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People have often asked us why there have been so many ballot issues lately. I believe there are two reasons: First, it is easy to get on our ballot and cheap to run a campaign; and second, the perception that the Legislature is just not listening – Look at the initiated minimum wage, and the pay-day loan measure – both issues had been before the legislature for years, and couldn’t get anywhere. They passed on the ballot.

While there are certainly still many good legislators, more and more legislators are being elected with their views set in stone – they represent the few, but not the many; they put ideology before the public good. They don’t come to Pierre to solve problems, they come to create obstacles.

SD has what I call a big ball of a problem – things that are all interrelated: Infrastructure – both maintenance and repair, and keeping up with growth; Workforce Housing – not low income, but the housing affordable to people making the average wage in SD; and the Workforce Shortage – we simply do not have enough people to work here. Related to all of these are quality of life facilities you all work for and a growing drug epidemic.

How many of those issues did we address this year? None. Instead, we had 11 gun bills – I don’t know how many more ways we can find to say we love guns here. Next year, we’ve already been told there will be bills to preempt local entities from doing things no one is even talking about here – cities setting minimum wage, or creating a ‘sanctuary city.’ It’s another election year, so hang on, it will be full of “statement legislation” rather than constructive, forward-looking solutions to actual problems.

The legislature is more and more taking the small view: So many committee hearings seem like King Solomon’s court, splitting a baby and dealing with individual issues. The narrow view of some legislators means they become a personal legislator for a very small group of people – all at the expense of the bigger view, and at the expense of the greater good. They come to Pierre to fight government on behalf of their little posse back home, not to do what is best for the state as a whole.

The narrow view legislators think the Governor is a raging liberal because he supported funding for the basic infrastructure of state roads, and for state funding for education. We are conservative in SD – and that is good. We balance our budgets, we don’t do stupid things with our retirement system, and we don’t spend tax dollars lightly. But we do not seem to distinguish between spending and investing. We need to invest if we want a state, and cities and towns, our kids and grandkids want to stay in.

Last year we sounded warnings about the toll term limits are taking on the legislative process, but it was too late to encourage you to run – this year there is plenty of time! We had some bright gleams of hope with new legislators – all of which came from a local government background. You can become a ray of hope for our state – if you have any interest at all, please explore a run for your legislative seat. If you have employees who have an interest, please allow it, and encourage it. South Dakota needs the broader view those of you who get things done locally can contribute.

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

Yvonne Taylor
Executive Director

SD Municipal Attorneys' Association Meeting

What: Luncheon Meeting
When: Thursday, June 22, 2017
12:00 p.m. to 1:00 p.m.
Where: Ramkota Hotel, Rapid City
Visit www.sdmunicipalleague.org/sdmlevents for the agenda and registration.
Trouble remains at 35,000 feet, but there may be a pathway to reduce the problem.

A couple of months ago, I shared information about a nationwide commercial airline pilot shortage. While a shortage of commercial pilots certainly has national implications, the negative concerns are most profound in rural America.

Here’s why. Rural America is serviced by regional jets. Those regional jets connect South Dakota’s airline passengers with major hubs like Denver and Minneapolis. Because the regional jets serve smaller communities, they serve less people. And when there aren’t enough pilots to go around, the airlines put the pilots where they can serve the most people. Which means, in commercial air hubs like Denver – not South Dakota.

You might recall, Jack Dokken with the South Dakota Department of Transportation and I were asked to participate in a national working group to Improve Air Service to Small Communities. That working group is in the process of finalizing recommendations. Once complete, those recommendations will be delivered to Congress with the hope that federal regulations will be adjusted to alleviate pilot shortage concerns.

You can expect the working group recommendations to keep safety as a top priority. You can also expect that the working group will ask Congress to take another look at how it qualifies the number of flight hours a pilot must have before receiving certification and to consider providing some sort of financial support to students who are pursuing a pilot’s license.

Right now, flight hours and the cost of achieving those flight hours are a major obstacle for would-be pilots. The goal is to lessen the time commitment and financial burden needed to achieve a commercial pilot’s license without jeopardizing safety.

Although this issue might seem far from your concern, the pilot shortage problem is impacting travel at every commercial airport around the world – including airports in South Dakota.

I hope to see positive momentum from Congress following the actions of the working group, and I hope that will lead to reliable and affordable commercial air service for all South Dakotans!

Laurie Gill
President
SDML Welcomes New Staff Member

Lynn Bren joined the South Dakota Public Assurance Alliance staff as the Director of Member Services on April 3, 2017.

Prior to joining the SDPAA, Lynn spent the past 16 years working with Claims Associates, Inc. as the Third Party Administration Claims Manager and Multi Line Claims Adjuster. Her focus while there was primarily the SDPAA account and claims. Lynn has over 20 years of insurance claims adjusting experience.

Lynn grew up near Watertown, SD. After graduation from Deuel High School, she attended South Dakota State University. She moved to Des Moines, IA where she was introduced into the world of insurance and claims adjusting. In 1999, she and her husband, CJ, moved to Sioux Falls and ultimately Harrisburg where they currently reside with their son, Coyen, their daughter, Anya and three dogs. In addition to spending time with her family and friends, Lynn enjoys volunteering with Lutheran Social Services through the School-Based Mentor Program, as well as actively serving on the administrative board for the Liberty Elementary Parent Teacher Organization.

Lynn is excited to share with everyone the advantages the pooling concept can bring, and all of the benefits that the SDPAA has to offer its Members.

You can contact Lynn at 605-254-6542 or by email at lbren.sdpaa@sdmunicipalleague.org.

West Nile Prevention Funding Opportunity

Human West Nile Virus (WNV) continues to present a very significant threat to public health in South Dakota. In 2016, six South Dakotans lost their lives to WNV. This is the second highest number of deaths since WNV first emerged in our state in 2002. In addition to these six deaths, 35 people experienced the very worst form of WNV, neuro-invasive disease. Most of these cases require hospitalization and long term treatment with many never fully regaining their previous quality of life.

To help fight this ugly, mosquito-borne virus, the Department of Health is pleased to announce that West Nile prevention grant funds are once again available for 2017. These funds are intended to assist South Dakota cities, counties, and tribes in controlling mosquitoes and as a result, preventing human West Nile virus.

Grant awards will range from approximately $500 to $20,000 depending upon the population served and the historical number of human WNV cases. Since 2002, the department has provided over 6 million dollars in support of local control programs.

To apply for these grants, South Dakota city, county, and tribal officials should complete the application available on the department’s website at: http://westnile.sd.gov. Applications are due June 1 and funding awards will be available starting July 1.

If you lack internet access and need a paper copy of the application, please let the Department of Health know. If you have any questions about this funding opportunity, please don’t hesitate to contact the Department of Health at Meghan.Wittmis@state.sd.us or by call 605-773-3361.
2017 SDML EXCELLENCE IN MUNICIPAL GOVERNMENT AWARD

Official Nomination Form

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 15, 2017. The award will be presented at the SDML Annual Conference in Sioux Falls on October 5, 2017.

Name of Nominee: ___________________________ Title: ___________________________

Address of Nominee: _______________________________________________________

Significant contributions to the municipality: ______________________________________

___________________________________________________________________________

___________________________________________________________________________

___________________________________________________________________________

Significant contributions to the community: ______________________________________

___________________________________________________________________________

___________________________________________________________________________

___________________________________________________________________________

Significant contributions to other organizations: _________________________________

___________________________________________________________________________

___________________________________________________________________________

___________________________________________________________________________

Significant contributions to South Dakota Municipal Government: __________________

___________________________________________________________________________

___________________________________________________________________________

___________________________________________________________________________

Other Comments: ___________________________________________________________

___________________________________________________________________________

___________________________________________________________________________

___________________________________________________________________________

Submitted by: ___________________________ Phone: ___________________________

DEADLINE: August 15, 2017

Please submit to: South Dakota Municipal League
208 Island Drive, Ft. Pierre, SD 57532
FAX to 605-224-8655
...of the 310 municipalities in South Dakota, less than 15 have full time professional Human Resource personnel. Most HR duties are added responsibilities for existing city staff. This training will help anyone with HR responsibilities become better informed in this field, learn who to call on when they need help and where to turn to find resources.

Agenda

Tuesday, June 6

12:15 p.m. Registration – Conference Center Lobby
1:00 p.m. General Business Meeting – Gallery A
1:15 p.m. Bridging Generations – Gallery A
  Leah Braun, Principal, Harney Business Group
3:15 p.m. Break – Conference Center Lobby
3:30 to 5:00 p.m. Hot Topics in HR – Gallery A
  • Background Checks
  • Wage and Hour Laws
  • Collective Bargaining Laws
  • Child Labor Laws
  • Intersection of FMLA and ADA
  • Political and Religious Discussions in the Workplace
  Steve Bogue, Attorney, McGrath North Mullin & Kratz, PC LLO, Omaha, NE
5:30 p.m. Social – Drifters Bar and Grille – Event Center
6:00 p.m. Dinner – Drifters Bar and Grille – Event Center

Wednesday, June 7

7:30 a.m. Continental Breakfast – Conference Center Lobby
8:00 a.m. Discipline, Discharge and Due Process in the Public Workplace:
  A Primer on How to Deal with Workplace Misconduct and Non-performance –
  Gallery A
  Steve Bogue, Attorney, McGrath North Mullin & Kratz, PC LLO, Omaha, NE
9:15 a.m. Break – Conference Center Lobby
9:30 a.m. Discipline, Discharge and Due Process in the Public Workplace, cont. – Gallery A
10:30 to 11:30 a.m. Facilitated Roundtable Discussion – Gallery A
11:30 a.m. HR Scenarios – Gallery A
  Steve Bogue, Attorney, McGrath North Mullin & Kratz, PC LLO, Omaha, NE

2017 Human Resource School • June 6-7, 2017

Municipality Representing __________________________________________________________

Name __________________________ Title __________________________ Email __________________________

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

__________________________ __________________________ __________________________

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

Accommodations: Mention you are with the SD Human Resource Association. Make reservations by May 6 to guarantee the conference rate. Ramkota Hotel, 605-224-6877, $95.95 + tax.

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

Return registration with payment by May 24, 2017* to: SD Governmental Human Resource Association
  208 Island Drive, Ft. Pierre, SD 57532

*No refunds will be given after May 24, 2017.

SDML Office Use Only: Date:_______________  Check #:______________  Amount:________________
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The object is simplicity.


SD Governmental Finance Officers’ School
June 7, 8, & 9, 2017 • Ramkota Hotel and Conference Center • Pierre, SD

Agenda

Wednesday, June 7

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

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

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

12:45 p.m. Welcome by Pierre Mayor Laurie Gill – Galleries B & C

1:00 – 1:15 p.m. Business Meeting – Galleries B & C

1:15 – 1:30 p.m. Legislative Update – Galleries B & C
   Yvonne Taylor, Executive Director, SD Municipal League

1:30 – 2:45 p.m. Grant Funding for Municipal Projects – Galleries B & C
   Ted Haeder, Economic Development Officer, First District Association of Local Governments

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

3:00 – 4:00 p.m. Basic Accounting – Galleries B & C
   Rod Fortin, Director of Local Government Assistance, SD Department of Legislative Audit

2:45 – 5:15 p.m. Golf Tournament – Dunes Golf Course
   111 Fort Chateau Road, Fort Pierre (one mile North of Fort Pierre on Hwy 1806)
   $26/person, includes cart and 9 holes

6:00 – 8:30 p.m. Welcome Reception and Dinner – Gallery A
   Just Duet, dueling pianos, will be performing at 6:45 p.m.
   Hospitality room at Ramkota opens from 8:30 p.m. – 11:30 p.m.

