

## JANUARY 6, 2015 -REORGANIZATION MEETING

This being the reorganization meeting of the Brown County Commission for year 2015, said Board convened at 8:45 A.M. in the Commissioner's Chambers, Courthouse Annex, Brown County, South Dakota. Present were Commissioners Nancy Hansen, Rachel Kippley, Tom Fischbach, Doug Fjeldheim and Duane Sutton.

Pastor Val Reinhiller, First United Methodist Church opened with Prayer and led the Pledge of Allegiance. Oaths of Office were completed by Commissioners Nancy Hansen, Tom Fischbach and Doug Fjeldheim; Sheriff Mark Milbrandt; and Register of Deeds Carol Sherman.

Maxine Fischer, Brown County Auditor called for nominations for Brown County Commission Chairman for year 2015, pursuant to SDCL 7-8-15.

Commissioner Hansen nominated Duane Sutton for Chairman. Moved by Kippley, seconded by Hansen that nominations cease and a unanimous ballot be cast for Duane Sutton, 2015 Chairman. All members present voting aye. Motion carried.

Commissioner Fischbach nominated Rachel Kippley for Vice Chairman. Moved by Fischbach, seconded by Fjeldheim that nominations cease and a unanimous ballot be cast for Rachel Kippley, 2015 Vice Chairman. All members present voting aye. Motion carried.

### MINUTES:

Moved by Fischbach, seconded by Kippley to approve the General Meeting minutes of December 30, 2014. All members present voting aye. Motion carried.

### CLAIMS:

Moved by Hansen, seconded by Kippley to approve the following claims:

Worker's Comp: SDML Worker's Compensation \$97,006.00.

Insurance: SD Public Assurance Alliance \$212,658.19.

Professional Fees: Aberdeen Area Chamber of Commerce \$305.00; APCO \$644.00; AWS \$1,750.00; Br. Co. Treasurer \$631,722.13; Helms & Assoc. \$4,716.00; LBG \$15,090.04; Minnehaha Co. Treasurer \$778.56; NACO \$731.00; Nat'l Emergency Number Assoc. \$137.00; SD State's Attorney Assoc. \$1,746.00; SD Teen Court Assoc. \$2,100.00; Sivertsen Technology \$1,500.00; SWANA \$290.00; Tyler Technologies \$20,481.60.

Publishing: Aberdeen American News \$199.46; Aberdeen Community Theatre \$250.00.

Rentals: AAA Contractors \$300.00; Rodney Eikamp \$300.00.

Repairs & Maintenance: Active Data Systems \$15,906.00; Carahsoft Technology Corp. \$478.79; Clark Engineering \$5,400.00; Dakota Fluid Power \$485.60; Dware \$1,800.00; Farnam's \$757.06; G & K Services \$78.61; Hoven Auto Repair \$252.20; Interstate Powersystems \$2,896.00; Jason's Electric \$925.41; Kone's \$1,094.69; Myer's Tire \$10.72; Nelson Sales & Service \$168.96; Pierson-Ford \$248.00; SD DOT \$53,527.07; Walth Safety Service \$89.25.

Supplies: 446-Praxair \$619.98; Allegiant \$1,000.00; AmeriPride \$224.27; Bakken Building Maint. \$500.00; Butler Machinery \$980.93; CarQuest \$127.89; Civic Research Institute \$179.95; Crawford Trucks & Equip \$674.75; Crescent Electric \$432.24; CPI \$609.75; Dakota Mailing \$653.87; Fire Safety First \$100.00; Full Circle Ag \$1,628.16; Holland's Auto Care \$81.18; Light & Siren \$333.31; Minnehaha Co. Treasurer \$11.32; Myer's Tire \$82.46; Nat'l Assoc. of CVSO \$60.00; NCFE - Warner Elevator \$12,274.13; North Star Energy \$42.00; Premier Biotech \$450.00; Running's \$17.99; Thompson Information Services \$993.98; Veteran's Information Service \$55.00.

Travel & Conference: IAAO \$175.00; IAFE \$750.00; Mark Milbrandt \$40.00; Midwest Showmen's Assoc. \$20.00; Rocky Mountain Assoc. of Fairs \$300.00.

Utilities: Aberdeen City Treasurer \$968.00; AT & T \$508.84; BDM Rural Water \$30.00; CenturyLink \$239.31; Midcontinent \$64.23; Midwest Alarm \$51.50; NVC \$587.08; NWPS \$10,611.64; Town of Frederick \$33.25; Web Water \$67.85.

Other: JRWD \$22,818.66. All members present voting aye. Motion carried.

#### PERSONNEL:

Moved by Fischbach, seconded by Kippley to appoint Aaron Walberg as Veterans Service Officer, per SDCL 33A-1-22 for a four-year term, effective January 6, 2015 – January 5, 2019. All members present voting aye. Motion carried.

#### 2015 SALARY SCHEDULE:

Moved by Kippley, seconded by Hansen to approve the following salaries, effective December 21, 2014: Annually States Attorney Larry Lovrien 77,372.88; Sheriff Mark Milbrandt 69,075.76 (plus \$500 per pay period to oversee Communications Center); Auditor Maxine Fischer, Treasurer Sheila Enderson, Register of Deeds Carol Sherman 55,527.42; Commissioners (plus county paid portion of optional insurance coverage) Nancy Hansen 19,136.78, Rachel Kippley, Tom Fischbach, Duane Sutton, Doug Fjeldheim 19,704.62; Deputy States Attorney's Chris White 66,250.00, Karly Winter, Ryan Vogel 53,000.00, Jodi Brown 15,722.20 (Victims Assistance) 33,000.00 (SVAWA Grant); Chief Deputy Sheriff Tom Schmitt 62,168.34; Building Superintendent Judy Dosch 46,093.84; Chief Information Officer Paul Sivertsen 102,000.00; Commission Assistant/Human Resource Director Gary Vetter 60,048.04; Communications Director/Deputy Sheriff John McQuillen 56,850.04; Director of Equalization Mary Worlie 55,091.40; EM Director Scott Meints 50,942.32; Fair Board Manager Amy Scott 46,093.84; Fairgrounds Superintendent Kurt Smith 46,093.84; GIS Coordinator Scott Madsen 57,085.60; Highway Superintendent Dirk Rogers 66,248.00; Juvenile Detention Supervisor Amy Lake-Harmon 47,898.76; Landfill Manager Mike Scott 58,071.00; Museum Director Sue Gates 45,275.88; Planning/Zoning/E911 Rural Addressing Director C Scott Bader 41,248.22; Sheriff/JDC Nurse Tanya Mitchener 45,695.52; Veterans Service Officer Aaron Walberg 46,398.04; Welfare Director Clayton Nelson 50,597.82. Coroner and Deputies: Michael Carlsen, Allie Ryckman, Devin Rogers \$150.00 per call. Blood Draw: Merissa Johnson, Deardra Rose, Mary Jo Rohrbach, Jamie Bretsch, Pam Smid, Janet Huber \$50.00 per draw. On Call Nurse: \$15.00 per phone call, \$35.00 per one hour or less physical visit, \$25.00 per hour over one hour physical visit: Pam Smid, Jennifer Kamin, Harmony Mattson. Per Meeting: Darwin Bettmann, Stanley Beckler, Patrick Keatts, David North, Jerry Streckfuss, Dale Kurth, Dennis Weidebush, Mark Hoven, Duane Jark, Troy Knecht \$40.00 per meeting. Per Hour: Weed Supervisor/Highway Employee Mike Rohrbach 18.77. Assistant Landfill Manager Don Fischer 17.40. Senior Appraisers Leo Leshner, Gene Loeschke 22.24. Chief Office Deputies (Auditor, Treasurer, Register of Deeds) Lynn Heupel, Dorene Borchard, Patricia VanMeter, Catherine Lindemann 22.24. Veterans Service Assistant Kathy Schlecht 22.24. Highway Shop Foreman Mark Wendt 23.07. Highway Department Assistant Kendell Titze 22.24. Human Resource Assistant Andrea Sjomeling 22.24. Appraisers: Barry Kusler 18.81, Russell Metz 19.52, Kathy Fischer 21.16. Computer/Technology Support Specialist: Cory Lane 20.11, Michael Merkel 20.92. Chief Office Deputies (Sheriff, Welfare, States Attorney, Maintenance, Director of Equalization, EM) Patti Woods 17.15, Polly Rush, Roxy Hilgenberg 19.43, Kathy Neitzel 19.14, Penny Hart 22.93. States Attorney's Office Secretaries Jessica Rychlik 14.64, Kristina Vetter 15.91, Tracy Madsen 16.13. Office Deputies, Museum Curators, Secretaries/Clerks Patricia Kendall, Sarah Swenson, Brenda Dreyer, Amber Schmierer 13.92, Catharina Sauer 14.18, Sonje Oban 14.44, Jeanette Kline 14.70, Tracy Engquist, Cindy Woodford 14.89, Tina McLeod 15.09, Andrew Janusz 15.28, Sara Hagman 15.46, Mariann Malsom, JoAnn Sheffield 15.68, Jackie Ormand 15.85, Lora Schaunaman 16.05, Cindy Meyers 16.10, Sandra Green 16.25, Jolene Forsting 16.30, Sherri Rawstern 16.55. Clerk, Secretary, Maintenance, Parts Jon Roberson 13.65, Jeremy Eppard 14.43, Cindy Eppard 15.01, Mickey Schulz 15.73, Monte Podoll 15.83. Sheriff Department Clerical & Cooks Teresa Mann, Kristin Barstad 15.39, Sandy Mielke 16.38, Jesse Milbrandt 16.69, Diane Mielke 17.75, Carol Wolf 18.10. Dispatchers Derek Jangula, Aaron Gasser, Dawn Allam 15.18, Jonathan Waller, Amber Olson, Cory Erhardt 15.49, Jessie Guthmiller 15.81, Erin Bacon 16.80, Tonya Walth 17.44, Melony Flinn 18.45, Sara Jesz 18.50, Sheila Anderson 18.95. Chief Dispatcher James Petrich 17.76. Highway Seasonal Les Schaible 11.87. Fairgrounds/Landfill Labor Grade 3 Dan Schlosser 14.78,

John Weig 17.94. Highway Labor Grade 3 Kyle Kost 16.88, Dennis VanHeerde 17.22, Tray Mercer, Dean Zumbaum, Kenny Fouts 16.97, Glen Neumiller 17.16, Kevin Ernst, Charles Gruenstein 17.25, Kathy Thompson, Tim Hettich 17.44, Larry Hardy 18.29, Fairgrounds/Landfill Labor Grade 4 Terry Lout 15.42, Randy Kutter 16.08, Carl Wright 18.39, Nyle Jenson 17.29. Highway Labor Grade 4 Matt Heupel 17.20, Dana Breske 17.48, Brad Nehlich 17.67. Highway Labor Grade 5 Gerald Lehrkamp 17.39, Nicholas Juenger 17.58, Casey Jensen 17.67, Bryan Owens 17.77, David Bruckner 19.46. Highway Mechanics Labor Grade A (with cdl)/Outside Shop Foreman Eugene Pence Jr 19.01, Kurt Pigors 19.10, Daryl Lloyd 19.29, Paul Wipf 19.48. Deputy Sheriff Keith Baker, Christopher Schafer 18.50, Linn Kamin, Jonathan Lemke 18.83, Wes Graff 19.15, Ross Erickson 20.13, Ben Smith, Anthony Sorenson, Nathan Smith 20.46, Brian Koens, Craig Nelson 21.90, Damian Bahr 21.80, Terrence Evans 21.95, Scott Kolb 22.55. Home Detention Supervisor/Assistant JDC Supervisor Brian Bahr 16.69, Brenda Hammrich 19.99. Correctional Officers (Adult and JDC) Daniel Studelska, Nicholas Devries, Christeen Krahl, Jonathan Hillestad 14.88, Roy Oberle, Jared Embury 15.21, John Clark, James Harpel, Ermelinda Marcuson, Ryan McClain, Bill Rohrbach 15.54, Danica Marshall, Stacie Wasem 15.88, Adelaide Mouna, Jennifer White 16.19, Tamara Knoll 16.53, Joseph Embury 16.86, Michael Ernst 17.53; Samiuela Mouna, Harlan Place 18.17, Russ Ochsner, Kristal Koens 18.37, Cindy Mitchell, Jeffrey Kirnan 18.42. Part time employees – per hour: Michael Arnoldy, Tobias Stugelmayer 9.39, Richard Schooley 10.56, Richard Burns 10.62, Marianne Marttila-Klipfel 12.21, Julie Hermansen, Cheryl Grant, Robert Baumgartner, Dennis Olson, Maggie Bell, Katie Tempel, Marjorie Embury, Kelly Forrest, Edward Korbel, Brian Marcuson, Jaclyn Nagel, Doreen Howell, Jennifer Toennies, Marissa Mickelson 12.54, Teresa Sonnenberg-Gauer, Vaughn Ayala, Michele Cogley, Mavis Kempf 13.37; Tom Lammon, Jeff Hayes, Steven Ramsdell, John Ness, Keith Enderson, Michael Lout, Gary Funmaker, Peter Hesla, Sandra Woytassek, Brenda Aman 14.18, Robert Retzer, Merv Heaton 15.69, Britney Lout 15.73. Differential Pay: Correctional Officers, Deputy Sheriffs, Dispatchers: 4:00 P.M. to Midnight @ \$0.30 per hour, Midnight to 8:00 A.M. @ \$0.40 per hour. Dispatchers for Training at Terminals: \$0.30 per hour all shifts. Highway employees when pulling train \$0.80 per hour. NOTE: All overtime calculated on base pay. GUARDS: \$100 per day for each round trip less than 400 miles; \$125 per day for each round trip over 400 miles – Neil Bittner, Brian Carrels, Lesley Farmen, Dale Farmen, Brock Schiferl, Daniel Harvey, Kyle Stoddard, David Hunter, Jamie Milbrandt, Rane Mergen, Brenda Schmitt, Nicole Leslie, Dala Mandel, Fred Schmidt, Kenneth Hostetter, Drew Ottenbacher, Tiffany Hanson, Tim McCurdy, Brandon Mills, Janice Moore, Eric Voigt. All members present voting aye. Motion carried.

#### COMMISSION COMMITTEE ASSIGNMENTS:

Moved by Kippley, seconded by Hansen to approve the following Commission Committee assignments for 2015: Tom Fischbach - Communications Center Council, Range Fire Suppression, LEPC, County Buildings, Union Negotiations, Rationing Board, Aberdeen/Brown County Regional Railroad Authority Commission, Grow SD (NESDCAP), FSA Representative; Duane Sutton - Aberdeen Development Corporation, NECOG, CART, Fair Board, SD Public Assurance Alliance, Dacotah Prairie Museum Board, City Net, SDACC Catastrophic Legal Board; Nancy Hansen – Union Negotiations, Senior Citizens Board, Liaison to Welfare, NE Mental Health Board, NACO Board of Directors, 4-H Leaders Association/Promotion and Expansion Committee; Doug Fjeldheim Airport Board, NECOG, Glacial Lakes, Communications Center Council, Indigent Defense Committee; Rachel Kippley: Weed & Pest Control Board, Fair Board, Risk Management Committee, Legislative Contact, Planning & Zoning Board, JDAI (Juvenile Detention Alternative Initiative). The States Attorney will assist in conducting labor negotiations. All members present voting aye. Motion carried

#### BOARD APPOINTMENTS:

Moved by Hansen, seconded by Kippley to name Chairman Duane Sutton and Commissioner Tom Fischbach as County members of the Communications Council, per intergovernmental agreement with the City of Aberdeen. All members present voting aye. Motion carried.

Moved by Fischbach, seconded by Kippley to approve the following Brown County Dive Team Members: Cole Adema, Trent Anderson, Rodney Bade, Tom Barstad, Mike Kost, Brett Tennis, Kevin Vaughn. All members present voting aye. Motion carried.

Moved by Kippley, seconded by Hansen to re-appoint Chris Fischbach, Gordon Nelson, Becky Stucker, Stu Swenson and Linda Thurston for 2<sup>nd</sup> term (2015-2017) to the Brown County Fair Board. All members present voting aye. Motion carried.

Moved by Hansen, seconded by Kippley to appoint the following Citizens Corp Council Members: John Kirnan, term effective January 1, 2015 – December 31, 2016; Tom Schmitt, Ray Sorenson, Scott Meints and Rich Kezar, term effective January 1, 2015 – December 31, 2017. All members present voting aye. Motion carried.

Moved by Hansen, seconded by Fjeldheim to appoint the following CERT Members: Sarah Salmen, Robert Bray, Kasia Kramer and Alisha Warrey; and further remove Rieck Eske from the active CERT Member list. All members present voting aye. Motion carried.

Moved by Fjeldheim, seconded by Hansen to appoint Mike McCafferty and Kathleen Daly to first term (2015 – 2017) on the Dacotah Prairie Museum Board. All members present voting aye. Motion carried.

#### VOLUNTEERS/WORKER COMPENSATION:

Moved by Hansen, seconded by Kippley to list the following volunteers for work comp purposes (CERT, Citizens Corp, Dive Team, Fair, Museum): John Adams, Marie Adams, Cole Adema, Trent Anderson, Rodney Bade, Richard Bakeberg, Diana Banker, Tom Barstad, Tim Beckham, Becky Berreth, Christopher Beusch, Betty Beyer, Chad Bierman, Sandra Bierman, Evelyn Blum, Jan Bohling, Paul Bohling, Cody Braun, Robert Bray, Lynnsey Briese, Mercedes Buchanan, Becky Burdick, Ross Burdick, Conald Burgard, Edythe Clark, Luanne Cunningham, Ryan Cunningham, Val Daschel, Cara Dennert, Kaye DeYoung, David Didreckson, Marvin Dreesen, Ken Dulik, Joseph Dulik, Wes Elliott, Janet Elsen, Darin Emery, Curtis Erickson, Jan Erickson, Melissa Erlenbusch, Chris Fischbach, Don Ganje, Allen Gates, Marilyn Gibbs, Steve Gisi, Katie Goulding, Scott R Grebner, Mary Jane Hansen, Gerald Helm, Pat Helm, Janet Herman, Trixie Hettich, Carmel Heyd, Bill Hild, Mary Jo Hild, Dave Hintz, Richard Humphries, Randy Imberi, Heath Johnson, Zach Kern, Rich Kezar, John Kirnan, Michael Kost, Ron Kost, Kasia Kramer, Laura Kramp, Carol Kringstad, Brian LaCroix, Nobel LaCroix, Marilyn Lahr, Jared Larson, Tim Mattern, Douglas Mayer, Gretchen Mayer, Carla Meints, Trevor Meints, Jo Miller, Roland Moerke, Salesi Mouna, Joseph Muller, Gordon Nelson, Evelyn Nikolas, Nancy North, Jerry Ochsner, Gayle Opp, Barb Paepke, Tom Paepke, Mike Payne, Jason Pettigrew, Joyce Pfeiffer, Cindy Pigors, Rick Pigors, Lois Pletten, Jean Rahja, Bryan Rau, Chris Rawstern, Terry Rawstern, Douglas Reiersen, Derek Ricci, Bonnie Robinson, Freddie Robinson, Mike Russell, Caroline Schli, Sarah Salmen, Jean Schaffer, Cindy Schick, Jacie Schley, Deb Schlosser, Nancy Schrenk, Sid Schroeder, Sara Schumacher, Brian Sharp, Donna Sharp, Gary Sharp, Gretchen Sharp, Dale Smid, Ray Sorenson, Kathy Sperry, Becky Stucker, Liz Sutherland, Jesse Swallow, Jeff Swank, Karen Swank, Chip Swanson, Marian Swanson, Stu Swenson, Brett Tennis, Linda Thurston, Jayson Tollefson, James Torbert, Karen Treeby, Kevin Vaughn, Eric Vetter, Pat Waltman, Alisha Warrey, Kathy Webb, Casey Weismantel, Cora Wollman, Brianna Woods, Tom Woods, Chad Wright, Amy Wright. All members present voting aye. Motion carried.

#### DESIGNATION OF DEPUTIES:

Commissioner Fischbach offered the following Resolution:

#### RESOLUTION #1-15

WHEREAS, SDCL Chapter 7-7-20 mandates the designation of the number of deputies and clerks for various offices by the Board of County Commissioners,



THEREFORE, BE IT RESOLVED, that the following deputies and clerks are authorized at the discretion of the County Officials for County offices: Auditor - 1 Chief Deputy, 3 Deputies; Treasurer - 2 Chief Deputies, 5 Deputies, 1 part-time Clerk; Register of Deeds - 1 Chief Deputy, 4 Deputies, 1 part-time Clerk. All extra help hired by County Officials must first be approved by the County Commission.

Seconded by Commissioner Fjeldheim. Roll call vote: Commissioners Hansen-aye, Kippley-aye, Fischbach-aye, Fjeldheim-aye, Sutton-aye. Resolution adopted.

#### OFFICIAL NEWSPAPERS:

Moved by Fischbach, seconded by Hansen to designate the following as the official Brown County newspapers for year 2015 (SDCL 7-18-3): Aberdeen American News, Aberdeen, SD; The Groton Independent, Groton, SD; Dakota Press, Groton, SD. All members present voting aye. Motion carried.

#### DEPOSITORIES:

Moved by Kippley, seconded by Fischbach to designate the following as official depositories for Brown County public funds for year 2015 (SDCL 7-2-13), with funds deposited in the name of Sheila Enderson, Brown County Treasurer: Dacotah Bank; US Bank; First Savings of Beresford, Hecla Branch of Hecla; First State Bank of Warner; First State Bank of Warner, Aberdeen Branch; First State Bank of Claremont, Columbia Branch; First State Bank of Claremont, Claremont Branch, First National Bank of Frederick; Plains Commerce Bank; Home Federal Savings & Loan; Great Western Bank; Great Plains Bank; CorTrust. All members present voting aye. Motion carried.

#### INVESTMENT POLICY:

Commissioner Hansen offered the following Resolution:

#### RESOLUTION #2-15

WHEREAS, the nature of tax collections and other revenue is such that cash on deposit in the County's depositories at times exceeds the requirement for current expenditures; and

WHEREAS, it is in the best interest of the County to invest these monies not required for immediate expenditure.

NOW, THEREFORE, BE IT RESOLVED, that the Brown County Treasurer is hereby directed to invest Brown County public funds at the highest rate of interest possible at said time on available monies at financial institutions, as designated by the Brown County Commission, and

FURTHER, to furnish quarterly reports detailing same, as authorized by SDCL 4-5-8.

Seconded by Commissioner Fischbach. Roll call vote: Commissioners Hansen-aye, Kippley-aye, Fischbach-aye, Fjeldheim-aye, Sutton-aye. Resolution adopted.

#### INTEREST POLICY:

Moved by Kippley, seconded by Fjeldheim to approve the following Policy in regard to interest earned from deposits and investments: State law allows income from deposits and investments to be credited to either the General Fund or the fund making the investment. The County's policy is to credit all income from deposits and investments to the General Fund, except for interest earned on specific certificates of deposits and financial assurance savings account of the Solid Waste Fund. USGAAP requires income from deposits and investments to be reported in the fund whose assets generated that income. Where the governing board has discretion to credit investment income to a fund other than the fund that provided the resources for investment, a transfer to the designated fund is reported. Accordingly, interfund transfers of investment earnings shall occur between the Highway Fund and Solid Waste Fund (excluding specific

solid waste certificates of deposit and financial assurance savings account) and the General Fund. All members present voting aye. Motion carried.

#### EXPENSE POLICY:

Moved by Kippley, seconded by Fischbach to set the following expense rates for Brown County employees for year 2015: Meal reimbursement made only for out of County travel

	In-State	Out-of-State
Breakfast	\$ 5.00	\$ 8.00
Lunch	\$ 9.00	\$11.00
Dinner	<u>\$12.00</u>	<u>\$17.00</u>
	\$26.00	\$36.00

Qualifying time for meal allowances:

Breakfast - leave before 5:31 a.m. - return after 7:59 a.m.

Lunch - leave before 11:30 a.m. - return after 12:59 p.m.

Dinner - leave before 5:31 p.m. - return after 7:59 p.m.

Lodging reimbursed at actual cost, receipt required (if possible have direct billing, as County tax exempt).

Mileage Rate: Reimbursement for use of personal vehicle for County business, as follows: 37 cents per mile for elected officials and 47 cents per mile for all other employees; Miles to be determined by the assistance of Map Quest or similar web site; Odometer readings required for all destinations not available on web site; Odometer reading only required once to establish routine destination routes, i.e. per diem for board members. All members present voting aye. Motion carried.

#### EXPENSE POLICY - ELECTION OFFICIALS:

Moved by Kippley, seconded by Fischbach to set fee of \$180.00 for precinct officials working on Election Day, \$20.00 for precinct officials attending Election Schools, \$5.00 for use of personal cell phone on election day (maximum \$5.00 per precinct), and to set minimum mileage at five miles when claimed by precinct official. All members present voting aye. Motion carried.

#### EXPENSE POLICY FOR BROWN COUNTY BOARDS:

Moved by Hansen, seconded by Fischbach to set the following policy for the boards appointed by the Brown County Commission. Dacotah Prairie Museum Board – No per diem - Maximum two three-year terms. Fair Board – No per diem – Maximum two three-year terms. Planning/Zoning Board - \$40.00 per meeting attended, plus mileage per County policy, if reside out of Aberdeen City – Five-year terms – No term limit per January 1, 2004 Commission Minutes. Weed & Pest Control Board - \$40.00 per meeting attended, plus mileage per County policy, if reside out of Aberdeen City – Three year terms – No term limit. Appointments to fill vacated positions on a board will be for the remainder of the term of the position vacated. If the remainder of the term is over one-half of the regular term, this appointment will count as a full term regarding term limits. Appointees to all boards shall not receive pay or other forms of benefit or benefits that extend beyond the termination or expiration of their appointment to a county board. All members present voting aye. Motion carried.

#### TAX DEED NOTICES:

Commissioner Hansen offered the following Resolution:

#### RESOLUTION #3-15

WHEREAS, Brown County has acquired tax certificates on property with delinquent real estate taxes for which tax deeds and notices can be served.

THEREFORE, BE IT RESOLVED, that the Brown County Commission authorizes the County

Treasurer, Sheila Enderson to request States Attorney Larry Lovrien and States Attorney Office personnel to act as agents to process said tax deeds and notices.

Seconded by Commissioner Fischbach. Roll call vote: Commissioners Hansen-aye, Kippley-aye, Fischbach-aye, Fjeldheim-aye, Sutton-aye. Resolution adopted.

#### FAIRGROUNDS/YOUTH CAMP RENTAL RATES:

Moved by Hansen, seconded by Fjeldheim to establish the following rental rates:

#### FAIRGROUNDS RENTAL RATE - EFFECTIVE JANUARY 1, 2015

Storage Space Rental: October 15 to April 1<sup>st</sup> - Prepaid Lease -No Refunds - \$8.00 per linear foot for each unit, including trailer hitch and any overhang. All lengths will be rounded to the nearest foot.

Barn Rental: Any person affiliated with NAHR that requests to occupy any building prior to the 12 days preceding the date of such racing will enter into a separate lease with the County. The lessee will be responsible to pay \$100 per barn per month and utilities used until the NAHR lease goes into effect. Lessee will also be responsible for all manure removal. Campground fee per day of \$20 for water and power or \$23 for water, power and sewer is separate.

Club House : 120' X 80' Per day \$300.00 - Per day for days over two \$150.00 - Clean-up additional \$75.00. Activities obtaining a Special Malt Beverage License - \$35.00 per keg (or equivalent), with proof from wholesaler, excluding Fair Activities, Race Track and Horse Racing.

Expo Addition: 90' x 240' - Per day \$280.00 - Per day for days over two.....\$140.00 If fairgrounds personnel needs to clean up after the activity..... Clean-up/horse shows \$300.00 - Clean-up/other activities.....\$175.00

Holum Expo Building: 120' x 240' - Per day \$500.00 plus utilities - Per day for days over two...\$250.00 plus utilities. If fairgrounds personnel needs to clean-up after the activity.....Clean-up/horse shows \$300.00 - Clean-up/other Activities....\$175.00

Horse Stalls: Set up fee - per stall. \$12.00

Orange Corral Panels:- per day.....\$25.00

Horse Arena: 174' x 240'...\$75.00 per show. Smaller groups will be charged on an individual basis.

Portable Stage: Not to go out of County-except for Governmental Agencies -Per event \$100.00

People Movers - \$50.00 per event (lessee is liable for any damage)

Bleachers - Large Green - \$50.00 per day, Small Orange - \$25.00 per day Small Orange - \$80.00 per day if leaves Fairgrounds

10' Benches: \$3.00 per bench per event.

Campgrounds: \$20.00 per day or \$130.00 per week for pads with power and water. \$23.00 per day or \$150.00 per week for pads with power, water and sewer drops. This includes a 5% State Sales Tax. 232 pads with water and power and 36 with power, water, and sewer. All south campgrounds have both 50 amp and 30 amp plug-ins.

#### RICHMOND YOUTH CAMP RENTAL RATES - EFFECTIVE JANUARY 1, 2015

Booking fee in the amount of \$100.00 and proof of insurance must be submitted at least 30 days prior to date of occupancy.

Dorm only: \$60.00 per dorm per night for 20 people or less. More than 20 people - \$5.00 per person.

Lodge Only: \$150.00 per day

Dorm(s) and Lodge per day: \$150.00 minimum for 20 people or less. More than 20 people - \$5.00 per person.

Youth Groups: \$5.00 per person per day (Ages 17 and under.)

Adult Groups: \$7.00 per person per day. (Ages 18 and older)

Deposit: A \$100.00 deposit is required to guarantee all dates. This deposit will only be refunded if the camp is left in a clean and orderly manner and there is no damage done to the camp. If the cleaning costs and damage costs exceed the amount of the deposit, any additional repairs or cleaning costs will be billed.

Signed lease, deposit and proof of insurance shall be sent to the Brown County Auditor at 25 Market Street, Ste. 1, Aberdeen, SD 57401.

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Cleanup: \$50.00 for the Lodge and \$100.00 for the dorms.  
Absolutely no pets allowed in any of the buildings.  
All members present voting aye. Motion carried.

#### ABATEMENTS:

Moved by Hansen, seconded by Fischbach to approve and authorize the Chairman sign the following abatements: BNSF RR @ \$54,729.68 (railroad tax credit), DM&S RR @ \$167.10 (tax credit), Greenfield Township @ \$3,086.95 (exceed max levy), Brown County @ \$49.64, @ \$46.17, @ \$1,097.43 (tax exempt), Rod Tobin @ \$226.29, \$432.86, \$315.18 (assessment error), Mitchell Hanson @ \$1,184.76 (assessment error), Hollis Treeby @ \$2,844.55 (assessment error), Hecla City @ \$8.69, \$8.69 (tax exempt), NSU Foundation @ \$2,090.42 (tax exempt). All members present voting aye. Motion carried.

#### AUDITORS REPORT OF ACCOUNT:

Moved by Kippley, seconded by Hansen to approve the December 2014 Auditor's Report of Account with the County Treasurer in total amount of \$15,931,506.67 (total amount of actual cash @ \$3,800.00, US Bank @ \$15,006.19, Dacotah Bank @ \$726,370.50, Petty Cash @ \$2,000.00, Fund Investments @ \$15,184,329.98). All members present voting aye. Motion carried.

#### INTEREST STATEMENT:

Moved by Fischbach, seconded by Hansen to accept for filing the October – December 2014 Interest Statement (\$15,432.78), submitted by County Treasurer Sheila Enderson. All members present voting aye. Motion carried.

#### SET HEARING DATE:

Moved by Hansen, seconded by Fischbach to set joint public hearing before the Aberdeen City Council and Brown County Commission to be held on January 26, 2015 in the Aberdeen City Council Chambers, 123 South Lincoln Street, Aberdeen, SD to consider the following ordinance: Ordinance #15-01-01/442, An Ordinance to amend Ordinance No. 1164 to rezone the following described property from its present zoning designation of (R-2) Medium Density Residential District, (A-1) Agricultural District, and (R-5) Trailers/Trailer Parks and Planned Residential Area Trailers District to (M-AG) Mini-Agricultural District: Outlot C in the NW ¼ of Sec 26-T123N-R64W and the East 1185' of the N ½ of the SW ¼ of Sec 26-T123N-R64W, except Lot B and except the West 294' of the North 860', Brown County, SD (2130 12<sup>th</sup> Street South and adjacent land to the South). All members present voting aye. Motion carried.

#### TAX DEED SALE:

Moved by Fischbach, seconded by Kippley to authorize advertising the following described property to be offered for sale by auction in the Community Room, Brown County Courthouse Annex, on January 26, 2015 at 10:00 a.m., and further to declare property surplus for purpose of sale: Ravinia Township: Lt 4 Keatts 3<sup>rd</sup> Subdivision in the NE ¼ Sec 22-T124N-R65W (127131 378<sup>th</sup> Ave). Frederick City: Lt 2 Blk 1 Simmons Addn to Frederick (603 4<sup>th</sup> Street). Columbia City: Lts 201, 203, 205, 207, 209, 211, 213 and 215 Broadway Peck's 1<sup>st</sup> Addn (bare lot); W 130' Lts 202, 204, 206, 208 and 210 and S 15' of W 130' of Lts 212, 214 and 216, James Street Peck's 1<sup>st</sup> Addn (204 N James Street). All members present voting aye. Motion carried.

#### PARTIAL PAYMENTS:

Moved by Hansen, seconded by Kippley to authorize Sheila Enderson, County Treasurer to accept partial payments for taxes (as authorized by SDCL 10-21-7) on the following properties: (1) \$3,000.00 down and \$600.00 per month on Lt 8 Bk 7 Forest Acres 3<sup>rd</sup> Addition to the City of Aberdeen (1504 7<sup>th</sup> Street S), effective February 25, 2015; and (2) \$300.00 per month on Lt 3 Carlisle Heirs Replat Lt 23-25 Blk 53 2<sup>nd</sup> Addition to the City of Aberdeen (105 9<sup>th</sup> Ave SW), effective January 20, 2015. All members present voting aye. Motion carried.

#### LEASE AGREEMENT:

Moved by Fischbach, seconded by Hansen to approve the following agreement, submitted by A-Town Roller Girlz for lease of the Clubhouse Jan – Dec 2015 at \$10 per practice and \$20.00 per month for utilities. All members present voting aye. Motion carried.

**BCCHC CONTRACT:**

Moved by Kippley, seconded by Hansen to approve and authorize the Chairman sign Contract with the State of South Dakota for providing community health-nursing services in Brown County for fiscal year 2015 in amount of \$18,540.00. All members present voting aye. Motion carried.

**NECOG AGREEMENT:**

Moved by Fischbach seconded by Sutton to approve and authorize the Chairman sign Joint Cooperative Agreement with NECOG for 2015 in amount of \$23,177.99. All members present voting aye. Motion carried.

**AGREEMENT FOR MEDICAL CASEWORK SERVICES:**

Moved by Hansen, seconded by Fjeldheim to approve and authorize the Chairman sign Agreement for Medical Casework Services with Hyde County, whereby the Brown County Welfare Department personnel will provide Medical casework services in making recommendations/suggestions for Hyde County's medical claims payment, effective January 1, 2015 through December 31, 2015. All members present voting aye. Motion carried.

**SDPAA CONTRACT:**

Moved by Hansen, seconded by Fischbach to approve and authorize the Chairman to sign an Intergovernmental Contract (IGC) reaffirming Brown County's membership in a local government risk pool known as the South Dakota Public Assurance Alliance (SDPAA). All members present voting aye. Motion carried.

**LANDFILL UNIT 2 CELL 2:**

Moved by Hansen, seconded by Kippley to approve and authorize Chairman to sign Certificate of Acceptance; Certificate of Substantial Completion; and accept for filing the Affidavit of Contractor and Indemnity Agreement provided by B&B Contracting for the Landfill Unit 2 Cell 2 Construction Project. All members present voting aye. Motion carried.

**POLICY MANUAL AMENDMENT:**

Moved by Hansen, seconded by Fjeldheim to amend E-12 – Holidays, Brown County Employee Policy Manual, as follows: Delete "Friday before Easter – For Presidents Day" and Add "Presidents Day – Third Monday in February" as a paid holiday for eligible employees; and further to add the following new paragraph to E-12 – Holidays: Each January, the Brown County Commission may announce bonus days off under the following conditions: each employee will be compensated regular pay for the number of hours on the designated bonus day, if an employee is required to work a full shift on the bonus day off, the number of hours worked will be added to their vacation record - under no circumstances will premium pay be paid for these hours. All members present voting aye. Motion carried.

Moved by Hansen, seconded by Fjeldheim to declare the Friday before Easter (April 3), the day after Thanksgiving (November 27), and the day before Christmas (Dec 24) as bonus days off in fiscal year 2015. All members present voting aye. Motion carried.

**RECESS:**

The Chairman declared the Commission recessed until January 13, 2015.

Maxine Fischer, Brown County Auditor

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## JANUARY 13, 2015 – GENERAL MEETING

Meeting called to order by Chairman Sutton at 8:45 A.M. in the Commissioner's Chambers, Courthouse Annex, Brown County, SD. Present were Commissioners Hansen, Kippley, Fischbach and Fjeldheim. Commissioner Sutton led the Pledge of Allegiance.

### MINUTES:

Moved by Fischbach, seconded by Hansen to approve the Reorganizational Meeting Minutes of January 6, 2015. All members present voting aye. Motion carried.

### CLAIMS:

Moved by Hansen, seconded by Kippley to approve the following claims:

Payroll: Commission \$3,767.51; Commission Assistant/Human Resources \$4,088.74; Auditor \$6,286.07; Treasurer \$12,031.67; Data Processing \$3,282.40; State's Attorney \$15,169.69; Blood Draws \$150.00; SVAWA Grant \$1,873.94; Maintenance \$6,451.68; Assessor \$13,104.50; Register of Deeds \$8,758.87; Veterans Service Office \$3,563.74; GIS \$2,195.60; Sheriff Admin \$33,057.25; Jail \$37,517.22; Coroner \$1,490.00; JDC \$17,179.44; HD \$5,026.41; Welfare Office \$3,500.48; Museum \$7,194.96; Parks & Fairgrounds \$4,390.44; Fair Board \$4,135.24; 4-H \$828.24; Weed \$0; Planning and Zoning \$1,586.47; Highway \$44,486.46; Communications \$24,256.25; Emergency Management \$3,331.32; Teen Court \$51.12; 24/7 \$3,053.52; Landfill \$10,660.87.

Matching Benefits: FICA \$16,626.07; Medicare \$3,888.33.

Professional Fees: Aberdeen American News \$188.00; AOSNC \$3,411.09; Kristi Brandt \$37.50; Colleen Brazil \$200.00; Denise Cody \$22.50; DevNet \$3,281.25; Lewis & Clark BHS \$320.00; LexisNexis \$145.30; Lucy Lewno \$172.99; Midstates Printing \$75.00; NECOG \$23,177.99; Schneider Corp. \$2,265.00; SD Dept. of Revenue \$446,077.26; Sivertsen Technology \$700.00; Karen Swanda \$22.50; Sara Zahn \$61.20; Christopher Dohrer \$4,375.00; Kuck Law Office \$3,750.00; Richardson, Wyly, Wise, Sauck \$3,700.50; Ronayne Law Office \$3,750.00; Christy Serr \$4,375.00.

Publishing: Aberdeen American News \$310.16; Hub City Radio \$400.00; Midstates Printing \$325.00; Victor Fischbach \$376.37.

Rentals: Advantage Self Storage \$1,656.00; Danne \$128.05; Goldade Properties \$300.00; Rollie White \$300.00.

Repairs & Maintenance: Dakota Electronics \$37.50; Dakota Tree Company \$679.00; Lien Transportation \$522.50; Parcel Erickson \$302.39; SD Dept. of Public Safety \$5,650.00; Steven Lust Automotive \$54.00; US Bank \$625.52.

Supplies: A & B Business \$35.43; AmeriPride \$58.90; Br. Co. Treasurer \$36.30; Cash-Wa \$5,309.96; Digital Ally \$70.00; Earthgrains \$390.15; Ecolab Pest Elimination \$201.43; Intoximeters \$2,000.00; Jones Drug \$63.61; Kessler's \$116.65; Marianne Marttila-Klipfel \$28.35; Marco \$260.74; Midstates Printing \$6.30; Network Services \$483.40; Parcel Erickson \$30.00; PrintElect \$490.60; Sheehan \$490.02; Tri-State Water \$30.40; Tru-Green Chemlawn \$412.25; US Bank \$6,035.83; West Payment Center \$90.00.

Travel & Conference: SD Assoc. of Assessing Officers \$330.00; Assoc. of SD County Weed & Pest \$315.00; Allie Ryckman \$17.00; US Bank \$1045.00.

Utilities: Aberdeen City Treasurer \$713.46; Exec. Mgmt. \$75.54; James Valley Telecommunication \$221.50; Midcontinent \$718.46; Midwest Alarm \$51.50; Northern Electric \$59.80; NVC \$2,306.73; Richmond Lake Sanitary Dist. \$2,700.00; US Bank \$741.48.

Other: Mattern Electric \$5,500.00; SD Assoc. of County Officials \$1,042.00; US Bank \$3,215.24;

All members present voting aye. Motion carried.

### PERSONNEL:

Moved by Kippley, seconded by Fjeldheim to approve the following employee step increases, effective January 18, 2015: Jesse Milbrandt @ \$17.35 per hour, Brian Bahr @ \$17.02 per hour. All members present voting aye. Motion carried.

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Moved by Fischbach seconded by Kippley to acknowledge the following miles driven and amount to be taxed for personal use of County vehicles during the month of December 2014: Kendell Titze – 120 @ \$69.00, Michael Scott – 210 @ \$120.75, Gary Vetter – 24 @ \$13.80, Dirk Rogers – 532 @ \$305.90. All members present voting aye. Motion carried.

Moved by Hansen, seconded by Fjeldheim to acknowledge payroll audit conducted on the October 12 - 25, 2014 pay period. All members present voting aye. Motion carried.

Moved by Hansen, seconded by Kippley to acknowledge resignation of Michael Merkel, IT Department effective January 26, 2015; and further approve request to fill vacancy. All members present voting aye. Motion carried.

Moved by Hansen, seconded by Fjeldheim at approve request to fill vacancy at the Landfill for part-time facility maintenance employee. All members present voting aye. Motion carried.

Moved by Fischbach, seconded by Kippley to acknowledge resignation of Nicholas DeVries, Jail Correctional Officer, effective January 22, 2015; and further approve request to fill vacancy. All members present voting aye. Motion carried.

#### **SURPLUS PROPERTY:**

Moved by Kippley, seconded by Fischbach to declare scrap metal from Highway Department and Maintenance surplus for purpose of sale in 2015. All members present voting aye. Motion carried.

#### **WAIVE SOLID WASTE FEES:**

Moved by Fischbach, seconded by Kippley to approve and authorize waiving the following Solid Waste credit slips: EZ Builders @ \$6.77, National Guard @ \$0.32, Mohrs Fencing @ \$1.20, Schultz Construction @ \$2.13, JRS Industrial Environment @ \$4.98, Mardian Scrap Recycling @ \$3.85, Legacy Builders @ \$0.56, Presentation College @ \$0.91, Richmond Recreation Area @ \$0.87, NW Energy @ \$0.85, A-1 Sanitation @ \$259.68, City of Aberdeen @ \$73.11, Aberdeen City Airport @ \$1.68. All members present voting aye. Motion carried.

#### **SHERIFF REPORTS:**

Moved by Hansen, seconded by Sutton to approve the following December 2014 Sheriff Reports: Incidents and offenses, Prisoner care, JDC, and Money deposited with the County Treasurer. All members present voting aye. Motion carried.

#### **AGREEMENT FOR MEDICAL CASEWORK SERVICES:**

Moved by Hansen, seconded by Fjeldheim to approve and authorize the Chairman sign Agreement for Medical Casework Services with Sully County, whereby the Brown County Welfare Department personnel will provide Medical casework services in making recommendations/suggestions for Sully County's medical claims payment, effective January 1, 2015 through December 31, 2015. All members present voting aye. Motion carried.

#### **JAIL/JDC CONTRACT:**

Moved by Fischbach, seconded by Hansen to approve and authorize the Chairman sign Contract with Edmunds County for housing inmates at the Jail at \$50.00 for each prisoner-day and for housing juveniles in the Detention Center at \$220.00 per prisoner-day. All members present voting aye. Motion carried.

#### **ABATEMENTS:**

Moved by Fjeldheim, seconded by Kippley to amend amount on Abatement approved on January 6, 2015 from \$1,097.43 to \$632.86 (Brown County – difference previously deposited in Treasurers Trust); and approve and authorize the Chairman sign abatement in amount of \$360.00 (Westport Sewer transferred from BOLS to land). All members present voting aye. Motion carried.

#### STORM READY AWARD:

Jim Scarlett, National Weather Service presented the "Storm Ready" Award for Brown County to Scott Meints, Emergency Management Director; and further congratulated Scott for his efforts as the Storm Ready/Weather Ready Nation Ambassador for the residents of Brown County.

#### HOSPITAL CLAIM:

Moved by Kippley, seconded by Fischbach to deny payment of the following hospital claim: 34 year old male @ \$19,727.40, as the individual has not provided sufficient information to determine if indigent. All members present voting aye. Motion carried.

#### USE OF MEETING ROOM:

Moved by Kippley, seconded by Fischbach to waive fee for use of an office at the 1<sup>st</sup> Ave Office Building several days each week during the Affordable Care Act enrollment period as an outreach program for the residents of Brown County. All members present voting aye. Motion carried.

#### PROBATION OFFICE PROJECT:

Judy Dosch, Maintenance Superintendent presented draft plan for revamping space to provide additional offices for use by Probation Officers when implementing the Drug Court Program later this year.

#### LF LEACHATE PUMPING SYSTEM:

Moved by Hansen, seconded by Fjeldheim to authorize Mike Scott, Landfill Manager to proceed with Leachate Pumping System Project on the west side of Unit 2 Cell 1 at the Landfill, as proposed by Houston Engineering to enhance monitoring procedures and methane gas emissions. All members present voting aye. Motion carried.

#### LANDFILL AGREEMENT:

Moved by Hansen, seconded by Fjeldheim to approve and authorize the Chairman to sign 2015 agreement with Leggette, Brashears and Graham, Inc. for Environmental Monitoring, Investigations and Permit Consultation at the Brown County Landfill at an estimated cost of \$62,000.00. All members present voting aye. Motion carried.

#### HIGHWAY UPDATE:

Dirk Rogers, Highway Superintendent discussed several bridges and preliminary plans for construction of an addition to the existing shredder building to house equipment.

#### RECESS:

The Chairman declared the Commission recessed until January 20, 2015.

Maxine Fischer, Brown County Auditor *Maxine Fischer*

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## JANUARY 20, 2015 – GENERAL MEETING

Meeting called to order by Chairman Sutton at 8:45 A.M. in the Commissioner's Chambers, Courthouse Annex, Brown County, SD. Present were Commissioners Hansen, Kippley, Fischbach and Fjeldheim. Commissioner Sutton led the Pledge of Allegiance.

### MINUTES:

Moved by Hansen, seconded by Kippley to approve the General Meeting Minutes of January 13, 2015. All members present voting aye. Motion carried.

### CLAIMS:

Moved by Fischbach, seconded by Fjeldheim to approve the following claims:

Professional Fees: Adamsoft \$9,847.06; Avera St. Luke's \$20,406.32; Jodi Brown \$245.00; Dean Schaefer Court Reporting \$45.00; Language Line Services \$90.13; Allan Merkel \$158.36; Gina Rogers \$3,750.00; Sanford Health \$303.57; Sanford Health Occupational \$210.00; SD Dept. of Revenue & Regulation \$1,001.13; SD Emergency Mgmt. Assoc. \$60.00; State Bar of SD \$1,960.00; Mitch Vilhauer \$489.66; Yankton Co. Sheriff Office \$50.00; Gina Rogers \$3,750.00.

Publishing: Aberdeen American News \$213.00; Midstates Printing \$425.00.

Rentals: Virginia Mitchell \$50.00; Zumbaum Property Mgmt. \$310.00.

Repairs & Maintenance: GCR Tires & Service \$866.24; GIS Workshop \$980.00.

Supplies: A & B Business \$64.55; Best Business Products \$176.80; DPM Mercantile \$3.95; DT Pharmacy \$1,608.98; Fire Safety First \$100.00; Gardner Locksmithing \$545.00; GovConnection \$147.80; Harr Motors \$200.00; Marco \$25.31; Menards \$175.89; SD Dept. of Public Safety \$2,840.00; US Bank \$558.14; West Payment Center \$2,446.04.

Travel & Conference: City of Groton \$178.34; SD Emergency Mgmt. Assoc. \$80.00; US Bank \$27.50.

Utilities: Aberdeen City Treasurer \$275.04; CenturyLink \$1105.81; City of Hecla \$238.25; Northern Electric \$2,109.35; NWPS \$366.27; Verizon \$200.05.

Other: JRWD \$1201.84; Safe Harbor \$815.00. All members present voting aye. Motion carried.

### PERSONNEL:

Moved by Hansen, seconded by Kippley to acknowledge resignation of Marissa Johnson, Blood Draw Technician, effective January 23, 2015. All members present voting aye. Motion carried.

Moved by Hansen seconded by Kippley to amend the miles driven and amount to be taxed for personal use of County vehicle during the month of December 2014 for Gary Vetter from 24 @ \$13.80 to 128 @ \$73.60. All members present voting aye. Motion carried.

### COURT SECURITY GRANT:

Moved by Hansen, seconded by Fjeldheim to acknowledge approval of grant application for the Court Security Grant Program in amount of \$3,348.00 (50/50 grant) for installation of an access control security system for judge's chambers and Clerk of Courts Office (total project cost @ \$6,696.00). All members present voting aye. Motion carried.

### ABATEMENTS:

Moved by Fischbach, seconded by Hansen to approve and authorize the Chairman sign the following Abatements: Brown County @ \$21.30 (tax deed); Destony Bulcher @ \$77.00 (SW fee on bare lot). All members present voting aye. Motion carried.

### LANDFILL UNIT 2 CELL 2 GRANT REIMBURSEMENT REQUEST #3:

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Moved by Kippley, seconded by Fischbach to approve and authorize Chairman to sign Reimbursement Request #3 for Landfill Unit 2 Cell 2 Construction Project Grant #2015G-SW-100 in amount of \$30,811.57. All members present voting aye. Motion carried.

**SVAWA GRANT:**

Moved by Hansen, seconded by Fjeldheim to approve and authorize the Chairman sign Memorandum of Commitment for Coordinated Response Team as part of the Stop Violence Against Women Act Grant Program. All members present voting aye. Motion carried.

**EXECUTIVE SESSIONS:**

Moved by Hansen, seconded by Fjeldheim to go into executive session to discuss personnel, per SDCL 1-25-2(1) with Larry Lovrien and Gary Vetter in attendance. All members present voting aye. Motion carried.

The Chairman declared the executive session closed, with no action taken as a result of the discussion.

Moved by Hansen, seconded by Fjeldheim to go into executive session to discuss personnel, per SDCL 1-25-2(1) with Larry Lovrien and Gary Vetter in attendance. All members present voting aye. Motion carried.

The Chairman declared the executive session closed, with no action taken as a result of the discussion.

**RECESS:**

The Chairman declared the Commission recessed until January 27, 2015.

Maxine Fischer, Brown County Auditor



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JANUARY 26, 2015 - JOINT ABERDEEN CITY/BROWN COUNTY MEETING

The Brown County Commission and the Aberdeen City Council met in joint session at 5:30 P.M. in the City Council Chambers, 123 S Lincoln, Aberdeen, SD. Present from City were Council Members Bunsness, Campbell, Johnson, Remily, Ronayne, Rux, Swanson and Mayor Levsen. Council Member Slaight-Hansen was absent. Present from County were Commissioners Hansen, Kippley, Fischbach and Sutton. Commissioner Fjeldheim was absent.

ORDINANCE #15-01-01/442:

On motion by Rux and seconded by Johnson, the City unanimously voted to postpone the Hearing for possible first reading of Ordinance #15-01-01/442 to a February 23, 2015 Joint Meeting.

ORDINANCE #15-01-01/442:

Moved by Hansen, seconded by Fischbach to postpone the Hearing for possible first reading of Ordinance #15-01-01/442 to a February 23, 2015 Joint Meeting, Ordinance #15-01-01/442, An Ordinance to amend Ordinance No. 1164 to rezone the following described property from its present zoning designation of (R-2) Medium Density Residential District, (A-1) Agricultural District, and (R-5) Trailers, Trailer Parks and Planned Residential Area Trailers District to (M-AG) Mini-Agricultural District: Outlot C in the NW ¼ of Sec 26-T123N-R64W and the East 1185' of the N ½ of the SW ¼ of Sec 26-T123N-R64W except Lot B and except the West 294' of the North 860', Brown County, SD (2130 12<sup>th</sup> Street South and adjacent land to South). All members present voting aye. Motion carried.

Moved by Kippley, seconded by Fischbach to adjourn the Brown County Commission. All members present voting aye. Motion carried.

Maxine Fischer, Brown County Auditor



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## JANUARY 27, 2015 – GENERAL MEETING

Meeting called to order by Chairman Sutton at 8:45 A.M. in the Commissioner's Chambers, Courthouse Annex, Brown County, SD. Present were Commissioners Hansen, Kippley and Fischbach. Commissioner Fjeldheim was absent. Commissioner Sutton led the Pledge of Allegiance.

### MINUTES:

Moved by Hansen, seconded by Fischbach to approve the General Meeting Minutes of January 20, 2015. All members present voting aye. Motion carried.

### CLAIMS:

Moved by Kippley, seconded by Hansen to approve the following claims:

Payroll: Commission \$3,767.51; Commission Assistant/Human Resources \$4,088.74; Auditor \$7,410.31; Treasurer \$12,031.67; Data Processing \$7,604.92; State's Attorney \$15,169.69; Blood Draws \$350.00; SVAWA Grant \$1,873.94; Maintenance \$6,422.07; Assessor \$13,104.50; Register of Deeds \$8,758.87; Veterans Service Office \$3,563.74; GIS \$2,195.60; Sheriff Admin \$32,229.10; Jail \$33,338.73; JDC \$15,295.56; HD \$4,753.10; Welfare Office \$3,500.47; Museum \$7,194.96; Parks & Fairgrounds \$4,390.44; Fair Board \$4,357.42; 4-H \$1,134.48; Weed \$1,213.44; Planning and Zoning \$1,586.47; Highway \$46,403.20; Communications \$21,160.32; Emergency Management \$3,331.32; Teen Court \$39.33; 24/7 \$2,827.79; Landfill \$11,045.39.

Matching Benefits: FICA \$16,469.84; Medicare \$3,851.80; Life \$675.78; Dental \$6,630.00; Health Insurance \$106,046.40; Retirement \$33,885.56.

Professional Fees: Adam Altman \$4,444.45; Kristi Brandt \$56.25; Colleen Brazil \$1,323.36; Dakotabilities \$200.00; Dependable Sanitation \$21,740.74; Chris Dohrer \$5,069.45; Victor Fischbach \$1,500.00; Kuck Law Office \$4,444.45; Midstates Printing \$75.00; Richardson, Wyly, Wise & Sauck Law Firm \$4,444.45; Ronayne Law Office \$4,444.45; Sanford Health \$4,424.43; SD Junior Point Show \$400.00; Christy Serr \$5,069.45; Yankton Co. Sheriff Office \$25.00; Sara Zahn \$54.40; Zylstra Investigations \$552.79.

Publishing: Aberdeen American News \$655.95; DakotaPress \$4,421.96; Glacial Lakes & Prairie Tourism \$101.00.

Rentals: Better Rentals \$300.00; Northern Electric Coop. \$1,200.00; SD Real Estate \$260.00; The LLC \$250.00; Zumbaum Property Mgmt. \$150.00.

Repairs & Maintenance: Biegler's \$8.20; Brown Co. Hwy. \$474.68; KONE \$65,900.00.

Supplies: A & B Business \$161.10; Crescent Electric Supply \$116.34; Dakota Supply Group \$354.12; Danko \$141.63; DPM Mercantile \$25.00; Fisher's Cleaning Service \$90.00; GovConnection \$2,628.43; Grafix Shoppe \$779.87; Marianne Marttila-Klipfel \$57.92; Kmart Pharmacy \$11.79; Knight Towing \$425.00; Lar-Jo's \$12.85; Leidholt Electric \$89.04; Marco \$284.81; McLeod's Printing \$248.77; Menards \$636.44; Midstates Printing \$1,662.00; Network Services Co. \$370.87; Performance Rentals \$100.00; Pitney Bowes \$5,045.00; Premier Biotech \$127.38; ProForma \$561.46; SD Sheriff's Assoc. \$1,445.93; UltraMax \$936.00; United Clinic Pharmacy \$79.29; West Payment Center \$2,216.19; Zones \$268.00.

Travel & Conference: Bureau of Human Resources \$56.00; Executive Mgmt. \$1,127.53; Leo Leshner \$224.66; Gene Loeschke \$131.13.

Utilities: CenturyLink \$2,648.70; NWPS \$6,473.62; Verizon \$2,269.77.

Other: Aberdeen Development Corp. \$20,000.00; Alexander Mitchell Library \$12,000.00; Area IV Nutrition \$1,500.00; Foster Grandparent Program \$1,000.00; Pizza Ranch \$103.44. All members present voting aye. Motion carried.

### PERSONNEL:

Moved by Fischbach, seconded by Kippley to approve the following employee step increases, effective February 1, 2015: Ben Smith @ \$20.74 per hour, Anthony Sorenson @ \$20.74 per hour, Kevin Ernst @

\$17.35 per hour, Christopher Schafer @ \$18.83 per hour. All members present voting aye. Motion carried.

Moved by Hansen, seconded by Kippley to approve hiring Harmony Mattson as Blood Draw Technician, effective January 27, 2015 at \$50.00 per Blood Draw. All members present voting aye. Motion carried.

Moved by Fischbach seconded by Hansen to approve hiring Nicole Leslie as Jail Correctional Officer, effective February 17, 2015 at \$14.88 per hour. All members present voting aye. Motion carried.

#### AGREEMENT FOR MEDICAL CASEWORK SERVICES:

Moved by Hansen, seconded by Kippley to approve and authorize the Chairman sign Agreement for Medical Casework Services with Potter County, whereby the Brown County Welfare Department personnel will provide Medical casework services in making recommendations/suggestions for Potter County's medical claims payment, effective January 1, 2015 through December 31, 2015. All members present voting aye. Motion carried.

#### LEASE AGREEMENT:

Moved by Hansen, seconded by Fischbach to approve and authorize the Chairman sign agreement with Liebelts RV for lease of the Holum Expo Building from March 10 – March 22, 2015. All members present voting aye. Motion carried.

#### PLATS:

Commissioner Fischbach offered the following Resolution:

#### RESOLUTION #4-15

BE IT RESOLVED by the Board of Commissioners of Brown County, SD, that the plat showing "D & E Dinger Addition in the NW ¼ of Sec 23-T128N-R61W of the 5<sup>th</sup> P.M., Brown County, SD", having been examined is hereby approved in accordance with the provisions of SDCL of 1967, Chapter 11-3, and any amendments thereof.

Seconded by Commissioner Kippley. Roll call vote: Commissioners Hansen-aye, Kippley-aye, Fischbach-aye, Fjeldheim-absent, Sutton-aye. Resolution adopted.

Commissioner Fischbach offered the following Resolution:

#### RESOLUTION #5-15

BE IT RESOLVED by the County Commission of Brown County, SD, that the plat showing "Tewksbury Tract 1 in the SE ¼ of Sec 11-T121N-R60W of the 5<sup>th</sup> P.M., Brown County, SD", having been examined is hereby approved in accordance with the provisions of SDCL of 1967, Chapter 11-3, and any amendments thereof.

Seconded by Commissioner Kippley. Roll call vote: Commissioners Hansen-aye, Kippley-aye, Fischbach-aye, Fjeldheim-absent, Sutton-aye. Resolution adopted.

#### MAINTENANCE AGREEMENT:

Moved by Hansen, seconded by Kippley to approve and authorize the Chairman sign Maintenance and Support Services Agreement with GIS Workshop LLC for Director of Equalization Department, effective February 15, 2015 thru February 15, 2016. All members present voting aye. Motion carried.

**ABATEMENT:**

Moved by Kippley, seconded by Fischbach to approve and authorize the Chairman sign the following Abatement: GNG Inc @ \$1,006.63 (duplicate assessment). All members present voting aye. Motion carried.

**PARTIAL PAYMENTS:**

Moved by Hansen, seconded by Kippley to authorize Sheila Enderson, County Treasurer to accept partial payments for taxes (as authorized by SDCL 10-21-7) on the following property: \$200.00 per month on the W 280.5' of E 2490' of S 465' SE 33-124-64 (38460 130<sup>th</sup> Street), effective February 1, 2015. All members present voting aye. Motion carried.

**SDPAA:**

Moved by Hansen, seconded by Kippley to approve and authorize the Chairman sign documentation for Brown County's participation in the South Dakota Public Assurance Alliance for the 2015-2016 term. All members present voting aye. Motion carried.

**FAIR CONTRACT:**

Moved by Hansen, seconded by Kippley to approve and authorize the Chairman to sign entertainment contract with Gary Allan Tours, Inc for Saturday, August 15, 2015 in amount of \$90,000.00. All members present voting aye. Motion carried.

**SERVICE ROAD:**

Gale Gunderson, Knight Trucking and Trailer Sales met to discuss a portion of service road along US 281 that Brown County acquired from the state of South Dakota. No action taken at this time.

**EXECUTIVE SESSION:**

Moved by Hansen, seconded by Fischbach to go into executive session to discuss personnel and contracts, per SDCL 1-25-2(1) & (4) with Amy Scott, Larry Lovrien and Gary Vetter in attendance. All members present voting aye. Motion carried.

The Chairman declared the executive session closed, with no action taken as a result of the discussion.

**EXITING EMPLOYEE CHECKLIST:**

Moved by Hansen, seconded by Kippley to approve the Exiting Employee Checklist for use by Departments, as submitted by Gary Vetter, Commission Assistant. All members present voting aye. Motion carried.

**EMPLOYEE POLICY MANUAL CHANGES:**

Moved by Kippley, seconded by Fischbach to authorize distribution of Employee Policy Manual Changes previously approved in minutes of December 30, 2014, as follows Sections A-1, A-2, A-5, C-1, C-2, C-6, C-10, C-11, C-12, C-14, C-16, C-17, and D-2. All members present voting aye. Motion carried.

**COMMISSION ASSISTANT UPDATE:**

Gary Vetter, Commission Assistant discussed Treasurers location during Fair; permit fees; new hire background checks.

**STATES ATTORNEY TEMPORARY ATTORNEY:**

Moved by Hansen, seconded by Fischbach to authorize Larry Lovrien, States Attorney secure an additional Attorney on a temporary basis to assist with Magistrate Court and other duties to alleviate any backlog due to time involved in an upcoming criminal case. All members present voting aye. Motion carried.

**BID AWARD - CULVERTS:**

Moved by Fischbach, seconded by Kippley to award low bid, submitted by TrueNorth Steel Company, Huron for furnishing and delivery of metal culverts and bridge material, as bid by Beadle County on January 6, 2015; and further reject bid submitted by Central Culvert Supply, Pierre. All members present voting aye. Motion carried.

**BID DATE SET – HIGHWAY SUPPLIES/EQUIPMENT RENTAL:**

Moved by Hansen, seconded by Fischbach to authorize advertising public hearing to open, read and consider bids for the following items: Hot Mix on February 24, 2015 at 8:45 a.m., Gravel Material on February 24, 2015 at 8:50 a.m., Road Oil on February 24, 2015 at 8:55 a.m. and Rental Equipment on February 24, 2015 at 9:00 a.m. in the Commissioner's Chambers, Courthouse Annex, Brown County, SD. All members present voting aye. Motion carried.

**HIGHWAY UPDATE:**

Dirk Rogers, Highway Superintendent discussed current projects; long range planning session on Feb 3 at 11 a.m. at Highway Department; shredder building addition.


**EXECUTIVE SESSION:**

Moved by Hansen, seconded by Fischbach to go into executive session to discuss contract, per SDCL 1-25-2(4) with Larry Lovrien and Gary Vetter in attendance. All members present voting aye. Motion carried.

The Chairman declared the executive session closed, with no action taken as a result of the discussion.

**RECESS:**

The Chairman declared the Commission recessed until February 3, 2015.

Maxine Fischer, Brown County Auditor 

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## FEBRUARY 3, 2015 – GENERAL MEETING

Meeting called to order by Chairman Sutton at 8:45 A.M. in the Commissioner's Chambers, Courthouse Annex, Brown County, SD. Present were Commissioners Hansen, Kippley, Fischbach and Fjeldheim. Commissioner Kippley led the Pledge of Allegiance.

### MINUTES:

Moved by Hansen, seconded by Kippley to approve the Joint City/County Meeting minutes of January 26, 2015 and the General Meeting Minutes of January 27, 2015. All members present voting aye. Motion carried.

### CLAIMS:

Moved by Hansen seconded by Fjeldheim to approve the following claims:

Professional Fees: Avera St. Luke's \$3,199.17; Child's Voice \$1,390.35; Becky Erickson \$150.00; Michelle Gaikowski \$26.60; Horizon Health Care \$46.95; Joan Kittelson \$30.00; Lucy Lewno \$288.00; Sanford Health \$65.31; Kristi Spitzer \$710.00; Karen Swanda \$30.00; Yankton Co. Treasurer \$241.75.

Publishing: Aberdeen American News \$50.31; Dex Media \$53.55; Groton Independent \$566.68.

Rentals: Aberdeen Housing Authority \$330.00; Builder's Mgmt. & Invest Co. \$150.00; Fifth Ave. Holdings \$310.00; Mary Gederos \$150.00; Golden West \$200.00; Timothy Reed \$250.00.

Repairs & Maintenance: A & B Business \$511.66; Dakota Doors \$1,263.26; Dakota Pump & Control \$280.61; Dakota Tree Co. \$566.00; Marco \$86.40.

Supplies: 446-Praxair \$2,704.52; A & B Business \$177.96; Aberdeen American News \$188.00; Allegiant \$36,000.00; Bonnie Bitz \$508.00; Century Business Products \$52.70; Crescent Electric \$306.96; DPM Mercantile \$18.95; Kustom Signals \$6,756.00; Lucy Lewno \$11.48; Midstates Printing \$1,286.43; Diane Mielke \$21.99; Network Services \$782.89; Premier Biotech \$1,179.12; Sander's Sew 'n' Vac \$469.99.

Travel & Conference: Lynn Heupel \$144.83; Becca Tullar \$73.32.

Utilities: Aberdeen City Treasurer \$1,838.09; AT & T Mobility \$533.49; BDM Rural Water \$30.00; CenturyLink \$300.41; Dependable Sanitation \$286.00; Midcontinent \$309.70; NWPS \$11,785.53; Web Water \$67.86. All members present voting aye. Motion carried.

### PERSONNEL:

Moved by Kippley, seconded by Fischbach to approve hiring Mary Locken, as part-time Museum Employee, effective February 9, 2015 at \$12.21 per hour. All members present voting aye. Motion carried.

### ALCOHOLIC BEVERAGE LICENSE HEARING:

Moved by Fischbach, seconded by Kippley to authorize advertising public hearing to consider the following application for an Alcoholic Beverage License to operate outside of the Municipality, to be held at 9:05 A.M. on February 24, 2015: Dave Schumaker DBA Elm Lake Resort. All members present voting aye. Motion carried.

### QUIT CLAIM DEEDS:

Moved by Hansen, seconded by Fjeldheim to approve and authorize the Chairman sign Quit Claim Deeds for the following property acquired by tax deed to: Darrel L Napton – Lot 2, Block 1 Simmons Addition to Frederick, Brown County, SD; John P Hoyle – Lot 4, Keatts 3<sup>rd</sup> Subdivision in the NE ¼ of Sec 22-T124-R65W of the 5<sup>th</sup> P.M., Brown County, SD. All members present voting aye. Motion carried.

### CREDIT COLLECTIONS BUREAU:

Moved by Fjeldheim, seconded by Fischbach to approve and authorize the Chairman sign Agreement for collection of a select list of delinquent poor relief/indigent council accounts for Brown County with Credit Collections Bureau. All members present voting aye. Motion carried.



**SURPLUS PROPERTY:**

Moved by Kippley, seconded by Hansen to declare obsolete computer and related equipment surplus for disposal at the Brown County Landfill (complete list on file at the Auditor's Office). All members present voting aye. Motion carried.

**ABATEMENT:**

Moved by Fischbach, seconded by Hansen to approve and authorize the Chairman sign the following Abatement: Homes Are Possible Inc @ \$471.11 (holding pond). All members present voting aye. Motion carried.

**SHERIFF CLOTHING ALLOWANCE:**

Sheriff Mark Milbrandt and Deputy Tom Schmitt discussed clothing allowance for Sheriff Department, explaining that the allowance is calculated as a lump sum for the department, not per employee; and further stated a written policy shall be prepared.

**EQUIPMENT PURCHASE:**

Moved by Hansen, seconded by Kippley to approve and authorize purchase of a new san (hard drive for information storage) for the County's technology infrastructure from EqualLogic (PS6210X 28.8TB) @ \$35,934.40, as recommended by Paul Sivertsen; rejecting quotes from HP (3PAR 29TB) @ \$45,302.78, EMC (VNX5200) @ \$59,769.54, Nimble Storage (27TB) @ \$57,521.00. All members present voting aye. Motion carried.

**MUSEUM ELEVATOR:**

Judy Dosch, Maintenance Supervisor and Sue Gates, Museum Director discussed the purchase of a fire alarm panel for the Museum elevator, recommending low quote submitted by ITS @ \$5,413.00; rejecting Midwest Alarm @ \$10,938.21. Board concurred.

**PROBATION REMODEL:**

Moved by Kippley, seconded by Fischbach to approve proposal from HKG for architectural services for the Probation Remodel Project in amount not to exceed \$6,700.00 (excluding printing costs). All members present voting aye. Motion carried.

**JAIL CELL DOOR PROJECT:**

Moved by Fjeldheim, seconded by Hansen to approve and authorize the Chairman sign determination of factual basis document stating that Southern Folger Detention Equipment qualifies as a sole source equipment provider, as they are the only manufacturer of a replacement lock system for the cells at the Brown County Jail. All members present voting aye. Motion carried.

**BCCHC REPORT:**

DeAnna Kyburz presented the Brown County Community Health Center Report for October - December 2014.

**HB1179:**

Aaron Walberg, Veterans Service Officer met to discuss HB1179 and request permission to attend committee hearings in Pierre. Board concurred.

