

South Dakota Association of Towns and Townships

351 Wisconsin SW, Huron, SD • Phone (605) 353-1439 • Fax (605) 352-5322

Winter 2011

SDATAT SPONSORS "ALIVE AT 25" IN MELLETTE, SD!



For the last 3 years, the South Dakota Association of Towns and Townships is proud to have helped sponsor the "Alive at 25" course for over 250 high school students in SD. This year-ninety three students from Northwestern High School in Mellette, SD participated in this program on January 5, 2011. The event was co-sponsored by the South Dakota Association of Towns and Townships, State Farm Insurance and Farmers Union Insurance of Aberdeen, SD.

Northwestern High School students were both impressed with the content of the classes as well as the instructors. Comments from students included: "This course was fantastic! It made me really think about driving. I think this course should be shown to a lot

of people. Thank you!" Another student stated- "Thank you so much for showing us and teaching us these things. It really made me want to be more cautious!"

"Alive at 25" is an interactive classroom based program that encourages young drivers between the ages of 14 and 24 to take responsibility for their driving behavior. Unlike driver's education classes, "Alive at 25" does not teach a kid how to drive a car, but rather how to be responsible behind the



wheel. The course is 4 ½ hours long and it focuses on the behaviors and decision-making practices. The program is made possible through the collaboration of the SD Dept. of Public Safety and the SD Safety Council. More information on the program can be obtained by calling Diane Hall, SD Safety Council at 1-800-952-5539.



"Students used special goggles to experience what it is like to walk when under the influence of alcohol."



**SDATAT
LEGISLATIVE DAY
WEDNESDAY
FEBRUARY 9, 2011**

Circle this date on your 2011 calendar and make plans to attend this important event. More details about SDATAT Legislative Day continued on pg 6.



President's Column

by Cindy Foster,
Miner County

I hope that you all had a wonderful holiday season, and you didn't have to change plans because of the weather. Thank you to all who attended our Annual Meeting in Aberdeen. It was a great time of information, fellowship, and of course, business.

For those of us hoping for less precipitation this winter, we are disappointed. We all know that means we will probably again be dealing with flooding issues this spring due to increased snow melt.

SDAT&T is participating in the ongoing discussion during the 2011 legislative session to find increased funding for our roads. If you get a call from the office or from our lobbyist to come to Pierre and help us out, please make the trip. We need everyone working together to find a solution to this problem.

For those counties who hold spring meetings, I would encourage you to attend to get the latest updates on what is going on in Pierre, as well as things like the bid laws that may affect your township and how it carries on business.

Even though we have below zero temps now, I want you to know that two meadowlarks have made it back to SD. They have been in my yard now since Jan. 14th, so spring can't be that far behind!

I want to wish Diane a quick recovery, as she is on a medical leave after some shoulder surgeries. Maureen will be holding down the fort, so your questions will still get answered in a timely manner. Stay safe and warm and don't forget SDAT&T legislative day in Pierre on Feb. 9th.

Cindy Foster
President, SDATAT

From Your Administrative Director

By Diane Worrall

Here we are into the New Year already, 2011! As Cindy referenced in her column, I am currently on medical leave. Unfortunately, I had to have two separate shoulder surgeries (one on each shoulder) within a week the end of 2010. The good news is I am not allowed to shovel any snow!!! But the bad news is I will be out of the office through March for intensive physical therapy. It is my hope that I can continue to keep up with my emails and return your phone calls...but for the most part- Maureen Wegenke will be your contact person. Maureen is very knowledgeable and if she does not know the answer, she will forward it on to me and I will get back to you with 24 hours. You may also call me directly on my cell at 605 354-2799 if you have questions...

For those of you who were unable to attend this year's annual meeting or didn't get to attend all of the sessions- this newsletter is intended to focus on some of the highlights. For example- all of the bid laws were repealed in 2010 and the changes are covered on page 4. On page 5- please note that there is nearly \$15 million dollars in Hazard Mitigation Grant monies available for projects that will lessen or reduce the overall risk of a potential disaster. A potential project might be to dramatically increase the culvert size to eliminate flood waters from washing out the same section of road during spring flooding. Please note that all townships are eligible for these monies if your county has an approved Pre-Disaster Mitigation Plan! At this time, I am very proud to say that I know of two townships that have already applied for these grant monies and their engineering studies have begun.