Thursday, June 8

7:15 – 8:00 a.m. Continental Breakfast – Conference Center Lobby

8:15 – 9:45 a.m. General Session – Galleries B & C
   Keynote Speaker: Tami Evans

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

10:00 – 10:55 a.m. Cocurrent Sessions (Pick one; these sessions will be repeated in the afternoon)
   • Code Enforcement – Galleries D & E
     Geoff Fillingsness, Code Enforcement Officer, City of Beresford
     Dave Smith, Code Enforcement Officer, City of Sturgis
   • Using Social Media in Information Sharing for Local Governments – Galleries F & G
     Patrick Gerdes, NREMT, EMSI, COMT(3), COML(3) Special Projects, The Blue Cell, LLC
   • Retaining and Archiving Municipal Records – Amphitheater I
     Dana Hoffer, Manager, Division of Records Management, SD Bureau of Administration
     Chelle Somsen, State Archivist, SD State Historical Society
<table>
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| 11:00 – 11:55 | Concurrent Sessions *(Pick one; these sessions will be repeated in the afternoon)*  
|               | **The World of Liquor** – Galleries D & E  
|               | Jason Evans, Assistant Director, Property and Special Tax Division, SD Department of Revenue  
|               | **Capital Asset Policy** – Amphitheater I  
|               | Rod Fortin, Director of Local Government Assistance, SD Department of Legislative Audit  
|               | **Global Risk, Local Protection** – Galleries F & G  
|               | Educate treasury professionals on fraud and best practices to help them prevent it  
|               | Holger Ebert, Senior VP, Divisional Treasury Manager, Government & Institutional Banking, Wells Fargo  
|               | Pete Pulos, Senior VP, Regional Treasury Manager, Government & Institutional Banking, Wells Fargo  
| 12:00 – 12:45 | Finance Officer of the Year Luncheon – Gallery A  
|               | Finance Officer of the Year Award and Years of Service Pins will be presented.  
| 1:00 – 2:30   | General Session – Galleries B & C  
|               | Keynote Speaker: Tami Evans  
| 2:30 – 2:45   | Break – Conference Center Lobby  
| 2:45 – 3:40   | Concurrent Sessions *(Pick one)*  
|               | **Code Enforcement** – Galleries D & E  
|               | Geoff Fillingsness, Code Enforcement Officer, City of Beresford  
|               | Dave Smith, Code Enforcement Officer, City of Sturgis  
|               | **Using Social Media in Information Sharing for Local Governments** – Galleries F & G  
|               | Patrick Gerdes, NREMT, EMSI, COMT(3), COML(3) Special Projects, The Blue Cell, LLC  
|               | **Capital Asset Policy** – Amphitheater I  
|               | Rod Fortin, Director of Local Government Assistance, SD Department of Legislative Audit  
| 3:45 – 4:40   | Concurrent Sessions *(Pick one)*  
|               | **The World of Liquor** – Galleries D & E  
|               | Jason Evans, Assistant Director, Property and Special Tax Division, SD Department of Revenue  
|               | **Retaining and Archiving Municipal Records** – Amphitheater I  
|               | Dana Hoffer, Manager, Division of Records Management, SD Bureau of Administration  
|               | Chelle Somsen, State Archivist, SD State Historical Society  
|               | **Global Risk, Local Protection** – Galleries F & G  
|               | Educate treasury professionals on fraud and best practices to help them prevent it  
|               | Holger Ebert, Senior VP, Divisional Treasury Manager, Government & Institutional Banking, Wells Fargo  
|               | Pete Pulos, Senior VP, Regional Treasury Manager, Government & Institutional Banking, Wells Fargo  
| 6:00 – 8:00   | President’s Social and Dinner – outdoor space at RedRossa  
|               | Hospitality room at Ramkota opens after Dinner until 11:30 p.m.  
| 7:30 – 8:15   | Breakfast Buffet – Gallery A  
| 8:15 – 8:30   | Last Minute Announcements – Galleries B & C  
| 8:30 – 9:30   | Municipal Elections – Galleries B & C  
|               | Shantel Krebs, SD Secretary of State  
| 9:30 – 10:30  | Equalization Meetings – Galleries B & C  
|               | Michael Houdyshell, Director, Property and Special Tax Division, SD Department of Revenue  
|               | Wendy Semmler, Program Manager, Property and Special Tax Division, SD Department of Revenue  
| 10:30 – 10:45 | Break – Conference Center Lobby  
| 10:45 – Noon  | Revenue – State and County Shared Revenues – Galleries B & C  
|               | Heather Villa, Motor Vehicles Division, SD Department of Revenue  
|               | Michael Houdyshell, Director, Property and Special Tax Division, SD Department of Revenue  

The registration form can be found on the next page.
# SD Governmental Finance Officers’ School

## REGISTRATION FORM

**June 7, 8, & 9, 2017 • Ramkota Hotel and Conference Center • Pierre, SD**

Registration fee is $75.00 for affiliate members and $100.00 for non-members. This fee includes meals and coffee breaks listed on the Agenda.

If you have dietary restrictions, inform us IMMEDIATELY or we will not be able to accommodate you.

*Please fill out a separate form for each attendee*

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<th>Municipality Represented:</th>
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<th>Name:</th>
<th>Title:</th>
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<tr>
<th>Phone:</th>
<th>Email:</th>
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</table>

*Please note that attendee name and contact information will be made available to other attendees at the meeting.*

1st year as Finance Officer? [ ] YES [ ] NO 1st year attending Finance Officers’ School? [ ] YES [ ] NO

What year and month did you first start working for a municipality? Year:______ Month:______

Are you retiring? [ ] YES [ ] NO  If Yes: Date ____________ Years of service ________

Will you be participating in the nine-hole golf tournament on June 7th? [ ] YES [ ] NO

*Fee is payable at the golf course* – Dunes Golf Course (111 Fort Chateau Road, Fort Pierre; $26/person, includes cart)

If you will be bringing a Spouse or Guest, please fill out the following Registration information:

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<th>Spouse’s or Guest’s Name:</th>
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Please indicate which event or meal they are attending and include the appropriate fee.

- [ ] June 7th Golf Outing *Fee is payable at the golf course*
- [ ] June 7th Welcome Reception and Dinner, $25.00
- [ ] June 8th Breakfast, $12.00
- [ ] June 8th Finance Officer of the Year Luncheon, $20.00
- [ ] June 8th President’s Social and Dinner, $15.00
- [ ] June 9th Breakfast, $12.00

Total Fees Enclosed: ______ Spouse/Guest Registration

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<td>Member Registration - $75</td>
<td>Non-Member Registration - $100</td>
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Total: $__________

Return registration with payment by **May 24, 2017** to: SD Governmental Finance Officers’ Association

*No refunds will be given after May 24, 2017.*

208 Island Drive

Ft. Pierre, SD 57532

**Accommodations:** Mention you are with the SDML Finance Officers’ Association. Make reservations by May 7 to guarantee the conference rate. Ramkota Hotel, 605-224-6877, $95.95 + tax.

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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 public sector, and looks forward to delivering the same level of products and services to which they are accustomed through the ConnectSD project.

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

HARDWARE:
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- Printers

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- Laser Engraving
- Decals
- Banners
- Carrying Cases & Backpacks

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

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

Passion | Creativity | Teamwork
2017 Municipal Debit/Credit Workshop
Thursday, June 29, 2017
Ramkota Hotel and Conference Center • Pierre, SD

Course Description: This one day workshop is designed for new finance officers, but has proven beneficial for veteran business officials and office support staff as well. The focus for this workshop will be the logical flow of information through the accounting system to the annual report, internal controls and documentation. Budget and legal compliance will be addressed throughout each segment of the workshop.

Agenda: 8:00 AM – 4:30 PM (Lunch Provided)
- Accounting Overview
- Governmental Accounting Principles
- Computerized and Manual Accounting Systems
- Budgets and Budgetary Accounting
- Taxes Receivable
- Revenues
- Expenditures
- General Journal/General Ledger
- General Long-Term Debt
- Capital Asset Accounting
- Annual Report

Presenter: Rod Fortin, Director of Local Government Assistance, Department of Legislative Audit. He has audited and provided financial and compliance assistance to cities, counties, schools and other local governments for over 19 years.

Registration Form

Municipality: ________________________________

Please Print Name and Title as you would like it to appear on the nametag.
Name ____________________________________ Title ______________________________ Email __________________________
__________________________________________ ______________________________ _________________
__________________________________________ ______________________________ _________________
__________________________________________ ______________________________ _________________

Number Attending ______ @ $25.00 each = $____________

Make checks payable to SDML. Sorry no credit cards accepted.

Please return this form and payment by June 15, 2017* to: South Dakota Municipal League
208 Island Drive
Fort Pierre, SD 57532

*No refund will be given after June 15, 2017.
Budget Training
Municipal Budgets – Dollars and $ense

Course Description: This one day training will provide elected officials and finance officers with the tools they need to create and maintain the annual municipal budget. Attendees will learn about available resources, preparation and timelines for completion of the budget, on-going monitoring, contingency transfer and supplemental appropriation.

Agenda:
- Budget and Appropriations
- Budget Resources
- Budget Timeline
- Budget vs. Cash
- Budget Preparation
- Adoption of Appropriation Ordinance
- Budget Execution
- Future Budgets

Presenter: Rod Fortin, Director of Local Government Assistance, Department of Legislative Audit. He has audited and provided financial and compliance assistance to cities, counties, schools and other local governments for over 19 years.

Registration Form

Municipality: ________________________________________________________________

Please Print Name and Title as you would like it to appear on the nametag.

Name __________________________________________ Title __________________________ Email __________________________

__________________________________________ __________________________

__________________________________________ __________________________

__________________________________________ __________________________

Please choose one training to attend:
Each training is from 10 a.m. to 3 p.m. local time with lunch provided.
☐ July 13, 2017 Pierre Ramkota Hotel    ☐ July 27, 2017 Sioux Falls Ramkota Hotel

Number Attending ________ @ $25.00 each = $____________
Make checks payable to SDML. Sorry no credit cards accepted.

Please return this form and payment by June 29, 2017* to: South Dakota Municipal League
*No refund will be given after June 29, 2017.
208 Island Drive
Fort Pierre, SD 57532

SDML Office Use Only: Date: _______________ Check #: _______________ Amount: _______________
Information Security Breaches

By Judy Payne, Executive Director, SDPAA

You’ve heard it before, but it’s worth repeating – it’s not a matter of “if”, it’s a matter of “when” a local governmental entity or any other business or organization will suffer an information security breach. Many public entities will suffer a data breach event in the near term. Many have already sustained a breach but failed to identify it.

Information security breach incidents can occur internally and externally. They can be accidental or intentional. They may be caused by lost devices, inadvertent leaks of data, disgruntled employees, system glitches, vendors and subcontractors, hackers, and unsecured websites. Although we hear a lot about Chinese hackers, according to a recent post from Business Insurance magazine, it’s probably much more likely that you will be penetrated by employee error or malfeasance than a Chinese hacker.

Local government entities’ records may include employee personnel files containing protected information, law enforcement data containing protected information, financial data including bank account numbers which could allow hackers to siphon funds in accounts, county voter registration lists which contain Social Security numbers, bank accounts and credit card numbers of citizens who have utility bills paid via EFT, protected information regarding citizens who receive benefits from local governments, Clerk of Courts records which may contain Social Security numbers and other protected personal data of county residents.