**EXECUTIVE SESSION:**

Moved by Hansen, seconded by Fjeldheim to go into executive session to discuss personnel, per SDCL 1-25-2(1) with Larry Lovrien and Gary Vetter in attendance; Auditor Fischer was asked to attend. All members present voting aye. Motion carried.

The Chairman declared the executive session closed, with the following action taken as a result of the discussion.

**ABATEMENTS:**

Moved by Fjeldheim, seconded by Hansen to approve the following Abatements: Maxine Fischer @ \$308.00 (Solid Waste on vacant house); Ted Hatzenbeller @ \$500.74 (assessment error); Brown County @ \$1,948.31 (tax deed); Alex Schaeffer @ \$118.49 (RLSD assessment error); Wagner Holding @ \$19,208.55 (assessment error); Russell Howe @ \$240.26 (assessment error); Kathy Ludwig @ \$84.00 (Solid Waste on vacant house); Student Loan @ \$2,991.31 (assessment error); Kevin Braun @ \$154.00 (Solid Waste single unit house). All members present voting aye. Motion carried.

**ZONING FEES WAIVED:**

Moved by Hansen, seconded by Fjeldheim to authorize the Planning/Zoning Administrator waive permit fees for the City of Aberdeen. All members present voting aye. Motion carried.

**BACKGROUND CHECKS:**

Moved by Hansen, seconded by Kippley to implement a background check procedure for all new employees, effective February 3, 2015. All members present voting aye. Motion carried.

**COMMISSION ASSISTANT REPORT:**

Gary Vetter, Commission Assistant discussed bonding for county; holiday schedule; potential location for housing work release program.

**RECESS:**

The Chairman declared the Commission recessed until February 10, 2015.

Maxine Fischer, Brown County Auditor *Maxine Fischer*

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## FEBRUARY 10, 2015 – GENERAL MEETING

Meeting called to order by Chairman Sutton at 8:45 A.M. in the Commissioner's Chambers, Courthouse Annex, Brown County, SD. Present were Commissioners Hansen, Kippley, Fischbach and Fjeldheim. Commissioner Hansen led the Pledge of Allegiance.

### AMY SCOTT:

Chairman Sutton requested a moment of silence to honor the memory Amy Scott, Brown County Fair Manager.

### MINUTES:

Moved by Hansen, seconded by Kippley to approve the General Meeting Minutes of February 3, 2015. All members present voting aye. Motion carried.

### CLAIMS:

Moved by Hansen, seconded by Fischbach to approve the following claims:

Payroll: Commission \$3,767.51; Commission Assistant/Human Resources \$4,088.74; Auditor \$7,502.51; Treasurer \$12,031.67; Data Processing \$7,665.72; State's Attorney \$15,193.55; Blood Draws \$350.00; SVAWA Grant \$1,873.94; Maintenance \$6,375.33; Assessor \$13,104.50; Register of Deeds \$8,758.87; Veterans Service Office \$3,563.74; GIS \$2,195.60; Sheriff Admin \$32,356.58; Jail \$40,481.01; Coroner \$1,650.00; JDC \$16,554.92; HD \$5,057.41; Welfare Office \$3,500.47; Museum \$7,194.96; Parks & Fairgrounds \$4,390.46; Fair Board \$4,156.05; 4-H \$1,113.60; Weed \$691.20; Planning and Zoning \$1,586.47; Highway \$45,463.72; Communications \$22,633.54; Emergency Management \$3,331.32; Teen Court \$114.04; 24/7 \$2,940.63; Landfill \$11,324.35.

Matching Benefits: FICA \$17,103.83; Medicare \$4,000.08

Professional Fees: Amanda Blair \$20.00; Avera St. Luke's \$2,011.56; Marv Ekeren \$30.00; Erin Evans \$51.08; Hope Metzger \$20.00; John Roach \$20.00; Lucy Lewno \$189.00; PRCA \$950.00; SD Dept. of Revenue & Regulation \$571,485.99; Tammy Stolle \$530.60; Karen Swanda \$30.00; Tyler Gauer \$20.00; WPRA \$110.00; Yankton Co. Sheriff \$25.00.

Publishing: Aberdeen American News \$430.42; Dakota Press \$574.50; Hub City Radio \$300.00.

Rentals: Aberdeen Housing Authority \$330.00; Danne \$125.00; LLB, LLP \$175.00; Zumbaum Property Mgmt. \$310.00.

Repairs & Maintenance: Aberdeen Plumbing & Heating \$221.01; Dakota Fluid Power \$68.40; Farnam's \$54.69; Hedahl's \$335.80; Leidholt Electric \$190.96; MC Products \$278.07; Pierson-Ford \$4,888.74; Sheehan Mack Sales \$1,545.17.

Supplies: American Health & Safety \$156.56; Ameripride \$258.22; Dakota Mailing \$54.44; Dakota Supply Group \$62.40; Earthgrains \$563.75; Ed Roehr Safety Products \$741.45; Ferguson Enterprises \$763.01; Full Circle Ag \$773.12; Lar-Jo's \$300.03; Lucy Lewno \$6.49; Marco \$533.63; Menards \$414.48; Midstates Printing \$158.55; MOCIC \$150.00; NCFE – Warner Elevator \$8,268.92; Nelson Sales & Service \$239.82; Network Services Co. \$536.98; Running's \$764.72; Sewing Shoppe \$15.00; State Property Mgmt. \$468.00; Taylor Laundry \$106.00; United Clinic Pharmacy \$58.39; US Postmaster \$146.00.

Travel & Conference: Maxine Fischer \$139.09; Sara Hagman \$9.00; IAAO \$350.00; Cathy Sauer \$9.00.

Utilities: Aberdeen City Treasurer \$1,222.23; James Valley Telecommunications \$221.90; Midcontinent \$64.85; Midwest Alarm \$51.50; Northern Electric \$59.80; NVC \$2,742.36; NWPS \$5,523.05.

Machinery & Equipment: Pierson-Ford \$28,643.00.

Other: Allegiant \$1,800.00; Dacotah Bank \$25.00; Glacial Lakes & Prairie Toursim \$750.00; NESDCAP \$2,500.00; SD Assoc. of County Officials \$846.00. All members present voting aye. Motion carried.

**PERSONNEL:**

Moved by Fischbach, seconded by Hansen to approve the following employee step increases, effective February 15, 2015: Brian Koens @ \$21.95 per hour, Nicholas Juenger @ \$17.67 per hour, Linn Kamin @ \$19.15 per hour, Wes Graff @ \$19.48 per hour, Brad Nehlich @ \$17.77 per hour. All members present voting aye. Motion carried.

Moved by Fischbach, seconded by Kippley to approve hiring Bill Winter as part-time employee at the Landfill, effective February 13, 2015 at \$14.18 per hour. All members present voting aye. Motion carried.

Moved by Fjeldheim, seconded by Hansen to acknowledge resignation of Britney Lout, Teen Court Coordinator effective March 14, 2015; and further approve request to fill vacancy. All members present voting aye. Motion carried.

Moved by Fischbach, seconded by Kippley to acknowledge retirement of Carl Wright, effective February 6, 2015 thanking Carl for over 42 ½ years of dedicated service to Brown County; and further approve request to fill vacancy. All members present voting aye. Motion carried.

**LEASE AGREEMENTS:**

Moved by Hansen, seconded by Kippley to approve and authorize the Chairman sign the following agreements: Prairie Partner Master Gardeners for lease of the Home Arts Building on May 9, 2015; Aberdeen Humane Society for lease of the Club House on April 25, 2015. All members present voting aye. Motion carried.

**HAY CUTTING AT FAIRGROUNDS:**

Moved by Fischbach, seconded by Kippley to authorize advertising for hay cutting proposals on County land – approximately 26 acres at the Fairgrounds, to be opened, read and considered on March 3, 2015 at 8:45 a.m. in the Commission Chambers, Courthouse Annex, Brown County, South Dakota. All members present voting aye. Motion carried.

**RICHMOND LAND LEASE OPTION RENEWAL ADDENDUM:**

Moved by Hansen, seconded by Kippley to approve addendum for second one-year renewal option (January 1, 2015 – December 31, 2015), submitted by Leslie Frohling for lease of approximately 21 acres of county hay land located at the Richmond Youth Camp, Sec 24-T124N-R65W, Brown County, SD. All members present voting aye. Motion carried.

**AUDITORS REPORT OF ACCOUNT:**

Moved by Hansen, seconded by Fjeldheim to approve the January 2015 Auditor's Report of Account with the County Treasurer in total amount of \$15,874,473.61 (total amount of actual cash @ \$3,800.00, US Bank @ \$25,616.26, Dacotah Bank @ \$808,010.95, Petty Cash @ \$2,000.00, Fund Investments @ \$15,035,046.40). All members present voting aye. Motion carried.

**EMPLOYEE HEALTH PLAN PROPOSAL:**

Moved by Kippley, seconded by Hansen to authorize Human Resources to provide Joe Huguelet, Asset Management Group, Inc. and Paul Gardner, Hawaii-Mainland Administrators county health plan statistical records for purpose of preparing an employee health care plan proposal to be presented at a later date. All members present voting aye. Motion carried.

**FIRST AVENUE BUILDING SIGN:**

Judy Dosch, Maintenance Supervisor and Sheila Enderson, Treasurer presented options for new sign at 1019 1<sup>st</sup> Ave SE, stating donations received may not cover complete cost. Moved by Kippley, seconded

by Fischbach to approve expenditure for any shortfall from donations for sign at 1019 1<sup>st</sup> Ave SE Office Building. All members present voting aye. Motion carried.

#### JAIL CELL DOOR RETRO-FIT PROJECT:

Moved by Hansen, seconded by Kippley to approve and authorize the Chairman to sign proposal acceptance letter with Southern Folger Detention Equipment Company (sole source procurement) for the completion of the Jail Cell Door Retro-fit Project in amount of \$230,000.00; and further proceed with the County obligation of testing for lead paint and removal, if necessary. All members present voting aye. Motion carried.

#### MUSEUM ELEVATOR:

Moved by Fischbach, seconded by Hansen to approve change order for the Museum Elevator Modernization Project in amount of \$8,835.00 for Kone to purchase and install of a new hydraulic piston. All members present voting aye. Motion carried.

#### BACKGROUND CHECKS:

Moved by Kippley, seconded by Fischbach to approve and authorize the Chairman sign contract with One Source for completion of background checks on new hires and volunteers. All members present voting aye. Motion carried.

#### EMPLOYEE POLICY MANUAL CHANGES:

Moved by Hansen, seconded by Fjeldheim to authorize distribution of Employee Policy Manual Changes recommended by Gary Vetter, Commission Assistant, as follows: C-1 Recruitment and Selection. All members present voting aye. Motion carried.

#### EXECUTIVE SESSION:

Moved by Hansen, seconded by Fjeldheim to go into executive session to discuss personnel, contracts, and consult with legal counsel, per SDCL 1-25-2(1), (3) and (4) with Larry Lovrien and Gary Vetter in attendance. All members present voting aye. Motion carried.

The Chairman declared the executive session closed, with no action taken as a result of the discussion.

#### RECESS:

The Chairman declared the Commission recessed until February 17, 2015.

Maxine Fischer, Brown County Auditor *Maxine Fischer*

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## FEBRUARY 17, 2015 – GENERAL MEETING

Meeting called to order by Chairman Sutton at 8:45 A.M. in the Commissioner's Chambers, Courthouse Annex, Brown County, SD. Present were Commissioners Hansen, Kippley, Fischbach and Fjeldheim. Commissioner Fischbach led the Pledge of Allegiance.

### MINUTES:

Moved by Kippley, seconded by Fischbach to approve the General Meeting Minutes of February 10, 2015. All members present voting aye. Motion carried.

### CLAIMS:

Moved by Fischbach seconded by Fjeldheim to approve the following claims:

Professional Fees: Active Data Systems \$497.02; Avera St. Luke's \$705.00; Jeanne Collison \$15.00; Compass Counseling & Assessment \$1,500.00; Lewis & Clark BHS \$480.00; Lucy Lewno \$144.00; LexisNexis \$50.00; Public Engines \$2,388.00; Sanford Health Occupational Medicine \$120.00; SD Dept. of Revenue & Regulation \$390.00; SDSU Extension \$17,780.00; Tammy Stolle Court Reporting \$86.00; Karen Swanda \$15.00; Univ. of ND \$2,000.00; US Bank \$128.00; Yankton Co. Sheriff Office \$25.00; Sara Zahn \$120.60; Marla Zastrow \$17.04.

Publishing: Aberdeen American News \$842.38.

Rentals: Aberdeen Housing Authority \$247.00; BJS Properties \$260.00; Golden West \$260.00.

Repairs & Maintenance: 446-Praxair \$54.00; Dakota Tree Co. \$390.50; GCR Tires & Service \$1,225.29; Hoven Auto Repair \$1,149.25; US Bank \$19.56.

Supplies: A & B Business \$33.16; Aberdeen Awards \$16.00; Cash-Wa \$6,380.61; Dean Foods North Central \$193.14; DT Pharmacy \$743.97; Fire Safety First \$100.00; Inventory Trading \$122.00; Jones Drug \$144.68; Kessler's \$262.78; Jon Lemke \$19.95; Lucy Lewno \$6.49; Menards \$326.08; Northwest Divers \$425.00; Photo-X-Press \$86.69; Productivity Plus/Titan \$207.90; SD Redbook Fund \$584.78; Towing Plus \$100.00; Tri-State Water \$30.40; US Bank \$8,151.87.

Travel & Conference: Mark Milbrandt \$354.00; Pennington Co. Sheriff's Office \$92.65; US Bank \$3,055.75; Ryan Vogel \$266.00; Chris White \$216.00.

Utilities: Aberdeen City Treasurer \$25.67; CenturyLink \$52.78; Executive Mgmt. \$72.39; Montana-Dakota Utilities \$30.10; Northern Electric \$2,441.03; NVC \$308.97; NWPS \$9,378.22; Town of Frederick \$33.25; US Bank \$634.64; Verizon \$256.88.

Machinery & Equipment: Lamb Chevrolet \$25,099.00.

Other: James River \$4,039.88; Worthmore \$20,000.00. All members present voting aye. Motion carried.

### PERSONNEL:

Moved by Hansen, seconded by Kippley to approve hiring Daniel McCoy, Aaron Follmer and Trent Ehler as Deputy Coroner's, effective February 17, 2015 at \$150.00 per call (background checks waived). All members present voting aye. Motion carried.

Moved by Hansen, seconded by Fischbach to approve hiring Jennifer Stoddard, as Deputy States Attorney on a temporary basis, effective March 2, 2015 at \$2,000.00 per month. All members present voting aye. Motion carried.

Moved by Kippley seconded by Fjeldheim to acknowledge the following miles driven and amount to be taxed for personal use of County vehicles during the month of January 2015: Kendell Titze – 108 @ \$62.10, Michael Scott – 180 @ \$103.50, Gary Vetter – 113 @ \$64.98, Dirk Rogers – 665 @ \$382.38. All members present voting aye. Motion carried.

### SHERIFF REPORTS:

Moved by Kippley, seconded by Fjeldheim to approve the following January 2015 Sheriff Reports: Incidents and offenses, Prisoner care, JDC, and Money deposited with the County Treasurer. All members present voting aye. Motion carried.

#### LEASE AGREEMENTS:

Moved by Fjeldheim, seconded by Fischbach to approve and authorize Chairman sign the following agreements: RDO Equipment Company for lease of the Expo Building on March 24 – 26, 2015; Aberdeen Area Horsemen's Association for lease of the Akkerman Open Horse Arena on June 7 and 21, July 19 and August 2, 2015. All members present voting aye. Motion carried.

#### ABATEMENT:

Moved by Kippley, seconded by Fjeldheim to approve and authorize the Chairman sign the following Abatement: Rick Mettler @ \$96.51 (assessment error). All members present voting aye. Motion carried.

#### HLS PROPERTY TRANSFERS:

Moved by Hansen, seconded by Fischbach to approve and authorize the Chairman sign the following 2014 Homeland Security Equipment Transfer Documents: Hecla Fire Department (5 SCBA); Groton Fire Department (5 SCBA); Columbia Fire Department (5 SCBA); Frederick Fire Department (6 SCBA); Aberdeen Rural Fire Department (5 SCBA); Aberdeen City Fire Department (5 SCBA); and Warner Fire Department (5 SCBA). All members present voting aye. Motion carried

#### NEW ANGUS:

R. Douglas Cooper and Keith DeHaan, representing New Angus (formerly Northern Beef Plant) explained they were not privy to disclosing an opening date, but assured the Commission that preparations for operation are ongoing. White Oak (New Angus owners) would be the appropriate contact for questions in regard to the mile of road between S 5<sup>th</sup> Street and US 281.

#### BID LANDFILL VEHICLE:

Moved by Kippley, seconded by Hansen to award the following bid for the Brown County Landfill: State Contract #16673 with Beck Motors, Inc, Pierre, SD for one 2015 Chevrolet Silverado Truck in total amount of \$30,625.00. All members present voting aye. Motion carried.

#### CONTRACT - LANDFILL WASTE TIRE REMOVAL:

Moved by Fjeldheim, seconded by Fischbach to approve and authorize the Chairman sign Contract, submitted by Liberty Tire, Savage MN to remove waste tires from the Landfill in 2015 in the amount of \$164.50 per ton (quote from New Deal Tire @ \$180.00 per ton). All members present voting aye. Motion carried.

#### STRIPING AGREEMENT:

Moved by Hansen, seconded by Fischbach to approve and authorize the Chairman to sign agreement with the SD DOT for the striping of 51 miles of county roads within Brown County in 2015. All members present voting aye. Motion carried.

#### EXECUTIVE SESSION:

Moved by Hansen, seconded by Kippley to go into executive session to discuss personnel and consult with legal counsel, per SDCL 1-25-2(1) and (3) with Mark Milbrandt, Craig Nelson, Dave Lunsman, Tanya Mitchner, Larry Lovrien and Gary Vetter in attendance. All members present voting aye. Motion carried.

The Chairman declared the executive session closed, with the following action taken as a result of the discussion.

Moved by Hansen, seconded by Kippley to authorize advertising position of Fair Manager. All members present voting aye. Motion carried.

RECESS:

The Chairman declared the Commission recessed until February 24, 2015.

Maxine Fischer, Brown County Auditor *Maxine Fischer*

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## FEBRUARY 23, 2015 - JOINT ABERDEEN CITY/BROWN COUNTY MEETING

The Brown County Commission and the Aberdeen City Council met in joint session at 5:30 P.M. in the City Council Chambers, 123 S Lincoln, Aberdeen, SD. Present from City were Council Members Bunsness, Campbell, Johnson, Remily, Ronayne, Rux, Slaughter-Hansen, Swanson and Mayor Levsen. Present from County were Commissioners Hansen, Fischbach and Sutton. Commissioners Kippley and Fjeldheim were absent.

## ORDINANCE #15-01-01/442:

On motion by Bunsness and seconded by Rux, the City unanimously voted to approve First Reading of Ordinance #15-01-01/442.

## ORDINANCE #15-01-01/442:

Moved by Fischbach, seconded by Hansen to approve First Reading of Ordinance #15-01-01/442, An Ordinance to amend Ordinance No. 1164 to rezone the following described property from its present zoning designation of (R-2) Medium Density Residential District, (A-1) Agricultural District, and (R-5) Trailers, Trailer Parks and Planned Residential Area Trailers District to (M-AG) Mini-Agricultural District: Outlot C in the NW ¼ of Sec 26-T123N-R64W and the East 1185' of the N ½ of the SW ¼ of Sec 26-T123N-R64W except Lot B and except the West 294' of the North 860', Brown County, SD (2130 12<sup>th</sup> Street South and adjacent land to South). All members present voting aye. Motion carried.

Moved by Hansen, seconded by Fischbach to adjourn the Brown County Commission. All members present voting aye. Motion carried.

Maxine Fischer, Brown County Auditor



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## FEBRUARY 24, 2015 – GENERAL MEETING

Meeting called to order by Vice Chair Kippley at 8:45 A.M. in the Commissioner's Chambers, Courthouse Annex, Brown County, SD. Present were Commissioners Hansen, Fischbach and Fjeldheim. Commissioner Fjeldheim led the Pledge of Allegiance. Chairman Sutton arrived at 9:20 a.m.

## MINUTES:

Moved by Kippley, seconded by Hansen to approve the General Meeting Minutes of February 17, 2015. All members present voting aye. Motion carried.

## CLAIMS:

Moved by Hansen, seconded by Fischbach to approve the following claims:

Payroll: Commission \$3,767.51; Commission Assistant/Human Resources \$4,088.74; Auditor \$7,467.55; Treasurer \$12,031.67; Data Processing \$5,531.88; State's Attorney \$15,211.45; Blood Draws \$700.00; SVAWA Grant \$1,873.94; Maintenance \$6,388.26; Assessor \$13,104.50; Register of Deeds \$8,758.88; Veterans Service Office \$3,563.74; GIS \$2,195.60; Sheriff Admin \$32,108.91; Jail \$32,768.48; Coroner \$0.00; JDC \$15,214.82; HD \$4,997.97; Welfare Office \$3,500.47; Museum \$7,426.95; Parks & Fairgrounds \$4,390.44; Fair Board \$7,718.24; 4-H \$1,113.60; Weed \$51.62; Planning and Zoning \$1,586.47; Highway \$44,454.17; Communications \$20,755.08; Emergency Management \$3,331.32; Teen Court \$86.52; 24/7 \$2,852.87; Landfill \$10,244.32, SPP-VLSL Payout \$13,167.24.

Matching Benefits: FICA \$16,329.71; Medicare \$3,819.04; Life \$679.98; Dental \$6,650.40; Health Insurance \$106,312.78; Retirement \$33,880.61.

Professional Fees: Aberdeen Advanced Care Ambulance \$5,754.80; Adam Altman \$8,888.90; Aspire \$8,400.00; Avera Queen of Peace Health \$195.00; Avera St. Luke's \$625.52; Clark Engineering \$17,100.00; Christopher Dohrer \$5,069.45; GeniusWeb \$99.00; Koletzky Law Office \$207.00; Kuck Law Office \$4,444.45; Language Line Services \$149.06; Live \$100.00; Mikelson Law Office \$243.00; NASASP \$39.00; NE Mental Health Center \$4,108.00; Richardson, Wyly, Wise, Sauck Law Firm \$4,444.45; Ronayne Law Office \$4,444.45; SD DOT \$365.77; SD State Retirement System \$13,212.24; Christy Serr \$5,069.45; Yankton Co. Treasurer \$350.25; Sara Zahn \$212.80.

Publishing: Aberdeen American News \$1,622.81; Groton Independent \$179.21.

Repairs & Maintenance: A & B Business \$29.99; Aberdeen Plumbing & Heating \$320.33; Dana Breske \$134.56; CarQuest Auto Parts \$8.00; Cartney Bearing \$23.32; Crawford Trucks & Equip. \$48.94; DFP \$433.94; Dakota Tree Co. \$317.00; Diesel Machinery \$10,645.94; Elections Systems & Software \$7,476.00; G & K Services \$227.48; GCR Tires & Service \$40.00; Great Western Tire \$20.00; HF Jacobs & Son \$8,869.96; House of Glass \$56.80; Hoven Auto Repair \$44.25; Lawson Products \$48.49; Leidholt Electric \$1,037.92; Light & Siren \$24.00; Newman Signs \$35.18; Northern Safety Co. \$88.85; Northern Truck Equip. \$19.62; PowerPlan \$439.00; SD DOT \$11,548.72; Sheehan Mack \$3,621.39; Zone's \$1,035.90.

Supplies: 446-Praxair \$116.90; Aberdeen Area Human Resource \$50.00; Aberdeen Chrysler Center \$47.32; Bakken Building Maint. \$500.00; Best Business Products \$176.80; CarQuest Auto Parts \$1,350.89; Cartney Bearing \$92.64; Century Business Products \$11.14; Crawford Trucks & Equip. \$3,123.87; Dakota Electronics \$16.00; DFP \$511.87; Dakota Oil \$1,425.25; DakotaLand Auto Glass \$220.37; Dean Foods North Central \$187.84; Diesel Machinery \$2,585.99; EcoLab Pest Elimination \$94.19; Farm Power Mfg. \$479.05; Fastenal Co. \$91.37; Gall's \$1,055.97; Gardner Locksmithing \$50.00; GCR Tires & Service \$361.00; Great Western Tire \$19,297.92; Hedahl's \$9.62; House of Glass \$361.51; Interstate Battery \$603.35; J. Gross Equip. \$23.47; Koletzky Law Office \$4.00; Lawson Products \$653.10; Light & Siren \$1,196.00; Mac's \$111.48; Marco \$291.26; Menards \$105.70; Midstates Printin \$286.85; Midwest Alarm \$226.20; Mikelson Law Office \$7.96; Myer's Tire Supply \$26.87; NCFE – Warner Elevator \$27,107.16; Network Services \$1,513.23; Newman Signs \$729.25; Northern Safety Co. \$533.64; Northern Truck Equip. \$253.38; NSU Finance Office \$60.00; Pitney Bowes \$10,075.00; PowerPlan \$562.31; Running's \$49.99; SD Sheriff's Assoc. \$111.02; Share Corp. \$432.00;

Sheehan Mack \$968.57; Sioux City Foundry \$5,600.00; Vosika Fencing \$125.60; Wallwork Truck Center \$141.22.

Travel & Conference: City of Groton \$59.94; SD Assoc. of County Commissioners \$400.00; SD Assoc. of County Hwy. Supt. \$225.00.

Utilities: Aberdeen City Treasurer \$277.98; CenturyLink \$3,553.32; City of Hecla \$232.03; Dependable Sanitation \$22,089.30; DigiCert \$1,425.00; Economy Propane \$2,413.35; Montana Dakota Utilities \$30.68; Northern Elec. \$1,200.00; NWPS \$413.67.

Machinery & Equipment: Sheehan Mack \$24,985.41.

Other: Boys & Girls Club \$5,000.00; Groton Library \$750.00; Hecla Library \$750.00; Emma Burnham Library \$750.00; Glacial Lakes & Prairie Tourism \$750.00; Pizza Ranch \$79.44; RideLine \$1,000.00; Safe Harbor \$469.00; Warner Library \$750.00. All members present voting aye. Motion carried.

#### PERSONNEL:

Moved by Hansen, seconded by Kippley to approve the following employee step increases, effective March 1, 2015: Randy Kutter @ \$16.26 per hour, Cory Erhardt @ \$15.81 per hour, Jonathan Hillestad @ \$15.21 per hour. All members present voting aye. Motion carried.

Moved by Fischbach, seconded by Kippley to approve hiring Cindy Jung as part-time employee in the Treasurer's Office, effective March 17, 2015 at \$14.18 per hour. All members present voting aye. Motion carried.

#### LEASE AGREEMENTS:

Moved by Fjeldheim, seconded by Kippley to approve and authorize the Chairman sign the following agreements: SD Farmer's Union for lease of the Richmond Lake Youth Camp on July 26-29, 2015; Jordan Opsahl for lease of the Richmond Lake Youth Camp on September 4-5, 2015. All members present voting aye. Motion carried.

#### PRE DISASTER MITIGATION (PDM) PLAN ASSISTANCE AGREEMENT:

Moved by Fischbach, seconded by Fjeldheim to approve and authorize the Chairman sign Agreement with NECOG in amount not to exceed \$14,025.00 for administration and assistance in completing the following: Hazard Mitigation Grant Program (HMGP) DR-4115-05-P project for purpose of updating the Brown County PDM (Pre-Disaster Mitigation) Plan (federal funding award documentation signed on April 8, 2014). All members present voting aye. Motion carried.

#### BID PROBATION OFFICE RENOVATION PROJECT:

Moved by Hansen, seconded by Fjeldheim to authorize advertising public hearing to open, read and consider bids for labor and material required for the Probation Office Renovation Project, to be held at 8:45 A.M. on March 17, 2015 in the Brown County Commission Chambers, Courthouse Annex, Brown County, SD. All members present voting aye. Motion carried

#### PLAT:

Commission Fjeldheim offered the following Resolution:

#### RESOLUTION #6-15

BE IT RESOLVED by the County Commission of Brown County, SD that the plat showing "Spurs Second Addition in the NW ¼ of Sec 6-T123N-R63 W of the 5<sup>th</sup> P.M., Brown County, SD" having been examined if hereby approved in accordance with the provisions of SDCL 1967, Chapter 11-3 and any amendments thereof.

Seconded by Commissioner Fischbach. Roll call vote: Commissioners Hansen-aye, Kippley-aye, Fischbach-aye, Fjeldheim-aye, Sutton-aye. Resolution adopted.

#### CROW CREEK FLOODGATE STRUCTURE:

Moved by Hansen, seconded by Kippley to approve and authorize the Chairman sign Agreement with Clark Engineering in amount not to exceed \$47,500.00 for engineering services for the Crow Creek Drainage Control Gate Structure Project. All members present voting aye. Motion carried.

#### SET HEARING DATE ORD 088,089,090,091:

Moved by Hansen, seconded by Fjeldheim to authorize advertising public hearing to be held before the Brown County Commission on the 17<sup>th</sup> day of March 2015 beginning at 8:55 a.m. in the Commissioner's Chambers, Courthouse Annex, Brown County, SD, for First Reading of the following: Ordinance #088-#091 to amend Title 4 Zoning, Chapter 4.06, 4.08, 4.10 and 4.11 regarding property setbacks. All members present voting aye. Motion carried.

#### CDBG-NEW TEC PROJECT:

Moved by Fischbach, seconded by Kippley to approve and authorize the Chairman sign Amended Payment Request #7 Community Development Block Grant #1212-307 for New Tec in amount of \$20,147.49. All members present voting aye. Motion carried.

#### ABATEMENTS:

Moved by Kippley, seconded by Fjeldheim to approve and authorize the Chairman sign the following Abatements: Brad Herther @ \$52.41, Todd Wanshura @ 85.80, Kathleen Reiss @ \$95.76, Jerry Biegler @ \$66.24 (RLSD assessment error); James Kiecker @ \$636.88 (MH moved prior to assessment date). All members present voting aye. Motion carried.

#### FAIR CAMPING RATES:

Moved by Kippley, seconded by Fischbach to approve the following rates for camping at the Fairgrounds during the Fair (includes the Friday prior to the Fair until the final Sunday of the Fair – any additional days will be collected by Fairgrounds personnel):

- Spaces with water and electricity (small) @ \$140
- Spaces with water and electricity (larger) @ \$170
- Spaces with water, sewer and electricity @ \$200
- Tent Camping @ \$50
- Primitive Camping @ \$75 (may run generator from 7 a.m. to 11 p.m. each day)

All members present voting aye. Motion carried.

#### FAIR CONTRACTS:

Moved by Fjeldheim, seconded by Kippley to approve and authorize the Chairman sign the following entertainment contracts for the 2015 Brown County Fair: Acoustic Smoke @ \$1,750.00 for Saturday August 15; Sherwin Linton @ \$2,000.00 for Sunday August 16. All members present voting aye. Motion carried.

#### FAIR SUPPLY QUOTES:

Moved by Kippley, seconded by Fjeldheim to authorize purchase of wood chips from Running's @ \$948 and lanyards for entertainment tickets from RaceWest Awards @ \$7,350 (15,000). All members present voting aye. Motion carried.

#### CLUB HOUSE CONTRACT:

Moved by Kippley, seconded by Fischbach to return Club House Contract to the Fair Board with the following amendment prior to approval – strike 2016, 2017 making this a one year contract for 2015. All members present voting aye. Motion carried.

#### FAIR BOOTH CONTRACTS:

Moved by Hansen, seconded by Fischbach to authorize the Chairman sign vendor booth rental contracts for the 2015 Brown County Fair, as they are presented. All members present voting aye. Motion carried.

#### BID – ASPHALT CONCRETE PLANT MIX:

Time and place, as advertised to open, read and consider sealed bids for furnishing and delivery of Asphalt Concrete Plant Mix. Moved by Fischbach, seconded by Hansen to award all both of the bids, purchasing various quantities based on availability and location: Aberdeen Asphalt – Hot Mix Class D Type II (1/2 inch) in amount of \$64.50 per ton, Hot Mix Class D Type I (3/4 inch) in amount of \$64.50 per ton, Cold Mix Class D Type II (1/2 inch) in amount of \$90.00 per ton, Cold Mix Class D Type I (3/4 inch) in amount of \$90.00 per ton; Lien Transportation – Hot Mix Class D Type II (1/2 inch) @ \$66.00 per ton and Hot Mix Class D Type II (3/4 inch) @ \$66.00 per ton. All members present voting aye. Motion carried.

#### BID – GRAVEL MATERIAL:

Time and place, as advertised to open, read and consider sealed bids for furnishing Gravel Material. Bids were received from Matt Vogel, Hanlon Brothers, Behnke Sand & Gravel, HF Jacobs & Son Construction, Lien Transportation. Moved by Hansen, seconded by Fjeldheim to refer all bids on Gravel Material to Dirk Rogers, Highway Superintendent for tabulation and recommendation. All members present voting aye. Motion carried.

#### BID – RENTAL OF EQUIPMENT:

Time and place, as advertised to open, read and consider bids for furnishing Full/Bare Operation Rental Services of Gravel Trucks and Road Machinery for construction and maintenance repairs on Brown County Road Projects for year 2015. Bids were received from Aberdeen Asphalt; Butler Cat; Loiseau Construction; Kevin Bourdon Trucking; Dahme Construction; Hanlon Brothers; Hansen Excavating; Hollaway Construction; HF Jacobs & Son Construction; Lien Transportation; Fred Ludwig Trucking; Odland Construction; Matts Service & Landscaping; BW Morrison Construction; RDO; DMI; and Webster Scale. Moved by Fischbach, seconded by Hansen to refer all bids on Rental of Equipment to Dirk Rogers, Highway Superintendent for tabulation and recommendation. All members present voting aye. Motion carried.

#### ALCOHOLIC BEVERAGE LICENSE HEARING:

Time and place, as advertised to consider application for Alcoholic Beverage License to operate outside of the Municipality. Moved by Fischbach, seconded by Fjeldheim to approve and authorize the Chairman sign application for an Alcoholic Beverage License to operate outside of the Municipality: Dave Schumaker DBA Elm Lake Resort (Lot 1 Elm Lake Subdivision in the SE ¼ of 8-128-65). All members present voting aye. Motion carried.

#### ADC UPDATE:

Mike Bockorny, Executive Director for the Aberdeen Development Corporation presented a brief outline of efforts to insure training and retention of employees meets the work force needs of current and future employers.

#### DPM ANNUAL REPORT/AWARD:

Sue Gates, Dacotah Prairie Museum Director presented the 2014 DPM Annual Report and unveiled the Governor's Award in the Arts recently presented to the Dacotah Prairie Museum for Outstanding Support of Arts by an Organization. Congratulations were extended to Sue and the employees of the Museum.

**LIEN DISCUSSION:**

An individual met to request a lien be removed from a parcel of land. After discussion, the Commission took no action.

**PERSONNEL:**

Moved by Hansen, seconded by Fjeldheim to set wage for potential IT interns at \$13.92 per hour. All members present voting aye. Motion carried.

**JAIL PHASE III BONDING:**

Moved by Hansen, seconded by Kippley to authorize a resolution be drafted for intent of bonding \$1,400,000.00 for completion of the Jail Phase III Project. All members present voting aye. Motion carried.

**STATES ATTORNEY UPDATE:**

Larry Lovrien, States Attorney discussed several purchases anticipated for the office. Board concurred.

**EXECUTIVE SESSION:**

Moved by Kippley, seconded by Hansen to go into executive session to discuss personnel, per SDCL 1-25-2(1) with Larry Lovrien, Gary Vetter, Mark Milbrandt, Tom Schmitt and John McQuillen in attendance. All members present voting aye. Motion carried.

The Chairman declared the executive session closed, with no action taken as a result of the discussion.

**RECESS:**

The Chairman declared the Commission recessed until March 3, 2015.

Maxine Fischer, Brown County Auditor *Maxine Fischer*

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## MARCH 2, 2015 - JOINT ABERDEEN CITY/BROWN COUNTY MEETING

The Brown County Commission and the Aberdeen City Council met in joint session at 5:30 P.M. in the City Council Chambers, 123 S Lincoln, Aberdeen, SD. Present from City were Council Members Bunsness, Campbell, Johnson, Remily, Ronayne, Rux, Slaughter-Hansen and Mayor Levsen. Council member Swanson was absent. Present from County were Commissioners Hansen, Fischbach and Sutton. Commissioners Kippley and Fjeldheim were absent.

## ORDINANCE #15-01-01/442:

On motion by Johnson and seconded by Rux, the City unanimously voted to adopt Ordinance #15-01-01/442.

## ORDINANCE #15-01-01/442:

Moved by Fischbach, seconded by Hansen to adopt Ordinance #15-01-01/442, An Ordinance to amend Ordinance No. 1164 to rezone the following described property from its present zoning designation of (R-2) Medium Density Residential District, (A-1) Agricultural District, and (R-5) Trailers, Trailer Parks and Planned Residential Area Trailers District to (M-AG) Mini-Agricultural District: Outlot C in the NW ¼ of Sec 26-T123N-R64W and the East 1185' of the N ½ of the SW ¼ of Sec 26-T123N-R64W except Lot B and except the West 294' of the North 860', Brown County, SD (2130 12<sup>th</sup> Street South and adjacent land to South). All members present voting aye. Motion carried.

Moved by Hansen, seconded by Fischbach to adjourn the Brown County Commission. All members present voting aye. Motion carried.

Maxine Fischer, Brown County Auditor



Published once at the total approximate cost of \$\_\_\_\_\_.

## MARCH 3, 2015 – GENERAL MEETING

Meeting called to order by Chairman Sutton at 8:45 A.M. in the Commissioner's Chambers, Courthouse Annex, Brown County, SD. Present were Commissioners Hansen, Kippley, Fischbach and Fjeldheim. Auditor Fischer led the Pledge of Allegiance.

Congratulations were extended to Rachel Kippley, recipient of The Emerging Leader Award and Kathy Schlecht, recipient of The Civilian Advocate for Military and/or Veteran Group Award, presented recently at the Aberdeen Area Chamber of Commerce Community Champions Awards Luncheon.

### MINUTES:

Moved by Fischbach, seconded by Kippley to approve the Joint City/County Meeting minutes of February 23, 2015 and the General Meeting Minutes of February 24, 2015. All members present voting aye. Motion carried.

### CLAIMS:

Moved by Hansen seconded by Kippley to approve the following claims:

Insurance: SD Public Assurance Alliance \$760.55.

Professional Fees: AMG Anesthesiology \$332.80; AMG Internal Medicine \$368.47; AMG Radiology \$28.43; Norma Andersen \$15.00; Avera St. Luke's \$1,216.00; Krist Brandt \$126.60; Dean Schaefer Court Reporting \$210.00; William Gerdes \$15,475.25; GovConnection \$689.28; Robert Hoff \$20.00; Mark Katterhagen \$15.00; Lucy Lewno \$288.00; Lincoln Co. Treasurer \$168.00; Midstates Printing \$75.00; Pizza Ranch \$131.89; Ronayne Law Office \$6,862.50; SD DOT \$35,490.93; Spot Freight \$1,585.00; Tammy Stolle Court Reporting \$110.00; Karen Swanda \$30.00; Yankton Co. Sheriff Office \$100.00; Luke Yellow Robe \$1,500.00.

Publishing: Aberdeen American News \$156.81; Dex Media \$53.55; Groton Independent \$295.10.

Rentals: Aberdeen Housing Authority \$330.00; Allen Nies \$130.00.

Repairs & Maintenance: Aberdeen Area Radiator \$8.50; Butler Machinery \$10,801.06; Dakota Tree \$611.00; HF Jacobs & Son \$35,928.43; Knight Towing & Recovery \$5,900.00; Northwind Machine \$40.00; Push-Pedal-Pull \$164.57; Schwan Welding \$247.10; Spillman Technologies \$36,677.50.

Supplies: A & B Business \$44.24; Aberdeen Area Radiator \$75.00; Aberdeen Downtown Assn. \$250.00; ABRA \$3,577.04; Butler Machinery \$527.66; Custom Glass \$275.00; Danko \$206.09; Ecolab Pest Elimination \$131.45; Fastenal \$96.07; Geffdog \$2,201.75; GovConnection \$1,739.07; Hoven Auto Repair \$56.73; J Gross Equip. \$50.20; Knight Towing & Recovery \$4,302.50; Kuck Law Office \$49.24; LarJo's \$73.65; Lucy Lewno \$12.98; Lincoln Co. Treasurer \$.55; Marco \$12.91; NCFE – Warner Elevator \$36,399.96; Network Services \$1,561.06; Northwind Machine \$27.53; Police Magazine \$14.99; SD Sec. of State \$7.00; Steven Lust Automotive \$113.28; West Payment Center \$1,482.50; Young Guns \$905.49; Zones \$3,800.01.

Travel & Conference: Maxine Fischer \$163.48; Doug Fjeldheim \$128.76; Sue Gates \$94.59; Duane Jark \$56.00; Jerry Lehrkamp \$56.00; Leo Leshner \$131.13; Gene Loeschke \$82.72; Sherri Rawstern \$9.00; Mike Rohrbach \$47.00; SD Assoc. of County Officials \$200.00.

Utilities: AT & T \$528.05; CenturyLink \$9.90; Dependable Sanitation \$165.00; Midcontinent \$244.70; NWPS \$9,774.30; Web Water \$67.86.

Machinery & Equipment: Pierson Ford \$80,028.00.

Other: NESDCAP \$2,500.00. All members present voting aye. Motion carried.

### PERSONNEL:

Moved by Hansen, seconded by Fischbach to approve hiring Clifford Rhodes, Jr as Teen Court Coordinator, effective March 4, 2015 at \$15.73 per hour (background check complete). All members present voting aye. Motion carried.



#### LEASE AGREEMENTS:

Moved by Fjeldheim, seconded by Hansen to approve and authorize Chairman sign the following agreements: Mosbrucker Rodeo Inc for lease of the Expo Building on April 16-18; Aberdeen Home Builders Association for lease of the Expo Building on March 7-8; 4-H for lease of the Expo Addition on June 27-28; Prairie Fiber Arts Guild for lease of the Richmond Lake Youth Camp on May 2-3; First United Methodist Church for lease of the Richmond Lake Youth Camp on Mar 28-29, 2015. All members present voting aye. Motion carried.

#### BID - WEED CHEMICALS:

Moved by Fjeldheim, seconded by Fischbach to authorize advertising public hearing to open, read and consider bids for chemicals for Brown County Weed and Pest Board, to be held in the Commissioner's Chambers, Courthouse Annex, Brown County, SD on March 24, 2015 at 8:45 a.m. All members present voting aye. Motion carried.

#### BID WOOD WASTE GRINDING AT LANDFILL:

Moved by Kippley, seconded by Fischbach to authorize advertising public hearing to open, read and consider bids for 2015 Wood Waste Grinding for the Brown County Landfill, to be held in the Commissioner's Chambers, Courthouse Annex, Brown County, SD at 9:10 a.m. on March 24, 2015. All members present voting aye. Motion carried.

#### LANDFILL TITLE V AIR QUALITY CERTIFICATION:

Moved by Hansen, seconded by Fjeldheim to authorize Chairman sign Annual Compliance Certification Report for Title V air quality operating permit for the Brown County Landfill. All members present voting aye. Motion carried.

#### LANDFILL CROP LAND LEASE RENEWAL OPTION:

Moved by Hansen, seconded by Fjeldheim to approve the 2015 renewal option with G & B Farms for cash rent lease of the crop land at the Landfill (option three of four). All members present voting aye. Motion carried.

#### RICHMOND LAKE ROAD NAME CHANGE:

Commissioner Kippley offered the following Resolution:

#### RESOLUTION #7-15

WHEREAS, the road currently known as East Shore Drive located at Richmond Lake is a double-sided dead end road, and

WHEREAS, access to the southern portion of East Shore Drive is not possible from the north, and

WHEREAS, access to the northern portion of East Shore Drive is not possible from the south, and

WHEREAS, the recommendation has been made to continue using the name of East Shore Drive for the southern portion of the road to better serve the general public and address public safety concerns.

WHEREAS, the recommendation has been made to rename the northern portion of East Shore Drive to North Bridge Road to better serve the general public and address public safety concerns.

THEREFORE, BE IT RESOLVED that the Brown County Board of Commissioners rename the northern portion of East Shore Drive located at Richmond Lake to North Bridge Road and update all maps accordingly:

NORTH BRIDGE ROAD – Commencing at the intersection of 126<sup>th</sup> Street (Brown County #6) and the former East Shore Drive in the NE ¼ of Sec 13-Township 124N-Range 65W, thence ending approximately .75 miles south to dead end.

Dated this 3<sup>rd</sup> day of March 2015.

Seconded by Commissioner Fjeldheim. Roll call vote: Commissioners Hansen-aye, Kippley-aye, Fischbach-aye, Fjeldheim-aye, Sutton-aye. Resolution adopted.

#### ZONING MAP:

Commissioner Hansen offered the following Resolution:

#### RESOLUTION #8-15

#### RESOLUTION TO ADOPT OFFICAL ZONING MAP

WHEREAS, from time to time the Official Zoning Map becomes difficult to interpret because of the nature or number of changes and additions, and

WHEREAS, Title 4 Zoning, Chapter 4.03 (4.0303) addresses Zoning Map replacement, and

WHEREAS, the Board of County Commissioners may, by resolution, adopt a new Official Zoning Map, which shall supersede the prior Official Zoning Map.

NOW, THEREFORE BE IS RESOLVED by the Board of County Commissioners that a new Official Zoning Map be adopted for the County, which shall supersede the prior Official Zoning Map.

Dated this 3<sup>rd</sup> day of March, 2015.

Seconded by Commissioner Fischbach. Roll call vote: Commissioners Hansen-aye, Kippley-aye, Fischbach-aye, Fjeldheim-aye, Sutton-aye. Resolution adopted.

#### US BANK CREDIT CARDS:

Commissioner Fjeldheim raised questions about the number of employees with US Bank Credit Cards and the justification for various charges. After discussion, specific uses and justification for each card will be reviewed.

#### JAIL RENOVATION PROJECT:

Tom Grimmond, Dougherty & Company LLC explained all aspects of the draft Resolution relating to: lease-purchase of the County Jail renovation and improvement project; authorizing the execution and delivery of a ground lease agreement and a lease-purchase agreement and approving and authorizing execution of related documents and levy of taxes for the lease-purchase payment. The Commission took no action at this time.

#### SICK BANK:

Andrea Sjomeling, Mickey Schultz and Tom Schmitt met to discuss the employee sick leave bank and presented amendments to the bank rules to consider for adoption. After discussion, no action was taken at this time.

**BID – GRAVEL MATERIAL:**

Moved by Kippley, seconded by Fischbach to award bids on Gravel Material, as per tabulation sheet on file in the Auditor's Office (available for public inspection Monday – Friday, 8:00 a.m. to 5:00 p.m.). All members present voting aye. Motion carried.

**BID – RENTAL OF EQUIPMENT:**

Moved by Kippley, seconded by Hansen to award bids for Rental of Equipment based on availability, with written or verbal waiver required from low bidder if not available. Complete tabulation sheet on file in the Auditor's Office (available for public inspection Monday – Friday, 8:00 a.m. to 5:00 p.m.). All members present voting aye. Motion carried.

**CONTRACTS FOR HIGHWAY MATERIAL, SUPPLIES, EQUIPMENT RENTAL:**

Moved by Hansen, seconded by Kippley to authorize the Chairman to sign contracts for material, supplies and rental of equipment bids for the Highway Department, as they are presented. All members present voting aye. Motion carried.

**LOAD LIMITS:**

Commissioner Hansen offered the following Resolution:

**RESOLUTION #9-15**

**WHEREAS:** Enforce Annual Seasonal Load Restrictions on over weight limits, over width load limits, and speed limits on Brown County Roads. All Brown County oil Roads are posted at 6-ton per axle and truck speed of 40 MPH, with the exception of Brown County Road #10, from Brown County Road #13 (Prairiewood Road) north 2.00 miles is posted at 12-ton gross load limit with truck speed at 40 MPH year round.

**WHEREAS:** The Brown County Board of Commissioners request that the South Dakota Highway Patrol assist and enforce load restrictions on the posted gross limit per axle and truck speed at 40 MPH as posted by the Brown County Board of Commissioners during the March/April spring thaw and breakup period that the roads are posted.

**THEREFORE BE IT RESOLVED:** That the Brown County Board of Commissioners authorize the Brown County Highway Department Superintendent to work with the South Dakota Highway Patrol to reduce weight maximums due to the thawing and excessive moisture and until the roads are free of frost and become stable. SDCL 32-22-25

Seconded by Commissioner Fjeldheim. Roll call vote: Commissioners Hansen-aye, Kippley-aye, Fischbach-aye, Fjeldheim-aye, Sutton-aye. Resolution adopted.

**SEASONAL LOAD RESTRICTIONS:**

Moved by Hansen, seconded by Kippley to approve the following seasonal load restrictions for 2015: The Brown County Highway Department seasonal load restrictions will go into effect Thursday, March 9, 2015, or when the load limit signs are installed and displayed, on all Brown County Oil Roads, except the Belt Loop around Aberdeen and other specified roads that are listed below. All Asphalt Roads will be posted at 6-tons per axle and 40 MPH for trucks during the March/April spring thaw and breakup or until

roads become stable. No overweight or over-width permits will be issued except in extreme cases of emergency. If such an emergency exists, the following permit fees will be applicable:

Single Permit @ \$10.00  
 Temporary Permit @ \$20.00  
 Annual Permit @ \$50.00.

Belt Loop around the City of Aberdeen:

Road #4 from 24<sup>th</sup> Ave north 1.0 mile to County Road #13;  
 Road #10 from County Road #13 (Prairiewood Road) south 1.0 mile to Road #15;  
 Road #10 from County Road #19 (Melgaard Road) south 1.0 mile to County Road 14W;  
 Road #12 from 24<sup>th</sup> Ave NE 1 mile to County Road #13;  
 Road #12W will not be posted from County Road #19 east to US Highway 281 (2 miles);  
 Road #12WA from US Highway 12 north 2.0 miles;  
 Road #13 from County Road #14 west 5.0 miles to US Highway 281;  
 Road #15 from US Highway 281 east 1 mile to County Road #10;  
 Road #15 from 385<sup>th</sup> Ave east 0.5 miles;  
 Road #15 from County Road #12 (Roosevelt Road) east 1.0 mile to County Road #19;  
 Road #19 from the jct. of County Road #19 and County Road #17 (8<sup>th</sup> Ave NE) north 1.0 mile to County Road #15;

Other Brown County Roads that are not posted are:

Frederick Main Street from US Highway 281 east 0.5 miles to the Frederick City limits;  
 Road 6A (Richmond Lake Area) Biegler Road off County Road 6  
 Road 6B (Richmond Lake Area) Youth Camp Road  
 Road #7 from US Highway 281 east 1.0 mile to Barnard and County Road #10;  
 Road #9 from US Highway 281 east 1.0 mile to Westport and County Road #10;  
 Road #9 from State Highway 37 east 7.0 miles to Brown/Marshall County line;  
 Road #11 from County Road #16 west 10.0 miles to US Highway 281;  
 Road #11 0.5 miles east of State Highway 37 to Huffton;  
 Road #12WB from US Highway 12 north to County Road #12W;  
 Road #14 from County Road #11 south 10.0 miles to US Highway 12;  
 Road #14 from US Highway 12 south 800';  
 Road #16 from the town of Columbia south 0.5 miles to County Road #11;  
 Road #16C from Road #23 south 1.0 miles to the City of Stratford  
 Road #20 from County Road #9 south 0.02 miles to the railroad tracks;  
 Road #23 from SD37 west 10.0 miles to Road #16C  
 Road #23 from US Highway 281 east 1.0 mile to Warner and County Road #10;  
 Road #23 from US Highway 281 west 0.25 miles;  
 Road #23B from the Town of Ferney west to State Highway 37;  
 Road #27 from US Highway 281 west 2.0 miles to the town of Mansfield.  
 All members present voting aye. Motion carried.

MAXIMUM WEIGHT LIMITATION ON BRIDGES:  
 Commissioner Fischbach the following Resolution:

#### RESOLUTION #10-15

WHEREAS, SDCL 32-22-47 authorizes the board of county commissioners to erect and maintain at a point on the right-of-way and within one hundred feet of both entrances to any bridge and may, where they deem necessary, erect and maintain at the nearest intersection in each direction from any bridge, upon any public highway which it is the duty of the boards to maintain and repair, a conspicuous sign in

large numerals, the maximum weight of any vehicle, laden or unladen, which may enter upon or cross over such bridge, and

WHEREAS, SDCL 32-22-50 authorizes any peace officer having reason to believe that the weight of a vehicle and load is unlawful is authorized to weigh the same.

NOW, THEREFORE BE IT RESOLVED by the Brown County Commission, pursuant to SDCL 32-22-34 the following bridges shall be posted with the maximum weight of any vehicle, laden or unladen, which may enter upon or cross over such bridge, and

FURTHER, BE IT RESOLVED, pursuant to SDCL 32-22-50 the Brown County Commission requests the South Dakota Department of Public Safety and the South Dakota Highway Patrol to enforce any and all bridge weight limits as posted in the following Townships: BR006 New Hope; BR057, BR268, BR268A and BR269 Warner; BR045 Gem; BR066, BR068 and BR069 East Rondell; BR078, BR081, BR087 and BR259 Garden Prairie; BR091, BR093, BR095, BR098, BR114 and BR118 East Hanson; BR117, BR127 West Hanson; BR138, BR142 and BR145 Groton; BR425 and BR 171 Westport; BR218 and BR346 Hecla; BR204 Allison; BR211 Osceola; BR151 Ordway; BR232 Putney; BR234 Cambria; BR238 and BR 271 Columbia; BR245 North Detroit; BR352 Ravinia.

Seconded by Commissioner Hansen. Roll call vote: Commissioners Hansen-aye, Kippley-aye, Fischbach-aye, Fjeldheim-aye, Sutton-aye. Resolution adopted.

#### JAIL RENOVATION FUNDING OPTION:

The Commission discussed a possible operating transfer from the Landfill Fund to finance the Jail renovation project. No action was taken after the discussion.

#### RECESS:

The Chairman declared the Commission recessed until March 10, 2015.

Maxine Fischer, Brown County Auditor



Published once at the total approximate cost of \$\_\_\_\_\_.

## MARCH 10, 2015 – GENERAL MEETING

Meeting called to order by Chairman Sutton at 8:45 A.M. in the Commissioner's Chambers, Courthouse Annex, Brown County, SD. Present were Commissioners Hansen, Kippley, Fischbach and Fjeldheim. Chairman Sutton led the Pledge of Allegiance.

### MINUTES:

Moved by Fischbach, seconded by Fjeldheim to approve the Joint City/County Meeting minutes of March 2, 2015 and the General Meeting Minutes of March 3, 2015. All members present voting aye. Motion carried.

### CLAIMS:

Moved by Kippley, seconded by Hansen to approve the following claims:

Payroll: Commission \$3,767.51; Commission Assistant/Human Resources \$4,088.74; Auditor \$7,399.67; Treasurer \$12,031.67; Data Processing \$5,531.88; State's Attorney \$15,169.69; Blood Draws \$550.00; SVAWA Grant \$1,873.94; Maintenance \$6,454.41; Assessor \$12,958.34; Register of Deeds \$8,047.19; Veterans Service Office \$3,563.74; GIS \$2,195.60; Sheriff Admin \$32,840.68; Jail \$36,764.16; Coroner \$0.00; JDC \$16,463.73; HD \$5,146.83; Welfare Office \$3,500.47; Museum \$7,658.94; Parks & Fairgrounds \$4,390.44; Fair Board \$2,617.36; 4-H \$1,113.60; Weed \$1,600.16; Planning and Zoning \$1,586.47; Highway \$43,892.11; Communications \$23,214.29; Emergency Management \$3,331.32; Teen Court \$145.50; 24/7 \$2,946.91; Landfill \$10,027.44.

Matching Benefits: FICA \$16,518.10; Medicare \$3,863.06.

Professional Fees: Avera Orthopedic Specialists \$141.10; Carlsen Funeral Home \$1,000.00; Clark Engineering \$28,500.00; Devnet \$3,281.25; Gellhaus & Gellhaus \$80.00; Horn Law Office \$207.00; Mark Katterhagen \$30.00; LBG \$4,741.90; Lucy Lewno \$288.00; Pollard & Larson \$180.00; Sanford Health Occupational ME \$115.00; SD Dept. of Revenue \$486,202.57; Christy Serr \$63.60; Karen Swanda \$30.00; UND \$2,000.00; Zylstra Investigations \$831.00.

Publishing: Aberdeen American News \$1,654.39; Hub City Radio \$300.00.

Rentals: Falcon Rentals \$260.00; David Lynn \$260.00; Dallas Niederbaumer \$297.00.

Repairs & Maintenance: Aberdeen Chrysler Center \$519.00; Ameripride \$62.50; Dakota Electronics \$681.25; DFP \$1,205.40; DMI \$5,293.89; Great Western Tire \$18.00; Hanten's Repair \$70.00; House of Glass \$227.24; Hoven Auto Repair \$385.03; Jason's Electric \$133.36; Mattern Electric \$311.39; Sheehan Mack Sales \$19.84; Walth Safety Service \$95.00.

Supplies: 3-D Specialties \$10,805.50; Ameripride \$197.78; Bakken Build Maintenance \$500.00; Carlsen Funeral Home \$648.47; Cartney Bearing \$127.13; Century Business Products \$89.81; Crawford Trucks and Equip. \$2,090.03; Crescent Electric \$32.70; Custom Glass \$400.00; DFP \$1,338.43; Dakota Mailing \$128.26; Dakota Oil \$4,557.89; Diesel Machinery \$1,034.19; Earthgrains \$430.30; Ferguson Enterprises \$18.97; Fischer's Cleaning Service \$145.00; Galls \$663.47; Gillund Enterprises \$197.76; Govconnection \$33.95; Great Western Tire \$2,408.23; Hanten's Repair \$74.27; Hecla Implement \$53.40; HF Jacobs & Sons Construction \$4,602.78; Holland Auto Care \$117.12; Horn Law Office \$6.00; Kuck Law Office \$30.00; Lucy Lewno \$12.98; Macs \$924.97; Marco \$245.70; Menards \$118.82; Midstates Printing \$44.45; Midwest Card & ID Solutions \$151.63; NCFE – Warner Elevator \$2,424.33; Pollard & Larson \$6.00; Powerplan \$789.30; ProAg Supply \$1,564.32; Productivity Plus \$300.40; Proforma \$262.95; Public Safety Equip. \$443.48; Runnings \$182.18; Chris Scott \$1,000.00; Kristi Serr \$10.30; Sheehan Mack Sales \$823.51; Taylor Laundry \$101.00; Walth Safety Service \$1,400.00; Zastrow's Sales and Service \$108.89.

Travel and Conference: Becca Tullar \$14.00.

Utilities: Aberdeen City Treasurer \$1253.42; BDM Rural Water System \$30.00; CenturyLink \$295.70; City of Hecla \$206.64; Economy Propane \$1,922.00; James Valley Telecommunications \$224.30; Midcontinent \$129.85; Northern Electric \$59.80; NVC \$2,905.56; NWPS \$7,258.78; Town of Frederick \$33.25.

Other: SD Assoc. of County Officials \$738.00. All members present voting aye. Motion carried.

#### PERSONNEL:

Moved by Hansen, seconded by Kippley to approve the following employee step increases, effective March 15, 2015: Cindy Mitchell @ \$18.47 per hour, JoAnn Sheffield @ \$15.85 per hour, Joseph Embury @ \$17.19 per hour, Jeremy Eppard @ \$14.62 per hour, Jessie Guthmiller @ \$16.15 per hour, Dana Breske @ \$17.58 per hour. All members present voting aye. Motion carried.

Moved by Fischbach, seconded by Kippley to acknowledge resignation of Jon Hillestad (Sheriff Department), effective March 6, 2015. All members present voting aye. Motion carried.

Moved by Fischbach, seconded by Hansen to approve the following adjustment to the 2015 Salary Schedule, effective March 16, 2015 (raising each step in labor grade 4 (non-highway) classification \$1.00):

#### Labor Grade #4

Step 1 @ \$15.91 – vacant  
 Step 2 @ \$16.18 – vacant  
 Step 3 @ \$16.42 – Terry Lout  
 Step 4 @ \$16.69 – vacant  
 Step 5 @ \$16.88 – vacant  
 Step 6 @ \$17.08 – vacant  
 Step 7 @ \$17.26 – Randy Kutter  
 Step 8 @ \$17.48 – vacant  
 Step 9 @ \$17.64 – vacant  
 Step 10 @ \$17.84 – Nyle Jenson (.45) 18.29

Roll call vote: Commissioners Hansen-aye, Kippley-aye, Fischbach-aye, Fjeldheim-aye, Sutton-nay. Motion carried.

Moved by Fjeldheim, seconded by Hansen to authorize the Landfill re-advertise for Labor Grade 4 position. All members present voting aye. Motion carried.

Moved by Hansen, seconded by Kippley to amend previous motion authorizing the Landfill re-advertise for Labor Grade 4 position at \$15.91 per hour. All members present voting aye. Motion carried.

#### LANDFILL UNIT 2 CELL 2 GRANT REIMBURSEMENT REQUEST #4:

Moved by Kippley, seconded by Hansen to approve and authorize Chairman to sign Reimbursement Request #4 for Landfill Unit 2 Cell 2 Construction Project Grant #2015G-SW-100 in amount of \$367.00. All members present voting aye. Motion carried.

#### SHERIFF REPORTS:

Moved by Hansen, seconded by Fischbach to approve the following February 2015 Sheriff Reports: Incidents and offenses, Prisoner care, JDC, and Money deposited with the County Treasurer. All members present voting aye. Motion carried.

#### AUDITORS REPORT OF ACCOUNT:

Moved by Hansen, seconded by Fischbach to approve the February 2015 Auditor's Report of Account with the County Treasurer in total amount of \$16,702,648.71 (total amount of actual cash @ \$3,800.00, US Bank @ \$76,316.34, Dacotah Bank @ \$584,735.51, Petty Cash @ \$2,000.00, Fund Investments @ \$16,035,796.86). All members present voting aye. Motion carried.

#### FAIR EVENT JUDGING AND CAMPGROUND RENTAL CONTRACTS:

Moved by Fischbach, seconded by Fjeldheim to authorize the Chairman sign Campground Rental Contracts and Event Judging Contracts for the 2015 Brown County Fair, as they are presented. All members present voting aye. Motion carried.

#### CDBG – SAFE HARBOR:

Ted Dickey, NECOG; Gina Karst, Executive Director Safe Harbor; Mike Williams and Dick Kornder, Safe Harbor Board Members met to discuss possibility of the County sponsoring a CDBG application on behalf of Safe Harbor. Board agreed.

#### AVERA HEALTH PLAN:

Jim Bradley, Avera Health Plan met to request employee statistical information for purpose of preparing a quote for an employee health plan. Board authorized Gary Vetter provide the needed information.

#### HOSPITAL CLAIMS:

Moved by Hansen, seconded by Fjeldheim to deny payment of the following hospital claim: 45 year old female @ \$49,444.80, as the individual has not provided sufficient information to determine if indigent. All members present voting aye. Motion carried.

Moved by Fischbach, seconded by Kippley to deny payment of the following hospital claim: 54 year old female @ \$104,791.22, as the individual has not provided sufficient information to determine if indigent. All members present voting aye. Motion carried.

#### ACA ENROLLMENT:

Clay Nelson, Welfare Director reported that 22 individuals signed up for the Affordable Care Act (ACA) when representative used office space in the building during recent open enrollment period.

#### JAIL RENOVATION FUNDING OPTION:

The Commission acknowledged receipt of a proposal from Wells Fargo Bank to finance the Jail renovation project. No action was taken at this time.

#### EXECUTIVE SESSION:

Moved by Hansen, seconded by Kippley to go into executive session to discuss contract, per SDCL 1-25-2(4) with Larry Lovrien, Gary Vetter and Mike Scott in attendance. All members present voting aye. Motion carried.

The Chairman declared the executive session closed, with no action taken as a result of the discussion.

#### LANDFILL SCALE HOUSE:

Moved by Kippley, seconded by Fischbach to approve quote submitted by ABC Seamless, Aberdeen, SD for furnishing supplies, labor and equipment to re-roof the Landfill Scale House with a metal roof in amount of \$20,391.00 (lifetime warranty); rejecting quote submitted by Pro-Tec, Watertown, SD in amount of \$20,470.00. All members present voting aye. Motion carried.

#### LANDFILL SPRING RESIDENTIAL CLEANUP:

Moved by Kippley, seconded by Hansen to approve waiving fees on all material types from Residential Users only during the Spring Residential Cleanup at the Brown County Landfill, to be held from April 24 thru May 9, 2015. Tires are limited to car/pickup tires only with a maximum of 4 tires per customer for event period. Fees will apply to commercially generated tires and other tire sizes. No free waste will be accepted from commercial contractors or businesses (including mobile homes). In the event



circumstances beyond the control of Brown County (flood, tornado, fire, other) would occur during the FREE Cleanup period the Brown County Commission would reserve the right to end the free cleanup period at such time and implement the regular fee structure. All members present voting aye. Motion carried.

EXECUTIVE SESSION:

Moved by Kippley, seconded by Hansen to go into executive session to discuss personnel, per SDCL 1-25-2(1) with Larry Lovrien, Gary Vetter, Mark Milbrandt, Tom Schmitt and Tanya Mitchener in attendance. All members present voting aye. Motion carried.

The Chairman declared the executive session closed, with no action taken as a result of the discussion.

BRIDGE RE-INSPECTION:

Commissioner Fjeldheim offered the following Resolution:

RESOLUTION #11-15

BRIDGE REINSPECTION PROGRAM FOR USE WITH SDDOT RETAINER CONTRACTS

WHEREAS, Title 23, Section 151, United States Code and Title 23, Part 650, Subpart C, Code of Federal Regulations, requires initial inspection of all bridges and re-inspection at intervals not to exceed two years with the exception of reinforced concrete box culverts that meet specific criteria. These culverts are re-inspected at intervals not to exceed four years.

THEREFORE, Brown County is desirous of participating in the Bridge Inspection Program using Bridge Replacement funds.

Brown County requests SDDOT to hire Clark Engineering Corporation for the inspection work. SDDOT will secure federal approvals, make payments to the Consulting Engineer for inspection services rendered, and bill the county for 20% of the cost. Brown County will be responsible for the required 20% matching funds.

Dated this 10<sup>th</sup> day of March 2015 at Aberdeen, SD.

Seconded by Commissioner Fischbach. Roll call vote: Commissioners Hansen-aye, Kippley-aye, Fischbach-aye, Fjeldheim-aye, Sutton-aye. Resolution adopted.

HIGHWAY UPDATE:

Dirk Rogers, Highway Superintendent discussed mower tractors; 5 employees beginning four ten-hour day schedule; oil distributor.

EMPLOYEE POLICY MANUAL CHANGES:

Moved by Kippley, seconded by Fischbach to approve changes to Employee Policy Manual Section C-1 and C-2. All members present voting aye. Motion carried.

RECESS:

The Chairman declared the Commission recessed until March 17, 2015.

Maxine Fischer, Brown County Auditor *Maxine Fischer*

Published once at the total approximate cost of \$\_\_\_\_\_.



## MARCH 17, 2015 – GENERAL MEETING

Meeting called to order by Chairman Sutton at 8:45 A.M. in the Commissioner's Chambers, Courthouse Annex, Brown County, SD. Present were Commissioners Hansen, Kippley and Fjeldheim. Commissioner Fischbach was absent. Chairman Sutton led the Pledge of Allegiance.

### MINUTES:

Moved by Kippley, seconded by Hansen to approve the General Meeting Minutes of March 10, 2015. All members present voting aye. Motion carried.

### CLAIMS:

Moved by Hansen seconded by Fjeldheim to approve the following claims:

Insurance: SD Public Assurance Alliance \$406.56.

Professional Fees: Aberdeen Advanced Care Ambulance \$411.70; AMG Internal Medicine \$98.67; AMG Neurology \$138.38; AMG Radiology \$742.18; Avera Orthopedic Specialists \$92.10; Avera St. Luke's \$13,734.78; Lynnel Bruemmer \$9.20; Certified Languages \$882.75; Compass Counseling & Assessment \$3,000.00; Dependable Sanitation \$20,785.06; Great Plains Psychological Services \$3,866.25; Harmelink, Fox & Ravensborg Law \$265.50; InterpreCorps \$88.00; Language Line Services \$90.18; Lewis & Clark BHS \$800.00; LexisNexis \$50.70; One Source \$45.00; Gina Rogers \$51.08; Sanford Health \$279.38; Sanford Health Occupational Medicine \$200.00; SD Dept. of Revenue & Regulation \$2,635.90; Kristi Spitzer \$449.00; US Bank \$50.00.

Publishing: Aberdeen American News \$871.93; Dakota Press \$968.16; Groton Independent \$713.81; Northern Exposure \$365.00.

Repairs & Maintenance: Aberdeen Chrysler Center \$45.00; Commercial Electronics Corp. \$5,481.61; DSG \$4.11; Double D Body Shop \$659.93; Farm Power Mfg. \$4.00; Farnam's \$53.34; Fawn Lake Welding \$930.00; G & K Services \$281.04; GCR Tires \$22.50; House of Glass \$270.84; Knight Towing \$5782.50; Lawson Products \$71.71; Leidholt Electric \$269.58; Pierson-Ford \$730.84; PowerPlan \$1,365.08; US Bank \$151.69.

Supplies: 446-Praxair \$156.11; A & B Business \$235.61; Brick's TV & Appliance \$351.79; Br. Co. Treasurer \$58.46; Cash-Wa \$4,322.62; Century Business Products \$65.99; Crescent Electric \$152.80; Custom Glass \$225.00; Dakota Electronics \$264.60; DSG \$50.90; Dean Foods \$480.03; DT Pharmacy \$1,534.88; Farm Power Mfg. \$192.98; Federal Signal Corp. \$13,127.00; GCR Tires \$122.00; GovConnection \$4,439.79; Harmelink, Fox & Ravensborg Law \$16.00; Hedahl's \$131.93; Intoximeters \$256.50; Kessler's \$257.76; Knight Towing \$3,676.00; L.G. Everist \$803.00; Lang's \$70.00; Lar-Jo's \$88.00; Lawson Products \$1,326.99; Menards \$515.83; NCFE-Warner Elevator \$17,408.55; Pitney Bowes \$126.00; Police Legal Sciences \$1,920.00; Sewing Shoppe \$11.00; Share Corp \$248.75; Sioux City Foundry \$5,600.00; Tractor Supply Co. \$31.07; US Bank \$9,890.41; Weller Truck Parts \$2,447.65.

