece main valve features a ductile iron core, and is fully-encapsulated in EPDM rubber for years of worry-free performance. Fewer parts. Fewer problems. More rock-solid reliability. When your fire hydrants come from AVK, the only thing better than how they’re backed... is how they’re built!

Contact DSG Waterworks to start reducing your maintenance costs today!

(800) 660-5531 sfwwsales@dsginc.biz
www.dakotasupplygroup.com

WARRANTIED FOR A DECADE.
ENGINEERED FOR A LIFETIME. Expect...

AVK DRY BARREL HYDRANTS
3. The elected officials may prepare for labor negotiations with the municipality’s employees.
4. The elected officials may discuss marketing or pricing strategies of a business owned by the municipality (electric, liquor, telephone, etc.) if public discussion may be harmful to the competitive position of the business. This includes utility boards.

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

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

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

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

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

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

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

Bid Booklet
Available

A link to the Bid Booklet from the SD Department of Legislative Audit can be found at www.sdmunicipalleague.org under Bid Laws in the Library Section.

Printed booklets are not available for order but can be printed from the link.
Municipal Funding

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

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

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

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

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

Experience the difference.
One call. One service provider. One experience.
Providing municipal services for water and wastewater utilities for over 30 years.

Services include:
- Sewer Cleaning
- Digital Video Inspection
- CIPP and Rehab Services
- No-Dig Pipe Repair
- Filter Media Services
- Hydroexcavating
- Landfill Leachate Services

Four Midwest locations to Serve You! 1.855.84KLEAN
The municipal fiscal year begins January first. South Dakota statutes require, as preparation for the budget, an estimate of expenditures and revenues for the ensuing year to be reported on or before the first day of September. The finance officer should report this estimate to the governing body. Cities that employ a city manager are, however, exempt from this rule and must submit an annual report to the governing body not later than August first of each year. In preparing this budget the finance officer may include a line item for contingencies (not to exceed five percent of the total budget). Expenses cannot be charged to this item, but by resolution budget authority can be transferred out where needed. In order to aid the finance officer in preparing the annual BUDGET the various boards and commissions are required to submit an annual report estimating the expenses to be incurred for the ensuing year.

No later than the first regular meeting of the governing body in September or within 10 days thereafter, the annual appropriations ordinance for the ensuing year must be introduced. The purpose of the appropriations ordinance is to appropriate such sums of money as may be deemed necessary to meet the lawful expenses and liabilities of the municipality. In specifying the functions and sub-functions made in the appropriations ordinance, the governing body is required to follow, as far as it is applicable, the classification of expenditures for each department and office of the municipality as prepared by the state department of legislative audit.

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

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

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

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

No money can be paid out of the treasury except upon the warrant of the mayor or president of the board of trustees and countersigned by the finance officer. In cities employing a city manager, the warrant must be signed by the manager and countersigned by the finance officer before any sum can be paid.
As of July 1, 2012, cities are allowed to establish an incidental account from which advanced payment or claims requiring immediate payment may be made. The amount available in the fund is to be established by the governing body, with detailed account of expenditures to be presented not less than monthly. All expenditures from this account shall be listed with other bills in the regular proceedings of the governing body. All claims made on the incidental account require the signatures of two officers of the municipality. (SDCL 9-23-23)

**Annual Reports**

SDCL 9-22-21 requires the annual financial report to be submitted to the governing body at the first regular meeting of March and published within thirty days thereafter or upon completion of the annual audit. Immediately after the report to the governing body, the auditor, financial officer, or clerk, of municipalities of the first and second class, shall file a copy of the report with the State Department of Legislative Audit.

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

**Municipal Financial Calendar**

**January**

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

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

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

**March**

The finance officer shall at the first regular meeting in March present the annual report to the governing board and publish it within thirty days or upon completion of the annual audit. Immediately after the report to the governing body a copy is filed with the Department of Legislative Audit.

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

**May**

Special assessment installments become delinquent on May first.

**September**

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

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

**October**

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

**November**

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

**December**

Fiscal year ends December 31.

**Auditing of Accounts**

The Department of Legislative Audit provides an approval function for municipal audits in that engagements are approved up-front and a draft of the final report is approved at the end of each audit. Audits of municipalities are performed by Independent Public Accountants or by the Department of Legislative Audit at least once every two years.

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

Further, upon the request of the governing body or for special reasons the auditor general may audit the books and records of any office or any officer of the municipality, or upon request by a petition signed by twenty percent of resident taxpayers of a taxing district.
The First 90 Days

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

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

Your First 30 Days in Office:
- Check with the finance officer about being covered by a bond – a bond is required of certain elective and appointive municipal offers (SDCL 3-1-5). (Bond amount is determined by particular office and city size.)
- Learn about the South Dakota Open Meetings law and become familiar with bid laws and surplus property laws. Cities must follow specific procedures to acquire, dispose of or exchange property. You can find both of these topics under the Library tab on the League’s website, www.sdmunicipalleague.org.
- Become familiar with how your public office will affect your ability to become personally involved with areas of city concern.
- Request a detailed map of your city.
- Request and review a copy of the current city budget.
- Request a copy of the city code of ordinances and then review the table of contents so that you are somewhat familiar with what the code contains.
- Review city council meeting minutes from the previous three to six months.
- Meet your city employees.
- Review the most recent list of goals and objectives, if any, adopted by the city council.
- Talk with your fellow policy leaders and key staff members about the processes and methods used to effectively work together.
- Last but not least...get to know the League…we are here as a resource.

