South Dakota MUNICIPALITIES
The Magazine of the South Dakota Municipal League
July 2015
Volume 82
Number 1

In this issue:
SD Municipal League Policy Process
SDML Excellence Award Nomination Form
Finance Officer of the Year Named
BUILD UPON A STRONG FOUNDATION

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Below are measures which may have some impact on municipal operations. Unless otherwise noted, these new laws become effective July 1, 2015.

**SB 120** – Created three new temporary special event licenses – for off-sale wine, off-sale malt beverages, and package liquor – that allow civic, charitable, educational, fraternal, or veterans organizations holding those special event licenses to sell donated products at the event. *Effective March, 2015.*

**SB 87** – Clarifies that moving out of a ward or municipality from which a person is elected creates a vacancy, by making §3-4-1 consistent with the provisions of §9-14-10.

**SB 88** – Allows the person in charge of a municipal election to appoint an election board member on an emergency basis.

**SB 126** – Updates references to the International Building Code and Property Maintenance Code, allowing consideration of the 2015 versions.

**HB 1085** – Ties the requirement for a performance bond to the bid limit for public improvements, allowing waiver of the requirement for projects under that bid limit ($50,000).

**HB 1098** – Allows lease of airport property for up to 50 years, with governing body approval.

**HB 1104** – Clarifies collection of special assessments under Plan Two.

**HB 1106** – Clarifies situations where information may be gathered in quasi-judicial hearings held by a governing body, and provides for disclosure of such information.

**HB 1111** – Makes the allowable penalty for dishonored checks consistent for all entities, at a maximum of $40.

**HB 1135** – Allows a blanket bond, blanket crime coverage, or an insurance policy to replace individual bond requirements so long as the blanket coverage is not less than the total coverage of all individual bonds purchased for calendar year 2014.

**HB 1139** – Allows invitation for a bid for airport improvements to waive the requirement that the bid be awarded within 30 days if the improvement relies on federal funding from the FAA. Bids may be withdrawn without penalty if the award period exceeds 30 days.

**HB 1165** – Allows residency requirements for members of the local Historic Preservation Commission to be established by the governing body.

**HB 1082** – Allows a law enforcement officer to issue a citation without a notary by signing a declaration which reads, “I declare and affirm under the penalties of perjury that this complaint or summons has been examined by me, and to the best of my knowledge and belief, is in all things true and correct.”

For the full version of the bills visit the South Dakota Legislature’s website at [http://legis.sd.gov/](http://legis.sd.gov/).

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

Yvonne Taylor  
Executive Director

### Pool Testing

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

All pool samples should be tested for “total coliform,” which is an indicator 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 superchlorination, to prevent a health related incident caused by poor water quality.
Gone Fishin’! Oh, I have been struggling with this month’s topic of interest for you all. I keep coming back to the ever popular phrase gone fishin’. It is acts as a metaphor for the reason of I don’t feel like working! Now, that isn’t my case that I don’t feel like working—it is just I am drawing a blank on a splendid topic for discussion. Maybe it is because this time of year certainly brings out the laid-back attitude in people that we truly wish we had all the time in the world to go fishing!

But, in reality our jobs, families, friends, and citizens still need us. Our cities do not shut down at 5:00 each day—they continue to need someone to carry on and make sure all things are right with the world at the end of the day.

How do we keep our focus on the important, hard tasks that confront us on a daily basis? By taking each element, hopefully one at a time and see the big picture for what we need to do. I always joke that I am not good at “multi-tasking”. Whenever an incident or challenge is presented to me—I tend to hit it face on and see it through until it is completed.

As we look out the window during our beautiful South Dakota summer days; we need to remember our tasks do not allow us to go fishin’ as much as we would like—but yet at the end of the day, I hope you are satisfied with what you have done, what you have learned and what you have given to your community. And find the time to relax because in the long run we need that down time as it will motivate us to tackle the important days ahead.

Until next month, I will watch for you as you catch the “big one”!

Jeanne Duchscher
President
### SD Municipal League Policy Process

**April/May:** Members are asked at District Meetings and through the *South Dakota Municipalities* magazine if they are interested in serving on a policy committee.

**May/June:** The SDML President appoints the policy committees, usually made up of members from previous years, plus any new people who have volunteered. There are four policy committees, with about 25 people on each committee. Policy committee members come from all sizes of towns, and from all regions of the state. The committees are:

- General Government Committee
- Public Health, Safety, and Welfare Committee
- Public Works Committee
- Taxation and Revenue Committee

**August:** The four policy committees meet to review their own sections of the existing Statement of Policy, delete policies no longer needed, and add any new suggestions they agree upon.

**September:** Staff follows up on questions or comments from the August meetings, and prepares information for the committees to consider when they meet again in October.

**October:** Policy committees meet again on the first day of the Annual Conference. The next day, the Resolutions Committee, made up of about 25 people representing all four policy committees, review the entire Statement of Policy and makes a final recommendation to be voted on by the entire membership at the Annual Business Meeting, held on the final day of the Annual Conference.

**November:** Staff uses the Statement of Policy adopted by the members at the Annual Business Meeting to develop a package of Legislation to take to the next Legislative Session. In addition, the staff uses the policies to guide positions taken by the Municipal League in response to legislation brought forward by others, and to answer questions about the League’s position on a variety of issues.

### Policy Suggestions Needed

The SD Municipal League needs to hear from you! The League is beginning the legislative policy process that will end with a Statement of Policy adopted by the members at the Annual Conference in October. The current Statement of Policy can be found at www.sdmunicipalleague.org under the About the League tab. If you have thoughts or suggestions you would like to have addressed by the Municipal League or the State Legislature, please explain them below (use additional sheets if necessary) and return this form by **July 17, 2015** to: Yvonne Taylor, SD Municipal League, 208 Island Drive, Ft. Pierre, SD 57532 or fax to 605-224-8655 or e-mail to yvonne@sdmunicipalleague.org.

Suggestions will be taken to the policy committees, where they will consider them for incorporation into the Statement of Policy. Suggestions may also be brought up from the floor on October 9, during the Annual Business Meeting, held at the SDML Annual Conference, October 6-9, 2015 in Watertown.

**City:**

**Your Name:**

**Phone Number:**

**Suggested Legislative or Policy Change:**

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## 2016 District Meetings Schedule

<table>
<thead>
<tr>
<th>District</th>
<th>Chairman</th>
<th>Vice-Chairman</th>
<th>2016 Date</th>
<th>2016 Site</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Mike Grosek, Webster</td>
<td>Terry Jaspers, Sisseton</td>
<td>March 15</td>
<td>Milbank</td>
</tr>
<tr>
<td>2</td>
<td>Tim Reed, Brookings</td>
<td>Paullyn Carey, Huron</td>
<td>March 16</td>
<td>Howard</td>
</tr>
<tr>
<td>3</td>
<td>Amy Nelson, Yankton</td>
<td>Dawn Murphy, Tea</td>
<td>March 17</td>
<td>Elk Point</td>
</tr>
<tr>
<td>4</td>
<td>Debbie Houseman, Lake Andes</td>
<td>Becky Brunsing, Wagner</td>
<td>March 31</td>
<td>Colome</td>
</tr>
<tr>
<td>5</td>
<td>Renae Phinney, Ree Heights</td>
<td>Ron Blachford, Miller</td>
<td>March 30</td>
<td>Wessington Springs</td>
</tr>
<tr>
<td>6</td>
<td>Anita Lowary, Groton</td>
<td>Mike Hammrich, Ipswich</td>
<td>March 29</td>
<td>Faulkton</td>
</tr>
<tr>
<td>7</td>
<td>Arnold Schott, McLaughlin</td>
<td>Gary Weismantel, Herreid</td>
<td>April 5</td>
<td>Herreid</td>
</tr>
<tr>
<td>8</td>
<td>Harry Weller, Kadoka</td>
<td>David Geisler, Murdo</td>
<td>March 22</td>
<td>Kadoka</td>
</tr>
<tr>
<td>9</td>
<td>Carolynn Anderson, Wall</td>
<td>Vacant</td>
<td>March 23</td>
<td>Hill City</td>
</tr>
<tr>
<td>10</td>
<td>Fay Bueno, Sturgis</td>
<td>Michelle De Neui, Spearfish</td>
<td>April 6</td>
<td>Faith</td>
</tr>
</tbody>
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CONTACT US TODAY, GO LIVE IN JUST WEEKS!
SDML Annual Conference
October 6-9, 2015
Ramkota Hotel & Watertown Event Center

Tentative Schedule

Tuesday
All Day  SDPAA Board Meeting
2 p.m. tee off  SDML Golf Tournament
7 p.m.  SDML Board of Directors Meeting

Wednesday Morning
8 a.m. to 4 p.m.  Registration
8 a.m. to 4 p.m.  Exhibits Open
8 a.m.  Online Not In Line (Municipal Websites)
9 a.m.  Orientation for New Attendees
9 a.m.  SD City Management Association
9 a.m.  SD Municipal Electric Association
10 a.m.  SDML Pooling Meetings/Fun Info Session
Noon  Safety Awards Luncheon

Wednesday Afternoon
1 p.m.  Elected Officials Workshop
1 p.m.  SD Airport Management Association
1 p.m.  SD Association of Code Enforcement
1 p.m.  SD Governmental Human Resource Association
1 p.m.  SD Municipal Liquor Control Association
4 p.m.  SDML Policy Committee Meetings
4 p.m.  SDML Auditing Committee
4 p.m.  SDML Nominating Committee

Wednesday Evening
5:30 p.m.  Exhibit Area Social
6:30 p.m.  Dinner and Entertainment

Thursday Morning
7 a.m.  SDML 12th Annual Walk/Run
7:45 a.m.  Breakfast and SDML Past Presidents’ Breakfast
8 a.m. to 4 p.m.  Registration
8 a.m. to 11 a.m.  Exhibits Open
8 a.m.  Resolutions Committee
9 a.m.  Elected Officials Workshop
9 a.m.  SD Municipal Attorneys’ Association
9 a.m.  SD Building Officials’ Association
9 a.m.  SD Governmental Finance Officers’ Association
9 a.m.  SD Police Chiefs’ Association
9 a.m.  SD Municipal Street Maintenance Association
Noon  Excellence in SD Municipal Government Award Luncheon

Thursday Afternoon
1 p.m.  SD Chapter, American Public Works Association
1 p.m.  South Dakota Fire Chiefs Association
1:30 p.m.  General Sessions

Thursday Evening
5:30 p.m.  President’s Reception
6:30 p.m.  Dinner and Entertainment

Friday Morning
8 a.m. to 10 a.m.  Registration
8 a.m.  Breakfast
8:30 a.m.  General Sessions
10:30 a.m.  SDML Annual Business Meeting and Election

Accommodations

<table>
<thead>
<tr>
<th>Hotel</th>
<th>Phone</th>
</tr>
</thead>
<tbody>
<tr>
<td>Ramkota (Host Hotel)</td>
<td>605-886-8011</td>
</tr>
<tr>
<td>Travel Inn</td>
<td>605-886-6120</td>
</tr>
<tr>
<td>Drake</td>
<td>605-886-8411</td>
</tr>
<tr>
<td>Quality Inn</td>
<td>605-886-3010</td>
</tr>
<tr>
<td>Super 8</td>
<td>605-882-1900</td>
</tr>
<tr>
<td>Econo Lodge</td>
<td>605-882-2243</td>
</tr>
<tr>
<td>Days Inn</td>
<td>605-886-3500</td>
</tr>
<tr>
<td>Country Inn &amp; Suites</td>
<td>605-886-8900</td>
</tr>
<tr>
<td>Hampton Inn</td>
<td>605-878-1800</td>
</tr>
<tr>
<td>Holiday Inn Express</td>
<td>605-882-3636</td>
</tr>
</tbody>
</table>
This year, the Excellence in South Dakota Municipal Government award will be presented to a municipal employee 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 14, 2015. The award will be presented at the SDML Annual Conference in Watertown on October 8, 2015.