Travel and Conference: Anne Reinhillier \$14.00; Assn of SD Musuems \$35.00; Briggs Tople \$14.00; City of Groton \$99.53; Emily Geffre \$14.00; Sue Gates \$94.59; Jacob Womack \$14.00; John Wolfgram \$14.00; Britney Lout \$14.00; Michelle Lout-Fischer \$14.00; Molly Fesler \$14.00; NACO \$490.00; Clifford Rhodes \$14.00; SDSHRM \$418.00; Tannon Tople \$14.00; Taylor Farley \$14.00; US Bank \$3,822.44.

Utilities: Aberdeen City Treasurer \$304.73; CenturyLink \$1,401.71; Exec. Mgmt. \$73.71; Midcontinent \$205.00; Midwest Alarm \$51.50; Northern Electric \$2,346.32; NWPS \$3,752.42; US Bank \$632.85; Verizon \$200.05.

Other: JRWD \$7,907.71; Safe Harbor \$886.00. All members present voting aye. Motion carried.

### PERSONNEL:

Moved by Kippley seconded by Fjeldheim to acknowledge the following miles driven and amount to be taxed for personal use of County vehicles during the month of February 2015: Kendell Titze – 114 @

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\$65.55, Michael Scott – 190 @ \$109.25, Gary Vetter – 125 @ \$71.88, Dirk Rogers – 703 @ \$404.23. All members present voting aye. Motion carried.

Moved by Hansen, seconded by Kippley to approve hiring Brandon Milles, Correctional Officer in the Jail, effective March 16, 2015 at \$14.88 per hour (background check complete). All members present voting aye. Motion carried.

**HAY CUTTING AT FAIRGROUNDS:**

Moved by Kippley, seconded by Fjeldheim to authorize advertising for hay cutting proposals on County land – approximately 26 acres at the Fairgrounds, to be opened, read and considered on April 7, 2015 at 8:45 a.m. in the Commission Chambers, Courthouse Annex, Brown County, South Dakota. All members present voting aye. Motion carried.

**4-H COMMITTEE/MEMORANDUM OF UNDERSTANDING:**

Moved by Kippley, seconded by Fjeldheim to approve the following 4-H Promotion and Expansion Committee members: 4-H Adults: Sandy Osterman, Kathy Sperry, Vicci Stange, Ellen Schlosser, Mike Frey; 4-H Youth: Hailey Hanson, Matthew Sperry; Non 4-H Adults: David Eckert, Jessica Osterman. All members present voting aye. Motion carried.

Moved by Kippley, seconded by Fjeldheim to approve and authorize the Chairman sign Memorandum of Understanding between SDSU Extension to provide guidance and active assistance to the 4-H Advisor and Brown County to reimburse SDSU \$17,780.00 for cost share of 4-H Advisor 2015 Salary. All members present voting aye. Motion carried.

**POLICY RESOLUTION:**

Commissioner Hansen offered the following Resolution:

**RESOLUTION #12-15**

WHEREAS, policies provide a degree of consistency within county government; and

WHEREAS, GASB 2300.106 requires policies in a number of areas be disclosed in the “notes to financial statements”.

NOW, THEREFORE BE IT RESOLVED that the Brown County Commission adopt the following policies in compliance with GASB (governmental accounting standards board).

**BASIS OF ACCOUNTING:** The government-wide financial statements will be prepared using the economic resources measurement focus and the accrual basis of accounting, as will the proprietary fund and fiduciary fund financial statements. Governmental fund financial statements will be reported using the current financial resources measurement focus and the modified accrual basis of accounting. (GASB 1600.103)

**REVENUE AVAILABILITY CRITERION:** Revenues are considered to be available when they are collectible within the current period or soon enough thereafter to pay liabilities of the current period. For this purpose, Brown County considers revenues to be available if they are collected within (30) thirty days of the end of the current fiscal period.

Property taxes are levied on an annual basis. On the fund financial statements, the portion of the property tax levies that have not been collected by the end of the fiscal year and are not available will be considered deferred revenue. (GASB 1600.106)

**CAPITAL ASSETS:** Governmental Funds, Non-Governmental Funds and Enterprise Fund. SDCL 5-24 requires all county departments to file a property inventory with the county auditor by January 10<sup>th</sup> of each year, which shall include all items in the following categories over the stated original cost.

<u>Assets</u>	<u>Years</u>	<u>Depr Method</u>	<u>Capitalization Method</u>
Land and Land Rights	N/A	N/A	All
Buildings	50-200	Straight Line	\$25,000
Improvements Other than Buildings	15-25	Straight Line	\$25,000
Equipment and Vehicles	3-40	Straight Line	\$ 5,000
Infrastructure	5-125	Straight Line	\$25,000

Personal Property Listings – All county departments are required to file an additional list of electronic equipment, furniture, and/or equipment requiring insurance coverage with an original cost less than \$5000. (GASB 1400.102, 104)

**OPERATING VS. NONOPERATING REVENUES AND EXPENSES:** The Brown County Landfill Fund distinguishes operating revenues and expenses from non-operating items. Operating revenues and expenses generally result from providing services and producing goods relating to the landfill operation. Principal operating revenues of this operation are tipping fees. Non-operating revenues include grants and interest earned. Operating expenses of the landfill operation include salaries and benefits, supplies and depreciation. The loss on disposal of capital assets is a non-operating cost. (GASB P80.118)

**GASB AND/OR FASB:** Private sector standards of accounting and financial reporting issued prior to December 1, 1989, generally are followed in both the government-wide and proprietary fund financial statements to the extent that those standards do not conflict with or contradict guidance of the GASB. Governments also have the option of following subsequent private sector guidance for the business-type activities and enterprise funds, subject to the same limitation. Brown County has elected not to follow subsequent private sector guidance. (GASB P80.103)

**CASH AND CASH EQUIVALENTS:** For the purposes of the proprietary fund statement of cash flows, cash equivalents are defined as short-term, highly liquid investments that are both:

- Readily convertible to known amounts of cash
- So near their maturity that they present insignificant risk of changes in value because of changes in interest rates

Generally, only investments with original maturities of three months or less meet this definition. (GASB 2450.105) Examples of items commonly considered to be cash and cash equivalents are checking, money market, cash change, CD's (three months or less) and internal cash management pools.

Brown County's cash and cash equivalents are considered to be cash on hand, demand deposits, and short-term investments with original maturities of three months or less from the date of acquisition.

**RESTRICTED AND UNRESTRICTED RESOURCES:** When both restricted and unrestricted resources are available for use, it is Brown County's policy to use restricted resources first and then use unrestricted resources, as they are needed (i.e. E911 Surcharge, Museum Grants). (GASB 2300.106(12))

**EXCEPTION:** The restricted Snow Removal resources in the Highway Fund shall only be expended on snow removal when the amount spent in a fiscal year exceeds cost for an average years snow removal.

Seconded by Commissioner Kippley. Roll call vote: Commissioners Hansen-aye, Kippley-aye, Fischbach-absent, Fjeldheim-aye, Sutton-aye. Resolution adopted.

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ORGANIZATIONAL CODE OF CONDUCT:  
Commissioner Hansen offered the following Resolution:

RESOLUTION #13-15  
ANTIFRAUD PROGRAMS AND CONTROLS (SAS 99)

WHEREAS, the Statement of Auditing Standards (SAS) #99 indicates that management is responsible for designing and implementing systems and procedures for the prevention and detection of fraud and for ensuring a culture and environment that promotes honesty and ethical behavior.

NOW, THEREFORE BE IT RESOLVED that the Brown County Commission adopt the following (an expanded version of many may exist in the personnel policy manual):

ORGANIZATIONAL CODE OF CONDUCT: The County and its employees must, at all times, comply with all applicable laws and regulations. The county will not condone the activities of employees who achieve results through violation of the law or unethical business dealings. This includes any payments for illegal acts, indirect contributions, rebates, and bribery. The county does not permit any activity that fails to stand the closest possible public scrutiny.

Employees uncertain about the application or interpretation of any legal requirements should refer the matter to their superior, who, if necessary, should seek legal advice.

GENERAL EMPLOYEE CONDUCT: The County expects its employees to conduct themselves in a businesslike manner. Drinking, gambling, fighting, swearing, and similar unprofessional activities are strictly prohibited while on the job. Employees must not engage in sexual harassment, or conduct themselves in a way that could be construed as such, for example, by using inappropriate language, keeping or posting inappropriate materials in their work area, or accessing inappropriate materials on their computer.

CONFLICTS OF INTEREST: The County expects that employees will perform their duties conscientiously, honestly, and in accordance with the best interests of the county. Employees must not use their position or knowledge gained as a result of their position for private or personal advantage.

GIFTS, ENTERTAINMENT, AND FAVORS: Employees must not accept significant entertainment, gifts, or personal favors that could, in any way, influence, or appear to influence, business decisions in favor of any person or organization with whom or with which the county has, or is likely to have, business dealings.

KICKBACKS AND SECRET COMMISSIONS: The County strictly prohibits the acceptance of kickbacks and secret commissions from suppliers or others. Any breach of this rule will result in immediate suspension and prosecution to the fullest extent of the law.

COUNTY RESOURCES: Assets of the county are for county purposes only and not for personal benefit. This includes the personal use of organization assets, such as computers and other equipment.

ORGANIZATION RECORDS AND COMMUNICATIONS: The employees responsible for accounting and recordkeeping must fully disclose and record all assets, liabilities or both, and must exercise diligence in enforcing these requirements. Employees must not make or engage in any false record or communication of any kind including false expense, attendance, financial or similar reports and statements.

**PRIVACY AND CONFIDENTIALITY:** Employees and members of the governing board should be aware of restrictions to public access in areas such as medical records, economic development and executive sessions.

Seconded by Commissioner Kippley. Roll call vote: Commissioners Hansen-aye, Kippley-aye, Fischbach-absent, Fjeldheim-aye, Sutton-aye. Resolution adopted.

**ESRI AGREEMENT:**

Moved by Kippley, seconded by Hansen to approve and authorize the Chairman to sign the Esri Small Public Safety Enterprise License Agreement (ELA) for a term of three years at \$15,000.00 per year (split 50/50 between GIS and Dispatch). All members present voting aye. Motion carried.

**ABATEMENT:**

Moved by Fjeldheim, seconded by Hansen to approve and authorize the Chairman sign the following Abatement: Peter Reszler @ \$484.58 (assessment error). All members present voting aye. Motion carried.

**MALT BEVERAGE/WINE LICENSE APPLICATION HEARING SET:**

Moved by Hansen, seconded by Kippley to authorize advertising a public hearing to be held in the Commissioners Chambers, Courthouse Annex, Brown County, SD on April 7, 2015 at 8:50 a.m. to consider the following applications: Retail (on-off sale) Malt Beverage License and Retail (on-off sale) Wine License: ARR LLC DBA Flatland Flyways Lodge, 39931 106<sup>th</sup> Street, Hecla, SD 57446 – Russo's OL 1 in the NW ¼ of Sec 1-T127N-R62W of the 5<sup>th</sup> P.M., Brown County, SD. All members present voting aye. Motion carried.

**TEMPORARY RETAIL ON-SALE LIQUOR LICENSE:**

Moved by Kippley, seconded by Fjeldheim to approve the following Temporary Alcohol License Application: Olive Grove Golf Course, Inc, 700 E 5<sup>th</sup> Ave, PO Box 617, Groton SD – Special event to be held at the Brown County Fairgrounds Clubhouse (map on file with application) SW ¼ Sec 1-T123N-R64W, Brown County, SD. Special on-sale liquor license effective September 5, 2015. All members present voting aye. Motion carried.

**FAIR CONTRACTS:**

Moved by Hansen, seconded by Kippley to approve and authorize the Chairman to sign the following contracts for the 2015 Brown County Fair: Marty Davis (2 performances a day -August 12-15 @ \$3,000.00); Lew's Fireworks (exhibit fireworks display August 15 @ \$5,000.00); Newsboys (performance August 12 @ \$40,000.00 plus 50% of net box office receipts after \$65,000.00); Ryan Stevenson (performance August 12 @ \$2,000.00); Korkow Rodeos LLC (August 10 & 11 @ \$26,000.00); Randy Houser (performance August 15 @ \$70,000.00); Volunteers of America (RSVP volunteers Memorandum of Understanding at no fee). All members present voting aye. Motion carried.

**FAIR SERVICE QUOTES:**

Moved by Hansen, seconded by Kippley to approve and authorize the Chairman to sign the following quotes for services during the 2015 Brown County Fair: Fire Safety First (fire extinguishers @ \$325.00); Street Smart Rental (stop light @ \$5,400.00); Vision Communications (radios @ \$1,942.00); Ramkota Hotel (rooms for entertainment and judges @\$59.99 per night). All members present voting aye. Motion carried.

**FAIR EQUIPMENT PURCHASE:**

Moved by Hansen, seconded by Kippley to authorize purchase of 10 Auley 2.4 wireless scanners for the fair ticket program at \$529.90 plus shipping. All members present voting aye. Motion carried.

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FAIR PROMO LIST:

Moved by Hansen, seconded by Kippley to approve the 2015 Promo List for the Brown County Fair, with documentation of value of goods/services receive in return. All members present voting aye. Motion carried.

BID – PROBATION REMODEL:

Moved by Hansen, seconded by Fjeldheim to approve Addendum #1 and Addendum #2 to the original plans and specifications for the Probation Office Remodel. All members present voting aye. Motion carried.

Time and place, as advertised to open, read and consider sealed bids for labor and material required for the Probation Office Renovations to the Brown County Courthouse. Moved by Hansen, seconded by Kippley to award low base bid, submitted by JDH Construction in amount of \$77,200.00 for furnishing labor and material required for the Probation Office Renovations to the Brown County Courthouse; rejecting the following: Huff Construction Co base bid @ \$90,000.00 and deduct alternate #1 @ 1,200.00; Zeller Brothers base bid @ \$86,077.00 and deduct alternate #1 @ \$8,612.00; JDH Construction deduct alternate #1 @ \$2,300.00. All members present voting aye. Motion carried.

ORD 088 – FIRST READING:

Moved by Kippley, seconded by Hansen to approve First Reading of Ordinance #088, An Ordinance amending Title 4 Zoning, Second Revision Brown County Ordinances, as adopted March 12, 1997, as follows: to amend Title 4 Zoning, Chapter 4.06 regarding property setbacks. All members present voting aye. Motion carried.

ORD 089 – FIRST READING:

Moved by Fjeldheim, seconded by Kippley to approve First Reading of Ordinance #089, An Ordinance amending Title 4 Zoning, Second Revision Brown County Ordinances, as adopted March 12, 1997, as follows: to amend Title 4 Zoning, Chapter 4.08 regarding property setbacks. All members present voting aye. Motion carried.

ORD 090 – FIRST READING:

Moved by Hansen, seconded by Kippley to approve First Reading of Ordinance #090, An Ordinance amending Title 4 Zoning, Second Revision Brown County Ordinances, as adopted March 12, 1997, as follows: to amend Title 4 Zoning, Chapter 4.10 regarding property setbacks. All members present voting aye. Motion carried.

ORD 091 – FIRST READING:

Moved by Hansen, seconded by Fjeldheim to approve First Reading of Ordinance #091, An Ordinance amending Title 4 Zoning, Second Revision Brown County Ordinances, as adopted March 12, 1997, as follows: to amend Title 4 Zoning, Chapter 4.11 regarding property setbacks. All members present voting aye. Motion carried.

IT DEPARTMENT UPDATE:

Paul Sivertsen, IT Manager presented update of projects and daily activities conducted in the IT Department.

EXECUTIVE SESSION:

Moved by Hansen, seconded by Kippley to go into executive session to discuss contract, per SDCL 1-25-2(4) with Larry Lovrien, Gary Vetter and Paul Sivertsen in attendance; after discussion Mr. Sivertsen was



excused and the executive session was continued to discuss personnel, per SDCL 1-25-2(1) with Larry Lovrien and Gary Vetter in attendance. All members present voting aye. Motion carried.

The Chairman declared the executive session closed, with no action taken on the contract discussion and the following action taken as a result of the personnel discussion:

Moved by Kippley, seconded by Hansen to approve the following adjustment to the 2015 Salary Schedule, effective March 16, 2015 – Delete the following classification:

Chief Dispatcher:

Step 1 @ \$17.11 – vacant  
 Step 2 @ \$17.44 – vacant  
 Step 3 @ \$17.76 – re-designate current employee (see below)  
 Step 4 @ \$18.09 – vacant  
 Step 5 @ \$18.40 – vacant  
 Step 6 @ \$18.71 – vacant  
 Step 7 @ \$19.04 – vacant  
 Step 8 @ \$19.37 – vacant  
 Step 9 @ \$19.68 – vacant  
 Step 10 @ \$20.35 – vacant

And further designate James Petrich as Assistant Communications Director @ \$19.76 per hour and increase salary of Don Fischer, Assistant Landfill Manager to \$19.40 per hour, effective March 16, 2015. All members present voting aye. Motion carried.

SB 1:

Sheila Enderson, Brown County Treasurer met to discuss SB 1 raising questions about a memo from the SD Department of Revenue for implementation which is inconsistent with current state law. Board concurred and will approach the SD Association of County Commissioners for clarification.

RECESS:

The Chairman declared the Commission recessed until March 24, 2015.

Maxine Fischer, Brown County Auditor *Maxine Fischer*

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## MARCH 24, 2015 – GENERAL MEETING

Meeting called to order by Chairman Sutton at 8:45 A.M. in the Commissioner's Chambers, Courthouse Annex, Brown County, SD. Present were Commissioners Hansen, Kippley, Fischbach and Fjeldheim. Commissioner Hansen led the Pledge of Allegiance.

### MINUTES:

Moved by Kippley, seconded by Hansen to approve the General Meeting Minutes of March 17, 2015. All members present voting aye. Motion carried.

### CLAIMS:

Moved by Hansen, seconded by Fischbach to approve the following claims:

Payroll: Commission \$3,767.51; Commission Assistant/Human Resources \$4,088.74; Auditor \$7,399.67; Treasurer \$12,031.68; Data Processing \$5,758.12; State's Attorney \$16,169.69; Blood Draws \$400.00; SVAWA Grant \$1,873.94; Maintenance \$6,486.26; Assessor \$13,104.50; Register of Deeds \$8,758.88; Veterans Service Office \$3,563.74; GIS \$2,195.60; Sheriff Admin \$32,067.84; Jail \$34,973.63; Coroner \$750.00; JDC \$15,242.45; HD \$4,901.07; Welfare Office \$3,500.47; Museum \$7,658.94; Parks & Fairgrounds \$4,390.44; Fair Board \$2,523.51; 4-H \$1,113.60; Weed \$0; Planning and Zoning \$1,586.47; Highway \$50,868.20; Communications \$20,540.04; Emergency Management \$3,331.32; Teen Court \$739.31; 24/7 \$2,865.40; Landfill \$10,523.25.

Matching Benefits: FICA \$16,682.72; Medicare \$3,901.63; Life \$679.98; Dental \$6,650.40; Health Insurance \$106,501.04; Retirement \$33,961.91.

Insurance: SD Assoc. of County Commissioners \$7,478.58.

Professional Fees: AMG Radiology \$10.00; Avera St. Luke's \$5,518.31; Certified Languages \$552.75; CCB \$537.61; LGB \$12,605.51; NE Mental Health Center \$1,430.00; Roberts Co. Auditor \$180.00; Ronayne Law Office \$5,137.50; Sanford Health Occupational Medicine \$80.00; SDN Communications \$62.50; SWANA \$400.00; Mitch Vilhauer \$1,046.25; Vintage Tech \$1,537.90.

Publishing: Aberdeen American News \$908.54.

Rentals: Jordan Park Townhomes \$330.00; Larry Kumpf \$145.00; Solstice Holdings \$330.00.

Repairs & Maintenance: A & B Business \$29.99; Overhead Door \$222.65; Pierson-Ford \$47.45; Sander's Sew 'n' Vac \$150.24; Specialty Mfg. \$800.00.

Supplies: A & B Business \$291.49; American Health & Safety \$156.35; Cartney Bearing \$22.32; Creative Product Source \$470.46; Crescent Electric \$31.70; DSG \$302.42; Geffdog \$1,569.70; GovConnection \$1,916.28; Integrity Products \$116.30; Intoximeters \$2,000.00; L.G. Everist \$14,364.73; Marco \$35.15; Menards \$145.03; Midstates Printing \$32.60; Midwest Card & ID Solutions \$227.44; NCFE – Warner \$20,593.47; Network Services \$217.74; Pheasantland Industries \$147.08; Premier Biotech \$590.96; Sanders Sew 'n' Vac \$194.34; Specialty Mfg. \$2,800.00; State Property Mgmt. \$1,215.00; Mitch Vilhauer \$386.65.

Travel and Conference: Assn of SD Museums \$35.00; Stan Beckler \$18.33; Best Western Ramkota – Pierre \$569.94; Darwin Bettmann \$10.16; Hannah Carda \$230.00; Lynn Heupel \$153.69; Nick Juenger \$230.84; Patrick Keatts \$34.11; Dale Kurth \$112.53; Scott Meints \$288.45; David North \$105.48; SD Teen Court Assn. \$135.00; SDACES \$20.00; Jerry Streckfuss \$23.32; Aaron Walberg \$531.44; Patti Woods \$51.70.

Utilities: NWPS \$388.66; Verizon \$2,190.03.

Other: Pizza Ranch \$64.95.

Machinery & Equip.: Beadle Co. Hwy Dept. \$30,000.00. All members present voting aye. Motion carried.

### PERSONNEL:

Moved by Kippley, seconded by Fjeldheim to approve hiring Karla Pfeifer as the Brown County Fair Manager, effective March 26, 2015 at a pro-rated annual salary of \$43,750.00. All members present voting aye. Motion carried.

**MANAGED PRINT SERVICES CONTRACT ADDENDUM:**

Moved by Hansen, seconded by Fjeldheim to approve and authorize the Chairman sign Amendment to the Managed Print Services Contract with GovConnection, Merrimack, NH, defining method of invoicing - pricing is not impacted. All members present voting aye. Motion carried.

**FAIR QUOTES:**

Moved by Fjeldheim, seconded by Kippley to accept quote, submitted by Quality Quick Print to provide Barcoded Tickets @ \$4,793.00; Posters @ \$248.00; Buttons @ \$85.00; Fair Books @ \$3,667.00 for the 2015 Brown County Fair. All members present voting aye. Motion carried.

Moved by Kippley, seconded by Fjeldheim to accept quote, submitted by Geffdog Design & Apparel to provide Tee-Shirts @ \$780.00; Caps @ \$500.00 for the 2015 Brown County Fair. All members present voting aye. Motion carried.

**FAIR LIVESTOCK EVENT SPONSORSHIP AGREEMENTS:**

Moved by Fischbach, seconded by Kippley to authorize the Chairman sign Agreements for Sponsorship of Livestock Events for the 2015 Brown County Fair, as they are presented. All members present voting aye. Motion carried.

**ORD 092 - SET HEARING DATE:**

Moved by Hansen, seconded by Fischbach to set public hearing for Ordinance #092, an Ordinance to amend Title 4 – Zoning, Second Revision Brown County Ordinances, to rezone the following described property from its present zoning designation of Chapter 4.06 (AG-P) Agricultural Preservation District to Chapter 4.34 (M) Municipal, State and County Use District: The N ½ of the SW ¼ of Sec 15-T124N-R63W and Outlot 1 in the S ½ of the SW ¼ of Sec 15-T124N-R63W of the 5<sup>th</sup> P.M., Brown County, SD (12668 391<sup>st</sup> Ave), to be held in the Brown County Commission Chambers at 8:45 a.m. on April 14, 2015. All members present voting aye. Motion carried.

**PLAT:**

Commissioner Hansen offered the following Resolution:

**RESOLUTION # 14-15**

BE IT RESOLVED by the Board of Commissioners of Brown County, SD, that the plat showing “Lockheed Replat of Lot 2 of 2<sup>nd</sup> Subdivision of O’Dea’s Outlot 1 in the SW ¼ of Sec 34-T122N-R64W of the 5<sup>th</sup> P.M., Brown County, South Dakota”, having been examined is hereby approved in accordance with the provisions of SDCL of 1967, Chapter 11-3, and any amendments thereof.

Seconded by Commissioner Fjeldheim. Roll call vote: Commissioners Hansen-aye, Kippley-aye, Fischbach-aye, Fjeldheim-aye, Sutton-aye. Resolution adopted.

**ABATEMENTS:**

Moved by Hansen, seconded by Fjeldheim to approve and authorize the Chairman sign the following Abatements: Walter Jenkins @ \$1,214.52 (Groton curb & gutter paid direct); Bryan Hofer @ \$318.38 (mobile home gone). All members present voting aye. Motion carried.

**SPECIAL MALT BEVERAGE APPLICATION:**

Moved by Fjeldheim, seconded by Kippley to approve and authorize the Chairman sign the Special Malt Beverage License Application, submitted by the Boys & Girls Club of Aberdeen Area, 1111 1<sup>st</sup> Ave SE for Bull Riding event at the Holum Expo Building on April 17 & 18, 2015 (Brown County Fairgrounds

SW ¼ Sec 1-T123N-R64W – map indicating specific building on file with application). All members present voting aye. Motion carried.

**ALCOHOLIC BEVERAGE LICENSE/MALT BEVERAGE LICENSE TRANSFER HEARING:**

Moved by Fjeldheim, seconded by Hansen to authorize advertising public hearing to consider the following applications: TRANSFER - RETAIL (ON-SALE) LIQUOR: Dave Schumaker DBA Elm Lake Resort to Travis Swenson DBA Elm Lake Resort, 37594 102<sup>nd</sup> St, Forbes, ND , Lot 1 Elm Lake Resort Subdivision in the SE ¼ of Sec 8-T128N- R65W of the 5<sup>th</sup> P.M., Brown County, SD. TRANSFER – RETAIL (ON-OFF SALE) MALT BEVERAGE. Dave Schumaker DBA Elm Lake Resort to Travis Swenson DBA Elm Lake Resort, 37594 102<sup>nd</sup> St, Forbes, ND , Lot 1 Elm Lake Resort Subdivision in the SE ¼ of Sec 8-T128N- R65W of the 5<sup>th</sup> P.M., Brown County, SD, to be held at 8:50 A.M. on April 14, 2015. All members present voting aye. Motion carried.

**MARKET STREET ENTRANCE PROJECT:**

Moved by Kippley, seconded by Fischbach to authorize Judy Dosch obtain quotes for preparation of specifications for the Market Street Entrance Project. All members present voting aye. Motion carried.

**BID - WEED CHEMICAL:**

Time and place, as advertised to open, read and consider sealed bids for furnishing and delivery of chemical for the Brown County Weed and Pest Department for 2015. Moved by Kippley, seconded by Fischbach to award to Van Diest Supply and the State Bid Contract for items not available from Van Diest. Complete tabulation sheet on file in the Auditor's Office (available for public inspection Monday – Friday, 8:00 a.m. to 5:00 p.m.). All members present voting aye. Motion carried.

**CDBG - SAFE HARBOR:**

Commissioner Hansen offered the following Resolution:

**RESOLUTION #15-15**

**Authorizing Community Development Block Grant Application  
To Assist In The Construction Of A Domestic Violence Shelter In Brown County**

WHEREAS, Brown County proposes to execute an application for \$515,000 Community Development Block Grant funds to construct a new domestic violence shelter in Brown County; and

WHEREAS, Brown County is eligible for Federal assistance for the proposed project; and

WHEREAS, with the submission of the Community Development Block Grant application, Brown County assures and certifies that all Community Development Block Grant program requirements will be fulfilled; and

WHEREAS, Brown County has held the required public hearing on Tuesday, March 24, 2015, for the Community Development Block Grant; and

WHEREAS, Brown County is required to designate a certifying officer for the purpose of signing documents pertaining to this grant; and

WHEREAS, Brown County is required to designate an environmental certifying officer for the purpose of signing required environmental documents pertaining to this grant;

NOW, THEREFORE BE IT RESOLVED, that the Chair of the Brown County Commission, will be authorized to execute the Community Development Block Grant application for Brown County;

AND BE IT FURTHER RESOLVED, that the Chair of the Brown County Commission, be hereby designated as the County's certifying officer for the purpose of signing correspondence, pay requests, and other required documents;

AND BE IT FURTHER RESOLVED, that the Chair of the Brown County Commission, be hereby designated as the County's environmental certifying officer for the purpose of signing correspondence and other required documents and forms.

Signed this 24<sup>th</sup> day of March 2015.

Seconded by Commissioner Fjeldheim. Roll call vote: Commissioners Hansen-aye, Kippley-aye, Fischbach-aye, Fjeldheim-aye, Sutton-aye. Resolution adopted.

**BID – WOOD WASTE GRINDING/SCREENING:**

Time and place, as advertised to open, read and consider sealed bids for mobilization, grinding and screening of Wood Waste at the Brown County Landfill. Moved by Kippley, seconded by Hansen to award bid (only one received), submitted by Dakota Wood-Grinding Inc, Rosemount, MN, as follows: Grinding @ \$550.00 per hour with mobilization @ \$1,800.00 per event; Screening @ \$165.00 per hour with mobilization @ \$1,800.00 per event. All members present voting aye. Motion carried.

Moved by Hansen, seconded by Fjeldheim to authorize the Chairman to sign Contract with Dakota Wood-Grinding, Inc. for the 2015 Wood Waste Grinding/Screening at the Brown County Landfill. All members present voting aye. Motion carried.

**SWMP GRANT – LANDFILL SCRAPER:**

Commissioner Fischbach offered the following Resolution:

**RESOLUTION #16-15  
Authorizing SWMP Signatory For Brown County**

WHEREAS, Brown County is proposing to purchase a scraper for the Brown County Landfill; and

WHEREAS, Brown County is applying for a Solid Waste Management Program Grant (SWMP) in an amount up to, but not exceeding \$385,000.00; and

WHEREAS, Brown County needs to authorize a SWMP signatory.

NOW THEREFORE, BE IT RESOLVED that Brown County make application to the South Dakota Department of Environment and Natural Resources for a SWMP grant in an amount up to, but not exceeding \$385,000.00; and

BE IT FURTHER RESOLVED that the Chair of Brown County be the authorized signatory for all related documents, including the application and pay requests.

Dated this 24<sup>th</sup> day of March 2015

Seconded by Commissioner Hansen. Roll call vote: Commissioners Hansen-aye, Kippley-aye, Fischbach-aye, Fjeldheim-aye, Sutton-aye. Resolution adopted.

**EXECUTIVE SESSION:**

Moved by Hansen, seconded by Kippley to go into executive session to discuss contract, per SDCL 1-25-2(4) with Larry Lovrien, Gary Vetter and Mike Scott in attendance. All members present voting aye. Motion carried.

The Chairman declared the executive session closed, with no action taken as a result of the discussion.

**ORD 088:**

Moved by Hansen, seconded by Fjeldheim to adopt Ordinance #088, An Ordinance amending Title 4 Zoning, Second Revision Brown County Ordinances, as adopted March 12, 1997, as follows: to amend Title 4 Zoning, Chapter 4.06 regarding property setbacks. Roll call vote: Commissioners Hansen-aye, Kippley-aye, Fischbach-aye, Fjeldheim-aye, Sutton-aye. Resolution adopted.

**ORD 089:**

Moved by Hansen, seconded by Fjeldheim to adopt Ordinance #089, An Ordinance amending Title 4 Zoning, Second Revision Brown County Ordinances, as adopted March 12, 1997, as follows: to amend Title 4 Zoning, Chapter 4.08 regarding property setbacks. Roll call vote: Commissioners Hansen-aye, Kippley-aye, Fischbach-aye, Fjeldheim-aye, Sutton-aye. Resolution adopted.

**ORD 090:**

Moved by Hansen, seconded by Fjeldheim to adopt Ordinance #090, An Ordinance amending Title 4 Zoning, Second Revision Brown County Ordinances, as adopted March 12, 1997, as follows: to amend Title 4 Zoning, Chapter 4.10 regarding property setbacks. Roll call vote: Commissioners Hansen-aye, Kippley-aye, Fischbach-aye, Fjeldheim-aye, Sutton-aye. Resolution adopted.

**ORD 091:**

Moved by Hansen, seconded by Fjeldheim to adopt Ordinance #091, An Ordinance amending Title 4 Zoning, Second Revision Brown County Ordinances, as adopted March 12, 1997, as follows: to amend Title 4 Zoning, Chapter 4.11 regarding property setbacks. Roll call vote: Commissioners Hansen-aye, Kippley-aye, Fischbach-aye, Fjeldheim-aye, Sutton-aye. Resolution adopted.

**SICK BANK:**

Andrea Sjomeling, Mickey Schultz and Tom Schmitt met to discuss the employee sick leave bank and presented amendments to the bank rules to consider for adoption. After discussion, no action was taken at this time.

**APPLICATION FOR OCCUPANCY:**

Moved by Hansen, seconded by Fjeldheim to approve and authorize the Chairman sign application, submitted by Northern Valley Communications for occupancy of Brown County Highway #12W in Sec 18-T123N-R64W of the 5<sup>th</sup> P.M., Brown County, SD, to provide telecommunication services. All members present voting aye. Motion carried.

**ADJOURN:**

Moved by Fischbach, seconded by Hansen to adjourn the Brown County Commission. All members present voting aye. Motion carried.

Maxine Fischer, Brown County Auditor



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## MARCH 31, 2015 – GENERAL MEETING

Meeting called to order by Chairman Sutton at 8:45 A.M. in the Commissioner's Chambers, Courthouse Annex, Brown County, SD. Present were Commissioners Hansen, Kippley, Fischbach and Fjeldheim. Chairman Sutton led the Pledge of Allegiance.

### MINUTES:

Moved by Fischbach, seconded by Hansen to approve the General Meeting Minutes of March 24, 2015. All members present voting aye. Motion carried.

### CLAIMS:

Moved by Hansen, seconded by Fjeldheim to approve the following claims:

Insurance: SDML Worker's Compensation \$71.00.

Professional Fees: Adam Altman \$4,444.45; Avera St. Luke's \$2,901.94; Kristi Brandt \$38.00; Christopher Dohrer \$5,069.45; Fox & Youngberg \$174.00; William Gerdes \$6,938.00; HKG Architects \$7,173.80; Kuck Law Office \$4,444.45; Liberty Tire Recycling \$6,071.70; Lincoln Co. Treasurer \$18.00; Richardson, Wyly, Wise & Sauck Law Firm \$4,444.45; Ronayne & Cogley Law Firm \$4,444.45; Sanford Clinic \$384.05; Christy Serr \$5,069.45; Thurman Law Office \$342.00; University of ND \$4,000.00; Yankton Co. Treasurer \$568.75; Sara Zahn \$243.20.

Publishing: Aberdeen American News \$433.77; Dex Media \$53.55; Groton Independent \$359.75.

Rentals: Chris & Elissa Allen \$800.00; Danne \$215.00.

Repairs & Maintenance: Butler Machinery \$15.52; CarQuest Auto \$116.50; NC Rental \$24,919.00; Pierson-Ford \$47.45; SD DOT \$603.23; Superior Jetting \$3,440.00.

Supplies: Best Business Products \$176.80; Butler Machinery \$184.40; CarQuest Auto \$11,383.47; Custom Glass \$225.00; Double D Body Shop \$290.00; DPM Mercantile \$16.90; Fox & Youngberg \$7.32; Galls \$40.51; GovConnection \$2,857.93; ITS \$6,696.00; Inventory Trading Co. \$128.00; LG Everist \$12,329.62; Marco \$276.65; Menards \$79.46; Midstates Printing \$637.80; NCFE – Warner \$20,308.26; Thurman Law Office \$6.78.

Travel and Conference: Jefferson Lines \$142.00; Rachel Kippley \$140.60; Duane Sutton \$303.20; Gary Vetter \$34.00.

Utilities: CenturyLink \$2,903.08; Midcontinent \$64.85; Montana Dakota Utilities \$32.69; NWPS \$1,275.26; Verizon \$30.06. All members present voting aye. Motion carried.

### PERSONNEL:

Moved by Hansen, seconded by Kippley to approve hiring Ashley Farrand as part time 4-H Summer Assistant effective June 8, 2015 at \$9.35 per hour. All members present voting aye. Motion carried.

### MALT BEVERAGE LICENSE APPLICATION HEARING SET:

Moved by Fjeldheim, seconded by Hansen to authorize advertising public hearing to consider the following application: RETAIL (ON-OFF SALE) MALT BEVERAGE LICENSE. Todd, Scott and Troy Neuendorf DBA Bullet Sports LLC, 715 17<sup>th</sup> Ave NE (PO Box 786), Aberdeen, SD 57402-0786, Brown County Fairgrounds SW ¼ of Sec 1-Twp123N-R64W of the 5<sup>th</sup> P.M., Brown County, SD (Grandstand for car racing – specific location designated on map attached to application), to be held at 8:55 A.M. on April 21, 2015 in the Commissioners Chambers, Courthouse Annex, Brown County, SD. All members present voting aye. Motion carried.

### LOTTERY APPLICATION:

Moved by Kippley, seconded by Fischbach to approve the following application: American Legion Sidney L Smith Post 24 for raffles to be held during the Horse Races (May 9-10; 16-17; 24-25, 2015) at the Brown County Fairgrounds. All members present voting aye. Motion carried.

**LEASE AGREEMENT:**

Moved by Fischbach, seconded by Fjeldheim to approve and authorize the Chairman to sign agreement with Hub City Radio for lease of the Holum Expo Building on April 11-12, 2015. All members present voting aye. Motion carried.

**ABATEMENTS:**

Moved by Fjeldheim, seconded by Hansen to approve the following Abatements: David Poor in amount of \$874.31 (2014) and \$811.60 (2015) (assessment error). All members present voting aye. Motion carried.

**WEED AND PEST GRANT:**

Moved by Kippley, seconded by Fischbach to approve and authorize the Chairman to sign Weed and Pest Grant Award Letter of Agreement for grant monies not to exceed \$6,100.00. All members present voting aye. Motion carried.

**RELEASE OF PROPERTY:**

Commissioner Kippley offered the following Resolution:

**RESOLUTION #17-15**

WHEREAS, Brown County has filed a Poor Relief Lien in total amount of \$ 6,834.53, and

WHEREAS, Brown County has determined it to be in the best interest of the taxpayers to release certain property from the effect of said lien, upon condition that the lien remain filed against the individuals.

NOW, THEREFORE BE IT RESOLVED that the following real property in Brown County, SD, which is described as follows:

Lots 1, 3 and 5, James Street, Peck's 1<sup>st</sup> Addition to Columbia, according to the plat thereof of record; and,

Lots 7, 9 and the South Half of Lot 11, James Street, Peck's 1<sup>st</sup> Addition to Columbia, according to the plat thereof of record.

is hereby released from the effect and force of said lien, upon payment of \$2,848.41 and on condition that the lien balance remain filed against the individuals.

Dated this 31<sup>st</sup> day of March 2015.

Seconded by Commissioner Fjeldheim. Roll call vote: Commissioners Hansen-aye, Kippley-aye, Fischbach-aye, Fjeldheim-aye, Sutton-aye. Resolution adopted.

**JUVENILE JUSTICE INITIATIVE:**

Deputy States Attorney Karly Winter, JDC Supervisor Amy Lake Harmon, Sheriff Mark Milbrandt and States Attorney Larry Lovrien expressed financial concerns that may occur when the Juvenile Justice Initiative is implemented and informed the Commission of a meeting scheduled for April 1, 2015 at 2:00 p.m. in the Courthouse Annex Meeting room for further discussion and clarification.

**BURN BAN:**

Commissioner Hansen offered the following Resolution;



## RESOLUTION #18-15

WHEREAS, Brown County is experiencing abnormally dry conditions, along with very heavy fuel load from previous wet conditions, and

WHEREAS, the Brown County Commission is dedicated in taking steps to protect the health and safety of all residents of the County and all property within the County, and

WHEREAS, the Brown County Commission has consulted with local fire officials and law enforcement officials in regard to the severity of this issue.

NOW, THEREFORE BE IT RESOLVED that the Brown County Commission enact this resolution on an emergency basis and impose a ban to prohibit or restrict open burning with the exception of barbeque grills in order to protect the public health and safety, as per SDCL 7-8-20.18; and

RESOLVE that the ban will be in place until further notice with review every Tuesday; and

FURTHER RESOLVE that criminal and civil penalties per County Ordinance 18.0703 be imposed if found in violation of this Resolution.

Dated this 31<sup>st</sup> day of March 2015.

Seconded by Commissioner Kippley. Roll Call Vote: Commissioners Hansen-aye, Kippley-aye, Fischbach-aye, Fjeldheim-aye, Sutton-aye. Resolution adopted.

## SAFETY COMMITTEE:

Scott Meints, Emergency Management Director discussed the Employee Safety Committee

## WAIVE LANDFILL FINE:

Moved by Fischbach, seconded by Kippley to waive fine for illegal use of the Fairgrounds dumpster site by Leadership Aberdeen/Habitat for Humanity. All members present voting aye. Motion carried.

## GROTON TOWNSHIP SPEED ZONE:

Commissioner Fjeldheim offered the following Resolution:

## RESOLUTION #19-15

WHEREAS, no person may drive a vehicle on a township road in excess of fifty-five miles per hour, pursuant to SDCL 32-25-9.2, unless otherwise provided pursuant to SDCL 32-25-9.1, and

WHEREAS, any board of county commissioners may determine and establish speed zones upon streets and highways on the request of and after any other local authority having charge of the maintenance of the highway has declared its intention to post speed zones less than fifty-five miles per hour, pursuant to SDCL 32-25-9.1, and

WHEREAS, the Groton Township Board of Supervisors has declared its intention to post a speed zone less than fifty-five miles per hour and have requested the board of county commissioners to establish the speed limit of 40 MPH on 134<sup>th</sup> Street between 404<sup>th</sup> Ave and ½ mile west of State Highway 37 (boundary of Groton Township and the City of Groton), and on 404<sup>th</sup> Avenue between 130<sup>th</sup> Street and 134<sup>th</sup> Street and the speed limit will be conspicuously posted at the beginning and ending of the zones. Fines for speeding will be the same as used by the State of South Dakota.

NOW, THEREFORE BE IT RESOLVED that the Brown County Commission establish the speed limit of 40 MPH on 134<sup>th</sup> Street between 404<sup>th</sup> Ave and ½ mile west of State Highway 37 (boundary of Groton Township and the City of Groton), and on 404<sup>th</sup> Avenue between 130<sup>th</sup> Street and 134<sup>th</sup> Street and the speed limit will be conspicuously posted at the beginning and ending of the zones.

Dated this 31<sup>st</sup> day of March 2015

Seconded by Commissioner Hansen. Roll call vote: Commissioners Hansen-aye, Kippley-aye, Fischbach-aye, Fjeldheim-aye, Sutton-aye. Resolution adopted.

#### EXECUTIVE SESSION:

Moved by Kippley, seconded by Fjeldheim to go into executive session to discuss personnel (SDCL 1-25-4(1); to consult with counsel (SDCL 1-25-4(3); and contract discussion (SDCL 1-25-4(4) with Larry Lovrien and Gary Vetter in attendance. All members present voting aye. Motion carried.

The Chairman declared the executive session closed, with the following action taken as a result of the discussion.

Moved by Kippley, seconded by Hansen to approve employee classification change for Jeremy Eppard, Highway Department from Parts to Labor Grade 4 Highway Step 1 at \$17.01 per hour, effective March 30, 2015. All members present voting aye. Motion carried.

Moved by Fischbach, seconded by Hansen to authorize Gary Vetter send eviction notice to individuals renting the county owned house at the Richmond Lake Youth Camp, effective April 30, 2015. All members present voting aye. Motion carried.

Moved by Kippley, seconded by Fjeldheim to appoint Ashley Twiss-Bennett to first term on the Brown County Fair Board (2015-2017). All members present voting aye. Motion carried.

#### ADJOURN:

Moved by Hansen, seconded by Kippley to adjourn the Brown County Commission. All members present voting aye. Motion carried.

Maxine Fischer, Brown County Auditor *Maxine Fischer*

Published once at the total approximate cost of \$\_\_\_\_\_.

# APRIL 7, 2015 – GENERAL MEETING

Meeting called to order by Chairman Sutton at 8:45 A.M. in the Commissioner's Chambers, Courthouse Annex, Brown County, SD. Present were Commissioners Hansen, Kippley, Fischbach and Fjeldheim. Commissioner Fischbach led the Pledge of Allegiance.

## MINUTES:

Moved by Kippley, seconded by Fischbach to approve the General Meeting Minutes of March 31, 2015. All members present voting aye. Motion carried.

## CLAIMS:

Moved by Hansen, seconded by Fjeldheim to approve the following claims:

Payroll: Commission \$3,767.51; Commission Assistant/Human Resources \$4,088.74; Auditor \$7,466.39; Treasurer \$12,612.49; Data Processing \$5,803.38; State's Attorney \$16,169.69; Blood Draws \$400.00; SVAWA Grant \$1,873.94; Maintenance \$6,449.28; Assessor \$13,104.51; Register of Deeds \$8,758.88; Veterans Service Office \$3,563.74; GIS \$2,195.60; Sheriff Admin \$33,508.43; Jail \$33,272.27; Coroner \$1,050.00; JDC \$14,941.23; HD \$5,052.30; Welfare Office \$3,500.47; Museum \$7,658.94; Parks & Fairgrounds \$4,815.24; Fair Board \$2,960.08; 4-H \$1,113.60; Weed \$709.71; Planning and Zoning \$2,226.47; Highway \$50,416.52; Communications \$20,748.51; Emergency Management \$3,331.32; Teen Court \$369.66; 24/7 \$2,834.05; Landfill \$11,064.24

Matching Benefits: FICA \$16,800.78; Medicare \$3,929.23.

Professional Fees: Image and Sound Forensics \$600.00; Aberdeen Advance Care Ambulance \$97.50; AMG University Psych \$2,104.16; Assn of SD Weed & Pest \$150.00; Avera St Luke's \$190.77; Kristi Brandt \$126.50; Bricks TV and Appliance \$691.25; Clark Engineering \$34,500.00; Compass Counseling and Assessment \$1,500.00; Harmelink, Fox & Ravensborg Law \$135.00; Lacroix Law Office \$198.00; Linda Marcuson \$80.00; Midstates Printing \$75.00; Pollard & Larson \$315.00; Gwen Rinde \$20.00; Sanford Clinic \$108.20; Sanford Health \$76.40; SD Assoc of Co Commissioners \$5,614.34; SD Assoc. Of Co Weed & Pest \$50.00; SD Assoc of County \$3,082.17; SD Dept. of Revenue and Regulation \$3,909.26; Spot Freight \$1,585.00; Tammy Stolle \$75.00; Yankton Co Sheriff Office \$50.00.

Publishing: Aberdeen American News \$462.82.

Rentals: Danne Inc. \$225.00; Carol Diaz \$200.00.

Repairs & Maintenance: 446-Praxair Distribution Inc. \$25.80; Adamsoft \$500.00; Asphalt Zipper \$124.00; Crawford M S & F \$138.60; Crawford Trucks and Equipment \$27.72; Dakota Electronic \$32.50; Great Western Tire \$6.00; HF Jacobs & Son Const. \$6,539.25; Mattern Electric \$35,495.88; PowerPlan \$3,537.11; Volk Upholstery \$150.00.

Supplies: 446-Praxair Distribution Inc. \$438.39; A & B Business 161.10; Ameripride \$307.72; Asphalt Zipper \$2,984.00; Bakken Build Maint. \$500.00; Bonnie Bitz \$192.00; Bricks TV and Appliance \$289.25; Br Co Treasurer \$55.13 Crawford M S & F \$299.18; Crawford Trucks and Equipment \$2,132.12; Crescent Electric Supply Co \$178.88; Dakota Electronics \$94.00; Dakota Fluid Power \$1,439.99; Digital Ally \$395.00; DPM Petty Cash \$52.80; Ecolab Pest Elimination \$105.05; Farm and Home Publishing \$290.00; Fastenal \$545.49; Gardner Blacksmithing \$65.00; Graham Tire \$183.50; Great Western Tire \$1,252.46; Harmelink, Fox & Ravensborg Law \$8.00; J Gross Equipment \$73.86; LaCroix Law Office \$11.63; Lang's TV & Appliance \$75.00; Larry Becker \$378.93; Mary Locken \$20.46; Mac's \$204.67; Marco Inc. \$89.18; Matthew Bender and Co \$44.44; National Public Safety Info. \$144.00; NCFE Warner \$3,099.46; Network Service Co \$404.04; Pollard & Larson \$6.00; Running's \$157.20; Sanders Sew-N-Vac \$23.96; Share Corp. \$320.00; Sherwin Williams \$319.50; Taylor Laundry \$98.00; Ryan Vogel \$7.41; Volk Upholstery \$55.00; Western Printing \$480.00; Zones \$809.12.

Travel and Conference: Executive Mgmt. \$1,199.50; Duane Jark \$50.76; Troy Knecht \$36.66; L.G. Everist \$6494.76; SDAAO \$500.00; SDSWMA Annual Conference \$390.00; Dennis Wiedebush \$33.84.

Utilities: Aberdeen City Treasurer \$970.17; AT&T \$223.35; BDM Rural Water System \$30.00; Midcontinent \$334.85; Northern Electric Coop \$59.80; NVC \$436.63; NWPS \$8282.96; Town of Frederick \$33.25; Web Water \$66.55.

Other: David Poor \$874.31.

Improvements Other Than Buildings: Vosika Fencing \$10,953.30.

Machinery & Equip.: Beck Motors \$30,625.00.

Jury: Peggy Abeln \$11.48, Julia Backous \$11.48; Tanner Baird \$11.48; Brian Beard \$154.44; Barbara Bell \$194.40; Michael Bockorny \$15.92; Ronald Bolduan \$11.48; Reece Bomberger \$11.48; Gina Brist \$11.48; Matthew Burst \$11.48; William Carter \$11.48; Jonathan Dabney \$12.22; Jon Damaska \$11.48, Renee Dey \$13.70; Ryan Dix \$11.48; Oscar Fieldler \$11.48; Joshua Finer \$11.48; Christopher Fischbach \$24.80; Stacy Fischer \$11.48; Wayne Fischer \$11.48; Kaitlyn Gehring \$154.44; Louie Genzler \$11.48; Dennis Geranen \$28.50; Rene Graf \$11.48; Tanya Grau \$11.48; Andrew Grode \$154.44; Michael Harry \$36.64; Sandra Hauck \$11.48; Caylee Holmes \$154.44; Ronald Hoops \$32.20; Michael Hoose \$11.48; Lucas Hoover \$154.44; Michelle Huber \$11.48; Jeremy Iverson \$183.30; Lynn Jerke \$154.44; Hollis Johnson \$32.20; Donald Johs \$11.48; Mavis Jundt \$11.48; Derek Kiefer \$24.80; Brittany Konda \$11.48; David Kono \$11.48; Diane Kost \$11.48; Trent Kramer \$11.48; James Lee \$13.70; Diane Lehr \$11.48; Joshua Leonard \$11.48; Philp Livermont \$154.44; Irene Luft \$11.48; Joseph Malsam \$11.48; Cody Martens \$11.48; Shirley Meister \$24.80; Tyler Menzia \$11.48; Greg Milbrandt \$24.80; Stephanie Morgan \$11.48; Dale Mork \$11.48; Darrell Nerby \$15.18; Robert Newell \$11.48; Amy Nilson \$11.48; Aubrey O'Connell \$154.44; Daniel Ohara \$11.48; Jessica Olson \$11.48; Roger Overacker \$25.54; Ronald Patton \$17.40; Michelle Peck \$17.40; Steven Petrik \$11.48; Kenneth Reed \$24.80; Kellan Ryan \$11.48; Darcy Schock \$11.48; Derek Schoenfelder \$19.62; Richard Schrenk \$11.48; Bryan Schroeder \$154.44; Patrick Schumacher \$154.44; Michael Storley \$11.48; Jeremy Skoglund \$48.48; Gary Sperle \$11.48; Maria Strom \$24.80; Edmund Suchomel \$11.48; Lisa Sumption \$32.20; Gail Swanston \$11.48; Larae Syhre \$11.48; Steven Thithavong \$11.48; Laura Thomas \$12.22; Jodi Tichy \$158.88; Robin Truebenbach \$205.50; Margaret Unser \$11.48; Shawn Van Cleave \$11.48; Anthony Wachs \$11.48; Gary Warne \$11.48; Chad Wilkie \$24.80; Kari Zinter \$11.48. All members present voting aye. Motion carried.

#### PERSONNEL:

Moved by Fjeldheim, seconded by Fischbach to approve the following employee step increases, effective April 12, 2015: Jeff Kirnan @ \$18.47 per hour, Diane Mielke @ \$17.80 per hour, Jo Forsting @ \$16.35 per hour, Kristin Barstad @ \$15.74 per hour, Patricia Kendall @ \$14.18 per hour, Jon Roberson @ \$13.91 per hour. All members present voting aye. Motion carried.

Moved by Fjeldheim, seconded by Hansen to approve hiring Austin Hoffman as full time equipment operator at the Landfill, effective April 9, 2015 at \$15.91 per hour. All members present voting aye. Motion carried.

#### ORD 15-04-01/443 SET HEARING:

Moved by Hansen, seconded by Kippely to set public hearing for Ordinance #15-04-01/443, an Ordinance to amend Ordinance No. 1164 to rezone the following described property from its present zoning designation of (A-1) Agricultural District to (M-AG) Mini-Agricultural District: Lots 1 and 2, Sunrise Estates Subdivision in the NW ¼ of Sec 9-T123N-R63W of the 5<sup>th</sup> P.M., Brown County, SD (2330 Brown County 19N and 4220 24<sup>th</sup> Ave NE), to be held in the Aberdeen City Council Chambers, 123 S Lincoln Street at 5:30 p.m. on April 27, 2015. All members present voting aye. Motion carried.

#### LEASE AGREEMENT:

Moved by Fjeldheim, seconded by Hansen to approve and authorize the Chairman to sign agreement with Native American Church of God for lease of the Richmond Lake Youth Camp on July 13-17, 2015. All members present voting aye. Motion carried.

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**CROW CREEK STRUCTURE PAY REQUEST #1:**

Moved by Hansen, seconded by Kippley to approve and authorize the Chairman to sign Crow Creek Control Structure Project Pay Request #1 (total bill \$12,865.50), as follows: James River Water Development District @ \$6,432.75 (50%); SD Department of Environment and Natural Resources @ \$5,146.20 (40%); County match @ \$1,286.55 (10%) . All members present voting aye. Motion carried.

**AUDITORS REPORT OF ACCOUNT:**

Moved by Hansen, seconded by Kippley to approve the March 2015 Auditor's Report of Account with the County Treasurer in total amount of \$16,723,300.30 (total amount of actual cash @ \$3,800.00, US Bank @ \$29,725.21, Dacotah Bank @ \$526,196.06, Petty Cash @ \$2,000.00, Fund Investments @ \$16,161,579.03). All members present voting aye. Motion carried.

**PROBATION OFFICE RENOVATION CONTRACT:**

Moved by Kippley, seconded by Fjeldheim to approve and authorize the Chairman to sign Contract with JDH Construction, Inc. for furnishing labor and material to complete the Brown County Probation Office Renovations. All members present voting aye. Motion carried.

**FAIRGROUNDS HAY CUTTING BID:**

Time and place, as advertised to open, read and consider sealed bids for hay cutting at the Fairgrounds (approximately 26 acres). Moved by Kippley, seconded by Fischbach to award bid, submitted by Lee Sumner in amount of \$115.00 per acre (\$2,990.00) for hay cutting at the Fairgrounds (approximately 26 acres); rejecting bid, submitted by Sheryl Erickson in amount of \$92.00 per acre (\$2,390.00). All members present voting aye. Motion carried.

**MALT BEVERAGE/WINE LICENSE APPLICATION HEARING:**

Time and place, as advertised to consider applications for a Retail (on-off sale) Malt Beverage License and Retail (on-off sale) Wine License. Moved by Fischbach, seconded by Hansen to approve and authorize the Chairman to sign the following applications: Retail (on-off sale) Malt Beverage License and Retail (on-off sale) Wine License: ARR LLC DBA Flatland Flyways Lodge, 39931 106<sup>th</sup> Street, Hecla, SD 57446 – Russo's OL 1 in the NW ¼ of Sec 1-T127N-R62W of the 5<sup>th</sup> P.M., Brown County, SD. All members present voting aye. Motion carried.

**PROCLAMATION FOR NATIONAL SERVICE DAY:**

Commissioner Fjeldheim offered the following Resolution:

Resolution #20-15  
Brown County Day of Recognition for  
National Service: April 7, 2015

WHEREAS, service to others is a hallmark of the American character, and central to how we meet our challenges; and

WHEREAS, the nation's counties are increasingly turning to national service and volunteerism as a cost-effective strategy to meet county needs; and

WHEREAS, participants in AmeriCorps and Senior Corps address the most pressing challenges facing our cities and nation, from educating students for jobs of the 21st century and supporting veterans and military families to providing health services and helping communities recover from natural disasters; and

WHEREAS, national service expands economic opportunity by creating more sustainable, resilient communities and providing education, career skills, and leadership abilities for those who serve; and

WHEREAS AmeriCorps and Senior Corps participants serve in more than 60,000 locations across the country, including 57 in Brown County, bolstering the civic, neighborhood, and faith-based organizations that are so vital to our county's economic and social well-being; and

WHEREAS, more than 400 national service participants of all ages and backgrounds serve in Brown County, providing vital support to county residents and improving the quality of life in our county; and

WHEREAS, national service participants increase the impact of the organizations they serve, both through their direct service and by managing millions of additional volunteers; and

WHEREAS, national service represents a unique public-private partnership that invests in community solutions and leverages non-federal resources to strengthen community impact and increase the return on taxpayer dollars; including more than \$20,000 in Brown County and

WHEREAS, national service participants demonstrate commitment, dedication, and patriotism by making an intensive commitment to service, a commitment that remains with them in their future endeavors; and

WHEREAS, the Corporation for National and Community Service shares a priority with county executives nationwide to engage citizens, improve lives, and strengthen communities; and is joining with the National Association of Counties and county executives across the country for the County Day of Recognition for National Service on April 7, 2015.

THEREFORE, BE IT RESOLVED that I, Duane Sutton, Chairman of the Brown County Board of Commissioners, do hereby proclaim April 7, 2015, as National Service Recognition Day, and encourage residents to recognize the positive impact of national service in our county and thank those who serve; and to find ways to give back to their communities.

Seconded by Commissioner Kippley. Roll call vote: Commissioners Hansen-aye, Kippley-aye, Fischbach-aye, Fjeldheim-aye, Sutton-aye. Resolution adopted.

#### SURPLUS PROPERTY:

Moved by Kippley, seconded by Fjeldheim to declare the following property surplus and authorize Gary Vetter hold an open house on April 25, 2015; and further authorize advertising sale of property by sealed bids, to be opened at 8:45 a.m. on May 12, 2015 in the Commissioner's Chambers, Courthouse Annex, Brown County, SD: Lots 31 and 32 Lutgen and Davis Richmond Lake Development in the NE ¼ of Sec 25-T124N-R65W, Brown County, SD (379704 S Shore Drive, Aberdeen, SD). All members present voting aye. Motion carried.

#### EB5 UNPAID BANK FRANCHISE:

Commissioner Fischbach offered the following Resolution:

#### RESOLUTION #21-15

Resolution Urging the South Dakota Department of Revenue  
To Collect All Unpaid Band Franchise Taxes From EB5 Lending

WHEREAS, the Brown County Commission passed Resolution #59-14 on September 9, 2014 urging the South Dakota Banking Commission to investigate EB5 related tax evasion and money lending; and

WHEREAS, the South Dakota Division of Banking ruled in response to our resolution that SDRC Inc., a private company set up by Joop Bollen in Brown County to lend money in the EB5 immigration investor program, must pay the bank franchise tax per letter dated March 25, 2015 by said division of banking; and

WHEREAS, the South Dakota Department of Revenue is now responsible to collect unpaid bank franchise taxes; and

WHEREAS, public estimates show SDRC Inc. and its related entities formed in Brown County may have been liable to pay South Dakota \$2.4 million in bank franchise tax; and

WHEREAS, Brown County may have been entitled to a share of bank franchise taxes evaded by said SDRC Inc. and its related entities; and

THEREFORE, BE IT RESOLVED, the Brown County Commission requests that the South Dakota Department of Revenue collect all unpaid bank franchise taxes from past years owed by SDRC Inc. and its related entities to South Dakota and the citizens of Brown County.

Dated this 7<sup>th</sup> day of April 2015.

Seconded by Commissioner Kippley. Roll call vote: Commissioners Hansen-aye, Kippley-aye, Fischbach-aye, Fjeldheim-aye, Sutton-aye. Resolution adopted.

#### INTRANET:

Paul Sivertsen, IT Manager explained the new Intranet System installed on the shared drive for use by County personnel.

#### ANNUAL ASSESSOR REVIEW:

Mary Worlie, Director of Equalization came before the Board for annual review, per SDCL 10-3-14, and gave an update on equalization activities.

#### SICK BANK:

Andrea Sjomeling and Tom Schmitt met to discuss the employee sick leave bank and presented amendments to the bank rules to consider for adoption. After discussion, no action was taken at this time.

#### EXECUTIVE SESSION:

Moved by Hansen, seconded by Kippley go into executive session to discuss personnel, per SDCL 1-25-2(1) with Scott Meints, Larry Lovrien and Gary Vetter in attendance. All members present voting aye. Motion carried.

The Chairman declared the executive session closed, with open discussion following in regard to request for Emergency Management personnel salary adjustments and request for an additional employee. No action was taken at this time.

#### PROPERTY USE BY CITY:

Moved by Hansen, seconded by Fjeldheim to allow Aberdeen City the use of a 2005 Dodge Durango not in service by the Sheriff's Department until such time that the City acquires a new vehicle, upon condition

the City maintain proper insurance and maintenance on the vehicle. All members present voting aye. Motion carried.

EXECUTIVE SESSION:

Moved by Hansen, seconded by Fjeldheim to go into executive session to discuss personnel, per SDCL 1-25-4(1); and contract, per SDCL 1-25-4(4) with Larry Lovrien and Gary Vetter in attendance. All members present voting aye. Motion carried.

The Chairman declared the executive session closed, with no action taken as a result of the discussion.

ADJOURN:

Moved by Fjeldheim, seconded by Hansen to adjourn the Brown County Commission. All members present voting aye. Motion carried.

Maxine Fischer, Brown County Auditor



Published once at the total approximate cost of \$\_\_\_\_\_.



## APRIL 14, 2015 – GENERAL MEETING

Meeting called to order by Chairman Sutton at 8:45 A.M. in the Commissioner's Chambers, Courthouse Annex, Brown County, SD. Present were Commissioners Hansen, Kippley, Fischbach and Fjeldheim. Commissioner Hansen led the Pledge of Allegiance.

### MINUTES:

Moved by Fjeldheim, seconded by Kippley to approve the General Meeting Minutes of April 7, 2015. All members present voting aye. Motion carried.

### CLAIMS:

Moved by Fischbach, seconded by Hansen to approve the following claims:

Professional Fees: Aberdeen City Treasurer \$500.00; Avera St. Luke's \$1,933.06; Blackburn & Stevens, Prof L.L. \$198.00; Denise Cody \$45.00; GeniusWeb \$455.00; Jefferson Co. Sheriff \$35.12; Mark Katterhagen \$30.00; Joan Kittelson \$22.50; Lewis & Clark BHS \$640.00; Lucy Lewno \$693.00; MedTox Lab \$357.61; NE Mental Health Center \$1,014.00; One Source – The Background Check \$45.00; Sanford Health Occupational \$80.00; Schneider Corp. \$2,265.00; SD Dept. of Revenue & Regulation \$871,449.09; Spitzer Miller Funeral Home \$1,845.00; Tammy Stolle Court Reporting \$85.65; Karen Swanda \$52.50; Yankton Co. Sheriff \$100.00.

Publishing: Aberdeen American News \$1,825.13; Borns Group \$299.00; Hub City Radio \$300.00.

Rentals: SD Real Estate \$285.00.

Repairs & Maintenance: C & L Plumbing & Heating \$112.18; CharityTracker \$162.00; Dakota Electronics \$6,631.60; Dakota Pump & Control \$943.88; DMI \$14,802.28; Environmental Systems Research \$7,500.00; Farnams \$212.94; G & K Services \$314.53; GCR Tires \$1,141.99; Graham Tire \$158.60; Hedahl's \$15.90; HF Jacobs & Son \$4,239.29; House of Glass \$711.63; Hoven Auto Repair \$38.00; J & K Painting \$695.42; Leidholt Electric \$686.77; Malsom Flooring \$3,385.38; Pierson-Ford \$485.52; Sheehan Mack \$216.86.

Supplies: Blackburn & Stevens, Prof LL \$5.73; Cartney Bearing \$324.60; Cash-Wa \$4,431.08; Dakota Oil \$1,872.70; Dean Foods \$578.85; DMI \$282.67; E-Zee Supply \$212.63; Earthgrains \$354.50; Economy Propane \$1,790.25; Environmental Systems Research \$7,500.00; Farm Power Mfg. \$231.69; Ferguson Enterprises \$446.45; Full Circle Ag \$3,120.00; GovConnection \$399.00; Hedahl's \$60.00; Interstate Battery \$210.90; Inventory Trading \$40.00; Kessler's \$330.04; LG Everist \$6,461.83; Lang's \$339.98; Lucy Lewno \$27.46; Marco \$198.17; Menards \$52.31; Russell Metz \$18.66; Midstates Printing \$3,493.36; NCFE – Warner Elevator \$7,073.66; Network Services \$3,440.50; North Star Energy \$77.00; Performance Oil & Lube \$462.00; PowerPlan \$36.48; Productivity Plus Acct/Titan \$470.40; Running's \$20.98; SD Federal Property Agency \$106.25; Sewing Shoppe \$920.00; Sheehan Mack \$277.46; Sherwin Williams \$173.23; Taser International \$2,607.30; Tractor Supply Co. \$63.97; Tri-State Water \$30.40; Wallwork Truck Center \$118.18; Weller Truck Parts \$3,613.54; West Payment Center \$2,265.51.

Travel and Conference: DWARE \$100.00; Expressway Suites \$169.90; Tom Fischbach \$111.00; Maxine Fischer \$47.04; Tina McLeod \$199.23; Midcontinent \$179.85; Jo Miller \$199.23; Sonje Oban \$9.00; SDACO \$612.50; Gary Vetter \$36.00.

Utilities: Aberdeen City Treasurer \$597.92; AT & T \$258.34; City of Hecla \$198.32; JVT \$218.70; Northern Electric \$1,805.26; NVC \$2,463.52; NWPS \$5,528.30; Verizon Wireless \$2,324.43.

Other: JRWD \$9,113.60; Safe Harbor \$1,042.00; SDACO \$1,028.00.

Machinery & Equip.: SD Federal Property Agency \$8,300.00. All members present voting aye. Motion carried.

### PERSONNEL:

Moved by Hansen, seconded by Fischbach to approve hiring Jordon Gross as seasonal Fairgrounds employee, effective April 27, 2015 at \$10.56 per hour. All members present voting aye. Motion carried.

Moved by Fischbach seconded by Fjeldheim to acknowledge the following miles driven and amount to be taxed for personal use of County vehicles during the month of March 2015: Kendell Titze – 156 @ \$89.70, Michael Scott – 200 @ \$115.00, Gary Vetter – 132 @ \$75.90, Dirk Rogers – 608 @ \$349.60. All members present voting aye. Motion carried.

#### SHERIFF REPORTS:

Moved by Hansen, seconded by Fjeldheim to approve the following March 2015 Sheriff Reports: Incidents and offenses, Prisoner care, JDC, and Money deposited with the County Treasurer. All members present voting aye. Motion carried.

#### INTEREST STATEMENT:

Moved by Fischbach, seconded by Kippley to accept for filing the January – March 2015 Interest Statement (\$7,794.22) submitted by County Treasurer Sheila Enderson. All members present voting aye. Motion carried.

#### FAIR CONTRACTS:

Moved by Fjeldheim, seconded by Hansen to approve and authorize the Chairman to sign the following contracts for the 2015 Brown County Fair: T & K Rental (tents @ \$9,650.00); Hart Brothers (bleachers exchange for 8 tickets); Pauer Sound & Music, Inc (sound equipment @ \$10,000.00); SDNA District 4 (first aid station nurses @ \$1,000.00); Dietrich (shuttle bus @ \$60.00 per hour); Keith Raymond (magic shows @ \$3,800.00); Dakota Pedal Pulls Inc (August 14 @ \$500.00); Brett Eldridge (performance August 14 @ \$60,000.00). All members present voting aye. Motion carried.

#### CLAIM ASSIGNMENT:

Moved by Kippley, seconded by Fjeldheim to approve and authorize the Chairman to sign documentation to assign claims against individuals to Credit Collections Bureau for purpose of collecting a lien. All members present voting aye. Motion carried.

#### WELLMARK WAGE WORKS:

Moved by Kippley, seconded by Fischbach to approve and authorize Chairman sign documentation for flex benefit plan for county employees with Wellmark Wage Works for plan year 2015-2016. All members present voting aye. Motion carried.

#### NOXIOUS WEED NOTICE:

Moved by Fjeldheim, seconded by Hansen to authorize publishing the 2015 Noxious Weed Notice. All members present voting aye. Motion carried.

#### SPECIAL MALT BEVERAGE LICENSE HEARING:

Moved by Hansen, seconded by Fjeldheim to approve the following applications for Special Malt Beverage License, submitted by Northeast Area Horse Racing, Inc - Brown County Fairgrounds (Clubhouse) SW ¼ Sec 1-T123N-R64W, effective May 9, 10, 16 and 17, 2015. Brown County Fairgrounds (Grandstand) SW ¼ Sec 1-T123N-R64W, effective May 9, 10, 16 and 17, 2015. Brown County Fairgrounds (Clubhouse) SW ¼ Sec 1-T123N-R64W, effective May 24-25, 2015. Brown County Fairgrounds (Grandstand) SW ¼ Sec 1-T123N-R64W, effective May 24-25, 2015 (map indicating specific buildings on file with applications). All members present voting aye. Motion carried.