Your First 60 Days in Office:
- Review the current city budget and the most recent city audit or annual financial report.
- Review a list of city employees that shows the name, job title, salary, and tenure of each person on the payroll. Compare this information with the salaries from surrounding communities of similar size. Are salaries reasonable?
- Read your city’s capital improvements plan or community builder plan or long-term projects list, if they exist.

Your First 90 Days in Office:
- Review the job descriptions on file for city employees.
- Review the city’s policy manuals and employment contracts. Do you have a personnel policy? Are you aware of any current human resource issues within the city? The SDML has Sample Personnel Policies available for purchase, contact April at 800-658-3633.
- Request a copy of the city’s zoning and district map for your reference.
- Review your city’s civil defense plan and/or disaster preparedness and emergency response plan, if one exists. If you do not have one, consider whether it is necessary.
- Read your city’s most recent water and wastewater inspection reports.
- Review your city’s urban renewal plans or urban renewal district plans, if any exist.
- Review your city’s comprehensive plan, if one exists.
- Review your city’s investment policy. As a great investment alternative, the League endorses the South Dakota Public Funds Investment Trust (FIT). Contact Carrie Harer at the League (800-658-3633) regarding FIT or for a sample investment policy.
- Review your workers’ compensation and insurance policies…we can help with this too! Contact Sandi Larson at the League office at 800-658-3633.

Naturally Tuning
SPPEARFISH
SEPT. 22-24 · 2014
GOLF
DISC GOLF
TRAP SHOOT
SOUTH DAKOTA PARKS & RECREATION — STATE CONFERENCE
SPPEARFISH HOLIDAY INN & CONVENTION CENTER
KEYNOTE SPEAKER:
SCOTT FRIEDMAN
FOR MORE INFO:
kelly.elletson@cityofsppearfish.com
605.722.1430
Registration Deadline Sept 4, 2014
www.sdprra.com
What Is a Conflict...
What Do I Do If It Applies to Me?

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

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

The law goes on to occasionally FORCE you to remove yourself. NO SUCH official may participate in discussing or vote on an issue if the following circumstances apply (SDCL 6-1-17):

- the official has a direct pecuniary interest in the matter before the governing body or (this applies to any financial interest in the decision…such as family member employees, a new street in front of your business, etc.)
- at least 2/3 of the governing body votes that an official has an identifiable conflict of interest that should prohibit such official from voting on a specific matter.

Next is the contract issue: It is unlawful for any public officer or his agent to be interested in any contract entered into by the municipality. There are, however, some exceptions to this rule (SDCL 6-1-2):

- Any contract involving five thousand dollars or less regardless of whether other sources of supply or services are available within the county, municipality, township, or school district, provided that the consideration therefore is reasonable and just;
- Any contract involving more than five thousand dollars but less than the amount for which competitive bidding is required, and there is no other source of supply or services available within the county, municipality, township, or school district provided that the consideration therefore is reasonable and just and further provided that the accumulated total of such contracts paid during any given fiscal year shall not exceed the amount specified in SDCL 5-18A-14;
- Any contract with any firm, association, corporation, or cooperative association for which competitive bidding is not required and where other sources of supply and services are available within the county, municipality, township, or school district, and the consideration therefore is reasonable and just, unless the majority of the governing body are members or stockholders who collectively have controlling interest, or any one of them is an officer or manager of any such firm, association, corporation, or cooperative association then any such contract shall be null and void;
- Any contract for which competitive bidding procedures are followed pursuant to SDCL 5-18A or 5-18B, and where more than one such competitive bid is submitted;
- Any contract for professional services with any individual, firm, association, corporation or cooperative, if the individual or any member of the firm, association, corporation or cooperative is an elected or appointed officer of a county, municipality, township or school district, whether or not other sources of such services are available within the county, municipality, township or school district, provided the consideration therefore is reasonable and just.
- Any contract for commodities, materials, supplies, or equipment found in the state price list established pursuant to SDCL 5-18D-6 and 5-18A-28, at the price there established or below.
- Any contract or agreement between a governmental entity specified in SDCL 6-1-1 and a public post secondary educational institution when an employee of the Board of Regents serves as an elected or appointed officer for the governmental entity, provided that the employee does not receive direct compensation or payment as a result of the contract or agreement.
- Any contract with any firm, association, individual, or cooperative association for which competitive bidding procedures are followed pursuant to chapter 5-18A, and where only one such competitive bid is submitted, provided the procedures established in SDCL 6-1-2.1 are followed.