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 14, 2015

Please submit to: South Dakota Municipal League

208 Island Drive, Ft. Pierre, SD 57532

FAX to 605-224-8655
2015 Finance Officers’ School
Photo Album
The following was read by Dave Dutton, SDGFOA President and City of Spearfish Finance Officer, when presenting the award.

“The highlight of our evening is honoring our Finance Officer of the Year.

We had six nominations for Finance Officer of the Year. Our independent judges, once again, found it very difficult to pick a winner as all were very deserving. Each nomination highlighted the contributions the Finance Officers make to their communities through the endless hours they put in both professionally and personally.

The number of accomplishments and sincere accolades found in this year’s winner’s nomination form is astounding.

This Finance Officer has been working for 17 years in their city. According to the nomination narrative, this person is extremely dedicated to their work and puts in countless hours to ensure the job gets done. This person maintains a good sense of humor while being the office “fix it” person, using handyman skills to repair many things that have saved countless hours and dollars in repair bills.

This person is a great boss to work for and always takes time to listen and discuss issues with you. This person is fair, caring, professional, approachable and is often sought out by fellow employees and community members for advice, which always comes without judgement and with support. This person is willing to give an opinion, but not push any agenda.

This person’s personal commitment to the community over the years has included leadership roles in over 15 different organizations, committees, advisory boards and youth programs.

This person’s professional commitment to the community includes involvement with over 10 municipal committees and Boards during this Finance Officer’s tenure with the city.

The past four Mayors of the city recently expressed about this person “We have seen many people contribute to the welfare of our community in a variety of ways. This Finance Officer is most deserving of recognition and honor. The dedication and service to our community in a wide variety of ways has touched every single person in our community in one way or another. Not many people can say that!”

Since 2005 this person has spent two cumulative years serving as both acting City Manager and Finance Officer.

Dave Dutton (left), SDGFOA President, presents the ‘2015 Finance Officer of the Year Award’ to Al Viereck Finance Officer of Yankton.

This person is described as a tireless advocate for the city and considered the “patriarch” of City Hall that provides a voice of reason and calm during stressful times. This person has led the city during times of transition, emergency and growth and is a mentor, respected colleague and friend.

I am extremely honored to be presenting the 2015 Finance Officer of the Year Award to Al Viereck of Yankton.”

2016 Human Resource School
June 7 - 8, 2016

2016 Finance Officers’ School
June 8 - 10, 2016

Spearfish Holiday Inn

Accommodations
Holiday Inn, 605-642-4683

Presentations from the 2015 FO School can be found under Affiliate Organizations then Finance Officers at www.sdmunicipalleague.org.
Letters of Intent forms are now available on the website for the Transportation Alternatives Program (TAP) from the South Dakota Department of Transportation. The TAP is a grant program that uses federal transportation funds, designated by Congress, for specific activities that enhance the intermodal transportation system and provide safe alternative transportation options.

The TAP was authorized by the Moving Ahead for Progress in the 21st Century Act (MAP-21), signed into law on July 6, 2012. The TAP builds upon the legacy of the former Transportation Enhancement, Safe Routes to School and Scenic Byways programs by expanding travel choices, strengthening the local economy, improving the quality of life and protecting the environment.

Approximately $2.1 million is available through this competitive grant process administered by the South Department of Transportation’s project development office.

Each grant will be for a maximum of $400,000, although the SDDOT may approve a larger amount for phased projects.

The minimum grant amount for infrastructure projects is $50,000. There is no set minimum grant amount for non-infrastructure projects and there is an 18.05 percent local match requirement for each project.

A full description of the TAP is available online on the South Dakota Department of Transportation’s Transportation Alternatives Program webpage at http://www.sddot.com/services/transalt. The submittal of a Letter of Intent form, found on the webpage, is a mandatory requirement in order to be eligible to submit a full application for funding.

The Letter of Intent form submittal deadline is July 15, 2015. This will be the only call for Letters of Intent.

Requests for additional information, site visits and/or meetings on potential projects should be directed to TAP coordinator, Nancy Surprenant, by phone at 605-773-4912 or by email at nancy.surprenant@state.sd.us. Following the receipt of the Letters of Intent, on-site meetings with project sponsors will be scheduled prior to the September 15, 2015, deadline for full applications.
Homeland Security Grant Funding Available

Applications for Homeland Security grant funding are being accepted until July 31, 2015.

Public law enforcement agencies are eligible to apply for one-time projects that prevent or protect against terrorism threats.

Awards are competitive and local awards will be based on recommendations of regional review committees. Instructions about the application and award process as well as a non-exclusive list of allowable and unallowable costs are available at http://dps.sd.gov/homeland_security/documents/ApplicationInstructions.


The link to the application system, Electronic Database for Grant Application & Reporting (EDGAR), is https://sddps.intelligrants.com/.

Funding will be available by January 2016. The project period end date will be determined by the nature of the project.

Applicants can call their county emergency manager or the South Dakota Office of Homeland Security at 605-773-3450 for technical assistance.
The TULIP program offers general liability coverage of $1,000,000 with the Member named as additional insured. Events range from banquets, auctions, sporting events, parades, to festivals. For a complete list of covered events, click the link to the TULIP website below.

The process to purchase TULIP coverage is simple. As a SDPAA Member, third parties can be directed to the TULIP website for direct online purchase via credit card. They will receive a certificate of coverage via email, which they would provide to the Member and SDPAA.

For additional information, visit the TULIP website at www.onebeaconentertainment.com.

For any questions regarding the TULIP program, please contact SDPAA at sdpaa@sdmunicipalleague.org or 800.658.3633.

By Kristina Peterson, Director of Underwriting, SDPAA

During these warm summer months, numerous special events are planned and held across the State. From street dances to sporting events to county fairs, SDPAA Members can now refer third-party vendors to the Tenants’ and Users’ Liability Policy (TULIP) program to obtain proper insurance coverage. The program may be used when a third party is utilizing Member’s facilities for specific events. TULIP covers the tenant user’s liability for bodily injury to third parties and damage to the Member’s property.

The TULIP program is designed for third-parties who do not carry liability coverage. The program provides protection for both the third party and the Member against claims by individuals who may be injured while attending or participating in an event. Liquor liability is also available through the TULIP program.
By Aaron Clark, Attorney, McGrath North

Every employee handbook should have a policy preventing discrimination and harassment in the workplace. These policies generally cover several protected groups including individuals with disabilities under the Americans with Disabilities Act (ADA). However, employers need to take their handbook one step further and create a policy that addresses accommodations in the workplace for disabled applicants and employees.

During our recent Master Series in April, we highlighted several policies that should be contained in every handbook including an ADA accommodations policy. Here are the terms you should have in your accommodations policy:

- **The policy should be directed toward “qualified individuals with disabilities.”** Under the ADA, a qualified individual with a disability is a person that meets the legitimate skill, experience, education or other requirements of the employment position and can perform the “essential functions” of the job with or without reasonable accommodation.

- **The policy should confirm that the employer will provide reasonable accommodations to disabled applicants or employees if the accommodation would allow the individual to perform the essential functions of his or her job, unless doing so would create an undue hardship.**

- **The policy should advise the employee that he or she is responsible for requesting a reasonable accommodation.** Employers are only required to make reasonable accommodations for known physical and mental impairments. An employee does not need to use the magic words “reasonable accommodation,” but must disclose that: (1) he or she has a disability that creates work-related limitations; and (2) an accommodation is needed in order to do the job.

- **The policy should identify the specific individual or position to contact regarding accommodations.** At a minimum, the specific job title should be referenced in the policy (e.g., Human Resources Manager or Safety Director).

- **The procedures for requesting an accommodation should be clearly stated in the policy including the requirement that requests be submitted in writing.** It is strongly recommended that the policy direct the employee to submit the following information in writing:
  1. the reason the employee believes he or she needs an accommodation including a statement of the limitations and restrictions imposed by the disability;
  2. the job duties or assignments the employee is having difficulty performing;
  3. a description of the accommodations requested by the employee; and
  4. a statement as to how accommodations will help the individual perform his or her essential functions.

All of this information will be fully discussed during the interactive process.

- **The policy should confirm that the employer has the right to request medical information concerning the employee’s disability and need for an accommodation.** Any medical information received as a result of a request for a reasonable accommodation should be kept confidential and maintained in a separate file.

Once a request for an accommodation is received pursuant to the employer’s policy, the interactive process must be initiated with the employee to fully explore accommodations in the workplace. When questions surface regarding requests for accommodations or an employer’s legal obligations, it is recommended that employment counsel should be contacted at the outset to provide guidance regarding the process.

Aaron Clark, Attorney, shareholder at McGrath North can be contacted at aclark@mcgrathnorth.com or 402-341-3070.

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**Do You Have an ADA Policy in Your Handbook?**

JULY 2015
Employee’s Lawsuit Based on a Non-Obvious Mental Disability Dismissed

By A. Stevenson Bogue, Attorney, McGrath North

Under the provisions of the Americans with Disabilities Act, an employee who wishes to seek an accommodation of the restrictions imposed by their disability must bring their disability to the attention of the employer, if it is non-obvious. The Eighth Circuit Court of Appeals, in Walz v. Ameriprise Financial, Inc., upheld the dismissal of a lawsuit because the plaintiff had not informed her employer of either her disability or that an accommodation was necessary to perform the essential functions of her job.