As you already know, the 2011 Legislative Session has begun. We are again fortunate to have Dick Howard lobbying for SDATAT again. We will again be focusing on an increase of funding to townships, the definition of the township road system, and the redistribution of wind taxation dollars (new policy adopted at 2010 Annual Meeting). As usual we offer to you, as members, the weekly legislative newsletter. Every newsletter is on our website under the Legislative tab. We also send them via email as that saves a lot of time and dollars. However, if you do not have internet and would like to receive our letter, contact our office at 605 353-1439 and ask Maureen to put you on her weekly mailing list.

Just as a reminder... Township supervisors are required to meet by law on certain days in February, March, and October of each year. Those dates are identified on the last page of the newsletter under the Calendar of Events with the exception of the township supervisor's meeting that is required on the last Tuesday of October, of each year. It is especially important to note that during your annual meeting on the first Tuesday of March, the township supervisors present their road maintenance policy for the year to the entire township. This is the time that the township supervisors have the opportunity to identify what roads will be full maintenance, minimum maintenance and to what capacity the township will or will not do snow removal. Although this may seem burdensome to go over the details if there a few in attendance, it also establishes documentation in your minutes that the road maintenance issues were addressed should residents question your decisions at a later date. For your assistance, Jay Leibel, SDATAT attorney has also revised the Annual Meeting Sample Agenda to accurately reflect who is responsible for voting on what issues at the annual meeting. This sample agenda can be found on our website- www.sdtownships.com under the "Resource" tab on the right.

If you haven't checked out our website lately, please do as we have added many resources, legislative news, calendar of events and news items. We also have a section that is for "Members Only" that includes an up-to-date township manual. If there is anything you as a member would like to see added, please let us know. It is our intention to make this website a valuable resource for everyone.

HONORED FOR 40+ YEARS OF SERVICE!

During the 2010 Annual Meeting Awards luncheon on December 5, 2010- four township officials were recognized for each of their 40 + years of service on township boards. Those individuals honored were: Gordon Mussetter, Marvin Schwanke, Ray Entringer, and Merlyn Elsen.

Gordon Mussetter of Sisseton, SD has served 42 years on the Enterprise Township Board in Roberts County and 40 years as weed supervisor. Gordon is also serving on the SDATAT Board of Directors.

Marvin Schwanke of Watertown, SD was appointed to the position of Clerk on the Pelican Township Board in

Codington County in 1970 and has served this position for 40 years. Marvin is also a former Board Secretary-Treasurer and President of the South Dakota Association of Towns and Townships.

Ray Entringer of Colman, SD has been Clerk of Jefferson Township in Moody County for the last 41 years. And Merlyn Elsen of Hecla, SD in Liberty Township of Brown County has been on the board for 40+ years serving the first 3 years as Clerk and the remainder as a Supervisor.

Not Pictured: Merlyn Elsen and Ray Entringer



Marvin Schwanke is recognized for his 40+ years of service.



Gordon Mussetter proudly receives his 40+ service award from Cindy Foster, President of SDATAT

NEW SDATAT POLICY ADOPTED

The Voting Delegates at the 2010 SD Association of Towns and Townships Annual Meeting held in Aberdeen, SD on December 5, 2010 adopted all of last year's policies in addition to the following new policy on wind taxation distribution. A complete listing of all of SDATAT policies can be found on our website at http://www.santel.net/~sdtown/doc/2010_2011Policies.pdf

33. WIND TAXATION DISTRIBUTION

WHEREAS SDATAT supports the growth of the wind industry in SD and recognizes that most wind development and construction is primarily within the townships, therefore be it resolved that SDATAT supports a modification of distribution from the wind energy tax fund by allocating more money to townships when wind farms are built along township roads due to the increased road maintenance that occurs for the townships.



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New Bid Laws in Effect... INCLUDES TOWNS / TOWNSHIPS!

By Deene Dayton, Legislative Audit

All of the bid laws were repealed in the 2010 legislature. They were replaced with new laws located in SDCL 5-18A, 5-18B and 5-18C.