#### ORD 092 – FIRST READING:

Moved by Kippley, seconded by Fjeldheim to approve First Reading of Ordinance #092, an Ordinance to amend Title 4 – Zoning, Second Revision Brown County Ordinances, to rezone the following described property from its present zoning designation of Chapter 4.06 (AG-P) Agricultural Preservation District to Chapter 4.34 (M) Municipal, State and County Use District: The N ½ of the SW ¼ of Sec 15-T124N-

R63W and Outlot 1 in the S ½ of the SW ¼ of Sec 15-T124N-R63W of the 5<sup>th</sup> P.M., Brown County, SD (12668 391<sup>st</sup> Ave). All members present voting aye. Motion carried.

#### ALCOHOLIC BEVERAGE LICENSE/MALT BEVERAGE LICENSE TRANSFER HEARING:

Time and place, as advertised to consider application for transfer of an Alcoholic Beverage License and Malt Beverage License. Moved by Hansen, seconded by Fischbach to approve the following applications: TRANSFER - RETAIL (ON-SALE) LIQUOR: Dave Schumaker DBA Elm Lake Resort to Travis Swenson DBA Elm Lake Resort, 37594 102<sup>nd</sup> St, Forbes, ND , Lot 1 Elm Lake Resort Subdivision in the SE ¼ of Sec 8-T128N- R65W of the 5<sup>th</sup> P.M., Brown County, SD. TRANSFER – RETAIL (ON-OFF SALE) MALT BEVERAGE. Dave Schumaker DBA Elm Lake Resort to Travis Swenson DBA Elm Lake Resort, 37594 102<sup>nd</sup> St, Forbes, ND , Lot 1 Elm Lake Resort Subdivision in the SE ¼ of Sec 8-T128N- R65W of the 5<sup>th</sup> P.M., Brown County, SD. All members present voting aye. Motion carried.

#### ABERDEEN AIRPORT HIGH VOLUME PUMP AGREEMENT:

Cody Roggatz, Aberdeen Regional Airport Manager presented an update (work completed, work in progress, future work and Phase 2 plans) as part of the annual review of the Emergency Procedures for the Aberdeen Regional Airport's High Volume Pump (5,000 GPM), Agreement, dated September 3, 2014 between Aberdeen City and Brown County.

#### RELIEF LIEN:

Moved by Kippley, seconded by Fischbach to accept partial payment in amount of \$2,352.63 and release name of payee. Roll call vote: Commissioners Hansen-abstain, Kippley-aye, Fischbach-aye, Fjeldheim-aye, Sutton-aye. Motion carried.

#### APPLICATION FOR OCCUPANCY:

Moved by Hansen, seconded by Kippley to approve and authorize the Chairman sign application, submitted by Northern Valley Communications for occupancy of Brown County Highway #12WA in Sec 24-T123N-R65W of the 5<sup>th</sup> P.M., Brown County, SD, to provide telecommunication services. All members present voting aye. Motion carried.

#### SURPLUS PROPERTY DEED:

Moved by Hansen, seconded by Kippley to reimburse Attorney Victor Fischbach \$75.00 for preparation of Warranty Deed for recordation after the May 12, 2015 bid opening for sale of County property previously declared surplus. All members present voting aye. Motion carried.

#### EXECUTIVE SESSION:

Moved by Hansen, seconded by Fjeldheim to go into executive session to discuss personnel, per SDCL 1-25-4(1); and contract, per SDCL 1-25-4(4) with Larry Lovrien and Gary Vetter in attendance. All members present voting aye. Motion carried.

The Chairman declared the executive session closed, with no action taken as a result of the discussion.

#### ADJOURN:

Moved by Hansen, seconded by Fjeldheim to adjourn the Brown County Commission. All members present voting aye. Motion carried.

Maxine Fischer, Brown County Auditor



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# APRIL 14, 2015 – BROWN COUNTY BOARD OF EQUALIZATION

This being the second Tuesday, April 14, 2015, the Brown County Commission organized themselves as the Brown County Board of Equalization, in accordance with SDCL 10-22-25, at 10:00 A.M. in the Commissioner's Chambers, Courthouse Annex, Brown County, South Dakota. Oaths of office were taken by Commissioners Sutton, Kippely, Fischbach and Fjeldheim. Director of Equalization Mary E. Worlie and Sarah Swenson and Gene Loeschke were also present. Auditor Maxine Fischer called the meeting to order and called for nominations for Chairman.

Commissioner Sutton nominated Rachel Kippely as Chairman for the 2015 Brown County Board of Equalization. Moved by Fischbach, seconded by Sutton that nominations cease and a unanimous ballot be cast. All members present voting aye. Motion carried.

Moved by Sutton, seconded by Fjeldheim to accept for filing the Review Board Minutes from the towns and townships within Brown County. All members present voting aye. Motion carried.

Moved by Fischbach, seconded by Sutton to instruct the Director of Equalization to reduce values on all properties qualifying for Assessment Freeze for the Elderly and Disabled for 2015 (159). All members present voting aye. Motion carried.

Moved by Fjeldheim, seconded by Fischbach to instruct the Director of Equalization to reduce values on all properties qualifying for Paraplegic Veteran Exemption for 2015 (2); Paraplegic Exemption for 2015 (1); and 100% Disabled Veteran Exemption for 2015 (65). All members present voting aye. Motion carried.

Moved by Sutton, seconded by Fjeldheim to approve the applications submitted per SDCL 10-4-15 for 100% Tax Exempt Status (complete listing available for public inspection Monday – Friday 8:00 a.m. to 5:00 p.m. at the Director of Equalization Office, 25 Market Street Ste 6, Aberdeen, SD). All members present voting aye. Motion carried.

Moved by Fischbach, seconded by Fjeldheim to approve 100% Tax Exempt Status for the following application: Aberdeen City #32 Safe Harbor/Resource Center for Women on Lts 5 & 6 Blk 90 Hagerty & Lloyd Addn. All members present voting aye. Motion carried.

Moved by Fischbach, seconded by Sutton to approve partial Tax Exempt Status for the following applications: Aberdeen City #32 ; **Aberdeen Development Corporation** 56% on Lt 1 Abdn Dev Corp 2001-1 Subd NE 16-123-63 Industrial Park East; **ACT 2 INC** 63% on #2 Midwest Capitol Project of Lt 10-12 Blk 27 1<sup>st</sup> Addn; 63% on #3 Midwest Capitol Project of Lt 13-18 Blk 27 1<sup>st</sup> Addn Ex Mezzanine Hallway Unit 3; 63% Mezzanine Storage Unit 4A #4 Midwest Capitol Project of Lot 13-18 Blk 27 1<sup>st</sup> Add; **Avera St Luke's Hospital** 22% on Lt 1 Avera St Lukes Subd (Blk 73 & 82 H&L); 92% on Lt 1 Avera St Lukes Addn (Blk 86, 87, and 96, H&L Etc); 70% on Lt 2 Cash-Wa-Avera St Lukes Subd (Lt 2 HRS/SAL Subd (Brandner); 40% on Lt 3 Avera Land-O-Lakes 2<sup>nd</sup> Subd (Blk 72 H&L and OL 2 Lanes); 48% on Lt 4 Hagerty and Lloyds 3<sup>rd</sup> Subd SE 13-123-64; 33% on Lt 1 Avera St Lukes Subd (Blk 73 & 82 H&L); **CC Croal Post #17 VFW** 50% on Lt 18 Plat of Auto Plaza Addn; 50% on Lt 19 Auto Plaza Addn; **First United Methodist Church** 33% on Lts 12-13 Blk 29 Subd of Lts 4-5 Blk 29 1<sup>st</sup> Addn & Lts 12-13 Blk 29 2<sup>nd</sup> Addn; **Fraternal Order of Eagles** 50% on Lts 4-12 Blk 22 First Addn (requested 60%); **Loyal Order of Moose #590** 80% on Lts 1-8 and all of vac alley Blk 54 Second Addn **TDAF/Tom Aman** 36% on Lt 1 Blackstone 2<sup>nd</sup> Subd (requested 90%); **Yelduz Temple** 90% on Lts 1-3 Blk 50 Second Addn (requested 100%). Warner Twp #23 Foundation for Youth Firearms Safety Inc 80% on the N 820' of SE 15-122-64 ex Hwy lying E of CNW RR. Gem Township #24 Scandinavian Lutheran Church 78% on 6 acres SE 19-122-62. Groton City #33 American Legion Post #39 60% on Lts 22-25

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Blk 11 OP Groton (requested 80%); **Groton Community Transit Inc** 63% on Lts 9-12 Blk 10 OP Groton (requested 75%). Highland Township #35 St Johns Lutheran Church 85% on Lts 1-2 St John Evangelical Lutheran Church OL SW 24-122-65. All members present voting aye. Motion carried.

Moved by Fischbach, seconded by Fjeldheim to remove Tax Exempt status on the following: Aberdeen City #32 First United Methodist Church on Lt 1 Blk 8 Ashwood Heights Subd. **Northeastern Mental Health Center** on Lt 2B 1<sup>st</sup> Subd of Lt 2 Auto Plaza Addn; That portion of Lt 2 St Lukes Replat Blk 83 Hagerty & Lloyd Addn; S 150' Lt 5 St Lukes Replat Blk 83 Hagerty & Lloyd Addn. All members present voting aye. Motion carried.

Moved by Sutton, seconded by Fischbach to approve 100% Tax Exempt status on the following new applications: Aberdeen City #32 Twelfth Street LLC (Aberdeen Christian School) on OL 1 NW 11-123-64 ex Bike Trail Lt 1, ex Lt A, and ex Lt H1 Dakota Midland Hospital; Lt A St Lukes Hospital 1<sup>st</sup> Addn Replat Lt A Dakota Midland OL 1 NW 11-123-64; Lt B St Lukes Hospital 1<sup>st</sup> Addn Replat Lt A Dakota Midland Hospital OL 1 NW 11-123-64; Lt C St Lukes Hosiptal 1<sup>st</sup> Addn Replat Lt A Dakota Midland OL 1 NW 11-123-64. All members present voting aye. Motion carried.

Moved by Sutton, seconded by Fischbach to approve 100% Tax Exempt status on the following new applications: Aberdeen City #32 Aberdeen Family Y on Lt 2 Lincoln's rearrangement of Lt 9-12 Blk 67 Hagerty & Lloyd Addn. **Avera St Lukes** on #5A2 Physicials Plaza Blk 83 Hagerty & Lloyd Addn (Suite W170); N 16' Lt 17 & Lt 18 & S 18' of Lt 19 Blk 89 Hagerty & Lloyd Addn. **First United Methodist Church** on Lt 6 & S 15' Lt 5 Blk 28 First Addn. **FOHO 1, LLC** on Lt 8 Blk 5 Addisons Addn; 1<sup>st</sup> University Addn (Lt 1 & 50' adj Lt 1 Blk 16 Simmons 1<sup>st</sup> Addn). **Jackson Heights Apartments** on Lt 1 Jackson Heights 1<sup>st</sup> Addn. **St Mary's Church** on Lt 23-24 Blk 38 Hagerty & Lloyd Addn. Groton City #33 Brown County Historical Society on Lt 1-2 Blk 7 OP. Columbia City #43 Congregational Christian Church on Broadway Pecks 1<sup>st</sup> Addn Lt 217, 219, 221, 223, 225, 227, 229, 231; Lt 218, 220, 222, 224, 226, 228, 230, 232 James Street Pecks Addn. All members present voting aye. Motion carried.

RECESS:

The Chairman declared the County Board of Equalization recessed until 10:00 a.m. on April 21, 2015.

Maxine Fischer – Brown County Auditor *Maxine Fischer*

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## APRIL 14, 2015 – CONSOLIDATED BOARD OF EQUALIZATION

Members of the Brown County Commission, Aberdeen City Council and Aberdeen School District 6-1 organized themselves as the 2015 Consolidated Board of Equalization, in accordance with SDCL 10-11-66 at 1:00 P.M. on April 14, 2015 in the Commissioner's Chambers, Courthouse Annex, Brown County, South Dakota. Oaths of Office were taken by Tom Fischbach, Duane Sutton, Doug Fjeldheim, Duane Alm and Todd Campbell. Director of Equalization Mary E Worlie and Gene Loeschke were also in attendance. Auditor Maxine Fischer called the meeting to order and called for nominations for Chairman.

School Board Member Alm nominated Commissioner Fischbach as Chairman for the 2015 Consolidated Board of Equalization. Moved by Fjeldheim, seconded by Sutton that nominations cease and a unanimous ballot be cast for Commissioner Fischbach for Chairman of the 2014 Consolidated Board of Equalization. All members present voting aye. Motion carried.

## RECESS:

The Chairman declared the Consolidated Board of Equalization recessed until 10:10 a.m. on April 21, 2015.

Maxine Fischer – Brown County Auditor *Maxine Fischer*

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## APRIL 21, 2015 – GENERAL MEETING

Meeting called to order by Vice Chairman Kippley at 8:45 A.M. in the Commissioner's Chambers, Courthouse Annex, Brown County, SD. Present were Commissioners Hansen, Fischbach and Fjeldheim. Commissioner Sutton was absent. Vice Chairman Kippley led the Pledge of Allegiance.

### MINUTES:

Moved by Fischbach, seconded by Fjeldheim to approve the General Meeting Minutes, Brown County Board of Equalization Meeting Minutes and the Consolidated Board of Equalization Meeting Minutes of April 14, 2015. All members present voting aye. Motion carried.

### CLAIMS:

Moved by Hansen, seconded by Fischbach to approve the following claims:

Payroll: Commission \$3,767.51; Commission Assistant/Human Resources \$4,088.74; Auditor \$7,399.67; Treasurer \$12,612.49; Data Processing \$5,531.88; State's Attorney \$16,169.69; Blood Draws \$300.00; SVAWA Grant \$1,873.94; Maintenance \$6,424.38; Assessor \$13,104.51; Register of Deeds \$8,758.88; Veterans Service Office \$3,563.74; GIS \$2,195.60; Sheriff Admin \$32,273.46; Jail \$33,444.50; Coroner \$0.00; JDC \$14,858.71; HD \$5,182.47; Welfare Office \$3,500.47; Museum \$7,658.94; Parks & Fairgrounds \$4,895.97; Fair Board \$4,238.11; 4-H \$1,113.60; Weed \$50.93; Planning and Zoning \$1,586.47; Highway \$48,076.46; Communications \$20,031.50; Emergency Management \$3,331.32; Teen Court \$220.22; 24/7 \$2,874.82; Landfill \$11,359.30

Matching Benefits: FICA \$16,533.19; Medicare \$3,866.66; Life \$685.45; Dental \$6,732.00; Health Insurance \$107,786.84; Retirement \$33,327.19

Professional Fees: Avera St. Luke's \$13,948.96; Matthew Berry \$37.76; Br Co Treasurer \$11.00; Dean Schaefer Court Reporting \$222.00; Language Line Service \$90.00; Lincoln Co Treasurer \$9.00; Sanford Clinic \$8.61; SD Dept of Revenue \$735.00; Spitzer Miller Funeral Home \$1,200.00; Jennifer Stippich \$20.00; Tammy Stolle Court Reporting \$110.00; US Bank \$61.68; Christopher Wright \$20.00; Yankton Co Sheriff \$25.00; Yankton Co Treasurer \$450.50;

Publishing: Aberdeen American News \$311.82;

Repairs & Maintenance: A & B Business \$29.99; A-1 Sanitation & Recycling \$193.00; Auto Glass Solutions \$467.19; C & L Plumbing & Heating \$488.53; Gary Snow and Assoc \$550.00; Graham Tire \$307.60; Hoven Auto Repair \$25.00; Sewer Duck \$250.00; US Bank \$192.34;

Supplies: A & B Business \$1,905.80; American Alliance of Museums \$250.00; Behnke Pit \$4,785.49; Best Business Products \$176.80; Black Book \$108.00; Double D Body Shop \$133.00; Monte Wahl \$26.50; Aberdeen Medical Center Pharmacy \$617.95; Ecolab Pest Elimination \$201.13; MB LLC \$440.20; Govconnection \$109.80; Indata Corp \$159.00; Dan Higgins \$50.00; Marco \$86.58; Matthew Bender & Co \$125.52; Menards \$143.37; Midstates Printing \$432.46; Mark Milbrandt \$75.00; NCFE Warner \$4,987.30; Nelson Sales & Service \$7.14; Northern Lights USA \$3,430.00; Pitney Bowes \$5,045.00; Sanders Sew-n-Vac \$53.98; SD Assoc of Fairs & Celebrations \$250.00; SD Continuing Legal Education \$53.00; US Bank \$10,797.47; Patty Woods \$39.90; Zones \$561.60

Travel and Conference: Jodi Brown \$863.30; Jefferson Lines \$224.50; Andrea Sjomeling \$36.00; US Bank \$3,829.31; Chris White \$21.00; Patty Woods \$23.50

Utilities: Century Link \$1,178.58; State of SD \$80.95; Northwestern Energy \$2,219.95; Northwestern Public Service \$402.29; US Bank \$628.16; Verizon Wireless \$230.11;

Other: SD Public Assurance \$446.73. All members present voting aye. Motion carried.

### PERSONNEL:

Moved by Hansen, seconded by Fischbach to approve the following employee step increases, effective April 26, 2015: Monte Podoll @ \$15.88 per hour, Kathy Fischer @ \$21.21 per hour, Dan Schlosser @ \$15.03 per hour, Terry Lout @ \$15.69 per hour. All members present voting aye. Motion carried.

Moved by Fischbach, seconded by Fjeldheim to acknowledge resignation of Jamie Bretsch as Blood Draw Technician, effective April 21, 2015. All members present voting aye. Motion carried.

Moved by Hansen, seconded by Fjeldheim to acknowledge payroll audit conducted on the January 18 – 31, 2015 pay period. All members present voting aye. Motion carried.

Moved by Hansen, seconded by Fjeldheim to approve summer hours for the Highway Department (four ten-hour days, Monday thru Thursday), effective April 27, 2015. All members present voting aye. Motion carried.

#### SICK BANK:

Moved by Hansen, seconded by Fischbach to adopt the revised Brown County Sick Leave Bank Ground Rules, effective April 21, 2015. All members present voting aye. Motion carried.

#### LEASE AGREEMENTS:

Moved by Fjeldheim, seconded by Hansen to approve and authorize the Chairman to sign the following agreements: Blazer/Sartorius Wedding for lease of the Granary Rural Cultural Center on September 6, 2015; Jark Auction for lease of area east of Expo Building at the Fairgrounds on May 8, 2015; Northeast Area Horse Racing Inc for lease of the Fairgrounds on May 1– 28, 2015. All members present voting aye. Motion carried.

#### SPECIAL MALT BEVERAGE LICENSE:

Moved by Fischbach, seconded by Hansen to approve the following application for Special Malt Beverage License, submitted by SD Snow Queen Festival: Brown County Fairgrounds (Expo Building) SW ¼ Sec 1-T123N-R64W, effective May 2, 2015. All members present voting aye. Motion carried.

9-1-1 SYSTEM: Moved by Fischbach, seconded by Fjeldheim to approve and authorize the Chairman sign Next Generation 9-1-1 System User Agreement with the SD Department of Public Safety. All members present voting aye. Motion carried.

#### SURPLUS CASH ANALYSIS:

Moved by Hansen, seconded by Fischbach to approve the General Fund Surplus Cash Analysis Report for March 31, 2015 @ \$1,553,639.69 (8.85%). All members present voting aye. Motion carried.

#### CLAIM ASSIGNMENT:

Moved by Hansen, seconded by Fjeldheim to approve and authorize the Chairman to sign documentation to assign claims against individuals to Credit Collections Bureau for purpose of collecting a lien. All members present voting aye. Motion carried.

#### CROW CREEK STRUCTURE PAY REQUEST #2:

Moved by Fischbach, seconded by Hansen to approve and authorize the Chairman to sign Crow Creek Control Structure Project Pay Request #2 (total bill \$6,750.00), as follows: James River Water Development District @ \$3,375.00 (50%); SD Department of Environment and Natural Resources @ \$2,700.00 (40%); County match @ \$675.00 (10%) . All members present voting aye. Motion carried.

#### UNCOLLECTIBLE TAX LIST:

Moved by Fischbach, seconded by Fjeldheim to acknowledge uncollectible tax list (five parcels), as submitted by Sheila Enderson, Brown County Treasurer. All members present voting aye. Motion carried.

#### RFP RADIO CONSOLE PROJECT:



Moved by Hansen, seconded by Fischbach to authorize advertising Request for Proposal for all hardware and software required for the replacement of the current radio console system by November 31, 2015, including but not limited to all related training, installation, and maintenance support to the Brown County Communications Center, to be opened and reviewed on June 16, 2015 at 9:00 a.m. in the Commissioner's Chambers, Courthouse Annex, Brown County, SD. All members present voting aye. Motion carried.

#### HIGHWAY EQUIPMENT PURCHASE:

Moved by Hansen, seconded by Fischbach to approve purchase of a 2001 International Model 4900 Oil Distributor VIN#1HTSHAAR314386486 from Beadle County @ \$30,000.00. All members present voting aye. Motion carried.

#### ORD 092:

Moved by Fischbach, seconded by Fjeldheim to adopt Ordinance #092, an Ordinance to amend Title 4 – Zoning, Second Revision Brown County Ordinances, to rezone the following described property from its present zoning designation of Chapter 4.06 (AG-P) Agricultural Preservation District to Chapter 4.34 (M) Municipal, State and County Use District: The N ½ of the SW ¼ of Sec 15-T124N-R63W and Outlot 1 in the S ½ of the SW ¼ of Sec 15-T124N-R63W of the 5<sup>th</sup> P.M., Brown County, SD (12668 391<sup>st</sup> Ave). Roll call vote: Commissioners Hansen-aye, Kippley-aye, Fischbach-aye, Fjeldheim-aye, Sutton-absent. Ordinance adopted.

#### MALT BEVERAGE LICENSE APPLICATION HEARING:

Time and place, as advertised to consider application for Retail (on-off sale) License. Moved by Fischbach, seconded by Hansen to approve the following application: RETAIL (ON-OFF SALE) MALT BEVERAGE LICENSE. Todd, Scott and Troy Neuendorf DBA Bullet Sports LLC, 715 17<sup>th</sup> Ave NE (PO Box 786), Aberdeen, SD 57402-0786, Brown County Fairgrounds SW ¼ of Sec 1-Twp123N-R64W of the 5<sup>th</sup> P.M., Brown County, SD (Grandstand for car racing – specific location designated on map attached to application). All members present voting aye. Motion carried.

#### APPLICATIONS FOR OCCUPANCY:

Moved by Fjeldheim, seconded by Hansen to approve the following applications submitted by Northern Electric for occupancy of the following: Hwy 27 in SE 31-T121N-R63W; Hwy 6 in Sec 24-T122N-R65W; Hwy 13 in SW 15-T124N-R62W; Hwy 13 in SE 15-124N-R61W; Hwy 13 in SE 14-T124N-R62W (east and west side of Tacoma); Hwy 13 in SW 14-T124N-R62W; Hwy 13 in SE 15-T124N-R61N; Hwy 21 in SE 12-T122N-R61W, Brown County, SD to provide electrical service. All members present voting aye. Motion carried.

#### SURPLUS PROPERTY:

Dirk Rogers, Highway Superintendent recommended using Purple Wave as means of disposing of the 2015 surplus property. Board concurred.

#### SA EQUIPMENT PURCHASE:

Moved by Hansen, seconded by Fischbach to approve low quote, submitted by Century Business Products for a Kyocera TASKalfa 3501i Copier in the States Attorney's Office in amount of \$6,747.05; rejecting quote submitted by A&B Business Inc for Toshiba Estudio 357 @ \$8,241.94. All members present voting aye. Motion carried.

#### LANDFILL EQUIPMENT PURCHASE:

Moved by Fjeldheim, seconded by Fischbach to approve purchase of a 1981 T-6 OshKosh ARFF Fire Truck from the City of Aberdeen (Airport) @ \$7,000.00. All members present voting aye. Motion carried.

**LANDFILL SPRING RESIDENTIAL CLEANUP:**

Moved by Hansen, seconded by Fischbach to approve waiving fees on all material types from Residential Users only during the Spring Residential Cleanup at the Brown County Landfill, to be held from April 24 thru May 9, 2015. Tires are limited to car/pickup tires only with a maximum of 4 tires per customer for event period. Fees will apply to commercially generated tires and other tire sizes. No free waste will be accepted from commercial contractors or businesses (including mobile homes). In the event circumstances beyond the control of Brown County (flood, tornado, fire, other) would occur during the FREE Cleanup period the Brown County Commission would reserve the right to end the free cleanup period at such time and implement the regular fee structure. All members present voting aye. Motion carried.

**GRANARY MOWING:**

Moved by Hansen, seconded by Fischbach to authorize the Museum cost share insurance for individual to maintain the grounds at the Granary during the 2015 growing season. All members present voting aye. Motion carried.

**MARKET STREET ENTRANCE PROJECT:**

Moved by Fjeldheim, seconded by Fischbach to accept low quote, submitted by HKG in amount of \$14,500.00 for architectural and engineering fees for the Market Street Entrance Project; rejecting quote submitted by CO-OP in amount of \$18,000.00. All members present voting aye. Motion carried.

**ADJOURNMENT:**

Moved by Fischbach, seconded by Fjeldheim to adjourn the Brown County Commission. All members present voting aye. Motion carried.

Maxine Fischer, Brown County Auditor



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## APRIL 21, 2015 – BROWN COUNTY BOARD OF EQUALIZATION

Meeting called to order by Chairman Kippley at 10:00 a.m. in the Commissioner's Chambers, Courthouse Annex, Brown County, SD. Present were Commissioners Kippley, Fischbach and Fjeldheim. Commissioner Sutton was absent. Mary Worlie and Gene Loeschke from the Director of Equalization Office were also in attendance.

## APPEALS:

Moved by Fischbach, seconded by Fjeldheim to approve the following recommendations from the Director of Equalization: **#1-2.Cody Braun** S 200' NE of SE 11-125-64 from 79,000 to 88,640; 3.03 ac of N end SE of SE 11-125-64 from 3,000 to 5,920 (appeal back). All members present voting aye. Motion carried.

Moved by Fjeldheim, seconded by Kippley to approve the following recommendations from the Director of Equalization: **#3.Allen Ryckman** S ½ S ½ 12-121-63 from 327,201 to 136,467 (flooded farm land). **#4-6.Geraldine Dunker c/o Allen Ryckman** NE 13-121-63 from 177,504 to 69,325; N ½ S ½ 13-121-63 from 271,716 to 208,960; NW 13-121-63 ex land platted from 270,324 to 212,200 (flooded farm land). All members present voting aye. Motion carried.

Moved by Fischbach, seconded by Kippley to approve the following recommendations from the Director of Equalization: **#7.Brian Hertel** Lt 2 Mattesons Addn Westport from 56,750 to 67,030 (appeal back). **#8.Tanya Svendsen** Lt 5 Matteson's 2<sup>nd</sup> Subd of Lt 1 ex N 42' Westport from 38,752 to 40,482 (appeal back). **#9.Gengerke Farms Inc** SE 5-124-60 from 181,389 to 389,636 (incorrect soil survey). **#10.Gary Schlosser** Schlosser's Lt A ex land deeded Frederick from 8,559 to 10,694 (adjust after review). **#11-12.Full Circle Ag** Scotts OL A Hecla from 25,333 to 27,352; Scotts OL C Hecla from 830 to 1,656 (lot value missed). **#13.Gene Skoglund** W 50' Lt 2 and Lt 3 Blk 17 of Plat 17-26 inclusive Hecla from 3,765 to 4,765 (lot value missed). **#14.Eugene Buro** Lt 7-9 Blk 55 Hecla from 12,300 to 13,800 (lot value missed). **#15.Hecla Manufacturing Co** Lahman OL 2 Hecla from 50,260 to 51,249 (lot value missed). **#16.Jay Osterloh** Balance of OL M Hecla from 49,300 to 52,296 (lot value missed). All members present voting aye. Motion carried.

Moved by Fischbach, seconded by Fjeldheim to approve the following recommendation from the Director of Equalization: **#17.Dwight Buntrock** SE 3-125-63 ex land deeded @ 213,727 (uphold local board). All members present voting aye. Motion carried.

Moved by Fischbach, seconded by Fjeldheim to approve the following recommendation from the Director of Equalization: **#18.John Kippley** Lt 1 Kippley 1<sup>st</sup> Conservation Subd Raetzmans Richmond Lake Subd (Lt 2-4 Raetzmans) from 103,336 to 87,931 (buildings gone). Roll call vote: Commissioners Fischbach-aye, Fjeldheim-aye, Kippley-abstain. Motion carried.

Moved by Fischbach, seconded by Fjeldheim to approve the following recommendations from the Director of Equalization: **#19.Tim Carda** Lt 2 Jones 2<sup>nd</sup> Subd SE 22-123-62 from 7,320 to 5,600 (adjust after review). **#20.Doreen Davis** NW 30-125-63 from 283,293 to 282,293 (building gone). **#21.Jason Feickert** NE 15-124-65 ex lake from 57,130 to 45,169 (crop/grass adjustment). **#22.Beverly Halvorson** Tacoma Park 23-124-62 BOLS from 23,530 to 7,865 (adjust after review). **#23.Mark Daniels** BOLS OL P Hecla Village 1985 Moduline MH from 500 to 0 (MH demolished). **#24.Paul Estwick** Lt A & B Doeringsfeld OL 3 Groton from 102,787 from 88,867 (adjust after review). **#25-28.Mark Hoines** NW 1-126-60 from 342,904 to 244,787; NW 11-126-60 from 347,387 from 316,502; S ½ NE 11-126-60 from 197,347 to 187,565; N ½ NE 11-126-60 from 191,031 to 183,058 (adjust after review). **#29.Kelly Kenser** SW 32-125-64 from 67,367 to 34,924 (change land to AG). **#30-31.John Pulfrey** SE 3-126-60 from 304,919 to 186,788; SW 3-126-60 from 340,437 to 264,081 (adjust after review). **#32.Monte Sippel** Lt 1 Sippel Addn SW 9-123-60 from 68,705 to 74,578 (missed bin). **#33.Susan Stanley** Lt 2 Randy Stanley Replat Stanley's OL 1 SW 13-125-61 from NAC to AGC (reclassified to AG). **#34.Donald Widstrom** NE 34-128-62 ex land platted from 184,633 to 163,930 (correct error). **#35.Thomas Luzier** Lts 3, 4 & W

50' Lt 5 Blk 11 Prairiewood Village SE 33-124-63 from 330,520 to 165,870 (destroyed by fire). All members present voting aye. Motion carried.

RECESS:

The Chairman declared the 2015 Brown County Board of Equalization recessed until April 28, 2015.

Maxine Fischer, Brown County Auditor *Maxine Fischer*

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## APRIL 27, 2015 - JOINT ABERDEEN CITY/BROWN COUNTY MEETING

The Brown County Commission and the Aberdeen City Council met in joint session at 5:30 P.M. in the City Council Chambers, 123 S Lincoln, Aberdeen, SD. Present from City were Council Members Bunsness, Campbell, Johnson, Remily, Ronayne, Rux, Swanson and Mayor Levsen. Council Member Slaight-Hansen was absent. Present from County were Commissioners Sutton, Kippley and Fjeldheim. Commissioners Hansen and Fischbach were absent.

## ORDINANCE #15-04-01/443:

On motion by Ronayne and seconded by Rux, the City unanimously voted to approve First Reading of Ordinance #15-04-01/443.

## ORDINANCE #15-01-01/443:

Moved by Fjeldheim, seconded by Kippley to approve First Reading of Ordinance #15-04-01/443, An Ordinance to amend Ordinance No. 1164 to rezone the following described property from its present zoning designation of (A-1) Agricultural District to (M-AG) Mini-Agricultural District: Lots 1 and 2, Sunrise Estates Subdivision in the NW ¼ of Sec 9-T123N-R63W of the 5<sup>th</sup> P.M., Brown County, SD (2330 Brown County 19N and 4220 24<sup>th</sup> Ave NE). All members present voting aye. Motion carried.

Moved by Kippley, seconded by Fjeldheim to adjourn the Brown County Commission. All members present voting aye. Motion carried.

Maxine Fischer, Brown County Auditor



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## APRIL 28, 2015 – GENERAL MEETING

Meeting called to order by Chairman Sutton at 8:45 A.M. in the Commissioner's Chambers, Courthouse Annex, Brown County, SD. Present were Commissioners Hansen, Kippley, Fischbach and Fjeldheim. Chairman Sutton led the Pledge of Allegiance.

### MINUTES:

Moved by Kippley, seconded by Fischbach to approve the General Meeting Minutes and Brown County Board of Equalization Meeting Minutes of April 21, 2015. All members present voting aye. Motion carried.

### CLAIMS:

Moved by Hansen, seconded by Fjeldheim to approve the following claims:

Professional Fees: Kristi Brandt \$181.80; Br Co Treasurer \$14.00; Lynnel Bruemmer \$95.20; Denise M Cody \$60.00; Den Herder Law Office \$172.22; Dependable Sanitation \$22,428.68; Mark Katterhagen \$82.50; David Knoff \$67.50; LBG \$8,367.46; Lucy Lewno \$601.96; Spitzer Miller Funeral Home \$1000.00; Tammy Stole Court Reporting \$100.50; Karen Swanda \$22.50; Yankton Co Sheriff \$25.00  
Publishing: Aberdeen American News \$351.62

Rentals: Aberdeen Finance Corporation \$260.00; Larry Kumpf \$295.00

Repairs & Maintenance: Aberdeen Plumbing and Heating \$750.04; Ewing R Taylor \$3000.00; Farm Power MFG \$1,008.92; MB LLC \$657.40; Graham Tire \$75.80; Lien Transportation \$35,470.76; Loiseau Construction \$72,031.03; Mattern Electric \$39,834.25; Newman Signs \$6.08; Volk Upholstery \$100.00; Walth Safety Service \$760.84

Supplies: A & B Business \$295.07; Arcmate Manufacturing \$1,176.23; Avera Heath Claims \$1,092.60; Crecent Electric Supply Co \$299.02; Custom Sheet Metal \$60.00; Dakota Electronics \$675.27; Eagles Aerie #632 \$100.00; ESRI \$250.00; Galls \$87.99; Govconnection \$38,162.15; Matt Leidholdt \$12.04; Lien Transportation \$124,627.80; Marco \$273.06; Matthew Bender & Co \$44.44; Menards \$143.29; NCFE-Truck and Auto Center \$18,467.05; Network Services Co \$541.40; Newman Signs \$91.60; Pro Ag Supply \$189.90; Share Corp \$120.00; Truenorth Steel \$37,462.50; Ultramax \$1,464.00; Volk Upholstery \$50.00; West Payment Center \$1,599.75

Travel and Conference: Scott Meints \$5.83

Utilities: Century Link \$197.36; Montana Dakota Utilities Co \$24.46; Northwestern Energy \$1,215.66; Northwestern Public Service \$388.90

Machinery & Equipment: Aberdeen City Treasurer \$7,000.00; Billion Auto \$27,082.00

Other: Aberdeen Advanced Care Ambulance \$615.50; Bully's Chop House \$925.00; Pizza Ranch \$65.96; SD Assoc of County Commissioners \$5,467.00; SD Dept of Revenue \$150.00. All members present voting aye. Motion carried.

### PERSONNEL:

Moved by Hansen, seconded by Fischbach to approve request to fill vacancy submitted by the IT Department. All members present voting aye. Motion carried.

### ABATEMENT:

Moved by Kippley, seconded by Fjeldheim to approve the following Abatement: Robert Johnson @\$21.00 (SW vacant lot). All members present voting aye. Motion carried.

### INVENTORY TRANSFER:

Moved by Hansen, seconded by Fischbach to transfer Decal #436 1994 Chevy PU from the Weed & Pest Department to the Highway Department. All members present voting aye. Motion carried.

Moved by Fjeldheim, seconded by Hansen to transfer Decal #3397 2011 Chevy Impala and Decal #3383 2006 GMC Envoy from the Sheriff Department to the Commission, for use by any Department (Gary Vetter to maintain schedule and maintenance/operational fees per Department). All members present voting aye. Motion carried.

#### LEASE AGREEMENT:

Moved by Fischbach, seconded by Fjeldheim to approve and authorize the Chairman to sign the following agreements: Aberdeen Area Running Club for lease of the Richmond Lake Youth Camp Lodge on August 1-2, 2015; Boy Scouts of America Troop 81 for lease of the Richmond Lake Youth Camp outside area only (not using buildings) on April 24-25, 2015. All members present voting aye. Motion carried.

#### CLAIM ASSIGNMENT:

Moved by Fischbach, seconded by Kippley to approve and authorize the Chairman to sign documentation to assign claims against individuals to Credit Collections Bureau for purpose of collecting a lien. All members present voting aye. Motion carried.

#### PLATS:

Commissioner Hansen offered the following Resolution:

#### RESOLUTION #22-15

BE IT RESOLVED by the County Commission of Brown County, SD, that the plat showing "K.C. Johnson Tracts in the S  $\frac{1}{2}$  S  $\frac{1}{2}$  SE  $\frac{1}{4}$  of Sec 1-T122N-R61W of the 5<sup>th</sup> P.M., Brown County, SD", having been examined is hereby approved in accordance with the provisions of SDCL of 1967, Chapter 11-3 and any amendments thereof.

Seconded by Commissioner Fjeldheim. Roll call vote: Commissioners Hansen-aye, Kippley-aye, Fischbach-aye, Fjeldheim-aye, Sutton-aye. Resolution adopted.

Commissioner Hansen offered the following Resolution:

#### RESOLUTION #23-15

BE IT RESOLVED by the County Commission of Brown County, SD, that the plat showing "John Walter Outlot A in SE  $\frac{1}{4}$  Sec 27-T123N-R60W of the 5<sup>th</sup> P.M., Brown County, SD", having been examined is hereby approved in accordance with the provisions of SDCL of 1967, Chapter 11-3 and any amendments thereof.

Seconded by Commissioner Fjeldheim. Roll call vote: Commissioners Hansen-aye, Kippley-aye, Fischbach-aye, Fjeldheim-aye, Sutton-aye. Resolution adopted.

#### VACATE PLAT – SET HEARING:

Moved by Fjeldheim, seconded by Hansen to set hearing date to consider petition to vacate the following plat: Lot 2 of Randy Stanley Replat of Stanley's Outlot 1 in the SW  $\frac{1}{4}$  of Sec 13-T125N-R61W of the 5<sup>th</sup> P.M., Brown County, SD, to be held in the Commissioner's Chambers, Courthouse Annex, Brown County, South Dakota at 9:10 A.M. on May 12, 2015. All members present voting aye. Motion carried.

#### TAX DEED PROPERTY:

Moved by Hansen, seconded by Kippley to cancel tax deed sale set in April 7, 2015 minutes for sale of Lots 31 and 32 Lutgen and Davis Richmond Lake Development in the NE  $\frac{1}{4}$  of Sec 25-T124N-R65W,

Brown County, SD (379704 S Shore Drive, Aberdeen, SD) until such time all issues are resolved. All members present voting aye. Motion carried.

**BCCHC REPORT:**

DeAnna Kyburz presented the Brown County Community Health Center Report for January – March 2015.

**SET HEARING DATE ORD 093:**

Moved by Kippley, seconded by Fischbach to authorize advertising public hearing to be held before the Brown County Commission on the 19<sup>th</sup> day of May 2015 beginning at 8:45 a.m. in the Commissioner's Chambers, Courthouse Annex, Brown County, SD, for First Reading of Ordinance #093, An Ordinance amending Title 8 Animal Control in Brown County regarding intent and gross negligence. All members present voting aye. Motion carried.

**APPLICATIONS FOR OCCUPANCY:**

Moved by Fischbach, seconded by Fjeldheim to approve the following applications submitted by Northern Electric for occupancy of the following: Hwy 25 in SE 19-T121N-R62W; Hwy 14E in SE Sec 27-T123N-R63W, Brown County, SD to provide electrical service. All members present voting aye. Motion carried.

**AMEND BURN BAN:**

Commissioner Fischbach offered the following Resolution:

**RESOLUTION #24-15**

WHEREAS, Resolution #18-15, A Resolution by the Brown County Board of Commissioners declaring a fire danger emergency and prohibiting open burning within the County, was adopted on March 31, 2015, and

WHEREAS, it has been recommended to add an additional exception to the conditions and provisions of said Resolution.

NOW THEREFORE, BE IT RESOLVED that the Brown County Board of Commissioners include campfires in campfire rings or pits as exceptions to the ban to prohibit or restrict open burning, and

FURTHER BE IT RESOLVED that except for those things expressly agreed to herein, all other conditions and provisions of said original Resolution #18-15, dated March 31, 2015 are unchanged and in full force and effect.

Dated this 28<sup>th</sup> day of April 2015.

Seconded by Commissioner Fjeldheim. Roll call vote: Commissioners Hansen-aye, Kippley-aye, Fischbach-aye, Fjeldheim-aye, Sutton-aye. Resolution adopted.

**BSSE TRANSMISSION LINE PROJECT:**

Scott Bader, Planning Zoning Administrator and Ken Gosch, Paul Tschetter and Al Koeckeritz, representing the BSSE Transmission Line Project met to request reduction in permit fee due to magnitude of the project. Action was deferred a week in order to research adjusting fee or setting maximum amount for all large projects.

**HOSPITAL CLAIMS:**



Moved by Hansen, seconded by Kippley to deny payment of the following hospital claims: 56 year old male @ \$17,223.17, as the individual has not provided sufficient information to determine if indigent. All members present voting aye. Motion carried.

Moved by Fischbach, seconded by Fjeldheim to deny payment of the following hospital claims: 31 year old female @ \$17,123.80, as the individual has not provided sufficient information to determine if indigent. All members present voting aye. Motion carried.

Moved by Kippley, seconded by Fjeldheim to deny payment of the following hospital claims: 63 year old male @ \$87,853.80, as the individual has not provided sufficient information to determine if indigent. All members present voting aye. Motion carried.

#### MARKET STREET ENTRANCE PROJECT:

Moved by Hansen, seconded by Kippley to proceed with an enclosed structure for the Market Street Handicapped Accessible Entrance Project. All members present voting aye. Motion carried.

#### EXECUTIVE SESSION:

Moved by Kippley, seconded by Hansen to go into executive session to discuss personnel, per SDCL 1-25-4(1); and contract, per SDCL 1-25-4(4) with Larry Lovrien and Gary Vetter in attendance. All members present voting aye. Motion carried.

The Chairman declared the executive session closed, with no action taken as a result of the discussion.

#### ADJOURNMENT:

Moved by Fjeldheim, seconded by Hansen to adjourn the Brown County Commission. All members present voting aye. Motion carried.

Maxine Fischer, Brown County Auditor



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# APRIL 28, 2015 – BROWN COUNTY BOARD OF EQUALIZATION

Meeting called to order by Vice Chairman Sutton at 10:00 a.m. in the Commissioner's Chambers, Courthouse Annex, Brown County, SD. Present were Commissioners Fischbach and Fjeldheim. Commissioner Kippley was absent. Mary Worlie, Russell Metz and Gene Loeschke from the Director of Equalization Office were also in attendance.

## TAX EXEMPT AMENDMENT:

Moved by Fjeldheim, seconded by Fischbach to amend motion from minutes of April 14 to split parcel as follows: 68% tax exempt status on land portion of Lt 2 Cash-Wa-Avera St Lukes Subd (Lt 2 HRS/SAL Subd Brandner) assessment; 100% tax exempt status on improvement (parking lot) portion of Lt 2 Cash-Wa-Avera St Lukes Subd (Lt 2 HRS/SAL Subd Brandner) assessment. All members present voting aye. Motion carried.

## APPEALS:

Moved by Fjeldheim, seconded by Fischbach to approve the following recommendation from the Director of Equalization: **#36. Bradley Ellefson**-E 283' of N 281' in NE 14-125-64 from 1,000 to 2,620 (appeal back). All members present voting aye. Motion carried.

Moved by Fischbach, seconded by Fjeldheim to approve the following recommendation from the Director of Equalization: **#37. Mark Sumption**-NW 18-127-62 @ 261,013 (no change). All members present voting aye. Motion carried.

Moved by Fischbach, seconded by Fjeldheim to approve the following recommendations from the Director of Equalization, as recommended by the Township Board: **#38-48. William Edwards**-W ½ SW 24-127-65 from 49,203 to 86,357; E ½ SE 23-127-65 from 38,310 to 51,793; NW 25-127-65 from 81,664 to 121,876; NE 26-127-65 from 97,323 to 176,962; NE 35-127-65 from 77,516 to 100,427; NW 35-127-65 from 95,339 to 157,363; SE 35-127-65 from 90,864 to 160,668; N ½ NE 36-127-65 from 38,205 to 62,529; NW 36-127-65 from 86,856 to 149,400; N ½ SE 36-127-65 from 69,405 to 97,215; SW 36-127-65 from 92,064 to 147,608 (adjust crop/grass). **#49-54. Dave Dinger**-N ½ NE & NE of NW 8-127-65, ex hwy from 84,853 to 142,406; NW of NW & S ½ NW 8-127-65 from 58,090 to 91,078; SE 8-127-65 from 83,495 to 143,173; SW 8-127-65 from 67,349 to 92,742; NE 17-127-65 from 75,785 to 111,159; NW 17-127-65 from 69,717 to 103,318 (adjust crop/grass). **#55-59. Engelhart Ranch**-NW 31-127-65 from 74,827 to 119,499; SE 31-127-65 from 76,290 to 105,411; SW 31-127-65 from 75,270 to 109,162; SE 32-127-65 from 84,199 to 140,035; SW 32-127-65 from 73,856 to 108,578 (adjust crop/grass). **#60-62. Daniel Cutler**-SE 22-127-65 from 86,785 to 117,450; NW 27-127-65 from 126,718 to 141,103; NW 28-127-65 from 124,286 to 129,783 (adjust crop/grass). **#63-64. Helen Sumption**-SW 13-127-65 from 62,526 to 95,391; SE 13-127-65 from 63,862 to 80,988 (adjust crop/grass). **#65. Dillon Cutler**-NE 22-127-65 from 103,937 to 113,417 (adjust crop/grass). **#66. Paul Meyers**-SW 6-127-65 @ 58,849 (no change). **#67. Berwyn Bain**-SW 33-127-65 from 81,756 to 131,143 (adjust crop/grass). **#68. Marilyn Mundschean**-E ½ SW 24-127-65 from 51,793 to 96,827 (adjust crop/grass). All members present voting aye. Motion carried.

## ADJOURNMENT:

Moved by Fjeldheim, seconded by Fischbach to adjourn the 2015 Brown County Board of Equalization. All members present voting aye. Motion carried.

Maxine Fischer, Brown County Auditor

*Maxine Fischer*

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# APRIL 28, 2015 – CONSOLIDATED BOARD OF EQUALIZATION

Meeting called to order by Chairman Fischbach at 10:10 A.M. in the Commissioner's Chambers, Courthouse Annex, Brown County, SD. Present were Commissioners Fjeldheim and Sutton, School Board Member Alm and Aberdeen City Mayor Levsen. Mary Worlie, Russell Metz and Gene Loeschke from the Director of Equalization Office were also in attendance. Oath of Office was taken by Mayor Mike Levsen.

## APPEALS:

Moved by Sutton, seconded by Fjeldheim to adjust value from 187,231 to 186,117 on **#1.Irene Howell-Lt 10 Blk 2 Inman 3<sup>rd</sup> Addn @ 187,231**. Roll call vote: Alm-aye, Levsen-nay, Fischbach-nay, Fjeldheim-aye, Sutton-nay. Motion failed. Moved by Levsen seconded by Sutton to approve the following recommendation from the Director of Equalization: **#1.Irene Howell-Lt 10 Blk 2 Inman 3<sup>rd</sup> Addn @ 187,231 (no change)**. All members present voting aye. Motion carried.

Moved by Alm, seconded by Sutton to approve the following recommendation from the Director of Equalization: **#2.Craig Aesoph-Lt 5 Blk 1 Garden Park Addn @ 146,098 (no change)**. **#3.Chad Bergan-Lt 1 Bergan Addn (Lt 3-4 Blk 6 Gorders 4<sup>th</sup>) from 374,859 to 255,579 (adjust after review)**. **#4.Jedidiah Bertsch-Petersons 1<sup>st</sup> Subd (Blk 3 Gorders 4<sup>th</sup>) from 315,596 to 276,326 (adjust after review)**. **#5.Kevin Braun-Lt 1 D & K 1<sup>st</sup> Subd from 43,932 to 37,229 (adjust after review)**. **#6.Mandy Carlson-Lt 8 Blk 10 West Hill Addn from 80,415 to 60,986 (adjust after review)**. **#7.Mark Daniels-Lt 16 Blk 17 Coe & Howard Addn from 53,435 to 38,719 (adjust after review)**. **#8.Justin Doctor-Lt 1 Campbells Subd replat Plot 6 of Lt 2 Elmwood Acres in NW 12-123-64 from 346,150 to 303,800 (adjust after review)**. **#9.Dana Dohman-Lt 1 Blk 3 Mehlhoffs 11<sup>th</sup> Addn from 421,540 to 364,550 (adjust after review)**. **#10.Marvin Dombrowe-Lt 4 Eastons 1<sup>st</sup> Subd Blk 36 Bennett & Thomas from 52,608 to 47,500 (adjust after review)**. **#11-12.Dean Hassebroek-Lt 22 & N 15' Lot 21 Blk 44 Hagerty & Lloyd from 70,520 to 52,646; Lt 6 Gages 1<sup>st</sup> Replat Blk 43 Bennett & Thomas from 68,860 to 36,500 (adjust after review)**. **#13.Randall Hinds-Lt 3 Hoefs Subd Lt 8-9 Blk 5 Thomas Addn from 96,383 to 88,439 (adjust after review)**. **#14.Edward Hunstad-Lt F BF Hunstad 3<sup>rd</sup> Addn from 5,320 to 4,000 (adjust after review)**. **#15.Lucian Jones-Lt 3 Jones Natural Gold Subd SE 16-123-63 from 20,600 to 15,600 (adjust after review)**. **#16.Matt Jorgensen-Lt 2 Blk 2 5<sup>th</sup> Addn to Highlands from 189,650 to 152,220 (adjust after review)**. **#17.Keith Kienow-Lt 24 Rolling Hills Village 6<sup>th</sup> Addn @ 385,760 (no change)**. **#18.Chad Lang-Lt 20-21 Blk 7 17<sup>th</sup> Addn to Highland North from 480,140 to 419,650 (adjust after review)**. **#19.Grant Manhart-Lt 6A of Lt 5A-6A Blk 55 Bennett & Thomas from 283,830 to 102,090 (adjust after review)**. **#20.Jon Mesmer-Lot 9 Blk 6 19<sup>th</sup> Addn to Highland North from 307,595 to 270,305 (adjust after review)**. **#21.Ray Nutlins-Lt 22 Blk 10 Nicollet Park Addn from 113,630 to 86,770 (adjust after review)**. **#22.Mike Saylor-Lt 3-4 Blk 8 Garden Park Addn from 89,466 to 70,000 (adjust after review)**. **#23.Armond Schopp-BOLS #904 Park Village Lt 2 Blk 1 Park Village 1997 Friendship from 42,655 to 34,780 (adjust after review)**. **#24.Mark Suko-Lt 2 Blk 21 Thomas Addn from 97,626 to 91,332 (adjust after review)**. **#25.Richard Voegelé-W 37.5' Lt 3 Blk 47 2<sup>nd</sup> Addn from NAD1/NAD1S to NAD/NADS (classification change)**. **#26.Jon Walberg-Lt 7-12 ex S 75' Blk 4 Corrected Plat of Highlands from 152,190 to 146,935 (adjust after review)**. **#27.Randy Williams-Lt 1 and Lt 27 Blk 5 Gorder Replat 4<sup>th</sup> Addn from 320,312 to 288,907 (adjust after review)**. **#28.Acadia Creek Limited Partnership-Lt F HAPI 1<sup>st</sup> Central Subd W ½ NE ¼ 30-123-63 from 3,145,035 to 2,100,000 (adjust after review)**. **#29.Dakota Lodging-Lt 2 Blk 1 LHL Subd SW 17-123-63 from 2,991,493 to 2,745,620 (adjust after review)**. **#30.Exit Realty Connection-Lt 2 Blk 2 Mehlhoffs 8<sup>th</sup> Addn to North Plains from 390,698 to 188,055 (adjust after review)**. **#31.Frost Development-Lt 8 Blk 5 Heritage Estates from 41,760 to 2,000 (holding pond)**. **#32.Homes Are Possible Inc-Lt 1 Blk 2 HAPI 3<sup>rd</sup> Central Subd W ½ NE 30-123-63 from 20,000 to 500 (holding pond)**. **#33-34.Hub area Habitat for Humanity-Lt 9 Wards 1<sup>st</sup> Subd from 26,000 to 21,000; Lt 1 Wards 2<sup>nd</sup> Subd from 23,000 to 21,000 (adjust after review)**. **#35.Jordan Park Limited Partnership-S 300' OL 4A Ganje Addn of Melros Estates @ 1,773,650 (no change)**. **#36.WalMart Stores Inc-Lt 1**

Lamont 5<sup>th</sup> N ½ NE 20-123-63 from 10,277,075 to 10,174,840 (adjust after review). **#37. Wolfson Apartments LLC**-Lt 4 Blk 35 Thomas Addn from 73,319 to 56,107 (adjust after review). All members present voting aye. Motion carried.

Moved by Sutton, seconded by Levsen to approve the following recommendation from the Director of Equalization: **#38. Aberdeen Public School**-Lt 1 Mutual of Omaha 4<sup>th</sup> Addn from 165,968 to 48,410 (purchased 4/17/15). All members present voting aye. Motion carried.

The Equalization Board thanked everyone in the Director of Equalization Department for their hard work and efforts throughout the equalization process.

**ADJOURNMENT:**

Moved by Sutton, seconded by Levsen to adjourn the 2015 Consolidated Board of Equalization. All members present voting aye. Motion carried.

Maxine Fischer, Brown County Auditor



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MAY 4, 2015 - JOINT ABERDEEN CITY/BROWN COUNTY MEETING

The Brown County Commission and the Aberdeen City Council met in joint session at 5:30 P.M. in the City Council Chambers, 123 S Lincoln, Aberdeen, SD. Present from City were Council Members Bunsness, Campbell, Johnson, Remily, Ronayne, Rux, Slaughter-Hansen, Swanson and Mayor Levsen. Present from County were Commissioners Sutton, Fischbach and Fjeldheim. Commissioners Hansen and Kippley were absent.

ORDINANCE #15-04-01/443:

On motion by Rux and seconded by Ronayne, the City unanimously voted to adopt Ordinance #15-04-01/443.

ORDINANCE #15-05-01/443:

Moved by Fischbach, seconded by Fjeldheim to adopt Ordinance #15-04-01/443, An Ordinance to amend Ordinance No. 1164 to rezone the following described property from its present zoning designation of (A-1) Agricultural District to (M-AG) Mini-Agricultural District: Lots 1 and 2, Sunrise Estates Subdivision in the NW ¼ of Sec 9-T123N-R63W of the 5<sup>th</sup> P.M., Brown County, SD (2330 Brown County 19N and 4220 24<sup>th</sup> Ave NE). Roll call vote: Commissioners Hansen-absent, Kippley-absent, Fischbach-aye, Fjeldheim-aye, Sutton-aye. Ordinance adopted.

ORDINANCE #15-05-01/444:

On motion by Bunsness and seconded by Slaughter-Hansen, the City unanimously voted to set hearing date for Ordinance #15-05-01/444.

Moved by Fjeldheim, seconded by Fischbach to set public hearing for Ordinance #15-05-01/444, an Ordinance to amend Ordinance No. 1164 to rezone the following described property from its present zoning designation of (A-1) Agricultural District to (M-AG) Mini-Agricultural District: The South 257' of Outlot 8, Evelo's Outlots in the SE ¼ of Sec 35-T123N-R64W of the 5<sup>th</sup> P.M., Brown County, SD (4126 387<sup>th</sup> Ave S), to be held in the City Council Chambers at 5:30 p.m. on May 26, 2015. All members present voting aye. Motion carried.

Moved by Fischbach, seconded by Fjeldheim to adjourn the Brown County Commission. All members present voting aye. Motion carried.

Maxine Fischer, Brown County Auditor



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## MAY 5, 2015 – GENERAL MEETING

Meeting called to order by Chairman Sutton at 8:45 A.M. in the Commissioner's Chambers, Courthouse Annex, Brown County, SD. Present were Commissioners Hansen, Kippley, Fischbach and Fjeldheim. Commissioner Kippley led the Pledge of Allegiance.

## MINUTES:

Moved by Fischbach, seconded by Fjeldheim to approve the Joint City/County Meeting Minutes of April 27, 2015; and the General Meeting Minutes, Brown County Board of Equalization Meeting Minutes and the Consolidated Board of Equalization Meeting Minutes of April 28, 2015. All members present voting aye. Motion carried.

## CLAIMS:

Moved by Kippley, seconded by Hansen to approve the following claims:

Payroll: Commission \$3,767.51; Commission Assistant/Human Resources \$4,088.74; Auditor \$7,404.89; Treasurer \$12,616.48; Data Processing \$5,531.89; State's Attorney \$16,169.69; Blood Draws \$450.00; SVAWA Grant \$1,873.94; Maintenance \$6,317.51; Assessor \$13,104.50; Register of Deeds \$8,758.87; Veterans Service Office \$3,563.74; GIS \$2,195.60; Sheriff Admin \$32,743.25; Jail \$32,832.49; Coroner \$0.00; JDC \$15,092.87; HD \$5,015.89; Welfare Office \$3,500.48; Museum \$7,679.74; Parks & Fairgrounds \$5,218.80; Fair Board \$4,048.83; 4-H \$1,113.60; Weed \$2,775.44; Planning and Zoning \$1,586.47; Highway \$42,804.62; Communications \$20,794.07; Emergency Management \$3,331.33; Teen Court \$259.55; 24/7 \$2,818.38; Landfill \$13,563.67

Matching Benefits: FICA \$16,533.30; Medicare \$3,866.70.

Insurance: SD Public Assurance Alliance \$2,154.48.

Professional Fees: Adam Altman \$4,444.45; AMG Psychiatry \$108.49; Avera Health Plans \$583.44; Avera St. Luke's \$4,272.94; Certified Languages \$127.05; Compass Counseling & Assessment \$1,500.00; Chris Dohrer \$5,069.45; William Gerdes \$4,937.50; Kristi Brandt \$28.80; Kuck Law Office \$4,444.45; Midstates Printing \$75.00; Mark Milbrandt \$1,000.00; Raymond Cournoyer \$1,000.00; Richardson, Wyly, Wise, Sauck & Hieb \$4,444.45; Ronayne Law Office \$7,919.45; Christy Serr \$5,069.45; Tammy Stolle Court Reporting \$110.00; Thurman Law Office \$211.50; Vintage Tech \$2,783.20; Yankton Co Sheriff \$50.00; Luke Yellow Robe \$1,778.42; Sara Zahn \$156.40.

Publishing: Dex \$53.55; Fordham Signs \$2,974.00; McQuillen Creative Group \$170.00.

Rentals: Danne \$260.00; Tree House Properties \$300.00; Zumbaum Property \$330.00.

Repairs & Maintenance: Adamsoft \$10,000.00; Butler Machinery \$843.69; Great Western Tire \$92.41; HipLink Software \$4,941.00; Lawson Products \$25.21; Leidholt Electric \$1,601.83; Lien Transportation \$60,914.23; Marco \$115.49; NC Rental \$33,612.26; PowerPlan \$2,339.74; Sioux Falls Crane & Hoist \$933.07; Thee Glass Doktor \$231.00.

Supplies: Ameripride Services \$62.50; Bakken Building Maintenance \$500.00; BCT \$83.03; Butler Machinery \$939.74; Crawford Trucks & Equip. \$2,034.66; Custom Sheet Metal \$2,495.00; Deluxe Business Forms \$290.68; Violet Dinger \$14,980.83; ES&S \$1,540.23; Fastenal \$66.92; Geffdog \$22.00; Govconnection \$689.93; Great Western Tire \$17,441.16; House of Glass \$3,632.94; J&K Painting \$736.52; J Gross Equipment \$513.25; Lawson Products \$339.60; Lien Transportation \$194,418.84; Menards \$18.90; Midstates Printing \$494.24; NCFE-Warner \$1,474.31; PowerPlan \$1,537.17; Pro Ag \$703.26; SD EM Assn \$50.00; SD Law Review \$33.02; SD State Historical Society \$45.00; Thee Glass Doktor \$348.99; Thurman Law Office \$7.70; TrueNorth Steel \$24,975.00.

Travel and Conference: Executive Mgmt. \$3,076.00; Kathy Fischer \$243.46; Doug Fjeldheim \$268.41; Patricia Kendall \$103.40; Leo Leshner \$133.01; Russell Metz \$176.25; Mark Milbrandt \$370.00; MN GIS/LIS Consortium \$192.00.

Utilities: Aberdeen City Treasurer \$978.79; AT&T \$451.03; BDM Rural Water \$30.00; Century Link \$2,688.18; Dakota Structures Cabling \$17.55; Dependable Sanitation \$616.00; Midcontinent \$514.70;

Midwest Alarms \$51.50; NWPS \$8,408.91; Web Water \$89.31. All members present voting aye. Motion carried.

**PERSONNEL:**

Moved by Hansen, seconded by Fjeldheim to approve the following employee step increases, effective May 5, 2015: Larry Hardy @ \$18.34 per hour, John Weig @ \$17.99 per hour, Eugene Pence Jr @ \$19.10 per hour, Carol Wolf @ \$18.15 per hour. All members present voting aye. Motion carried.

Moved by Kippley, seconded by Fischbach to acknowledge resignation of Tammy Knoll as Adult Correctional Officer, effective May 8, 2015. All members present voting aye. Motion carried.

Moved by Fischbach, seconded by Hansen to approve hiring the following seasonal employees at the Highway Department: Dalton Wangerin, effective May 5, 2015 and Joshua Schelle, effective June 7, 2015 at \$10.97 per hour. All members present voting aye. Motion carried.

Moved by Kippley, seconded by Fischbach to approve hiring Curt Erickson, as seasonal employee at the Fairgrounds at \$10.62 per hour, effective May 11, 2015. All members present voting aye. Motion carried.

**LOTTERY APPLICATIONS:**

Moved by Fjeldheim, seconded by Hansen to approve the following lottery applications: Aberdeen Exchange BMX for raffle to be held at the Brown County Speedway on June 5, July 10 and August 7, 2015; Aberdeen Central Cheer Team for raffle to be held at the Brown County Speedway on June 19, July 31 and August 8, 2015; Aberdeen Eagles 8<sup>th</sup> Grade Traveling Basketball Team for raffle to be held at the Brown County Speedway on June 12, 2015 and at the Expo Building (Roller Derby Event) on June 13, 2015. All members present voting aye. Motion carried.

**ABATEMENTS:**

Moved by Fjeldheim, seconded by Kippley to approve the following Abatements: Dakota Equity Group LLC @ \$1,718.52 (Aberdeen City Special Assessment error); Richard Achen @ \$283.88 (mobile home moved). All members present voting aye. Motion carried.

**BID – ROAD OIL:**

Moved by Fjeldheim, seconded by Fischbach to authorize advertising public hearing to open, read and consider sealed bids for furnishing and delivery of Road Oil (MC3000, MC70), to be held in the Brown County Commission Chambers, Courthouse Annex, Brown County, SD on May 19, 2015 at 8:50 a.m. All members present voting aye. Motion carried.

**BUILDING PERMIT FEE VARIANCE REQUEST:**

Moved by Hansen, seconded by Fjeldheim to not accept recommendation from the Planning Commission, due to input from area residents and deny request, submitted by BSSE Transmission Line for Building Permit Fee Variance of \$1.00 per \$1,000.00 of estimated construction costs rather than the required \$3.00 per \$1,000.00 of estimated construction costs on an estimated \$100,000,000.00 project in Brown County – fee to stay at \$3.00 per \$1,000.00 of estimated construction costs for the BSSE Transmission Line Project. All members present voting aye. Motion carried.

**2014 FINANCIAL REPORTS:**

Moved by Kippley, seconded by Fischbach to accept the 2014 Financial Reports as presented and authorize the County Auditor to not prepare the M, D & A (Manager's Discussion and Analysis) as a supplement to the report. All members present voting aye. Motion carried.

**LEASE AGREEMENTS:**

Moved by Fischbach, seconded by Fjeldheim to approve and authorize the Chairman to sign the following agreement: A-Town Roller Girlz for lease of the Expo Building on May 2, 2015. All members present voting aye. Motion carried.

**ABATEMENT REQUEST:**

Moved by Kippley, seconded by Fischbach to defer action on a request for abatements (2011 - 2014), submitted by Mike Saylor for one week. All members present voting aye. Motion carried.

**DAKOTA INK & TONER:**

Matt Deilke, Dakota Ink & Toner met to inquire how his company can be added to the County bid/quote list and disputed several comments made at a previous meeting by Paul Sivertsen in regard to the LexMark unit in the Register of Deeds Office.

**APPLICATION FOR OCCUPANCY:**

Moved by Kippley, seconded by Fischbach to approve and authorize the Chairman sign application, submitted by James Valley Telecommunications for occupancy of Brown County Highway #7 in Sec 11-T126N-R60W of the 5<sup>th</sup> P.M., Brown County, SD, to provide telecommunication services. All members present voting aye. Motion carried.

**EXECUTIVE SESSION:**

Moved by Hansen, seconded by Fjeldheim to go into executive session to discuss personnel, per SDCL 1-25-4(1); and contract, per SDCL 1-25-4(4) with Larry Lovrien and Gary Vetter in attendance. All members present voting aye. Motion carried.

The Chairman declared the executive session closed, with the following action taken as a result of the discussion:

Moved by Kippley, seconded by Hansen to increase pro-rated annual salary of Emergency Management Director Scott Meints from \$50,942.32 to \$56,850.04 and increase salary of Assistant Patti Woods from \$17.15 per hour to \$19.76 per hour, effective May 11, 2015. All members present voting aye. Motion carried.

**ADJOURNMENT:**

Moved by Fischbach, seconded by Fjeldheim to adjourn the Brown County Commission. All members present voting aye. Motion carried.

Maxine Fischer, Brown County Auditor *Maxine Fischer*

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## MAY 12, 2015 – GENERAL MEETING

Meeting called to order by Chairman Sutton at 8:45 A.M. in the Commissioner's Chambers, Courthouse Annex, Brown County, SD. Present were Commissioners Kippley, Fischbach and Fjeldheim. Commissioner Hansen was absent. Commissioner Fjeldheim led the Pledge of Allegiance.

### MINUTES:

Moved by Fjeldheim, seconded by Fischbach to approve the Joint City/County Meeting Minutes of May 4, 2015; and the General Meeting Minutes of May 5, 2015, with the following correction: strike "due to input from area residents" in regard to Building Permit Fee Variance Request. All members present voting aye. Motion carried.

### CLAIMS:

Moved by Kippley, seconded by Fjeldheim to approve the following claims:

Professional Fees: Avera Queen of Peace Health \$174.50; Balcon Enterprises \$4,177.50; Carlsen Funeral Home \$1,000.00; Clark Engineering \$32,670.26; Denise Cody \$30.00; Harmelink, Fox & Ravsborg Law \$135.00; La Croix Law Office \$211.50; Lucy Lewno \$189.00; Midwest Cyber Solution \$1,750.00; Michael Roemmich \$300.00; Kristi Spitzer \$710.00; Spot Freight \$1,585.00; Jodi Sudweeks \$40.80; Karen Swanda \$30.00; Yankton County Sheriff Office \$25.00

Publishing: Aberdeen American News \$4,405.44; Aberdeen Area Chamber of Commerce \$40.00; Hub City Radio \$1,050.00; SD Magazine \$295.00; TDS Media Direct \$405.00

Rentals: Aberdeen Housing Authority \$330.00; Danne \$225.00; Wolfson Apartments \$310.00; Zumbaum Property \$310.00

Repairs & Maintenance: C & L Plumbing and Heating \$148.12; Diesel Machinery \$797.99; Hoven Auto Repair \$49.25; J & S Backhoe Service \$3,000.00; Lawson Products \$31.64; Nelson Sales and Service \$6.00; OBD \$171.02; Sander's Sew-n-Vac \$298.49; Schwan Welding \$6,287.58; Sheehan Mack Sales \$386.59; Walth Safety Service \$5,084.60; Woodman Refrigeration \$700.56

Supplies: Praxair Distribution \$80.81; A-1 Locksmithing \$43.00; Aberdeen Auto Center \$14.04; Aberdeen Fire and Rescue \$1,570.00; Amerpride Services \$173.62; Brick's TV and Appliance \$141.22; Cartney Bearing \$498.06; Cash-Wa Distributing \$4,616.21; Dakota Electronics \$3,671.65; Dakota Fluid Power \$322.81; Dakota Oil \$662.50; Dakota Supply Group \$111.43; Digital Ally \$95.00; Earth Grains Baking Co \$396.60; Ecolab Pest Elimination \$131.45; Eiler's Water Conditioning \$93.00; Michael Eliason \$920.00; Farnams Genuine Parts \$10.99; Charlene Doerr \$1,021.00; Sue Gates \$34.30; Govconnection \$223.85; Graham Tire Co \$52.00; Harmelink, Fox & Ravsborg Law \$8.00; Hecla Implement \$6.76; H F Jacobs and Sons Construction \$124,565.77; Interstate Battery System \$491.80; ; Kens SuperFair Foods \$12.12; La Croix Law Office \$10.44; Lawson Products \$426.11; Leidholdt Tool Sales \$120.50; Lucy Lewno \$6.49; Lein Transportation \$25,928.76; Mac's \$110.28; Marco \$284.11; McKesson Medical \$118.87; Medical Waste Transport \$146.07; Menards \$51.08; Midstates Printing \$289.66; NCFE Warner 12,296.37; Nelson Sales and Service \$543.11; North Star Energy \$78.40; OBD \$750.00; Pierson-Ford-Lincoln- Mercury \$68.97; Productivity Plus Acct/Titan \$381.04; Michael Roemmich \$1,083.78; Runnings \$112.97; Sander's Sew-n-Vac \$29.98; Sewing Shop \$7.00; Sheehan Mack Sales \$237.74; Taylor Laundry \$132.50; Tri State Water \$30.40; Ultramax \$819.00; United Clinic Pharmacy \$12.99; Wallwork Truck Center \$47.96; Walth Safety Service \$1,712.70; Western Printing \$625.30; Zastrow's Sales and Service \$314.26

Travel and Conference: Aberdeen Area Chamber of Commerce \$15.00; Gene Loeschke \$119.85; Kathy Schlecht \$14.00; Andrea Sjomeling \$322.62; Becca Tullar \$222.78; Aaron Walberg \$205.76

Utilities: Aberdeen City Treasurer \$26.14; Century Link \$47.65; Economy Propane \$440.00; Midcontinent Communications \$64.85; Northern Electric CO-OP \$255.88; Northern Valley Communications \$3,073.70; Northwestern Energy \$2,987.65; Northwestern Public Service \$224.80; Town Of Frederick \$40.01

Other: SDACO \$902.00; SD Dept of Revenue and Regulation \$482,473.38. All members present voting aye. Motion carried.