The plaintiff’s job required people, teamwork, communication and time management skills. It also required that she be “good at relationships.” However, she suffered from bipolar affective disorder, which apparently caused her to interrupt meetings, disturb co-workers and disrespect her supervisor. After several incidents, her supervisor issued a formal behavioral warning. The plaintiff then applied for FMLA leave, which was granted by the company’s third-party administrator. Upon her return to work, plaintiff gave her supervisor a note from a doctor at a mental health service which cleared her to return to work for 40 hours a week and stated that she had been stabilized on her medication. However, her erratic and disruptive behavior returned. She was terminated because of her repeated misconduct.

Plaintiff did not ever inform her employer of the nature of her disorder. Nor did she request any accommodation.

Upon a review of the record, the Court concluded that plaintiff could not make a sufficient showing that she was able to perform the essential functions of the position without an accommodation.

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To establish her claim of disability discrimination, the Court noted that she must establish that she was a “qualified disabled person” within the meaning of the ADA. The first prong of the test to determine whether she was qualified is whether she possessed the requisite skills, education, certification and experience. She did. The second part of the test was whether the plaintiff could, despite her impairments, perform the essential functions of the job either with or without reasonable accommodation. Upon a review of the record, the Court concluded that plaintiff could not make a sufficient showing that she was able to perform the essential functions of the position \textbf{without} an accommodation.

However, it noted that she also may be qualified under the ADA if a reasonable accommodation would have allowed her to perform the essential functions of her position. However, plaintiff had failed to inform her employer of her disability or even request an accommodation. Thus, it was concluded that the employer had no duty to accommodate her. The plaintiff then argued that the note from a doctor with the mental health service which contained a reference to medication stabilizing her condition was sufficient to put the employer on notice of plaintiff’s disorder. While her supervisor did acknowledge that he “guessed” that plaintiff had been treated for a mental health issue, those facts, even if they established the plaintiff suffered from bipolar disorder, did not specifically identify any resulting limitations. Because plaintiff failed to disclose her non-obvious disability and related limitations, she did not sufficiently establish that she could perform the essential functions of her job with reasonable accommodation.

The takeaway from the \textit{Walz} decision is that while there may be certain behaviors and conditions which would put an employer on notice of the existence of an employee’s disability, where the disability is a psychological one, an employee’s erratic behavior, by itself, may not impose a duty upon the employer to consider accommodation. Other decisions involving the ADA have concluded that an employer need not be a “mind reader” and, without appropriate notification by an employee, it need not leap to the conclusion that the employee needs an accommodation and then pursue the interactive process to determination whether an accommodation was available.

\hspace{1cm}

A. Stevenson Bogue, Attorney, shareholder at McGrath North can be contacted at sbogue@mcgrathnorth.com or 402-341-3070.
Tracking Your Water Loss

By Morris Elcock, Circuit Rider, South Dakota Association of Rural Water Systems

There have been so many times where I have received a call from a water utility saying, “we need your help with our water loss – it is 40% - 60%,” and it’s been that way forever. When I get a call like this, I set a time to stop by and conduct a water audit.

What I oftentimes find is that even though the system has some water loss (and yes, every system has some kind of water loss), many systems do not take into account the water that was flushed out of their fire hydrants during a routine flushing of their system, or they do not keep track of how much they have written off of a customer’s account when they adjust some water off because of dirty water, etc. It also seems like everybody is concerned with what their percentage of unaccounted water is – and yes, that is an important number, but I always like to take things a little further and take that percentage and calculate it to find out how many gallons per minute that percentage translates into.

Additionally, we find out what kind of water loss we are looking for so that we can figure how much that unaccounted for water is costing the utility. What I have done to help water utilities track their unaccounted for water is develop a spreadsheet so that they can not only track what percentage of their unaccounted for water is, but also see how many gallons per minute we are tracking and calculate how much this water loss is costing the utility.

There is also another added benefit to using the spreadsheet, and that is – it makes for a good report to use and share with your council or board to keep them informed on how much water is unaccounted for.

Take a look at the spreadsheet below, and if you are interested in setting up a water audit for your water utility, please give me a call at 605-556-7219 and ask for Morris, or call me directly on my cell phone at 605-201-9561.

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<table>
<thead>
<tr>
<th>Unaccounted for Water Spreadsheet (Example)</th>
<th>2015</th>
<th>2015</th>
<th>2015</th>
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<tr>
<td>Month</td>
<td>January</td>
<td>February</td>
<td>March</td>
<td>April</td>
</tr>
<tr>
<td>Water Metered</td>
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<td>907,600</td>
<td>933,300</td>
<td>1,338,390</td>
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<td>Adjustments/flushing/leaks/etc</td>
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<td>0</td>
<td>85,000</td>
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<tr>
<td>Sub Total</td>
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<td>907,600</td>
<td>1,018,300</td>
<td>1,338,390</td>
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<td>Water Purchased/Produced</td>
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<td>996,800</td>
<td>1,129,800</td>
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<td>89,200</td>
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<td>77,810</td>
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<td>% of Unaccounted for Water</td>
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<td>GPM of Unaccounted for Water</td>
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<tr>
<td>Current Annual Water Budget</td>
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<tr>
<td>Projected Annual Water Sales/Gal</td>
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<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Number of metered accounts</td>
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<tr>
<td>Gallons included in minimum annually</td>
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<td>Gallons not included in minimum</td>
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<td>Monthly minimum</td>
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<tr>
<td>Monthly minimum income generated annually</td>
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<td>Budget balance</td>
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<td>Remaining water cost per 1,000 gal</td>
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Assisting Vale with Water Loss

By Nick Jackson, Circuit Rider, South Dakota Association of Rural Water Systems

This past February, Joyce Wulf, Billing Clerk for the Vale Sanitary District and the Town of Vale, contacted South Dakota Rural Water requesting assistance in locating a significant water loss. Vale Sanitary District purchases their water from the Butte Meade Sanitary District, and she reported that their usage was nearly 26,083 gallons per day for only 60 connections.

I traveled to Vale to meet with Operations Specialist Max Timm and reviewed maps of the distribution system. Timm stated that Vale Sanitary District has been plagued with leaks whenever the water pressure exceeds 40psi – and that it had been happening since 2012. He reported that there was a difference of approximately 600,000 gallons a month between the normal Butte Meade master meter readings.

Because of this high water usage, Vale Sanitary District’s Board requested the distribution system be tested and any faults documented for repairs.

After reviewing the maps, it was determined that Vale Sanitary District could not be divided into smaller zones to help determine the leaks. Without being able to isolate Vale into zones, we were unable to conduct water pressure or flow tests. So, utilizing SDARWS locators and leak detection listening equipment, we tested each valve, curb-stop and flush hydrant throughout the distribution system. During the first day of leak detection, two smaller leaks were identified on a couple of curb stops – but they didn’t add up to the major water loss that was being reported. On the second day, we hit the jackpot when two significant areas of leakage were discovered – one on a water main saddle, and the other on a service line right before the water meter. This was good news... mixed with some bad.

After meeting with Wulf and sharing the deficiencies we found, it was our recommendation that the whole water distribution system be replaced. SDARWS offered our continued services to assist with an Engineering study plan – as well as help filing the necessary paperwork for financial help through USDA Rural Development. The people of the Vale Sanitary District were very happy we were able to locate the problem, and thanked us for the assistance and expertise in locating the troublesome leaks as well as the guidance for the replacement of the ailing water distribution system.

The 20,000 gallons per day loss Vale was experiencing translates into the equivalent of $1,436.00 per month – or $17,232 per year (not including normal service fees) for the water purchased from Butte-Meade Sanitary Water District. By investing some money in replacing the current distribution system, Vale will be in a much better place when it comes to running an efficient system.

If your system is experiencing an unexplained water loss, please give us a call. We have staff on both sides of the state with years of leak detection expertise and would love to put our knowledge and tools to work. Give us a call at 605-556-7219.

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Infrastructure Asset Management

By John Desens and Justin Petersen, Clark Engineering

Infrastructure assets—transportation networks, storm and sanitary systems, utility structures, and equipment—are vital to the commerce, health, and efficient operation of every municipality, large and small. Of course, over time, assets fail; however, a strategically applied program of maintenance, repair, and replacement can extend the service life and reduce the lifecycle costs of each component.

A comprehensive infrastructure asset management program begins with an inventory and assessment of all municipal assets. Each asset is scored according to criteria such as age, operating-hours, safety requirements, and other local parameters that reflect community need. The resulting information allows the responsible agency to prioritize projects, maintain a minimum desired level of asset service at the lowest lifecycle cost of time and money, and budget for infrastructure investment.

An asset management program helps a municipality save money by considering all assets at once. For example, by knowing the condition of a street, the water and wastewater lines under the roadway, lighting and signage needs, safety and drainage conditions, and other criteria, a community can prioritize the projects based on the condition of all assets and address many issues at once.

Infrastructure asset management can help predict the condition of assets based on age, material, usage level, and past inspections in order to schedule inspections and eventual replacement. Inspections are performed when an asset reaches certain intervals in its service life. The results are compared to the prediction, and adjustments to future predictions can be made, if needed. Scheduled inspections and replacements generally reduce the number of emergency repairs and system down-time, thus providing better service. It can also be used to evaluate potential changes in operation costs that could reduce the annual cost of the assets.

Infrastructure Asset Management System

- Inventory all assets
- Assess condition of each asset
- Score each asset according to established criteria
- Prioritize projects and budget for maintenance and infrastructure investment over the next 5–10 years
- Update program regularly

As communities compete for limited resources, a comprehensive infrastructure asset management program is a useful tool for municipalities to reduce operational costs, extend the life of community assets, budget for maintenance and investment, and prioritize expenditures.

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Preventive Maintenance vs. Replacement Approach

Source: (U.S. Department of Transportation, Federal Highway Administration)
Gov. Dennis Daugaard awarded more than $2.8 million in Community Development Block Grant (CDBG) funds to six projects throughout South Dakota. The money, awarded to Brown County, Dewey County, Florence, Hosmer, Montrose and Wessington Springs, will assist with projects totaling more than $15.3 million.

“I want to thank our community leaders for their continued investment in the betterment of their communities,” said Gov. Daugaard. “The CDBG program benefits local communities. Through this program, the Governor’s Office of Economic Development is able to award grants to local governments for projects that help improve the quality of life in South Dakota.”

The CDBG awards include the following:

- Brown County received a $515,000 grant to assist Safe Harbor with the construction of the new domestic abuse facility in Aberdeen.
- Dewey County received a $515,000 grant to assist T.C. and G Water Association to improve its rural water distribution system.
- Florence is making improvements to the water distribution and wastewater system and will utilize a $515,000 grant to assist with the improvements to the wastewater system portion.
- Hosmer received a $515,000 grant to assist with improvements with the wastewater system and collection ponds.
- Montrose received a $515,000 grant to assist with the construction of storm drainage improvements to eliminate flooding that occurs frequently in the city.
- Wessington Springs received a $237,500 grant to assist with water and wastewater infrastructure improvements while they restore the street surface, replace sidewalks, and install curb and gutter to provide improved drainage of Main Street.