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

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

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

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

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

Positions which are **compatible** include the following:

1) Mayor and state’s attorney; (AGR 1907-08, p. 215)
2) Office of mayor and member of the board of county commissioners; (AGR 1949-50, p. 37)
3) Mayor and state senator; (AGR 1949-50, p. 358)
4) Treasurer of a school district and trustee of an incorporated municipality; (AGR 1949-50, p. 75)
5) Assessor and register of deeds; (AGR 1949-50, p.56)
6) Office of county commissioner and membership on the governing board of a municipality; (AGR 1929-30, p. 278)
7) Office of state’s attorney and city attorney; (AGR 1949-50, p. 331)
8) Municipality marshal and sheriff or deputy sheriff; (AGR 1953-54, p. 84)
9) Police magistrate and candidate for the state legislature; (AGR 1953-54, p. 292)
10) Office of county clerk of courts and city councilman; (AGR 1955-56 p. 68-9)
11) Office of register of deeds and mayor; (AGR 1955-56, p. 217)
12) Office of county sheriff and peace officer of a municipality within the county; (AGR 1955-56, p.420)
13) Appointed municipality treasurer and treasurer of a school district. (AGR 1959-60, p. 45)

14) No mayor, alderman, commissioner, or trustee in a municipality is disqualified from holding office as a result of holding any liquor license. (SDCL 9-14-16)
15) City council and county commission. (AG Opinion 88-24)
16) Any mayor, alderman, commissioner, or trustee may serve in a volunteer, unsalaried municipal position or provide any service for the municipality if the compensation for such service does not exceed $5,000 per calendar year. (SDCL 9-14-16.1)

Positions which are **incompatible** include the following:

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

Despite the guidance provided by the Attorney General and case law, conflict remains a confusing subject. If (and when) you experience a conflict issue please consult with your city attorney or contact the League at 800-658-3633.
Election Notice

The South Dakota Public Assurance Alliance (SDPAA) Board of Directors election will be held Wednesday, October 8, 2014, at the SDPAA annual membership meeting during the SDML Annual Conference in Spearfish, SD. The election shall be determined by a majority of those SDPAA member entities present and voting with each member entity having one vote. Election winners will be seated on the Board of Directors January 1, 2015. A copy of the Board of Directors Election Policy Resolution is available upon request.

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

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

Members of the Board shall be either:

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

SDPAA Liability and Property Pool Board of Directors positions up for election are currently held by:

- Dennis Olson, Assistant City Administrator, City of Brandon
- Tracy Turbak, City Finance Officer, City of Sioux Falls
- Terry Weisenberg, Lawrence County Commissioner, Lead

Please send a letter of application and supporting resolution, if applicable, by the deadline date of September 8, 2014 to:

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

All applications will be forwarded to the SDPAA Nominating Committee.
Life-Changing Events & Your Insurance Needs

*Insuring South Dakotans since 1995.*
*It's our only business!*

From Maternity to Newborn to Elderly care, the HPSD is there every step of the way!

Call the SD Municipal League at 1-800-658-3633 for more information.

Sponsored by:
SOUTH DAKOTA MUNICIPAL LEAGUE
Washington Report:

By Senator Tim Johnson

South Dakota has been blessed with many natural assets, from the prairie potholes and rich soils of East River, to the vast grasslands and Black Hills of West River, and the farm and range lands and Missouri River in between. These lands and waters and the ecosystems they support played a major role in the development and prosperity of our state. Even as South Dakotans are well accustomed to weather extremes, we’ve benefited from a climate that has been relatively stable over the past several hundred years. There have been only a few extended deviations outside the “normal” range, like the dust bowl drought of the 1930s.

Unfortunately, South Dakotans can no longer count on that relative climate stability in the future for themselves, their children, and their grandchildren. As detailed in the recently released Third National Climate Assessment, South Dakota is likely to see rising temperatures over the next several decades that will lead to increased demand for water and energy. In addition, changes to crop and forage growth cycles will necessitate new agricultural and livestock management practices. A higher frequency of extreme events, such as droughts, blizzards, and floods, will further stress vulnerable communities. We may have already started to see an increase in the frequency of extreme events in South Dakota, with the 2011 floods, the 2012 drought, and last year’s early season blizzard.

I have been concerned about the effects of climate change on our way of life in South Dakota for some time. That is why I have worked to take steps to reduce our emissions of greenhouse gases by reducing our dependence on fossil fuels and improving the efficiency of our energy use. Our state’s long-standing leadership in renewable fuels like wind power and ethanol has helped us be a part of the solution. Right now, about 25% of the electricity generated in South Dakota is from wind turbines. By working to better position our communities and landscapes to respond to changing conditions, we empower our agricultural producers and small businesses to implement improved practices that raise efficiency while preserving resources.