Here are some examples of public entity breaches:

- A town in Washington had to warn residents that they could be the target of identity theft after hackers compromised a system used to run an online automatic utility billing system, emptying $400,000 from a city bank account.
- An employee in a city in Florida accidentally gave the public temporary internet access to restricted city documents containing 330 city employees’ Social Security numbers.
- A hacker broke into a town’s bank account in New York and stole $378,000 by transferring funds to banks in Ukraine.
A public entity pool in Tennessee had a claim where as part of a Member’s public invitation to bid on their insurance, they erroneously included a roster of 200 police department employees’ names and Social Security numbers. The information was posted on the purchasing department’s website and not discovered for a week. In that week, the information was accessed from within fourteen US states, the Philippines, Canada, Japan, India, and South Korea.

A Member of a pool in Florida accidently sent retirement data of 170 of their employees to their actuary at an AOL account. The email address they used was off by one digit and went to another party’s AOL account.

According to the IBM research sponsored Ponemon Institute’s 2016 Cost of Data Breach Study, the average per record cost to an organization which suffered a cyber breach was $221 in the United States. A breach of 1000 records would mean $221,000 in costs.

To protect our Members, this year the South Dakota Public Assurance Alliance (SDPAA) provides its Members with a $400,000/Member Aggregate limit of Cyber Liability Coverage. Members may elect to purchase higher limits.

We also want to provide you with some information and risk management ideas to help minimize exposure to and mitigate damages from cyber claims. Among things you can do to manage cyber risk are:

- Developing an incident response plan similar to a disaster recovery plan
- Ensuring firewalls and antivirus programs are regularly updated
- Ensuring personnel are knowledgeable and careful about setting strong passwords, using caution when opening websites and emails, and installing and maintaining critical software updates
- Developing system security procedures and conducting periodic staff training to support the procedures
- Developing appropriate segregation of responsibilities with multiple users
- Safeguarding personal information of employees and customers
- Safeguarding laptops and other mobile devices
- Using appropriate encryption for electronic confirmation
- Adopt an equipment disposal policy

While in today’s world there is no way to protect your information 100% of the time, having cyber insurance coverage and practicing cyber risk management can mitigate against loss.

For more information regarding the Cyber Liability coverage provided through the SDPAA or if you are interested in securing higher limits of coverage for further protection, please contact us at sdpaa@sdmunicipalleague.org or 800-658-3633, Option 2.
How Permanent Data Loss from a Computer Virus Can Take Down Your City

By Jabari Massey, Network infrastructure Consultant, Sophicity: We put the IT in city

Imagine that a city employee who works in the finance department opens their email in the morning. As they check their email, they see one message that seems to come from the city manager. Without thinking, the employee clicks on a zip file attachment assuming that it’s an important set of documents related to a meeting that day.

This employee is not technically savvy, so they are not too alarmed when they see something downloading onto their computer. A window pops up that says to accept something. The employee clicks “yes.”

Within seconds, a chill goes down their spine. Something is wrong. Multiple pop-up windows appear on the person’s computer screen and a new program seems to be running in the background. The employee tells their supervisor, and the supervisor places a call to their reactive IT support vendor who says they might be able to stop by tomorrow.

A day passes while the employee manages to continue doing work that involves accessing software on the city’s financial server. But the employee’s computer continues to slow to a crawl until they can’t use it anymore. The city manager persuades their IT vendor to send someone over today instead of tomorrow.

A junior IT support person arrives and pokes around on the employee’s computer. “Yep, there’s a problem,” they confirm. Figuring it’s a virus, they restart the computer and go into “safe mode” to try to eliminate the virus. Plugging into the financial server to make sure it’s working properly, the junior IT support person now gets a chill down their spine.

They cannot access any data on the financial server because it’s also infected with the virus.
Panic ensues. The junior IT support person calls a senior IT support person. By then, it’s too late. Both the server and the employee’s computer had not been patched in a while, and so many recent security patches had not been applied. Plus, the city runs a free version of some antivirus software that’s only updated when the IT vendor sends someone on site.

“Thank goodness there’s a data backup of the server,” says the city manager. But when the IT support vendor tries to restore the financial data from the backup...that backup doesn’t work. At all. “But we’ve been backing it up manually at least once a week,” says the city manager.

“Have you tested the backup?” asks the senior IT support person.

“No,” says the city manager. Everyone now realizes a nightmare scenario became real. The city’s financial data is lost. Permanently.

Preventing This Disaster
Some variation of this story is all too common for many cities. The good news? Cities can easily prevent a devastating virus attack by addressing some of the errors committed in this story.

Error #1: Lack of business class antivirus software.
Notice the reference in the story to free antivirus software? Many cities try to save money by installing a free, consumer-grade version of antivirus software on computers. This is a mistake because consumer-grade antivirus software is not sophisticated enough to protect city data at the server level. That usually leaves servers unprotected and computers reliant on employees making the updates.

Error #2: Reactive IT support not maintaining and monitoring servers and computers.
The IT support people in our story weren’t getting paid to do ongoing, proactive IT support. Thus, they only updated the antivirus software when the city called on them for an onsite visit. Plus, it appeared that they did not have a process in place for regularly updating the antivirus software and testing the city’s data backups. Experienced IT professionals need to regularly audit antivirus software to confirm that it’s installed on every machine and that virus definitions (which help detect nearly all known viruses) are up to date.

Error #3: An employee clicked on an email attachment.
You might have thought we’d mention this error first. However, your employees cannot be the front line for preventing viruses. We all occasionally make mistakes by clicking on a malicious email attachment or website. That’s why you need a strong foundation in place—business class antivirus software, regularly tested data backups, and proactive IT support—to stop as many viruses as possible from activating. And even if an employee clicks on something malicious, you need to be able to recover from a virus that has been activated.

Because a virus can still get through strong defenses, employee training is a must. Train your city staff about common sources of viruses such as email attachments, websites, online software, and games. With training, you can make your employees more aware about online threats that are easy to avoid if they know how to spot them.
“On Call” Employees: Do I Have to Pay Them?

By Cody Brookhouser, McGrath North

Employers often wonder whether they are required to compensate hourly, non-exempt employees for time outside of normal working hours that they spend “on call.” Unfortunately, as with most legal questions, the answer is: it depends. This article will provide guidance on this topic as it relates to hourly employees. This guidance is also applicable to salaried, non-exempt employees for overtime purposes.

The clear answer is that, any time an hourly employee is actually performing work, he or she must be compensated for the time spent doing that work. That is, if an IT employee is “on call” at home and receives a phone call for tech assistance, the hourly employee must be compensated for the time spent resolving the issue. The trickier question comes into play when the employee is not actually working, but is technically “on call” and must be ready to report for duty.

As a general rule, an employer does not need to compensate an employee for on call time when the employee is off of the employer’s premises. If the employee is, for example, required to be on call one night per week but is allowed to be at home or somewhere other than the workplace, compensation is generally not required. However, an employer is required to compensate an employee where the conditions placed on the employee’s activities during the on call time are so restrictive such that the employee cannot use the time effectively for personal purposes. In short, the more restrictions placed on an employee during on call time, the more likely it is that the employee must be paid for that time.

Fortunately, cell phones make it fairly easy for an employee to be on call but also to have the freedom to engage in personal activities. The Department of Labor (DOL) and courts have held that, where an employee must be reachable by cell phone and must immediately respond to calls and report to the workplace within 10-20 minutes, the employee is not unduly restricted from engaging in personal activities and, accordingly, does not require compensation. In this scenario, the employee is clearly free to engage in personal activities such as running errands and going to the movies as long as he or she is reachable by cell phone and is responsive once called to duty.
When an employee is required to remain at home while on call, for example, to immediately access a desktop computer, it is a closer question of whether the employee is unduly restricted from engaging in personal activities. In this scenario, even though the employee is clearly not free to engage in activities outside of the home, some courts have held that the employee is still free to engage in personal activities within the home such as entertaining guests, reading, or watching Netflix. According to these courts, the employee is not unduly restricted from engaging in personal activities and, therefore, no compensation is required. The DOL has disagreed and has taken the position that an employee must be free to engage in activities outside of the home otherwise, compensation is required. In other words, for employers who require their on call employees to remain at home, it may be safest to compensate these employees for on call time or to do away with the “at home” restriction, if practicable.

Regardless of whether the employee is located at home or somewhere other than the workplace, the bottom line is that the employee should be able to engage in personal activities while on call. The DOL and courts agree that, where an employee receives frequent and excessive phone calls or emails such that the employee is constantly interrupted or distracted, the employee is unduly restricted from engaging in personal activities and must be compensated.

Should you have any questions about “on call” pay or any other wage and hour issues, please do not hesitate to contact McGrath North.

Contact the author of this article, Cody Brookhouser, at 402-341-3070 or cbrookhouser@mcgrathnorth.com.
Ground Broken for Brandon’s Sixth Development Park

Ground was broken February 27 in Brandon for the Rovang Industrial Park, an 80-acre development park with planned rail access, adjacent to the Brandon and Corson development parks and the I-90 interchange. Local, county and state economic development leaders spoke at the groundbreaking ceremony, including Scott Stern, Commissioner of the Governor’s Office of Economic Development.

“Brandon represents 10% of the acres in South Dakota’s Certified Ready Sites,” Stern said. “This community is committed to providing the land to grow our economy.”

In addition to being a South Dakota Certified Ready Site, Brandon has a history of adding new industrial development parks to meet the needs of expanding and relocating companies.

“This is Brandon’s sixth industrial development park,” said Dennis Olson, vice president of the Brandon Development Foundation. “Since 1983, we’ve added significantly to available industrial land in Brandon and now we have 320 acres in our parks. During that time, we’ve added 1,400 new jobs and increased assessable property by nearly $60 million.”

Development of Phase 1 of the Rovang Industrial Park will begin this year, according to Nick Fosheim, executive director of the Minnehaha County Economic Development Association.

“Brandon has long understood that opportunities for growth often depend on available land,” Fosheim said. “The development parks adjacent to the new Rovang property have filled rapidly and there is demand for sites in the Brandon area. The Brandon Development Foundation is determined to do what it takes to keep their community growing.”

A reception for local business leaders and groundbreaking participants was held following the shovel ceremony, hosted by The First National Bank in Sioux Falls.

This article is reprinted from County Perspectives, used with permission from the Minnehaha County Economic Development Association.
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Governor Daugaard Announces $94.6 Million for Environmental Projects

Gov. Dennis Daugaard says the state Board of Water and Natural Resources has approved $94.6 million for water and waste projects.

The $94,620,125 total includes $7,636,000 in grants and $86,984,125 in low-interest loans, with $2,015,000 in principal forgiveness.