#### PERSONNEL:

Moved by Kippley, seconded by Fjeldheim to approve hiring Victor Rapkoch, as 2015 States Attorney Summer Intern at \$500.00 per week for 10 weeks, effective May 18, 2015. All members present voting aye. Motion carried.

#### SHERIFF REPORTS:

Moved by Fischbach, seconded by Kippley to approve the following April 2015 Sheriff Reports: Incidents and offenses, Prisoner care, JDC, and Money deposited with the County Treasurer. All members present voting aye. Motion carried.

#### AUDITORS REPORT OF ACCOUNT:

Moved by Kippley, seconded by Fjeldheim to approve the April 2015 Auditor's Report of Account with the County Treasurer in total amount of \$33,052,914.35 (total amount of actual cash @ \$3,800.00, US Bank @ \$222,437.40, Dacotah Bank @ \$2,711,769.59, Petty Cash @ \$2,000.00, Fund Investments @ \$30,112,907.36). All members present voting aye. Motion carried.

#### CLAIM ASSIGNMENTS:

Moved by Fischbach, seconded by Kippley to approve and authorize the Chairman to sign documentation to assign claims against individuals to Credit Collections Bureau for purpose of collecting a lien. All members present voting aye. Motion carried.

#### FAIR CARNIVAL CONTRACT:

Moved by Kippley, seconded by Fjeldheim to authorize the Chairman sign the Contract with Reed Exposition Midway/Murphy Brother's Carnival for the 2015 Brown County Fair. All members present voting aye. Motion carried.

#### ABATEMENT:

Moved by Fjeldheim, seconded by Fischbach to deny request for abatements (2011-2014), submitted by Mike Saylor (missed the appeal process). All members present voting aye. Motion carried.

#### PLAT:

Commissioner Fjeldheim offered the following Resolution:

#### RESOLUTION #25-15

BE IT RESOLVED by the County Commission of Brown County, SD, that the plat showing "M & M Musel 1<sup>st</sup> Subdivision in SE ¼ Sec 2-T123N-R64W of the 5<sup>th</sup> P.M., Brown County, SD", having been examined is hereby approved in accordance with the provisions of SDCL of 1967, Chapter 11-3 and any amendments thereof.

Seconded by Commissioner Fischbach. Roll call vote: Commissioners Hansen-absent, Kippley-aye, Fischbach-aye, Fjeldheim-aye, Sutton-aye. Resolution adopted.

#### LEASE AGREEMENTS:

Moved by Kippley, seconded by Fischbach to approve and authorize the Chairman to sign the following agreements: Mike Schmidt for lease of personal property (7x14 trailer) on May 1, 2015; The Aberdeen Police Department for lease of the Holum Expo Building on May 9, 2015. All members present voting aye. Motion carried.

**EMPLOYEE VISION CARE -GUARDIAN:**

Moved by Fischbach, seconded by Fjeldheim to approve renewal rates for the Guardian Vision Program available to employees at their expense (monthly): Employee @ \$11.00, Employee/Spouse @ \$18.52, Employee/Child @ \$18.86, Family @ \$29.84 effective July 1, 2015 – June 30, 2016. All members present voting aye. Motion carried.

**UNION CONTRACT:**

Moved by Fjeldheim, seconded by Kippley to approve and authorize the Chairman sign Agreement between Brown County, a political subdivision of the State of South Dakota and Local 162, Council 59 of the American Federation of State, County and Municipal Employee, AFL-CIO, effective January 1, 2015 through December 31, 2015. All members present voting aye. Motion carried.

**SPILLMAN TECHNOLOGIES CONTRACT:**

Moved by Fischbach, seconded by Fjeldheim to approve and authorize the Chairman to sign Spillman Technologies, Inc. System Enhancement and Purchase Addendum @ \$8,730.00 for the Brown County Regional Communications Center. All members present voting aye. Motion carried.

**LOTTERY APPLICATION:**

Moved by Fjeldheim, seconded by Kippley to approve the following lottery application: Make-A-Wish Foundation for raffle to be held at the Brown County Speedway on May 29 and July 17, 2015. All members present voting aye. Motion carried.

**GRANT APPLICATION:**

Moved by Kippley, seconded by Fjeldheim to approve and authorize the Chairman sign Grant Application with the SD Department of Health for the West Nile Virus Prevention Funding Opportunity to enhance Brown County's mosquito control efforts. All members present voting aye. Motion carried.

**APPLICATION FOR OCCUPANCY:**

Moved by Fischbach, seconded by Fjeldheim to approve and authorize the Chairman sign application, submitted by Northern Valley Communications for occupancy of Brown County Highway #19 in Sec 9-T123N-R63W of the 5<sup>th</sup> P.M., Brown County, SD, to provide telecommunication services. All members present voting aye. Motion carried.

**GROW SOUTH DAKOTA:**

Marcia Erickson presented information on Grow South Dakota's 2014 activities in Brown County and thanked the Commission for past and future funding.

**VACATE PLAT:**

Commissioner Fischbach offered the following Resolution:

**RESOLUTION #26-15**

WHEREAS, Susan Stanley, pursuant to SDCL 11-3-20.1, presented an Application for Vacation of Plat legally identified as:

Lot 2 of Randy Stanley Replat of Stanley's Outlot 1 in the SW ¼ of Sec 13-T125-R61W of the 5<sup>th</sup> P.M., Brown County, SD

WHEREAS, the granting of the request will not authorize the closing or obstruction of any public highway according to law, and all property taxes on such plat are paid.

NOW, THEREFORE, BE IT RESOLVED, that the plat legally identified as: Lot 2 of Randy Stanley Replat of Stanley's Outlot 1 in the SW ¼ of Sec 13-T125-R61W of the 5<sup>th</sup> P.M., Brown County, SD is hereby vacated.

Seconded by Commissioner Kippley. Roll call vote: Hansen-absent, Kippley-aye, Fischbach-aye, Fjeldheim-aye, Sutton-aye. Resolution adopted.

#### NORTHEASTERN MENTAL HEALTH CENTER:

Northeastern Mental Health Center representatives Joe Manuel, Susan Kornder and Lisa German presented center statistics and related information in regard to the 2016 NEMHC Budget request.

#### VEHICLE DISCUSSION:

The maintenance expenses for the two vehicles available for County Department use will come from the Commission budget and each Department shall pay for fuel with a county credit card at end of use.

#### REMOVE BURN BAN:

Commissioner Fjeldheim offered the following Resolution:

#### RESOLUTION #27-15

WHEREAS, Resolution #18-15, A Resolution by the Brown County Board of Commissioners declaring a fire danger emergency and prohibiting open burning within the County, was adopted on March 31, 2015, with amendment by Resolution #24-15 on April 28, 2015, and

WHEREAS, Ordinance 18.0702 authorizes the Brown County Board of Commissioners to rescind the "Fire Danger Emergency".

NOW THEREFORE, BE IT RESOLVED that the Brown County Board of Commissioners rescinds Resolution #18-15 dated March 31, 2015 and amendment Resolution #24-15 dated April 28, 2015, removing the open burn ban, effective May 12, 2015, with the stipulation that the Brown County Communications Center be notified prior to an open burn.

Seconded by Commissioner Kippley. Roll call vote: Commissioners Hansen-absent, Kippley-aye, Fischbach-aye, Fjeldheim-aye, Sutton-aye. Resolution adopted.

#### HLS APPOINTMENTS:

Moved by Fischbach, seconded by Fjeldheim to appoint Tom Schmitt and Scott Meints to the Homeland Security (HLS) Regional Review Board. All members present voting aye. Motion carried.

#### EXECUTIVE SESSION:

Moved by Kippley, seconded by Fjeldheim to go into executive session to discuss contract, per SDCL 1-25-4(4) with Larry Lovrien and Gary Vetter in attendance. All members present voting aye. Motion carried.

The Chairman declared the executive session closed, with the following action taken as a result of the discussion:

#### EMPLOYEE HEALTH INSURANCE:

Moved by Kippley, seconded by Fjeldheim to approve premium costs for Brown County Employee Health Insurance Plan with Medica, as follows: Base Plan – Single @ \$583.52 per month (\$2500 deductible), 2-Party @ \$1,075.80 per month (deductible 5,000), Family @ \$1,479.70 per month (\$6500 deductible). Alternate Plan #1 - Single @ \$608.26 per month (\$2000 deductible), 2-party @ \$1,121.44 per month (4000 deductible), Family @ \$1,542.46 per month (\$6000 deductible), Alternate Plan #2 - Single @ \$640.48 per month (\$1500 deductible), 2-party @ \$1,180.82 per month (\$3000 deductible), Family @ \$1,624.14 per month (\$4500 deductible), however the employee shall pay the difference between the Base Plan premium and Alternate Plans #1 & #2 premiums. All plans effective July 1, 2015 through June 30, 2016. Effective July 1, 2009 employee insurance coverage will expire at the end of the month of employment. Continuing coverage for retirees, who have completed twenty-five years of continuous service and have reached the age of 55 years old, from date of retirement until qualified for Medicare coverage (retiree paying 100% of premium). All members present voting aye. Motion carried.

**PROBATION RENOVATION:**

Moved by Fischbach, seconded by Fjeldheim to approve change orders to the Probation Renovation Project. All members present voting aye. Motion carried

**ADJOURNMENT:**

Moved by Fischbach, seconded by Fjeldheim to adjourn the Brown County Commission. All members present voting aye. Motion carried.

Maxine Fischer, Brown County Auditor



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## MAY 19, 2015 – GENERAL MEETING

Meeting called to order by Chairman Sutton at 8:45 A.M. in the Commissioner's Chambers, Courthouse Annex, Brown County, SD. Present were Commissioners Kippley, Fischbach and Fjeldheim. Commissioner Hansen was absent. Chairman Sutton led the Pledge of Allegiance.

## MINUTES:

Moved by Fischbach, seconded by Kippley to approve the General Meeting Minutes of May 12, 2015. All members present voting aye. Motion carried.

## CLAIMS:

Moved by Fjeldheim, seconded by Kippley to approve the following claims:

Payroll: Commission \$3,767.51; Commission Assistant/Human Resources \$4,088.74; Auditor \$7,399.67; Treasurer \$12,616.48; Data Processing \$5,531.88; State's Attorney \$16,169.70; Blood Draws \$300.00; SVAWA Grant \$1,873.94; Maintenance \$6,384.89; Assessor \$13,108.50; Register of Deeds \$8,758.87; Veterans Service Office \$3,563.74; GIS \$2,195.60; Sheriff Admin \$32,091.71; Jail \$36,391.67; Coroner \$0.00; JDC \$15,279.23; HD \$5,194.50; Welfare Office \$3,500.47; Museum \$7,679.74; Parks & Fairgrounds \$6,689.18; Fair Board \$4,177.17; 4-H \$1,113.60; Weed \$2,913.12; Planning and Zoning \$1,586.47; Highway \$49,850.15; Communications \$20,535.60; Emergency Management \$3,331.32; Teen Court \$279.21; 24/7 \$2,871.68; Landfill \$13,048.14.

Matching Benefits: FICA \$17,219.43; Medicare \$4,027.15

Professional Fees: Avera St Luke's \$2,050.21; Avera Queen of Peace \$204.70; Carlsen Funeral Home \$1,200.00; Avera St Mary's Hospital \$1,215.77; Denise M Cody \$37.50; David L Merxbauer \$197.94; Foerstart Testing Limited \$380.00; Freeborn Co Sheriff \$65.00; HKG Architects \$36,600.00; Language Line Services \$90.04; Lewis and Clark BHS \$1,120.00; Lucy lewno \$310.50; Lexisnexis Risk Data \$138.70; NE Mental Heath \$988.00; Pollard and Larson \$180.00; Sanford Clinic \$85.00; Sanford Health \$185.06; Sanford Health Occupational \$40.00; SD Dept OF Revenue and Regulation \$525.00; SDN Communications \$1,343.53; Kristi Spitzer \$898.00; Karen Swanda \$37.50; TK Trucking \$1500.00; US Bank \$148.20; Sara Zahn \$1,255.80;

Publishing: Aberdeen American News \$1,450.10; Dakota Broadcasting \$1,133.00; Groton Independent \$1,597.73;

Rentals: Aberdeen Housing Authority \$330.00; Timothy Gisi \$310.00; Sletten Apartments \$260.00; Wolfson Apartments \$310.00; Zumbaum Property \$310.00;

Repairs & Maintenance: A-1 Sanitation \$193.00; Advanced Drainage Systems \$76.00; Ben Hofer Backhoe Service \$538.27; Burdette Security & Technologies \$275.60; G & K Services \$368.00; GCR Tire Service \$258.48; Lien Transportation \$103,857.90; Newman Signs \$40.56; Thee Glass Doktor \$42.00; US Bank \$957.91;

Supplies: A&B Business \$502.76; Advanced Drainage Systems \$15,200.00; Best Business Products \$176.80; CarQuest Auto Parts \$2,428.79; Climate Control \$3,080.25; Cricket Media \$29.95; Dakota Electronics \$177.50; Dakota Supply Group \$810.66; Dean Foods \$566.69; Aberdeen Medical Center Pharmacy \$2,055.67; Ecolab \$94.19; Rose Erickson \$5.00; State of SD \$1.93; Farm Power MFG \$84.04; Gardner Locksmithing \$80.40; MB LLC \$48.00; Govconnection \$425.87; Groton Area School Dist 06-6 \$155.69; HF Jacobs \$13,650.00; Inventory Trading Co \$44.00; Jebro \$18,730.20; Kesslers \$51.55; Larry Becker \$244.75; Lucy Lewno \$12.98; Lien Transportation \$313,414.20; Marco \$60.98; Matthew Bender \$81.08; Midwest Art Conservation Center \$100.00; Diane Mielke \$3.03; National 4-H Council \$5.83; National Sheriff Assn \$109.00; NCFE Warner \$3,169.09; Network Services Co \$2,379.54; Newman Signs \$756.00; Pollard and Larson \$6.00; Pro Ag Supply \$2.37; Share Corp \$348.00; Sherwin Williams \$150.00; Sioux City Foundry Co \$13,520.00; Thee Glass Doktor \$20.50; Tractor Supply Co \$95.96; Truenorth Steel \$5,377.74; US Bank \$8,794.11; West Payment Center \$1,900.29;

Travel and Conference: Assn of SD Museums \$53.00; Jodi Brown \$78.00; Lynn Heupel \$166.16; The Lodge at Deadwood \$1,344.00; Larry Lovrien \$302.98; Pennington Co Jail \$31.20; Cathy Sauer \$168.40; US Bank \$1870.78; Ryan Vogel \$78.00; Chris White \$139.00; Karly Winter \$319.98;  
Utilities: Aberdeen City Treasurer \$289.54; Century Link \$1,158.78; City of Hecla \$149.14; State of SD \$85.14; James Valley Telecommunications \$223.10; North Star Energy \$167.62; Northern Electric Co-op \$1,326.28; Northwestern Energy \$1,585.68; US Bank \$606.57; Verizon \$230.11;  
Other: James River Acct \$79,753.49; Terry Lout \$50.00. All members present voting aye. Motion carried.

#### PERSONNEL:

Moved by Fischbach, seconded by Kippley to approve the following employee step increases, effective May 24, 2015: David Bruckner @ \$19.51 per hour, Tracy Engquist @ \$15.09 per hour, Christeen Krahll @ \$15.21 per hour, James Harpel @ \$15.88 per hour, Erin Bacon @ \$17.11 per hour, Jonathan Waller @ \$15.81 per hour. All members present voting aye. Motion carried.

Moved by Fjeldheim, seconded by Fischbach to approve hiring Leesa Christenson as part-time 24/7 Sobriety Program employee, effective May 12, 2015 at \$12.54 per hour. All members present voting aye. Motion carried.

Moved by Kippley, seconded by Fischbach to approve hiring Elise Westfall as part-time JDC Correctional Officer at \$12.54 per hour, effective May 26, 2015. All members present voting aye. Motion carried.

Moved by Fjeldheim, seconded by Fischbach to approve hiring Kurt Fleury as seasonal Highway Employee with CDL, effective May 20, 2015 at \$11.99 per hour. All members present voting aye. Motion carried.

#### FAIR CONTRACTS:

Moved by Kippley, seconded by Fischbach to approve and authorize the Chairman to sign entertainment contract with Martina McBride with special guest Dan+Shay for Thursday, August 13, 2015 in amount of \$105,000.00. All members present voting aye. Motion carried.

Moved by Kippley, seconded by Fjeldheim to approve and authorize the Chairman to sign the following contracts for the 2015 Brown County Fair: Kelsea Ballerini (performance August 14, 2015 @ \$3,000.00; Greg Gilbertson (photographer @ \$400.00); Aberdeen Lions Club (Gate D Security @ \$500.00); Hub Area Habitat for Humanity (Gate E Security @ \$1,000.00); SD Snow Queen (Gate C Security @ \$1,000.00 and parking assistance @ \$1,000.00); Good Shepherd Lutheran Church (clean grounds, except Grandstand and track area, dust show ring bleachers @ \$3,000.00); NSU Rugby Team (clean grandstand and track area @ \$3,000.00; Spotslam (exhibit booths in Odde Building @ \$1,600.00 includes set up, delivery and pickup - \$800.00 no set up, but delivery and pickup); Gompf Displays (exhibit booths in Holum Expo Building @ \$1,755.00 with no setup, delivery and pickup). All members present voting aye. Motion carried.

#### LOTTERY APPLICATION:

Moved by Fjeldheim, seconded by Fischbach to approve the following lottery application: Elm Lake Association for raffle to be held at the Elm Lake Resort on May 22 and 23, 2015. All members present voting aye. Motion carried.

#### LEASE AGREEMENT:

Moved by Kippley, seconded by Fjeldheim to approve and authorize the Chairman to sign the following agreement: Aberdeen Area Chamber of Commerce for lease of the Expo Addition on June 6-7, 2015. All members present voting aye. Motion carried.

#### CLAIM ASSIGNMENTS:

Moved by Fischbach, seconded by Fjeldheim to approve and authorize the Chairman to sign documentation to assign claims against individuals to Credit Collections Bureau for purpose of collecting a lien. All members present voting aye. Motion carried.

#### ORD 093 – FIRST READING:

Moved by Kippley, seconded by Fischbach to approve First Reading of Ordinance #093, An Ordinance amending Title 8 Animal Control in Brown County, Chapter 8.20, Paragraph 8.2001, as follows: It shall be unlawful for any person to abandon any dog or other domesticated animal, or intentionally or through gross negligence allow such animals to freely roam upon a public right of way or upon the property of another. Violation of this ordinance shall also be deemed a public nuisance. Roll call vote: Commissioners Hansen-absent, Kippley-aye, Fischbach-aye, Fjeldheim-aye, Sutton-nay. Motion carried.

#### BID – ROAD OIL:

Time and place, as advertised to open, read and consider bids for furnishing and delivery of MC70 and MC3000 road Oil for use by the Brown County Highway Department. One bid received from Jebro, Inc. Moved by Fischbach, seconded by Kippley to refer bid to Dirk Rogers, Highway Superintendent for review and recommendation. All members present voting aye. Motion carried. Moved by Fischbach, seconded by Kippley to award bid submitted by Jebro Inc (only bid received) for furnishing and delivery of MC70 @ \$755.00 per ton and MC3000 @ \$655.00 per ton, as recommended by Highway Superintendent. All members present voting aye. Motion carried.

#### CERTIFICATES PRESENTED:

The South Dakota Emergency Management Association Certificates of Professionalism were presented to Scott Meints, as a Certified Emergency Manager-A (Advanced) and Patti Woods, as Certified Emergency Manager-B (Basic). Congratulations were extended to Scott and Patti.

#### FAIR TICKET SALES:

Paul Sivertsen, IT Manager and Karla Pfeiffer, Fair Manager demonstrated the program to be used at the Fair Office for selling the 2015 Fair Tickets.

#### APPLICATION FOR OCCUPANCY:

Moved by Fischbach, seconded by Fjeldheim to approve and authorize the Chairman sign application, submitted by James Valley Telecommunications for occupancy of Brown County Highway #11 in Sec 22/27-T125N-R60W of the 5<sup>th</sup> P.M., Brown County, SD, to provide telecommunication services. All members present voting aye. Motion carried.

#### HIGHWAY STP:

Dirk Rogers, Highway Superintendent discussed the proposed payout schedule of the Surface Transportation Program (STP) account, requesting that the initial payment scheduled for July 1 in amount of \$387,303.58 be used for the purchase of additional asphalt in 2015 for upcoming projects and subsequent payments be allowed to accumulate for future projects.

#### PHASE III JAIL PROJECT:

Sheriff Mark Milbrandt and Maintenance Manager Judy Dosch presented information on the Phase III Jail Project. Moved by Kippley, seconded by Fischbach to approve and authorize the Chairman sign agreement with HKG Architects, Inc to provide architectural, structural, mechanical and electrical



100  
engineering documents and specifications for the Phase III Jail Renovations Project. All members present voting aye. Motion carried.

**NACO CREDENTIALS:**

Moved by Kippley, seconded by Fjeldheim to authorize the Chairman sign Official Credential Documentation authorizing Gary Vetter to vote on behalf of Brown County at the Annual NACO Convention. All members present voting aye. Motion carried.

**EXECUTIVE SESSION:**

Moved by Kippley, seconded by Fjeldheim to go into executive session to discuss personnel, per SDCL 1-25-4(1); and contract, per SDCL 1-25-4(4) with Larry Lovrien and Gary Vetter in attendance. All members present voting aye. Motion carried.

The Chairman declared the executive session closed, with no formal action taken as a result of the discussion, but requested the Auditor to advise the Commission when boiler plate information will be included in a motion.

**ADJOURNMENT:**

Moved by Kippley, seconded by Fjeldheim to adjourn the Brown County Commission. All members present voting aye. Motion carried.

Maxine Fischer, Brown County Auditor



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# JUNE 1, 2015 - JOINT ABERDEEN CITY/BROWN COUNTY MEETING

The Brown County Commission and the Aberdeen City Council met in joint session at 5:30 P.M. in the City Council Chambers, 123 S Lincoln, Aberdeen, SD. Present from City were Council Members Bunsness, Campbell, Johnson, Remily, Ronayne, Rux, Slaughter-Hansen, Swanson and Mayor Levsen. Present from County were Commissioners Hansen, Sutton, and Fjeldheim. Commissioners Kippley and Fischbach were absent.

## ORDINANCE #15-05-01/444:

On motion by Rux and seconded by Johnson, the City unanimously voted to adopt Ordinance #15-05-01/444.

Moved by Fjeldheim, seconded by Hansen to adopt Ordinance #15-05-01/444, an Ordinance to amend Ordinance No. 1164 to rezone the following described property from its present zoning designation of (A-1) Agricultural District to (M-AG) Mini-Agricultural District: The South 257' of Outlot 8, Evelo's Outlots in the SE ¼ of Sec 35-T123N-R64W of the 5<sup>th</sup> P.M., Brown County, SD (4126 387<sup>th</sup> Ave S). Roll call vote: Commissioners Hansen-aye, Kippley-absent, Fischbach-absent, Fjeldheim-aye, Sutton-aye. Ordinance adopted.

## ORDINANCE #15-06-01/445:

On motion by Ronayne and seconded by Slaughter-Hansen, the City unanimously voted to set hearing date for Ordinance #15-06-01/445.

Moved by Fjeldheim, seconded by Hansen to set public hearing for Ordinance #15-06-01/445, an Ordinance to amend Ordinance No. 1164 to rezone the following described property from its present zoning designation of (A-1) Agricultural District to (M-AG) Mini-Agricultural District: Lots 3, 4, 5, 6, Auditor's Subdivision in the SE ¼ of Sec 27-T123N-R64W of the 5<sup>th</sup> P.M., Brown County, SD (1946 135<sup>th</sup> Street SW and 2012 135<sup>th</sup> Street SW), to be held in the City Council Chambers at 5:30 p.m. on June 22, 2015. All members present voting aye. Motion carried.

## ADJOURNMENT:

Moved by Fjeldheim, seconded by Hansen to adjourn the Brown County Commission. All members present voting aye. Motion carried.

Maxine Fischer, Brown County Auditor



Published once at the total approximate cost of \$\_\_\_\_\_.

## JUNE 2, 2015 – GENERAL MEETING

Meeting called to order by Chairman Sutton at 8:45 A.M. in the Commissioner's Chambers, Courthouse Annex, Brown County, SD. Present were Commissioners Hansen, Kippley, Fischbach and Fjeldheim. Chairman Sutton led the Pledge of Allegiance.

### MINUTES:

Moved by Kippley, seconded by Fischbach to approve the Joint City/County Meeting Minutes and the General Meeting Minutes of May 26, 2015. All members present voting aye. Motion carried.

### CLAIMS:

Moved by Fjeldheim, seconded by Hansen to approve the following claims:

Payroll: Commission \$3,767.51; Commission Assistant/Human Resources \$4,088.74; Auditor \$7,447.53; Treasurer \$12,708.66; Data Processing \$5,727.95; State's Attorney \$16,669.70; Blood Draws \$550.00; SVAWA Grant \$1,873.70; Maintenance \$6,478.53; Assessor \$13,108.50; Register of Deeds \$8,758.87; Veterans Service Office \$3,563.74; GIS \$2,195.60; Sheriff Admin \$32,703.45; Jail \$32,892.35; Coroner \$1,950.00; JDC \$15,124.63; HD \$5,052.37; Welfare Office \$3,500.47; Museum \$7,679.74; Parks & Fairgrounds \$6,565.75; Fair Board \$4,154.10; 4-H \$1,113.60; Weed \$3,022.35; Planning and Zoning \$1,586.47; Highway \$49,911.30; Communications \$20,839.71; Emergency Management \$3,767.34; Teen Court \$43.26; 24/7 \$2,993.94; Landfill \$13,111.91

Matching Benefits: FICA \$18,163.03; Medicare \$4,247.88; Life \$686.91; Dental \$6,732.00; Health Insurance \$107,786.84; Retirement \$50,867.81

Professional Fees: Aberdeen Advanced Care Ambulance \$216.95; Adam Altman \$4,444.45; Avera AFP \$76.97; AMG Radiology \$268.94; AMG Surgcial Assoc. \$1,397.89; Avera Urology Specialists \$606.82; Barron County Clerk of Courts \$6.25; Chris Dohrer \$5,069.45; William Gerdes \$5,154.00; Horizon Health Care \$3.12; Kuck Law Office \$4,444.45; Midwest Cyber Solutions \$1,750.00; Ramsey Co. Sheriff \$44.40; Richardson, Wyly, Wise, Sauck \$4,444.45; Ronayne Law Office \$4,444.45; Sanford Health \$1,662.93; Christy Serr \$5,069.45; Tammy Stolle \$46.80.

Publishing: Aberdeen American News \$2,202.33; Aberdeen Parks & Rec \$550.00; Capital Journal \$58.43; DakotaFire Media \$346.50; Dex Media \$53.55.

Rentals: Dorian Apartments \$200.00; Larry Kumpf \$310.00.

Repairs & Maintenance: Aberdeen Asphalt \$109,240.00; Dakota Electronics \$54.25; Hoven Auto Repair \$2,162.19; JDH Construction \$31,400.00; Karst Car Care \$62.86; KONE \$74,735.00; Lien Transportation \$30,504.83; Mattern Electric \$5,652.77; Lora Schaunaman \$46.62; SD DOT \$37,031.80; Southern Folger Detention \$28,030.00; Woodman Refrigeration \$3,271.88.

Supplies: A & B Business \$238.84; Aberdeen Asphalt \$140,753.84; Ameripride \$62.50; Crescent Electric \$27.83; DSG \$132.67; ES & S \$1,014.35; Flint Hills Resources \$11,794.16; Gardner Locksmithing \$56.50; Sue Gates \$33.99; GovConnection \$1,777.22; J & K Painting \$484.50; Lien Transportation \$110,761.20; McFarland Supply \$183.00; McKesson Medical \$67.31; Midstates Printing \$108.00; Network Services \$273.23; Sherri Rawstern \$253.69.

Travel and Conference: Cindy Eppard \$43.00; Exec. Mgmt. \$1,198.50; Sara Hagman \$12.00; Jefferson Lines \$269.00; Patty VanMeter \$151.81.

Utilities: Aberdeen City Treasurer \$1,117.76; AT & T \$69.99; BDM Rural Water \$30.00; CenturyLink \$47.65; Dependable Sanitation \$737.00; Midcontinent \$70.31; NVC \$136.63; NWPS \$7,940.09.

NBP Bond Payments: Darwin or Mary Bettmann \$1,952.43; Joop Bollen \$16,270.70; Bruce or Lynette Durham \$6,508.08; FDM Revocable Living Trust \$16,270.70; Don and Maxine Fischer \$1,952.55; Great Plains Bank \$19,524.25; John Kippley \$3,254.04; Robert or Lora Larson \$3,254.45; David & Jill Lehmann \$16,269.80; Marlin Nilsson \$13,016.17; Pyush Patel \$16,270.70; Kendall or Linda Peterson \$6,508.08; Peterson Securities Trust 2009 \$39,048.50; Plains Commerce Bank \$248,287.32; Herman Schumacher \$8,134.90; Mark & Mary Volk \$6,508.08. All members present voting aye. Motion carried.

**PERSONNEL:**

Moved by Kippley, seconded by Fischbach to approve the following employee step increases, effective June 7, 2015: Harlan Place @ \$18.22, Tim Hettich @ \$17.54, Stacie Wasem @ \$16.19, Jonothan Lemke @ \$19.15 per hour; effective May 10, 2015: Ross Erickson @ \$20.46. All members present voting aye. Motion carried.

Moved by Hansen, seconded by Kippley to approve hiring Logan Gauer as part-time employee in the Auditor's Office @ 7.25 per hour, effective May 26, 2015. All members present voting aye. Motion carried.

Moved by Fischbach, seconded by Fjeldheim to acknowledge the following miles driven and amount to be taxed for personal use of County vehicles during the month of April 2015: Kendell Titze – 84 @ \$48.30, Michael Scott – 170 @ \$97.75, Gary Vetter – 100 @ \$57.50, Dirk Rogers – 798 @ \$458.85. All members present voting aye. Motion carried.

Moved by Fischbach, seconded by Kippley to acknowledge resignation of Chris Schafer, effective June 8, 2015 from the Sheriff's Department; and further approve request to fill vacancy. All members present voting aye. Motion carried.

Moved by Hansen, seconded by Fjeldheim to approve hiring Joseph Adam as full-time IT Department employee, effective June 8, 2015 at \$20.11 per hour. All members present voting aye. Motion carried.

Moved by Kippley, seconded by Fischbach to approve hiring Wyatt Towne as part-time JDC Correctional Officer, effective June 2, 2015 at \$12.54 per hour. All members present voting aye. Motion carried.

**LOTTERY APPLICATION:**

Moved by Fjeldheim, seconded by Kippley to approve the following lottery applications: Elm Lake Association for raffle to be held at the Elm Lake Resort on July 4, 2015; Faulkton Wrestling Club for raffle to be held at the Brown County Speedway on July 23 & 24, 2015. All members present voting aye. Motion carried.

**TEMPORARY RETAIL ON/OFF SALE WINE LICENSE:**

Moved by Kippley, seconded by Fjeldheim to authorize advertising a public hearing to be held in the Commission Chambers, Courthouse Annex, Brown County, SD on June 16, 2015 at 8:45 a.m. to consider application for the following Temporary Retail On/Off Sale Wine License (RW-19541) Transfer Application: Kessler's Inc, 621 6<sup>th</sup> Ave SE, Aberdeen SD - Special event to be held at Parkview Nursery (Lot 1 Parkview Nursery Addn NE 25-123-64) on June 19, 2015. All members present voting aye. Motion carried.

**LEASE AGREEMENT:**

Moved by Fjeldheim, seconded by Hansen to approve and authorize the Chairman to sign the following agreement: Boy Scouts of America for lease of the Richmond Lake Youth Camp on May 29-30, 2015. All members present voting aye. Motion carried.

**PROBATION OFFICE PROJECT CHANGE ORDER:**

Moved by Fjeldheim, seconded by Fischbach to approve and authorize the Chairman sign Change Order #1 for the Probation Office Renovation Project in amount of \$276.00 (project total @ \$77,476.00. All members present voting aye. Motion carried.

**TOWNSHIP BONDS:**

Moved by Fjeldheim, seconded by Hansen to approve the following Township Bonds (Treasurer and Clerk): PORTAGE #1- Susan Gerdes, Tom Stehly; GREENFIELD #2 – Valerie Weisser, Karen Lunzman; FREDERICK #3 – Dennis Walworth, Jill Gisi; ALLISON #4 - Dillon Cutler, Arlene Hixon; LANSING #5 – Dixie Clark; ONEOTA #6 - Karla Engelhart, Neil Schaunaman; BRAINARD #7 - Charles Dennert, Diane Bruns; SHELBY #8 – Michael Knecht, Brent Miller; NORTH DETROIT #9 – Candi Beck, Sandy Dinger; COLUMBIA #11 – Martin Weismantel, Patricia Daly; WESTPORT #12 - Guyna Dehne, Doug Fjeldheim; CARLISLE #13 – Ashlee Nelson; ORDWAY #14 - Kerry Howell, Mike McHugh; CAMBRIA #15 – Monte McNickel, Brenda Johnson; RIVERSIDE #16 – Steve Simon, Bruce Sippel; GROTON #17 – Jerry Locke, Jeff Howard; HENRY #18 – Matt Oswald, Darlene Sass; BATH #19 – David Stahl, Scott Sperry; ABERDEEN #20 – William Donaldson, Marguirete Donaldson; MERCIER #21 - Jerry Streckfuss, Daryl L Rieck; NEW HOPE #22 - Alan Borchard, Milton Haselhorst; WARNER #23 – Bev Graham, Robert Seaton; GEM #24 - Loel Schott, Bob Simon; EAST HANSON #25 – Lyncee Monson, Betty Schinkel; GARDEN PRAIRIE #26 – Craig Dunker, Todd Osterman; EAST RONDELL #27 – Dennis Rossow, Kathy Williams; PALMYRA #28 – Joanne Berheim, Greta Thorpe; OSCEOLA #29 – Lonny Mikkonen, Chris Sumption; SAVO #30 - Calvin Raisanen, Judy Bretsch; LIBERTY #31 – Todd Lunzman, Rollin Stearns; RAVINIA #34 – Vicki Eimers, Patrick Keatts; HIGHLAND #35 - Dan Misslitz, Deanna Nelson; FRANKLYN #36 - Sharon Bain, Shirley Stein; RICHLAND #37 - Margaret Sumption, Deb Heine; LINCOLN #39 – Vickie Schrenk, Ronald Kaaz; BATES #44 – Kathy Dobberpuhl, Betty Geist; GARLAND #46 – Lloyd Buntrock, Glenn Ringgenberg; PUTNEY #48 – Bill Schuelke, Mark Thompson; WEST HANSON #49 – Maralyn Hoops, Darlys Kampa; PRAIRIEWOOD #53 – Darrell Strivens, Robert Jensen; SOUTH DETROIT #59 - Mark Perkins, Faye Hoines. All members present voting aye. Motion carried.

#### NVC SERVICE AGREEMENT:

Moved by Hansen, seconded by Fjeldheim to approve and authorize the Chairman sign Telecommunications Services Agreement with Northern Valley Communications to provide Metro E Internet – 100MB X 100MB for \$395.00 per month. All members present voting aye. Motion carried.

#### ADJOURNMENT:

Moved by Fjeldheim, seconded by Hansen to adjourn the Brown County Commission. All members present voting aye. Motion carried.

Maxine Fischer, Brown County Auditor



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## JUNE 9, 2015 – GENERAL MEETING

Meeting called to order by Vice Chairman Kippley at 8:45 A.M. in the Commissioner's Chambers, Courthouse Annex, Brown County, SD. Present were Commissioners Hansen and Fjeldheim. Chairman Sutton and Commissioner Fischbach were absent. Vice Chairman Kippley led the Pledge of Allegiance.

## MINUTES:

Moved by Hansen, seconded by Fjeldheim to approve the Joint City/County Meeting Minutes of June 1, 2015 and the General Meeting Minutes of June 2, 2015. All members present voting aye. Motion carried.

## CLAIMS:

Moved by Hansen, seconded by Fjeldheim to approve the following claims:

Insurance: Eugene Dennert \$175.00; SD Assoc. of County Commissioners \$7,478.58.

Professional Fees: Avera St. Luke's \$5,629.68; Kristi Brandt \$49.40; Clark Engineering \$26,005.65; Clark Title Co. \$212.00; Denise Cody \$37.50; Den Herder Law \$162.00; Devnet \$8,724.79; Harmelink, Fox & Ravensborg Law \$157.50; Horn Law Office \$207.00; Lucy Lewno \$310.50; LexisNexis \$171.50; Lincoln Co. Treasurer \$103.50; Midstates Printing \$75.00; Mark Milbrandt \$28.00; One Source \$45.00; Schriver's Mortuary \$700.00; SD Dept. of Revenue \$250.00; Jodi Sudweeks \$27.20; Karen Swanda \$37.50; UND \$2,000.00; Mitch Vilhauer \$2,689.70; Yankton Co. Sheriff \$50.00.

Publishing: Aberdeen American News \$1,289.79; Hub City Radio \$300.00.

Rentals: Black Acre \$300.00; GPHC \$325.00; Wolfsong Apartments \$260.00.

Repairs & Maintenance: Aberdeen Area Radiator \$253.00; Dakota Electronics \$75.00; DFP \$219.49; Eugene Dennert \$893.75; DMI \$1,634.86; Gillund Enterprises \$6.00; Great Western Tire \$10.00; House of Glass \$2,320.15; J Gross Equip. \$137.17; Lawson Products \$52.68; Lien Transportation \$444.67; Midwest Pump & Tank \$112.50; Newman Signs \$13.92; NC Rental \$10,544.00; PowerPlan \$765.70; Quality Welding \$82.40; Running's \$354.98; Sheehan Mack \$19.69; Steven Lust Automotive \$1,099.33; Volk Upholstery \$90.00; Walth Safety Service \$866.45.

Supplies: Bakken Build Maint. \$500.00; Butler Machinery \$608.23; Carlsen Funeral Home \$300.00; CarQuest \$971.86; Cartney Bearing \$82.40; Century Business Products \$69.53; Crawford Trucks & Equip. \$1,389.34; Dakota Electronics \$318.60; DFP \$789.74; Dakota Oil \$3,712.14; Den Herder Law \$8.88; DMI \$8,517.72; Earthgrains \$394.70; Farnam's \$155.36; Fastenal \$366.72; FedEx \$23.40; Geffdog \$1,196.80; Gillund Enterprises \$191.76; Great Western Tire \$5,190.48; Harmelink, Fox & Ravensborg Law \$8.00; Harr Motors \$126.00; Hedahl's \$34.71; Horn Law Office \$6.00; J Gross Equip. \$2,154.44; L & O Acres Transport \$2,076.98; Lang's \$439.99; Lawson Products \$709.08; Lucy Lewno \$11.48; Lien Transportation \$50,007.58; Lincoln Co. Treasurer \$.44; Mac's \$117.78; Marco \$302.08; Menards \$50.25; Midstates Printing \$202.36; Midwest Pump & Tank \$43.86; NCFE – Warner Elevator \$1,824.08; Network Services Co. \$54.19; Newman Signs \$234.05; Pierson-Ford \$34.48; Pitney Bowes \$126.00; PowerPlan \$1360.67; Productivity Plus \$430.57; RDO Equip. \$109.60; Running's \$1,178.20; Sanford Health \$35.00; Harvin Schlosser \$75.00; Sheehan Mack \$1,308.04; Sherwin Williams \$89.25; Taylor Laundry \$105.50; Van Diest Supply \$3,483.00; Volk Upholstery \$56.00; Walth Safety Service \$99.99; Zastow's Sales \$152.54.

Travel and Conference: Carlsen Funeral Home \$15.52; Days Inn \$57.00; Kay Frederick \$10.20; Mary Locken \$62.04; Mark Milbrandt \$117.00; Clay Nelson \$159.40.

Utilities: Aberdeen City Treasurer \$139.47; AT & T \$343.07; CenturyLink \$240.17; Exec. Mgmt. \$264.14; James Valley Telecommunications \$231.40; Midco \$525.62; Northern Electric \$99.00; NVC \$2,759.00; NWPS \$915.62; Town of Frederick \$33.25; Web Water \$84.11.

Election Workers: Gladys Braun \$200.00; Sharon Deilke \$205.00; Carol Erdmann \$200.00; Dolly Evans \$205.00; Bonnie Fischer \$20.00; Marilyn Flemmer \$20.00; Kay Frederick \$20.00; Jeanette Gollnick \$200.00; Ardys Gosch \$205.00; Donna Helm \$200.00; Sally Hofer \$200.00; Elaine Huff \$200.00; Shirley Jahraus \$200.00; Yolonda Jahraus \$200.00; Lucille Kushman \$20.00; Vangie Miller \$20.00; Marlis Nack

\$200.00; Donna Swanhorst \$200.00; Barbara Walker \$200.00; Diane Zahalka \$200.00. All members present voting aye. Motion carried.

#### PERSONNEL:

Moved by Fjeldheim, seconded by Hansen to acknowledge resignation of Roy Oberle, effective June 13, 2015 from the Sheriff's Department; and further approve request to fill vacancy. All members present voting aye. Motion carried.

Moved by Hansen, seconded by Fjeldheim to approve hiring Jeff Carlson, effective June 5, 2015 for purpose of prisoner transport. All members present voting aye. Motion carried.

Moved by Hansen, seconded by Fjeldheim to amend wage and start date for hiring Logan Gauer as part-time employee in the Auditor's Office @ 8.50 per hour, effective May 27, 2015. All members present voting aye. Motion carried.

Moved by Fjeldheim, seconded by Hansen to approve hiring Ka'Nova Williams, effective June 22, 2015 and Jaclyn Nagel, effective June 15, 2015 as full-time Corrections Officers in the Jail at \$14.88 per hour. All members present voting aye. Motion carried.

#### EXPENSE POLICY AMENDMENT:

Moved by Hansen, seconded by Fjeldheim to amend the Mileage Rate in the January 6, 2015 minutes, as follows: Mileage Rate: Reimbursement for use of personal vehicle for County business, as follows: 37 cents per mile for a County Commissioner, a County Official (other than the Sheriff), the Director of Equalization, and a Deputy State's Attorney or SA Investigator; and 47 cents per mile for all other employees; Miles to be determined by the assistance of Map Quest or similar web site; Odometer readings required for all destinations not available on web site; Odometer reading only required once to establish routine destination routes, i.e. per diem for board members. All members present voting aye. Motion carried.

#### CLAIM ASSIGNMENTS:

Moved by Hansen, seconded by Fjeldheim to approve and authorize the Chairman to sign documentation to assign claims against individuals to Credit Collections Bureau for purpose of collecting a lien. All members present voting aye. Motion carried.

#### PARTIAL PAYMENTS:

Moved by Fjeldheim, seconded by Hansen to authorize Sheila Enderson, County Treasurer to accept partial payments for taxes (as authorized by SDCL 10-21-7) in amount of \$25.00 bi-weekly on the following property, effective June 2, 2015: 20 rods West of East 26 rods of North 11 rods in the NE ¼ of Sec 19-T128N-R62W of the 5<sup>th</sup> P.M, Brown County, SD; and further stipulate that when payment of \$421.96 of the total \$621.96 has been made according to the contract, the Commission may take further action to waive one-half of the \$400.00 completed costs. All members present voting aye. Motion carried.

#### CDBG-SAFE HARBOR BUILDING PROJECT:

Moved by Fjeldheim, seconded by Hansen to approve and authorize the Chairman to sign Agreement with Northeast Council of Governments for Administrative Assistance for the Community Development Block Grant for the Safe Harbor Building Project in amount of \$15,000.00. All members present voting aye. Motion carried.

#### LEASE AGREEMENTS:

Moved by Hansen, seconded by Fjeldheim to approve and authorize the Chairman to sign the following agreement: Nick Johnson for lease of the Club House on June 20-21, 2015(wedding reception) with permit for consumption of alcoholic beverages, effective June 20, 2015. All members present voting aye. Motion carried.

Moved by Hansen, seconded by Fjeldheim to approve and authorize the Chairman sign agreement, submitted by the City of Redfield for lease of 2 People Movers on July 3-6, 2015. All members present voting aye. Motion carried.

#### FAIRGROUNDS LAND RENT:

Moved by Fjeldheim, seconded by Hansen approve and authorize the Chairman sign agreement for lease of approximately 3 acres of land in the southeast corner of the Fairgrounds for 8 months @ \$189.04 to Joie Holzer for grazing purposes. All members present voting aye. Motion carried.

#### AUDITORS REPORT OF ACCOUNT:

Moved by Hansen, seconded by Fjeldheim to approve the May 2015 Auditor's Report of Account with the County Treasurer in total amount of \$22,962,345.74 (total amount of actual cash @ \$3,800.00, US Bank @ \$37,330.74, Dacotah Bank @ \$473,755.56, Petty Cash @ \$2,000.00, Fund Investments @ \$22,445,459.44). All members present voting aye. Motion carried.

#### CDBG-NEW TEC PROJECT:

Moved by Fjeldheim, seconded by Hansen to approve and authorize the Chairman sign Payment Request #8 (final) Community Development Block Grant #1212-307 for New Tec in amount of \$2,495.80. All members present voting aye. Motion carried

#### SHERIFF REPORTS:

Moved by Fjeldheim, seconded by Hansen to approve the following May 2015 Sheriff Reports: Incidents and offenses, Prisoner care, JDC, and Money deposited with the County Treasurer. All members present voting aye. Motion carried.

#### SPECIAL MALT BEVERAGE LICENSE APPLICATIONS:

Moved by Fjeldheim, seconded by Hansen to approve the following applications for Special Malt Beverage License, submitted by SD Snow Queen Festival: Brown County Fairgrounds (Expo Building) SW ¼ Sec 1-T123N-R64W, effective June 13, 2015 and June 27; Centennial Village SW ¼ Sec 1-T123N-R64W, effective July 18, 2015. All members present voting aye. Motion carried.

#### CENTENNIAL VILLAGE UPDATE:

Markcus Selzler presented an update on projects slated for completion in 2015 at Centennial Village.

#### ORDWAY TOWNSHIP ROADS AND BRIDGE 151:

Area landowners Paul Meyers and Bob Jacobs discussed minimum maintenance roads adjacent to Bridge 151 in Ordway Township and the possibility of vacating the roads in the future. The Bridge is currently closed and to date there is no plan by the County to remove it.

#### APPLICATION FOR OCCUPANCY:

Moved by Fjeldheim, seconded by Hansen to approve application, submitted by East River Electric Power Coop, Inc. for occupancy of County Highway #13 to complete five soil borings between County Road 397<sup>th</sup> Ave and County Road 404<sup>th</sup> Ave. All members present voting aye. Motion carried.

#### RELEASE OF PROPERTY:

Commissioner Fjeldheim offered the following Resolution:



## RESOLUTION #30-15

WHEREAS, Brown County has filed a Poor Relief Lien in amount of \$ 18,237.25 and Indigent Council Lien in amount of \$380.25, and

WHEREAS, Brown County has determined it to be in the best interest of the taxpayers to release certain property from the effect of said lien, upon payment of \$10,000.00 at time of sale of property; and payments continue to be made per contract with the Welfare Office; and on condition that the lien balance remain filed against the individual.

NOW, THEREFORE BE IT RESOLVED that the following real property in Brown County, SD, which is described as follows:

Lots 9, 10 and 11, Block 14, Garden Park Addition to Aberdeen, according to the plat thereof of record, Brown County, South Dakota

is hereby released from the effect and force of said lien, upon payment of \$10,000.00 at time of sale of property; and payments continue to be made per contract with the Welfare Office; and on condition that the lien balance remain filed against the individual.

Dated this 9<sup>th</sup> day of June 2015.

Seconded by Commissioner Hansen. Roll call vote: Commissioners Hansen-aye, Kippley-aye, Fischbach-absent, Fjeldheim-aye, Sutton-abaset. Resolution adopted.

## ADJOURNMENT:

Moved by Fjeldheim, seconded by Hansen to adjourn the Brown County Commission. All members present voting aye. Motion carried.

Maxine Fischer, Brown County Auditor *Maxine Fischer*

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## JUNE 16, 2015 – GENERAL MEETING

Meeting called to order by Chairman Sutton at 8:45 A.M. in the Commissioner's Chambers, Courthouse Annex, Brown County, SD. Present were Commissioners Hansen, Kippley, Fischbach and Fjeldheim. Commissioner Hansen led the Pledge of Allegiance.

## MINUTES:

Moved by Fjeldheim, seconded by Hansen to approve the General Meeting Minutes of June 9, 2015. All members present voting aye. Motion carried.

## CLAIMS:

Moved by Kippley, seconded by Fischbach to approve the following claims:

Payroll: Commission \$3,767.51; Commission Assistant/Human Resources \$4,088.74; Elections \$511.71; Auditor \$7,586.67; Treasurer \$12,632.48; Data Processing \$5,637.46; State's Attorney \$17,169.68; Blood Draws \$400.00; SVAWA Grant \$1,873.94; Maintenance \$6,954.07; Assessor \$13,108.50; Register of Deeds \$8,758.88; Veterans Service Office \$3,563.74; GIS \$2,195.60; Sheriff Admin \$32,755.12; Jail \$34,650.12; Coroner \$0.00; JDC \$17,539.91; HD \$5,254.78; Welfare Office \$3,500.47; Museum \$7,679.74; Parks & Fairgrounds \$6,809.08; Fair Board \$4,128.15; 4-H \$1,458.12; Weed \$4,719.70; Planning and Zoning \$1,586.47; Highway \$53,004.82; Communications \$23,735.97; Emergency Management \$3,767.34; Teen Court \$180.90; 24/7 \$3,003.34; Landfill \$15,680.38

Matching Benefits: FICA \$18,255.35; Medicare \$4,269.41

Professional Fees: Avera Queen of Peace \$84.90; Avera St. Luke's \$3,753.12; Certified Languages \$34.65; Denise Cody \$21.00; Dakota Wood Grinding \$25,835.00; LGB \$5,081.95; Lewis & Clark BHS \$640.00; Lucy Lewno \$243.00; Sanford Health –Occupational \$40.00; SDACO \$1,220.00; SD Dept. of Revenue \$678,873.33; Spot Freight \$1,585.00; SWANA \$250.00; Karen Swanda \$21.00; US Bank \$340.00; Vintage Tech \$4,266.78; Joni Wileman \$80.00.

Publishing: Aberdeen American News \$414.48.

Rentals: Perry Huber \$310.00; Sletten Apartments \$260.00.

Repairs & Maintenance: 446-Praxair \$12.90; A & B Business \$1,544.16; LCG – ABC Seamless \$20,391.00; Aberdeen Asphalt \$7,080.00; Clark Engineering \$6,300.00; DFP \$339.58; DSG \$37.19; Fire Safety First \$460.50; G & K Services \$281.04; GCR Tires & Service \$21,873.40; Overhead Door \$1,787.61; Pierson-Ford \$220.67; PowerPlan \$263.09; Sheehan Mack \$2,581.46; US Bank \$1,208.52; Wallwork Truck Center \$146.07.

Supplies: 446-Praxair \$516.59; A & B Business \$189.42; Aberdeen Asphalt \$6,474.51; Ameripride \$210.62; Beadle Floral & Nursery \$212.33; Br. Co. Fair \$2100.00; Cash-Wa \$3,700.65; Century Business Products \$193.00; DSG \$161.54; Danko \$67.05; Dean Foods \$610.52; Double D Body Shop \$133.00; Brenda Dreyer \$15.55; DT Pharmacy \$1,432.85; Farm & Home Publishers \$3,499.00; Fire Safety First \$411.40; Fisher's Cleaning Service \$2,505.31; Fordham Signs \$810.91; GCR Tires & Service \$127.60; Geffdog \$245.94; GovConnection \$1,056.31; Hoven Auto Repair \$440.00; Kessler's \$379.21; Kustom Signals \$46.00; Lucy Lewno \$9.74; Lien Transportation \$151,978.86; Marco \$32.01; Menards \$1,282.97; NCFE – Warner Elevator \$21,236.97; Network Services Co. \$97.70; North Star Energy \$137.69; Parkview Nursery \$620.35; Running's \$200.98; Sherwin Williams \$119.00; Nate Smith \$7.95; Sound Decisions \$8.99; Town & Country Building Supply \$20.43; Tractor Supply \$39.98; US Bank \$6,240.71.

Travel and Conference: Sue Gates \$124.08; Jefferson Lines \$241.00; Barry Kusler \$479.54; Leo Leshner \$159.80; Gene Loeschke \$344.65; Russell Metz \$296.24; US Bank \$3,350.52.

Utilities: Aberdeen City Treasurer \$319.70; CenturyLink \$9.90; City of Hecla \$138.84; Northern Electric \$1,226.12; NWPS \$1,031.99; US Bank \$570.36.

Other: Safe Harbor \$1,511.00. All members present voting aye. Motion carried.

## PERSONNEL:

Moved by Fischbach, seconded by Hansen to approve the following employee step increases, effective June 21, 2015: Cindy Meyers @ \$16.15 per hour, Damian Bahr @ \$21.85 per hour, Tracy Madsen @ \$16.18 per hour, Cindy Eppard @ \$15.21 per hour; Barry Kusler @ \$19.16 per hour; Jennifer White @ \$16.53 per hour; Danica Marshall @ \$16.19 per hour; Kurt Pigors @ \$19.20 per hour; Keith Baker @ \$18.83 per hour. All members present voting aye. Motion carried.

Moved by Fischbach, seconded by Hansen to acknowledge resignation of Curt Fleury, effective June 12, 2015 from the Highway Department. All members present voting aye. Motion carried.

#### INCREASE SPENDING AUTHORITY/ESTIMATED REVENUE:

Moved by Fjeldheim, seconded by Kippley to increase spending authority and estimated revenue in the following fund for unanticipated reimbursement for expenditures: Fund #101-4.331 @ \$35,640.00, #101-5.221.426 @ \$35,640.00 (HLS). All members present voting aye. Motion carried.

#### OPERATING TRANSFER:

Moved by Fischbach, seconded by Fjeldheim to approve and authorize the following operating transfer from the General Fund #101-911-191 in total amount of \$3,333,704.72 to Road and Bridge Fund #201-371 @ \$3,000,000.00; EM Fund #226-371 @ \$49,496.00; E911 #207-371 @ \$254,208.72, as reflected in the 2015 General Fund Budget; and further approve and authorize the following operating transfer of \$30,000.00 from Library Fund #103-911-191 to General Fund #101-371, as reflected in the 2015 General Fund Budget. All members present voting aye. Motion carried.

#### CAPITAL OUTLAY ACCUMULATION:

Moved by Fischbach, seconded by Fjeldheim to designate the \$200,000.00 stated in the 2015 Budget as Accumulation of funds for capital outlay purposes (Resolution #67-09). All members present voting aye. Motion carried.

#### FIREWORKS PERMITS:

Moved by Fischbach, seconded by Kippley to approve and authorize the Chairman sign the following Fireworks Public Display Permits: Bullet Sports, DBA Brown County Speedway for a Fireworks Display to be held on July 4, 2015 at the Fairgrounds; and North Plains Baptist Church (Pastor Neil Hannahs) for a Fireworks Display to be held on June 26, 2015 at the Richmond Lake Youth Camp. All members present voting aye. Motion carried.

#### LEASE AGREEMENTS:

Moved by Fjeldheim, seconded by Hansen to approve and authorize the Chairman sign the following agreements: A-Town Roller Girlz for lease of the Club House on June 13, June 27 and September 12, 2015; Jim River Riders for lease of the Akkerman Open Horse Arena on June 14, July 12 and August 9, 2015 (September 13 rain date); North Plains Baptist Church for lease of the Richmond Youth Camp on June 22 – 28, 2015. All members present voting aye. Motion carried.

#### GRANARY REPAIR QUOTE:

Moved by Hansen, seconded by Fjeldheim to approve low quote submitted by SES Seamless for labor and material for gutters (6 inch), downspouts and extensions, and leaf guards on the Granary Building @ \$2,636.70 and Putney Hall @ \$2,501.04 located at the Granary Rural Cultural Center. All members present voting aye. Motion carried.

#### PROPERTY AUCTION PROPOSAL:

Moved by Fjeldheim, seconded by Kippley to accept proposal, submitted by Victor Fischbach to provide services to conduct an auction for tax deed property located at Richmond Lake for a flat fee of \$3,000.00

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plus cost of advertising, copies and miscellaneous expense. Roll call vote: Commissioners Hansen-aye, Kippley-aye, Fischbach-abstain, Fjeldheim-aye, Sutton-aye. Motion carried.

**CLAIM ASSIGNMENTS:**

Moved by Hansen, seconded by Fischbach to approve and authorize the Chairman to sign documentation to assign claims against individuals to Credit Collections Bureau for purpose of collecting a lien. All members present voting aye. Motion carried.

**LOTTERY APPLICATION:**

Moved by Kippley, seconded by Hansen to approve the following lottery applications: Aberdeen Pink Ladies (Dart League) for raffle to be held at the Brown County Speedway on July 17, 2015. All members present voting aye. Motion carried.

**TEMPORARY RETAIL WINE LICENSE:**

Time and place, as advertised for public hearing to consider Temporary Retail Wine License Application. Moved by Hansen, seconded by Fjeldheim to approve application for Temporary Retail Wine License for June 18, 2015 Grape Times Wine Tasting event, submitted by Kessler's Inc (RW 19541) 621 6<sup>th</sup> Ave SE for property described as Lot 1 Parkview Nursery Addn NE 25-123-64. All members present voting aye. Motion carried.

**WORTHMORE ADDICTION SERVICES:**

Worthmore Addiction Services Manager Julie Pfeifer presented statistics and related information in regard to the 2016 Worthmore Addiction Services Budget request.

**BID – RADIO CONSOLE PROJECT:**

Time and place, as advertised to open, read and consider Requests for Proposals for the Radio Console Project for the Communications Center. Moved by Fjeldheim, seconded by Fischbach to return all proposals due to unforeseen circumstances and set new date for public hearing to open proposals for the Radio Console Project for the Communications Center for July 7, 2015 at 8:45 a.m. in the Commissioner's Chambers, Courthouse Annex, Brown County, SD. All members present voting aye. Motion carried.

**FAIR TICKET DISCUSSION:**

Reed Dornbush met to request a refund of \$60.00 for purchase of tickets for the Willie Nelson Concert at the 2014 Brown County Fair because Mr. Dornbush believes the Fair did not fulfill its obligation to provide a reasonable and safe expectation of enjoyment. The Commission upheld no refund policy on fair ticket sales, but did appreciate the complaint and will bring to the attention of the Fair Manager and Fair Board for review and future planning.

**EXECUTIVE SESSION:**

Moved by Kippley, seconded by Fjeldheim to go into executive session to discuss contract with Karla Pfeifer, Janet Elsen, Larry Lovrien and Gary Vetter in attendance. All members present voting aye. Motion carried.

The Chairman declared the executive session closed with no action taken as a result of the discussion.

**PETTY CASH ESTABLISHED FOR FAIR OFFICE:**

Moved by Kippley, seconded by Hansen to establish a Petty Cash Fund in amount of \$700.00 for the Brown County Fair, effective June 15, 2015 through August 7, 2015, for purpose of ticket, button and t-shirt sales for the 2015 Brown County Fair. All members present voting aye. Motion carried.

ORDWAY TOWNSHIP ROADS AND BRIDGE 151:

Area resident Bill Antonides expressed concerns and objections to the future removal of Bridge 151 in Ordway Township and possible Township action vacating roads adjacent to the bridge.

EXECUTIVE SESSION:

Moved by Hansen, seconded by Kippley to go into executive session to discuss personnel, per SDCL 1-25-2(1) with Larry Lovrien and Gary Vetter in attendance. All members present voting aye. Motion carried.

The Chairman declared the executive session closed, with no action taken as a result of the discussion.

ADJOURNMENT:

Moved by Kippley, seconded by Fjeldheim to adjourn the Brown County Commission. All members present voting aye. Motion carried.

Maxine Fischer, Brown County Auditor *Maxine Fischer*

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## JUNE 22, 2015 - JOINT ABERDEEN CITY/BROWN COUNTY MEETING

The Brown County Commission and the Aberdeen City Council met in joint session at 5:30 P.M. in the City Council Chambers, 123 S Lincoln, Aberdeen, SD. Present from City were Council Members Bunsness, Campbell, Johnson, Remily, Ronayne, Slaughter-Hansen and Swanson. Mayor Levsen and Council Member Rux were absent. Present from County were Commissioners Hansen, Fischbach and Sutton. Commissioners Fjeldheim and Kippley were absent.

## ORDINANCE #15-06-01/445:

On motion by Bunsness and seconded by Slaughter-Hansen, the City unanimously voted to postpone the hearing for possible first reading of Ordinance #15-06-01/445 to a July 28, 2015 Joint Meeting.

## ORDINANCE #15-06-01/445:

Moved by Fischbach, seconded by Hansen to postpone the hearing for possible first reading of Ordinance #15-06-01/445, An Ordinance to amend Ordinance No. 1164 to rezone the following described property from its present zoning designation of (A-1) Agricultural District to (M-AG) Mini-Agricultural District: Lots 3, 4, 5, 6, Auditor's Subdivision in the SE ¼ of Sec 27-T123N-R64W of the 5<sup>th</sup> P.M., Brown County, SD (1946 135<sup>th</sup> Street SW and 2012 135<sup>th</sup> Street SW), to 8:30 a.m. on July 28, 2015 in the County Commission Chambers, Courthouse Annex, Brown County, SD. All members present voting aye. Motion carried.

Moved by Hansen, seconded by Fischbach to adjourn the Brown County Commission. All members present voting aye. Motion carried.

Maxine Fischer, Brown County Auditor



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# JUNE 23, 2015 – GENERAL MEETING

Meeting called to order by Chairman Sutton at 8:45 A.M. in the Commissioner's Chambers, Courthouse Annex, Brown County, SD. Present were Commissioners Hansen, Fischbach and Fjeldheim. Commissioner Kippley was absent. Chairman Sutton led the Pledge of Allegiance.

## MINUTES:

Moved by Fischbach, seconded by Fjeldheim to approve the General Meeting Minutes of June 16, 2015. All members present voting aye. Motion carried.

## CLAIMS:

Moved by Hansen, seconded by Fjeldheim to approve the following claims:

Professional Fees: AFP \$79.86; American Health & Safety \$83.75; AMG Anesthesiology \$92.80; AMG Cardiovascular Specialists \$289.40; Avera St. Luke's Internal Medicine \$301.30; AMG OB/GYN \$976.60; AMG Radiology \$282.06; Avera St. Luke's \$19,040.39; Joy Braun \$30.00; Br. Co. Bar Assoc. \$80.00; Jodi Brown \$10.00; Dependable Sanitation \$28,660.91; Jean Hommel \$150.00; KCH Law \$126.00; Language Line Services \$118.29; LSS \$2,200.00; NE Mental Health Center \$2,236.00; Sanford Clinic \$25.00; Sanford Health \$180.72; Schneider Corp. \$2,265.00; SD Dept. of Revenue & Regulation \$650.00; Spot Freight \$1,585.00; Tammy Stolle Court Reporting \$220.00; David Valandra \$1,140.00; Yankton Co. Sheriff Office \$50.00.

Publishing: Aberdeen American News \$583.47; K Hanson 5 \$122.00.

Rentals: Advantage Self Storage \$1,671.00.

Repairs & Maintenance: Double D Body Shop \$97.70; Farm Power Mfg. \$2.00; HF Jacobs & Son Construction \$153.06; JEBRO \$995.28; ODB \$96.63.

Supplies: A & B Business \$91.12; Academy Trophy & Engraving \$104.00; American Health & Safety \$541.41; Best Business Products \$176.80; Brite Computers \$3,250.00; Br. Co. Treasurer \$17.01; Century Business Products \$69.06; Dakota Mailing \$119.90; Farm Power Mfg. \$101.03; Ashley Farrand \$12.55; Fire Safety First \$199.25; Geffdog \$189.93; GovConnection \$1,711.69; Harr Motors \$135.00; JEBRO \$15,076.02; KCH Law \$4.58; L & O Acres \$4,132.91; Lien Transportation \$154,888.80; Marco \$459.16; Menards \$81.22; Midstates Printing \$2,872.43; NCFE – Warner Elevator \$14,819.20; Northern Electric \$1,020.41; ODB \$418.80; Pitney Bowes \$5,045.00; Quality Welding \$223.00; Regional Pharmacy \$62.27; Software Unlimited Corp. \$1,680.00; Spillman Technologies \$590.00; TrueNorth Steel \$9,649.88.

Travel and Conference: Stan Beckler \$18.33; Best Western Kelly Inn-Yankton \$765.00; Darwin Bettmann \$15.24; Exec. Mgmt \$897.50; Lynn Heupel \$225.28; Jean Hommel \$50.00; Patrick Keatts \$34.11; Marianne-Martilla Klipfel \$42.00; Dale Kurth \$112.53; Mary Locken \$42.00; David North \$105.48; Lora Schaunaman \$471.72; Jerry Streckfuss \$23.32.

Utilities: CenturyLink \$3,606.79; NVC \$42.29; Verizon Wireless \$230.15.

Other: JRWD \$30,088.13; Pizza Ranch \$53.46, JDH Construction \$89.58. All members present voting aye. Motion carried.

## PERSONNEL:

Moved by Fjeldheim, seconded by Fischbach to acknowledge the following miles driven and amount to be taxed for personal use of County vehicles during the month of May 2015: Kendell Titze – 108 @ \$62.10, Michael Scott – 160 @ \$92.00, Gary Vetter – 107 @ \$61.53, Dirk Rogers – 684 @ \$393.30. All members present voting aye. Motion carried.

Moved by Fjeldheim, seconded by Hansen to acknowledge resignation of Kelly Forrest, effective July 11, 2015 from 24/7 Sobriety Program. All members present voting aye. Motion carried.

## PLATS:

Commissioner Hansen offered the following Resolution:

RESOLUTION #31-15

BE IT RESOLVED by the County Commission of Brown County, SD, that the plat showing "T & J Properties 1<sup>st</sup> Consolidated Addition in Aberdeen, SD", having been examined, is hereby approved in accordance with the provisions of SDCL of 1967, Chapter 11-3, and any amendments thereof.

Seconded by Commissioner Fjeldheim. Roll call vote: Commissioners Hansen-aye, Kippley-absent, Fischbach-aye, Fjeldheim-aye, Sutton-aye. Resolution adopted.

Commissioner Hansen offered the following Resolution:

RESOLUTION #32-15

BE IT RESOLVED by the Board of Commissioners of Brown County, SD, that the plat showing "Kane Addition in the SE ¼ of Sec 27-T123N-R64W of the 5<sup>th</sup> P.M., Brown County, SD", having been examined, is hereby approved in accordance with the provisions of SDCL of 1967, Chapter 11-3, and any amendments thereof.

Seconded by Commissioner Fjeldheim. Roll call vote: Commissioners Hansen-aye, Kippley-absent, Fischbach-aye, Fjeldheim-aye, Sutton-aye. Resolution adopted.

Commissioner Hansen offered the following Resolution:

RESOLUTION #33-15

BE IT RESOLVED by the County Commission of Brown County, SD, that the plat showing "D Engelhart Tract 1 in the NE ¼ of Sec 4-T125N-R65W of the 5<sup>th</sup> P.M., Brown County, SD", having been examined, is hereby approved in accordance with the provisions of SDCL of 1967, Chapter 11-3, and any amendments thereof.

Seconded by Commissioner Fjeldheim. Roll call vote: Commissioners Hansen-aye, Kippley-absent, Fischbach-aye, Fjeldheim-aye, Sutton-aye. Resolution adopted.

Commissioner Hansen offered the following Resolution:

RESOLUTION #34-15

BE IT RESOLVED by the County Commission of Brown County, SD, that the plat showing "D.H. Engelhart Tract 1 in the SW ¼ of Sec 29-T126N-R65W of the 5<sup>th</sup> P.M., Brown County, SD", having been examined, is hereby approved in accordance with the provisions of SDCL of 1967, Chapter 11-3, and any amendments thereof.

Seconded by Commissioner Fjeldheim. Roll call vote: Commissioners Hansen-aye, Kippley-absent, Fischbach-aye, Fjeldheim-aye, Sutton-aye. Resolution adopted.

Commissioner Hansen offered the following Resolution:

RESOLUTION #35-15



BE IT RESOLVED by the County Commission of Brown County, SD, that the plat showing "Geranen Tract 1 in the S ½ NE ¼ SE ¼ of Sec 24-T126N-R65W of the 5<sup>th</sup> P.M., Brown County, SD", having been examined, is hereby approved in accordance with the provisions of SDCL of 1967, Chapter 11-3, and any amendments thereof.

Seconded by Commissioner Fjeldheim. Roll call vote: Commissioners Hansen-aye, Kippley-absent, Fischbach-aye, Fjeldheim-aye, Sutton-aye. Resolution adopted.

Commissioner Hansen offered the following Resolution:

#### RESOLUTION #36-15

BE IT RESOLVED by the Board of Commissioners of Brown County, SD, that the plat showing "Traver Addition in the NW ¼ of Sec 21-T123N-R62W of the 5<sup>th</sup> P.M., Brown County, SD", having been examined, is hereby approved in accordance with the provisions of SDCL of 1967, Chapter 11-3, and any amendments thereof.

Seconded by Commissioner Fjeldheim. Roll call vote: Commissioners Hansen-aye, Kippley-absent, Fischbach-aye, Fjeldheim-aye, Sutton-aye. Resolution adopted.

#### FAIR CONTRACTS:

Moved by Hansen, seconded by Fischbach to approve and authorize the Chairman to sign the following contracts for the 2015 Brown County Fair: 4-H Premiums @ \$5,350.00; Harr Motors – 2 vans @ expenses and four general tickets; RDO -7 Gators, 5 Tractors @ expenses and six general tickets; Phil Baker - Aug 12 & 13 @ \$1,200.00; Nadine Waite – Sanitation crew approximately 129 hours @ \$25.00 per hour; SD Snow Queen – Gate D Security @ \$500.00; Crusaders Motorcycle Club – Interior Gate B Security @ \$1,000.00; Old Time Tractor Pullers Assn – Tractor pull @ \$1,200.00; NSU Women's Swim Team – Stage Hand Services @ \$5,500.00. All members present voting aye. Motion carried.