South Dakota has tremendous renewable energy resources and we are well positioned to take the lead in responding to an increasingly changing environment. The threats of climate change provide South Dakotans with an opportunity to grow our crops, raise our livestock, and build our products in better and more efficient ways. I will continue working to support policies that encourage clean energy development and reduce greenhouse gas emissions. Please join me in the effort to respond to climate change. Together we can make a better life in the great place we call home.

Addressing Climate Change in South Dakota

By Senator Tim Johnson

South Dakota has been blessed with many natural assets, from the prairie potholes and rich soils of East River, to the vast grasslands and Black Hills of West River, and the farm and range lands and Missouri River in between. These lands and waters and the ecosystems they support played a major role in the development and prosperity of our state. Even as South Dakotans are well accustomed to weather extremes, we’ve benefited from a climate that has been relatively stable over the past several hundred years. There have been only a few extended deviations outside the “normal” range, like the dust bowl drought of the 1930s.

Unfortunately, South Dakotans can no longer count on that relative climate stability in the future for themselves, their children, and their grandchildren. As detailed in the recently released Third National Climate Assessment, South Dakota is likely to see rising temperatures over the next several decades that will lead to increased demand for water and energy. In addition, changes to crop and forage growth cycles will necessitate new agricultural and livestock management practices. A higher frequency of extreme events, such as droughts, blizzards, and floods, will further stress vulnerable communities. We may have already started to see an increase in the frequency of extreme events in South Dakota, with the 2011 floods, the 2012 drought, and last year’s early season blizzard.

I have been concerned about the effects of climate change on our way of life in South Dakota for some time. That is why I have worked to take steps to reduce our emissions of greenhouse gases by reducing our dependence on fossil fuels and improving the efficiency of our energy use. Our state’s long-standing leadership in renewable fuels like wind power and ethanol has helped us be a part of the solution. Right now, about 25% of the electricity generated in South Dakota is from wind turbines. By working to better position our communities and landscapes to respond to changing conditions, we empower our agricultural producers and small businesses to implement improved practices that raise efficiency while preserving resources.

South Dakota has tremendous renewable energy resources and we are well positioned to take the lead in responding to an increasingly changing environment. The threats of climate change provide South Dakotans with an opportunity to grow our crops, raise our livestock, and build our products in better and more efficient ways. I will continue working to support policies that encourage clean energy development and reduce greenhouse gas emissions. Please join me in the effort to respond to climate change. Together we can make a better life in the great place we call home.

Arens Engineering

municipal engineering
water & wastewater engineering
storm drainage - municipal streets

Vernon Arens, PE
230 Capitol St. • Yankton, SD • 57078
605-665-2002 • Fax 605-260-2140
arenseng@iw.net

South Dakota Housing Development Authority

Your Partner in providing...

Low Interest Rates
Downpayment Assistance
Home Improvement Loans
Closing Cost Assistance

www.sdhda.org
800.540.4241
SUCCEEDING TOGETHER
INVEST WITH CONFIDENCE

As a leading provider of solutions to the governmental market, you can count on Butler Machinery!

- Get Cat quality products along with local service and support
- Save valuable effort and budget dollars. Eliminate the time and costs associated with developing, advertising and soliciting bids; waiting for vendor responses; reviewing detailed proposals and awarding contracts.
- Manage risk. Avoid the unpredictability of a low-bid scenario by investing in equipment that delivers reliable performance, long life and low operating costs.
- Optimize employee productivity. Assign your staff to higher-priority tasks, leveraging the administrative work already done by others.

TAKE THE NEXT STEP
Ready to take advantage of this cooperative purchasing program?
- Visit http://govbidspec.cat.com
- Or contact Butler Machinery

Butler
www.butlermachinery.com

© 2013 Caterpillar. All Rights Reserved. CAT, CATERPILLAR, BUILT FOR IT, their respective logos, “Caterpillar Yellow,” the “Power Edge” trade dress as well as corporate and product identity used herein, are trademarks of Caterpillar and may not be used without permission. www.cat.com  www.caterpillar.com
SEPTEMBER Community Events

**September 1**
Historic Prairie Village Closes for Season
Madison

**September 2**
Trolley on the Trail
Deadwood

**September 4**
Autumn Nights
Rapid City
Summer Porch at Strawbale Winery
Renner

**September 5**
15th Annual Portfolio Art Show
Sioux Falls
Portfolio Show
Sioux Falls
Downtown Block Party on the Eastbank
Sioux Falls
“Screen on the Green” Outdoor Movie on the Lawn
Watertown

**September 6**
Vintiques Rod Run & Car Show
Watertown
Holy Rocka Rollaz Concert
Watertown
Chase Rice in Concert
Deadwood
Southern Hills Triathlon
Hot Springs
Crazy Horse September Night Blast
Crazy Horse
SD 125th Birthday Wagon Train
Tripp

**September 6 - September 7**
Hill City Area Quilt Show & Sale
Hill City
The Richmond Rumble Disc Golf
Aberdeen

**September 7**
Homesteader Day Celebration
Brandon
Sangria Sunday at Strawbale Winery
Renner

**September 10**
Trolley on the Trail
Hill City

**September 11**
Martina McBride in Concert
Deadwood
Autumn Nights
Rapid City
Ralph Wamsher Photographer At Arts Night @ the Pub
Watertown