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

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

Grants were awarded to:
- Department of Environment and Natural Resources, $800,000 in two grant amendments, which includes a $550,000 grant amendment for the Big Sioux River Basin hydrologic and hydraulic model and a $250,000 grant amendment for waste tire and other solid waste cleanups

Loans were awarded to:
- B-Y Water District, $4.7 million loan for ground storage water reservoir
- Centerville, $240,000 loan for Main Street storm sewer improvements
- Gregory, $260,000 loan for Felton Street sewer replacement

- Hermosa, $199,000 loan for well rehabilitation and system pressure improvements
- Humboldt, $272,000 loan for water meter replacement
- Martin, $633,000 loan for water main improvements
- Plankinton, $240,000 loan for water meter replacement
- Sioux Falls, $11.559 million loan that provides $11 million for primary digester cover and mixer improvements and $559,125 for nonpoint source improvements in the Big Sioux River basin
- TC&G Water Association, Inc., $775,000 loan amendment for drinking water system improvements
- Yankton, $37 million loan for a drinking water treatment plant

Loans with principal forgiveness were awarded to:
- Doland, $150,000 loan for water meter replacement with $75,000 in principal forgiveness
- Onida, $3.35 million, which includes a $2.4 million loan for wastewater system improvements and a $950,000 loan for water main replacement with $250,000 in principal forgiveness
- Sturgis, $16.647 million for wastewater treatment system improvements, which includes a $400,000 grant and $16.247 million loan with $1.6 million in principal forgiveness
- Worthing, $120,000 loan for water meter replacement with $90,000 in principal forgiveness

Grant and loan packages were awarded to:
- Canova, $52,000 for water meter replacement, which includes a $32,000 grant and $20,000 loan
- Colton, $2.7 million for 1st and Main Street projects, which includes a $1.385 million loan for sanitary sewer
replacement and an $815,000 grant and $500,000 loan for drinking water main replacement

- **Lake Norden**, $1.606 million for wastewater collection system relining, which includes a $321,000 grant and $1.285 million loan
- **Lesterville**, $453,000 for water main replacement and looping, which includes a $353,000 grant and $100,000 loan
- **Miller**, $6.274 million, which includes a $2 million grant and $1.875 million loan for wastewater collection improvements and a $1.3 million grant and $1.099 million loan for water distribution improvements
- **Pine Cliff Park Water and Maintenance, Inc.**, $463,000 for water system improvements, which includes a $115,000 grant and $348,000 loan
- **Salem**, $3.358 million, which includes a $2.556 million loan for wastewater collection improvements and a $500,000 grant and $302,000 loan for drinking water distribution improvements
- **Summerset**, $2.769 million for wastewater treatment plant improvements, which includes $1 million in grants and $1.769 million loan

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

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

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

The Solid Waste Management Program provides grants and loans for solid waste disposal, recycling and waste tire projects. The State Water Resources Management System, also funded in part by revenues from the sale of lotto tickets, provides grants and loans for large water projects that have been authorized by the Legislature. The Legislature annually appropriates dedicated water and waste funding for the Consolidated, Solid Waste and State Water Resources Management System programs through the Governor’s Omnibus Water Funding Bill.
By Chris Hill, SDMEA Director of Municipal Electric Services

HOMETOWN - McLaughlin
In the last edition of Hometown Power, I mentioned that the SDMEA conference is partially about building relationships. Meeting Lornie Hach at the conference inspired me to travel to McLaughlin to interview him and learn more about the history of his hometown.

I have talked to him twice and enjoy listening to his stories and hearing about his past experiences. I also had the chance to meet and visit with the rest of the employees at the City of McLaughlin. Lornie’s coworkers, Francis Jamerson (City employee for one year), Kory Bauder (City employee for 19 years), Jeff Schmeichel (City employee for two years), were all just as invested into the City of McLaughlin and they all seem

The SDML Workers’ Compensation Fund recognized the City of McLaughlin for 25 years of membership.

City of McLaughlin bucket truck.

The employee office/break room in cell 1 of the old city Jail. The Jail closed in 1984.

The City of McLaughlin and Lornie Hach received the 2013 Water/Wastewater System of the Year award.
to be on the same page about how their duties will be completed. Jeff and Francis are also both working on their Journeyman license which is a great blessing for any community going forward. All four of the maintenance employees are also volunteer firefighters. Also, all of the employees are from McLaughlin!

McLaughlin was the first municipality to be 100% underground in 1969. There are a few overhead secondary services. Lornie has been employed with the city since March of 1979. At that time, he read meters for the electrical department. Lornie took over in 1989 as the Electrical Superintendent and agreed to complete the merchants course. Contractors from Bismarck helped teach Lornie how to replace primary underground cables. After three years, Lornie was comfortable enough to work on the cables by himself. Lornie was grandfathered in as a Journeyman after 10 years and was tested by fellow Superintendent Brad Lawrence.

The City of McLaughlin Electrical Department has no major projects going on right now but does have a 5-year plan to change out transformers, fusing, primary underground, etc. They also have looked into some AMI and have looked into testing some of the poles they have in town as well.

McLaughlin has been fortunate to have employees like Lornie and Kory to be so dedicated to make their Electrical Department successful and is fortunate to have Jeff and Francis to continue to make their HOMETOWN great!

Questions? Comments?
Email: Chris@sdmunicipalleague.org
Call: 605-770-6299.
May Employees Be Required to Provide a Doctor’s Note for Each Intermittent FMLA Absence?

By Ruth Horvatic, McGrath North

The scenario is one that happens far too often. An employee obtains a medical certification pursuant to the Family and Medical Leave Act (FMLA) indicating that the employee suffers from a serious health condition that can flare up at any time causing the employee to miss work a few times a month. Conveniently, the flare ups seem to always occur on Fridays and Mondays and on those rare 70 degree days in February in the Midwest. In order to prevent FMLA abuse, an employer comes up with a fool-proof plan: requiring employees to provide a doctor’s note for each of their intermittent FMLA absences. But, is this plan lawful under the FMLA? Although the regulations are silent on this issue, the courts have answered no—employers may not require a doctor’s note for each intermittent FMLA absence.

In Oak Harbor Freight Lines, Inc. v. Antti, the United States District Court in Oregon held that an employer’s requirement that employees on FMLA-approved intermittent leave provide a doctor’s note for each absence was unlawful as it was tantamount to requesting medical certification for each absence. The district court found that although silent on the specific issue, the FMLA statute and regulations show an intent to limit medical verification to certification and recertification every 30 days and that employers may only request recertification in fewer than 30 days in the case of changed circumstances or when the employer doubts the continuing validity of the certification. Additionally, the district court noted that neither the FMLA nor its regulations provide for any other means by which an employer may require documentation from an employee’s medical provider. Although this decision has limited precedential value, it is instructive and may be followed by other jurisdictions when faced
with this question as there are very few cases specifically on point.

So, if employers cannot require a doctor’s note for each intermittent FMLA absence, what can employers do to prevent FMLA abuse when it comes to intermittent leave?

Here are a few pointers:

- **Request recertification.** As the district court in the case discussed above pointed out, the FMLA regulations allow employers to request recertification in certain situations. For one, employers may request recertification if the circumstances under the original certification have changed significantly—such as when an employee’s absences exceed the amount provided for under the original certification. Recertification can also be requested if the employer possesses evidence that casts doubt as to the stated reason for an absence—such as when an employee consistently takes intermittent leave on Fridays and Mondays to extend the weekend.

- **When requesting recertification, provide the doctor information on the questioned absences.** The regulations allow employers to provide information to the health care provider about the employee’s absence pattern and to ask if such absences are consistent with the health condition. This is an important tool to provide the doctor with the big picture on why the recertification is requested.

  - **Require the employee to follow your notice and call-in procedures.** The FMLA regulations provide that an employee is required to comply with the “employer’s usual and customary notice and procedural requirements for requesting leave, absent unusual circumstances.” In other words, the employee must follow all normal call-in procedures, such as calling in prior to the work shift to report an absence. As a result, attendance points may be assessed if the employee fails to comply with the call-in procedure even though the absence itself may not be counted.

Intermittent leave is one of the most complicated areas under FMLA law. Before seeking recertification or issuing discipline to an employee relating to FMLA leave, it is a good idea to talk to your legal counsel.

Contact the author of this article, Ruth Horvatich, at 402-341-3070 or rhorvatich@mcgrathnorth.com.
Code Compliance:
Difficulties and Ideas for Small Towns

By Kyle Slaughter, Salt Lake City, Utah

“Although this article is directed to small-town leaders, the principles inherent in code enforcement strategies can benefit leaders, planners, and code enforcement officers in any community.”

The Enforcement Issue

Small towns face enormous hurdles in enforcing code. It shouldn’t come as much of a surprise; after all, in the small communities that boast the best sense of community in America, it isn’t very popular to tell people who have been your family’s neighbors stretching back three generations (and who are almost always related to you), to clean-up their tire pile, get their old trucks off the street, or cut down their dying tree.

The difficulty is compounded by the lack of barriers between elected officials and the public—in small towns, everyone is considered a neighbor. Everyone knows everything about everyone else. Additionally, many small towns don’t have a single full-time employee or staffer, much less someone with an understanding of the town code or code enforcement practices. As a result, over-worked elected officials with full-time jobs have to squeeze enforcement and compliance activities in between soccer practice, choir, and spending a few precious moments with their children.

While uncomfortable in any setting, the issues related to small town code enforcement are not as prevalent in larger cities. In these communities, full-time officers and others are hired with the sole objective of investigating code infractions and enforcing compliance. This highlights the importance of small towns having strategies that work for their unique situation.

So, Why Enforce?
The difficulties listed above beg a very important question: “If enforcement is so hard why should small towns (or anyone for that matter) bother enforcing code at all?” It’s a fair question. The answer lies in the fundamental elements of community vision and planning to become the community its leaders and residents have always wanted.

Without a municipal code, and subsequent code enforcement and compliance measures, the general plan lacks the teeth required to attain the community’s vision. Code enforcement is part of the equation that transforms a town from a politically designated area into the ideal community.

“Code compliance is recognized as a key component of fighting public health threats like Zika virus by reducing standing water from old tires or broken down vehicles to eliminate breeding habitat for mosquitoes and other disease carrying pests.”

Rural community vision statements often declare the importance of maintaining their rural atmosphere while
remaining family friendly, economically healthy, and safe. Codes help realize each of these goals through:

1. Improved land values
2. Decreased numbers of attractive nuisances (attractive nuisances are objects that are hazardous and likely to attract children. Landowners have a responsibility to remove or adequately fence/protect the hazard to protect children from potential injuries)
3. Improved safety
4. Increased sense of community
5. Improved public image
6. Improved quality of life
7. Reduced health threats
8. Increased likelihood of economic development

It takes more than one of these benefits to convince leaders to start enforcing their code, and in some cases philosophical understandings of property rights have to be addressed before enforcement measures will even be considered. Still, with the right approach, leadership can find ways to create an enforcement program that satisfies both the community and the neighbors.

**Strategies that Work for Small Towns**

So, what are small towns to do? Not everything. Taking too big a step in the beginning will certainly kill enforcement efforts in towns where little or no enforcement has ever taken place; some community members will claim too much government oversight or the mayor or council member in charge will run out of time and energy for the project.

A measured approach that builds capacity as it increases enforcement measures is more likely to succeed.
We have three general recommendations, and then list several specific options for community leaders as they set up their community’s code enforcement program.

1. **Have a positive view.** Paint your enforcement measures in a positive light by focusing on compliance (rather than incompliance) and the benefits community members receive as they come into compliance and help their neighbors comply as well.

2. **Involve the community.** Make enforcement a community effort through strategies that incorporate the entire community where possible. Community clean-up days, assistance programs for the elderly, and even small revolving loan funds can be started to involve large portions of the community.

3. **Take a measured approach.** Don’t go too deep too fast. Community members and leaders will need to take their time feeling out how enforcement can and should happen within the community. Taking small, incremental steps that slowly grow the community enforcement program to the right size will ensure the community can handle more difficult enforcement questions in the future.