The new laws establish two levels of bid limits. The lower level of \$25,000 is applicable to purchases of supplies and services. Supplies, in addition to its normal meaning, include equipment (motor graders and other vehicles). Common services that townships engage in are blading, snow removal and gravel hauling.

The upper level bid limit is \$50,000 which is applicable to public improvements. Public improvements are defined as building, altering, repairing, improving or demolishing infrastructure such as roads and buildings. Townships are engaging in a public improvement when they repair washed out roads.

If the invitation for bids is for the construction of a public improvement, each bid shall contain a certified check or cashier's check equal to 5% of the amount of the bid. In lieu of a check, a bid bond of 10% of the amount of the bid may be filed with bid invitations.

For public improvement contracts, SDCL 5-21 requires a performance and payment bond (a second bond requirement) to be filed by the low bidder in the amount of the contract.

Quote vs Bid? What's the Difference?

The words "quotes" and "bids" are often used interchangeably, but they do have very different meanings. Bids are sealed invitations and originate from a formalized process that includes two public notices. Bids are awarded to the lowest responsible bidder that meets specs.

Quotes on the other hand are obtained without public notice in an informal manner such as by phone, fax or in writing. A township generally awards a quote to the vendor that represents the best interest of the township, which may not be the low quote. Quotes are generally used for purchases under the bid limit.

A standard bid requires two notices in a legal newspaper that has general circulation in the township. The first notice must be 10 calendar days prior to the bid opening. If a greater circulation is desired, the second notice may be in any legal newspaper.

A township may make an emergency procurement without advertising the procurement if rentals are not practicable and there exists a threat to public health, welfare, or safety or for other urgent and compelling reasons. An emergency purchase shall be made with such competition as is practicable under the circumstances. A written explanation of the emergency shall be retained on file.

Please be advised SDCL8-9-3 which has not been repealed and specifically states "**no township board of supervisors may purchase, lease or lease/purchase any road grader or other machinery or tool, the costs of which exceeds \$15,000 without the approval of the voters of such townships in the manner provided by law**".

For more assistance in answering bid and surplus property questions - **Contact:** Deene Dayton, SD Legislative Audit (605) 773-5932 deene.dayton@state.sd.us

14.8 Million Available in Hazard Mitigation Grant Funds in SD

By Nicole Prince, State Hazard Mitigation Officer

This is official notice that the South Dakota Office of Emergency Management has \$14,866,304 in hazard mitigation funding available for mitigation projects within the State.

In the last year, the State had seven Presidential disaster declarations totaling nearly \$130 million in damages alone. As a result of these Presidential disaster declarations,

the State receives mitigation grant funds to complete mitigation projects that are intended to lessen or eliminate future disasters. This funding is open to every county in South Dakota as long as the county has a FEMA approved Pre Disaster Mitigation Plan.

The State is providing technical assistance to applicants requesting assistance putting together grant

applications for mitigation projects.

Please submit your project proposal, technical assistance request, and questions to Nicole Prince, State Hazard Mitigation Officer at the SD Office of Emergency Management.

Contact information is:
Nicole.Prince@state.sd.us or
Call 605.773.3231



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SOUTH DAKOTA ASSOCIATION OF TOWNS AND TOWNSHIPS (SDATAT) ISSN 1072-2505 Published quarterly to provide information, education, and technical assistance to local governments, by the SOUTH DAKOTA ASSOCIATION OF TOWNS AND TOWNSHIPS PO BOX 903, HURON SD 57350

DIANE WORRALL, EDITOR AND ADMINISTRATIVE DIRECTOR

Creative Printing, Huron, SD, Printer

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Postmaster: Send notices or change of address forms to Huron, 57350-0903.

*If readers have any comments, corrections, submissions or display ads for this publication, call (605) 353-1439 or FAX (605) 352-5322.
This newsletter is agricultural inks printed on recyclable paper.

SDATAT Legislative Day

February 9, 2011

Wednesday, February 9, 2011 is the date for the annual SDATAT Legislative Day at the Capitol. Those attending should plan on arriving in Pierre as early as possible that day as committee meetings begin promptly at 7:45 a.m. and then again at 10 a.m. At 1:30 pm-there will be meeting with Governor Dugaard in the Governors Large Conference room. All township officers welcome to attend. There will also be an ice cream social served by the SDATAT Board of Directors for all the Legislators held in the President's and Speaker's Lobbies from 2 p.m. -3:30 pm.