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

For more information about the CDBG program and other financing programs offered through the GOED, please visit www.sdreadytowork.com/finance.
Governing Bodies and the Outlier Syndrome

By Tami A. Tanoue, General Counsel/Claims Manager

Those who have been working with municipalities for an extended period have observed a phenomenon that occurs at the governing body level. Let’s call this phenomenon the Outlier Syndrome.

The Outlier is the “lone wolf” who sits on a city council or board of trustees and steadfastly refuses to act like a member of the team. Even while isolating himself or herself as the only person on the losing side of just about every vote, the Outlier manages to create havoc with the rest of the body. The Outlier may be obstreperous and obstructionist. The Outlier may refuse to recognize and respect the norms that guide the rest of the body’s conduct. The Outlier may position himself or herself as the only “ethical” or “transparent” member of the body. The Outlier’s every statement and action seems to be aimed at preserving that self-assumed distinction rather than making any concrete achievements. Sometimes, a governing body is unfortunate enough to have more than one Outlier.

Have you ever experienced the Outlier Syndrome in action? It could be called a syndrome because of the recognizable features or symptoms that seem to fester whenever an Outlier sits on a governing body. Do you have an Outlier on your governing body? Could you possibly be an Outlier? Should the Outlier Syndrome be viewed as an affliction or malady? And if so, what can be done? We’ll explore these questions in more detail below.

Power, Goals, and the Outlier

To understand the Outlier’s impact on a governing body, let’s start with the idea that elected officials can only act as part of a body – a collaborative decision-making body. You can search throughout the laws governing statutory municipalities, or just about any home rule charter, and you’ll likely find no powers or duties that are to be exercised by a singular elected official (other than the mayor, who may have certain defined responsibilities). This means that, as elected officials, the only way you can get anything accomplished is to have a majority of the governing body on your side.

It’s likely that each elected official has an individual list of goals, goals that those who voted for you want you to accomplish. But your goals can be accomplished only if they’re part of the goals of the body as a whole. That means
your success depends on creating a consensus of the majority! And where does the Outlier fit in on a collaborative decision-making body? Why, nowhere! Perpetually being on the losing side of a vote means that the Outlier gets nowhere on his or her goals…unless, of course, he or she feels that being an Outlier is its own reward.

**Symptoms of an Outlier?**
Perhaps you have met your share of Outliers, who tend to share one or more of these characteristics:

- There is an element of the lone crusader in them. They feel they were elected to shake up the status quo in some way. Maybe they think their predecessors were too cozy with developers, not friendly enough with the business community, too close to the municipality’s staff, not close enough to the municipality’s staff, etc.

- They view themselves as independent thinkers. They are often highly intelligent, but not “people persons.” In kindergarten, their report cards might have reflected a poor score on “plays well with others.”

- They take a perverse glee in being the “outsider,” relish arguments for argument’s sake, and place little value on matters like courtesy and regard for the feelings of others.

- They hate having to endure “soft” discussions such as a council or board retreat, the establishment of a mission or vision statement, the development of consensus around rules of procedure or rules of conduct, a session to discuss goals and priorities, or a CIRSA liability training session.

- They feel they are always right, and everyone else is always wrong. They feel they are always ethical, and everyone else is not. They feel they are looking out for the citizens, and everyone else is not.

- Initially, they may just have been unfamiliar with the ways of local government, and needed to build the skills to work effectively in a new environment. One or more gaffes may have caused them to be pegged as Outliers and treated accordingly, initiating an unhealthy Outlier dynamic.

- There may have been some explosive moments in private or public with the Outlier’s colleagues, or indeed, the colleagues may have made some attempt at an “intervention.”

These observations may or may not be totally on the mark. But one characteristic of the Outlier cannot be denied: he or she is seldom on the prevailing side of a vote, and is often at loggerheads with the rest of the body.

Do you think you may be an Outlier? If so, you might examine what your goals as an elected official really are. Do you want to have a list of concrete accomplishments at the end of your term? Or will it be accomplishment enough to have been the “loyal opposition”? If the former, then your behavior may be working at cross-purposes with your goals. If the latter, really? Will the people who voted for you be satisfied with that accomplishment? Will you?

**Is the Outlier a Problem for the Rest of the Body?**
Most people who’ve had to deal with an Outlier would say that yes, the Outlier is a problem! How? Well, here are some ways:

- Anger and frustration build when a council or board has to deal with an Outlier, siphoning away energy that could be spent on more positive endeavors. This is a particular problem if tensions have built to the point that confrontations have begun to occur. No reasonable person wants to attend or view a council meeting and have a hockey game break out! It may be entertaining, but mostly, it’s embarrassing to the governing body and to the community.

- Healthy teams seek to build a sense of camaraderie and cohesiveness. That’s not entirely possible when there’s
an Outlier. It’s not healthy to build a team around a shared hatred of one of its own members, and most reasonable people would prefer not to have that happen.

- The Outlier’s perspective tends to be oppositional. From a liability standpoint, such a perspective is risky. If you’re taking positions on an oppositional basis, are you really meeting your fiduciary duty to look out for the best interests of the entity?

- A disharmonious governing body is a dysfunctional governing body. It’s been CIRSA’s experience that liability claims thrive in an environment of disharmony and dysfunction.

- Your staff members are affected by the Outlier Syndrome, too. From the staff’s perspective, seeing dysfunction on the governing body is a little like watching discord between one’s own parents. It’s unsettling, distressing, and morale-crushing.

- Most importantly, it’s a shame for the governing body to lose a potentially valuable contributing member. In a worst case scenario, the Outlier becomes completely disempowered as he or she is ignored and marginalized. But this means that the body isn’t running on all cylinders, and is deprived of the valuable perspectives that the Outlier might otherwise bring. Ultimately, the voters, and the community, are the losers.

Dealing with the Outlier Syndrome
You can’t cure an affliction until you recognize it. And you can’t recognize what you haven’t named and defined. If your municipality is afflicted with Outlier Syndrome, you’ve taken the first steps towards a cure by naming, defining, and recognizing it! Here are some other steps you might consider.

- Confront the issue forthrightly and compassionately in a neutral environment. A council or board meeting is likely not a neutral environment! Perhaps the matter could be discussed as one item on a retreat agenda. Be prepared with specific examples of how the Outlier has negatively impacted the body.

- Consider addressing the issue in the context of a larger discussion about governing body rules of procedure or rules of conduct. The “norms” that guide members’ interactions with one another may be obvious to some but not all, especially to newer members. Those norms could be part of the discussion, and the process of articulating them can facilitate a consensus to honor them.

- Consider bringing in an outside facilitator to assist you. A governing body is a bit like a marriage that’s been arranged for you by the citizens! There’s nothing wrong with getting some outside help for perspective and to find solutions.

If you think you might have the Outlier label pinned on you, consider these suggestions:

- First, get a reality check. Find out how you’re being perceived by your peers. It may be very different from your own perception of yourself. Ask each of your colleagues to give you a frank assessment.

- Check your motivations. If you have concrete goals you want to accomplish as an elected official, you must accept that success in your position can’t happen without collaboration and consensus building. There is nothing that you can accomplish alone. So set a goal to be on the “prevailing” side…indeed to bring others over to establish a “prevailing” side.

- If you’ve already burned some bridges, understand that consensus-building can’t happen without mutual

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Conclusion

Governing body members don’t all have to be in lockstep, or think and behave in the same way. On the contrary, diversity of thinking, styles, opinions, experiences, and approaches are healthy and necessary for a collaborative decision-making body. There is truly a collective wisdom that comes forth when many diverse minds work together on common goals. But the Outlier Syndrome is detrimental to a high-functioning governing body, and therefore, to the community. If your governing body is afflicted with the Outlier Syndrome, it’s time to do something about it!

Tami Tanoue is the in-house General Counsel and Claims Manager for the Colorado Intergovernmental Risk Sharing Agency, a public entity self-insurance pool providing property, liability, and workers’ compensation coverages to local governments in Colorado. Previously she was City/Town Attorney or special counsel for numerous Colorado municipalities. Prior to that, she was Staff Attorney for the Colorado Municipal League. Contact her at Tami@cirsa.org.

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The Impact of Emotions on Leadership Effectiveness

By Carol Kinsey Goman, Ph.D.

I once asked the CEO of a technology company how his employees were dealing with a proposed change. “We’ve presented all the facts,” he replied. “But it would be much easier if people weren’t so emotional!” In the business world, we are taught to approach organizational challenges objectively and logically.

We quantify everything we can and guard against emotions that would highjack our objectivity. But, according to neurologist and author Antonio Damasio, the center of our conscious thought (the prefrontal cortex) is so tightly connected to the emotion-generating amygdala, that no one makes decisions based on pure logic – despite the belief that we do. Brain science makes it clear that mental processes we’re not conscious of drive our decision making, and logical reasoning is often no more than a way to justify emotional choices.

Nowhere is this link more evident than in leading organizational change efforts, and most leaders are aware of the need to present change in ways that resonate both logically and emotionally. Fewer leaders, however, realize how much their own emotional state influences a team’s (or an organization’s) attitude and productivity.

From The Silent Language of Leaders: How Body Language Can Help – or Hurt – How You Lead, here are five things a leader should know about the link between emotion and leadership results.

1. Emotions affect people instantly. In a study at the University of Tubingen in Germany, subjects were shown photos of happy or sad faces, then asked questions to gauge their emotional reactions. People reported corresponding emotions to the photos – even when the pictures lasted only fractions of a second. Likewise, those who report to you will instantly and unconsciously pick up your emotional displays, even if you believe you have quickly suppressed them.

2. Emotions are contagious. A simulation experiment at Yale University gave two groups of people the assignment of deciding how much of a bonus to give each employee from a set fund of money. Each person...
in the group was to get as large a bonus as possible for certain employees, while being fair to the entire employee population. In one group, the conflicting agendas led to stress and tension, while in the second group, everyone ended up feeling good about the result. The difference in emotional response was created by the “plants” — actors who had been secretly assigned to manipulate people’s feelings about the project. In the first group, the actor was negative and downbeat, and in the second, positive and upbeat. The emotional tone of the meetings followed the lead of each actor — although none of the group members understood how or why those particular feelings had emerged.

3. Emotions flow most strongly from the most powerful person in the room to others. Researchers at California State University in Long Beach found that when business leaders were in a good mood, members of their work groups experienced more positive emotions and were more productive than groups whose leaders were in a bad mood.

4. The brain pays more attention to emotionally negative messages than to positive ones. Inside the medulla is a vital link to reticular activating system (RAS). RAS sorts the 100 million impulses that assail the brain each second and deflects the trivial, but lets the vital through to alert the mind. This part of the brain evolved with an inherent tendency to magnify negative messages and minimize positive ones. Today, RAS still prefers to interpret things negatively and we then react by getting defensive and anxious. That’s why a leader’s body language (frowns, crossed arms, lack of eye contact) can get amplified into signals of danger — and why mixed messages (when a leader’s verbal content and body language signals are out of alignment) may be evaluated as threatening to our status, relationships, and even to our continued employment.