**September 12**
The Eagles Tribute Band
Hotel California
Watertown
Foothills Bud Light Bull Bash
Wessington Springs
Art Night Downtown
Rapid City
Watertown Art Showcase
Watertown

**September 12 - September 13**
Goodtime Gals
Watertown
Deadwood Jam
Deadwood

**September 12 - September 14**
SD 125th & Kyle Evans Memorial Wagon Train
Wessington Springs

**September 13**
Menno Car Show
Menno
Wine Express Into the West
Hill City

Leisure Riders Annual Memorial Run
Watertown

**September 13 - September 14**
GPIRA Finals
Mission
Kuchen Festival
Delmont
Twin Rivers Old Iron Harvest Festival
Delmont
Mobridge Beef n Fun Days
Mobridge
Sturgis Supermoto
Sturgis

**September 14**
Sangria Sunday at Strawbale Winery
Renner
Fire & Rescue 4th Annual Car Show
Irene

**September 18**
Autumn Nights
Rapid City

**September 18 - September 20**
Karing Kapers Theater
Watertown

**September 19**
Artist Reception: Robert Jackson & Gerald Cournoye
Brookings

**September 19 - September 21**
SD Fiddle Contest and Jamboree
Yankton
North Country Fiber Fair
Watertown
Strider World Championship 2014
Rapid City
Eureka Schmeckfest
Eureka

**September 20**
James Valley Model Railroad
Open House
Aberdeen
SEPTEMBER Community Events

Outkasts Cruise-in & Car Show
Mitchell

27th Annual National Pedal Pull
Mitchell

Wine Express Into the West
Hill City

Fall in the Park at Lewis and Clark
Yankton

Watertown Radio Chili Cook-Off
Watertown

September 20 - September 21
Northeast South Dakota Celtic Faire & Games
Aberdeen

Menno Pioneer Power Show
Menno

September 20 - September 22
Mickelson Trail Trek--Begins in Custer
Custer

Sangria Sunday at Strawbale Winery
Renner

Eli Young Band
Deadwood

September 25
7th Annual Blessing for the Hunt
Aberdeen

Autumn Nights
Rapid City

September 25 - September 28
South Dakota Film Festival
Aberdeen

September 26
Buffalo Roundup
Custer

Custer State Park Buffalo Roundup
Custer

Menno Band Day
Menno

September 26 - September 27
Badger Clark Cowboy Poetry & Music Gathering
Hot Springs

September 27
South Dakota Women’s Expo
Huron

1880 Train Oktoberfest Express
Hill City

Living History Fall Festival
Groton

Great Downtown Pumpkin Festival
Rapid City

September 27 - September 28
Buffalo Roundup Arts Festival
Custer

September 28
Sangria Sunday at Strawbale Winery
Renner

September 28 - September 29
Autumn Volksmarch at Crazy Horse Memorial
Crazy Horse

For more details visit www.travelsd.com.

What Makes Your City Beautiful?

Big or small, there are many unique and compelling aspects that make a city special. Whether it’s a bustling city center or a quiet lakeside, NLC wants to hear what makes your city or town a great place to live, work and play. Each week, NLC will share a submission on their Facebook page (www.facebook.com/NationalLeagueofCities) with a short description.

Send an image that captures why you love your city to membership@nlc.org. It can be a park, landscape, skyline, festival or City Hall — just as long as it’s something you’d like to share about your city or town. Make sure the image is at least 403 x 403 pixels.

Please include a short description, no more than three sentences, describing why the scene you selected is beautiful.
CLASSIFIEDS

CLASSIFIED ADS POLICY: Member municipalities receive free insertions and free postings on the League website. Non-member advertisers are billed $50 per insertion. All ads are subject to editing if necessary. The next deadline is August 15 for the September 2014 issue. Email ads to carrie@sdmunicipalleague.org or fax to 605-224-8655.

CITY ADMINISTRATOR: The City of Mobridge is currently accepting applications for the position of City Administrator. Benefits include paid holidays, paid vacation, sick leave, SD State Retirement and Health Insurance. Annual salary is $35,000 to $45,000 DOE. To obtain the complete Application Packet for this Employment Opportunity, call City Finance Officer, Heather Beck at 605-845-3509 or email cityhall@westriv.com. Complete applications and resumes must be submitted to Mobridge City Hall, 114 1st Avenue East, Mobridge, South Dakota 57601 no later than August 8, 2014 at 2:00 p.m.