At 4:30 pm- the SDATAT Board of Directors will meet again for a board meeting at the Cattlemen's Club east of Pierre followed by a no host dinner with legislative guests. A block of rooms has been set aside for Wednesday evening at the King's Inn in Pierre. Please contact the **King's Inn at 605-224-5951 by Jan. 31, 2011** to reserve yourself a room. Those staying over night may attend Thursday morning committee meetings at the Capitol.

This is your opportunity to see your government in action. Take advantage of it and bring a carload with you. Please RSVP our office at 353-1439 on how many are coming.

Suggestion: Invite a high school student or two to come with you!



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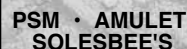
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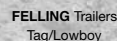
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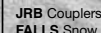
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REMINDER: SDATAT Offers Bonding for Towns/Townships!

The South Dakota Association of Towns and Townships implemented their bonding program for the members of SDATAT in 2007. Since that time, **379 of our 547 members have become bonded through the SDATAT Bond Alliance Program.**

Township clerks and treasurers are required by statute (SDCL 8-7-1 and SDCL 8-6-1) to be bonded as are town finance officers. The law goes on to state that the amount of the bond is to be set by the County Commissioners. Generally, the bonds are for the amount of money the township budgets annually, but in some cases, the bond is set for not only the amount of money budgeted annually but also the total amount of money the townships may have in reserves and other negotiable properties.

The cost is \$200 per year for 2 years for a \$50,000 bond that covers the clerk and the treasurer each for \$50,000. It is an aggregate bond so the maximum paid is \$50,000.

This a total payment of \$400 after which there would be no further payment as long as the township remains a member of SDATAT and the dues are paid prior to April 15 each year. Therefore, if the township continues to be a member of SDATAT every year- the positions of clerk and treasurer will remain bonded for life at no additional charge. However if there is a catastrophic loss to the SDATAT Bond Alliance Program and the Fund becomes inadequate to pay claims- members can be assessed to cover those losses.

Please note that all bonding fees are kept in a separate account and only the interest is used for administering the program. Additional coverage exceeding \$50,000 can also be purchased if necessary. For more information regarding the SD Bond Alliance Program, contact Maureen Wegenke at the SDATAT office in Huron, SD at 605 353-1439 or email her at sdtstaff@santel.net.

SDATAT ANNOUNCES THEIR 2011 SCHOLARSHIP PROGRAM

The South Dakota Association of Towns & Townships is again offering a \$1000 scholarship to a senior high school student who lives in South Dakota and is currently attending a South Dakota public, private, or parochial high school or a home school program. Graduates of the class of 2011 are eligible to apply for the scholarship. The student must use the scholarship for a college, university, or vocational school which has a physical presence in South Dakota.

Applicants must complete an application form and submit it along with a written essay on the topic: "Once a year SDATAT sponsors a program called, "Alive at 25", which is put on by the South Dakota Department of Public Safety and the South Dakota Safety Council. Research and write an essay on the benefits of this program along with ideas on how to market it on a level with high school students." These forms are available at <http://sdtownships.com/>, emailing us at sdtstaff@santel.net, or contacting the office at 605-353-1439.

A Special "Thank You" To Our Sponsors and Presenters Who Made The 2010 Annual Meeting Possible:

All Sponsors will be Listed as Associate Members in 2011

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CALENDAR OF EVENTS

FEBRUARY

- 9 SDATAT Legislatvie Day, Pierre
- 11 McCook County Twp Meeting
1:30 pm- Courthouse, Salem, SD
- 15 Hamlin County Twp Meeting
1:30 pm- Courthouse, Hayti, SD
- 22 Required Twp meeting (SDCL 8-5-1)

MARCH

- 1 Required Annual Township
Meetings, (SDCL8-3-1)
- 10 Union County Twp Mtg-1:30 pm
in Elkpoint, SD
- 11 Spink County Twp Mtg - 1 pm at
Courthouse, Redfield, SD

- 17 Deadline for property
assessment appeals (SDCL 10-11-16)
Appeals must be in writing
- 21 Local Board of Equalization
meet (SDCL 10-11-13)
- 29 Required Twp meeting
(SDCL8-5-1)

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