5. You can’t successfully hide emotions. Stanford University’s research on emotional suppression shows why it’s so difficult to hide our true feelings: The effort required takes a physical and psychological toll. Subjects instructed to conceal their emotions reported feeling ill at ease, distracted, and preoccupied. And this was validated by a steady rise in their blood pressure. But another quite unexpected (and for leaders a much more important) finding showed a corresponding blood pressure rise in those who were only listening to the subjects. So when a leader tries to suppress what he or she really feels, the resulting tension isn’t just personal; it is also unconsciously contagious.

To tap into the power of emotion, savvy leaders understand how feelings (their own and other people’s) impact and influence an organization’s ability to make business decisions, stay positive and productive, and embrace change.

Carol Kinsey Goman, Ph.D. is a keynote speaker and leadership coach who can be reached through her website at www.CarolKinseyGoman.com or at Carol@CarolKinseyGoman.com.

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Baltic 2nd Grade Students “Grow” in their Learning

If you give a class of 2nd grade students some composting worms, they will make a garden to go with them. That is exactly what happened last fall in Danielle Eszlinger’s 2nd grade classroom in the Baltic School District.

The class adopted some composting worms from another 2nd grade classroom and the ideas started flowing about how they could use the rich compost created by their castings.

The kids went to work creating a plan to build a school community garden.

They started by learning about different kinds of gardens and the different types of plants they could grow. The kids worked closely with Chris Zdorovtsov from the SDSU Extension Office to learn about the care and maintenance of a garden. They decided if their garden was going to be one that the entire community could enjoy, it needed to be a raised bed garden.

With the new information and preliminary garden plans, the class set off to learn more about the existing ground bed community garden.

The students enlisted the help of a local pastor, Ryan Franchuk and congregation member Laura Garness, of Christ Fellowship Church. This church started the original ground bed community garden. The congregation supported the idea of raised beds for the community garden and decided to join the class to make it happen.

Now that the 2nd grade students had a place to put the garden, they needed to let the school and city leaders know their plan.

Zdorovtsov worked closely with them to develop a blueprint for the garden layout. The students created a PowerPoint presentation full of meaningful information that would give the city council and school board insight into their goals for the garden and how it would benefit their learning and their community.

With all of the pieces in place, they went to a Baltic school board meeting to get their approval. Then, they moved on to the city council with their request. At each public meeting the kids were confident in their knowledge and had practiced their public speaking skills to effectively communicate their mission.

They received overwhelming support and approval from both the school board and city council.

After receiving approval, the work really began. The 2nd grade students needed to set up a growing system in their classroom to start the young plants during the winter months.

They also needed to find funding to support the construction of 31 raised garden beds of varied sizes. At the same time, they needed to continue to learn more about their composting worms and other ways to support a healthy garden so their thumbs would be nice and green by the time they were ready to plant. They embarked on a robust fundraiser that included a story in the local newspaper, advertising flyers, and a number of personal presentations for local residents and businesses.

Along with the campaign, they found local master gardeners to partner with them in teaching them about garden plants, healthy soils, and bugs that can help or hurt your garden.

The kids went to work installing a greenhouse system in their classroom to start tomatoes, cucumbers and various other plants.

Steve Sikorski, a master gardener, came to their classroom to help them create one of the garden boxes using 2X12 lumber and power tools. In turn, the students put their new expertise to work over the next three weekends building the remaining boxes with their family, friends, classmates and community members.

Zdorovtsov and Sikorski continued to make their regular visits to their school to offer guidance and support in the process. Many parents and community members also offered their fields of expertise to assist in making this lofty goal become a reality.
always have a role in the care and maintenance of the
Baltic School and Community Garden.

They leave a legacy of learning for the next group of
students because as all gardeners know, there will always
be plants to grow, weeds to pull, features to add, and of
course, worms to care for.

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Last summer, when Dawn Leuning attended the four-day
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Dakota Innovation Lab, she designed a transdisciplinary
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understanding the importance of reducing, reusing, and
recycling.

Leuning created a plan with standards aligned with all
disciplines, let her students take ownership of the project
and molded the design to best engage their interests to help
positively impact the amount of waste generated by the
classroom, school and community.

The students started by learning the differences between
reducing, reusing and recycling.

When spring finally came it was time to put all of the
pieces of this garden puzzle together.

What else could the kids do, but have a garden party?

They planned a celebration for the entire school and community to participate in. There were shovels handy so
the guests could help with planting, there were rocks to
paint, maps of the garden plan and of course, treats, but not
your normal party treats.

The treats consisted of things that could be grown in a
garden—carrot and celery sticks and dip, bruschetta made
with different peppers and veggie kabobs.

The entire class came out on a beautiful spring evening to
share their learning, their excitement about the garden and
the importance of the garden that will be a long lasting part
of their community.

As the summer months passed, the kids and community
came together to water and weed the garden and enjoy its
harvest.

In the fall, the founding group of 2nd grade students
moved on for new experiences in 3rd grade, yet they

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50th ANNIVERSARY

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Soon, they were able to identify several areas where they
needed to improve their habits to take care of the Earth.
The fourth graders decided a good place to start was to
collect recyclables from their school. They researched
recycling programs in other schools, collaborated with the
sanitation workers in their community and even partnered
with their school janitor as an advisor to the program.

Recycling is a very important part of the green planet
equation, but reducing and reusing are equally as
important.

The fourth grade students made an effort to employ those
strategies into their everyday living. As in most schools,
paper is a widely used supply but the kids noticed very
few pieces of paper were utilized on both sides. That
needed to change.

The class started by saving paper on which only one side had
been used by putting it in a tray in their classroom for reuse.
Then, they started saving their spelling test sheets to use
them over again the following week. They have spread the
message of using both sides of paper through announcements
and education talks to other classrooms.

Students took their learning outside the classroom with a
field trip to Cook’s Recycling and the Brookings Landfill.

The recycling experts at Cook’s Recycling gave the kids a
tour of the facility, helped them understand the guidelines
of effective recycling collection and shared the rules for
recycled materials to help define what truly can and cannot
be recycled. The kids gathered these and more facts and
ideas to take back to their school project.

“It was amazing how many things can actually be recycled,”
Fourth Grade Student Catherine Klein said.

Students also had the opportunity to see what happens to a
landfill when it is no longer in use.

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Dakota Nature Park in Brookings provides visitors with an opportunity to observe nature at the site that once served as the City of Brookings Landfill. The landfill has since been capped and has fulfilled the environmental monitoring requirements of the South Dakota Department of Environment and Natural Resources.

“I couldn’t believe how beautiful Dakota Nature Park in Brookings was,” Fourth Grade Student Ellie Koenig said. The class’s latest project was to develop and deliver a presentation to the school board to put recycling receptacles in the school. The class presented results of a survey of the students and teachers in the elementary school which showed there were 20 areas in the building that were in need of a recycling receptacle, including the lunch room where milk cartons can be saved from the garbage and added to recycling.

Deubrook School Board members approved the class’s request and the receptacles will be placed in every classroom and other areas around the school.

The efforts of Deubrook’s fourth grade class are making a difference in their school. Now the kids are working on expanding their plan to their community. They are brainstorming ways to share recycling information and develop a collection bin system for residents. This will require more research, more time spent consulting with their industry partners and more effort put into writing and preparing their plan for presentation.

Authentic learning with applied practice is the goal of problem based learning and the fourth grade students at Deubrook are realizing this all while doing good for the planet.

Groton Area High School Named on Newsweek List
Groton Area High School ranked 158th in Newsweek Magazine’s top 500 highest performing schools in the nation in the magazine’s report released last fall.

Newsweek’s list of “America’s Top High Schools” is a ranking of schools based solely on achievement. The schools are ranked based upon performance indicators (for example, proficiency rates on state standardized assessments).

This evaluation identified high schools that perform at or above the 80th percentile within each state. In order for Groton High School to receive such a high ranking, several factors must exist: top quality teachers, hard working students, strong parental support, and a wide variety of activities to challenge and motivate their participants.

Groton Area High School Principal Anna Schwan said there was an extensive list of questions that had to be answered for the report.

Nearly 89 percent of the Groton’s graduates plan to attend college and almost that many (88.55%) graduated from high school this past spring. The poverty rate (12.89%) for the school district is part of the formula used by the national magazine. Statistics also revealed that Groton’s score for college readiness was 89.67.

First Impressions Mean A Lot at L. B. Williams Elementary
L.B. Williams Elementary students in Mitchell know the importance of a good first impression after a year embedded in problem based learning focused on first impressions.

The idea started with two teachers from LBW—Cheryle Aslesen, multiage 1st and 2nd grade, and Stacy Morgan,
5th grade. They made a plan to address a real problem in their school—the lost and found box. At a South Dakota Innovation Lab summer professional development week, the teachers put together a plan around improving the appearance of their school for visitors, students, and staff.

Aslesen and Morgan never imagined how that project would grow once it got into the hands of the kids.

The teaching team collaborated together to create experiences that were tailored to the learning at their grade level in accordance with the standards, but they also rose above and beyond those expectations to immerse their students in group and individual tasks across grade levels that would challenge their thinking and require problem solving skills.

First, they worked around the idea of what someone’s first impression of them is and the character traits that provide a good first impression.

The next step was to identify what the first impression of L.B. Williams School is. The kids found several things that they wanted to address, but decided to focus on the lost and found. They determined that based on the number of clothing items that are left behind every year, there had to be a better way to return lost items to their rightful owners. They started out by creating a brightly colored, much more presentable box to place the lost and found items in.

Then it was up to the youngest students to sort and organize those items and place them into containers labeled by the specific purpose they served—gloves and mittens in one box, shoes in another, shirts and sweatshirts in another, and the sort went on.

The older kids then took those items and determined the value of each item to report out to the families of the school and also photographed the items and sent them on to the school website designer to be posted on the LBW site for parents to view and identify.

Students kept records of the items and donated them to the Salvation Army after they had been displayed for one month. They also sent out reminders to parents to label their child’s clothing so it would be easier to return and they made announcements to the school to remind kids to make sure they come inside with both mittens, their hats, scarves and other articles of clothing.

According to L.B. Williams Principal Becky Roth, the students were quite engaged with the process.

“I was amazed to see the students using their critical thinking skills to truly understand the different aspects of what all needed to be accomplished with this project,” Roth said. “By connecting the hands-on learning experience with a ‘real-world’ problem to solve was a positive educational experience for our students.”

Once this problem was tackled and a system was in place the kids decided to extend their efforts to the community.

They made presentations at businesses and to city officials about the first impression of their community.