DIRECTOR OF PARKS, RECREATION & FORESTRY: The City of Watertown, SD, seeks an experienced leader as Director of Parks, Recreation & Forestry to provide professional management and administrative direction for the overall operations and functions of all divisions within the Parks, Recreation and Forestry Department. This appointed position is under the combined administrative direction of the Mayor and the Parks, Recreation & Forestry Board, working from municipal policies and objectives as approved by City Council and the Parks, Recreation & Forestry Board. Minimum qualifications: Bachelor of Science degree in Parks Management, Recreation or Parks and Recreation Administration, and 7 years of progressively responsible municipal park and recreation administration experience, or equivalent education and experience. A candidate must possess a valid driver’s license. Certification as a Parks and Recreation Professional from the NRPA is desirable. A candidate must comply with residency requirements within six months of hire. Anticipated start date: October 1, 2014. Starting annual salary range: $68,000 to $76,579. Job description and City application form available at: http://www.watertownsd.us/Jobs.aspx. Send cover letter, completed City application form and resume to: Human Resources Coordinator, PO Box 910, Watertown, SD 57201. Application deadline: 5:00 p.m., August 22, 2014.

FINANCE OFFICER: Hill City, SD seeks professional candidate for a full-time appointive Finance Officer position. This position oversees all aspects of City finances on behalf of the Mayor and City Council. Supervises all aspects of the City Finance Office and assures State and Federal regulatory compliance. Responsible for all fiscal management of City funds, insurance administration, licensing, elections, budgets, equalization/assessments, ordinance and resolutions. A graduate from an accredited college or university with a degree in accounting, finance, business, or public administration, or a closely related field; and five (5) years’ progressively responsible accounting work or any equivalent combination of experience, education and training which provides the desired knowledge, skills and abilities. Prior experience in municipal government and fund accounting preferred. Open until filled. Salary DOE. Info at hillcitysd.org or 605-574-2300. EOE.

INTER DEPARTMENT OPERATOR: The City of Custer is seeking a responsible individual for a position of Inter Department Operator. Primary purpose of position is to assist in the operation, maintenance and repair of the City’s water system, wastewater system, streets, parks and public buildings. Must possess a valid Driver’s license and reside within 15 miles of the City of Custer at the time of hire. Starting wage DOE and certifications. Applications and detailed job description are available at Custer City Hall, 622 Crook St, Custer, SD. 57730, 605-673-4824. www.custer.govoffice.com. An application must be completed and resumes may be included with the application, but are not accepted in lieu of an application. Applications will be accepted by mail or may be dropped off at Custer City Hall. Position open until filled. EOE.

FINANCE OFFICER: The City of Volga, South Dakota (pop. 1,784) is seeking a Finance Officer to manage the city’s finances and annual budget. Candidates for this position must possess a degree in accounting, finance, business administration, public administration or a closely related field from an accredited four-year college or university or must have five (5) years of progressively responsible municipal finance work. This position requires a strong working knowledge of governmental accounting procedures, financial reports and budgets, internal control procedures and payroll and accounts payable functions. The Finance Officer reports directly to the City Administrator. The ideal candidate will display excellent communication, leadership and supervisory skills for this position. Candidates must also demonstrate the ability to engage the general public. Salary range: $21.00- $24.00 per hour (doq) with a competitive benefits package. To apply, submit a cover letter, resume, salary history and three work-related references to Andrew Bremseth, City Administrator, City of Volga. Electronic: andrew@volgacity.com or mail to: PO Box 217 Volga, SD 57071. For more information or questions related to this position, contact Andrew Bremseth at 605-627-9113. Resumes will be accepted until August 8th at 4 p.m. AA/EOE.

JOURNEY LINE WORKERS: Jackson & Olivia, MN. Missouri River Energy Services is looking for highly
motivated Journey Line Workers to provide electric distribution maintenance services to our member communities in Olivia and Jackson, Minnesota. One position is available to support each city. Requirements include: Education: 1 year Power Line (minimum); Experience: 4 years in operation, construction, reconstruction, maintenance, and repair of electrical distribution systems and associated equipment; Journey Line Worker designation; and Active Driver’s License; ability to obtain a CDL endorsement within 6 months. MRES is an organization of 61 member municipalities that own and operate their own electrical distribution systems. We are dedicated to supplying our member municipalities with reliable, cost effective, long term energy and energy services in a fiscally responsible and environmentally sensitive manner. We provide competitive wages, a comprehensive/low cost benefit package, and an outstanding work environment that promotes a long lasting career. Learn more about our organization by visiting our website at www.mrenergy.com. For consideration, email your resume to hr@mrenergy.com.

MAINTENANCE AND POLICE CHIEF: The City of Leola is accepting applications for the position of full-time City Maintenance and Police Chief. The City will pay for expenses to get certified in water, sewer and law enforcement, unless already certified by the State of SD. Wages depend on Training and Experience. This position is appointed by the Mayor and confirmed by the Council. Applications are to be submitted to the City of Leola PO Box 108, Leola, SD 57456. If you have questions or need more information contact Candice Kappes, Leola City Finance Officer at 605-439-3299.