#### FIREWORKS PERMIT:

Moved by Fischbach, seconded by Hansen to approve and authorize the Chairman sign the following Fireworks Public Display Permit: Brown County Fair for a Fireworks Display to be held on August 15, 2015 at the Fairgrounds. All members present voting aye. Motion carried.

#### TOWNSHIP BONDS:

Moved by Hansen, seconded by Fjeldheim to approve the following Township Bonds (Treasurer and Clerk): #10 CLAREMONT - Donald Wegleitner, Justin Wegleitner; #39 LINCOLN (amended) Jamie Drageset, Ronald Kaaz; #50 HECLA Susan Rosendahl, Jodi Hebi; #57 WEST RONDELL Allen Ryckman, Larry Ihde. All members present voting aye. Motion carried.

#### REGISTER OF DEEDS – WAIVE FEES:

Moved by Fischbach, seconded by Hansen to authorize the Register of Deeds Office waive filing fees for all Brown County cities and townships. All members present voting aye. Motion carried.

#### CDBG-SAFE HARBOR BUILDING PROJECT:

Moved by Hansen, seconded by Fjeldheim to approve and authorize the Chairman to sign initial requirement documents for the Community Development Block Grant for the Safe Harbor Building Project. All members present voting aye. Motion carried.

#### PROBATION OFFICE RENOVATION PROJECT CHANGE ORDER:

Moved by Fischbach, seconded by Fjeldheim to approve and authorize the Chairman sign Change Order #2 for the Probation Office Renovation Project, adding cost of \$3,759.00, which brings total project cost to \$81,235.00. All members present voting aye. Motion carried.

**LEASE AGREEMENT:**

Moved by Fjeldheim, seconded by Fischbach to approve and authorize the Chairman sign the following agreement: 4-H for lease of the Expo Building, Hog Barn and Sheep Barn on June 26-27, 2015. All members present voting aye. Motion carried.

**EQUIPMENT DISCUSSION:**

Aaron Walberg, VSO met to question why his department is being billed \$175.00 for a new telephone when a surplus telephone was provided several months ago. A complete inventory of all telephones in all departments will be completed by tracing serial numbers to paid invoices.

**BID – BRIDGE 218:**

Time and place, as advertised to open, read and consider sealed bids for replacement of Bridge #218 located on County Road 5. One bid was received from Duininck, Inc, Prinsburg, MN. Moved by Fischbach, seconded by Hansen to refer bid to Dirk Rogers, Highway Superintendent for review and recommendation. All members present voting aye. Motion carried

**EXECUTIVE SESSION:**

Moved by Hansen, seconded by Fjeldheim to go into executive session to discuss contract, per SDCL 1-25-2(4) with Paul Sivertsen, Larry Lovrien and Gary Vetter in attendance. All members present voting aye. Motion carried.

The Chairman declared the executive session closed, with no action taken as a result of the discussion.

**FAIR TICKET UPDATE:**

Paul Sivertsen reported that ticket sales are going briskly, but no reports have been given to the Treasurer's Office, as the reports are not balanced.

**ADJOURNMENT:**

Moved by Fischbach, seconded by Hansen to adjourn the Brown County Commission. All members present voting aye. Motion carried.

Maxine Fischer, Brown County Auditor *Maxine Fischer*

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## JUNE 30, 2015 – GENERAL MEETING

Meeting called to order by Chairman Sutton at 8:45 A.M. in the Commissioner's Chambers, Courthouse Annex, Brown County, SD. Present were Commissioners Hansen, Kippley, Fischbach and Fjeldheim. Commissioner Fischbach led the Pledge of Allegiance.

### MINUTES:

Moved by Hansen, seconded by Fischbach to approve the Joint City/County Meeting Minutes of June 22, 2015 and the General Meeting Minutes of June 23, 2015. All members present voting aye. Motion carried.

### CLAIMS:

Moved by Kippley, seconded by Fjeldheim to approve the following claims:

Payroll: Commission \$3,767.51; Commission Assistant/Human Resources \$4,088.74; Auditor \$7,603.67; Treasurer \$12,632.48; Data Processing \$7,201.01; State's Attorney \$17,223.41; Blood Draws \$450.00; SVAWA Grant \$1,873.94; Maintenance \$6,654.44; Assessor \$13,108.51; Register of Deeds \$8,758.88; Veterans Service Office \$3,563.74; GIS \$2,195.60; Sheriff Admin \$32,988.65; Jail \$35,778.45; JDC \$16,086.15; HD \$4,967.18; Welfare Office \$3,500.47; Museum \$7,679.74; Parks & Fairgrounds \$6,666.63; Fair Board \$4,543.97; 4-H \$1,786.17; Weed \$5,906.11; Planning and Zoning \$2,266.47; Highway \$55,765.74; Communications \$23,612.56 Emergency Management \$3,767.34; 24/7 \$2,890.48; Landfill \$11,904.29.

Matching Benefits: FICA \$18,336.99; Medicare \$4,288.52; Life \$678.51; Dental \$6,650.40; Health Insurance \$96,768.86; Retirement \$35,340.54.

Professional Fees: Adam Altman \$4,444.45; Avera St. Luke's \$5,004.16; Kristi Brandt \$214.80; Brink Engineering \$660.00; Certified Languages \$222.75; Denise Cody \$30.00; Christopher Dohrer \$5,069.45; William Gerdes \$11,746.99; Harmelink, Fox & Ravensborg Law \$157.50; Mark Katterhagen \$30.00; Scott Kuck \$4,444.45; Lucy Lewno \$189.00; Richardson, Wyly & Wise \$4,444.45; Ronayne Law Office \$12,206.47; Christy Serr \$5,069.45; Mitch Vilhauer \$498.40; Yankton Co. Treasurer \$723.00.

Publishing: Aberdeen American News \$228.51; Groton Independent \$1,018.10.

Rentals: Wilbert Schultz \$310.00; Zumbaum Property Mgmt. \$330.00.

Repairs & Maintenance: A & B Business \$29.99; Aberdeen Plumbing & Heating \$1,712.80; Cedar Shore Resort \$4.00; Eilers Water Conditioning & Lawn \$1,174.78; Grote Roofing Co. \$218.37; HF Jacobs & Son \$4,125.00; Jebro \$6,069.31; Ladner Electric \$4,500.00; Lighthouse Electric \$91.93.

Supplies: Ameripride \$40.22; Fordham Signs \$29.00; Geffdog \$48.50; GovConnection \$2,301.38; Harmelink, Fox & Ravensborg Law \$8.00; HF Jacobs & Son \$7,713.28; J & K Painting \$605.88; Jebro \$94,168.49; Lucy Lewno \$6.49; Lien Transportation \$10,862.94; Menards \$248.92; Midstates Printing \$184.13; NCFE-Warner Elevator \$5,038.39; Stan Houston Equip. \$212.05.

Travel and Conference: Cedar Shore Resort \$179.90; Cory Lane \$56.40; Mary Worlie \$641.91.

Utilities: CenturyLink \$197.55; Montana-Dakota Utilities \$20.99; NWPS \$9,256.89.

Other: New Tec \$2,495.80. All members present voting aye. Motion carried.

### PERSONNEL:

Moved by Hansen, seconded by Kippley to approve the following employee step increases, effective July 5, 2015: Paul Wipf @ \$19.57 per hour, Sandy Green @ \$16.30 per hour, Melony Flinn @ \$18.50 per hour, John Clark @ \$15.88 per hour; Kathy Neitzel @ \$19.39 per hour; Daniel Studelska @ \$15.21 per hour. All members present voting aye. Motion carried.

### CLAIM ASSIGNMENTS:

Moved by Fischbach, seconded by Hansen to approve and authorize the Chairman to sign documentation to assign claims against individuals to Credit Collections Bureau for purpose of collecting a lien. All members present voting aye. Motion carried.

**SHERIFF FEES WAIVED:**

Moved by Hansen, seconded by Fjeldheim to waive the following fees billed by the Sheriff Department in December 2014: #1-15 @ \$35.00. All members present voting aye. Motion carried.

**PDM STRATEGY MEETING:**

Moved by Hansen, seconded by Kippley to acknowledge attendance by Patti Woods, Scott Meints, Scott Madsen, Scott Bader, Tom Schmitt, Brian Koens, Terry Evans, Gary Vetter and Nancy Hansen at the June 24, 2015 Pre-Disaster Mitigation Strategy Meeting hosted by NECOG. All members present voting aye. Motion carried.

**LOTTERY APPLICATION:**

Moved by Hansen, seconded by Fjeldheim to approve the following lottery application: Brandon Moser, Manager Mark Weigel Benefit for raffle to be held at the Brown County Speedway on July 3, 2015. All members present voting aye. Motion carried.

**SPECIAL MALT BEVERAGE LICENSES:**

Moved by Fjeldheim, seconded by Fischbach to approve and authorize the Chairman sign the following Special Malt Beverage License Applications: NESD Celtic Faire and Games – Brown County Fairgrounds (Holum Expo Building) SW ¼ of Sec 1-T123N-R64W, effective September 19 and 20, 2015; and Aberdeen Hockey Association – Brown County Fairgrounds (Clubhouse) SW ¼-Sec 1-T123N-R64W, effective August 10-16, 2015 (map indicating specific area licensed on file with applications). All members present voting aye. Motion carried.

**LEASE AGREEMENTS:**

Moved by Fischbach, seconded by Hansen to approve and authorize the Chairman sign the following agreements: Relay for Life for lease of the Expo Building on June 5, 2015; FM Crusaders Motorcycle Club for lease of 2 stages on July 11 & 12, 2015; Mike Schmidt for lease of one (1) 7x14 Trailer on June 19, 2015. All members present voting aye. Motion carried.

**LEASE AGREEMENT:**

Moved by Fischbach, seconded by Kippley to approve and authorize the Chairman sign the following agreement: SDSU (4-H Rodeo Committee) for lease of the Akkerman Horse Arena on July 4 & 5, 2015, contingent upon receipt of a valid lease agreement and the proper insurance certificates required in the Agreement before the event. All members present voting aye. Motion carried.

**FAIR EVENT SPONSORSHIP AGREEMENTS:**

Moved by Hansen, seconded by Kippley to authorize the Chairman sign Fair Event Sponsorship Agreements (other than Livestock Sponsorships) for the 2015 Brown County Fair, as they are presented. All members present voting aye. Motion carried.

**FAIR CONTRACTS:**

Moved by Hansen, seconded by Fischbach to approve and authorize the Chairman to sign the following contracts for the 2015 Brown County Fair: Stunt Dog Productions @ \$7,500.00; 147<sup>th</sup> Army Band @ no fee; The Sound Exchange @ \$4,000.00 plus hotel rooms; KSFY @ \$2,520.00; KSJB @ \$2,520.00; Big Stone Radio @ \$4,500.00; KOKK @ \$2,400.00; Ingstad Family Media @ \$1,017.00; Frederick Vet Clinic @ four general tickets. All members present voting aye. Motion carried.

**EXPENSE POLICY AMENDMENT:**

Moved by Hansen, seconded by Kippley to amend the Mileage Rate in the January 6, 2015 minutes, as amended June 9, 2015, to follow state reimbursement rates, as follows: Mileage Rate: Reimbursement for

use of personal vehicle for County business, as follows: 42 cents per mile for a County Commissioner, a County Official (other than the Sheriff), the Director of Equalization, and a Deputy State's Attorney or SA Investigator; and 47 cents per mile for all other employees; Miles to be determined by the assistance of Map Quest or similar web site; Odometer readings required for all destinations not available on web site; Odometer reading only required once to establish routine destination routes, i.e. per diem for board members; and further to amend the January 6, 2015 minutes and set the following expense rates for Brown County employees to follow state reimbursement rates: Meal reimbursement made only for out of County travel

	In-State	Out-of-State
Breakfast	\$ 6.00	\$10.00
Lunch	\$11.00	\$14.00
Dinner	<u>\$15.00</u>	<u>\$21.00</u>
	\$32.00	\$45.00

Qualifying time for meal allowances:

Breakfast - leave before 5:31 a.m. - return after 7:59 a.m.

Lunch - leave before 11:30 a.m. - return after 12:59 p.m.

Dinner - leave before 5:31 p.m. - return after 7:59 p.m.

All members present voting aye. Motion carried.

#### AGREEMENT:

Moved by Fischbach, seconded by Fjeldheim to approve and authorize the Chairman to sign cooperative agreement with Aberdeen School District 6-1 to establish an educational program for youth placed in the Juvenile Detention Center, effective July 1, 2015 through June 30, 2016. All members present voting aye. Motion carried.

#### ORD 094: TITLE 16 - BROWN COUNTY FAIR:

Moved by Kippley, seconded by Fjeldheim to authorize advertising public hearing to be held before the Brown County Commission on the 21<sup>st</sup> day of July, 2015 beginning at 8:45 a.m. in the Commissioner's Chambers, Courthouse Annex, Brown County, SD, to amend Title 16 Brown County Fair, Chapter 16.06 – Other Provisions by adding new Section 16.06.04 – Contracts to Operate Certain Concessions during Fair Week. All members present voting aye. Motion carried.

#### ORD 095: TITLE 6 – TRAFFIC REGULATIONS:

Moved by Hansen, seconded by Fischbach to authorize advertising public hearing to be held before the Brown County Commission on the 21<sup>st</sup> day of July, 2015 beginning at 8:50 a.m. in the Commissioner's Chambers, Courthouse Annex, Brown County, SD, to amend Title 6 Traffic Regulations, Chapter 6.02 – Parking. All members present voting aye. Motion carried.

#### INCREASE SPENDING AUTHORITY/ESTIMATED REVENUE:

Moved by Kippley, seconded by Fischbach to increase spending authority and estimated revenue in the following fund for unanticipated reimbursement for expenditures: Fund #101-4.331.01 @ \$7,021.51, #101-5.712.429 @ \$7,021.51 (CDBG). All members present voting aye. Motion carried.

#### WAIVE LEASE FEE:

Moved by Fischbach, seconded by Hansen to waive fee for use of the Sheep Barn when date set and lease finalized for a rabies clinic, to be sponsored by Brown County Pet Rescue, (Shannon Bohl, Coordinator). All members present voting aye. Motion carried.

#### ATTORNEY CONTRACTS:

The Commission received a proposal for the 2016 Indigent Defense Contract from current Contracting Attorneys with a proposed compensation amount for the 2016 budget process.

**IT UPDATE:**

Paul Sivertsen, CIO discussed the telephone inventory progress; the need for a defined inventory policy; and a centralized IT budget.

**LANDFILL UPDATE:**

Mike Scott, Landfill Manager presented an update on: recent grant award for scraper; department update; and equipment repair expenses.

**LF – UNDERDRAIN RETROFIT PROJECT:**

Moved by Kippley, seconded by Fischbach to approve and authorize the Chairman to sign proposal from B&B Contracting for completion of the Underdrain Retrofit Project in amount of 29,125.00. All members present voting aye. Motion carried.

Moved by Hansen, seconded by Fjeldheim to approve the purchase of a pollution control system for the underdrain retrofit project from EPG, Maple Grove, MN in amount of \$15,825.00. All members present voting aye. Motion carried.

**BID REJECTED – BRIDGE #218:**

Moved by Fischbach, seconded by Fjeldheim to reject bid submitted by Duininck Inc. (only bid received at bid opening) for replacement of Bridge #218 located on County Road 5 in amount of \$2,494,634.10, as this is cost prohibitive at this time (engineers estimate @ \$1,627,738.80). All members present voting aye. Motion carried.

**LIEN RELEASE REQUEST:**

Moved by Kippley, seconded by Hansen to deny request, submitted by Attorney Ryan Dell on behalf of property owners, to forgive a percentage of the total county liens in total amount of \$2,116.33 on property sold through the tax deed process in 2003. All members present voting aye. Motion carried.

The Commission recessed a 10:20 a.m. for Drainage Board Meeting.

The Commission reconvened General Meeting at 10:45 a.m.

**EXECUTIVE SESSION:**

Moved by Hansen, seconded by Fischbach to go into executive session to discuss to consult with legal counsel, per SDCL 1-25-2(3); and to discuss personnel, as per SDCL 1-25-2(1) with Larry Lovrien, Victor Rapkoch and Gary Vetter in attendance. All members present voting aye. Motion carried.

The Chairman declared the executive session closed, with no action taken as a result of the discussion.

**FAIR TICKET UPDATE:**

Karla Pfeifer informed the Commission that the fair ticket reports will be submitted as soon as they are balanced.

**ADJOURNMENT:**

Moved by Kippley, seconded by Fjeldheim to adjourn the Brown County Commission. All members present voting aye. Motion carried.

Maxine Fischer, Brown County Auditor



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## JULY 7, 2015 – GENERAL MEETING

Meeting called to order by Chairman Sutton at 8:45 A.M. in the Commissioner's Chambers, Courthouse Annex, Brown County, SD. Present were Commissioners Hansen, Kippley, Fischbach and Fjeldheim. Commissioner Kippley led the Pledge of Allegiance.

### MINUTES:

Moved by Kippley, seconded by Fjeldheim to approve the General Meeting Minutes of June 30, 2015, with the following correction: the expense policy reflecting the new state rates for the mileage and meal reimbursements is effective July 1, 2015. All members present voting aye. Motion carried.

### CLAIMS:

Moved by Kippley, seconded by Fischbach to approve the following claims:

Professional Fees: AMG Radiology \$205.02; Avera St. Luke's \$2,558.24; Phil Baker \$250.00; Clark Engineering \$25,199.77; Denise Cody \$22.50; Lucy Lewno \$99.00; Liberty Tire Recycling \$11,174.49; Mikelson Law Office \$67.50; Sanford Health \$8.61; SDN Communications \$125.00; Spitzer-Miller Funeral Home \$1,000.00; Karen Swanda \$22.50; Vintage Tech \$2,460.08.

Publishing: Aberdeen American News \$218.87; Dex Media \$53.55; Midstates Printing \$2,313.00.

Rentals: Builder's Mgmt. \$310.00; Danne \$65.00.

Repairs & Maintenance: A-1 Sanitation \$193.00; Beilke Construction \$245.20; Graham Tire \$197.60; Great Western Tire \$2.50; Grote Roofing \$197.45; HF Jacobs & Son Construction \$229.59; House of Glass \$166.56; Hoven Auto Repair \$34.25; Jebro \$8,253.56; Lawson Products \$30.02; Lora Schaunaman \$34.47; Sewer Duck \$521.00; Woodman Refrigeration \$1,525.10.

Supplies: A & B Business \$48.36; Academy Trophy & Engraving \$8.00; Ameripride \$74.72; Bakken Build Maint. \$500.00; Butler Machinery \$453.35; Michael Carlsen \$7.25; Century Business Products \$100.56; CNA Surety \$50.00; Cunningham Electric \$3,607.66; Dakota Electronics \$72.75; DFP \$522.66; DPM Mercantile \$7.90; DSS Imaging \$276.00; Ecolab Pest Elimination \$105.05; Farm Power Mfg. \$16.52; Fastenal \$253.84; Sue Gates \$69.99; Geffdog \$84.00; GovConnection \$116.08; Great Western Tire \$614.22; Jebro \$129,933.64; Lawson Products \$404.03; Lucy Lewno \$6.49; Lien Transportation \$11,608.08; Teresa Mann \$35.94; Menards \$314.27; Midstates Printing \$4,877.78; NCFE – Warner \$1,970.94; Nelson Sales & Service \$290.66; Palmer Distributing \$95.00; Past Perfect Software \$432.00; Proforma \$1,499.39; Qualification Targets \$147.98; Running's \$80.98; Schaeffer's Mfg. \$410.04; SD DOT \$4,086.91; Share Corp \$540.00; Speciality Mfg. \$227.32; Taylor Laundry \$44.00; Thomson Reuters \$166.00; Ultramax \$1,383.00; West Payment Center \$1,943.41; Western States Fire Co. \$965.00.

Travel and Conference: City of Groton \$91.76; Doug Fjeldheim \$138.38; Patricia Kendall \$24.44; Rachel Kippley \$129.13; Midcontinent \$410.62; NVC \$2,203.40; NWPS \$3,012.95; Pizza Ranch \$79.44; Mike Scott \$9.00; Duane Sutton \$98.42; Web Water \$72.73.

Utilities: Aberdeen City Treasurer \$1,159.20; AT & T \$223.14; BDM Rural Water \$30.00; CenturyLink \$210.96.

Other: Shoup Insurance \$275.00. All members present voting aye. Motion carried.

### PERSONNEL:

Moved by Kippley, seconded by Hansen to amend employee step increase for Kathy Neitzel from \$19.39 per hour to \$19.44 per hour, effective July 5, 2015. All members present voting aye. Motion carried.

### EXPRESS EMPLOYMENT PROFESSIONALS:

Moved by Fjeldheim, seconded by Fischbach to authorize Karla Pfeifer, Fair Manager employ Rachel Spies, a temporary receptionist, effective July 8, 2015 and reimburse Express Employment Professionals \$14.49 per hour worked (\$9.35 per hour, 1.55% benefits, and \$5.00 placement fee). All members present voting aye. Motion carried.

**FAIR CONTRACTS:**

Moved by Hansen, seconded by Kippley to approve and authorize the Chairman sign Contract for operation of the Club House with Aberdeen Hockey Association for the Brown County Fairs held in the years: 2015, 2016, & 2017. All members present voting aye. Motion carried.

Moved by Hansen, seconded by Kippley to approve and authorize the Chairman to sign the following contracts for the 2015 Brown County Fair: Farmers Market Music (Nathan Dean Band) @ \$4,000.00; DMI (three tele handlers) @ twelve general tickets. All members present voting aye. Motion carried.

**INTEREST STATEMENT:**

Moved by Fischbach, seconded by Sutton to accept for filing the April – June 2015 Interest Statement (\$8,737.65) submitted by County Treasurer Sheila Enderson. All members present voting aye. Motion carried.

**LEASE AGREEMENTS:**

Moved by Kippley, seconded by Fischbach to approve and authorize the Chairman sign the following agreements: South Dakota Wheat Growers (Farm Safety Camp for Kids) for lease of the old open arena south of Beef Barn on July 21, 2015; Celtic Faire for lease of the Expo Building and Expo Addition on September 19 & 20, 2015; RDO Equipment, Redfield for lease of 2 people movers on July 11 & 12, 2015. All members present voting aye. Motion carried.

**AUDITORS REPORT OF ACCOUNT:**

Moved by Hansen, seconded by Fischbach to approve the June 2015 Auditor's Report of Account with the County Treasurer in total amount of \$18,082,824.40 (total amount of actual cash @ \$3,800.00, US Bank @ \$45,201.20, Dacotah Bank @ \$335,001.56, Petty Cash @ \$2,000.00, Fund Investments @ \$17,696,821.64). All members present voting aye. Motion carried.

**ABATEMENTS:**

Moved by Fjeldheim, seconded by Kippley to approve and authorize the Chairman sign the following Abatements: Dakota Equity Group LLC @ \$696.76 (double assessment); Marcella Lemieux @ 104.05 (mobile home gone). All members present voting aye. Motion carried.

**TREASURER'S FAIR UPDATE:**

Sheila Enderson, Brown County Treasurer reported Fair ticket sale revenue being held in Treasurer's Trust as of June 30, 2015 is \$62,212.72.

**CLAIM ASSIGNMENTS:**

Moved by Fischbach, seconded by Fjeldheim to approve and authorize the Chairman to sign documentation to assign claims against individuals to Credit Collections Bureau for purpose of collecting a lien. All members present voting aye. Motion carried.

**BID – MARKET STREET ENTRANCE PROJECT:**

Moved by Fischbach, seconded by Hansen to authorize advertising public hearing to open, read and consider sealed bids for furnishing labor and material for the Market Street Entrance Project (remove existing doors and steps and replace with enclosed handicapped ramp and entrance), to be held in the Commissioner's Chambers, Courthouse Annex, Brown County, SD at 8:50 a.m. on July 28, 2015. All members present voting aye. Motion carried.

**AGREEMENT LOT H-9 AND Lot H-5:**

Moved by Fischbach, seconded by Hansen to approve and authorize the Chairman sign Agreement with the State of South Dakota, acting by and through its Department of Transportation for purpose of



transferring certain highway right-of-way, jurisdiction, and operational and maintenance responsibilities from the County to the State for public highway purposes pursuant to SDCL 31-19-63 and 31-19-64, in regard to Lot H9 and Lot H5. All members present voting aye. Motion carried.

LOT H-9 AND LOT H5:

Commissioner Fischbach offered the following Resolution:

RESOLUTION #37-15  
BROWN COUNTY, SOUTH DAKOTA

BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF BROWN COUNTY, SOUTH DAKOTA:

THAT, WHEREAS, Brown County previously acquired from the State of South Dakota, acting by and through its Department of Transportation, the following property for highway right of way purposes located in Brown County, South Dakota:

Lot H9 – in a portion of the 33' (thirty three feet) of section line Right of Way along the east side of the NE ¼ of Section 22, Township 123 North, Range 64 West, of the 5<sup>th</sup> P.M., Brown County, South Dakota,;

Lot H5 – in a portion of the 33' (thirty three feet) of section line Right of Way along the west side of the NW ¼ of Section 23, Township 123 North, Range 64 West, of the 5<sup>th</sup> P.M., Brown County, South Dakota.

AND, WHEREAS, the above described right of way was conveyed to Brown County in error;

AND, WHEREAS, the above-described right of way is needed by the State of South Dakota for the operation of the State Trunk Highway System,

AND, WHEREAS, the South Dakota Department of Transportation, has requested that Brown County transfer its title and interest in the aforementioned right of way back to the State of South Dakota, acting by and through its Department of Transportation.

NOW, THEREFORE, BE IT RESOLVED, that it is advisable and in the best interest of the public that Brown County convey all its title and interests in the aforementioned right of way to the State of South Dakota, acting by and through its Department of Transportation, in accordance with the provisions of South Dakota Certified Laws 31-19-63 and 31-19-64; and,

IT IS FURTHER RESOLVED, that the chairperson of the Board of County Commissioners of Brown County, South Dakota, is authorized to execute a deed conveying all of Brown County's title and interests in the aforementioned right of way to the State of South Dakota, acting by and through its Department of Transportation, in accordance with South Dakota Codified Laws 31-19-63 and 31-19-64.

Adopted this 7<sup>th</sup> day of July 2015.

Seconded by Commissioner Hansen. Roll call vote: Commissioners Hansen-aye, Kippley-aye, Fischbach-aye, Fjeldheim-aye, Sutton-aye. Resolution adopted.

**BID – RADIO CONSOLE PROJECT:**

Time and place, as advertised to open, read and consider sealed bids for all hardware and software required for replacement of the current radio console system for the Brown County Communications Center. Bids were received from Minn-Kota Communications, Wahpeton, ND in amount of \$149,602.90; EF Johnson, Irving, TX in amount of \$268,117.63. Moved by Fischbach, seconded by Kippley to refer all bids to John McQuillen, Communications Center Director for review and recommendation. All members present voting aye. Motion carried.

**APPLICATION FOR OCCUPANCY:**

Moved by Kippley, seconded by Fischbach to approve and authorize the Chairman sign application, submitted by James Valley Telecommunications for occupancy of Brown County Hwy 7 in Sec 11/14-T126N-R65W, Brown County, SD to provide telecommunications. All members present voting aye. Motion carried.

**EXECUTIVE SESSION:**

Moved by Hansen, seconded by Kippley to go into executive session to consult with legal counsel, per SDCL 1-25-2(3); and to discuss contract, per SDCL 1-25-2(4) with Larry Lovrien and Gary Vetter in attendance. All members present voting aye. Motion carried.

The Chairman declared the executive session closed, with no action taken as a result of the discussion.

**ADJOURNMENT:**

Moved by Kippley, seconded by Fjeldheim to adjourn the Brown County Commission. All members present voting aye. Motion carried.

Maxine Fischer, Brown County Auditor



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## JULY 14, 2015 – GENERAL MEETING

Meeting called to order by Chairman Sutton at 8:45 A.M. in the Commissioner's Chambers, Courthouse Annex, Brown County, SD. Present were Commissioners Hansen, Fischbach and Fjeldheim. Commissioner Kippley was absent. Commissioner Fjeldheim led the Pledge of Allegiance.

### MINUTES:

Moved by Hansen, seconded by Fischbach to approve the General Meeting Minutes of July 7, 2015. All members present voting aye. Motion carried.

### CLAIMS:

Moved by Fjeldheim, seconded by Hansen to approve the following claims:

Payroll: Commission \$3,767.51; Commission Assistant/Human Resources \$4,088.74; Auditor \$7,612.17; Treasurer \$12,636.47; Data Processing \$7,140.68; State's Attorney \$17,173.68; Blood Draws \$700.00; SVAWA Grant \$1,873.94; Maintenance \$6,268.44; Assessor \$13,136.50; Register of Deeds \$8,758.87; Veterans Service Office \$3,563.74; GIS \$2,195.60; Sheriff Admin \$32,694.08; Jail \$36,375.68; Coroner \$1,350.00; JDC \$17,067.78; HD \$5,514.73; Welfare Office \$3,500.47; Museum \$7,679.74; Parks & Fairgrounds \$6,889.55; Fair Board \$4,139.47; 4-H \$1,807.97; Weed \$5,348.36; Planning and Zoning \$1,826.47; Highway \$52,460.12; Communications \$22,427.65 Emergency Management \$3,767.34; Teen Court \$142.36; 24/7 \$2,950.04; Landfill \$12,480.24.

Matching Benefits: FICA \$18,128.79; Medicare \$4,239.79.

Professional Fees: Avera Queen of Peace \$59.90; Avera St. Luke's \$135.00; Certified Languages \$16.50; Clark Engineering \$5,000.00; Clark Title Co. \$50.00; HKG Architects \$36,600.00; Falyn Hogg \$30.00; James & Larson Law \$225.00; NCS \$960.40; Sanford Health Occupational Medicine \$40.00; SD Dept. of Revenue & Regulation \$809,571.63; Kimberly Zachrison \$134.68.

Publishing: Aberdeen American News \$1,409.10; Hub City Radio \$5,310.00; SD Magazine \$295.00.

Rentals: Aberdeen Housing Authority \$256.00; Builder's Mgmt. \$150.00; David & Pamela Crossley \$300.00; Pauer Sound \$352.00; Wolfson Apartments \$310.00.

Repairs & Maintenance: Artz Equip. \$31.60; Dakota Electronics \$120.00; DFP \$438.02; Eugene Dennert \$975.00; Diamond Mowers \$98.20; Farnam's \$96.69; Fordham Signs \$164.00; G & K Services \$297.74; GCR Tires \$404.72; GovConnection \$941.44; HF Jacobs \$35,797.06; JDH Construction \$38,876.00; Jebro \$3,129.07; Leidholt Electric \$56.22; Lyle Signs \$77.61; Masonry Professionals \$1,160.00; Midwest Alarm \$226.20; Overhead Door \$149.75; Pauer Sound \$1,700.00; Pierson-Ford \$140.83; PowerPlan \$3,706.67; Productivity Plus \$191.99; Lora Schaunaman \$37.05.

Supplies: Praxair \$77.50; A & B Business \$276.73; Ameripride \$237.77; Artz Equip. \$744.29; CarQuest Auto Parts \$1,585.92; Cartney Bearing \$17.55; Cash-Wa \$5,979.84; Century Business Products \$56.79; Crawford Trucks & Equip. \$4,332.21; Custom Glass & Repair \$43.50; Dakota Electronics \$1,886.80; Dakota Pump & Control \$900.00; Dean Foods \$743.53; Diamond Mowers \$573.00; DT Pharmacy \$1,706.11; Earthgrains \$447.35; Ecolab \$297.97; Farnam's \$24.70; GCR Tires \$877.50; GovConnection \$110.95; Hecla Implement \$28.50; Hedahl's \$19.44; Interstate Battery \$112.95; James & Larson Law \$6.00; Jebro \$47,240.43; Ken's Bear Alignment \$634.40; Kessler's \$379.78; Lar-Jo's \$1,175.00; Lien Transportation \$6,484.50; Lyle Signs \$398.75; Mac's \$217.75; Marco \$355.43; Matthew Bender & Co. \$134.75; Menards \$34.79; Midstates Printing \$189.30; NCFE – Warner Elevator \$8,896.74; Network Services \$2,591.14; North Star Energy \$84.00; Karla Pfeifer \$39.83; Josh Phillips \$50.00; PowerPlan \$4,174.94; Productivity Plus \$1,000.33; Running's \$38.41; SDN Communications \$701.24; Sheehan Mack \$43.83; Sherwin Williams \$340.54; Taylor Laundry \$63.00; Tractor Supply Co. \$57.98; Western Printing \$134.65; Zastrow's Service \$84.45.

Travel and Conference: Tom Fischbach \$222.00; Falyn Hogg \$51.45; Leo Leshner \$85.73; Gene Loeschke \$11.00; Russell Metz \$11.00; Mark Milbrandt \$257.55; UND \$100.00; Mary Worlie \$146.24.

Utilities: Aberdeen City Treasurer \$310.76; AT & T Mobility \$265.93; CenturyLink \$46.38; Dependable Sanitation \$286.00; Exec. Mgmt. \$74.64; James Valley Telecommunication \$218.30; North Star \$249.58; Northern Electric \$1,102.94; NVC \$1,077.99; NWPS \$7,413.51; Town of Frederick \$41.00.

Other: Angie Lorenz \$1.50; Cindy Hoffman \$4.82; Jenna Larson \$2.32; Karen & Gary Sieber \$1.82; Kendell Staebner \$1.82; Kim Schaunaman \$3.64; Leeanna Severson \$1.66; Lynn Cunningham \$3.64; SD Assoc. of County Officials \$1,162.00; Thomas Eisenbeisz \$3.50. All members present voting aye. Motion carried.

#### PERSONNEL:

Moved by Fischbach, seconded by Hansen to approve the following employee step increases, effective July 19, 2015: Russ Ochsner @ \$18.42 per hour, Tonya Walth @ \$17.76 per hour, Teresa Mann @ \$15.74 per hour, Cory Lane @ \$20.50 per hour. All members present voting aye. Motion carried.

Moved by Hansen, seconded by Fjeldheim to acknowledge resignation of Wyatt Towne, part-time Corrections Officer, effective July 29, 2015; and approve request to fill vacancy of part-time Corrections Officer. All members present voting aye. Motion carried.

#### DIVE TEAM:

Moved by Fischbach, seconded by Hansen to approve Jason Vilhauer as member of the Dive Team, effective July 14, 2015 for work comp purposes. All members present voting aye. Motion carried.

#### SHERIFF REPORTS:

Moved by Fjeldheim, seconded by Fischbach to approve the following June 2015 Sheriff Reports: Incidents and offenses, Prisoner care, JDC, and Money deposited with the County Treasurer. All members present voting aye. Motion carried.

#### FAIR CONTRACTS:

Moved by Fischbach, seconded by Hansen to approve and authorize the Chairman to sign the following contracts for the 2015 Brown County Fair: 4-H Performing Arts @ \$200.00; Sewer Duck @ \$7,200.00; Brick Roto-Rooter @ \$8,300.00; Avera Health to provide courtesy rides to fair goers @ eight golf carts, lighting and two-way radios; CHS Dance Team (Gate E & A Security) @ \$1,000.00; PRCA Approvals Department in conjunction with Korkow Rodeo contract; J Gross Equipment (two skid steers) @ four general tickets; Primrose Retirement Communities (sponsor Senior Day) @ \$1,050.00. All members present voting aye. Motion carried.

#### SHERIFF FEE WAIVED:

Moved by Fjeldheim, seconded by Hansen to waive the following fee billed by the Sheriff Department in June 15, 2015: #2-15 @ \$34.07. All members present voting aye. Motion carried.

#### AGREEMENT JDC ACCESS WITH UJS:

Moved by Hansen, seconded by Fischbach to approve and authorize Sheriff Mark Milbrandt to sign Data Base Access Agreement with the Unified Judicial System allowing JDC access to various case types. All members present voting aye. Motion carried.

#### GRANT AGREEMENT:

Moved by Fjeldheim, seconded by Hansen to approve and authorize the Chairman sign Grant Agreement with the SD Department of Health for the purpose of enhancing Brown County's mosquito control efforts, effective July 1, 2015 – June 30, 2016 in amount of \$16,435.00. All members present voting aye. Motion carried.

#### LOTTERY APPLICATION:

Moved by Fjeldheim, seconded by Fischbach to approve the following lottery application: Brown County 4-H for raffles to be held at the Brown County Fair August 13 & 16, 2015. All members present voting aye. Motion carried.

#### RELEASE OF PROPERTY:

Moved by Fischbach, seconded by Fjeldheim to release property from lien. After discussion it was moved by Fjeldheim, seconded by Fischbach to amend original motion to defer action on possible release of lien from property. All members present voting aye. Motion carried.

#### GRANT LANDFILL SCRAPER:

Moved by Fjeldheim, seconded by Hansen to approve and authorize Chairman to sign award documentation for Regional Landfill Assistance Grant from Department of Environment and Natural Resources in amount not to exceed \$231,000.00 for the purchase of a scraper for the Landfill. All members present voting aye. Motion carried.

#### TREASURER'S FAIR UPDATE:

Sheila Enderson, Brown County Treasurer requested recommendation on how to proceed with the State Sales Tax Report, as the ticket sale report received yesterday does not match the revenue received to date. Chairman Sutton instructed Paul Sivertsen to provide Sheila with the reports she needs by the end of the day.

#### BLUES, BREWS & BBQ EVENT:

Georgia Smith, SD Snow Queen Committee invited the Commission to attend the Blues, Brews & BBQ, an Aberdeen Area Rib Fest Event, to be held at Centennial Village on July 18, 2015.

#### E-POLLBOOK SERVICE:

Dustin VanBalen, Midwest Cyber Solutions presented information and answered questions on quote for Pollbook Service for the Primary and General Elections to be held in 2016, including clearing old data, setup, installation of new election data, training and election day support. Formal agreement will be reviewed for acceptance at a later date.

#### AGREEMENT:

Moved by Fjeldheim, seconded by Hansen to approve and authorize the Chairman sign staffing agreement with Express Employment Professionals on behalf of Rachel Spies. All members present voting aye. Motion carried.

#### HEALTH INSURANCE AGREEMENT:

Moved by Fischbach, seconded by Fjeldheim to approve and authorize the Chairman sign agreement with Medica to provide group health coverage for county employees. All members present voting aye. Motion carried.

#### EXECUTIVE SESSION:

Moved by Hansen, seconded by Fischbach to go into executive session for personnel discussion, per SDCL 1-25-2(1) with Larry Lovrien and Gary Vetter in attendance. All members present voting aye. Motion carried.

The Chairman declared the executive session closed, with the following action taken as a result of the discussion.

The Auditor's Office will assist the Weed and Pest Supervisor with statements and miscellaneous office duties.

## ADJOURNMENT:

Moved by Hansen, seconded by Fischbach to adjourn the Brown County Commission. All members present voting aye. Motion carried.

Maxine Fischer, Brown County Auditor



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## JULY 21, 2015 – GENERAL MEETING

Meeting called to order by Chairman Sutton at 8:45 A.M. in the Commissioner's Chambers, Courthouse Annex, Brown County, SD. Present were Commissioners Hansen, Kippley, Fischbach and Fjeldheim. Chairman Sutton led the Pledge of Allegiance.

### MINUTES:

Moved by Hansen, seconded by Fischbach to approve the General Meeting Minutes of July 14, 2015. All members present voting aye. Motion carried.

### CLAIMS:

Moved by Kippley, seconded by Fjeldheim to approve the following claims:

Professional Fees: AMG Radiology \$216.90; Avera St. Luke's \$8,706.20; Carlsen Funeral Home \$1,000.00; Denise Cody \$49.50; Dean Schaefer Court Reporting \$354.00; Dental Center \$201.20; Dependable Sanitation \$28,024.66; HKG Architects \$10,150.00; Joan Kittelson \$6.00; Lucy Lewno \$508.50; LexisNexis \$81.50; NEMHC \$1,534.00; PRCA \$2,800.00; Cathy Reh fuss \$6.00; Sanford Health Occupational \$80.00; Spot Freight \$1,585.00; Diann Steinheuser \$30.00; Karen Swanda \$37.50; Vintage Tech \$2,348.78; Yankton Co. Sheriff Office \$125.00.

Publishing: Aberdeen American News \$213.06.

Rentals: Tim Gisi \$300.00.

Repairs & Maintenance: A & B Business \$29.99; A-1 Sanitation \$193.00; Aberdeen Asphalt \$15,618.39; Aberdeen Plumbing & Heating \$95.92; Ben Hofer Backhoe Service \$1,128.27; Falcon Road Maint. \$14.56; Graham Tire \$600.56; Hoven Auto Repair \$258.99; J Gross Equip. \$380.44; Jebro \$3,160.39; Lien Transportation \$26,085.53; Newman Signs \$40.45; Roberts Stroh \$5,137.74; US Bank \$362.46.

Supplies: Big Stone Broadcasting \$4,500.00; Bonnie Bitz \$96.00; Carlsen Funeral Home \$623.72; Dakota Electronics \$545.35; DSG \$1,265.98; Falcon Road Maint. \$201.08; HF Jacobs & Son \$178.80; Honeywell Analytics \$625.00; Ingstad Family Media \$108.00; Jebro \$47,713.46; Ken's \$166.51; Kyburz-Carlson Construction \$100.00; L & O Acres \$2,059.76; Lucy Lewno \$17.98; McFarland Supply \$328.58; Menards \$24.07; Midstates Printing \$174.75; NCFE-Warner Elevator \$18,983.86; Network Services \$468.76; Newman Signs \$2,797.20; NorthStar Flags \$709.06; Pheasantland Industries \$492.86; Sherri Rawstern \$125.74; Running's \$805.08; Sander's Sew 'n' Vac \$253.70; Lora Schaunaman \$27.41; SD Federal Property Agency \$2,500.00; SD VSO \$50.00; TrueNorth Steel \$4,162.50; US Bank \$7,706.91; Web Water \$95.00; Young's \$174.97.

Travel and Conference: Gene Loeschke \$106.22; SD VSO \$70.00; Diann Steinheuser \$15.00; US Bank \$353.10.

Utilities: Aberdeen City Treasurer \$1,530.14; CenturyLink \$9.90; City of Hecla \$106.15; Dependable Sanitation \$165.00; Northern Electric \$80.00; NWPS \$1,336.66; US Bank \$592.11; Verizon \$200.05.

Other: Aberdeen Advanced Care Ambulance \$1,263.45; Dakota Equity Group \$173.11; JRWD \$1,164.94; Safe Harbor \$1,607.63. All members present voting aye. Motion carried.

### PERSONNEL:

Moved by Kippley, seconded by Fischbach to acknowledge the following miles driven and amount to be taxed for personal use of County vehicles during the month of June 2015: Kendell Titze – 126 @ \$72.45, Michael Scott – 200 @ \$115.00, Gary Vetter – 135 @ \$77.63, Dirk Rogers – 779 @ \$447.93. All members present voting aye. Motion carried.

Moved by Kippley, seconded by Hansen to approve hiring Ann Weig as part-time 24/7 Sobriety Program employee, effective July 19, 2015 @ \$12.54 per hour. All members present voting aye. Motion carried.

### FAIR CONTRACTS:

Moved by Fjeldheim, seconded by Hansen to approve and authorize the Chairman sign the following contracts for the 2015 Brown County Fair: Hub City Radio (News Boys Ads) @ \$1,500.00; Robby Vee (Kens tent) @ \$4,000.00; CHS Dance Team (Gate E & A security) @ \$1,000.00; Street Smart Rental (traffic signals) @ \$5,400.00; K-Love (News Boys Ads) @ \$3,000.00; Bob & The Beachcombers (Kens tent) @ \$3,000.00; Scott McFall (Kesslers tent) \$5,200.00; Aberdeen Fire Rescue (ambulance service) @ \$1,535.00. Aberdeen Ambulance (ambulance service) @ \$3,825.00; Wrangler Team Roping (team roping event) @ advertising, volunteers, arena. All members present voting aye. Motion carried.

#### ABATEMENT:

Moved by Fischbach, seconded by Kippley to approve and authorize the Chairman sign the following SW Abatement: St Paul's Evangelical Lutheran Church (parking lot) @ \$21.00. All members present voting aye. Motion carried.

#### RELEASE OF PROPERTY:

Commissioner Fischbach offered the following Resolution:

#### RESOLUTION #38-15

WHEREAS, Brown County has filed a Relief Lien in total amount of \$1,466.40, and

WHEREAS, Brown County has determined it to be in the best interest of the taxpayers to release certain property from the effect of said lien, on condition that all real estate taxes are paid in full and that the lien balance remain filed against the individual, with monthly payments of \$20.00 commencing in August 2015.

NOW, THEREFORE BE IT RESOLVED that the following real property, described as follows:

The East 75 feet of Lots 636, 637 and 638, Morning Heights Subdivision of the North Half of Sec 19, Township 123 North, Range 63 West of the Fifth P.M., according to the plat thereof, of record, Brown County, South Dakota

is hereby released from the effect and force of said lien, on condition that all real estate taxes are paid in full and that the lien balance remain filed against the individual, with monthly payments of \$20.00 commencing in August 2015.

Dated this 21<sup>st</sup> day of July 2015

Seconded by Commissioner Kippley. Roll call vote: Commissioners Hansen-aye, Kippley-aye, Fischbach-aye, Fjeldheim-aye, Sutton-aye. Resolution adopted.

#### SPECIAL MALT BEVERAGE LICENSE:

Moved by Fjeldheim, seconded by Kippley to approve and authorize the Chairman sign the following Special Malt Beverage License Application: Boys & Girls Club - Brown County Fairgrounds (Grandstand) SW ¼ Sec 1-T123N-R64W, effective August 10-16, 2015 (map indicating specific area licensed on file with applications). All members present voting aye. Motion carried.

#### BID AWARD – RADIO CONSOLE PROJECT:

Moved by Kippley, seconded by Hansen to award low bid submitted by Minn-Kota Communications, Inc, Wahpeton, ND in amount of \$149,602.90 to provide labor, equipment and software required for the replacement of the current radio console system in the Brown County Communications Center; rejecting



bid submitted by E.F. Johnson, Irving, TX in amount of \$268,117.63. All members present voting aye. Motion carried.

**ORD 094: TITLE 16 - BROWN COUNTY FAIR:**

Moved by Fischbach, seconded by Kippley to approve First Reading of Ordinance #094, An Ordinance amending Title 16 Brown County Fair, Chapter 16.06 – Other Provisions by adding new Section 16.06.04 – Contracts to Operate Certain Concessions during Fair Week. All members present voting aye. Motion carried.

**ORD 095: TITLE 6 – TRAFFIC REGULATIONS:**

Moved by Hansen, seconded by Sutton to approve First Reading of Ordinance #095, An Ordinance amending Title 6 Traffic Regulations, Chapter 6.02 – Parking. All members present voting aye. Motion carried.

**COMMISSION ASSISTANT REPORT:**

James River water level down and gates will be opened; requested authority to register for US Communities Government Purchasing Alliance. Board concurred.

**RACE TRACK PROMOTER:**

Bullet Sports representative Todd Neuendorf, Brown County Speedway Promoter requested preliminary approval for an addendum to the Race Contract authorizing a possible special event to be held at the Speedway. Completed documents will be presented later for approval.

**EXECUTIVE SESSION:**

Moved by Hansen, seconded by Kippley to go into executive session to discuss personnel, per SDCL 1-25-2(1) with Larry Lovrien and Gary Vetter in attendance. All members present voting aye. Motion carried.

The Chairman declared the executive session closed, with no action taken as a result of the discussion.

**ADJOURNMENT:**

Moved by Fjeldheim, seconded by Fischbach to adjourn the Brown County Commission. All members present voting aye. Motion carried.

Maxine Fischer, Brown County Auditor *Maxine Fischer*

Published once at the total approximate cost of \$\_\_\_\_\_.

JULY 28, 2015 - JOINT CITY/COUNTY MEETING

The Brown County Commission and the Aberdeen City Council met in joint session at 8:45 A.M. in the Commissioner's Chambers, Courthouse Annex, Brown County, SD. Present from City were Council Members Campbell, Johnson, Remily, Ronayne and Mayor Levsen. Absent were Council Members Bunsness, Rux, Slaughter-Hanson and Swanson. Present from County were Commissioners Hansen, Kippley, Fischbach, Fjeldheim and Sutton.

ORDINANCE #15-06-01/445:

On motion by Johnson and seconded by Campbell, the City unanimously voted to approve First Reading of Ordinance #15-06-01/445.

ORDINANCE #15-06-01/445:

Moved by Fischbach, seconded by Fjeldheim to approve First Reading of Ordinance #15-06-01/445, An Ordinance to amend Ordinance No. 1164 to rezone the following described property from its present zoning designation of (A-1) Agricultural District to (M-AG) Mini-Agricultural District, said property being described as follows: Lots 3, 4, 5, 6, Auditor's Subdivision in the SE ¼ of Sec 27-T123N-R64W of the 5<sup>th</sup> P.M., Brown County, SD (1932 135<sup>th</sup> Street SW, 1946 135<sup>th</sup> Street SW and 2012 135<sup>th</sup> Street SW). All members present voting aye. Motion carried.

The City Council adjourned and the County Commission continued in regular session.

Maxine Fischer, Brown County Auditor *Maxine Fischer*

Published once at the total approximate cost of \$\_\_\_\_\_.

## JULY 28, 2015 – GENERAL MEETING

Meeting called to order by Chairman Sutton at 8:45 A.M. in the Commissioner's Chambers, Courthouse Annex, Brown County, SD. Present were Commissioners Hansen, Kippley, Fischbach and Fjeldheim. Chairman Sutton led the Pledge of Allegiance.

### MINUTES:

Moved by Kippley, seconded by Fjeldheim to approve the General Meeting Minutes of July 21, 2015. All members present voting aye. Motion carried.

### CLAIMS:

Moved by Kippley, seconded by Hansen to approve the following claims:

Payroll: Commission \$3,767.51; Commission Assistant/Human Resources \$4,088.74; Auditor \$7,518.67; Treasurer \$12,640.48; Data Processing \$7,140.69; State's Attorney \$17,173.70; Blood Draws \$750.00; SVAWA Grant \$1,873.94; Maintenance \$6,441.41; Assessor \$13,136.50; Register of Deeds \$8,758.88; Veterans Service Office \$3,563.74; GIS \$2,195.60; Sheriff Admin \$31,824.89; Jail \$34,056.38; Coroner \$0.00; JDC \$15,839.70; HD \$5,372.01; Welfare Office \$3,500.47; Museum \$7,679.74; Parks & Fairgrounds \$6,712.01; Fair Board \$4,377.13; 4-H \$1,653.56; Weed \$4,859.25; Planning and Zoning \$1,586.47; Highway \$52,544.73; Communications \$21,510.60; Emergency Management \$3,767.34; Teen Court \$162.02; 24/7 \$2,914.31; Landfill \$13,608.89

Matching Benefits: FICA \$17,805.74; Medicare \$4,164.22; Life \$691.11; Dental \$6,772.80; Health Insurance \$98,519.42; Retirement \$35,136.24.

Professional Fees: Avera St. Luke's \$1,251.04; Dhyana Fernandez Investigation \$7,845.74; Jared Torrence \$20.00; Mark Katterhagen \$15.00; Lewis & Clark BHS \$640.00; Lucy Lewno \$144.00; Mettler Sichmeller Engineering \$1,500.00; Pollard Law \$441.00; Robert Reeder \$20.00; Ronayne Law Office \$3,893.35; SD Dept. of Revenue \$700.00; Tammy Stolle Court Reporting \$61.20; Jodi Sudweeks \$112.53; Karen Swanda \$15.00; Luke Yellow Robe \$1,500.00.

Publishing: Aberdeen American News \$604.18.

Rentals: Aberdeen Housing Authority \$180.00.

Repairs & Maintenance: Aberdeen Plumbing & Heating \$761.84; Farm Power Mfg. \$1.00; GCR Tires \$85.00; HF Jacobs \$5,680.21; Leidholt Electric \$225.55; Mattern Electric \$10,998.10.

Supplies: A & B Business \$371.87; Ameripride \$106.07; Rodney Bade \$64.60; Best Business Products \$176.80; CarQuest Auto Parts \$23.98; Cartney Bearing \$17.52; Century Business Products \$104.50; Kristi Erickson \$30.25; Farm Power Mfg. \$75.96; Ashley Farrand \$50.42; Gall's \$130.53; HF Jacobs \$76,011.34; Kessler's \$77.51; Lar-Jo's \$546.33; Lucy Lewno \$6.49; Lien Transportation \$121,722.48; Marco \$343.66; Mattern Electric \$183.67; Menards \$685.33; Midstates Printing \$1,041.87; NCFE – Warner Elevator \$14,605.60; Newman Signs \$1,588.50; Otis Elevator \$928.92; Pitney Bowes \$5,045.00; Pollard Law \$12.00; Premier Biotech \$578.64; Share Corp. \$120.00; Ultramax \$149.00; VanDiest Supply \$3,145.45; West Payment Center \$1,471.87; Western Hotel Supply \$265.50.

Travel and Conference: City of Groton \$153.69; Exec. Mgmt. \$1,974.50; Patricia Kendall \$103.40; Mary Locken \$99.64; Mary Worlie \$79.88.

Utilities: CenturyLink \$1,276.45; City of Groton \$317.67; NWPS \$419.19.

Other: Aberdeen Fire & Rescue \$636.63; Codington Co. \$512.00; Pizza Ranch \$53.46. All members present voting aye. Motion carried.

### PERSONNEL:

Moved by Fjeldheim, seconded by Fischbach to approve the following employee step increases, effective Aug 2, 2015: Daryl Lloyd @ \$19.38 per hour, Derek Jangula @ \$15.49 per hour. All members present voting aye. Motion carried.

Moved by Fjeldheim, seconded by Kippley to approve hiring Holly Hedge as part-time 24/7 Sobriety Program employee, effective July 22, 2015 @ \$12.54 per hour. All members present voting aye. Motion carried.

Moved by Fischbach, seconded by Hansen to approve hiring Brandon Black as deputy in the Sheriff's Department, effective August 10, 2015 @ \$18.50 per hour. All members present voting aye. Motion carried.

Moved by Kippley, seconded by Hansen to approve hiring Javier Chirino, as Highway seasonal employee with CDL, effective July 29, 2015 @ \$11.99 per hour. All members present voting aye. Motion carried.

#### WEED & PEST CONTROL BOARD:

Moved by Fischbach, seconded by Kippley to appoint Duane Jark to a three-year term on the Weed & Pest Control Board, term expiring on March 31, 2018. All members present voting aye. Motion carried.

#### HOUSING & REDEVELOPMENT COMMISSION:

Moved by Hansen, seconded by Fischbach to appoint Doug Fjeldheim to a five-year term on the Housing and Redevelopment Commission of Brown County, term expiring on July 9, 2020. All members present voting aye. Motion carried.

#### RELEASE OF PROPERTY:

Commissioner Fischbach offered the following Resolution:

#### RESOLUTION #39-15

WHEREAS, Brown County has filed a Relief Lien in total amount of \$1,127.95 and Indigent Council Liens in amount of \$988.38, and

WHEREAS, Brown County has determined it to be in the best interest of the taxpayers to release certain property from the effect of said lien, on condition that all real estate taxes are paid in full and that the lien balance remain filed against the individual.

NOW, THEREFORE BE IT RESOLVED that the following real property, described as follows:

Lot 5, Block 6, Prairiewood Village located in the NE ¼ of Section 33, Township 124 North, Range 63 West of the Fifth P.M., according to the plat thereof, of record, Brown County, South Dakota

is hereby released from the effect and force of said lien, on condition that all real estate taxes are paid in full and that the lien balance remain filed against the individual.

Dated this 28<sup>th</sup> day of July 2015

Seconded by Commissioner Fjeldheim. Roll call vote: Commissioners Hansen-aye, Kippley-aye, Fischbach-aye, Fjeldheim-aye, Sutton-aye. Resolution adopted.

#### CONTRACT:

Moved by Fjeldheim, seconded by Kippley to approve and authorize the Chairman sign Contract in amount of \$3,000.00 with Attorney Victor Fischbach for advertising, conducting a public auction on August 21<sup>st</sup>, preparing deed, and closing for the following County owned property, described as, Lots 31 and 32 Lutgen and Davis Richmond Lake Development in the NE ¼ of Sec 25-T124N-R65W, Brown County, SD (379704 S Shore Drive, Aberdeen, SD); and further declare said property surplus for sale at auction. All members present voting aye. Motion carried.

**RELEASE OF PROPERTY:**

Commissioner Hansen offered the following Resolution:

**RESOLUTION #40-15**

WHEREAS, Brown County has filed an Ambulance Lien in amount of \$203.50, dated August 27, 1992; Indigent Counsel Lien in amount of \$1,196.25; and County Relief Lien in amount of \$6,409.53 (grand total \$7,809.28, and

WHEREAS, Brown County has determined it to be in the best interest of the taxpayers to release certain property from the effect of said lien, on condition that the lien balances remain filed against the individual.

NOW, THEREFORE BE IT RESOLVED that the following real properties, which are described as follows:

PARCEL I: Lots 201, 203, 205, 207, 209, 211, 213 and 215, Broadway Peck's Addition to Columbia, according to the plat thereof of record, Brown County, South Dakota

PARCEL II: The West 130 feet of lts 202, 204, 206, 208, and 210 and the South 15 feet of the West 130 feet of Lot 212, and all of Lots 214 and 216, James Street Peck's Addition to Columbia, according to the plat thereof of record, Brown County, South Dakota

are hereby released from the effect and force of said lien, on condition that lien balances remain filed against the individual.

Dated this 28<sup>th</sup> day of July 2015.

Seconded by Commissioner Fjeldheim. Roll call vote: Commissioners Hansen-aye, Kippley-aye, Fischbach-aye, Fjeldheim-aye, Sutton-aye. Resolution adopted.

**QUIT CLAIM DEED:**

Moved by Fischbach, seconded by Hansen to declare the following tax deed property surplus for purpose of donation to the City of Columbia and authorize the Chairman sign Quit Claim Deed: Columbia City: Lots 201, 203, 205, 207, 209, 211, 213 and 215 Broadway Peck's Addition to Columbia; The West 130 feet of lts 202, 204, 206, 208, and 210 and the South 15 feet of the West 130 feet of Lot 212, and all of Lots 214 and 216, James Street Peck's Addition to Columbia, according to the plat thereof of record, Brown County, South Dakota. All members present voting aye. Motion carried.

**CONTRACT FOR E-POLL BOOK TECHNICAL SERVICES:**

Moved by Fischbach, seconded by Fjeldheim to approve and authorize the Chairman sign Contract with Midwest Cyber Solutions, Inc. to provide technical support for the E-poll books during the 2016 election cycle in amount of \$18,711.00. All members present voting aye. Motion carried.

**FAIR CONTRACT:**

Moved by Kippley, seconded by Fischbach to approve and authorize the Chairman sign Contract for operation of the Grandstand Concessions with The Boys & Girls Club of Aberdeen Area for the Brown County Fair held in 2015, with option for years 2016, 2017 and 2018. All members present voting aye. Motion carried.

**CDBG-NEW TEC PROJECT:**

Moved by Hansen, seconded by Kippely to approve and authorize the Chairman sign close-out documents for the Brown County Workforce Development Community Development Block Grant #1212-307 for New Tec. All members present voting aye. Motion carried

#### LOTTERY APPLICATIONS:

Moved by Fjeldheim, seconded by Hansen to approve the following lottery applications: Boys & Girls Club of Aberdeen Area for raffles to be held at the Brown County Fair August 10 - 16, 2015; Elm Lake Association for raffle to be held on September 6, 2015. All members present voting aye. Motion carried.

#### PLATS:

Commissioner Kippely offered the following Resolution:

#### RESOLUTION #41-15

BE IT RESOLVED by the County Commission of Brown County, SD, that the plat showing "Huffman's Subdivision of Lot 2, B & J First Subdivision in NE ¼ Sec 15-T123N-R64W of 5<sup>th</sup> P.M., Brown County, SD", having been examined, is hereby approved in accordance with the provisions of SDCL of 1967, Chapter 11-3, and any amendments thereof.

Seconded by Commissioner Hansen. Roll call vote: Commissioners Hansen-aye, Kippely-aye, Fischbach-aye, Fjeldheim-aye, Sutton-aye. Resolution adopted.

Commissioner Hansen offered the following Resolution:

#### RESOLUTION #42-15

BE IT RESOLVED by the County Commission of Brown County, SD, that the plat showing "Patterson-Hegge Tracts in the S ½ of Sec 6-T122N-R63W of the 5<sup>th</sup> P.M., Brown County, SD", having been examined, is hereby approved in accordance with the provisions of SDCL of 1967, Chapter 11-3, and any amendments thereof.

Seconded by Commissioner Kippely. Roll call vote: Commissioners Hansen-aye, Kippely-aye, Fischbach-aye, Fjeldheim-aye, Sutton-aye. Resolution adopted.

Commissioner Hansen offered the following Resolution:

#### RESOLUTION #43-15

BE IT RESOLVED by the Board of County Commissioners of Brown County, SD, that the plat showing "Steve Weismantel Subdivision in the SE ¼ of the NE ¼ and SE ¼ of Sec 18-T124N-R62W of the 5<sup>th</sup> P.M., Brown County, SD", having been examined, is hereby approved in accordance with the provisions of SDCL 11-3, and any amendments thereof.

Seconded by Commissioner Kippely. Roll call vote: Commissioners Hansen-aye, Kippely-aye, Fischbach-aye, Fjeldheim-aye, Sutton-aye. Resolution adopted.

Commissioner Hansen offered the following Resolution:

#### RESOLUTION #44-15

BE IT RESOLVED by the Board of County Commissioners of Brown County, SD, that the plat showing "Lee Second Subdivision in the W ½ of the SW ¼ Sec 20-T122N-R63W of the 5<sup>th</sup> P.M., Brown County, SD", having

been examined, is hereby approved in accordance with the provisions of SDCL 11-3, and any amendments thereof.

Seconded by Commissioner Kippley. Roll call vote: Commissioners Hansen-aye, Kippley-aye, Fischbach-aye, Fjeldheim-aye, Sutton-aye. Resolution adopted.

Commissioner Hansen offered the following Resolution:

#### RESOLUTION #45-15

BE IT RESOLVED by the Board of County Commissioners of Brown County, SD, that the plat showing "RO-JU-OS Park Second Subdivision in the SE ¼ of Sec 8-T128N-R65W of the 5<sup>th</sup> P.M., Brown County, SD", having been examined, is hereby approved in accordance with the provisions of SDCL 11-3, and any amendments thereof.

Seconded by Commissioner Kippley. Roll call vote: Commissioners Hansen-aye, Kippley-aye, Fischbach-aye, Fjeldheim-aye, Sutton-aye. Resolution adopted.

Commissioner Hansen offered the following Resolution:

#### RESOLUTION #46-15

BE IT RESOLVED by the Board of Commissioners of Brown County, SD, that the plat showing "J & J Schaunaman 2<sup>nd</sup> Subdivision in the NE ¼ of Sec 28-T125N-R64W of the 5<sup>th</sup> P.M., Brown County, SD", having been examined, is hereby approved in accordance with the provisions of SDCL of 1967, Chapter 11-3, and any amendments thereof.

Seconded by Commissioner Kippley. Roll call vote: Commissioners Hansen-aye, Kippley-aye, Fischbach-aye, Fjeldheim-aye, Sutton-aye. Resolution adopted.

#### EM STATE & LOCAL AGREEMENT ADDENDUM:

Moved by Fjeldheim, seconded by Hansen to approve and authorize chairman to sign Emergency Management State and Local Agreement Addendum, with SD OEM providing grant funding in amount of \$59,123.49 to be used for salary and administrative costs related to the operation of the Brown County Emergency Management during FFY 2015 (October 1, 2014 through September 30, 2015).. All members present voting aye. Motion carried.

#### LEASE AGREEMENTS:

Moved by Hansen, seconded by Fischbach to approve and authorize the Chairman sign the following agreements: Josh Andrews (benefit Folk Concert) for lease of the Richmond Lake Youth Camp on August 26-31, 2015; Linda Thurston (Groton Homecoming Parade) for lease of (1) one people mover on September 26-27, 2015. All members present voting aye. Motion carried.

#### CITY NET AGREEMENT:

Moved by Fischbach, seconded by Hansen to approve and authorize the Chairman sign agreement for Aberdeen City Net (county portion) and Midcontinent Communications for a cable modem with accompanying Internet access for a one year term at no charge. All members present voting aye. Motion carried.

#### SPECIAL MALT BEVERAGE LICENSE:

Moved by Fjeldheim, seconded by Hansen to approve and authorize the Chairman sign the following Special Malt Beverage License Application: Centennial Village Inc. – Brown County Fairgrounds (Centennial Village)

SW ¼ Sec 1-T123N-R64W, effective August 10 – 16, 2015 (map indicating specific area licenses on file with application). All members present voting aye. Motion carried.

#### BID MARKET STREET ENTRANCE PROJECT:

Time and place, as advertised to open, read and consider sealed bids to provide labor and material for the Market Street Entrance Project. One bid received from Zeller Construction Inc. Moved by Hansen, seconded by Fjeldheim to refer bid to Judy Dosch, Buildings Superintendent for review and recommendation. All members present voting aye. Motion carried. Moved by Hansen, seconded by Kippley to reject bid submitted by Zeller Construction, Inc in amount of \$318,367.00, due to lack of funding in excess of HKG's estimated cost of \$138,500.00. All members present voting aye. Motion carried.

#### JAIL NURSE DISCUSSION:

Tom Schmitt, Chief Deputy Sheriff and Tanya Mitchner, Jail/JDC Nurse discussed increased medical responsibilities at the Jail and JDC, explaining possible solutions. No action was taken at this time.

#### ORD 094: TITLE 16 - BROWN COUNTY FAIR:

Moved by Kippley, seconded by Fischbach to adopt Ordinance #094, An Ordinance amending Title 16 Brown County Fair, Chapter 16.06 – Other Provisions by adding new Section 16.06.04 – Contracts to Operate Certain Concessions during Fair Week. Roll call vote: Commissioners Hansen-aye, Kippley-aye, Fischbach-aye, Fjeldheim-aye, Sutton-aye. Ordinance adopted

#### ORD 095: TITLE 6 – TRAFFIC REGULATIONS:

Moved by Hansen, seconded by Kippley to adopt Ordinance #095, An Ordinance amending Title 6 Traffic Regulations, Chapter 6.02 – Parking. Roll call vote: Commissioners Hansen-aye, Kippley-aye, Fischbach-aye, Fjeldheim-aye, Sutton-aye. Ordinance adopted

#### COMMISSION ASSISTANT REPORT:

The hourly wage of \$14.18 was suggested for part-time office and ticket booth employees at the upcoming Brown County Fair. Board concurred. A traveling circus may sign an agreement for lease of a parking lot at the Fairgrounds.

The Commission recessed for a Drainage Board Meeting at 10:00 a.m.

The Board reconvened in regular session at 10:15 a.m.

#### EXECUTIVE SESSION:

Moved by Hansen, seconded by Fjeldheim to go into executive session for personnel discussion, per SDCL 1-25-2(1) and contract discussion, per SDCL 1-25-2(4) with Larry Lovrien and Gary Vetter in attendance. All members present voting aye. Motion carried.

The Chairman declared the executive session closed, with no action taken as a result of the discussion.

#### ADJOURNMENT:

Moved by Kippley, seconded by Fjeldheim to adjourn the Brown County Commission. All members present voting aye. Motion carried.

Maxine Fischer, Brown County Auditor



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## AUGUST 4, 2015 – GENERAL MEETING

Meeting called to order by Chairman Sutton at 8:45 A.M. in the Commissioner's Chambers, Courthouse Annex, Brown County, SD. Present were Commissioners Hansen, Fischbach and Fjeldheim. Commissioner Kippely was absent. Chairman Sutton led the Pledge of Allegiance.

## MINUTES:

Moved by Hansen, seconded by Fjeldheim to approve the Joint City/County Meeting Minutes and the General Meeting Minutes of July 28, 2015. All members present voting aye. Motion carried.

## CLAIMS:

Moved by Fischbach, seconded by Hansen to approve the following claims:

Professional Fees: Adam Altman \$4,444.45; Christopher Dohrer \$5,069.45; Kuck Law Office \$4,461.45; Richardson, Wyly, Wise, Sauck & Hieb \$4,444.45; Ronayne & Cogley Law \$8,337.80; Christy Serr \$5,069.45; Avera St. Luke's \$9,309.92; Clark Engineering \$1,652.50; Dental Center \$153.07; Express Employment Professionals \$263.28; James & Larson Law \$238.50; Language Line Service \$90.00; LBG \$8,428.33; Midstates Printing \$75.00; NCS \$192.00; Northern Plains Oral Surgery \$80.24; Kristi Spitzer \$1,159.00; Thurman Law Office \$189.00; UND \$4,000.00; Yankton Co. Sheriff \$25.00; Yankton Co. Treasurer \$609.25.

Publishing: Aberdeen American News \$548.75; Dex Media \$53.55.

Rentals: Tammy Buck \$200.00; Monte & Laurel McNickle \$250.00; Pat Preston \$310.00; T & J Rentals \$310.00; Trust of Hollis Hurlbert \$250.00; Wolfson Apartments \$260.00.

Repairs & Maintenance: C & L Plumbing \$269.89; Diamond Mowers \$10.90; GCR Tires \$67.50; Graham Tire \$272.44; House of Glass \$35.48; Hoven Auto Repair \$626.68; JDH Construction \$10,959.00; Jebro \$6,232.85; Lawson Products \$35.21; Marco \$124.42; Midwest Pump & Tank \$112.50; Nelson Sales & Service \$20.00; PowerPlan \$8,808.36; Sander's Sew 'n' Vac \$99.21; Schwan Welding \$297.00; SD Dept. of Public Safety \$7,740.00; Sheehan Mack \$39,706.23; Vosika Fencing \$3,120.00; Weigel Construction \$4,998.99.

Supplies: A & B Business \$415.17; Aberdeen Area Chamber of Commerce \$140.00; Aberdeen Asphalt \$34,793.88; Ameripride \$40.24; Dakota Broadcasting \$6,000.00; DSG \$169.56; Danko \$28.27; Diamond Mowers \$121.20; Ashley Farrand \$31.20; FedEx \$69.51; Gardner Locksmithing \$25.00; Geffdog \$4,587.50; James & Larson Law \$11.25; Jebro \$95,795.40; Kessler's \$26.40; Lawson Products \$473.92; Marco \$32.50; Menards \$39.32; Midstates Printing \$69.40; Midwest Pump & Tank \$216.14; NCFE – Warner Elevator \$7,425.36; Network Services \$424.48; NWPS \$226.51; PowerPlan \$2,646.13; SD Secretary of State \$37.00; Steven Lust Automotive \$236.14; Thurman Law Office \$7.70.