### Steps to Good Enforcement

Leaders should consider three primary steps to good code enforcement within their community:

1. Start at the plan
2. Make sure you have “good” code
3. Establish an enforcement program

#### Start at the plan

Starting at the plan means evaluating the guidance and direction your general plan provides. Does your general plan accurately represent your community’s long-term goals? Does the zoning map accurately represent the zones within the community?

Ensuring the general plan is an accurate, adequate representation of community goals and vision will guarantee that the code is enforced with an end in mind.

#### Make sure you have “good” code

Codes need to comply with state laws and should be a representation of the goals and vision laid out in the general plan. The code should expand on goals found in the general plan and get into the “nitty-gritty” details of the town. To prevent codes from becoming irrelevant and unmanageable, remember that codes should support the general plan. If a particular code does not, it might need to be reevaluated. Small towns should consider simplifying their code as well—if no one within the community can actually understand or interpret the code, it’s a pretty good indicator that there is an opportunity for simplification.

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Establish an enforcement (or compliance) program

The final step is establishing an effective enforcement program. An enforcement program is the community’s plan for bringing community members into compliance through incentives and/or punishments. A good enforcement program clearly establishes how the community will identify code violations and bring about compliance. An effective enforcement program educates and prepares residents for enforcement, and should encourage their participation.

“Code too complicated for the leadership to understand is more burden than blessing; it can make planning commissions and city councils ineffective at implementing community goals at best and get the city tied up in legal battles at worst.”

This program should also be viewed through the “general plan lens.” i.e. Local leaders should ask how the enforcement program matches the character of the community as laid out in the general plan and should focus the program on the codes most pertinent to community goals.

There are a multitude of questions communities will face and have to answer as they set up enforcement programs. These questions have to be answered at the community level, taking into account unique local factors. Communities that have not been enforcing code can use the recommendations below as guideposts to establish an enforcement program tailored to their specific needs.

Capacity

“Capacity is the number of people who spend part of their time working on town or city business. Capacity is key to successful enforcement initiatives. New capacity does not always have to be paid, though. Volunteers, particularly youth and retirees, offer skills...
and energy that can move an enforcement program from paper to action.”

Capacity is always difficult for small towns. Everyone who works (or volunteer as leaders) for small towns wear multiple hats. Determining who will actually implement the enforcement program is as important as the actual enforcement measures. Leaders should get creative as they consider who can participate in the enforcement program and what unique assets each person brings to the enforcement and compliance effort. See the chart below for the groups that can assist in the enforcement program.

**Frequency**

Enforcement should be conducted when there are violations (whether identified by citizens or community officials). Citizens don’t always know what constitutes a violation or don’t want to report their neighbor’s violations, and city officials rarely know everything that occurs in their community. For these reasons, community inspections help to inform enforcement needs, and are an essential element to actually bringing the entire community into compliance.

Consistency is the most important aspect of enforcement over time. Available personnel and capital and the severity of code violations within a community are key considerations for developing an enforcement timeline. Based on these factors, communities can create a compliance plan that incorporates specific enforcement strategies such as who will carry out these strategies and how frequently enforcement patrols or surveys will take place. Ensure your city has the manpower and budget to enact their compliance plan and timeline before adopting.

**Sample enforcement plan**

This sample enforcement plan focuses on two community clean-up days; the clean-ups are community-wide and require assistance from public works. Most enforcement programs in very small towns should be brief, simple, and ensure that they do not over-extend the town’s enforcement ability. In this example, any empowered group could implement the enforcement program.

- **Plan & Code Audit.** Every five years, the planning commission will audit the general plan and code, ensuring the plan still matches community goals and that the code serves to accomplish the goals in the general plan (if doubts about the plan exist, a request can be made for the town council to consider a re-write).

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<tr>
<th>PERSON/ORG.</th>
<th>WHO &amp; HOW</th>
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<tbody>
<tr>
<td>Enforcement Resource Sharing</td>
<td>Several communities in northern Utah currently share the cost of enforcement by having multiple jurisdictions pay a contractor (in many cases the local sheriff’s office) to cite violations in their jurisdictions. Other communities also pay local law enforcement to issue fines and clean up violations.</td>
</tr>
<tr>
<td>Community Institutions (Churches, Clubs, etc.)</td>
<td>Local scout troops, churches, and service organizations are great resources for helping residents with trash, cars, or other blight problems. These local institutions can increase the number of residents aware of clean-up days and code requirements. They also reduce barriers for citizens resistant to city interference with their property. Public works vehicles and volunteers’ vehicles can be used in partnership with these institutions to maximize participation.</td>
</tr>
<tr>
<td>Citizens</td>
<td>Citizen complaints can be the primary information source for violations in the city. Online submission forms tied into community websites provide a low-cost means of collecting citizen complainants’ addresses, contact information, dates, and concise descriptions of violations before the complaint is submitted. These systems require a community to make someone available to follow up on complaints.</td>
</tr>
<tr>
<td>Planning &amp; Zoning Commission</td>
<td>Planning and zoning commission members should know the code and the general plan; this knowledge makes them ideal candidates for an enforcement team. This can be done with compensation for commission members or pro bono. Flexibility should be provided to these groups to institute legal, yet creative, enforcement programs.</td>
</tr>
<tr>
<td>Neighboring Communities</td>
<td>For communities with no capacity to pay, trading services with neighboring communities can reduce costs and ensure enforcement. In this scenario, two neighboring cities would provide code violation warnings and fine violators for each other. This is allows a third party to cite violations which may reduce interpersonal tensions in small towns. It also makes high-school sports games more interesting.</td>
</tr>
<tr>
<td>Private Company on Retainer</td>
<td>Similar to enforcement sharing, communities can put their code enforcement on retainer to a private entity. This provides arms-length, unbiased enforcement and helps ensure consistency across the community.</td>
</tr>
<tr>
<td>Citizen Inspectors</td>
<td>Cities can educate specific residents on the municipal code and train them on the city’s enforcement procedures. The city can then allow these citizen inspectors to patrol their neighborhood, document violations, and begin the code enforcement process. Belligerent or repeatedly incompliant cases should be referred to city officials.</td>
</tr>
</tbody>
</table>
• **Public Meeting.** Each March, the mayor and city council will host a public meeting in which they will briefly explain the code’s requirements, the reasons for the code, and how code is enforced within the city, including advertising the upcoming community clean-up. Refreshments should be provided.

• **Compliance Training.** Following the public meeting, the code enforcers (consisting of one council member, public works employee, and the city recorder) will be retrained on city code and proper code violation notification and enforcement procedures.

• **Community Clean-Up Day.** A semi-annual Community Clean-Up Day will occur in the first two weeks of April and November. One free pass to the local landfill will be provided to each residence (large trailers could be used when landfills are not available).

• **Community Compliance Patrol.** During the two weeks following the clean-up day, city officials will patrol the community, providing notice to property owners of violations.

• **Complaint Response.** During the rest of the year, the city will respond to citizen complaints via the city website’s code violation referral page.

**In Sum**

Leaders in every community face difficulties enforcing code. Taking a measured approach to enforcement that places the general plan first will help communities overcome the negative stereotypes of code enforcement. This approach will also help small towns in particular develop programs that can be implemented even with limited staff and time. Communities can develop enforcement programs that match their culture, resource capacity, timelines, and use code enforcement as a tool in reaching their community vision.

**Online Resources**

http://ruralplanning.org/assets/code_enforcement-web.pdf
http://ruralplanning.org/toolkit.html

**About the Rural Planning Group**

Created in late 2013, the Rural Planning Group (RPG) is a creation of the State of Utah’s Community Impact Fund Board (CIB). The CIB obtains funding from mineral lease royalties on extractive industries operating on federal lands. These funds are collected by the federal government and then returned to the state, the State returns a portion to CIB for use in rural communities. The CIB disburses this funding to communities that are affected by mineral resource development on federal lands. RPG enhances the use of these funds by promoting planning and management best practices in rural communities. RPG accomplishes this through providing planning assistance for Utah’s rural communities, facilitating communication and coordination between key stakeholders, offering planning and technical assistance, and developing and delivering training, tools, and resources. By implementing these services, RPG provides rural communities with tools needed to build the futures they desire individually and to prepare for the future as a whole. Visit http://ruralplanning.org/

Kyle Slaughter is a Consultant with Utah’s Rural Planning Group, a program of Utah Housing and Community Development, part of the Utah Department of Workforce Services. While he has consulted towns in rural Utah for three years, Kyle’s background is in public administration and private sector consulting. Adept at adapting technical concepts for general audiences, he has drafted studies and guides on small town code enforcement, airport zoning, annexation, and the coal and oil industries in Utah.

<table>
<thead>
<tr>
<th>ACTION</th>
<th>RESPONSIBLE</th>
<th>Jan</th>
<th>Feb</th>
<th>Mar</th>
<th>Apr</th>
<th>May</th>
<th>Jun</th>
<th>Jul</th>
<th>Aug</th>
<th>Sep</th>
<th>Oct</th>
<th>Nov</th>
<th>Dec</th>
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<tbody>
<tr>
<td>Plan audit*</td>
<td>Planning Commission</td>
<td>X</td>
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<td>Code audit*</td>
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<td>Public meeting</td>
<td>Mayor</td>
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<tr>
<td>Code compliance officer training</td>
<td>Planning Commission</td>
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<td>X</td>
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<tr>
<td>Community clean-up day</td>
<td>City Council</td>
<td>X</td>
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<td>X</td>
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<tr>
<td>Town-wide violation patrol</td>
<td>Code Enforcement</td>
<td>X</td>
<td>X</td>
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<td>Compliant response</td>
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</table>