MAINTENANCE WORKER: The City of Conde, SD, is now accepting applications for a full-time Maintenance Worker. Work areas include, but are not limited to water, sewer, streets, snow removal, and rubble site. The following certifications/licenses must be possessed or be able to obtain: Commercial Applicator’s License, Class I Water Distribution, Class I Wastewater Treatment and Distribution, and a valid SD driver’s license. Mechanical ability and knowledge and experience with all types of equipment are desired. Individual must also be dependable, reliable, friendly, and able to work with others. Salary/wage is depending upon qualifications and experience. Applications and/or additional information may be obtained from the City Finance Office, PO Box 113, Conde, SD 57434. Telephone: 605-382-5258 or email ctyconde@nvc.net. The City Office is located in the north side of the former school on Broadway St. SW, Conde, SD. Applications will be accepted until the position is filled.
PLANNING ADMINISTRATOR: City of Custer City, SD. This position is responsible for overseeing and enforcing City building codes, as well as general ordinances related to housing and property maintenance, administrative and conceptual work in the area of planning and zoning. This is a full-time position with benefits. Bachelor’s Degree or equivalent combination of education and experience. The applicant must be able to obtain IBC Residential Building Inspector and Fire Code Certification within 1 year of date of hire; and Floodplain Administrator Certification within 2 years of date of hire. All applicants must complete the Custer City Municipal application form. To receive an application form, contact the City Finance Office staff at 622 Crook St., Custer, SD, 57730, 605-673-4824 or go to www.custer.govoffice.com. Job description can be viewed online. Position will remain open until filled. EOE.

POLICE OFFICER: City of Lennox, SD is accepting applications for a full-time certified police officer and a part-time certified police officer. Qualifications: a High School diploma/GED certificate, state law enforcement academy certification. Apply at City Hall, 107 South Main Street, Lennox, at http://www.cityoflennoxsd.com, or call 605-647-2286 for application. EOE.

STAFF AUDITOR: The City of Rapid City has an opening for Staff Auditor. Applications and information may be obtained at www.rcgov.org. Deadline to submit application is 4 p.m. on 08/15/14. EOE.

WATER/WASTEWATER SUPERINTENDENT: City of Mobridge is accepting applications for a full-time Water/Wastewater Superintendent. This position is responsible for overseeing the daily operations and maintenance of the water and wastewater systems for the City. Candidates must have SD certifications in water and wastewater, a class A CDL or the ability to obtain with air brakes within six months of hire, and keep during employment with the Mobridge. Must also have supervisory experience. Graduation from high school or GED certification. Interested applicants must submit a completed City of Mobridge application and resume, including references and a cover letter. Benefits package includes SD retirement, health insurance, life insurance, paid sick leave and vacation. Job description and application available at the City of Mobridge, 114 1st Ave East, Mobridge, SD 57601; p 605-845-3555 or email steveg@westriv.com. Salary based on experience and qualifications. Position will be open until filled.
WASTEWATER TREATMENT PLANT MANAGER/OPERATOR: City of Mobridge is accepting applications for a full-time Wastewater Treatment Facility Manager/Operator. This position is responsible for operating and maintaining the daily operations of the wastewater treatment facility. Candidates must have or the ability to obtain a class III wastewater treatment certification, a class A CDL with air brakes within six months of hire, and keep during employment with the Mobridge Wastewater System. Graduation from high school or GED certification. Interested applicants must submit a completed City of Mobridge application to the Water Department, 114 1st Ave East, Mobridge, SD 57601; p 605-845-3555 or email steveg@westriv.com. Salary based on experience. Position will be open until filled.

FOR SALE: The Town of Chancellor has declared a red 1944 Farmall B Tractor with a 6’ Belly Mower surplus. This tractor has been repainted and decaled. For more information, call the Town of Chancellor at 605-647-8696 and leave a message. The bids must be sent in an envelope marked on the outside “Farmall B Tractor Bid.” Bids can be sent to Town of Chancellor, Box 106, Chancellor, SD 57015. The bids must be received by August 8, 2014 and will be opened at the Town Board Meeting in the Chancellor City Hall on August 10, 2014. The board has the right to reject any or all bids.

FOR SALE: 2002 Ford E350 Ambulance With a 7.3 Ford Diesel Motor. 60,275 miles. $25,000.00. Contact the Parker City Office at 605-297-4453 for further information.

FOR SALE: Ambulance box: Osage Industries Type III 2168 Super-Warrior. $25,000.00. Contact the Parker City Office at 605-297-4453 for further information.

SURPLUS PROPERTY: The City of Wall has declared the following items as surplus: 1982 International Dump Truck, twin screw end with automatic transmission and Angle Plow; 1970 Chevy two-ton Dump Truck, five speed manual transmission with tag axle and a 1999 rebuilt motor; 1987 Coal (Army) trailer; 1986 Trailer with potable water tank; 1972 Tiger line (Beavertail) trailer; Five I-beams ranging 11ft. to 29 ft. in length; Two (2) 3 cu. yd. dumpsters and two (2) 6 cu. yd. dumpsters. Bids need to be submitted at PO Box 314, 501 Main Street, Wall, SD 57790. For additional information, please contact Garrett Bryan, Public Works Director at 605-279-2563. Bids must be received by September 4th, 2014 at 2:00 p.m. and will be opened at the regular council meeting on the 4th of September at 6:30 p.m. in the Wall Community Center meeting room, 501 Main Street, Wall, SD 57790. The City of Wall reserves the right to reject any or all bids and to waive any irregularities therein and reserves the right to award sale to the highest responsible bidder as they so determine.