Travel and Conference: Becca Tullar \$127.17.

Utilities: Aberdeen City Treasurer \$3,488.25; AT & T Mobility \$451.02; BDM Rural Water \$30.00; CenturyLink \$2,710.28; Midcontinent \$525.62; Montana-Dakota Utilities \$17.95; NWPS \$14,454.30; Verizon Wireless \$30.06; Web Water \$68.18.

Other: Aberdeen City Fire Dept. \$73,387.57; Aberdeen Rural Firefighters \$12,839.25; Claremont Fire Dept. \$2,876.63; Columbia Fire Dept. \$6,670.60; Conde Fire Dept. \$597.51; Frederick Fire Dept. \$5,032.59; Groton Fire Dept. \$13,509.93; Hecla Fire Dept. \$4,090.24; Hutterville Fire \$464.94; Leola Fire Dept. \$178.28; Stratford Fire Dept. \$5,180.70; Warner Fire Dept. \$5,441.18. All members present voting aye. Motion carried.

## PERSONNEL:

Moved by Hansen, seconded by Fischbach to approve overtime wages during the fair for 4H Secretary and Summer Assistant. All members present voting aye. Motion carried.

Moved by Fjeldheim, seconded by Hansen to approve the following employees to work security during the Brown County Fair – August 10-16, 2015: Brady Berg, Brent Koens, Dale Farnen, Eldon Reich, Gavin Larson, Jeff Carlson, Kyle Stoddard, Melissa Arnold, Mike Burns, Mike Weise, Nick Cochran, Nicole Foote, Robert Graham, and Tanner Jondahl @ \$18.00 per hour. All members present voting aye. Motion carried.

Moved by Fjeldheim, seconded by Hansen to acknowledge resignation of Cody Braun from the Fair Board, effective July 29, 2015. All members present voting aye. Motion carried.

Moved by Hansen, seconded by Fischbach to acknowledge resignation of Michele Cogley (Part-time Home Detention) effective July 24, 2015; and further to approve request to fill vacancy. All members present voting aye. Motion carried.

Moved by Fjeldheim, seconded by Fischbach to approve hiring the following temporary employees to work during the Brown County Fair- August 10-16, 2015: Jan Erickson, Mavis Kempf, Julie Van Dover, Donna Helm, Heather Koens, Austin Vetter at \$14.18 per hour. All members present voting aye. Motion carried.

#### LOTTERY APPLICATIONS:

Moved by Fischbach, seconded by Hansen to approve the following applications: Brown County Democrats for raffle to be held at the Brown County Fair August 16, 2015; Aberdeen Hockey Association for raffle to be held at the Brown County Fair August 17, 2015. All members present voting aye. Motion carried.

#### FAIR CONTRACTS:

Moved by Fjeldheim, seconded by Fischbach to approve and authorize the Chairman sign the following contracts for the 2015 Brown County Fair: Northern Plains Animal Health (Veterinary services) @ 4 General Admission tickets; Groton Vet Clinic (Veterinary services) 4 General Admission tickets; Strongheart Martial Arts Academy (Martial Arts Performances) @ sound equipment and advertising; Piles of Smiles Entertainment (Face painting) @ hotel room and indoor location for face painting; Elm Valley Community Club (Provide Picnic Tables) @ 18 General Admission Tickets; Shad Woods (announcing ) @ 1 General Admission Ticket; 4-H (new members) @ 10 Carnival tickets; COTTH Pastors Fellowship (church service) @ tent space and advertising; Kyburz Carlson Company (work trailer) @ \$100.00; Sewer Duck (portable toilets) @ \$7,200.00. All members present voting aye. Motion carried.

Moved by Fjeldheim, seconded by Fischbach to accept quote submitted by Cunningham Electric, Inc in amount of \$19,034.69 for labor and material for completion of electrical projects for the Brown County Fair; rejecting Muth Electric, Inc @ \$22,785.00, Swanson Electric did not submit quote. All members present voting aye. Motion carried.

#### UNCOLLECTIBLE TAXES:

Moved by Fischbach, seconded by Hansen to declare the real estate taxes as uncollectible on the following: 1972 Indy Mobile Home (previously destroyed) for 2012 and 2013; 1971 Dickman Mobile Home (previously destroyed) for 2012 and 2013; Airflight for 2012. All members present voting aye. Motion carried.

#### TAX DEED PROPERTY DISCUSSED:

Sheila Enderson, Brown County Treasurer discussed legal description on tax deed document not matching warranty deed. No action taken.

#### BCCHC REPORT:

DeAnna Kyburz presented the Brown County Community Health Center Quarterly Report for April May and June 2015.

#### APPLICATION FOR OCCUPANCY:

Moved by Hansen, seconded by Fjeldheim to approve and authorize the Chairman sign application, submitted by Northern Natural Gas for occupancy of Brown County Highway 23 in Sec 1-T121N-R63W of the 5<sup>th</sup> P.M. Brown County, SD for gas pipeline maintenance. All members present voting aye. Motion carried.

Moved by Fischbach, seconded by Fjeldheim to approve and authorize the Chairman sign application, submitted by WEB Water Development Association for occupancy of Brown County Highway 16 in Sec 28-T125N-R62W of the 5<sup>th</sup> P.M. Brown County, SD to provide potable water line. Roll call vote: Commissioners Hansen-abstain, Kippley-absent, Fischbach-aye, Fjeldheim-aye, Sutton-aye. Motion carried.

Moved by Fjeldheim, seconded by Fischbach to approve and authorize the Chairman sign application, submitted by WEB Water Development Association for occupancy of Brown County Highway 23B (aka Center Street) in Sec 31-T122 N-R60W of the 5<sup>th</sup> P.M. Brown County, SD to provide potable water line. Roll call vote: Commissioners Hansen-abstain, Kippley-absent, Fischbach-aye, Fjeldheim-aye, Sutton-aye. Motion carried.

#### HIGHWAY UPDATE:

Dirk Rogers, Highway Superintendent discussed the department five year plan and gave a department update.

#### SOUTH DAKOTA PUBLIC ASSURANCE ALLIANCE BOARD MEMBER NOMINATION:

Commissioner Sutton offered the following Resolution:

#### RESOLUTION #47-15

#### RESOLUTION TO NOMINATE SDPAA BOARD MEMBER

WHEREAS, the South Dakota Public Assurance Alliance requires that a prospective member be nominated by their governing body to act as a representative on behalf of the entity.

NOW, THEREFORE BE IT RESOLVED that Brown County hereby nominates Mike Wiese to enter the election for a seat to serve on the South Dakota Public Assurance Alliance Board of Directors on behalf of Brown County.

Dated this 4<sup>th</sup> day of August, 2015

Seconded by Commissioner Hansen. Roll call vote: Commissioners Hansen-aye, Kippley-absent, Fischbach-aye, Fjeldheim-aye, Sutton-aye. Resolution adopted.

#### EXECUTIVE SESSION:

Moved by Hansen, seconded by Fjeldheim to go into executive session for personnel discussion, per SDCL 1-25-2(1) with Larry Lovrien and Gary Vetter in attendance. All members present voting aye. Motion carried.

The Chairman declared the executive session closed, with no action taken as a result of the discussion.

#### ASSESSMENT APPEALS:

Mary Worlie, Director of Equalization discussed outcome of the 2015 OHE assessment appeals.

#### ADJOURNMENT:

Moved by Fjeldheim, seconded by Hansen to adjourn the Brown County Commission. All members present voting aye. Motion carried.

Cathy McNickle, Brown County Deputy Auditor



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# AUGUST 11, 2015 – GENERAL MEETING

Meeting called to order by Chairman Sutton at 8:45 A.M. in the Commissioner's Chambers, Courthouse Annex, Brown County, SD. Present were Commissioners Hansen, Kippely, Fischbach and Fjeldheim. Commissioner Fischbach led the Pledge of Allegiance.

## MINUTES:

Moved by Fjeldheim, seconded by Hansen to approve the Joint City/County Meeting Minutes and the General Meeting Minutes of August 4, 2015. All members present voting aye. Motion carried.

## CLAIMS:

Moved by Kippely, seconded by Fischbach to approve the following claims:

Payroll: Commission \$3,767.51; Commission Assistant/Human Resources \$4,088.74; Auditor \$7,635.56; Treasurer \$12,640.48; Data Processing \$7,187.26; State's Attorney \$17,245.28; Blood Draws \$500.00; SVAWA Grant \$1,873.94; Maintenance \$6,551.65; Assessor \$13,136.50; Register of Deeds \$8,758.87; Veterans Service Office \$3,563.74; GIS \$2,195.60; Sheriff Admin \$30,455.30; Jail \$34,185.82; Coroner \$1,200.00; JDC \$16,384.56; HD \$5,223.27; Welfare Office \$3,500.47; Museum \$7,679.74; Parks & Fairgrounds \$7,513.53; Fair Board \$4,529.92; 4-H \$1,712.00; Weed \$4,379.08; Planning and Zoning \$1,586.47; Highway \$53,724.83; Communications \$21,357.83; Emergency Management \$3,767.34; Teen Court \$275.28; 24/7 \$3,135.01; Landfill \$12,269.80

Matching Benefits: FICA \$17,816.73; Medicare \$4,166.82.

Insurance: American Income Life \$100.00.

Professional Fees: 4-H Performing Arts \$200.00; Aberdeen Advanced Care Ambulance \$3,825.00; Aberdeen Lion's Club \$500.00; Br. Co. Old Time Tractor \$470.00; Br. Co. Treasurer \$1,275.00; Robert Burtis \$700.00; CHS Dance Team \$1,000.00; CMS Cleaning Service \$6,500.00; Crusaders Motorcycle Club \$1,000.00; Dakota Pedal Pulls \$150.00; Dakota Running Iron Cowboy Mounted Shooters \$1,500.00; Dietrich's \$5,140.00; Gary Allen Tours \$75,000.00; Greg Gilbertson \$400.00; Good Shepherd Lutheran Church \$3,000.00; Shawn R. Houser \$70,000.00; Hub Area Habitat for Humanity \$1,000.00; Korkow Rodeos \$21,500.00; Lew's Fireworks \$1,000.00; Keith Raymond \$1,900.00; Nelson Talent Agency \$1,000.00; Newsboys \$40,000.00; NSU Rugby Team \$3,000.00; NSU Women's Swim Team \$5,500.00; Pauer Sound & Music \$10,000.00; R & R Total Destruction Promotions \$9,000.00; Romeo Entertainment Group \$178,500.00; SD Nurse's Assoc. \$1,000.00; SD Snow Queen Festival \$3,500.00; SD Stockdog Assoc. \$1,850.00; Sherwin Linton \$2,000.00; Ryan D. Stevenson \$1,135.00; Stunt Dog Productions \$7,500.00; Teal Heel Touring \$3,000.00; The Sound Exchange \$1,663.33; TMS \$34,700.00; Tayler Wolff \$400.00; AMG Radiology \$25.41; Avera St. Luke's \$2,229.25; Lynnel Bruemmer \$8.00; Denise Cody \$15.00; Helm's & Assoc. \$165.60; Lucy Lewno \$144.00; Sanford Health \$393.55; SD Dept. of Revenue & Regulation \$719,185.01; Karen Swanda \$15.00; Yankton Co. Sheriff Office \$25.00.

Publishing: Aberdeen American News \$495.27; Hub City Radio \$300.00; Midstates Printing \$30.00.

Rentals: Brick Roto-Rooter \$8,300.00; Gompf Display \$1,680.00; NB Golf \$10,075.00; Spotslam \$1,600.00; Street Smart Rental \$5,400.00; T & K Rentals \$8,591.67; Vision Communications \$1,942.00; Aberdeen Housing Authority \$310.00; Danne \$300.00; Jerke Rentals \$330.00.

Repairs & Maintenance: Artz Equipment \$14.10; Clark Engineering \$9,000.00; Crawford Trucks & Equip. \$1,036.60; Dakota Tree Co. \$848.00; Diamond Mowers \$10.77; G & K Services \$303.35; Great Western Tire \$6.00; House of Glass \$1,100.86; Hoven Auto Repair \$108.95; Jebro \$2,082.51; Lien Transportation \$26,589.64; Midwest Pump & Tank \$110.48; Productivity Plus \$8.25; RDO \$6,789.04; SD DOT \$36,787.25; Service Signs \$732.45; Sheehan Mack \$13,310.77; Woodman Refrigeration \$1,103.39.

Supplies: 4-H Leader's Assoc. \$5,350.00; Acoustic Smoke \$1,750.00; Phil Baker \$800.00; Br. Co. Old Time Tractor \$730.00; Robert Burtis \$2,300.00; Dakota Pedal Pulls \$375.00; Dietrich's \$800.00; Gary Allen Tours \$15,000.00; Korkow Rodeos \$5,050.00; Lew's Fireworks \$4,000.00; Keith Raymond \$1,900.00; Mary Davis Show \$3,000.00; Scott McFall \$4,200.00; SD Stockdog Assoc. \$150.00; Ryan D. Stevenson \$865.00; T & K Rentals \$1,058.33; The Sound Exchange \$2,336.67; TMS \$18,000.00; Robert Velline \$4,000.00; A & B

Business \$348.90; Aberdeen Auto Center \$113.82; Ameripride \$237.18; Artz Equipment \$211.27; Bakken Building Maint. \$500.00; CarQuest \$1,824.93; Cartney Bearing \$24.24; Crawford Trucks & Equip. \$3,311.23; Dakota Electronics \$426.40; DFP \$1,717.06; DSG \$24.45; Diamond Mowers \$119.22; DMI \$1,852.26; Eiler's \$136.00; Fastenal \$711.16; Fire Safety First \$107.50; Geffdog \$430.00; GovConnection \$1,835.94; Graham Tire \$720.00; Great Western Tire \$2,718.94; Hedahl's \$13.52; Interstate Battery \$338.85; Jebro \$31,577.89; Leidholt Tool Sales \$37.01; Lucy Lewno \$6.49; Lien Transportation \$40,219.08; Mac's \$109.31; Marco \$304.08; McKesson Medical \$21.80; Menards \$106.38; Midstates Printing \$102.78; NCFE – Warner Elevator \$9,309.43; Network Services \$1,298.30; Pierson-Ford \$39.44; Pizza Ranch \$652.50; Productivity Plus \$1,257.15; RDO \$37,732.39; Running's \$1,009.74; Share Corp. \$477.50; Sheehan Mack \$3,804.26; Taylor Laundry \$128.00; Wallwork Truck Center \$808.42; Walth Safety Service \$180.08; Web Water \$68.50; Zastrow's Sales \$72.84.

Travel and Conference: Gene Loeschke \$127.56; Russell Metz \$143.54; Mark Milbrant \$373.00; Sherri Rawstern \$165.44.

Utilities: Aberdeen City Treasurer \$1,465.19; CenturyLink \$46.31; City of Groton \$330.00; Dependable Sanitation \$451.00; Midcontinent \$70.31; Northern Electric \$161.29; NVC \$2,935.69; NWPS \$891.76; Town of Frederick \$41.00.

Other: Raymond Barton \$1.20; Cheri Bender \$3.64; Karla Engelhart \$9.00; SDACO \$1,254.00. All members present voting aye. Motion carried.

#### PERSONNEL:

Moved by Fischbach, seconded by Hansen to approve the following employee step increases, effective Aug 16, 2015: Kristi Vetter @ \$16.13 per hour, Scott Kolb @ \$22.60 per hour, Sherri Rawstern @ \$16.60 per hour, Tina McLeod @ \$15.28 per hour. All members present voting aye. Motion carried.

Moved by Fischbach, seconded by Fjeldheim to approve hiring the following part-time employees, effective August 10 – 17, 2015 for Security: Alan Petersen @ \$18.00 per hour; Ticket Sales: Andy Meyers @ \$14.18 per hour; Fairgrounds Maintenance: Mike Lynch, Nancy Goss, David Holm, Daniel Gilkerson @ \$10.62 per hour; Charles Wood, Dora Selzler, Steven Smith @ \$10.56 per hour. All members present voting aye. Motion carried.

#### ABATEMENTS:

Moved by Fjeldheim, seconded by Fischbach to approve and authorize the Chairman sign the following Abatements: Lot 31 Lutgen & Davis Richmond Lake Development in the NE ¼ 25-124-65 in amount of \$22,970.26 (tax deed); Lot 32 Lutgen & Davis Richmond Lake Development in the NE ¼ 25-124-65 in amount of \$3,875.70 (tax deed). All members present voting aye. Motion carried.

#### AUDITORS REPORT OF ACCOUNT:

Moved by Kippley, seconded by Hansen to approve the July 2015 Auditor's Report of Account with the County Treasurer in total amount of \$16,357,013.39 (total amount of actual cash @ \$3,800.00, US Bank @ \$45,794.84, Dacotah Bank @ \$707,606.76, Petty Cash @ \$2,000.00, Fund Investments @ \$15,597,811.79). All members present voting aye. Motion carried.

#### ATTORNEY CONTRACT:

Attorney's Tom Cogley, Chris Dohrer, Adam Altman and Scott Kuck were present to answer any questions in regard to the current attorney contract prior to the following action: Moved by Fjeldheim, seconded by Fischbach to authorize advertising public hearing to open, read and consider Requests for Proposals for purpose of defending all Court Appointed Legal Counsel cases in Brown County, to be held in the Brown County Commission Chambers, Courthouse Annex, Aberdeen SD at 8:50 a.m. on September 22, 2015. All members present voting aye. Motion carried.

#### FAIR CONTRACTS:

Moved by Hansen, seconded by Fjeldheim to approve and authorize the Chairman sign the following contracts for the 2015 Brown County Fair: RDO (rent eleven (11) units) @ insurance and damage warranty; TMS (Wed event) @ \$5,000.00; Dakota Running Iron Cowboy Mounted Shooters (mounted shooting event) @ \$1,500.00. All members present voting aye. Motion carried.

#### CROW CREEK DRAINAGE STRUCTURE REPLACEMENT PROJECT:

Moved by Fischbach, seconded by Hansen to authorize advertising public hearing to open, read and consider sealed bids for labor and equipment to complete the Crow Creek Drainage Structure Replacement Project, to be held in the Commissioner's Chambers, Courthouse Annex at 8:55 a.m. on September 1, 2015. All members present voting aye. Motion carried.

#### SHERIFF REPORTS:

Moved by Fjeldheim, seconded by Hansen to approve the following July 2015 Sheriff Reports: Incidents and offenses, Prisoner care, JDC, and Money deposited with the County Treasurer. All members present voting aye. Motion carried.

#### BID – LANDFILL SCRAPER:

Moved by Kippley, seconded by Fjeldheim to authorize advertising public hearing to open, read and consider sealed bids for the purchase and delivery of a new 2015 or current model, Wheel Tractor Twin Engine Scraper for the Brown County Landfill, to be held in the Commission Chambers, Courthouse Annex at 8:50 a.m. on September 1, 2015. All members present voting aye. Motion carried.

#### LANDFILL FALL RESIDENTIAL CLEANUP:

Moved by Fjeldheim, seconded by Hansen to approve waiving fees on all material types from Residential Users only during the Fall Residential Cleanup at the Brown County Landfill, to be held from August 28 thru September 12, 2015 (open Labor Day). Tires are limited to car/pickup tires only with a maximum of 4 tires per customer for event period. Fees will apply to commercially generated tires and other tire sizes. No free waste will be accepted from commercial contractors or businesses (including mobile homes). In the event circumstances beyond the control of Brown County (flood, tornado, fire, other) would occur during the FREE Cleanup period the Brown County Commission would reserve the right to end the free cleanup period at such time and implement the regular fee structure. All members present voting aye. Motion carried.

#### SOLID WASTE SPECIAL ASSESSMENT FEES - 2016

Commissioner Fischbach offered the following Resolution:

#### RESOLUTION #48-15

WHEREAS, Title 3, Solid Waste Management System, Chapter 3.07011 of the Second Revision Brown County Ordinances, effective March 12, 1997, as amended, requires the Board of County Commissioners to establish the Solid Waste Special Assessment fee schedule for the following year, prior to the second Tuesday in September.

NOW, THEREFORE BE IT RESOLVED, that the following Solid Waste Special Assessment fees shall be effective January 1, 2016 through December 31, 2016, for the Brown County Sanitary Landfill:

#### SOLID WASTE SPECIAL ASSESSMENT FEE SCHEDULE (Billed with the Real Estate Tax Notice)

1. Households within Incorporated Cities or Civil Townships that require curb service @ \$21.00 per year

2. Households within Incorporated Cities or Civil Townships that do not require curb service @ \$77.00 per year
3. Condominiums taxed as single units within Incorporated Cities or Civil Townships that require curb service @ \$21.00 per year
4. Condominiums taxed as single units within Incorporated Cities or Civil Townships that do not require curb service @ \$77.00 per year
5. Apartment Units and Assisted Living Units within incorporated Cities that require curb service @ \$13.00 per unit per year
6. Seasonal Lake Cabins @ \$34.00 per year
7. Mobile Home parks, outside incorporated municipalities, which provide or require lot side waste pickup during the entire assessment period, for deposit into a permitted landfill solid waste facility @ \$21.00 per unit per year
8. Mobile Home parks, outside incorporated municipalities, which do not provide or require lot side waste pickup during the entire assessment period, for deposit into a permitted landfill solid waste facility @ \$77.00 per unit per year

Dated this 11<sup>th</sup> of August 2015.

Seconded by Commissioner Hansen. Roll call vote: Commissioners Hansen-aye, Kippley-aye, Fischbach-aye, Fjeldheim-aye, Sutton-aye. Resolution adopted.

#### SOLID WASTE TIPPING FEE SCHEDULE - 2016

Commissioner Fischbach offered the following Resolution:

#### RESOLUTION #49-15

WHEREAS, Title 3, Solid Waste Management System, Chapter 3.07010 of the Second Revision Brown County Ordinances, effective March 12, 1997, as amended, requires the Board of County Commissioners to establish the fees for use of the landfill.

NOW, THEREFORE BE IT RESOLVED, that the following Solid Waste Tipping Fee Schedule shall be effective January 1, 2016:

SOLID WASTE TIPPING FEE SCHEDULE  
 PRICES EXCEPT MINIMUM CHARGE DO NOT REFLECT 4% SALES TAX  
 ALL LOADS MUST BE TARPED AND SECURED  
 ALL WASTE MUST BE SORTED AND PUT INTO PROPER AREAS

Type		Fee
Appliances	Refrigerators, Freezers, Air Conditioners, Dehumidifiers With or Without FREON	\$12.50 per item
Asbestos	Friable – Powdery or Dusty state, can be crumbled and reduced to powder by hand	\$ 5.00 per bag
Compost	Grass, Leaves and Light Garden Residue	FREE
Contsoil	Gas and Diesel Contaminated Soil (notification and analysis required before disposal)	\$ 7.00 per ton
Contsoilsp	Contaminated Soil Special (NW Energy, Coal Gasification)	\$38.00 per ton
Contsmix	Waste Oil and Mixed Fuel Contaminated Soil	\$11.50 per ton
E-Waste	Electronic Waste – TV's, Computers, Copiers, Printers, etc	\$100.00 per ton
MSWRB	Rubble waste placed in Unit 1	\$20.00 per ton
INDSW	Industrial Solid Waste	\$38.00 per ton
MSW1	Municipal Solid Waste – IN COUNTY (Paper, plastic, cardboard, carpet, upholstered furniture, mattress, box springs, etc.) (Check with Landfill for material not accepted)	\$38.00 per ton
MSW2	Municipal Solid Waste – OUT OF COUNTY (same as MSW1)	\$38.00 per ton

MSWCR	Rural container site collection waste	Assess per ton
MSWDA	Carcasses (notification required prior to dumping)	\$38.00 per ton
Rubble 1	Construction debris-lumber, shingles, sheetrock etc.	\$20.00 per ton
Rubble 2	Heavy debris, concrete, dirt, rocks etc.	\$14.00 per ton
Rubble 3	Pallets	\$20.00 per ton
Mobile Homes	– all sizes	\$250.00 per unit
Scrap Metal	Metals	\$20.00 per ton
Sludge	Sump waste (analysis may be required)	\$10.00 per ton
Tires	Large quantities priced per ton	\$200.00 per ton
Tires Count	Car and light truck	\$ 2.50 per tire
Tire Shreds	Shredded tires (cell disposal)	\$38.00 per ton
Tree Chips	Wood chips from trees	\$14.00 per ton
Trees 1	Trees less than 8 inches in diameter	\$20.00 per ton
Trees 2	Trees more than 8 inches in diameter (must be 8' or shorter in length)	\$14.00 per ton

Minimum Charge (except on per item fees) 4% Sales Tax included \$ 3.00

The following items are accepted free:

Lead Acid Batteries, Waste Oil, Paint, Grass and Leaves, Computer and Office Paper, Cardboard, #1 and #2 Plastic, Magazines, Phone Books, Antifreeze (residential only) and Propane Tanks

Dated this 11<sup>th</sup> of August 2015.

Seconded by Commissioner Hansen. Roll call vote: Commissioners Hansen-aye, Kippley-aye, Fischbach-aye, Fjeldheim-aye, Sutton-aye. Resolution adopted.

#### APPLICATION FOR OCCUPANCY:

Moved by Kippley, seconded by Fischbach to approve and authorize the Chairman sign the following application submitted by Web Water Development for occupancy of County 14 in Sec 16-T127N-R63W, Brown County, SD to provide potable water line. Roll call vote: Commissioners Hansen-abstain, Kippley-aye, Fischbach-aye, Fjeldheim-aye, Sutton-aye. Motion carried.

#### COMBINING OFFICE REPORT:

The Commission acknowledged receipt of the Committee report in regard to combining offices and the Chairman publicly thanked the Committee for their time. The Commission will review report and make final decisions at a later date.

#### REIMBURSEMENT DISCUSSED:

A request to waive employee policy and reimburse several lunches at a training held in Brown County was discussed. No action was taken at this time.

#### EXECUTIVE SESSION:

Moved by Hansen, seconded by Fjeldheim to go into executive session for personnel discussion, per SDCL 1-25-2(1) and contract discussion, per SDCL 1-25-2(4) with Larry Lovrien and Gary Vetter in attendance. All members present voting aye. Motion carried.

The Chairman declared the executive session closed, with the following action taken as a result of the discussion:

Moved by Fischbach, seconded by Fjeldheim to amend Employee Policy C-17) Conflicts of Interest – County officials, employees, and board members are prohibited from: 2) receiving any outside compensation, gift, or gratuity, for the performance of County duties, except as follows, c) receipt of social amenities, ceremonial gifts,



or advertising gifts, having less than ~~\$100~~ \$150 in value. Amendment effective August 11, 2015. All members present voting aye. Motion carried

ADJOURNMENT:

Moved by Kippley, seconded by Fjeldheim to adjourn the Brown County Commission. All members present voting aye. Motion carried.

Maxine Fischer, Brown County Auditor *Maxine Fischer*

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## AUGUST 18, 2015 – GENERAL MEETING

Meeting called to order by Chairman Sutton at 8:45 A.M. in the Commissioner's Chambers, Courthouse Annex, Brown County, SD. Present were Commissioners Hansen, Kippley, Fischbach and Fjeldheim. Commissioner Fjeldheim led the Pledge of Allegiance.

### MINUTES:

Moved by Hansen, seconded by Kippley to approve the General Meeting Minutes of August 11, 2015. All members present voting aye. Motion carried.

### CLAIMS:

Moved by Hansen, seconded by Fjeldheim to approve the following claims:

Professional Fees: Aberdeen City Treasurer \$250.00; Avera Queen of Peace Health \$444.30; Avera St. Luke's \$19,318.05; Barron Co. Clerk of Courts \$6.25; Dakota Wood Grinding \$21,237.00; Dependable Sanitation \$26,600.54; Jefferson Co. Sheriff \$26.00; LexisNexis \$86.40; LSS \$164.92; NEMHC \$1,508.00; Sanford \$10,780.22; Sanford Health Occupational \$40.00; SD Dept. of Revenue & Regulation \$3,614.16; SDSWMA \$550.00; Standard & Poor's \$120.00; Tammy Stolle Court Reporting \$110.00; US Bank \$40.00; Sara Zahn \$159.60; Nathan Dean \$720.00; Romeo Entertainment \$3,930.00.

Publishing: Aberdeen American News \$821.25; Groton Independent \$1,132.17.

Rentals: Builders Mgmt. \$640.00; Robert Schatz \$300.00; Wolfson Apartments \$610.00.

Repairs & Maintenance: Aberdeen City Treasurer \$10,112.50; Eugene Dennert \$1,177.50; Diamond Mowers \$11.30; EPG Companies \$16,013.82; GCR Tires \$417.80; Midwest Pump & Tank \$394.39; Pierson-Ford \$52.20; SD Underground \$2,140.72; US Bank \$221.51.

Supplies: A & B Business \$202.97; AASLH \$115.00; Aberdeen Area Radiator \$719.50; Aberdeen Pit Stop \$30.34; Cash-Wa \$5,250.21; Century Business Products \$95.43; Civil Air Patrol \$200.00; DSG \$ 64.90; Dean Foods \$696.32; Diamond Mowers \$213.90; DT Pharmacy \$2,466.09; Earthgrains \$469.14; Farm Power Mfg. \$34.82; Full Circle Ag \$234.94; GCR Tires \$237.78; Kessler's \$552.46; Kuck Law Office \$189.00; Lar-Jo's \$591.96; Leidholt Tool Sales \$387.85; Lien Transportation Co. \$14,681.04; Marco \$30.96; Menards \$33.53; NCFE – Warner Elevator \$3,498.02; Tractor Supply \$169.99; United Clinic Pharmacy \$494.18; US Bank \$14,035.26; Veterans Information Service \$55.00; Mogen's Heros \$1,100.00; Avenger Joe \$3,500.00.

Travel and Conference: Sheila Enderson \$78.54; Pennington Co. \$111.35; SDSWMA \$600.00; US Bank \$2,031.50.

Utilities: Aberdeen City Treasurer \$300.29; CenturyLink \$1,103.50; City of Hecla \$90.75; Exec. Mgmt. \$96.37; North Star Energy \$191.66; Northern Electric \$1,097.43; NWPS \$1,361.01; US Bank \$835.48.

Other: JRWD \$694.24; SDAOCC \$7,478.58. All members present voting aye. Motion carried.

### PERSONNEL:

Moved by Hansen, seconded by Kippley to approve hiring Wanette Lenling, as Deputy States Attorney on a temporary basis, effective August 24, 2015 at \$1,000.00 per pay period; and further acknowledge resignation of Jennifer Stoddard. All members present voting aye. Motion carried.

### 2016 PROVISIONAL BUDGET:

Moved by Fjeldheim, seconded by Hansen to approve the 2016 Provisional Budget and authorize advertising public hearing to be held in the Commissioner's Chambers, Courthouse Annex, at 9:00 A.M. on September 1, 2015. Roll call vote: Commissioner's Hansen-aye, Kippley-aye, Fischbach-aye, Fjeldheim-aye, Sutton-aye. Motion carried.

### TEMPORARY RETAIL ON-OFF SALE MALT BEVERAGE LICENSE:

Moved by Kippley, seconded by Fischbach to approve and authorize the Chairman to sign the following Temporary Retail On-Off Malt Beverage License Application: Slackers Bar LLC, 115 ½ S Main, Aberdeen, SD – Special event to be held at the Richmond Youth Camp (main lodge area) SW ¼ Sec 24-T124N-R65W, Brown

County, SD. Temporary on-off sale malt beverage license effective August 27, 28 & 29, 2015. All members present voting aye. Motion carried.

#### DELTA DENTAL RATES:

Moved by Hansen, seconded by Fjeldheim to approve the 2016 Delta Dental Rates for employee dental insurance: \$40.80 – Single, \$76.98 - Two-Party, and \$121.70 – Three or more. All members present voting aye. Motion carried.

#### CDBG SAFE HARBOR:

Moved by Fjeldheim, seconded by Fischbach to authorize the Chairman sign letter stating that Brown County anticipates no historic properties affected, nor any adverse effects in relation to the proposed CDBG Safe Harbor Project. All members present voting aye. Motion carried.

#### CLAIM ASSIGNMENTS:

Moved by Kippley, seconded by Fischbach to approve and authorize the Chairman to sign documentation to assign claims against individuals to Credit Collections Bureau for purpose of collecting a lien. All members present voting aye. Motion carried.

#### POLICY MANUAL AMENDMENT:

Moved by Hansen, seconded by Kippley to amend E-10) Military Leave, Brown County Employee Policy Manual, as follows: Reserve or National Guard Training Leave. An employee who enlists as a Reservist or a member of the National Guard shall be granted time off without pay for initial active duty for training, weekend training drills, and other active and inactive training duty, however, time off with pay not to exceed up to 14 days will be granted for annual training encampment. All members present voting aye. Motion carried.

#### QUIT CLAIM DEED:

Moved by Hansen, seconded by Fjeldheim to approve and authorize the Chairman sign Quit Claim Deed, transferring Brown County's title and interest in the following property to the South Dakota Department of Transportation, as stipulated in Resolution #37-15: Lot H9 – in a portion of the 33' (thirty three feet) of section line Right of Way along the east side of the NE ¼ of Section 22, Township 123 North, Range 64 West, of the 5<sup>th</sup> P.M., Brown County, South Dakota; and Lot H5 – in a portion of the 33' (thirty three feet) of section line Right of Way along the west side of the NW ¼ of Section 23, Township 123 North, Range 64 West, of the 5<sup>th</sup> P.M., Brown County, South Dakota. All members present voting aye. Motion carried.

#### CENTRAL VILLAS:

Bryan Samson, Aberdeen Housing Authority explained changes in the construction plans for the Central Villa's housing project, and requested fees at the Landfill be waived. Moved by Fischbach, seconded by Fjeldheim to authorize Mike Scott, Landfill Manager to waive construction debris fees at the Landfill for the Central Villa's Apartment Complex Project. All members present voting aye. Motion carried.

#### ROAD DISCUSSION:

Al Hoeft, Stratford Town Official questioned time frame on north/south mile into Stratford. Dirk Rogers, Highway Superintendent also in attendance stated this mile was on the proposed 2016 schedule.

#### COMMISSION ASSISTANT REPORT:

Gary Vetter, Commission Assistant asked if the Commission planned to re-bid the handicapped accessible ramp on Market Street or just replace the steps. The consensus of the Board was to replace the steps only and enhance directional signage and handicapped parking on the north side of the Courthouse.

#### EXECUTIVE SESSION:

Moved by Hansen, seconded by Kippley to go into executive session for personnel discussion, per SDCL 1-25-2(1) with Larry Lovrien, Gary Vetter and Karla Pfeifer in attendance. All members present voting aye. Motion carried.

The Chairman declared the executive session closed, with no action taken as a result of the discussion.

ADJOURNMENT:

Moved by Kippley, seconded by Fischbach to adjourn the Brown County Commission. All members present voting aye. Motion carried.

Maxine Fischer, Brown County Auditor



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## AUGUST 25, 2015 - JOINT CITY/COUNTY MEETING

The Brown County Commission and the Aberdeen City Council met in joint session at 8:45 A.M. in the Commissioner's Chambers, Courthouse Annex, Brown County, SD. Present from City were Council Members Bunsness, Campbell, Remily, Ronayne, Rux and Mayor Levsen. Absent were Council Members Johnson, Slight-Hanson and Swanson. Present from County were Commissioners Hansen, Kippley, Fischbach, Fjeldheim and Sutton.

## ORDINANCE #15-08-02/446:

On motion by Bunsness, seconded by Rux the City unanimously voted to approve First Reading of Ordinance #15-08-02/446.

## ORDINANCE #15-08-02/446:

Moved by Hansen, seconded by Kippley to approve First Reading of Ordinance #15-08-02/446, An Ordinance to amend Ordinance No. 1164 to rezone the following described property from its present zoning designation of (A-1) Agricultural District to (R-2) Medium Density Residential District, said property being described as follows: Lot H, Pendroy's Green Acres Subdivision in the SW ¼ of Sec 21-T123N-R63W of the 5<sup>th</sup> P.M., Brown County, South Dakota (1635 N Melgaard Road South). All members present voting aye. Motion carried.

## ORDINANCE #15-08-03/447:

On motion by Remily, seconded by Bunsness the City unanimously voted to approve First Reading of Ordinance #15-08-03/447.

Moved by Fischbach, seconded by Fjeldheim to approve First Reading of Ordinance #15-08-03/447, An Ordinance to amend Ordinance No. 1164 to rezone the following described property from its present zoning designation of (A-1) Agricultural District to (M-AG) Mini-Agricultural District, said property being described as follows: Lot 26, Evelo's Outlot in the NE ¼ of Sec 2-T122N-R64W of the 5<sup>th</sup> P.M., Brown County, South Dakota (13645 Pontiac Drive). All members present voting aye. Motion carried.

## RESOLUTION #15-09-01R/448:

On motion by Ronayne, seconded by Rux the City unanimously voted to set public hearing for Resolution #15-09-01R/448.

Moved by Kippley, second by Fjeldheim to set public hearing for Resolution #15-09-01/448, A Resolution to consider a petition to vacate the public right-of-way filed by Francis E Brink and Mary Cutler for the vacation of the public right-of-way described as follows: The entire 100' Cul-De-Sac Public Right-Of-Way located 337' North of Eighth Avenue, NE at the North End of Cutler Road (824 Cutler Road), to be held in the County Commission Chambers on September 22, 2015 at 8:45 a.m. All members present voting aye. Motion carried.

The City Council adjourned and the County Commission continued in regular session.

Maxine Fischer, Brown County Auditor



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## AUGUST 25, 2015 – GENERAL MEETING

Meeting called to order by Chairman Sutton at 8:45 A.M. in the Commissioner's Chambers, Courthouse Annex, Brown County, SD. Present were Commissioners Hansen, Kippley, Fischbach and Fjeldheim. Chairman Sutton led the Pledge of Allegiance.

### MINUTES:

Moved by Fischbach, seconded by Kippley to approve the General Meeting Minutes of August 18, 2015. All members present voting aye. Motion carried.

### CLAIMS:

Moved by Kippley, seconded by Fjeldheim to approve the following claims:

Payroll: Commission \$3,767.51; Commission Assistant/Human Resources \$4,088.74; Auditor \$7,646.17; Treasurer \$14,510.49; Data Processing \$9,229.38; State's Attorney \$16,251.25; Blood Draws \$1,250.00; SVAWA Grant \$1,873.94; Maintenance \$6,417.74; Assessor \$13,136.50; Register of Deeds \$8,758.87; Veterans Service Office \$3,563.74; GIS \$2,195.60; Sheriff Admin \$32,118.96 Jail \$35,221.61; Coroner \$150.00; JDC \$14,936.31; HD \$5,414.98; Welfare Office \$3,500.47; Museum \$7,478.28; Parks & Fairgrounds \$13,737.84; Fair Board \$29,738.61; 4-H \$3,668.07; Weed \$5,630.39; Planning and Zoning \$1,586.47; Highway \$53,114.73; Communications \$21,387.92; Emergency Management \$3,767.34; Teen Court \$275.28; 24/7 \$2,740.01; Landfill \$12,635.48

Matching Benefits: FICA \$20,155.80; Medicare \$4,713.87; Life \$691.11; Dental \$6,772.80; Health Insurance \$98,519.42; Retirement \$36,508.28.

Professional Fees: Avera St. Luke's \$12,970.19; Kristi Brandt \$197.20; Brick's TV & Appliance \$2,620.00; Certified Languages \$207.90; Denise Cody \$15.00; Lewis & Clark BHS \$480.00; Lucy Lewno \$150.49; Mikelson Law Office \$189.00; Minnehaha County Treasurer \$940.50; Race Wheels Consulting \$60.00; Ronayne Law Office \$718.98; SD Dept. of Revenue & Regulation \$135.00; Karen Swanda \$15.00; Univ. of ND \$6,000.00; Yankton Co. Sheriff Office \$25.00; Yankton Co. Treasurer \$341.25; Sara Zahn \$37.40.

Publishing: Aberdeen American News \$443.48.

Rentals: Evan Cummins \$310.00; Rodney Eikamp \$310.00; Mary Gederos \$260.00.

Repairs & Maintenance: 446-Praxair \$75.00; A & B Business \$29.99; A-1 Sanitation \$193.00; Aberdeen Plumbing & Heating \$200.98; Ben Hofer Backhoe Service \$1,072.28; Climate Control \$7,140.51; Hoven Auto Repair \$304.93; JEBRO \$2,060.95; Leidholt Electric \$56.49; Light & Siren \$20.93; Overhead Door \$153.06; Sander's Sew 'n' Vac \$118.67; Sewer Duck \$276.00.

Supplies: Aberdeen Asphalt \$157,795.38; Ameripride \$81.49; Avera Health Plans \$145.87; Beadle Floral \$1,235.00; Best Business Products \$176.80; Michael Carlsen \$3.34; City Directories \$820.00; Ecolab \$225.64; JEBRO \$67,089.24; Leidholt Electric \$17.90; Lien Transportation \$2,993.76; Light & Siren \$638.00; Marco \$87.25; Midstates Printing \$305.00; Mikelson Law Office \$9.96; Millstone Restaurant \$345.00; NCFE – Warner Elevator \$725.74; Network Services \$623.86; Pitney Bowes \$5,045.00; SD Law Review \$125.00; SD Secretary of State \$7.00; Sherwin Williams \$37.99; Van Diest Supply \$3,936.01; West Payment Center \$2,609.17; Western Hotel Supply \$300.00; Young's \$19.98.

Travel and Conference: City of Groton \$54.52; Lynn Heupel \$193.02; Leo Leshar \$250.51.

Utilities: Aberdeen City Treasurer \$26.00; CenturyLink \$2,458.38; James Valley Telecommunications \$222.70; Northern Electric \$76.88; NWPS \$2,735.05; Verizon Wireless \$4,848.02.

Other: Pizza Ranch \$57.46. All members present voting aye. Motion carried.

### PERSONNEL:

Moved by Fischbach, seconded by Hansen to approve the following employee step increases, effective Aug 30, 2015: Ryan McClain \$ 15.88 per hour, Tray Mercer @ \$17.06 per hour, Dean Zumbaum @ \$17.06 per hour, Jeanette Kline @ \$14.89 per hour. All members present voting aye. Motion carried.

Moved by Hansen, seconded by Kippely to acknowledge resignation of Jon Roberson (Maintenance), effective September 2, 2015; and further approve request to fill vacancy. All members present voting aye. Motion carried.

Moved by Hansen, seconded by Fischbach to reluctantly acknowledge resignation of Clayton Nelson (Welfare Director), effective September 18, 2015. All members present voting aye. Motion carried.

#### FAIR CONTRACTS:

Moved by Kippely, seconded by Fischbach to approve and authorize the Chairman sign the following contract for the 2015 Brown County Fair: Wensman Seed (corn shucking/sweet corn feed @ advertising. All members present voting aye. Motion carried.

#### LAND APPLICATION OF THIN STILLAGE/CORN SYRUP/METHANATOR EFFLUENT:

Commissioner Kippely offered the following Resolution:

#### RESOLUTION #50-15

Statement of Resolution to approve the storage and land application of thin stillage, corn syrup, methanator effluent in Brown County  
by Advanced Bio Energy LLC

WHEREAS, Advanced Bio Energy LLC desires to make application to land apply thin stillage, corn syrup, methanator effluent with the South Dakota Department of Environment and Natural Resources to certain land in Brown County, and

WHEREAS, the nature of the application is not in conflict with any established zoning laws or ordinances, and

WHEREAS, the DENR will review the application to determine that the facility can be operated within the South Dakota laws and regulations, and

WHEREAS, the DENR may recommend the approval of the permit with conditions adequate to safeguard the environment; and

WHEREAS, the Board of Minerals and Environment will review, modify, approve or deny the permit if the tentative recommendations and/or conditions of the permit are contested by any interested party, and

WHEREAS, the County Commission of Brown County is required by South Dakota Law to approve the storage and/or application of thin stillage, corn syrup, methanator effluent on specified sites.

NOW, IT IS THEREFORE RESOLVED, that the County Commission of Brown County hereby approves the storage and/or application of thin stillage, corn syrup, methanator effluent under the terms of a permit to be issued by the Board of Minerals and Environment.

Storage Site: Advanced Bio Energy LLC, 38469 133<sup>rd</sup> Street, Aberdeen, SD

Application Site: Inside the circle track with a legal description of "Outlot 1, Heartland Grain Fuels Outlots in the N ½ of Sec 20-T123N-R64W of the 5<sup>th</sup> P.M., Brown County, SD and an address of 38367 133<sup>rd</sup> Street, Aberdeen, SD 5701. The solid waste will come from the main plant, one (1) mile east of the proposed land application site with a legal description of Lot 4 Plat of Wheat Grower's West Subdivision in the N ½ of Sec 21-T123N-R64W of the 5<sup>th</sup> P.M., Brown County, SD and an address of 38469 133<sup>rd</sup> Street, Aberdeen, SD.

Description of Material that will be Land Applied: The material that will be land applied is thin stillage, corn syrup, methanator effluent.

Approved this 25<sup>th</sup> day of August 2015 by the Brown County Commission.

Seconded by Commissioner Fischbach. Roll call vote: Commissioners Hansen-aye, Kippley-aye, Fischbach-aye, Fjeldheim-aye, Sutton-aye. Resolution adopted.

PLATS:

Commissioner Fjeldheim offered the following Resolution:

#### RESOLUTION #51-15

BE IT RESOLVED by the County Commission of Brown County, SD, that the plat showing "Mary Cutler's First Subdivision in SW ¼ Sec 10-T123N-R63W of the 5<sup>th</sup> P.M., Brown County, SD", having been examined, is hereby approved in accordance with the provisions of SDCL of 1967, Chapter 11-3, and any amendments thereof.

Seconded by Commissioner Hansen. Roll call vote: Commissioners Hansen-aye, Kippley-aye, Fischbach-aye, Fjeldheim-aye, Sutton-aye. Resolution adopted.

Commissioner Fjeldheim offered the following Resolution:

#### RESOLUTION #52-15

BE IT RESOLVED by the Board of Commissioners of Brown County, SD, that the plat showing "P and L Aman Addition in the SE ¼ of Sec 2-T122N-R64W of the 5<sup>th</sup> P.M., Brown County, SD", having been examined, is hereby approved in accordance with the provisions of SDCL of 1967, Chapter 11-3, and any amendments thereof.

Seconded by Commissioner Hansen. Roll call vote: Commissioners Hansen-aye, Kippley-aye, Fischbach-aye, Fjeldheim-aye, Sutton-aye. Resolution adopted.

Commissioner Fjeldheim offered the following Resolution:

#### RESOLUTION #53-15

BE IT RESOLVED by the Board of County Commissioners of Brown County, SD, that the plat showing "Menzia Second Subdivision in the NE ¼ of Sec 23-T123N-R64W of the 5<sup>th</sup> P.M., Brown County, SD", having been examined, is hereby approved in accordance with the provisions of SDCL 11-3, and any amendments thereof.

Seconded by Commissioner Hansen. Roll call vote: Commissioners Hansen-aye, Kippley-aye, Fischbach-aye, Fjeldheim-aye, Sutton-aye. Resolution adopted.

Commissioner Fjeldheim offered the following Resolution:

#### RESOLUTION #54-15

BE IT RESOLVED by the Board of County Commissioners of Brown County, SD, that the plat showing "Schrenk's Third Addition in the SW ¼ of Sec 23-T124N-R64W of the 5<sup>th</sup> P.M., Brown County, SD", having



been examined, is hereby approved in accordance with the provisions of SDCL 11-3, and any amendments thereof.

Seconded by Commissioner Hansen. Roll call vote: Commissioners Hansen-aye, Kippley-aye, Fischbach-aye, Fjeldheim-aye, Sutton-aye. Resolution adopted.

Commissioner Fjeldheim offered the following Resolution:

#### RESOLUTION #55-15

BE IT RESOLVED by the Board of County Commissioners of Brown County, SD, that the plat showing "Musch Subdivision in the NE ¼ of Sec 25-T125N-R63W of the 5<sup>th</sup> P.M., Brown County, SD", having been examined, is hereby approved in accordance with the provisions of SDCL 11-3, and any amendments thereof.

Seconded by Commissioner Hansen. Roll call vote: Commissioners Hansen-aye, Kippley-aye, Fischbach-aye, Fjeldheim-aye, Sutton-aye. Resolution adopted.

#### ORD 096 - SET HEARING DATE:

Moved by Hansen, seconded by Fischbach to set public hearing for Ordinance #096, An Ordinance to amend Title 4 – Zoning, Second Revision Brown County Ordinances, to rezone the following described property from its present zoning designation of Chapter 4.06 (AG-P) Agricultural Preservation District to Chapter 4.10 (R3) Lake Front District: Lots 1 and 2, RO-JU-OS Park Second Subdivision in the SE ¼ of Sec 8-T128N-R65W of the 5<sup>th</sup> P.M., Brown County, SD (10188 and 10192 RO-JU-OS Place), to be held in the Brown County Commission Chambers at 9:00 a.m. on September 22, 2015. All members present voting aye. Motion carried.

#### LEASE AGREEMENT:

Moved by Fjeldheim, seconded by Kippley to approve and authorize the Chairman sign agreement with Aberdeen Christian Fellowship for lease of the Richmond Lake Youth Camp on September 25-27, 2015. All members present voting aye. Motion carried.

#### TAX DEED SALE:

Moved by Hansen, seconded by Fjeldheim to approve Tax Deed Sale of Lots 31 & 32, Lutgen & Davis Richmond Lake Development, being a part of the NE ¼ of Sec 25-T124N-R65W of the 5<sup>th</sup> P.M., according to the plat of record, Brown County, SD held on August 21, 2015 to Peter Mehlhaff in amount of \$180,000.00. All members present voting aye. Motion carried.

#### APPLICATION FOR OCCUPANCY:

Moved by Hansen, seconded by Fischbach to approve and authorize the Chairman sign the following application submitted by James Valley Telecommunications for occupancy of Brown County Highway #10 in Sec 1/2-T121N-R64W, Brown County, SD to provide telecommunications. All members present voting aye. Motion carried.

#### EXECUTIVE SESSION:

Moved by Hansen, seconded by Fjeldheim to go into executive session for personnel discussion, per SDCL 1-25-2(1) with Larry Lovrien, Gary Vetter, Karla Pfeifer and Brandon Taliaferro in attendance. All members present voting aye. Motion carried.

The Chairman declared the executive session closed, with the following action taken as a result of the discussion:

On behalf of the Commission, Commissioner Kippley publicly thanked Karla Pfeifer for her service as a probationary employee of Brown County as Fair Manager; and further moved by Kippley, seconded by Hansen to relieve Karla Pfeifer of her position as Fair Manager and authorize advertising the position of Fair Manager to fill the vacancy. All members present voting aye. Motion carried.

MEMORANDUM OF AGREEMENT:

Moved by Hansen, seconded by Fjeldheim to approve and authorize the Chairman sign Memorandum of Agreement between The Training Place (TTP), Aberdeen Technical Education Center (ATEC) and Brown County, whereby Brown County and The Training Place (formerly New Tec) shall transfer the welding equipment received as part of the Community Development Block Grant (CDBG) from the former building that housed New Tec to a new location at ATEC. All members present voting aye. Motion carried.

ADJOURNMENT:

Moved by Fjeldheim, seconded by Kippley to adjourn the Brown County Commission. All members present voting aye. Motion carried.

Maxine Fischer, Brown County Auditor



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SEPTEMBER 1, 2015 - JOINT CITY/COUNTY MEETING

The Brown County Commission and the Aberdeen City Council met in joint session at 8:45 A.M. in the Commissioner's Chambers, Courthouse Annex, Brown County, SD. Present from City were Council Members Campbell, Johnson, Ronayne, Rux, Slaight-Hansen and Mayor Levsen. Absent were Council Members Bunsness, Remily and Swanson. Present from County were Commissioners Hansen, Kippley, Fischbach, Fjeldheim and Sutton.

ORDINANCE #15-08-02/446:

On motion by Johnson, seconded by Rux the City unanimously voted to adopt Ordinance #15-08-02/446.

Moved by Kippley, seconded by Hansen to adopt Ordinance #15-08-02/446, An Ordinance to amend Ordinance No. 1164 to rezone the following described property from its present zoning designation of (A-1) Agricultural District to (R-2) Medium Density Residential District, said property being described as follows: Lot H, Pendroy's Green Acres Subdivision in the SW ¼ of Sec 21-T123N-R63W of the 5<sup>th</sup> P.M., Brown County, South Dakota (1635 N Melgaard Road South). Roll call vote: Commissioners Hansen-aye, Kippley-aye, Fischbach-aye, Fjeldheim-aye, Sutton-aye. Ordinance adopted.

ORDINANCE #15-08-03/447:

On motion by Rux, seconded by Johnson the City unanimously voted to adopt Ordinance #15-08-03/447.

Moved by Fischbach, seconded by Fjeldheim to adopt Ordinance #15-08-03/447, An Ordinance to amend Ordinance No. 1164 to rezone the following described property from its present zoning designation of (A-1) Agricultural District to (M-AG) Mini-Agricultural District, said property being described as follows: Lot 26, Evelo's Outlot in the NE ¼ of Sec 2-T122N-R64W of the 5<sup>th</sup> P.M., Brown County, South Dakota (13645 Pontiac Drive). Roll call vote: Commissioners Hansen-aye, Kippley-aye, Fischbach-aye, Fjeldheim-aye, Sutton-aye. Ordinance adopted.

ORDINANCE #15-09-05/449:

On motion by Johnson, seconded by Slaight-Hansen, the City unanimously voted to set public hearing for Ordinance #15-09-05/449.

Moved by Fjeldheim, seconded by Kippley to set public hearing for Ordinance #15-09-05/449, An Ordinance to amend Ordinance No. 1164 to rezone the following described property from its present zoning designation of (A-1) Agricultural District to (M-AG) Mini-Agricultural District: Lot 1, P and L Aman Addition in the SE ¼ of Sec 2-T122N-R64W of the 5<sup>th</sup> P.M., Brown County, South Dakota (13659 387<sup>th</sup> Avenue), to be held in the County Commission Chambers on September 22, 2015 at 8:45 a.m. All members present voting aye. Motion Carried.

The City Council adjourned and the County Commission continued in regular session.

Maxine Fischer, Brown County Auditor

*Maxine Fischer*

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# SEPTEMBER 1, 2015 – GENERAL MEETING

Meeting called to order by Chairman Sutton at 8:45 A.M. in the Commissioner's Chambers, Courthouse Annex, Brown County, SD. Present were Commissioners Hansen, Kippely, Fischbach and Fjeldheim. Chairman Sutton led the Pledge of Allegiance.

## MINUTES:

Moved by Kippely, seconded by Hansen to approve the Joint City/County Meeting Minutes and the General Meeting Minutes of August 25, 2015. All members present voting aye. Motion carried.

## CLAIMS:

Moved by Hansen, seconded by Fjeldheim to approve the following claims:

Professional Fees: Adam Altman \$4,444.45; Chris Dohrer \$5,069.45; Kuck Law Office \$4,444.45; Richardson, Wyly, Wise, Sauck & Hieb Law Office \$4,444.45; Ronayne & Cogley Law Office \$7,582.55; Christy Serr \$5,069.45; AMG Anesthesiology \$290.87; Avera St. Luke's \$4,099.05; Clark Engineering \$19,615.50; Denise Cody \$7.50; Fox & Youngberg \$157.50; Lucy Lewno \$193.50; Lincoln Co. Treasurer \$100.00; Minnehaha Co. Treasurer's Office \$529.33; Cole Rupprecht \$150.00; Spitzer-Miller Funeral Home \$2,010.00; Karen Swanda \$7.50; UND \$2,000.00; Mitch Vilhauer \$1,235.34; Yankton Co. Sheriff Office \$25.00.

Publishing: Aberdeen American News \$692.02; Dex \$53.55.

Rentals: Tom Appletoft \$330.00, Centennial Village \$50.00.

Repairs & Maintenance: Aberdeen Plumbing & Heating \$767.03; Butler Machinery \$16.38; Farm Power Mfg. \$66.28; HF Jacobs & Son \$1,597.24; Hoven Auto Repair \$49.00; Jebro \$7,225.72; Lawson Products \$24.09; Lien Transportation \$47.28; McFarland Supply \$26.71; SD DOT \$4,320.27; Sewer Duck \$324.50.

Supplies: Ameripride \$268.28; Butler Machinery \$2,040.73; Channing Bete Co. \$54.95; CNA Surety \$50.00; Crescent Electric \$67.10; Dakota Electronics \$43.75; DPM Mercantile \$24.99; Fox & Youngberg \$7.32; Geffdog \$428.36; Gorder Supply \$409.64; GovConnection \$668.32; Intoximeters \$2,000.00; Jebro \$109,164.18; Lawson Products \$324.28; Leidholdt Tool Sales \$76.92; Lucy Lewno \$7.99; Lien Transportation \$2,316.75; Marco \$279.00; McKesson Medical \$137.42; Menards \$324.02; NCFE-Warner Elevator \$21,178.69; Cole Rupprecht \$149.00; SD Secretary of State \$7.00; Van Diest Supply Co. \$2,780.10.

Travel and Conference: Executive Mgmt \$299.00; Cory Lane \$49.35; Gene Loeschke \$258.03; Jo Miller \$97.94; SD Counties \$1,915.00.

Utilities: AT & T \$223.08; CenturyLink \$218.11; Dependable Sanitation \$286.00; Montana-Dakota Utilities \$21.49; NWPS \$530.41.

Other: Aberdeen Advanced Care Ambulance \$439.26. All members present voting aye. Motion carried.

## PERSONNEL:

Moved by Fjeldheim, seconded by Kippely to acknowledge the following miles driven and amount to be taxed for personal use of County vehicles during the month of July 2015: Kendell Titze – 120 @ \$69.00, Michael Scott – 200 @ \$115.00, Gary Vetter – 113 @ \$64.98, Dirk Rogers – 570 @ \$327.75. All members present voting aye. Motion carried.

Moved by Fjeldheim, seconded by Hansen to acknowledge resignation of Marissa Mickelson (p-t JDC), effective August 26, 2015; and further approve request to fill vacancy. All members present voting aye. Motion carried.

Moved by Hansen, seconded by Fjeldheim to acknowledge termination of Ka'nova Williams (Jail), effective August 23, 2015; and further approve request to fill vacancy. All members present voting aye. Motion carried.

**SPECIAL MALT BEVERAGE LICENSE APPLICATION:**

Moved by Kippley, seconded by Hansen to approve the following application for Special Malt Beverage License, submitted by SD Snow Queen Festival: Brown County Fairgrounds (Expo Building) SW ¼ Sec 1-T123N-R64W, effective September 12, 2015. All members present voting aye. Motion carried.

**PROCLAMATION:**

Commissioner Kippley offered the following Resolution:

**RESOLUTION #56-15**

**BROWN COUNTY RECOGNITION FOR CHILDHOOD CANCER AWARENESS MONTH:  
SEPTEMBER 2015**

WHEREAS, the American Cancer Fund for Children and Kids Cancer Connection report cancer is the leading cause of death by disease among U.S. children between infancy and age 15. This tragic disease is detected in nearly 15,000 of our country's young people each and every year; and

WHEREAS, one in five of our nation's children loses his or her battle with cancer. Many infants, children and teens will suffer from long-term effects of comprehensive treatment, including secondary cancers; and

WHEREAS, founded over twenty years ago by Steven Firestein, a member of the philanthropic Max Factor cosmetics family, the American Cancer Fund for Children, Inc. and Kids Cancer Connection, Inc. are dedicated to helping these children and their families; and

WHEREAS, the American Cancer Fund for Children and Kids Cancer Connection provide a variety of vital patient psychosocial services to children undergoing cancer treatment at Sanford's Children's Hospital in Sioux Falls, as well as participating hospitals throughout the country, thereby enhancing the quality of life for these children and their families; and

WHEREAS, the American Cancer Fund for Children and Kids Cancer Connection also sponsor Courageous Kid Recognition Award ceremonies, community get well cards and hospital celebrations in honor of a child's determination and bravery to fight the battle against childhood cancer.

THEREFORE, BE IT RESOLVED that I, Duane Sutton, Chairman of the Brown County Board of Commissioners, do hereby proclaim September, 2015 as, Childhood Cancer Awareness Month.

Seconded by Commissioner Hansen. Roll call vote: Commissioners Hansen-aye, Kippley-aye, Fischbach-aye, Fjeldheim-aye, Sutton-aye. Resolution adopted.

**CLAIM ASSIGNMENTS:**

Moved by Hansen, seconded by Fjeldheim to approve and authorize the Chairman to sign documentation to assign claims against individuals to Credit Collections Bureau for purpose of collecting a lien. All members present voting aye. Motion carried.

**DISCRETIONARY FORMULA DENIED:**

Moved by Kippley, seconded by Hansen to deny application, submitted by North Western Corporation for Discretionary Formula on the following Centrally Assessed property: Addition to Siebrecht substation (value of discretionary @ 769,976 in Aberdeen Township); New regulating station (value of discretionary @ 13,732 in East Hanson Township); New 60 megawatt peaking plant -Aberdeen Generating Station

(value of discretionary @ 8,067,117 in Aberdeen Township). All members present voting aye. Motion carried.

**FAIR CONTRACTS:**

Moved by Kippley, seconded by Fjeldheim to approve the following Fair Contracts: Weismantel Rent All (post hole driver) @ six general tickets; Better Ride (performance) @ \$150.00; Ron Parker Family (performance) @ \$150.00; Long Nines (performance) @ \$200.00. All members present voting aye. Motion carried.

**DISCRETIONARY FORMULA INDUSTRIAL:**

Commissioner Hansen offered the following Resolution:

**RESOLUTION #58-15**

WHEREAS, The Brown County Commission has currently adopted a "discretionary formula" for the assessment of certain structures in Brown County.

WHEREAS, SDCL 10-6-35.2 authorizes the board of county commissioners, at its discretion, to adopt any formula for assessment of specifically "Industrial" classified structures.

WHEREAS, SDCL 10-6-35.2 states the formula may include for any or all of the five tax years following construction all, any portion or none of the assessed valuation for tax purposes.

WHEREAS, consistent with the provisions of SDCL 13-13-20.4, the South Dakota Department of Revenue and Regulation does not seek to recoup lost local effort to the extent a 20, 40, 60, 80, 100% formula is adopted for the 5 year period.

WHEREAS, the current discretionary formula allows the level of assessment for all qualifying structures to be 0% of assessed value for the 1st year, 0% for the 2nd, 0% for the 3rd, 0% for the 4th and 0% of assessed value for the 5th year.

WHEREAS, the county hopes all eligible projects will avail themselves of the formula and exercise their responsibility to apply.

THEREFORE BE IT RESOLVED, the Brown County Board of Commissioners hereby adopts a new discretionary formula as authorized by SDCL 10-6-35.2 for those structures specifically classified pursuant to SDCL 10-6-35.1 with an industrial zoning classification. The level of assessment for the above listed specifically classified structures shall be 0% of assessed value for the 1st year, 0% for the 2nd, 0% for the 3rd, 0% for the 4th, and 0% of assessed value for the 5th year. The resolution shall be applied beginning the 2017 assessment year. Dated this 1<sup>st</sup> day of September 2015.

Second by Commissioner Kippley. Roll call vote: Commissioners Hansen-aye, Kippley-aye, Fischbach-aye, Fjeldheim-aye, Sutton-aye. Resolution adopted.

**BID LANDFILL SCRAPER:**

Time and place, as advertised to open, read and consider sealed bids for one new 2015 or current model year, Wheel Tractor Twin Engine Scraper T4F 627K Caterpillar or equivalent. One bid received. Moved by Hansen, seconded by Fischbach to award bid, submitted by Butler Machinery Company (only bid received) for one Caterpillar 627K Scraper in amount of \$797,194.00. All members present voting aye. Motion carried.

**BID CROW CREEK DRAINAGE STRUCTURE:**

Moved by Hansen, seconded by Kippley to approve Addendum #1 to the specifications and contract documents for the Crow Creek Drainage Structure Replacement Project. All members present voting aye. Motion carried. Time and place, as advertised to open, read and consider sealed bids for labor and material for replacement of the concrete gate structure on Crow Creek Drainage Ditch. Bids were received from Swingen Construction, Grand Forks ND; B&B Contracting Inc, Aberdeen SD; SFC Civil Constructors, Sioux Falls SD. Moved by Kippley, seconded by Fischbach to refer all bids to Dirk Rogers, Highway Superintendent for review and recommendation. All members present voting aye. Motion carried.

**2016 PROVISIONAL BUDGET HEARING:**

Time and place, as advertised for public hearing on the 2016 Provisional Budget. The following individuals from the public and various departments appeared: Jennifer Gray and Paul Dennert, representing Aspire; Duane Riedl raised questions about the Court Appointed Legal Counsel budget line item; Clay Nelson, Welfare Director questioned decrease of hospital line item for indigents stating several high expense cases are pending and asked for clarification on the alcohol commitment line item. No action will be taken on the Provisional Budget until finalization on September 29, 2015.

**FAIR REPORT:**

Sheila Enderson, Treasurer presented a report, as required by Brown County Ordinances, Title 16, Chapter 16.06.03(5), identifying issues that need to be resolved prior to next year's Fair, to efficiently carry out the responsibilities identified in said Ordinance and thanking Fair President Janet Elsen for her assistance solving ticket problems for Fairgoers. The following are the issues identified in the report that need to be resolved: adequate single rodeo tickets; lanyards tearing tickets; lack of reports from the online ticket sale system; adequate record keeping for sales completed at the Fair Office; duplicate will-call envelopes; ticket inventory control; access to the ticketing system program.

**US BANK PROPOSAL:**

Kae McNeil and Matt Prehn, US Bank Officials offered assistance to the County with assessing the current merchant processes and on-line ticket sales for the Brown County Fair, explaining the best possible solutions that may be considered with the least cost and most effective, fee neutral process that allows for reporting, capacity, convenience, security and consistent rates with what the County is already doing.

**JAIL NURSE DISCUSSION:**

Sheriff Mark Milbrandt, Chief Deputy Tom Schmitt and Tanya Mitchner, Jail/JDC Nurse explained the following solution to address increased medical responsibilities at the Jail and JDC: include blood draws with the on-call nurse duties and use a rotating schedule for the contracted on-call nurses (four) in conjunction with Ms. Mitchner's schedule. Board concurred.

**COMBINING OFFICE REVIEW:**

At this time, the Brown County Commission will not take official action to combine county offices unless requested by the public.

**CDBG SAFE HARBOR:**

Ted Dickey, NECOG presented documents in regard to the CDBG Safe Harbor funding for action and Tina Karst, Safe Harbor thanked the Commission for obtaining the funding for the project. Moved by Kippley, seconded by Fischbach to authorize the Chairman sign Environmental Review Documentation and authorize advertising Form 5 – Combined Notice of Finding of No Significant Impact and Notice of Intent to Request Funds for the Community Development Block Grant Safe Harbor Domestic Violence Shelter Project. All members present voting aye. Motion carried.

**APPLICATION FOR OCCUPANCY:**

Moved by Hansen, seconded by Kippley to approve and authorize the Chairman sign application, submitted by James Valley Telecommunications for occupancy of Brown County Highway #11 in Sec 30-T125N-R61W, Brown County SD to provide telecommunications. All members present voting aye. Motion carried.

**JRWDD LETTER OF REQUEST:**

Moved by Kippley, seconded by Hansen to approve and authorize the Chairman sign letter requesting additional funding from the James River Water Development District for the completion of the Crow Creek Drainage Structure Replacement Project. All members present voting aye. Motion carried.

**EXECUTIVE SESSION:**

Moved by Hansen, seconded by Fjeldheim to go into executive session for consultation with legal counsel, per SDCL 1-25-2(3) with Larry Lovrien and Gary Vetter in attendance. All members present voting aye. Motion carried.

The Chairman declared the executive session closed, with no action taken as a result of the discussion.

**DRAINAGE PROJECT DISCUSSION:**

Bill Edwards presented documentation in regard to a drainage project in a county right-of-way. An application for occupancy will be prepared for presentation to the Commission for consideration at a later date.

**MUSEUM PROJECT:**

The quote submitted by Amber Chubb in amount of \$1,800.00 was accepted for painting decorative squares on the Museum building; rejecting Jim Kersten Painting @ \$2,000.00. Board concurred

**EXECUTIVE SESSION:**

Moved by Hansen, seconded by Fjeldheim to go into executive session for personnel discussion, per SDCL 1-25-2(1) with Larry Lovrien and Gary Vetter in attendance. All members present voting aye. Motion carried.

The Chairman declared the executive session closed, with no action taken as a result of the discussion.

**ADJOURNMENT:**

Moved by Kippley, seconded by Hansen to adjourn the Brown County Commission. All members present voting aye. Motion carried.

Maxine Fischer, Brown County Auditor



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## SEPTEMBER 8, 2015 – GENERAL MEETING

Meeting called to order by Chairman Sutton at 8:45 A.M. in the Commissioner's Chambers, Courthouse Annex, Brown County, SD. Present were Commissioners Hansen, Kippley, Fischbach and Fjeldheim. Chairman Sutton led the Pledge of Allegiance.

### MINUTES:

Moved by Fjeldheim, seconded by Kippley to approve the Joint City/County Meeting Minutes and the General Meeting Minutes of September 1, 2015. All members present voting aye. Motion carried.

### CLAIMS:

Moved by Kippley, seconded by Fischbach to approve the following claims:

**Payroll:** Commission \$3,767.51; Commission Assistant/Human Resources \$4,088.74; Auditor \$7,492.69; Treasurer \$12,683.02; Data Processing \$7,262.38; State's Attorney \$16,127.58; Blood Draws \$650.00; SVAWA Grant \$1,873.94; Maintenance \$6,814.22; Assessor \$13,136.50; Register of Deeds \$8,758.87; Veterans Service Office \$3,563.74; GIS \$2,195.60; Sheriff Admin \$31,477.61; Jail \$33,446.39; Coroner \$0.00; JDC \$15,442.97; HD \$4,662.17; Welfare Office \$3,500.47; Museum \$7,683.74; Parks & Fairgrounds \$6,356.91; Fair Board \$5,420.18; 4-H \$1,113.60; Weed \$4,135.40; Planning and Zoning \$1,586.47; Highway \$51,381.30; Communications \$20,485.41; Emergency Management \$3,767.34; Teen Court \$192.69; 24/7 \$2,890.49; Landfill \$12,180.95; Matching Benefits: FICA \$17,371.76; Medicare \$4,062.75.