*Every five years. This is simply a generic recommendation. Cities should consider their rate of change in determining how often to review.
<table>
<thead>
<tr>
<th>STRATEGY</th>
<th>PROS</th>
<th>CONS</th>
<th>EXPLANATION</th>
</tr>
</thead>
<tbody>
<tr>
<td>Community</td>
<td>Incentivizes all community members</td>
<td>Costs money</td>
<td>Incentive programs provide benefits to the community when specific goals are reached for instance, Duchesne County, Utah provides raffle prizes to community members when the community has collectively removed a set number of broken down vehicles from private property. Everyone who donates a car is a potential winner.</td>
</tr>
<tr>
<td>Incentive</td>
<td>Reward instead of punishment</td>
<td>Takes time to set up program</td>
<td></td>
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<tr>
<td>Programs</td>
<td>Low public resistance</td>
<td>Potentially complicated</td>
<td></td>
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<tr>
<td></td>
<td></td>
<td>Creates expectations</td>
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<tr>
<td>Individual</td>
<td>Incentive can match cost of compliance</td>
<td>Potential abuse</td>
<td>Individual incentive programs provide rewards to the property owner who has come into compliance. RPG recommends caution in forming individual incentives as they can encourage community members to be in violation in order to qualify for the incentive. These incentives (such as reduced taxes for a period or free dump passes) can be safely used for new property owners who come into compliance within a specific timeframe after purchasing the property.</td>
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<tr>
<td>Incentive</td>
<td>Directly assists those in most need</td>
<td>Community resistance</td>
<td></td>
</tr>
<tr>
<td>Programs</td>
<td>Reward instead of punishment</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Education</td>
<td>Reduces ignorance</td>
<td>Takes time</td>
<td>Community leaders should engage with and educate community members on the reasons for the codes they hope to enforce. Taking time for public outreach to teach/explain code requirements and why they exist reduces the threat of backlash when codes are enforced.</td>
</tr>
<tr>
<td>Programs</td>
<td>Increases peer pressure to comply</td>
<td>Outreach and materials cost money</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Less direct impact</td>
<td></td>
</tr>
<tr>
<td>Community</td>
<td>Reminds residents of need to clean-up</td>
<td>Staff and/or volunteer time</td>
<td>Community clean-up days provide free dump access and community outreach supporting clean-up in specific timeframes. Cities can provide and optimize use of the equipment and physical capacity required to clean up property that some community members may not have. These programs can help residents come into compliance when the primary barriers to compliance are physical or equipment related.</td>
</tr>
<tr>
<td>Clean-Up</td>
<td>Allows town and residents to work together</td>
<td>Cost of supporting services (dumpster, lost revenue for landfill access. etc.)</td>
<td></td>
</tr>
<tr>
<td>Days</td>
<td>Reduces barriers for compliance</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Assistance</td>
<td>Directly assists those in most need</td>
<td>Significant burden for limited staff</td>
<td>Similar to community clean-up days, assistance programs are a great way to help community members who are incapable of complying with code requirements on their own. Some communities provide one time financial support to bring property in compliance. Ideas include using public works employees and equipment or having the city council organize service crews. These programs require a clear definition of who qualifies for the services.</td>
</tr>
<tr>
<td>Programs</td>
<td>Creates “no excuses” for violators</td>
<td>Expectations from residents for services</td>
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<tr>
<td></td>
<td></td>
<td>Potential abuse</td>
<td></td>
</tr>
<tr>
<td>Short-Term</td>
<td>Reduces barriers</td>
<td>Requires capital</td>
<td>For minor to moderate violations, communities can provide small, low interest loans to residents to bring their property into compliance.</td>
</tr>
<tr>
<td>Loans</td>
<td>Directly assists those in most need</td>
<td>Complexity of loaning</td>
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<tr>
<td></td>
<td></td>
<td>Issues with non-repayment</td>
<td></td>
</tr>
<tr>
<td>Vacant Property</td>
<td>Incentivizes vacant properties to be inhabited</td>
<td>Citizen resistance</td>
<td>Louisville, Kentucky increases tax rates for abandoned properties by as much as three times that of well-kept properties. Other communities increase tax rates for perpetually non-compliant properties, increasing the rate annually until it reaches compliance.</td>
</tr>
<tr>
<td>Tax Increases</td>
<td>Generates revenue</td>
<td>Community culture</td>
<td></td>
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<td></td>
<td>Punishment instead of reward</td>
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</tr>
<tr>
<td>Vacant Property</td>
<td>Incentivizes vacant properties to be inhabited</td>
<td>Citizen resistance</td>
<td>Cincinnati, Ohio charges fees for vacant property and increases fees year-over-year until the property is inhabited or sold.</td>
</tr>
<tr>
<td>Fines</td>
<td>Generates revenue</td>
<td>Community culture</td>
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<td>Punishment instead of reward</td>
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</tbody>
</table>
In the cold months especially, the City of Pierre Electric Department staff grabs a gun and hits the streets to hunt for savings.

The weapon of choice? An infrared heat gun. It’s a device that scans all of the City’s electrical infrastructure and identifies pieces of equipment that are radiating too much heat. A hot spot is an indicator that an equipment failure is possible.

“Prevention is the name of the game,” said Ryan Grant, Electrical Superintendent. “If we can prevent outages, it saves our customers money and saves the department time.”

Throughout the year, the Electric Department “guns” all of the city-owned electric department devices to identify problems. This review includes everything from substations to a transformer – those green boxes you might see in your backyard. While staff is working on devices, they routinely check them for problems. Any devices that don’t get reviewed during the course of general work, get gunned during the winter.

Grant says that the Electric Department has been utilizing a heat gun to test its devices for more than a decade and that each year it saves the taxpayers thousands of dollars.

“If we can prevent one device from failure, we eliminate the need for emergency response. That removes the need for emergency purchases, overtime, and any collateral damage that comes as a result of the failure,” said Grant. “Prevention is just good practice. It keeps the lights on and minimizes costs.”

Photos provided by Kyle Slaughter.

This article was originally published in The Western Planner. Visit www.westernplanner.org to learn more.
Setting up a Wireless Router Just like Home Leads to a Hacked City

By Mike Smith, Network Infrastructure Consultant, Sophicity: We put the IT in city

A city wanted wireless access for guests and employees. Easy, right? The city manager told a trusted non-technical employee to “make it happen.” Going to the nearest popular retail electronics store, the employee picked up a wireless router that seemed to do the trick. The wireless router box said it covers 12 devices, so the employee picked up two routers to cover the city’s 20 computers.

Back at city hall, the employee tinkered around until they set up both wireless routers—one on the first floor and another on the second floor. Following the instructions to set it up, the employee got it working. People could now hop on a wireless network with their laptops, smartphones, and tablets.

For a few weeks, employees enjoyed the perks of wireless. So easy! They didn’t even need their on-call IT vendor to help set it up. City council loved the internet access at meetings. Employees could now access their desktop and documents while meeting in a conference room. Guests could now access the internet. How wonderful.

One day, a representative from the state’s bureau of investigation informed the city of a data breach. An unknown person hacked into the city’s server using a stolen password and collected sensitive information about taxpayers. That information appeared on an online black market for sale. Not only must the city now inform taxpayers that they are at risk for identity theft but the city may also need to pay for identity theft protection services for hundreds of taxpayers.

This event hit the city administration like a bolt of lightning. They thought through the repercussions. Loss of citizen trust. Bad media exposure. Money lost. What caused the data breach? When they performed an IT audit to figure out what happened, the answer became obvious.

The city’s unsecured wireless router—the one their trusted employee set up “so easily.”
Preventing This Disaster
A recent study from Kaspersky Lab confirms that this situation is all too common. They estimate that about one in four Wi-Fi hotspots lack even the most basic security. We find that cities often don’t realize the gaping security holes their wireless routers pose.

Let’s look at the errors committed in our story.

Error #1: Buying a consumer-grade wireless router.
A city is not someone’s house. It’s a government entity that conducts important business, serves citizens, and carries out the law. You need business-class equipment that includes enterprise-level wireless routers. These kinds of routers are better equipped to handle the demands and complexity of your city. They will provide better coverage, security, and scalability as your city grows.

Error #2: Tasking a non-technical employee to configure the router.
No matter what the back of the box claims on the consumer-grade wireless router, you need an IT professional to configure this equipment. Just setting it up out of the box is not good enough and you risk leaving open gaping security holes. Configuration involves a complex array of settings that only IT professionals thoroughly understand. They will make sure your wireless router is set up securely (such as making sure you encrypt information) and restricts who can access your wireless network (such as from a “guest” network).

For example, we see too many instances of a Wi-Fi hotspot secured with a default administration password (such as “admin”). With such a weak password, even an amateur hacker can access your most sensitive city information.

Error #3: No ongoing monitoring and maintenance of the wireless router.
In our story, the city doesn’t use proactive IT support. If they depend on reactive IT support, then security breaches could take place and the city wouldn’t know for weeks or months. With proactive support, IT professionals will monitor your network environment and make sure it’s patched, secure, upgraded, and healthy.

Are your city’s wireless routers secured? They are one of the most common hacker targets because 25% of hotspots have pretty much zero security. Unfortunately, that 25% applies to cities.

If you haven’t assessed and addressed your wireless security, then it’s just a matter of time before you’re hit with a data breach.

Deal with this problem as soon as possible.
Spring/Summer Safety Checklist

Spring has finally arrived and everyone is rapidly gearing up for another busy season at work and home. Along with warm weather comes work zones, special events and seasonal employees that all require extra safety attention. During these busy times, don’t forget the importance of safety and loss control. Safety should be a value for your employees, so make it a priority even during the busiest of times.

Here are some safety issues to look out for this spring and summer.

1. Safety Orientation for Seasonal Employees
   For many seasonal employees, this is their first “real” job. Some are possibly going to be returning for the second or third summer. Others are going to be “retirees” looking to “occupy their time” for a few hours each week. Take the time to make sure that each is going to be successful in their assigned jobs, but more importantly that they are safe while doing them. Each year several seasonal employees are injured on the job.

   Start seasonal employees out right by providing them with safety orientation training. Employees need to know how to safely perform each of the job tasks they are assigned. Additionally, make sure that they are told what personal protective equipment (PPE) they are required to wear. Demonstrate to them how to properly use the various pieces of PPE. Seasonal employees, both new and returning, should be provided with a copy of your written safety rules, and be allowed time to read them and ask questions. They should also sign a statement stating that they have done this. The rules may be the same as last year, but that was a year ago. Don’t count on them remembering everything.

2. Supervision of Employees
   Written rules and safety orientation are not always enough to ensure that employees will work safely. It is equally important that supervisors take the time to observe employees at work, especially seasonal employees. While performing safety audits, I have observed employees taking short cuts by not wearing the proper PPE or not following acceptable safe work practices. If they cut corners today and nothing happens, you can almost bet that they will repeat the unsafe act in the future. Remember, many of these employees have not had much experience performing their job tasks. Often new or inexperienced employees are reluctant to ask for assistance because they do not want others to think that they can’t handle the job. As a supervisor, don’t wait for something bad to happen, work with and observe employees to make sure they are doing the job safely.

3. Safety/Toolbox Meetings
   Most supervisors have the best of intentions when it comes to safety meetings. The problem is time or more often the lack of it. It is difficult to squeeze in full safety meetings when everyone is busy. So, try a “tailgate” or “toolbox” meeting during those busy times. These meetings are only a few minutes and are a chance to review the safety basics and the potential liability exposures for the various tasks your employees are about to start. A 10-minute talk today can make a big difference.

4. Work Zone Safety
   Every year many workers and motorists are severely injured or killed in work zone accidents. Your number one priority should be the safety of your employees and the motorists traveling through these zones. You also want to protect your entity from potential lawsuits. The “Manual on Uniform Traffic Control Devices (Part VI)” (MUTCD) clearly defines the proper use and location of signs, cones and barricades for work zones. These are the standards that will be used to determine whether you properly warned motorists in the case of a motor vehicle crash or injury sustained in one of your work zones. The MUTCD also states that employees working in the right-of-way must wear Performance Class 2 or 3 safety apparel that meets ANSI Standards. Too many times we hear the excuse, “we were only going to be working in the area for a short period of time and by the time we set everything up, we could be done.” How far do you think that excuse will go in court? Make sure that your crews are following the MUTCD whenever they are working on your streets or roads.

5. Special Events
   Many communities host special events during the summer months. Volunteer groups have probably been meeting for some time looking for ways to entertain the hundreds or maybe even thousands of visitors coming to your community. As great as this is, these events will increase your potential for liability. If you have not already done so, develop a special events checklist to ensure that these events:
   - Are properly covered for indemnity;
   - Are as safe as possible for those in attendance; and
   - Minimize the potential liability exposures for your entity.
Many of these special events will require that you obtain hold harmless agreements and certificates of insurance, naming your city as an additional insured, from various vendors and participants. The South Dakota Public Assurance Alliance has a sample Special Event Packet, a Risk Management Checklist and sample Insurance and Hold Harmless/Indemnification Clauses to assist you with these efforts at www.sdpaaonline.org.