Based on the students’ plans and the importance of their message, the Mitchell ‘Do Good’ grant provided by Mitchell Telecom was awarded to the classes in the amount of $1,500 to improve the first impression of Mitchell.

It was back to the design cycle for the kids to create a plan. Students decided to put all of their efforts into the Visitors Center just off of I-90 at exit 332.

They collaborated with local garden and landscape centers, a local curbing company and city officials to create a plan to landscape around the Mitchell welcome sign and add planters to the visitor’s booth. The kids had to work out a budget, research plants that would be viable at that location and create a design for the area. All of these skills helped them meet their grade level standards while participating in real learning around solving a real problem.

The final presentation of their learning included a ribbon cutting event at which Mitchell Mayor Ken Tracy made a speech and there was a picnic at the Visitor’s Center for the kids.

“Working on the Visitor Center project was my favorite,” L. B. Williams 2nd Grade Student Cella Nath said. “I especially enjoyed brainstorming with the 5th grade students throughout the year.”

The project was completed in the spring of 2014, but that didn’t mean that it was over. The kids had to work out a schedule to maintain the area during the summer months and evaluate the effectiveness of their entire project.
LBW students also evaluated the effectiveness of the lost and found project at the end of the year. They discovered that over $1,000 worth of clothing was given away from the lost and found at the end of the year. This meant that the problem would have to be addressed again in the 2014-15 school year, which is exactly what is happening.

Under Aslesen and Morgan’s guidance, a new group of kids have evaluated their design and are working on modifying the project. The students at LB Williams continue to modify the project and their teachers are realizing that the greatest learning happens in the modification stage.

Looking at problems as an opportunity is a valuable skill these students will carry with them.

**Progressive Community Leadership Project**

The Parker School District went through a relatively unique experience in 2014-2015 when it experienced a significant turnover in staff.

Two administrative positions were new hires, which encompassed superintendent, high school principal, junior high principal, elementary principal, activities director, special education director, and Title I director.

There were also twelve new certified teachers hired, along with three paraprofessionals, which encompassed nearly 40 percent of the staff that works with the students of Parker.

The vision and goals for the new administrative staff centered on staff unity, community involvement and overall development of a positive school culture and climate.

High School Language Arts Teacher Cindy Froiland jumped on board with that philosophy even before the school year started and the changes in staff were fully in place.

Froiland put her community project in motion months before the actual events. Throughout the summer she thought about a discussion with former PE teacher, now High School Principal Bill Leberman about PBIS (Positive Behavior Interventions and Support), and the changes in her career, throughout the school and about the community.

Reflecting on the vision of the people in the Parker community, Froiland researched her own list of values and found that within those various positive characteristics are themes she teaches in her literature class.

“Authors and their characters usually have to persevere to achieve goals and after reading some stories in our sophomore class that had characters with influential leadership qualities, I decided that I had to make it real for my students,” Froiland said.

“I wanted them to appreciate those in our community who were the ‘movers and the shakers’ in the past and who are continuing to make good things happen in Parker today.”

First, Froiland and her class held discussions on various past and present leaders in our world and who the equivalent may be in our community. The students had many people they looked up to in the school, church, their jobs, but not many knew of the influential men and women in town within the business community.
Froiland worked with her 23 sophomore students to develop interview questions, prepare for the interview, conduct the interview and gain an overall respect for those who work to make the Parker community what it is.

The next step was to pair up her students with a leader in the community.

The students wrote letters to community leaders, inviting them to the school and to be part of the event. Twenty three students conducted interviews with 23 leaders in the community. Each sophomore was expected to greet the community member they were interviewing with a handshake and collect some refreshments prior to finding a place to begin their interviews.

In order to work on eye-contact during the interview, the students used their iPads to record the interview instead of taking notes. They had a list of questions prepared but the goal was to communicate in a conversational and informational way.

The project proved to be a big success.

“I loved seeing my sophomores go from apprehension to achievement,” Froiland said. “They were the hosts; they had to be in charge of the situation. Many of the students who were nervous about interviewing someone whom they didn’t know surrounded me at the end and were all talking to me at once because of what they had learned. That was so fun!”

The students concluded the project by creating a Keynote presentation on iPads and presented the information to Froiland, after which, she turned the tables on them by conducting an interview with the student.

Froiland said she sees leadership skills in many of her students and the project helped them find the skills in themselves.

“They often don’t know their own strengths,” Froiland said. “I know they can do it. In fact, they always do so much more when the idea is dropped in their laps, and they need to work it through. To me, that is what the real-world will expect of them.”

With the collaboration on the project between students and community members, the future of the Parker community looks bright, said Froiland.

“I really want to thank the 23 people who were willing to give up their time and answer questions about their past and present, in making and keeping Parker moving forward,” Froiland said.

“I knew that these individuals would put my students at ease, give truthful and thoughtful answers and realize that our youth are our future.”

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**Sample Personnel Policies Available**

The Sample Personnel Policies were recently updated, taking into account the statutory change making it clear that cities do not need to include a grievance policy for non-union employees. This manual is being published to provide cities in South Dakota with a practical guide to managing their human resources.

The League hopes that through this publication, cities throughout the state will realize the value of South Dakota’s human resources and create policies that will further the working relationship between the city and its employees.

Implementation of these policies may be needed to prevent conflicts of interest, discrimination, and preferred employee status, or accusations of such treatment, from interfering with legal and correct business practices.

The samples are not to be considered as, nor substituted for, legal advice. They are for example purposes only.

**SD Public Assurance Alliance (SDPAA) members**

If you are a member of the SDPAA you can download the manual for FREE.

**SDML members that are not members of the SDPAA**

If you are a member of the SD Municipal League and not a member of the SDPAA, the manual can be purchased for $125.

For a User Name and Password to download the sample personnel policies from the SDML website, www.sdmunicipalleague.org, contact Lori Martinec at the League at martinec@sdmunicipalleague.org or 800-658-3633.
WE ARE PLEASED TO ANNOUNCE

CONNECTSD

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

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Passion | Creativity | Teamwork
By Emily Robbins, National League of Cities

This is a recap from Big Ideas for Small Business, NLC’s national peer network helping local governments accelerate effort to support small businesses and encourage entrepreneurship. To learn more, email robbins@nlc.org.

“Let’s meet for coffee.” It’s a common invitation that often leads to the exchange of ideas, mentorship, and career advice. The 1 Million Cups program, launched in 2012 by the Kauffman Foundation, brings that concept to an even larger scale by providing entrepreneurs with a weekly platform to present their business plans and receive immediate feedback and advice from industry experts, venture capitalists and fellow business owners. All of this happens, of course, over dozens and dozens of cups of coffee.

NLC’s Big Ideas for Small Business peer network recently caught up with the Kauffman Foundation and community organizers from the 1 Million Cups programs in Fort Worth, St. Petersburg, and San Antonio. Their advice on how to launch 1 Million Cups in your own city is captured below.

Empower local entrepreneurs to drive the program.
Each Wednesday morning, two entrepreneurs have the opportunity to present their business plans during 1 Million Cups. There are a handful of “community organizers” in each city that recruit entrepreneurs and coordinate the presentation schedules. Most often, these organizers are fellow entrepreneurs that are tapped into the city’s existing network of start-ups. Cities should empower these individuals to lead the program and tailor it to their own community’s specific start-up needs.

Provide venue space.
The weekly presentations for 1 Million Cups require a large, easily-accessible venue space that is available on a weekly basis. For example, in San Antonio the program operates out of the local library. A support organization for businesses in St. Petersburg called the Greenhouse (which is co-managed by the city and the local chamber of commerce) serves as the meeting spot for 1 Million Cups.

Attend the presentations every week.
City officials and staff are encouraged to attend the program each week as a way to network with the entrepreneurial community and learn about new start-up projects. Rick Usher, the Assistant City Manager for Small Business and Entrepreneurship in Kansas City, Mo., is a regular attendee and uses 1 Million Cups as a way to stay connected.

Help with outreach and referrals.
The success of the 1 Million Cups programs relies on an active community of entrepreneurs who participate both as presenters and audience members. City leaders can help advertise the weekly program through word of mouth and social media. Also, city departments and resource centers that provide direct business assistance to entrepreneurs can encourage early-stage start-ups to participate in 1 Million Cups as presenters.

Sponsor a coffee provider.
In many ways, 1 Million Cups is really about connecting over coffee. Cities can offer to provide the coffee for the weekly meetings, and even better, this coffee can be purchased from a local coffee shop.

Connect with local university programs.
Some local universities in San Antonio require their business and entrepreneurship students to attend 1 Million Cups as part of their coursework. This win-win scenario helps students see first-hand what it takes to launch a business, and at the same time, these students may be more likely to stay in the city after graduation after being introduced to the local start-up ecosystem.

For cities interested in launching 1 Million Cups, check out more information from the Kauffman Foundation’s webpage at http://www.1millioncups.com/community-education on how to Caffeinate Your Community.

About the author: Emily Robbins is the Senior Associate of Finance and Economic Development at NLC. Follow Emily on Twitter: @robbins617.

Reprinted from CitiesSpeak.org, the official blog of the National League of Cities.
Public Library Institute Held in Madison

The South Dakota State Library put on the 27th Public Library Institute May 31 – June 5, 2015 for rural library directors and staff who have no training or education in 21st century librarianship. This weeklong institute was held in Madison at Dakota State University. Four years leads to a certificate in Public Library management. With winter online courses, students accrue approximately 18 to 20 college credit hours. For some students this is their only experience with taking college courses or being in a college classroom. Credit hours are paid for with federal LSTA funds. In fact almost all of the Institute’s costs are paid for with federal funds. Mileage and individual room and board are usually paid for by the sponsoring community.

Once they start, Institute or another accredited college program if they so choose, their local public libraries are eligible to apply for state library accreditation. It is a voluntary program. All librarians who are certified are recognized every fall at the annual state SDLA conference. When they apply for SD Library accreditation local libraries along with their town and area legislators are recognized every January in the Rotunda during Legislative Day.

This year two distinguished library educators from Iowa and Nebraska taught the 30 eager students. (With a 20% to 25% annual statewide turn-over there always seems to be a large group of city councils and mayors eager to send their new hires!) The State Library staff also filled in with sessions that relate to governance, boards, budgets, statistics and general library administration which is the module this year. Subsequent years focus on Reference/Research skills and collection development, Youth Services and Children’s Services.

Hats off to Kathleen Slocum, the CE Coordinator, who orchestrates this annual training institute and who makes all things run smoothly…and with a smile the entire week! Classes begin to fill up immediately following the end of the Institute. There is a limit of 40 students per year. The students eat well, have comfy beds and usually have private rooms. There are lots of laughs and fun while learning thanks to Kathleen, the guest instructors and the rest of the SDSL staff who participate. Fridays are test time, then graduation and finally sad farewells to new found friends and colleagues. We often hear students say it was one of the best weeks of their lives and local leaders, though they are often hesitant to “lose” their librarian for a week, agree it is an investment well worth making. Contact Kathleen for details on the Institute at 800-423-6665 or at Kathleen.Slocum@state.sd.us.

