

RESOLUTION 1 – 2015 State Funding for Small Structures and Large Culverts

WHEREAS, counties and townships are responsible for over 65,000 miles of rural roads, and

WHEREAS, a substantial portion of counties' and townships' budgets are expended on roads and bridges; and

WHEREAS, SB1 provided additional funding for repair and maintenance of local roads and established a Bridge Improvement Grant program for bridges (over 20 feet in length); and

WHEREAS, a critical need exists on small structures (less than 20 feet in length) and large culverts; and

WHEREAS, the Transportation Commission and Department of Transportation administer State-funded grant programs to assist local governments with 1) Industrial Park, 2) Community Access and 3) Agri-business road projects; and

WHEREAS, the Transportation Commission and Department of Transportation discussed the possibility of providing additional funding for these programs, at their March 26th 2015 meeting, and agreed to consider such funding at a later date, and

WHEREAS, SDATAT presented a proposal to the Transportation Commission at their October 1, 2015 meeting, to establish a 3-5 year, \$2-3 million per year grant program focused on smaller structures and larger culverts on township and county secondary roads. It was proposed that the grant program be established in conjunction with a designated farm to market road system to improve priority roads, as a component of the existing Agri-business grant program; and

WHEREAS, the Transportation Commission, at their November 20, 2015 meeting, increased the funding for the Industrial Park Community Access, and Agri-business grant programs from \$2 million to \$4 million for 2015 and awarded \$3.14 million in Community Access grants to 11 small communities, a \$400,000 Agri-business grant for a new ethanol plant in Sully County and \$240,000 for an industrial park near Dell Rapids.

THEREFORE, BE IT RESOLVED THAT SDATAT continues to support the concept proposed to the Transportation Commission on October 1, 2015 to establish a state-funded grant program to provide funding to assist local governments in meeting the critical need to improve or replace structures less than 20 feet in length and replacing culverts with an opening of 16 square feet or more (54 inch diameter or larger) on township and county secondary roads; and

BE IT FURTHER RESOLVED that Townships will work with their County counterparts in resolving this critical need on priority farm to market roads within the county.

RESOLUTION 2 – 2015 Distribution of Registration Fees for Non-Commercial Gross Weight Vehicles

WHEREAS, Farming practices have changed significantly during the past several years, and the size and weight of farm equipment have greatly increased; and

WHEREAS, local roads and bridges were not built to handle the larger vehicles and heavier loads; and

WHEREAS, it has been recognized that larger farm equipment and trucks cause significant damage to local roads and bridges; and

WHEREAS, motor vehicle registration fees have been increased dramatically for non-commercial gross weight vehicles (farm trucks) since 2011 with justification for the large increases based on increased damages to local farm to market roads and bridges, and

WHEREAS, local governments only receive approximately 17% of the registration fees for the large non-commercial trucks for repair and maintenance of county secondary and township roads.

NOW THEREFORE BE IT RESOLVED that SDATAT supports re-distribution of the registration fees for non-commercial gross weight vehicles to provide additional funding for repair and maintenance of township and county secondary roads and bridges.

RESOLUTION 3 - 2015 - Distribution of Highway User Fees among State and Local Governments

WHEREAS, the 1985 Legislature established a new procedure for distribution of highway user fees between the State and local governments; whereby the State receives all of the motor fuel tax and motor vehicle excise tax and local governments receive all of the motor vehicle registration fees; and

WHEREAS, the 1985 legislation also established factors for distribution of vehicle registration fees for each municipality, each county and townships within each county, based on demographic factors, including miles of road, relative funding need, and population; and

WHEREAS, the distribution factors have not been updated in the 30 years since 1985 and demographics have changed significantly in different parts of the States.

NOW THEREFORE BE IT RESOLVED THAT SDATAT supports a comprehensive review and modification of the distribution of highway user fees as warranted.

RESOLUTION 4 – 2015 - Clean-Up of Existing Township Laws

WHEREAS, In 2013 SDATAT conducted a thorough review of township laws, going back to before statehood, and

WHEREAS, HB 1133, which repealed obsolete township laws and amended and updated certain sections of existing law, was enacted by the 2014 Legislature, and

WHEREAS, in 2015, additional statutes were identified which are obsolete or need to be updated to current practices.

NOW THEREFORE BE IT RESOLVED THAT SDATAT supports repeal or amendments to the following statutes:

- a. Repeal of a section of SDCL 8-3-13, dealing with election of a constable,
- b. Amendment of SDCL 8-4-3 and 8-10-2 dealing with the dates for submittal of oaths of office and tax amounts by the Township Clerk to the County Auditor,
- c. Amendment of SDCL 32-20-12 to give townships the authority to regulate off-road vehicle travel on township highway ROW,
- d. Clarify the authority of Township Supervisors to determine the size of culverts on township roads.

RESOLUTION 5 - 2015– County Construction or Replacement of Bridges and Culverts on Township Roads

WHEREAS, SDCL 31-14-27 provides that counties may construct or replace any bridge or culvert with an opening of 16 square feet or more on Township roads with the township reimbursing the county up to five hundred dollars; and

WHEREAS, SDCL 31-14-27 was last amended in 1981, and inflation has significantly increased the cost to construct or replace such bridge and culverts; and

WHEREAS, construction or replacement of these bridges or culverts on township roads are placing a financial burden on the individual counties, it is recognized that further financial assistance from townships may be necessary to help deal with these failing structures; and

WHEREAS, the SD Association of County Commissioners at their 2015 Annual Meeting approved a Resolution requesting the SD Legislature to amend SDCL 31-14-27 to increase the involved bridge or culvert opening from 16 square feet (52 inch diameter culvert) to 35 square feet (80 inch diameter culvert) and to modify the required townships reimbursement to a minimum of \$500(from \$500 maximum).

NOW THEREFORE BE IT RESOLVED THAT SDATAT is opposed to a large increase in size of the bridge or culvert opening for county participation in replacement of such bridges and culverts on township roads, and

BE IT FURTHER RESOLVED THAT SDATAT supports working with the counties to establish a reasonable reimbursement rate for construction or replacement of such structures.