6. Playground Equipment

Each year approximately 75 percent of injuries sustained on playground equipment are the result of falls from the equipment to the surface below. Now is a good time to make sure that there is sufficient cushioning material beneath and around your equipment to protect a child from a fall. In addition to cushioning material, adequate fall zones also need to be established around your equipment. Most cushioning material requires frequent maintenance to make sure that it can still provide the proper cushioning protection to the users of your equipment.

Now is also a good time to conduct a documented inspection of each piece of playground equipment in your parks. Make sure that the equipment is in good condition with no broken or missing pieces. Make sure that you check equipment for wear, loose bolts and potential entanglement, protrusion and entrapment hazards. It is important to carry out these documented inspections throughout the summer months. If you can produce a document stating that you inspected the equipment on a regular basis, there is a much better chance of defending your community in a lawsuit.

The U.S. Consumer Product Safety Commission (CPSC) has developed a very user-friendly publication entitled, “Handbook for Public Playground Safety,” to assist entities with playground safety issues. If you would like a copy, you can download it from the CPSC website at www.cpsc.gov.

If you are installing new playground equipment make sure the equipment meets the CPSC guidelines and the ASTM standards for public playgrounds. Too often groups with good intentions donate or purchase playground equipment that does not meet these guidelines and standards. This can put your community at risk for civil liability if someone is injured on equipment not designed for public playgrounds.

Also, whenever you install new equipment or alter an existing playground, you must now meet the ADA standards. Your playground equipment vendor can assist you to make sure that your entity is in compliance with the ADA standards for public playgrounds.

There are many more areas that we could have touched on in this article. Our goal is to assist you in making the workplace as safe as possible for your employees and at the same time help you reduce the potential liability exposures for your entity. For further assistance please feel free to contact us at 888-313-0839. Have a happy and safe spring and summer.

Doug Kirkus
Loss Control Consultant
South Dakota Public Assurance Alliance
SDML Workers’ Compensation Fund
dkirkus@safety-benefits.com
I love what Bridger Gordon, a student from Whitewood, SD, wrote about agriculture: “Agriculture encompasses – and enhances – the entire environment, harnessing soil, water, sunlight to produce food, habitat, employment.” That observation helped Bridger win a national essay contest this year, which came with a $1,000 prize and a trip to Washington, DC, to celebrate National Ag Day on March 21.

Bridger is right. The impact of agriculture is expansive, which is why America has offered producers a safety net for decades in the Farm Bill. While the deadline is still more than a year away, work on the next Farm Bill is already underway. Hearings have begun and I’m working closely with Ag Committee Chairman Conaway to be sure South Dakota producers have the support they need.

The 2014 Farm Bill was one of the most reformed we’ve seen. It maintained strong risk-management programs, strengthened the livestock disaster program, and invested in ag-related research. But improvements are needed. I’m working on legislation, for instance, that would streamline the process for wetland determinations, ensuring producers get a timely response and have an efficient path for appeals.

We also must make sure commodity programs work as they were intended. I’ve heard many concerns about how ARC-county was administered, so we’re looking at possible improvements there.
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ALL DAY.
EVERY DAY.

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701.242.7474

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605.353.1200

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SIOUX FALLS
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JUNE Community Events

May 26 - October 1
Legends in Light® Laser Light Show at Crazy Horse Memorial
Crazy Horse

June 1
Summer Porch at Strawbale Winery
Renner

June 1 - 3
20th Annual RibFest
Sioux Falls

June 2 - 3
Rockin’ Ribfest
Yankton

June 2 - 4
Fort Sisseton Historical Festival
Lake City

Annual Black Hills Quilt Show & Sale
Rapid City

Wheel Jam
Huron

Lake Andes Fish Days
Lake Andes

June 3
Sisseton Car & Motorcycle Show & Swap Meet
Sisseton

Dedication Anniversaries
Crazy Horse

Dairy Fest
Brookings

Kids’ Carnival
Rapid City

June 3 - 4
Spring Volksmarch at Crazy Horse Memorial
Crazy Horse

June 4
Deadwood Mickelson Trail Marathon
Deadwood

Strawbale Winery Sangria Sundays
Renner

June 4 - 10
Ride Across South Dakota (RASDAK)
Rapid City

June 4 - August 13
The 49th Annual Red Cloud Indian Art Show
Pine Ridge

June 6
Trolley on the Trail
Lead

June 8
Summer Porch at Strawbale Winery
Renner

June 8 - 11
South Dakota Shakespeare Festival
Vermillion

June 9
Downtown Friday Nights:
Dustin Evans & The Good Times
Spearfish

June 9 - 10
7th Annual Denny Palmer Walleye Classic
Mobridge

June 9 - 11
Family Fun Weekend
Aberdeen

June 10
Gold Rush Gravel Grinder
Spearfish

Art & Wine Festival
Rapid City

Mt. Rushmore Rodeo at Palmer Gulch
Hill City

June 10 - 11
Siouxland Renaissance Festival
Sioux Falls

June 11
Strawbale Winery Sangria Sundays
Renner

June 13 - 15
Prairies to Peaks Iron Horse Rail Summer Camp
Hill City

June 15
Summer Porch at Strawbale Winery
Renner

June 15 - 17
Miss South Dakota Pageant
Hot Springs

CIVIL ENGINEERING & LAND SURVEYING SERVICES

infrastructure

noun in-fra-struc-ture
the underlying foundation, framework and structures that are needed for a country, region, or organization to function properly.

IT’S WHAT WE DO.
June 15 - 18
Hartford Jamboree Days
Hartford

June 16
Downtown Friday Nights: Dirty Word
Spearfish

June 16 - 17
Czech Days
Tabor

June 16 - 18
Jesse James Days
Garretson

Gift from Mother Earth Art Show
Crazy Horse

Wild Bill Days
Deadwood

June 17
Aberdeen Arts in the Park
Aberdeen

Zippity Zoo Day
Sioux Falls

Kids Outdoor Cooking Class
Sioux Falls

June 17 - 18
South Dakota Peach Festival
Sioux Falls

Father’s Day Golf Tournament
Hot Springs

June 18
1880 Train Old West Shootout
Hill City

Strawbale Winery Sangria Sundays
Renner

1880 Train’s Father’s Day Special
Hill City

June 19 - 23
2017 Hobie 16/20 North American Championships
Yankton

June 20
Screen on the Green Outdoor Movie
Hot Springs

June 22
Summer Porch at Strawbale Winery
Renner

1880 Train Old West Shootout
Hill City

June 22 - 25
Sturgis Camaro Rally
Sturgis

June 23
Midsommar at Dalesburg
Vermillion

Downtown Friday Nights: Chancey Williams & The Younger Brothers
Spearfish

June 23 - 25
Scavenger’s Journey
Murdo

41st Annual Main Street Arts & Crafts Festival
Hot Springs

Black Hills Bluegrass Festival
Sturgis

June 24
Fort Sisseton Lantern Tour
Lake City

June 24 - 25
Sculpture in the Hills
Hill City

Brookings Kite & Bike Festival
Brookings

June 25
Strawbale Winery Sangria Sundays
Renner

Mt. Rushmore Rodeo at Palmer Gulch
Hill City

Prairie Village Variety Show
Madison

June 26
June Night Blast/Ruth’s Night Blast
Crazy Horse

June 29
Aberdeen Arts in the Park
Aberdeen

Zippity Zoo Day
Sioux Falls

Kids Outdoor Cooking Class
Sioux Falls

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For details on each event visit
CLASSIFIEDS

CLASSIFIED ADS POLICY: Member municipalities receive free insertions and free postings on the League website. Non-member advertisers are billed $50 per insertion. All ads are subject to editing if necessary. The next deadline is May 10 for the June 2017 issue. Email ads to carrie@sdmunicipalleague.org or fax to 605-224-8655. Visit www.sdmunicipalleague.org for more classifieds.

ADMINISTRATOR, INDUSTRIAL WASTE PROGRAM: Brookings Municipal Utilities, Brookings, SD. This position is responsible for assisting with the administration of the BMU Industrial Waste/Pretreatment Program in accordance with State and Federal regulations. Successful candidates must possess a thorough knowledge or the ability to thoroughly understand the operation of wastewater treatment and sludge treatment processes, industrial waste sampling techniques, chain of custody requirements and laboratory analytical procedures. See website for complete description. Brookings Municipal Utilities offers a great work environment, competitive salary and benefits package. Submit an online application and professional resume by visiting www.brookingsutilities.com.

ASSISTANT CITY ENGINEER: Watertown, SD. Salary Grade 7- $55,488 - $62,489. Applicants must submit a City application, cover letter and resume to be considered for this position. Application Forms and complete position descriptions are available at City Hall Finance Office or on line at http://www.watertownsd.us/Jobs.aspx. Application materials must be received in the Human Resources Coordinator’s office at City Hall: Human Resources Office, 23 2nd Street NE, PO Box 910, Watertown, SD 57201. Open until filled. Minimum Qualifications: Bachelor of Science degree in Civil Engineering or related field from an accredited college or university and four (4) years experience in civil engineering or municipal engineering with a minimum of two (2) years in a supervisory capacity; Candidates must have a valid driver’s license, and obtain Floodplain Manager Certification within two (2) years from hire date; A Professional Engineer’s License in Civil Engineering (South Dakota Professional Engineer’s License) is desirable, but not required; Must establish residency within 35 miles of the Watertown Regional Airport terminal within six months of hire date. Veteran’s preference points are acknowledged in the City’s hiring process. The City of Watertown’s Personnel Policy, including the City’s policy on Nepotism, can be obtained at the City Finance Office or on our website at www.watertownsd.us. The City of Watertown does not discriminate on the basis of race, color, national origin, gender, religion, age or disability in employment or the provision of services. EOE.

CITY ADMINISTRATOR: Spearfish, SD. Responsibilities: The position is responsible for overseeing the overall leadership and direction of day to day operations of the City of Spearfish. By providing managerial leadership to ensure efficient, responsible, and ethical functions of all City departments; while promoting positive employee relations and a team environment by facilitating an atmosphere of open communication, problem solving, and creating a shared awareness of City goals, objectives and current events. Requirements: Bachelors’ Degree in Public Administration, Business Administration, Management or related field (Masters’ Degree preferred) and seven years of progressive, responsible, extensive management and administrative experience that demonstrates the ability to direct the activities of a municipal government, or an acceptable equivalent combination of education or experience as may be acceptable to the hiring authority. Candidates must have an insurable driving history. Residency required within a distance from the City of Spearfish adequate to meet a 30 minute response time requirement. How to Apply: Interested applicants must submit a City application, letter of intent including salary requirements, and resume to the Human Resource Office, 625 Fifth Street, Spearfish, SD 57783; p 605-642-1354; f 605-642-1329; e jodi.friedel@cityofsp spearfish.com. The salary range for this position is $102,190 - $154,876 annually, based on qualifications and experience; excellent benefits; EOE. Position open until filled. To view entire position description please visit the City’s website at www.cityofsp Spearfish.com. Individuals with disabilities who need reasonable accommodations to complete the job application process are encouraged to apply and should contact the Human Resource Director to commence the accommodation interactive process.