Other Upcoming Events

SD Water and Wastewater Association Conference

September 16-18, 2015
Holiday Inn, Spearfish

2015 SD Solid Waste Operators Annual Conference

September 22-24, 2015
Hilton Garden Inn, Sioux Falls

SD Library Association Conference

September 23-25, 2015
Ramkota Hotel, Rapid City
Visit www.sdlibraryassociation.org/.

Annual Local Roads Conference

October 21-22, 2015
Ramkota Hotel, Rapid City
Visit www.sdstate.edu/engr/ltap/.
Many cities have projects that small contractors would like to bid but have been unable to do so. These smaller contractors were not previously eligible to bid on these projects as they did not carry Workers’ Compensation coverage. SD law allows sole proprietors to opt out of the requirement to carry this coverage. Many cities required the contractor to carry this coverage in order to protect the city in the event the contractor may be injured while completing the work.

The 2015 SD Legislature passed a new law to help alleviate this issue. The law will go into effect July 1, 2015. HB1105 is titled “An Act to provide for an affidavit creating a rebuttable presumption that a person is not an employee for purposes of workers’ compensation…” Following is a basic overview of what this means and how it may affect you.

If you hire someone who is a sole proprietor as an “independent contractor” to do work for your city, and they do not carry workers’ compensation insurance, you can ask them to sign an affidavit which would protect the city from a work comp claim if this individual is injured while working on a city project. Three criteria must be met: 1) They are an independent contractor, not an employee; 2) They are a sole proprietor and 3) They do not have any employees and therefore are not required by law to have work comp insurance. This law applies only to work related injuries and workers’ compensation coverage. All other insurance coverage would still be required.

Prior to beginning work on the project specified in the affidavit, the affidavit will need to be signed by both the city and the independent contractor. The contractor will need to verify that there are no employees, that the contractor is not required to carry workers’ compensation coverage, and that the contractor meets the criteria as stated in the Exempt Status Fact Sheet. The city and the contractor will retain copies of the affidavit, as you do with all other insurance certificates.
When would a city use this? In the event you have a small single project, such as replacing a small section of sidewalk and you have a local individual who wants to do the work. The individual does not carry work comp coverage, he has no employees, he does not have family members working with him, and he supplies his own tools and equipment; he may qualify under this law. The city would need to have the affidavit completed in lieu of obtaining a certificate of workers’ compensation coverage.

This applies ONLY to workers’ compensation coverage; however, as the city would still need to obtain proof of any other required coverage. Another example would be for a longer term contract, such as janitorial services. Again, the contractor will need to verify that he has no employees, he does not have family members working with him, and he supplies his own tools and equipment.

This law is not perfect. It does not protect the city if this contractor brings an “employee” to work with him and that employee gets injured. By SD law, he is required to carry work comp coverage on ANY employee, even if they are temporary, seasonal, part-time, a family member or friend. It doesn’t matter in the eyes of SD work comp law. If they are injured, and if the “independent contractor” doesn’t carry the work comp coverage, then your city may be at risk to pay the claim. The only way to completely protect the city is to require all independent contractors working on a city project to carry workers’ compensation coverage, including sole proprietor coverage, and provide a certificate of work comp insurance. Please keep in mind that per the statute, you are not required to accept an affidavit of exempt status as a substitute for a certificate of workers’ compensation coverage.

The Department of Labor/Division of Insurance has promulgated the rules, the procedures and documentation for filing the affidavit of exemption. You can access the rules, affidavit and Exempt Status Fact Sheet through a link on our website at www.sdmlwcfund.com.

As with all legal matters, please consult your city attorney before entering into any agreements. We will update you as more information becomes available. As always, be sure to call our office if you have any questions regarding this new law. We will be happy to assist you.

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South Dakota depends on freight rail connections to transport products to far-off markets and bring us what we do not produce or manufacture locally. But for many businesses, farms, and communities, well-documented problems and limited dispute resolution options at the U.S. Surface Transportation Board (STB), which oversees freight rail service and rate issues, add costs and uncertainty for customers. I introduced legislation last Congress and again this year to address such problems. My bill, the Surface Transportation Board Reauthorization Act of 2015, has gained broad support propelling it through the legislative process in our nation’s capital.

The STB’s role in the freight rail system is particularly critical for areas served by only one railroad. While the STB offers shipping rate dispute resolution processes for railroads and customers, these processes are often lengthy, expensive to adjudicate, and incredibly complex.

In one such process, designed specifically for customers with access to only one rail carrier, the STB uses complex economic modeling, known as the “stand alone cost test.” This test examines how hypothetical competition from a fictitious railroad might affect prices in order to determine whether or not current rates fall within the legal definition of “reasonable.” Such a case can often cost over $3 million to litigate and take over three years to resolve – if a shipper has the money and time to make such a petition.

To offer customers better options, my bipartisan bill expands successful and voluntary arbitration procedures at the STB when both parties have an interest in resolving rate and service disputes. The proposal also requires STB to study and present more efficient and simplified procedures as resolution alternatives, gives the agency new authority to proactively investigate issues like rail service delays, and creates a public database of complaints. It also creates new timelines for STB decisions to ensure issues do not drag on for years.

Of course just introducing a bill is not enough by itself to move it through the halls of Congress. Two critical developments have bolstered its prospects.

First, Sen. Bill Nelson (D-Fla.) agreed to join me in introducing the bill, giving STB reforms not only bipartisan support but the endorsement of a senior senator who just happens to be the top Democrat on the committee with jurisdiction over the STB and railroads. Second, the bill earned the endorsement of a broad coalition of freight rail customers including the American Farm Bureau Federation, the South Dakota Grain & Feed Association, the American Chemistry Council, the National Rural Electric Cooperatives, and the South Dakota Farmers Union.

With this strong support, we successfully ushered the bill through the Senate Committee on Commerce, Science, and Transportation, which I chair, without a single committee member voicing opposition. On June 18, the full U.S. Senate unanimously approved it.

Recently, a new report released by the Transportation Research Board of the National Academies stressed the need to modernize freight rail regulation and for Congress to find more appropriate, reliable, and usable procedures for the STB to provide rate relief.

While there is still a ways to go, the proposal has wind at its back and will carry this momentum as it advances to the House of Representatives. By finding common ground among many different rail customers, shippers and the large railroad companies themselves, reforms of the STB are positioned to become law for the first time since the board’s original establishment in 1996. I know that the success of these reforms will help South Dakotans get a better deal on critical shipments, coming or going.

Senator Thune can be contacted at 866-850-3855 or visit http://www.thune.senate.gov/.
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AUGUST Community Events

May 28 - October 1
Transformation & Continuity in Lakota Culture: The Collages of Arthur Amiotte
Chamberlain

June 6 - August 9
The 47th Annual Red Cloud Indian Art Show
Pine Ridge

July 31 - August 9
Custer Cruisin’
Custer

August 1
BBQ Pit Row Winner

1st Annual Brian Zeller Golf Tournament
Hot Springs

August 2
Glacial Lakes 4-H Rodeo
Sisseton
Fall River Freedom Ride
Hot Springs

August 3 - 9
Sturgis Motorcycle Rally 2015
Sturgis

August 4
Screen on the Green Outdoor Movie
Hot Springs

August 5 - 9
Day County Fair
Webster

August 7
Downtown Friday Nights:
Brian Grilli
Spearfish

August 7 - 9
Harvey Dunn Society Plein Air ‘Paint Out’
De Smet

August 8
Lake Eureka Carp Classic
Eureka
Mobridge Arts in the Park
Mobridge

August 8 - 9
Twin Brooks Threshing Show
Twin Brooks

August 10 - 16
Brown County Fair
Aberdeen

August 11
Screen on the Green Outdoor Movie
Hot Springs

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Watertown |
| **August 14** | Downtown Friday Nights: Judd Hoos  
Spearfish |
| **August 14 - 16** | SDSB-SDSVI-SDSBVI  
All School Reunion  
Aberdeen  
White River Frontier Days Rodeo  
White River |
| **August 15** | Wing & Brew Festival  
Brookings  
Culture Shock: Young Artist Festival  
Rapid City |
| **August 15 - 16** | 27th Annual Rosholt Threshing Bee  
Rosholt |
| **August 16** | Leading Ladies Marathon  
Spearfish  
Robert Cray Band  
Deadwood |
| **August 16 - 17** | Redfield Bull-a-Rama  
Redfield |
| **August 18** | Screen on the Green Outdoor Movie  
Hot Springs |
| **August 20** | Aberdeen Aqua Addicts Water Ski Show  
Aberdeen |
| **August 20 - 23** | Kool Deadwood Nites  
Deadwood |
| **August 21** | Downtown Friday Nights: The Lonely Ranger with  
Kenny Putnam  
Spearfish |
| **August 21 - 23** | Summer Arts Festival  
Yankton |
| **August 22** | Animal Enrichment Day  
Sioux Falls  
Lean Horse 100 Ultra-Marathon  
Custer  
Sizzlin' Summer Night Car & Motorcycle Show  
Aberdeen |
| **August 23** | 3 Person Scramble  
Hot Springs |
| **August 27** | Movie in the Park - Evans Park  
Spearfish |
| **August 27 - 30** | Hugh Glass Rendezvous  
Lemmon |
| **August 28** | Downtown Friday Nights: The Bottle Tops  
Spearfish  
Blackout Motors Show & Shrine  
Aberdeen |
| **August 29** | Rumble on the Ranch  
Watertown |

*For details visit [www.travelsouthdakota.com](http://www.travelsouthdakota.com).*

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**Submit your event!**

Want to submit an in-state event for the Department of Tourism's Calendar of Events on [www.travelsouthdakota.com](http://www.travelsouthdakota.com)?