FOR SALE: Sensus RadioRead Water Meter Equipment - The City of Piedmont, SD has seventy-eight (78) new “Sensus RadioReaders” 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. RadioRead offers a choice of meter reading options. A handheld unit can be used for reading RadioRead equipped meters. A more powerful vehicle transceiver has greater range and can be used in any car or truck at any time to read meters as the vehicle drives past RadioRead equipped meters. If interested contact the City of Piedmont at 605-716-5495.

FOR SALE: Water Meter Pits - The City of Piedmont, SD has nine (9) new Ford Meter Box Pits Model# PTFCBHH-288-15-72 for sale. Asking price is $500.00 each. The pits provide a means to allow a meter (not included) to be read and maintained even though it is set deep in the ground to resist freezing. The THERMAL-COIL Meter Box is designed to install the meter on a platform that normally sets near the bottom of the box where the ground temperature keeps it warmer. The meter and platform are connected to the service line by coils of polybutylene tubing which allow the meter and platform to be raised to the surface. If interested call 605-716-5495.


FOR SALE: Elgin White Wing Street Sweeper 345 ci International truck engine, self-propelled with curb brush, $2,500. Rosco pull-behind 7 1/2‘ Street Sweeper new brushes in 2013, newer 4 cyl., air-cooled Wisconsin type motor (50 hrs), $2,000. Both are as is, where is. Contact the City of Wilmot at 605-938-4811.

Visit www.sdmunicipalleague.org for more classifieds.
Municipal Calendar

August

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

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

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

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

On or before September 1 – If the number of on-sale and off-sale liquor licenses is not fixed by ordinance, the governing body may determine by resolution the number of on-sale and off-sale liquor licenses and the fees to be charged for each. (SDCL 35-4-11; See Hdbk., sec. 11.205)

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

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

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

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

For general purposes ____________________________
For interest and debt service fund __________________
(SDCL 9-21-20 and SDCL 10-12-7; See Hdbk., sec. 12.066)

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

September

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

On or before September 1 – If the number of on-sale and off-sale liquor licenses is not fixed by ordinance, the governing body may determine by resolution the number of on-sale and off-sale liquor licenses and the fees to be charged for each. (SDCL 35-4-11; See Hdbk., sec. 11.205)

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

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

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

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

For general purposes ____________________________
For interest and debt service fund __________________
(SDCL 9-21-20 and SDCL 10-12-7; See Hdbk., sec. 12.066)

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

• Sanitary & Storm Sewers • Jet Cleaning • Color TV Inspection • Graud Sealing • Hydraulic Rodding • Rod Control
• Manhole Rehab • Water Filters • Digester Cleaning • Pipe Relining

Jason Howe • owner
BOX 983
Spencer, Iowa 51301
PHONE 712-282-5687
712-280-1223

SOUTH DAKOTA MUNICIPALITIES
With GROWTH comes RESPONSIBILITY.

Being part of the South Dakota Business Community means being responsible to YOU.

Aviation
Streets and Highways
Sanitary Sewer and Water Utilities
Storm Water
Construction Services
Wetland Delineation/Mitigation
Environmental
Water Treatment
Wastewater Treatment
Traffic/Transportation
Bridges
Asset Management
GIS

For all your engineering needs contact
Alec Boyce
aboyce@sehinc.com
Mike Kuno, PE
mkuno@sehinc.com
Eric Hanson, PE
ehanson@sehinc.com
Rocky Kechn, PE
rkeehn@sehinc.com

SEH
Building a Better World for All of Us®
Engineers | Architects | Planners | Scientists
605.330.7000
800.325.2055
sehinc.com
South Dakota Public Assurance Alliance

Your Municipal League
Sponsored Program

The MAJORITY of the Municipal Entities protect their Taxpayers with Liability and Property Coverage through the SDPAA.

We have broad specialized coverage for public entities in the following areas:
- General Liability
- Automobile Liability
- Automobile Physical Damage
- Public Officials Liability
- Law Enforcement Liability
- Property Coverage
- Boiler Coverage

Volunteers, Appointed and Elected Officials are included.

All we cover are South Dakota Public Entities. You are our business.

For More Information Contact:

Hagan Benefits, Inc.
Liability & Property
877-273-1712
www.sdpaa.org

Sponsored by:

SDML Workers - Compensation - Fund

Specializing in Workers’ Compensation for Public Entities

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

For more information, contact:

Insurance Benefits Incorporated
605-334-7252
Email: info@sdmlwcfund.com
www.sdmlwcfund.com