DEPUTY FINANCE OFFICER: The City of Pierre, SD is looking for a self-directed individual with strong motivation and willingness to take initiative in the position of Deputy Finance Officer to help lead the City’s Finance Office in achieving financial reliability and transparency. This position is ideal for an analytical and detail oriented candidate that is looking to be a part of a fast-paced, diverse, and hands-on team environment. The Deputy Finance Officer is responsible for the accounts receivable processing, monthly bank reconciliations, inventory processing, journal entry processing, accurate general ledger analysis, monthly sales tax submission to State, review and approve weekly A/P invoices, and monthly Departmental financial reports. Successful candidate will be instrumental in managing the fixed asset inventory, annual inventory verification process, and year-end comprehensive annual financial report. As second-in-command of the City Finance Office, in the absence of the Director, the Deputy is also responsible for Director duties including keeping the Mayor and City Administrator promptly informed of all pertinent matters, assist with customer complaints or concerns, and
coordinating the Tuesday night commission Meeting. Minimum Qualifications: Graduation from accredited college or university with a bachelor’s degree in Accounting and 2 years of experience in Governmental Accounting or an equivalent combination of education and experience. Knowledge of Governmental Accounting Standards and Generally Accepted Accounting Principles (GAAP). CPA Preferred. Salary: $64,209.18 - $74,462.96 plus comprehensive benefit package. Applications: Human Resources Office, City of Pierre, Box 1253 or 222 E. Dakota, Pierre, SD 57501, Phone 605-773-7429, www.cityofpierre.org. Open Until Filled. EOE.

ELECTRICAL MAINTENANCE SUPERVISOR: Brookings Municipal Utilities, Brookings, SD. This position is responsible for performing administrative and fieldwork in planning, directing, supervising, and coordinating the maintenance of the Utility electrical systems. Successful candidates must possess a thorough knowledge of electrical systems, electrical theory, SCADA operations, substation automation, power quality issues and the operation of equipment used in repairing or building electric power systems. Prior leadership experience is desired. Brookings Municipal Utilities offers a great work environment, competitive salary and benefits package. Salary range for this position is $71,032-$94,723.20. See website for complete description. Submit an online application and professional resume by visiting www.brookingsutilities.com. Questions may be directed to: Human Resources, Brookings Municipal Utilities, Phone: 605-692-6325, Email: HR@swiftel-bmu.com. EOE.

ELECTRICAL DEPARTMENT MANAGER: Brookings Municipal Utilities, Brookings, SD. This position is responsible for the day-to-day oversight of the electrical department which provides power to approximately 10,000 customers with a delivery capacity of approximately 120 MW with a current peak of 66 MW. This position is responsible for overseeing a staff of 26 and an annual budget of $30 million approximately. This individual would report directly to the Executive Vice President & General Manager of the Brookings Municipal Utility Board. The ideal candidate will possess strong planning and management skills. This individual must be a strong leader, communicator, capable of motivating staff to high performance and conveying utility policies and programs to city leaders and the community. Candidate must possess a bachelor’s degree in electrical engineering or an acceptable combination of education and experience. Brookings Municipal Utilities offers a great work environment, competitive salary and benefits package. Salary range for this position is dependent on qualifications and experience.
ENGINEERING TECHNICIAN: Brookings Municipal Utilities, Brookings, SD. This position is responsible for engineering work related to planning, design, construction, and management of utility projects and operations. Graduation from vocational/technical school in engineering technology, drafting and design technology or other related field preferred. Brookings Municipal Utilities offers a great work environment, competitive salary and benefits package. See website for complete description. Submit an online application and professional resume by visiting www.brookingsutilities.com. Questions may be directed to: Human Resources, Brookings Municipal Utilities, Phone: 605-692-6325, Email: HR@swiftel-bmu.com. EOE.

FINANCE OFFICER/CITY ADMINISTRATOR: City of Groton, SD. Pop 1458. Responsible for overseeing all accounting duties and human resources of the city, able to address citizen complaints, as well as keeping the Mayor and City Council informed on all pertinent matters. Must have Bachelor’s degree in Public or Business Administration or Accounting or related field, or 5 yr experience as a municipal finance officer. Must be self-motivated, strong communication skills, and familiar with Governmental Accounting Standards & Generally Accepted Accounting Principles. Starting salary range is between $42,000 to $60,000 annually based on qualifications and experience. Residency required within a distance from Groton City Hall for response time to meet a 15 minute response time requirement. Excellent Benefits. Send resume and completed application to City of Groton, PO Box 587, Groton, SD 57445. Position open until May 15, 2017. ADA accommodations available on request at 605-397-8422.

PATROL OFFICER: Parkston, SD. Health insurance for employee, SD State Retirement, vacation, holiday, and sick leave. High School Diploma required. Certified officer preferred. Relocation to Parkston area is required. Salary: DOE. Submit resume, request application from City Finance Office, PO Box 490, Parkston, SD 57366, 605-928-3321, parkstoncity@santel.net, or obtain an application at www.cityofparkston.org. Open until filled. EOE.

POLICE OFFICERS: The Rapid City Police Department is hiring full-time Police Officers to join its accredited law enforcement team! Want to join a progressive and accredited law enforcement? We offer a competitive total compensation package along with paid training. Positions See website for complete description. Submit an online application and professional resume by visiting www.brookingsutilities.com.
start at $21.82 per hour. To be eligible for the testing process, applicants must possess one of the following: 1) Associate’s degree or a minimum of 64 hours of college credit from an accredited institution; or 2) Four years of certified law enforcement experience; or 3) Four years of active full-time military experience; or 4) An equivalent combination of education and experience. In addition, candidates must be at least 21 years of age, be a US Citizen, possess a valid driver’s license, and have not been convicted of a felony crime or serious misdemeanor offense. Dates of Test: Wednesday, May 17, 2017 (4:30 PM - 9 PM) McCann and PT Test only/Oral Boards begin Saturday, May 20th. OR Saturday, May 20, 2017 (7:30 AM - 1:00 PM) Oral Boards beginning Saturday after testing. In order to apply and be considered for the testing, visit our careers site at: http://www.rcgov.org/departments/community-resources/human-resources/career-opportunities.html.

POLICE OFFICER: The Viborg Police Department has an opening for a part-time Police Officer. This position will be under the direct supervision of the Chief of Police. Hours include days, nights, weekends and holidays. A certified officer is preferred but not required. Interested parties may obtain an application by contacting the Police Department or City Hall at 110 North Main Street in Viborg, South Dakota or by calling 605-326-5103 or 605-766-6600. This position will be open until filled. EOE.

WATER/WASTEWATER PLANT & ENGINEERING SUPERVISOR: Brookings Municipal Utilities, Brookings, SD. This position is responsible for overseeing the utilities engineering department and the water and wastewater treatment facilities operations. This includes performing engineering analysis, design, and construction management for utility projects. The ideal candidate will possess an engineering degree or a combination of education and experience in the engineering and/or water and wastewater treatment fields. Brookings Municipal Utilities offers a great work environment, competitive salary and benefits package. Salary range for this position is dependent on qualifications and experience. See website for complete description. If interested, please submit an online application and professional resume by visiting www.brookingsutilities.com. Questions may be directed to: Human Resources, Brookings Municipal Utilities, Phone: 605-692-6325, Email: HR@swiftel-bmu.com. EOE.

SEALED BIDS: The City of Murdo is accepting sealed bids on a 1983 Ford F350 Ford Pickup (flatbed, 4 door, former rescue truck for the fire department) and a 2007 Ford Crown Vic Police interceptor car with several police items (cage, radio, etc) in car. The appraised value on these items are $3500.00 and $4500.00 respectively. More information can be obtained at the City Office at 605-669-2272. Sealed bids will be accepted until 7:30 p.m. Monday,
June 5, 2017. All bids must be in a sealed envelope and addressed as follows: “Fire Truck” or “Police Car”, City of Murdo, 107 W. Second St., PO Box 432, Murdo SD 57559. All bids will be examined at the regular City Council meeting on Monday, June 5, 2017. The City of Murdo reserves the right to accept or reject any or all bids.

SALE OF SURPLUS PROPERTY: Notice is hereby given that the City of Eureka, South Dakota, will sell the following property by sealed bid: Onan Generator, Model: 60.0DYA-15R/19S66J, 3 phase 60 KW, 75 KVA, Diesel, Allis-Chalmers 2900 MKI engine with automatic transfer switch Onan Series ATS, Model: ATUED200-5D/1210A, 3 phase, 120/240 volts, 200 amps. Sealed bids will be opened at 7:05 p.m. on June 12, 2017, in the Councilroom of the Municipal Building, 613 7th Street, in Eureka, South Dakota. Any bids received after 5:00 p.m. on June 9, 2017, will not be considered. The property will be sold AS IS. The City reserves the right to reject any and all bids. For any questions, more information, or to make an appointment to see the generator, please contact the City Office at 605-284-2441. Bids must be submitted to the Finance Officer in a sealed envelope clearly marked “bid for Onan Generator”. Bids can be mailed to the City of Eureka, PO Box 655, Eureka, SD 57437 or dropped off at the City Finance Office located at 613 7th Street.

FOR SALE: The City of Doland has the following for sale: 3 Submersible Sewage Pumps. Model S4MRC500M34, Impeller diameter 7.5, 4 inch discharge, 5HP, 230 Volts 3ph 60 Hz. For further information contact City Hall Monday thru Friday from 8 a.m. to 5 p.m. at 605-635-6590.

FOR SALE: Street Sweeper, 2009 Elgin Pelican sweeper with 4782 hrs, single gutter broom, lower conveyor washout. Contact the City of Pierre Street Department at 605-773-7439.

FOR SALE: Air Conditioning Unit: MFG: Lennox; Model: CHA16-513-5y; Electrical Rating 208/230 Volt 3 Phase, 60HZ. The City of St Lawrence purchased this a few years ago but due to it being 3 phase electric could not use it. Call City of St Lawrence Office Mon, Wed Fri at 605-853-2246, or Dale Simons at 605-853-3430.

FOR SALE: Snow-Ex sander, Model V-Maxx 8500, poly-vinyl hopper with hydraulic hoses. On steel frame for truck bed mounting. Sold as is. Contact the City of Eureka at 605-284-2441.

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

May

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

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

First meeting following election – Except as otherwise provided, every officer of the municipality will begin to discharge the duties of the office as soon as the officer has qualified by filing an oath or affirmation of office. The oath must be filed within ten days after the first meeting of the month following the election or appointment. (SDCL 9-14-5; See Hdbk., sec. 5.115)

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

First meeting following election – In municipalities having the mayor and common council form of government, the council must elect a president and vice-president for the ensuing year. (SDCL 9-8-7; See Hdbk., sec. 2.520)

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

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

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

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

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

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

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

June

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

Third Tuesday in June – A municipality may combine its election with a school district and hold the election on the third Tuesday in June. (SDCL 9-13-1.1; See Hdbk., sec. 7.050)

First meeting following election – Except as otherwise provided, every officer of the municipality will begin to discharge the duties of the office as soon as the officer has qualified by filing an oath or affirmation of office. The oath must be filed within ten days after the first meeting of the month following the election or appointment. (SDCL 9-14-5; See Hdbk., sec. 5.115)
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By June 30 – Applications for renewal of licenses for the sale of malt beverages should be filed before the expiration of June 30. (SDCL 35-4-2.5; See Hdbk., sec. 11.465)

By June 30 – All mechanical or electronic amusement devices must be registered. The secretary of revenue shall distribute the registration fee to the municipality in which the device is located. (SDCL 10-58-3 and 10-58-5; See Hdbk., sec. 12.255(7))

No later than July 1 – Each municipal governing body shall provide to the Department of Public Safety, Division of Emergency Management, information that will enable emergency agencies to reach the members of the municipal governing board and the mayor at any time, day or night. The information necessary shall include home, business, and other personal telephone numbers including any facsimile transmission machines and cellular or mobile telephone numbers; home, business, and other personal 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)

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