ASSISTANT FINANCE OFFICER: The City of Hot Springs (pop 3700) located in the Black Hills is seeking a professional and knowledgeable Assistant Finance Officer. The position is responsible for assisting the Finance Officer in maintaining financial, accounting, administrative and personnel services in order to meet legislative requirements and support municipal operations. The Assistant Finance Officer must work within the City of Hot Springs’ policies, procedures, and ordinances and in compliance with South Dakota Codified Law. Essential duties and responsibilities include: (1) Administer and monitor the financial system in order to ensure that the municipal finances are maintained in an accurate and timely manner. (2) Maintain the accounts payable and accounts receivable systems in order to ensure complete and accurate records of all moneys. (3) Administer employee files and records in order to ensure accurate payment of benefits and allowances. (4) Administer the bi-weekly payroll in order to ensure that employees are paid in an accurate and timely manner. (5) Provide efficient and effective office management. (6) Perform related duties as required. Desired minimum qualifications include advanced education in public finance, business finance, economics or accounting; at least two years of public finance experience preferred; experience in Banyon Data Systems preferred. Candidates must have the ability to: Perform a full range of secretarial, advanced clerical, and routine administrative and programmatic work of a general or specialized nature involving the use of independent judgment and personal initiative. Understand the organization and operation of the City and of outside agencies as necessary to assume assigned responsibilities. Understand, interpret, and apply general and specific administrative and departmental policies and procedures. Effectively represent the City to outside individuals and agencies. Research, compile, analyze, and interpret data. Lead in the preparation of a variety of administrative and financial reports. Exercise good judgment in maintaining critical and sensitive information, records, and reports. Demonstrate an awareness and appreciation of the cultural diversity of the community. Communicate clearly and concisely, both orally and in writing. Exercise utmost integrity, trustworthiness, and honesty in every task involved in. Establish and maintain effective working relationships with those contacted in the course of work. Range of pay is $15.35 - $19.19/hr depending on experience. Excellent benefit package including retirement, vacation, sick, dental and life insurance. Position is open until filled. Applicants are encouraged to submit a resume and cover letter to City of Hot Springs, Attn: Nolan Schroeder, City Administrator, 313 North River Street, Hot Springs, SD 57747 or alternatively, email application materials to nolan.schroeder@hs-sd.org. EOE.

CITY MANAGER: City of Gordon, NE (Pop. 1612) is accepting applications for the position of City Manager. Gordon has been a Council-City Manager form of government since 1950. The City Manager reports to the City Council and oversees all departments and phases of municipal government. Successful candidate must possess good written and verbal communication skills, as well as good organizational and interpersonal skills. Applicant needs to be highly motivated with a great work ethic. Minimum qualifications for office include: Bachelor’s Degree in Public Administration or related field and minimum of one year experience in government or related private field. These basic requirements may be waived in favor of comparable experience, and are at the sole discretion of the City Council. This is a full-time exempt position with full benefits. Salary negotiated based on qualifications and experience. The City of Gordon is an Equal Opportunity Employer. Position remains open until filled. Send resume, 3 references, and transcripts to City Manager Search, City of Gordon, PO Box 310, Gordon, NE 69343 or you may email the requested documents to
If you are looking for a small, friendly, progressive community to raise your family – one with a great school system, excellent hunting and fishing opportunities, beautiful 9 hole grass/green golf course, challenges and opportunities – we’re just what you’re looking for!!

**DIRECTOR OF PUBLIC WORKS:** The City of Eureka, an equal opportunity employer, is accepting applications for a full-time Director of Public Works. This position supervises the Assistant Works Director. Valid driver’s license required. No conviction by any state or federal agency for any crime punishable by imprisonment in a federal or state penitentiary. Appropriate character and behavior traits for public relations. High School graduate or GED certificate required. Experience preferred in heavy machinery operation and knowledge of all city departments and functions in all departments. Must possess or obtain a CDL. Have or ability to get water and sewer certifications by the state of South Dakota. Mosquito spraying certification. Code enforcement training and classes. Code Enforcer job duties optional. Pay based upon experience. Position open until filled. Apply at City of Eureka, PO Box 655, Eureka, SD 57437. Contact City Office at 605-284-2441 for more information regarding job description and application.

**ECONOMIC DEVELOPMENT DIRECTOR:** The City of Wall, SD. Salary will be determined DOE. A job description and application are available at www.wallsd.us, under the ‘News’ tab, by email wallcity@gwtc.net or at the City Finance Office at 501 Main Street, Wall, SD between the hours of 8:00 am and 4:30 pm Monday through Friday. Application deadline is July 22 at 4:00 pm. For more information call the City Office at 605-279-2663. EOE.

**FINANCE DIRECTOR:** The City of Brookings (pop. 22,056) is seeking an innovative, forward thinking, results oriented professional to oversee the Department of Finance and Information Technology as chief accounting and financial officer providing accounting advice and counsel to the City Manager and all City department heads. Various job responsibilities include: financial reporting; cash management and investments; preparation, facilitation and maintenance of annual budget; direction of information technology services and staff; work closely with HR Department on time clock management, payroll and benefits; financial recordkeeping and monthly closing; direction of accounts payable and receivable process; preparation, posting and reconciliation of accounting records and accrual of revenues and expenditures; prepare for annual audit process and ensure completion of Comprehensive Annual Financial Report (CAFR); maintain all debt service funds and financial records related to grants and tax increment districts; conduct revenue/expenditure financial projections and forecasting and act as city’s investment officer on all idle public funds; and other duties as designated by City Manager. Bachelor’s degree in Accounting, Business, Management or closely related major required with coursework and/or experience in Governmental Accounting preferred. Five years of experience in financing and office accounting required with preference given for governmental accounting. Minimum of two years overseeing professional and technical staff in an administrative or supervisory capacity required with management of information technology and related resources background evident. Current designation as a Certified Public Accountant preferred. An acceptable combination of education, experience and training in a related field may be considered in lieu of education requirement. Visit www.cityofbrookings.org for detailed position description. Salary range is $74,045 to $99,961 depending upon background and qualifications. Excellent benefit package. Position is open until filled. Submit letter of interest, detailed resume and current salary information to: Attn: Donna Langland, Human Resources Director, City of Brookings, PO Box 270, Brookings, SD 57006. dlangland@cityofbrookings.org. Phone: 605.697.8668. Fax: 605.697.8661. AA/EOE.

**INTER DEPARTMENT OPERATOR:** The City of Custer, SD. 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. An application must be completed and resumes may be included with the application, but are not accepted in lieu of an application. Applications are available at Custer City Hall, 622 Crook Street, Custer, SD or online at http://www.custer.govoffice.com/. Applications will be accepted by mail or may be dropped off at Custer City Hall. Position open until filled. EOE.

LIQUOR STORE/BAR MANAGER: The City of Kadoka, SD. Application forms are available at the City Finance Office. Retail and/or managerial experience is beneficial, but not required. Return letter of interest, resume and/or completed application form to City Finance Officer, PO Box 58, Kadoka, SD 57543 before 4:00 p.m. Friday, July 10, 2015. This position includes health, dental and retirement benefits. Salary is negotiable, depending upon qualifications. For more information call 605-837-2229. EOE.

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

MAINTENANCE WORKER: The City of Philip, SD. Work areas include, but are not limited to water, sewer, streets, snow removal, rubble site, swimming pool and airport. 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 Collection, Commercial Driver’s License. Knowledge and experience with all types of equipment is desired. Individual must also be dependable, reliable, friendly, and able to work with others. Salary/wage is depending upon qualifications and experience. Applications and the detailed job description may be obtained from the City Finance Office, PO Box 408, Philip, SD 57567-0408; telephone 605-859-2175; or, email philipdfo@gwtc.net. The City Office is located at 140 S. Howard Ave., Philip, SD, Haakon County Courthouse, Fourth Floor. Office hours are 8:00 a.m. to 5:00 p.m. Monday thru Friday (Mountain Time). The position will remain open until filled. EOE.

POLICE OFFICER: The City of Jefferson is accepting applications for a full-time police officer. Individual must be a South Dakota certified police officer or be able to be certified. Needed: a High School diploma/GED certificate, current/valid driver’s license. Apply at Jefferson City Hall, 208 Main Street, PO Box 276, Jefferson, SD 57038 or call 605-966-5838 to request an application and job description. The position will remain open until filled. EOE.

SURPLUS PROPERTY: The Town of Hermosa has for sale ten new 5/8” Badger, numerical read water meter heads, with remotes. Please note, meter bases are not included. These items have become surplus due to a municipal changeover in meter types. Appraised value of these meters are listed as $30 each (head and remote), and have been discontinued by the manufacture. Interested parties should contact the Town of Hermosa, PO Box 298, Hermosa, SD 57744, located at 230 Main St. For further information, or to view the meters, please contact the Chuck Ferguson at 605-390-0045.

FOR SALE: Used water meters. 5/8” X 3/4” Badger Model 25, brass body, cubic foot, remote read generator head with outside readers. Usage on meters varies from low to intermediate. $25.00 each. Contact Fred Snoderly, Public Works Director, City of Madison, SD. Phone 605-256-7515 or fred.snoderly@cityofmadisonsd.com to negotiate details.

FOR SALE: ABB/Elster Three Phase A1D+ meters. 9S, 6S, 16S, 4S, and 3S meters were taken from a working environment when we converted to AMI. $50 each, less if you take the entire pallet. Contact Roger at Moreau-Grand Electric Cooperative 605-865-3511.


Visit www.sdmunicipalleague.org for more classifieds.
addresses; employer’s name and telephone number; and
home, business, and other personal email or internet
addresses. In addition, each municipal governing body
shall provide contact information for the municipal
employees responsible for the following functions if the
municipality employs a person in such a capacity: City
administrator or city manager; Building inspection;
Engineering; Electrical; Fire; Police and law enforcement;
Public works; Streets and highways; Sewer and waste
water; Water; Telephone; Utilities; Emergency services or
civil defense; Coroner; and 911 coordinator. (SDCL 33-15-
11.1; 33-15-11.2; See Hdbk., sec. 9.400)

July 4 – Independence Day – State holiday (SDCL 1-5-1)

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

First meeting following election – Appointed municipal
officials are usually appointed. The appointment may be
annual, or for an interval determined by the governing
body. (SDCL 9-14-3)

First meeting following election – In municipalities having
the mayor and common council form of government, the

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council must elect a president and vice-president for the ensuing year. (SDCL 9-8-7; See Hdbk., sec. 2.520)

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

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

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

On or before July 15 – The liquor tax reversion must be made. (SDCL 35-5-22; See Hdbk., sec. 11.600)

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

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

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

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

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

<table>
<thead>
<tr>
<th>State Rates</th>
<th>(As of July 1, 2015)</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Meals:</strong></td>
<td>In-State</td>
</tr>
<tr>
<td>Breakfast</td>
<td>$ 6.00</td>
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<tr>
<td>Lunch</td>
<td>$ 11.00</td>
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<tr>
<td>Dinner</td>
<td>$ 15.00</td>
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<tr>
<td><strong>Lodging:</strong></td>
<td></td>
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<tr>
<td>In-State</td>
<td>$55.00 plus tax</td>
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<tr>
<td>(Check-in Sept 1 through check-out June 1)</td>
<td>$70.00 plus tax</td>
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<td>(Check-in June 1 through check-out Sept 1)</td>
<td>$175.00 plus tax</td>
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<td>Out-of State</td>
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<tr>
<td><strong>Mileage:</strong></td>
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<tr>
<td>(Federal Mileage: $0.575/mile)</td>
<td></td>
</tr>
</tbody>
</table>

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