**Insurance:** SD Public Assurance Alliance \$549.62.

**Professional Fees:** Stan Adelman \$200.00; Avera Queen of Peace \$59.90; Avera St. Luke's \$850.07; Karin Bartell \$30.00; Better Ride \$150.00; Greg Bohn \$150.00; Joy Braun \$30.00; Ruth Casanova \$30.00; Denise Cody \$15.00; Josh Cribbs \$150.00; DevNet \$3,281.25; Ric Dias \$30.00; Tracy Dice \$30.00; Phyllis Donat \$30.00; Kristi Erickson \$30.00; Express Employment \$1,690.55; Lisa Fedeler \$30.00; Wayne Fischer \$150.00; Susan Gerlach \$30.00; Jeremy Geske \$200.00; Ann Gibbs \$30.00; Carol Green \$30.00; Judy Guleson \$30.00; John Gupman \$150.00; Gweneth Hansen \$30.00; Missy Hanson \$200.00; Carol Hein \$30.00; John Hepola \$30.00; HKG Architects \$38,565.00; Ramon Hurin \$30.00; Duane Jark \$60.00; DaRae Jones \$30.00; Renita Kainz \$30.00; KCH Law \$315.00; Janelle Klapperich \$30.00; Robert Kramer \$150.00; Florence Kraus \$30.00; Lucy Lewno \$144.00; Liberty Tire Recycling \$5,780.53; Long Nines \$200.00; Marilyn Maloney \$30.00; Stephanie Mattson \$30.00; Marissa Mickelson \$30.00; Midstates Printing \$75.00; Emily Munger \$38.27; Darcee Munsterteiger \$30.00; Kathy Novstrup \$30.00; Brett Oelke \$200.00; Ronald Parker \$150.00; Sherry Perrion \$30.00; PRCA \$900.00; Ellen Schlosser \$30.00; Cindy Schnabel \$30.00; SD Dept. of Revenue & Regulation \$664,686.16; SDN Communications \$125.00; Evalyn Smith \$30.00; Diann Steinheuser \$52.07; Karen Swanda \$15.00; Taliaferro Law Firm \$792.00; Amy Weismantel \$30.00; Elsie Wells \$30.00; Jeffrey Wolff \$200.00; Marjorie Zastrow \$30.00.

**Publishing:** Aberdeen American News \$4,697.10; Groton Independent \$643.57; Hub City Radio \$5,550.00; iHeartMedia \$2,500.00; Ingstad Family Media \$1,572.00; Kelo TV \$480.00; KOKK \$2,400.00; MediaUSA \$695.00; Midcontinent \$4,915.00; Midstates Printing \$620.94; KDLO Radio \$3,500.00; SD Magazine \$295.00.

**Rentals:** Builder's Mgmt. \$300.00; Gompf Display \$75.00; GPHC \$330.00; Junior Hammrich \$260.00; NB Golf \$2,124.00.

**Repairs & Maintenance:** Ace Refrigeration \$86.70; B & B Contracting \$23,892.90; Beadle Floral \$3,122.00; Crawford's Trucks & Equip. \$1,125.01; Cunningham Electric \$9,517.34; Dakota Oil \$30.06; Dakota Pump & Control \$504.61; DataSpec \$399.00; G & K Services \$231.96; Hanlon Brothers \$5,463.41; Harr Plumbing & Heating \$3,892.93; HF Jacobs & Son \$4,645.21; Jason's Electric \$139.90; Jebro \$4,131.26; Leidholt Electric \$1,928.48; Nelson Sales & Service \$42.00; PowerPlan \$6,797.41; ProAg Supply \$744.69; Sheehan Mack \$4,517.33; Vosika Fencing \$4,000.00; Weigel Construction \$1,975.60; Woodman Refrigeration \$2,255.97.

**Supplies:** A & B Business \$200.18; Aberdeen Area Radiator \$1,670.00; Aberdeen Asphalt \$63,192.59; Academy Trophy \$332.00; Ameripride \$102.74; Bakken Build Maint. \$500.00; CarQuest \$1,568.85; Cartney Bearing \$53.74; Center Printing Co. \$189.59; CMW Cleaning Service \$959.53; Crawford Trucks & Equip. \$3,029.64; Cunningham Electric \$9,517.35; Dakota Electronics \$1,848.50; DFP \$815.72; Dakota Oil \$5,710.24;

DSG \$2,417.23; DMI \$1,246.48; Farm Power Mfg. \$13.00; Fastenal \$148.52; FedEx \$46.98; Fire Safety First \$325.00; G & K Services \$77.24; Galls \$581.40; Geffdog \$693.16; Grabar Voice & Data \$1,353.00; Graham Tire \$49.00; Great Western Tire \$26,293.22; Hecla Implement \$15.56; HF Jacobs & Son \$2,443.20; House of Glass \$144.56; J Gross Equip. \$37.66; Jebro \$62,420.89; KCH Law \$19.36; Ken's SuperFair Foods \$1,216.77; Kessler's \$46.96; Lucy Lewno \$6.49; Lien Transportation \$1,519.32; Mac's \$3.55; Marco \$204.93; McKesson Medical \$80.18; Menards \$262.99; Meyer's Tractor Salvage \$150.00; Midstates Printing \$2,514.76; Millstone \$67.50; Myer's Enterprises \$1,515.00; Nalco Co. \$611.80; NCFE – Warner Elevator \$11,457.73; Nelson Sales & Service \$16.49; Network Services \$45.26; Pauer Sound \$300.00; Photo-X-Press \$34.31; Pitney Bowes \$126.00; PowerPlan \$1,375.94; Premier Biotech \$576.10; ProAg Supply \$78.00; RDO Equipment \$173.00; Running's \$557.27; Share Corp \$444.00; Sheehan Mack \$9,363.12; Sherwin Williams \$308.65; Taylor Laundry \$108.50; Town & Country Building \$14.50; TrueNorth Steel \$1,400.85.

Travel and Conference: Stan Adelman \$61.45; Karin Bartell \$22.51; Greg Bohn \$45.88; Joy Braun \$15.59; Josh Cribbs \$78.13; Tracy Dice \$104.35; Lisa Fedeler \$96.74; Jeremy Geske \$151.42; Judy Gulleson \$29.50; John Gupman \$111.97; Gweneth Hansen \$26.15; Missy Hanson \$72.62; DaRae Jones \$33.17; Patricia Kendall \$375.00; Robert Kramer \$112.13; Cathy McNickle \$11.00; Mark Milbrant \$286.00; Emily Munger \$8.27; Clay Nelson \$314.80; Brett Oelke \$81.88; Sherry Perrion \$14.19; Kathy Schlecht \$273.80; SDACO \$100.00; Becca Tullar \$311.00; Van Diest Supply Co. \$2,912.05; Aaron Walberg \$265.75; Jeffrey Wolff \$52.29.

Utilities: Aberdeen City Treasurer \$4,519.40; AT & T \$227.94; BDM Rural Water \$30.00; CenturyLink \$258.43; Dependable Sanitation \$165.00; Executive Mgmt. \$94.31; James Valley Telecommunications \$230.60; Midcontinent \$791.24; Northern Electric \$2.18; NVC \$2,550.88; NWPS \$11,910.68; Town of Frederick \$41.00; Web Water \$75.33.

Other: Jana & Keith Hurley \$170.46; Ken Bjur \$25.00; SDACO \$1,264.00; Shootin' Blanks \$150.00. All members present voting aye. Motion carried.

#### PERSONNEL:

Moved by Kippley, seconded by Fjeldheim to approve the following employee step increases, effective Sep 13, 2015: Sara Hagman @ \$15.68 per hour, Matt Heupel @ \$17.30 per hour, Bryan Owens @ \$17.86 per hour, Casey Jensen @ \$17.77 per hour, Kenny Fouts @ \$17.06 per hour. All members present voting aye. Motion carried.

Moved by Kippley, seconded by Hansen to approve hiring Rebecca Hill, effective September 8, 2015 for purpose of prisoner transport. All members present voting aye. Motion carried.

Moved by Kippley, seconded by Fischbach to acknowledge resignation of Katie Goulding and Salesi Mouniga from the Fair Board, effective June 15, 2015. All members present voting aye. Motion carried.

#### LEASE AGREEMENTS:

Moved by Fischbach, seconded by Fjeldheim to approve the following agreements: Butler Machinery for lease of the parking lot south of the Grandstand on September 29, 2015; Polack Bros Circus for lease of the parking lot area south of beef barn (former horse arena area) on September 12-14, 2015. All members present voting aye. Motion carried.

#### AUDITORS REPORT OF ACCOUNT:

Moved by Fjeldheim, seconded by Hansen to approve the August 2015 Auditor's Report of Account with the County Treasurer in total amount of \$15,075,162.19 (total amount of actual cash @ \$3,800.00, US Bank @ \$51,231.09, Dacotah Bank @ \$594,516.68, Petty Cash @ \$2,000.00, Fund Investments @ \$14,423,614.42). All members present voting aye. Motion carried.

#### EM PERFORMANCE GRANT AGREEMENT:

Moved by Hansen, seconded by Kippley to approve and authorize Chairman sign the 2016 Emergency Management Performance Grant Agreement, with SD Office of Emergency Management, acknowledging that

the following documents are incorporated into the terms of the award: 1) SD OEM 2016 SLA Terms and Conditions, 2) FY2016 SLA Work Plan (October 1, 2015 through September 30, 2016).. All members present voting aye. Motion carried.

#### FAIR CONTRACT:

Moved by Fjeldheim, seconded by Kippley to approve and authorize the Chairman sign the following contract for the 2015 Brown County Fair: SD Stockdog Association (sheep dog trial) @ \$2,000.00. All members present voting aye. Motion carried.

#### CONCERNED CITIZEN:

Brown County resident Matt Deilke (Dakota Ink and Toner) met to discuss issues with the on-line ticket sale program reporting for sales tax submission and accounting from reports provided. Mr. Deilke also addressed the billable hours submitted by Paul Sivertsen as contractor for the County's IT department from 2011-2014, questioned the current employee salary for Mr. Sivertsen; questioned lack of contract for providing the on-line ticket program and why program not on the county owned system; ending the presentation with a request for a motion relieving Mr. Sivertsen of his duties. Commissioner Kippley stated she was not ready to make a motion, but will review all of the documentation presented.

#### APPLICATIONS FOR OCCUPANCY:

Moved by Fischbach, seconded by Hansen to approve and authorize the Chairman sign applications, submitted by Northern Electric for occupancy of following: Brown County Hwy #20 in the NW ¼ Sec 2-T127N-R60W; Brown County Hwy #18 in SW ¼ Sec 20-T125N-R61W; Brown County Hwy #18 in NW ¼ Sec 15-T127N-R61W, Brown County, SD to install buried electric utility line. All members present voting aye. Motion carried.

#### BID AWARD – CROW CREEK DRAINAGE PROJECT:

Moved by Hansen, seconded by Fischbach to award bid for the Crow Creek Drainage Structure Replacement Project – after discussion the motion and second were withdrawn for approval next week. Due to Convention, no meeting will be held until Sept 22<sup>nd</sup>, therefore motion reconsidered, as follows: Moved by Fischbach, seconded by Sutton to award bid, submitted by B & B Contracting in amount of \$538,178.82 for labor and material for replacement of the concrete gate structure on Crow Creek Drainage Ditch; rejecting the following: Swingen Construction @ \$866,742.20; SFC Civil Constructors @ \$821,594.33. All members present voting aye. Motion carried.

#### EXECUTIVE SESSION:

Moved by Hansen, seconded by Fjeldheim to go into executive session for personnel discussion, per SDCL 1-25-2(1) with Larry Lovrien and Gary Vetter in attendance. All members present voting aye. Motion carried.

The Chairman declared the executive session closed, with no action taken as a result of the discussion:

The Commission recessed at 9:50 a.m. and reconvened at 10:30 a.m.

#### EXECUTIVE SESSION:

Moved by Hansen, seconded by Kippley to go into executive session to review communications from legal counsel about proposed litigation, per SDCL 25-2-1(3) with Larry Lovrien, Chris Healy, Gary Vetter, Mary Worlie and Maxine Fischer in attendance. All members present voting aye. Motion carried.

The Chairman declared the executive session closed, with the following action taken as a result of the discussion.

#### CENTRALLY ASSESSED VALUATION APPEAL:

Commissioner Fischbach offered the following Resolution:

RESOLUTION #59-15

WHEREAS, any pipeline company owning property in the State is subject to taxation, as authorized by SDCL 10-37-3; and

WHEREAS, the Department of Revenue shall determine the true and actual value of the pipeline property located within each taxing district, as authorized by SDCL 10-37-9; and

WHEREAS, the Department of Revenue shall take into consideration the cost approach, the market approach, the income approach and may take into consideration any other information or data which the department may deem material in arriving at the fair market value; and

WHEREAS, any public taxing district, governmental subdivision, of affected utility feeling aggrieved by the DOR's assessment can appeal, as authorized by SDCL 10-38-30; and

WHEREAS, the Brown County Commission is concerned about how certain centrally assessed property is valued.

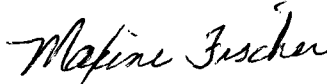
NOW, THEREFORE BE IT RESOLVED, that the Brown County Commission appeal the Centrally Assessed Valuation of NuStar Pipeline Operating Partnership, L.P. property in South Dakota, (including Brown County); and

FURTHER, BE IT RESOLVED, that the Brown County Commission secure the services of Meierhenry Sargent LLP to proceed with the appeal process on a contingent fee basis.

Seconded by Commissioner Hansen. Roll call vote: Commissioners Hansen-aye, Kippley-aye, Fischbach-aye, Fjeldheim-aye, Sutton-aye. Resolution adopted.

ADJOURNMENT:

Moved by Hansen, seconded by Kippley to adjourn the Brown County Commission (no meeting next Tuesday, September 15 due to Commission attendance at the SD Counties Convention). All members present voting aye. Motion carried.

Maxine Fischer, Brown County Auditor 

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SEPTEMBER 22, 2015 - JOINT CITY/COUNTY MEETING

The Brown County Commission and the Aberdeen City Council met in joint session at 8:45 A.M. in the Commissioner's Chambers, Courthouse Annex, Brown County, SD. Present from City were Council Members Campbell, Johnson, Ronayne, Rux and Slight-Hansen. Absent were Council Members Bunsness, Remily, Swanson and Mayor Levsen. Present from County were Commissioners Hansen, Kippley, Fischbach, Fjeldheim and Sutton.

RESOLUTION #15-09-01R/448:

On motion by Campbell, seconded by Johnson, the City unanimously voted to approve Resolution #15-09-01R/448 (County Resolution #60-15).

RESOLUTION TO VACATE PUBLIC RIGHT-OF-WAY:

Commissioner Hansen offered the following Resolution:

RESOLUTION #60-15  
RESOLUTION #15-09-01R/448

RESOLUTION TO VACATE PUBLIC RIGHT OF WAY

BE IT RESOLVED by the Brown County Commission, Aberdeen, South Dakota that the Petition to Vacate the Public Right-of-Way filed by Francis E Brink and Mary Cutler is hereby granted and the public right-of-way is hereby vacated for the following described areas:

The Entire 100' Cul-De-Sac Public Right-Of-Way located 337' North of Eighth Avenue, NE at the North End of Cutler Road (824 Cutler Road)

BE IT FURTHER RESOLVED by the Brown County Commission, Aberdeen, South Dakota that a certified copy of the this Resolution shall be filed for record and duly recorded in the Office of the Register of Deeds in Brown County.

Dated this 22<sup>nd</sup> day of September 2015.

Seconded by Commissioner Fischbach. Roll call vote: Commissioners Hansen-aye, Kippley-aye, Fischbach-aye, Fjeldheim-aye, Sutton-aye. Resolution adopted.

ORDINANCE #15-09-05/449:

On motion by Campbell, seconded by Rux, the City unanimously voted to approve First Reading of Ordinance #15-09-05/449.

Moved by Kippley, seconded by Fjeldheim to approve First Reading of Ordinance #15-09-05/449, An Ordinance to amend Ordinance No. 1164 to rezone the following described property from its present zoning designation of (A-1) Agricultural District to (M-AG) Mini-Agricultural District: Lot 1, P and L Aman Addition in the SE ¼ of Sec 2-T122N-R64W of the 5<sup>th</sup> P.M., Brown County, South Dakota (13659 387<sup>th</sup> Avenue). All members present voting aye. Motion Carried.

The City Council adjourned and the County Commission continued in regular session.

Maxine Fischer, Brown County Auditor

*Maxine Fischer*

Published once at the total approximate cost of \$ \_\_\_\_.

## SEPTEMBER 22, 2015 – GENERAL MEETING

Meeting called to order by Chairman Sutton at 8:45 A.M. in the Commissioner's Chambers, Courthouse Annex, Brown County, SD. Present were Commissioners Hansen, Kippley, Fischbach and Fjeldheim. Commissioner Hansen led the Pledge of Allegiance.

### MINUTES:

Moved by Kippley, seconded by Fischbach to approve the General Meeting Minutes of September 8, 2015. All members present voting aye. Motion carried.

### CLAIMS:

Moved by Hansen, seconded by Fjeldheim to approve the following claims:

Payroll: Commission \$3,767.51; Commission Assistant/Human Resources \$4,088.74; Auditor \$7,501.68; Treasurer \$12,697.20; Data Processing \$7,171.89; State's Attorney \$16,409.05; Blood Draws \$400.00; SVAWA Grant \$1,873.94; Maintenance \$6,667.55; Assessor \$13,136.50; Register of Deeds \$8,774.07; Veterans Service Office \$3,499.78; GIS \$2,195.60; Sheriff Admin \$34,810.73; Jail \$35,518.93; Coroner \$1,350.00; JDC \$17,118.25; HD \$4,762.24; Welfare Office \$3,500.47; Museum \$7,683.74; Parks & Fairgrounds \$5,264.04; Fair Board \$2,568.95; 4-H \$1,148.40; Weed \$3,629.39; Planning and Zoning \$1,586.47; Highway \$50,106.86; Communications \$22,770.00; Emergency Management \$3,767.34; Teen Court \$141.57; 24/7 \$2,953.20; Landfill \$12,559.60

Matching Benefits: FICA \$17,712.78; Medicare \$4,142.48; Life \$674.31; Dental \$6,609.60; Health Insurance \$96,185.34; Retirement \$34,958.17.

Insurance: Avera Health Plans \$259.92.

Professional Fees: Aberdeen Rural Fire Protection \$1,500.00; Amanda Suedmeier \$293.00; AMG University Psychiatry Assoc. \$4,104.16; Avera St. Luke's \$2,052.52; Phil Baker \$400.00; Barron Co. COC \$6.25; Bonn Express \$20.00; Mary Campbell \$30.00; Denise Cody \$37.50; CCB \$1,960.86; Davenport Evans Lawyers - Sanford Health \$8,947.41; Dr Patrick Miller \$20.00; Becky Erickson \$30.00; Faulk Co. S.O. \$180.00; Fox & Youngberg \$382.50; Gellhaus & Gellhaus \$80.00; William Gerdes \$6,287.50; Kristen Gonsoir \$185.00; Helms & Assoc. \$982.25; Hennepin Co. S.O. \$70.00; Johnson Co. S.O. \$12.30; Mark Katterhagen \$15.00; Maeve King \$30.00; SD Dept. of Revenue \$5,914.74; US Bank \$476.91; Kyburz Carlson Const. \$100.00; LBG \$6,068.96; Lewis and Clark BHS \$640.00; Lucy Lewno \$364.50; LexisNexis \$59.70; Luana Wessel \$31.76; Lutheran Social Services \$5,541.32; Michelle Schumacher \$20.00; Mikelson Law Office \$724.50; Muth Electric \$16,407.00; NE Mental Health \$2,184.00; Jerry Pollard \$45.00; Pollard Law \$202.50; Richard Squire \$20.00; Cole Rupprecht \$150.00; Mysty Schaunaman \$200.00; Schneider Corp \$2,265.00; State of SD \$1,164.07; SDN \$1,980.00; Tammy Stolle \$14.40; Karen Swanda \$22.50; David Valandra \$360.00; Yankton Co Sheriff \$525.00; Yankton Co Treasurer \$405.50; Sara Zahn \$37.40.

Publishing: Aberdeen American News \$3,596.92; Dakota Broadcasting \$1,400.00; Dakota Radio Group \$1,550.00; Hub City Radio \$500.00; KSFY \$2,570.00; KSJB \$2,520.00; Midcontinent Communication \$10,097.00; Teton Times \$14.48.

Rentals: Black Acre, LLC \$300.00; Danne \$336.00; Chris Hemen \$155.00; Lift Pro Equipment \$250.00; Robert Schatz \$300.00; Sewer Duck \$7,500.00.

Repairs & Maintenance: 446-Praxair \$28.28; A & B Business \$29.99; A-1 Sanitation \$193.00; Aberdeen Plumbing & Heating \$2,661.64; Auto Glass Solutions \$578.52; Amber Chubbs \$1,800.00; Farm Power \$1,574.50; Fastenal \$26.03; GCR Tires \$958.04; Graham Tire \$667.94; Jebro \$862.50; Kane Logistics \$4,800.00; US Bank \$2,173.03; Leidholt Electric \$117.07; Lien Trans. \$465,306.96; Daniel Jose Meta \$423.00; OBD \$1,867.83; Pierson Ford \$48.20; Titan 98.52; Schmidt Const. \$9,081.56; Service Sign and Sales \$823.98; Sheehan Mack Sales \$12,709.82; Steven Lust \$277.50; Thee Glass Doktor \$75.60; Safety Service \$443.55.

Supplies: Ada Co. COC \$5.00; Callie Aamot \$20.88; Candice Aamot \$27.84; Achen Swiss Farms \$531.50; Al-Shar Holsteins \$746.50; Peyton Bischoff \$197.16; Bruce Hoffman Family \$73.50; Nikki Butzman \$219.50; George Dennert \$28.48; Dosch's TMD Katahdins \$185.50; Double A Ranch \$87.50; Nalea Dunsmore \$29.50; Swayzee Dunsmore \$59.00; Logan Ellingson \$28.48; Brianna Erdmann \$24.72; Tessa Erdmann \$297.40;

Kendyl Fischer \$7.64; Faith Fliehs \$112.52; Mikayla Forsting \$58.20; Frey-View Dairy \$90.00; Izzy Friedt \$13.12; Fritz Bruckner Montadale \$153.00; Lindsey Galbreath \$38.20; Jamie Geyer \$28.48; Kaitlin Geyer \$994.68; Tavie Guzman \$178.10; Jordan Hamann \$16.48; Hailey Hanson \$16.48; Harmony Farms \$6.00; Karen Harr \$16.24; Chance Hassebrook \$28.50; Trinatee Hassebrook \$28.50; Jessica Hauger \$355.56; Jace Haven \$5.90; Jarret Haven \$29.50; Debra Heiden \$30.16; Bailey Heinrich \$21.36; Sydney Hofer \$23.60; Sydney Holmes \$21.36; Jan Houghtaling \$405.00; Spencer Hovde \$14.24; Jakober Limousin \$125.00; Storm Johnsen \$28.48; Sydney Johnson \$42.72; DeLayne Jones \$17.70; Jayla Jones \$48.26; MaKayla Jones \$108.76; Sterling Kappes \$478.48; Savannah Kessler \$92.66; Sierra Kessler \$22.92; Whyatt Kessler \$22.92; Scott Kilber \$114.00; Lane Krueger \$185.48; MacLane Letherman \$18.00; Madison Letherman \$36.00; Miles Maas \$154.60; Megan Malsam \$50.00; Tate McGraw \$11.80; Taylor McGraw \$5.90; Tye McGraw \$23.60; Lindsey Mehlberg \$5.90; Reece Meohlenbrink \$120.00; Garrett Mertens \$76.40; Tanner Mertens \$53.48; Cutler Michalski \$16.48; Kasey Michalski \$33.72; Miller Livestock \$18.00; Kendra Myers \$52.42; Kylee Myers \$35.40; Sawyer Naasz \$44.96; Clay Osterday \$89.92; Lexi Osterman \$67.46; Steven Paulson \$28.50; Blake Peskey \$45.92; Abby Pyle \$30.56; Qres Southdowns \$70.00; Austin Rawden \$86.26; Charlie Rawden \$63.88; RCA Valley Angus \$64.08; Lydia Reidburn \$47.20; Glenn Ringgenberg \$270.00; Kaitlyn Ringgenberg \$28.84; Logan Ringgenberg \$105.56; Haley Ringkob \$21.36; Justin Ringkob \$28.48; Morgan Rozell \$8.24; Adrienne Schaunaman \$29.00; Cora Schaunaman \$57.32; Cutler Schaunaman \$7.12; Dylan Schaunaman \$39.40; Karly Schaunaman \$778.84; Kelcy Schaunaman \$44.96; Mitchell Schmidt \$44.96; Nicollette Schmidt \$46.08; Lacey Schmitz \$62.92; Lyndsey Schmitz \$361.12; Schnabel Ranch \$49.84; Kyleigh Schopp \$29.50; Brittany Schroeder \$16.24; Shady Lane Farms \$49.00; Daniel Sharp \$36.00; Isaiah Sharp \$14.80; Jessemy Sharp \$16.50; Travis Sharp \$76.10; Taryn Sinkie \$21.36; Tyra Sinkie \$21.36; Brooke Skoglund \$318.96; Trey Skoglund \$71.76; Letitia Smith \$140.78; Brody Sombke \$281.50; Kierston Sombke \$21.00; Sombke/Stange \$21.00; Ashlyn Sperry \$11.80; Owen Sperry \$17.70; Spring Valley Reds \$295.00; Alexandra Stange \$13.50; Jameson Stange \$10.00; Kayde Stange \$57.98; Kyle/Denae Stern \$220.00; Hanna Sumption \$7.64; Jonathan Sumption \$7.64; Hannah Toennies \$18.56; Myra Toennies \$18.56; Tollefson's Woolie Acres \$47.00; Cassandra Townsend \$55.56; Travis Townsend \$17.70; Glenn Treftz \$265.00; Collin VanderWal \$44.96; Dallis VanderWal \$16.48; Katie VanderWal \$7.64; Lane VanderWal \$22.48; Mitchell VanderWal \$28.48; Riley VanderWal \$38.20; Saide VanderWal \$16.48; Elizabeth Wanous \$16.48; Wasland Family \$28.48; Natasha Wells \$9.28; Carly Wheeting \$399.48; Ron Wolff \$304.00; Madalyn Wright \$86.44; Trey Wright \$51.50; 446-Praxair \$547.26; A & B Business \$129.38; Ameripride \$186.64; Best Business Products \$176.80; Bonnie Bitz \$192.00; Cash-Wa \$4,275.53; Century Business Products \$245.99; City of Groton \$4,062.00; Crescent Electric \$259.54; DPM \$43.85; Dakota Electronics \$530.75; DSG \$465.04; Dean Foods \$515.34; Cara Dennert \$62.19; Domino's \$139.09; DT Pharmacy \$2,655.88; Earthgrains \$783.91; Equipment Blades \$2,394.64; Farm Power \$89.45; Fire Safety First \$105.00; GCR Tires \$663.11; Geffdog \$702.89; Marilyn Gibbs \$67.76; GovConnection \$291.96; H-O-H Water Technology \$721.80; Hardin's Photography \$128.26; Jeremy Hollcomb \$250.00; Ken's \$5,155.51; Kessler's \$147.07; Kuck Law Office \$28.80; US Bank \$8,047.19; Lucy Lewno \$19.47; Mac's \$7.54; Marco \$229.97; Daniel Jose Meta \$104.03; Matthew Bender and Co \$225.74; Menards \$100.51; Midstates \$45.00; Midwest Pump and Tank \$447.07; Mikelson Law Office \$21.89; NADA \$294.00; NCFE- Warner \$2,714.36; Nelson Sales \$6.60; Network Services \$3,289.68; Newman Signs \$1,277.10; North Star Energy \$58.10; Pauer Sound \$600.00; Pierson Ford \$154.17; Kurt Pigors \$100.00; Pizza Ranch \$660.35; Pollard Law \$6.00; Pro Ag \$24.15; Titan \$1,136.97; Rhodes Anderson Ins \$30.00; Runnings \$1,647.44; SD Continuing Legal Ed \$500.00; SD Sec of State \$30.00; Sewer Duck \$225.00; Share Corp \$120.00; Steven Lust \$241.04; Thee Glass Doktor \$133.25; United Clinic Pharmacy \$20.99; Van Diest Supply \$3,145.45; Safety Service \$35.80; Web Water \$88.00; West Payment Center \$3,134.82.

Travel and Conference: Scott Bader \$873.50; Brian Bahr \$100.00; Stan Beckler \$24.44; Best Western - Aberdeen \$8,632.09; Best Western - Pierre \$845.91; Darwin Bettman \$15.24; Brown Co. Treasurer \$59.59; ClubHouse Hotel \$1,692.00; Sheila Enderson \$180.92; Maxine Fischer \$178.89; Fox & Youngberg \$14.64; Lynn Heupel \$164.22; Roxy Hilgenberg \$126.90; IAFE \$150.00; Patrick Keatts \$45.48; Marianne Marttila-Klipfel \$315.84; Dale Kurth \$150.04; US Bank \$1,166.98; Cathy McNickle \$6.00; Cindy Meyer \$11.00; David North \$105.48; Cole Rupprecht \$77.34; Carol Sherman \$161.52; Jerome Streckfuss \$46.64; Patricia VanMeter \$11.00.

Utilities: Aberdeen City Treasurer \$7,066.72; CenturyLink \$1,103.50; City of Hecla \$105.75; Dependable Sanitation \$25,478.12; Northern Electric \$1,117.22; NWPS \$27,766.27; US Bank \$1,142.42; North Star Energy \$610.14; NVC \$741.07; Verizon \$200.05.

Other: JRWD \$1,238.22; Lauren Witte \$105.00; Safe Harbor \$3,173.36. All members present voting aye. Motion carried.

#### PERSONNEL:

Moved by Fischbach, seconded by Kippley to approve the following employee step increases, effective Sep 27, 2015: Jessica Rychlik @ \$14.91 per hour; Dennis VanHeerde @ \$17.31 per hour; Catherina McNickle @ \$14.44 per hour. All members present voting aye. Motion carried.

Moved by Hansen, seconded by Fischbach to approve combining two part-time positions into one full-time position at the JDC (bringing totals to 9 full-time and 5 part-time). All members present voting aye. Motion carried.

Moved by Kippley, seconded by Fjeldheim to approve employee status change for Jail Corrections Officer Brandon Mills from Step 1 @ \$14.88 per hour to Step 4 @ \$15.88 per hour, effective September 27, 2015. All members present voting aye. Motion carried.

Moved by Fischbach, seconded by Fjeldheim to approve hiring Rachel Wilson, effective September 16, 2015 as a part-time Home Detention Officer at \$13.37 per hour. All members present voting aye. Motion carried.

Moved by Kippley, seconded by Fischbach to acknowledge payroll audit conducted on the following pay period: April 26 – May 9, 2015. All members present voting aye. Motion carried.

Moved by Kippley, seconded by Fjeldheim to acknowledge the following miles driven and amount to be taxed for personal use of County vehicles during the month of August 2015: Kendell Titze – 126 @ \$72.45, Michael Scott – 200 @ \$115.00, Gary Vetter – 127 @ \$73.03, Dirk Rogers – 741 @ \$426.08. All members present voting aye. Motion carried.

Moved by Fjeldheim, seconded by Kippley to acknowledge resignation of Lynnsey Briese from the Fair Board, effective September 15, 2015. All members present voting aye. Motion carried.

Moved by Fjeldheim, seconded by Kippley to acknowledge resignation of Mike Rohrbach (Brown County Weed & Pest Supervisor/Highway Employee), effective October 2, 2015. All members present voting aye. Motion carried.

#### LEASE AGREEMENTS:

Moved by Kippley, seconded by Fjeldheim to approve the following agreements: Aberdeen Humane Society for lease of the Club House on September 26-27, 2015; RDO Equipment for lease of the Expo Building on September 21-22, 2015. All members present voting aye. Motion carried.

#### SHERIFF REPORTS:

Moved by Fjeldheim, seconded by Hansen to approve the following August 2015 Sheriff Reports: Incidents and offenses, Prisoner care, JDC, and Money deposited with the County Treasurer. All members present voting aye. Motion carried.

#### CROW CREEK DRAINAGE PROJECT:

Moved by Hansen, seconded by Fischbach to approve and authorize the Chairman sign Notice of Award, Agreement and Notice to Proceed for bid, submitted by B & B Contracting for labor and material for



replacement of the concrete gate structure on Crow Creek Drainage Ditch. All members present voting aye. Motion carried.

**PLATS:**

Commissioner Hansen offered the following Resolution:

**RESOLUTION #61-15**

BE IT RESOLVED by the Board of County Commissioners of Brown County, SD, that the plat showing "Kiesz-Adams Subdivision in the SE ¼ of the SW ¼ of Sec 14-T124N-R64W of the 5<sup>th</sup> P.M.", having been examined, is hereby approved in accordance with the provisions of SDCL 11-3, and any amendments thereof.

Seconded by Commissioner Fischbach. Roll call vote: Commissioners Hansen-aye, Kippley-aye, Fischbach-aye, Fjeldheim-aye, Sutton-aye. Resolution adopted.

Commissioner Hansen offered the following Resolution:

**RESOLUTION #62-15**

BE IT RESOLVED by the Board of County Commissioners of Brown County, SD, that the plat showing "Steve Weismantel Second Subdivision in the SE ¼ of the NE ¼ of Sec 18-T124N-R62W of the 5<sup>th</sup> P.M., Brown County, SD", having been examined, is hereby approved in accordance with the provisions of SDCL 11-3, and any amendments thereof.

Seconded by Commissioner Fischbach. Roll call vote: Commissioners Hansen-aye, Kippley-aye, Fischbach-aye, Fjeldheim-aye, Sutton-aye. Resolution adopted.

Commissioner Hansen offered the following Resolution:

**RESOLUTION #63-15**

BE IT RESOLVED by the County Commission of Brown County, SD, that the plat showing "R & G Howell Outlot A in SE ¼ Sec 15-T124N-R63W of the 5<sup>th</sup> P.M., Brown County, SD", having been examined, is hereby approved in accordance with the provisions of SDCL 1967, Chapter 11-3, and any amendments thereof.

Seconded by Commissioner Fischbach. Roll call vote: Commissioners Hansen-aye, Kippley-aye, Fischbach-aye, Fjeldheim-aye, Sutton-aye. Resolution adopted.

**ATTORNEY CONTRACT REQUEST FOR PROPOSALS:**

Time and place, as advertised to open, read and consider Requests for Proposals to provide indigent defense services. One proposal received in amount of \$500,000.00 for 2016, plus \$20,000 administrative fee. Moved by Fischbach, seconded by Hansen to refer action to a later date to allow time for review. All members present voting aye. Motion carried.

**ORD 096 – FIRST READING:**

Moved by Kippley, seconded by Fjeldheim to approve First Reading of Ordinance #096, An Ordinance to amend Title 4 – Zoning, Second Revision Brown County Ordinances, to rezone the following described property from its present zoning designation of Chapter 4.06 (AG-P) Agricultural Preservation District to Chapter 4.10 (R3) Lake Front District: Lots 1 and 2, RO-JU-OS Park Second Subdivision in the SE ¼ of Sec 8-T128N-R65W of the 5<sup>th</sup> P.M., Brown County, SD (10188 and 10192 RO-JU-OS Place). All members present voting aye. Motion carried.

**EXECUTIVE SESSION:**

Moved by Hansen, seconded by Fischbach to go into executive session for personnel discussion, per SDCL 1-25-2(1) and to consult with legal counsel, per SDCL 25-2-1(3) with Larry Lovrien and Gary Vetter in attendance. All members present voting aye. Motion carried.

The Chairman declared the executive session closed, with the following action taken as a result of the discussion.

**INVESTIGATOR HIRED:**

Moved by Kippley, seconded by Hansen to hire investigator for a personnel matter. All members present voting aye. Motion carried.

**AUDIT ENTRANCE CONFERENCE:**

Bruce Hintz, SD Department of Legislative Audits met with the Commission for Entrance Conference for the Audit being conducted for fiscal year 2014.

**CENTENNIAL VILLAGE REPORT:**

Markcus Selzler, Sr and Markcus Selzler, Jr met to discuss wagon to be removed at a later date and reported \$11,554.35 was deposited with the County Treasurer, as stipulated in the agreement.

**ASSIGNED FUND BALANCE:**

Moved by Hansen, seconded by Fjeldheim to designate the \$11,554.35 revenue generated at Centennial Village during the 2015 Brown County Fair as assigned fund balance to finance current and future maintenance and improvements at Centennial Village, as per the agreement. Roll call vote: Commissioners Hansen-aye, Kippley-nay, Fischbach-aye, Fjeldheim-aye, Sutton-nay. Motion carried.

**CONCERNED CITIZEN:**

Area citizen Pat Moore expressed concerns about tax dollar expenditures in the IT Department and his personal information on a non-county owned server. Chairman Sutton explained the server was used for the fair ticket sales program. Mr. Moore thanked the Commission for their time and verification that personal information was not on a non-county owned server.

**EXECUTIVE SESSION:**

Moved by Kippley, seconded by Fischbach to go into executive session for personnel discussion, per SDCL 1-25-2(1) with Larry Lovrien, Gary Vetter, Carol Sherman and Andrea Sjomeling in attendance. All members present voting aye. Motion carried.

The Chairman declared the executive session closed, with the following action taken as a result of the discussion.

**EMPLOYEE AUTHORIZED:**

Moved by Fischbach, seconded by Hansen to authorize Carol Sherman, Register of Deeds, advertise for a full-time Step 1 Clerical position (\$13.65 per hour). All members present voting aye. Motion carried.

**APPLICATION FOR OCCUPANCY:**

Moved by Kippley, seconded by Hansen to approve and authorize the Chairman sign application, submitted by Northern Electric for occupancy of Brown County Hwy #14 in the NE ¼ Sec 16-T123N-R63W, Brown County, SD to install buried electric utility line. All members present voting aye. Motion carried.

**APPLICATION FOR OCCUPANCY DENIED:**

Moved by Kippley to approve application, submitted by Bill Edwards for occupancy of road right-of-way in Ordway Township, with stipulation that the Highway Superintendent monitor and no water flows north due to pumps. Motion died for lack of a second.

Moved by Fischbach, seconded by Hansen to deny application, submitted by Bill Edwards for occupancy of road right-of-way in Ordway Township. Roll call vote: Commissioners Hansen-aye, Kippley-nay, Fischbach-aye, Fjeldheim-aye, Sutton-aye. Motion carried.

#### HIGHWAY UPDATE:

Dirk Rogers, Highway Superintendent stated load limits will remain posted on the section of 8<sup>th</sup> Ave NE north of SD Wheat Growers; and informed the Commission that the State has proposed a stop light at the intersection of Brown County Highway #14 and US Highway #12 be installed in the future.

#### COMMISSION ASSISTANT INFO:

Gary Vetter, Commission Assistant advised the Commission that the meeting format for NECOG has changed.

#### PETITION TO VACATE:

Moved by Fischbach, seconded by Fjeldheim to approve and authorize the Chairman sign Petition to Vacate Public Right-of-Way, as owner to be presented to the Joint Planning Commission for review and recommendation on property located at the SW corner of Hwy 281 and Hwy 12 intersection (602 Hwy 281 S). All members present voting aye. Motion carried.

#### EXECUTIVE SESSION:

Moved by Hansen, seconded by Fjeldheim to go into executive session for personnel discussion, per SDCL 1-25-2(1) with Larry Lovrien and Gary Vetter in attendance. All members present voting aye. Motion carried.

The Chairman declared the executive session closed, with no action taken as a result of the discussion.

#### ADJOURNMENT:

Moved by Fischbach, seconded by Fjeldheim to adjourn the Brown County Commission. All members present voting aye. Motion carried.

Maxine Fischer, Brown County Auditor *Maxine Fischer*

Published once at the total approximate cost of \$ \_\_\_\_.

## SEPTEMBER 29, 2015 - JOINT CITY/COUNTY MEETING

The Brown County Commission and the Aberdeen City Council met in joint session at 8:45 A.M. in the Commissioner's Chambers, Courthouse Annex, Brown County, SD. Present from City were Council Members Bunsness, Campbell, Ronayne, Rux and Swanson. Absent were Council Members Johnson, Remily, Slaughter-Hansen and Mayor Levsen. Present from County were Commissioners Hansen, Kippley, Fischbach, Fjeldheim and Sutton.

## ORDINANCE #15-09-05/449:

On motion by Bunsness, seconded by Campbell, the City unanimously voted to adopt Ordinance #15-09-05/449.

Moved by Fischbach, seconded by Fjeldheim to adopt Ordinance #15-09-05/449, An Ordinance to amend Ordinance No. 1164 to rezone the following described property from its present zoning designation of (A-1) Agricultural District and (M-AG) Mini-Agricultural District to (M-AG) Mini-Agricultural District: Lot 1, P and L Aman Addition in the SE ¼ of Sec 2-T122N-R64W of the 5<sup>th</sup> P.M., Brown County, South Dakota (13659 387<sup>th</sup> Avenue). Roll call vote: Commissioners Hansen-aye, Kippley-aye, Fischbach-aye, Fjeldheim-aye, Sutton-aye. Ordinance adopted.

The City Council adjourned and the County Commission continued in regular session.

Maxine Fischer, Brown County Auditor *Maxine Fischer*

Published once at the total approximate cost of \$\_\_\_\_\_.

## SEPTEMBER 29, 2015 – GENERAL MEETING

Meeting called to order by Chairman Sutton at 8:45 A.M. in the Commissioner's Chambers, Courthouse Annex, Brown County, SD. Present were Commissioners Hansen, Kippley, Fischbach and Fjeldheim. Chairman Sutton led the Pledge of Allegiance.

### MINUTES:

Moved by Kippley, seconded by Hansen to approve the Joint City/County Meeting Minutes of September 22, 2015 and the General Meeting Minutes of September 22, 2015, with correction of township from Ordway to Franklyn in denial of Application for Occupancy action. All members present voting aye. Motion carried.

### CLAIMS:

Moved by Hansen, seconded by Fischbach to approve the following claims:

Professional Fees: Adam Altman \$4,444.45; Avera St. Luke's \$1,907.52; Denise Cody \$15.00; Dean Schafer Court Reporting \$192.00; Christopher Dohrer \$5,069.45; Fox & Youngberg \$900.00; James & Larson Law \$211.50; KCH Law \$126.00; Kuck Law Office \$4,444.45; Language Line Services \$306.74; Lucy Lewno \$144.00; Lincoln Co. Treasurer \$106.25; Richardson, Wyly, Wise, Sauck & Hieb \$4,444.45; Ronayne Law Office \$4,444.45; Christy Serr \$5,069.45; SHRM – Society for Human Resources \$190.00; Kristi Spitzer \$1,159.00; Karen Swanda \$15.00; Yankton Co. Sheriff Office \$50.00.

Publishing: Aberdeen American News \$211.08; Dakota Press \$5,466.86; Dex Media \$63.12; Groton Independent \$401.85.

Rentals: Gilbert Davis \$260.00; Larson Rentals \$150.00.

Repairs & Maintenance: Aberdeen Asphalt \$321,081.86; Aberdeen Plumbing \$1,219.34; Eugene Dennert \$895.00; Walth Safety Service \$253.85.

Supplies: 446-Praxair \$57.00; Brite Computers \$82.00; DPM Mercantile \$33.45; Fire Safety First \$22.15; Fox & Youngberg \$29.28; Galls \$318.60; Gardner Locksmithing \$50.00; Harr Motors \$110.00; Hoven Auto Repair \$87.72; James & Larson Law \$10.75; Jarman's Water System \$47.40; KCH Law \$4.59; Lucy Lewno \$6.49; Lien Transportation \$226,888.20; Marco \$353.72; NADA Used Car Book \$105.00; NCFE \$19,712.34; Pitney Bowes \$5,045.00; SD SOS \$30.00; Sherwin Williams \$119.00; Van Diest Supply \$7,853.52; Vision Business Products \$537.10.

Travel and Conference: Assn of SD Museums \$75.00; C. Scott Bader \$182.40; City of Groton \$121.73; Exec. Mgmt. \$2,268.50; Doug Fjeldheim \$168.84; Aaron Gasser \$450.15; Nancy Hansen \$139.51; Derek Jangula \$449.33; Patricia Kendall \$186.12; Leo Leshner \$345.45; Gene Loeschke \$248.16; Cathy McNickle \$24.66; Rachel Kippley \$238.14; Duane Sutton \$136.50.

Utilities: AT & T Mobility \$153.18; CenturyLink \$2,561.17; Montana Dakota Utilities \$20.88; NWPS \$1,983.31; Verizon \$4,849.77.

Other: Pizza Ranch \$57.46. All members present voting aye. Motion carried.

### PERSONNEL:

Moved by Hansen, seconded by Kippley to acknowledge resignation of Ashley Bennett from the Fair Board, effective September 17, 2015. All members present voting aye. Motion carried.

Moved by Fischbach, seconded by Hansen to authorize advertising to fill Weed & Pest Supervisor position vacancy. All members present voting aye. Motion carried.

Moved by Hansen, seconded by Fjeldheim to accept resignation of Carol Wolf (Sheriff Department), effective October 23, 2015 and approve request to fill vacancy. All members present voting aye. Motion carried.

Moved by Hansen, seconded by Fjeldheim to approve hiring Clifford Rhodes as Welfare Director, effective October 5, 2015 at annual pro-rated salary of \$50,000.00. All members present voting aye. Motion carried.

Moved by Fischbach, seconded by Hansen to authorize advertising to fill Teen Court Coordinator position vacancy. All members present voting aye. Motion carried.

Moved by Kippley, seconded by Fjeldheim to approve hiring Derek Ricci as Fair Manager, effective October 12, 2015 at annual pro-rated salary of \$43,750.00. All members present voting aye. Motion carried.

#### RELIEF LIEN:

Commissioner Hansen offered the following Resolution:

#### RESOLUTION #64-15

WHEREAS, Brown County has filed a Relief Lien in total amount of \$1,466.40, and

WHEREAS, Brown County has determined it to be in the best interest of the taxpayers to release certain property from the effect of said lien. The individual's indebtedness to the County shall remain in effect until paid and will attach to other property owned by the debtor.

NOW, THEREFORE BE IT RESOLVED that the following real property, described as follows:

The East 75 feet of Lots 636, 637 and 638, Morning Heights Subdivision of the North Half of Sec 19, Township 123 North, Range 63 West of the Fifth P.M., according to the plat thereof, of record, Brown County, South Dakota

is hereby released from the effect and force of said lien. The individual's indebtedness to the County shall remain in effect until paid and will attach to other property owned by the debtor.

Dated this 24<sup>th</sup> day of September 2015

Seconded by Commissioner Fjeldheim. Roll call vote: Commissioners Hansen-aye, Kippley-aye, Fischbach-aye, Fjeldheim-aye, Sutton-aye. Resolution adopted.

#### POLICY MANUAL AMENDMENT:

Moved by Hansen, seconded by Fjeldheim to amend C-9) Overtime and Exemptions. Vacation, sick, and holiday used on normally scheduled work days will be counted as time worked when calculating overtime for Sheriff Field Deputies, Jail/JDC/HD Correctional Officers and Communications Center Dispatchers only. All other Employee's vacation, sick leave, and Holiday benefit cannot be used to extend the length of a normal work day or incur overtime, effective September 29, 2015. All members present voting aye. Motion carried.

#### FAIR CONTRACT:

Moved by Fischbach, seconded by Fjeldheim to approve and authorize the Chairman sign the following contract for the 2015 Brown County Fair: NVC (tent sponsorship) @ recognition in all ads. All members present voting aye. Motion carried.

#### CAPITAL ACCUMULATION:

Commissioner Kippley offered the following Resolution:

#### RESOLUTION #65-15

WHEREAS, the Resolution #67-09 was adopted on October 6, 2009 in regard to the accumulation of funds for capital outlay purposes for the completion of Phase III at the Brown County Jail (remodel kitchen, control room, install elevator, excavate old garage and floor system), and

WHEREAS, when Resolution #67-09 was adopted SDCL 7-21-51 authorizing the accumulation of funds for capital outlay purposes read "The funds to be accumulated shall be expended within sixty months from the date of the resolution", and

WHEREAS, SDCL 7-21-51 was amended by the 2008 Legislature, as follows "The funds to be accumulated shall be expended within eighty-four months from the date of the resolution".

NOW, THEREFORE BE IT RESOLVED that Resolution #67-09 be amended in compliance with SDCL 7-21-51, as follows: "that a maximum of \$1,000,000.00 shall be accumulated over a period not exceeding seven years for the completion of Phase III at the Brown County Jail (removal kitchen, control room, install elevator, excavate old garage and floor system).

Dated this 29<sup>th</sup> day of September 2015.

Seconded by Commissioner Fischbach. Roll call vote: Commissioners Hansen-aye, Kippley-aye, Fischbach-aye, Fjeldheim-aye, Sutton-aye. Resolution adopted.

#### TAX DEED SALE:

Moved by Fjeldheim, seconded by Hansen to authorize the Chairman sign Warranty Deed to Patricia J Mehlhaff, a married person for tax deed property sold at public auction on August 21, 2015. All members present voting aye. Motion carried.

#### QUOTE SEWER LINE:

Moved by Fischbach, seconded by Hansen to accept low quote, submitted by Dahme Construction Co, Inc in amount of \$20,736.00 for labor and material to replace the sanitary sewer service from the main in First Ave SE to the west side of the Jail Complex (approximately 90'); rejecting the following: B&B Contracting @ \$25,584.74, Schmidt Construction and Jacobs Construction did not submit quotes. All members present voting aye. Motion carried.

#### ORD 096:

Moved by Kippley, seconded by Fischbach to adopt Ordinance #096, An Ordinance to amend Title 4 – Zoning, Second Revision Brown County Ordinances, to rezone the following described property from its present zoning designation of Chapter 4.06 (AG-P) Agricultural Preservation District to Chapter 4.10 (R3) Lake Front District: Lots 1 and 2, RO-JU-OS Park Second Subdivision in the SE ¼ of Sec 8-T128N-R65W of the 5<sup>th</sup> P.M., Brown County, SD (10188 and 10192 RO-JU-OS Place). Roll call vote: Commissioners Hansen-aye, Kippley-aye, Fischbach-aye, Fjeldheim-aye, Sutton-aye. Ordinance adopted.

#### EXPENSE POLICY AMENDMENT:

Moved by Hansen, seconded by Fjeldheim to amend the Mileage Rate in the January 6, 2015 minutes, as amended June 9, 2015, as follows: Mileage Rate, effective October 1, 2015: Reimbursement for use of personal vehicle for County business, as follows: All county employees and officials, except the sheriff shall be paid for traveling expenses for each mile traveled in the discharge of their official duties at 47 cents per mile. Miles to be determined by the assistance of Map Quest or similar web site; Odometer readings required for all destinations not available on web site; Odometer reading only required once to establish routine destination routes, i.e. per diem for board members. All members present voting aye. Motion carried.

#### SOFTWARE UPDATE:

Paul Sivertsen, IT Manager shared preliminary plans for the purchase of software for a countywide document management system, with proposed implementation at the States Attorney's Office by January 1. The document management system will be explained to all involved and opened for discussion at the next Department Head Meeting.

#### CROW CREEK DITCH UPDATE:

Brown County resident Roger Schuller thanked the Commission for taking action to replace the Crow Creek gates on the James River. The landowners adjacent to the Crow Creek Ditch plan to have controlled burns in the slow area when conditions are acceptable to prevent wild fires in the future. Mr. Schuller distributed pertinent historical information published in the 1940's in regard to the Crow Creek Ditch.

#### EXECUTIVE SESSION:

Moved by Hansen, seconded by Kippley to go into executive session for personnel discussion, per SDCL 1-25-2(1) and to consult with legal counsel, per SDCL 25-2-1(3) with Larry Lovrien and Gary Vetter in attendance. All members present voting aye. Motion carried.

The Chairman declared the executive session closed, with no action taken as a result of the discussion.

#### 2016 PROVISIONAL BUDGET AMENDMENTS:

Moved by Kippley to remove the new part-time investigator position from the 2016 Provisional Budget. Motion died for lack of a second.

Moved by Fischbach, seconded by Hansen to amend the 2016 Provisional Budget line items, as follows:

Governmental Funds: Board of County Commissioners from 446,156 to 316,632; Human Resources from 0 to 129,524; Aspire from 8,400 to 8,600; Dakotabilities from 200 to 0; Fair Board from 1,181,896 to 1,000,000; Operating Transfer Out from 6,065,438 to 4,757,938; Cash applied from \$4,495,034 to \$2,876,036; Current Property Tax Levy from \$13,452,355 to \$13,454,751; Charges for Goods & Services from 2,132,157 to 2,189,657; Other Financing Sources from 1,467,000 to 1,432,000; Less 5% from \$1,118,092 to \$1,038,387; Total Means of Finance /Total Appropriations from \$21,243,751 to \$19,729,354. Special Purpose Funds: Road and Bridge: Cash applied from 0 to 400,000; Other Financing Sources from 5,541,250 to 4,246,250; Total Means of Finance/Total Appropriations from \$10,000,000 to \$9,105,000. E911 Fund: Cash applied from 175,000 to 200,000, Intergovernmental Revenue from 640,914 to 628,415. Other Financing Sources from 240,915 to 228,415. All other line items remaining as stated in the Provisional Budget. All members present voting aye. Motion carried.

#### 2016 ANNUAL BUDGET:

Commissioner Hansen offered the following Resolution:

ANNUAL BUDGET FOR BROWN COUNTY, SD  
For the Year January 1, 2016 to December 31, 2016

#### RESOLUTION #66-15

#### ADOPTION OF ANNUAL BUDGET FOR BROWN COUNTY, SOUTH DAKOTA

Whereas, (7-21-5 thru 13), SDCL provides that the Board of County Commissioners shall each year prepare a Provisional Budget of all contemplated expenditures and revenues of the County and all its institutions and agencies for such fiscal year and,

Whereas, the Board of County Commissioners did prepare a Provisional Budget and cause same to be published by law, and



Whereas, due and legal notice has been given to the meeting of the Board of County Commissioners for the consideration of such Provisional Budget and all changes, elimination's and additions have been made thereto.

NOW THEREFORE, BE IT RESOLVED, That such provisional budget as amended and all its purposes, schedules, appropriations, amounts, estimates and all matters therein set forth, SHALL BE APPROVED AND ADOPTED AS THE ANNUAL BUDGET OF THE APPROPRIATION AND EXPENDITURES FOR BROWN COUNTY, SOUTH DAKOTA and all its institutions and agencies for calendar year beginning January 1, 2016 and ending December 31, 2016 and the same is hereby approved and adopted by the Board of County Commissioners of Brown County, South Dakota, this 29<sup>th</sup> day of September, 2015. The Annual Budget so adopted is available for public inspection during normal business hours at the office of the County Auditor, Brown County, South Dakota. The accompanying taxes are levied by Brown County for the year January 1, 2016 through December 31, 2016.

COUNTY TAX LEVIES WITHIN LIMITED LEVY	Dollars	\$'S/1,000
*General County Purposes (10-12-9)	\$13,454,751	3.816
TOTAL TAXES LEVIED BY COUNTY	\$13,454,751	3.816

\*These amounts include the 25% to be distributed to cities.

Seconded by Commissioner Fjeldheim. Roll call vote: Hansen-aye, Kippley-aye, Fischbach-aye, Fjeldheim-aye, Sutton-aye. Resolution adopted.

ADJOURNMENT:

Moved by Kippley, seconded by Hansen to adjourn the Brown County Commission. All members present voting aye. Motion carried.

Maxine Fischer, Brown County Auditor *Maxine Fischer*

Published once at the total approximate cost of \$\_\_\_\_\_.

## OCTOBER 6, 2015 – GENERAL MEETING

Meeting called to order by Chairman Sutton at 8:45 A.M. in the Commissioner's Chambers, Courthouse Annex, Brown County, SD. Present were Commissioners Kippley, Fischbach and Fjeldheim. Commissioner Hansen was absent. Commissioner Fischbach led the Pledge of Allegiance.

### NATIONAL 4-H WEEK:

Sandy Osterman on behalf of the 26 members of the Lazy Farmers 4-H Club presented a tray of the Clubs homemade cookies and a Thank You Certificate in honor of National 4-H week to recognize those who make the 4-H Program possible.

### MINUTES:

Moved by Kippley, seconded by Fjeldheim to approve the Joint City/County Meeting Minutes and the General Meeting Minutes of September 29, 2015. All members present voting aye. Motion carried.

### CLAIMS:

Moved by Fischbach, seconded by Kippley to approve the following claims:

Payroll: Commission \$3,767.51; Commission Assistant/Human Resources \$4,088.74; Auditor \$7,573.74; Treasurer \$12,640.47; Data Processing \$7,310.26; State's Attorney \$16,191.30; Blood Draws \$400.00; SVAWA Grant \$1,873.94; Maintenance \$5,354.97; Assessor \$13,136.50; Register of Deeds \$8,774.07; Veterans Service Office \$3,563.74; GIS \$2,195.60; Sheriff Admin \$34,670.44; Jail \$35,835.66; Coroner \$0.00; JDC \$15,462.79; HD \$5,387.25; Welfare Office \$4,461.68; Museum \$7,683.74; Parks & Fairgrounds \$5,253.42; Fair Board \$2,617.09; 4-H \$1,113.60; Weed \$5,082.56; Planning and Zoning \$2,226.47; Highway \$50,044.58; Communications \$20,995.06; Emergency Management \$3,767.34; Teen Court \$125.84; 24/7 \$2,877.95; Landfill \$12,478.34

Matching Benefits: FICA \$17,518.46; Medicare \$4,097.03.

Insurance: SD Association of County Commissioners \$7,478.58.

Professional Fees: Avera St. Luke's \$1,416.68; Dick Berreth \$50.00; Betty Breck \$50.00; Compass Counseling \$1,500.00; Dakota Sunshine Singers \$50.00; Dakota Wood Grinding \$8,985.00; Victor Fischbach \$3,030.00; Horn Law Office \$333.00; Jefferson Co. Sheriff \$32.32; Hannah Kolb \$50.00; Midstates Printing \$75.00; Muscatine Co. Sheriff \$37.50; Nancy Ohnstad \$50.00; Pollard Law \$180.00; Prairie Fiber Arts Guild \$50.00; Sid Schroeder \$25.00; SD Dept. of Revenue \$768,677.21; SD DOT \$192.43; Tammy Stolle \$318.80; Noelle Stubbe \$50.00; Ryan Vogel \$50.40; Perk Washenberger \$50.00; Chris White \$50.40.

Publishing: Aberdeen American News \$ 373.76; DakotaFire Media \$346.50; Educational Media Foundation \$3,000.00.

Rentals: Weismantel Rent-All \$250.00; Wolfson Apartments \$260.00; Zumbaum Property \$310.00.

Repairs & Maintenance: Butler Machinery \$1,967.77; Crawford Trucks & Equip. \$55.14; Dakota Electronics \$37.50; DFP \$588.37; G & R Controls \$540.05; Hoven Auto Repair \$743.98; Lien Transportation \$248,826.19; Light & Siren \$24.00; Walth Safety Service \$78.75; Woodman Refrigeration \$141.84.

Supplies: A & B Business \$8.96; American Health & Safety \$469.68; Ameripride \$237.18; Bakken Building Maint \$500.00; Kendyl Brooks \$100.00; Crawford Trucks & Equip. \$1,926.84; DFP \$915.74; Dakota Mailing \$91.48; Danko \$123.27; Ecolab \$50.00; Fastenal \$28.67; Glacial Lakes & Prairie Tourism \$50.00; GovConnection \$786.16; Great Western Tire \$16,520.08; Horn Law Office \$8.00; House of Glass \$88.41; IDC \$43.78; J & K Painting \$399.00; Marianne Marttila Klipfel \$38.47; Lar-Jo's \$447.54; Light & Siren \$957.00; Marco \$198.23; Menards \$75.61; Meyers Tractor Salvage \$85.00; Midstates Printing \$267.92; NCFE \$1,339.00; Northwind Machine \$463.66; Pollard Law \$6.00; Richardson, Wyly, Wise, Sauck & Hieb \$298.86; Romeo Entertainment \$1,113.66; Running's \$ 57.90; Lora Schaunaman \$43.00; Sherwin Williams \$59.50; Superior Diving \$300.00; Taylor Laundry \$42.50; UltraMax \$906.00; Ryan Vogel \$16.94.

Travel and Conference: Don Fischer \$47.00; Scott Madsen \$312.50; Scott Meints \$107.00; Mike Scott \$ 47.00; Super 8 Pierre \$104.00; Patti Woods \$107.00.

Utilities: Aberdeen City Treasurer \$1,330.09; AT & T \$69.99; BDM Rural Water \$30.00; CenturyLink \$437.57; Executive Mgmt. \$86.14; Midcontinent Cable \$410.62; Northern Electric Coop \$330.00; NVC \$163.08; NWPS \$13,381.39; Web Water \$67.53.

Other: Eileen Schock \$140.00; SD Assoc. of County Officials \$1,148.00. All members present voting aye. Motion carried.

#### PERSONNEL:

Moved by Fjeldheim, seconded by Fischbach to approve the following employee step increases, effective Oct 11, 2015: Terrence Evans @ \$22.00 per hour; Mariann Malsom @ \$15.85 per hour; Kathy Thompson @ \$17.54 per hour, Amber Olson @ \$15.81 per hour, Nathan Smith @ \$20.74 per hour, Glen Neumiller @ \$17.25 per hour, Ermelinda Marcuson @ \$15.88 per hour, Kristal Koens @ \$18.42 per hour, Aaron Gasser @ \$15.49 per hour. All members present voting aye. Motion carried.

Moved by Fischbach, seconded by Fjeldheim to acknowledge resignation of Amber Schmierer (Auditor's Office), effective October 23, 2015, and approve request to fill vacancy. All members present voting aye. Motion carried.

#### TEEN COURT JABG SUPPLEMENTAL AWARD:

Moved by Fischbach, seconded by Kippley to approve and authorize the Chairman sign supplemental award documents for Department of Corrections – Juvenile Accountability Block Grant in amount of \$2,986.20 (match of \$331.80 required), effective September 1, 2015 – March 31, 2016. All members present voting aye. Motion carried.

#### ORDINANCE #15-10-02/450:

Moved by Fjeldheim, seconded by Kippley to set public hearing for Ordinance #15-10-02/450, An Ordinance to amend Ordinance No. 1164 to rezone the following described property from its present zoning designation of (A-1) Agricultural District to (M-AG) Mini-Agricultural District: Proposed Lot 1, Dahme Pit Addition in the NW ¼ of Sec 35-T123N-R64W of the 5<sup>th</sup> P.M., Brown County, South Dakota (1315 135<sup>th</sup> Street SW), to be held in the County Commission Chambers on October 27, 2015 at 8:45 a.m. All members present voting aye. Motion Carried.

#### EMSLA REPORT:

Moved by Kippley, seconded by Fischbach to approve and authorize the Chairman sign EMSLA Quarterly Activity Report-FY 2015. All members present voting aye. Motion carried.

#### HIGHWAY SAFETY GRANT:

Moved by Fjeldheim, seconded by Kippley to approve and authorize the Chairman sign FY 2016 Highway Safety Grant Application for personal services in amount of \$36,000 (\$30,000 Federal, \$6,000 Local) and equipment in amount of \$32,200 (\$14,000 Federal, \$18,200 Local), effective October 1, 2015 through September 30, 2016. All members present voting aye. Motion carried.

#### SURPLUS PROPERTY:

Moved by Kippley, seconded by Fjeldheim to declare miscellaneous list of IT equipment surplus for disposal at the Landfill (complete list available for public inspection Monday-Friday, 8:00 a.m. to 5:00 p.m. at the Auditor's Office). All members present voting aye. Motion carried.

#### LEASE AGREEMENT:

Moved by Fjeldheim, seconded by Kippley to approve the following agreement: Richland Church for lease of one Stage on October 10-11, 2015. All members present voting aye. Motion carried.

#### WEED & PEST GRANT APPLICATION:

Moved by Fischbach, seconded by Fjeldheim to approve and authorize the Chairman to sign the Grant Application with the SD Weed & Pest Control Commission for FY2017 grant funding in amount allocated equally between all eligible counties requesting funds on a 50/50 cost share basis for chemical, promotional items and seasonal labor. All members present voting aye. Motion carried.

#### CLAIM ASSIGNMENTS:

Moved by Fjeldheim, seconded by Fischbach to approve and authorize the Chairman to sign documentation to assign claims against individuals to Credit Collections Bureau for purpose of collecting a lien. All members present voting aye. Motion carried.

#### AUDITORS REPORT OF ACCOUNT:

Moved by Fischbach, seconded by Kippely to approve the September 2015 Auditor's Report of Account with the County Treasurer in total amount of \$13,931,704.39 (total amount of actual cash @ \$3,800.00, US Bank @ \$55,478.32, Dacotah Bank @ \$496,165.95, Petty Cash @ \$2,000.00, Fund Investments @ \$13,374,260.12). All members present voting aye. Motion carried.

#### CROW CREEK FLOODGATE STRUCTURE:

Moved by Kippely, seconded by Fjeldheim to acknowledge additional cost-sharing assistance in the amount of \$119,089.41 for the new gate structure where Crow Creek flows into the James River in Brown County from James River Water Development District (in addition to original amount of \$150,000.00 previously approved), reimbursement of funds will expire on September 11, 2016. All members present voting aye. Motion carried.

#### LOTTERY APPLICATION:

Moved by Kippely, seconded by Fischbach to approve the following lottery application: Elm Lake Action Committee AKA Elm Lake Association for bingo/lottery to be held at the Elm Lake Resort Thursday and Friday evenings from Oct 29 thru Dec 31, 2015. All members present voting aye. Motion carried.

#### APPLICATION FOR OCCUPANCY:

Moved by Kippely, seconded by Fischbach to approve application, submitted by David Dinger (Ellingson Drainage) for occupancy of County Highway #18 in Sec 27-T128N-R61W of the 5<sup>th</sup> P.M., Brown County, SD to bore for drainage tile. All members present voting aye. Motion carried.

#### HIGHWAY UPDATE:

Dirk Rogers, Highway Superintendent presented update on current projects and feedback from the public.

#### DLA UPDATE:

Bruce Hintz, Department of Legislative Audits answered audit related questions in regard to Fair Ticket Coupons sold as Christmas gifts or used by organizations at fund raising events; and changing reporting process for the fiscal affairs of the County from full GAP (modified accrual) to OCBOA (cash basis).

#### EXECUTIVE SESSION:

Moved by Fjeldheim, seconded by Kippely to go into executive session for personnel discussion, per SDCL 1-25-2(1) and to consult with legal counsel, per SDCL 25-2-1(3) with Larry Lovrien and Gary Vetter in attendance. All members present voting aye. Motion carried.

The Chairman declared the executive session closed, with no action taken as a result of the discussion.

#### YOUTH CAMP HOUSE:

Moved by Kippely, seconded by Fischbach to cease work on house at the Richmond Youth Camp, to give chance to research more options. All members present voting aye. Motion carried.

## ADJOURNMENT:

Moved by Kippley, seconded by Fischbach to adjourn the Brown County Commission. All members present voting aye. Motion carried.

Maxine Fischer, Brown County Auditor *Maxine Fischer*

Published once at the total approximate cost of \$\_\_\_\_\_.

## OCTOBER 13, 2015 – GENERAL MEETING

Meeting called to order by Chairman Sutton at 8:45 A.M. in the Commissioner's Chambers, Courthouse Annex, Brown County, SD. Present were Commissioners Hansen, Kippley, Fischbach and Fjeldheim. Commissioner Kippley led the Pledge of Allegiance.

### MINUTES:

Moved by Kippley, seconded by Fischbach to approve the General Meeting Minutes of October 6, 2015. All members present voting aye. Motion carried.

### CLAIMS:

Moved by Hansen, seconded by Fjeldheim to approve the following claims:

Professional Fees: Brittany Arment \$11.68; Pamela Behan \$11.68; Marla Blake \$11.68; Mark Bower \$12.52; Nancy Chapin \$10.84; Geralyn Christen \$31.84; Robin Dunker \$14.20; Jeffrey Fisher \$20.08; Mary Goehring \$14.20; Gaye Goodspeed \$361.76; William Haigh \$11.68; Kenneth Harms \$26.80; Dennis Haselhorst \$24.28; Charles Haugen \$11.68; Dawn Hayes \$11.68; Roger Imberi \$310.08; Lynn Jensen \$37.72; Richard Jensen \$10.84; Michael Johnson \$14.20; Cole Kampa \$28.48; Curtis Kempf \$361.76; Lynn Knott \$361.76; Amy McFadden \$11.68; Michael Neubert \$12.52; Gordon Ottenbacher \$10.84; Benjamin Prouse \$413.44; Lisa Sahli-Carlson \$467.20; Doris Schmidt \$13.36; James Seaton \$292.00; Ruth Spang \$11.68; Rebecca Sudenga \$12.52; Matthew Thorson \$26.80; Alexander Tobin \$11.68; LouAnn Tyler \$51.68; Jeremy Vanveen \$11.68; Jennifer Whitehouse \$267.20; Jay Widstrom \$10.84; Jaye Wilson \$12.52; Ryan Wolfenden \$361.76; Danielle Wolff \$12.52; Jared Ahlberg \$11.68; William Antonides \$155.04; Brenda Artz \$18.40; Jocelyn Bartusis \$11.68; Daryl Bellikka \$167.64; Robert Benson \$11.68; Judith Bledsoe \$11.68; Izak Breyll \$19.24; William Brown \$11.68; Lionel Bruemmer \$14.20; Michael Bumpous \$11.68; Archie Clifford \$35.20; Sonja Cole \$11.68; Emily Cramer \$177.72; Mona Cudmore \$11.68; Jordan Cutler \$15.04; Laurie Davis \$11.68; Bridget Dean \$157.56; Kevin Dell \$11.68; Valeree Devine \$12.52; Twyla Dinger \$52.00; Brenda Englund \$26.80; Julie Ermer \$14.20; Mary Fix \$11.68; David Ford \$11.68; Gary Gauer \$11.68; Sherry Gienger \$11.68; Marie Goetz \$11.68; Kelly Grieben \$155.04; Roberta Hagen \$11.68; William Haigh \$11.68; Kaye Harr \$11.68; Marshall Hegge \$155.04; Christina Heiberger \$11.68; Kurt Holinka \$11.68; Donald Hoops \$11.68; Jamie Imbery \$11.68; Stephen Inches \$11.68; Jeff Joachim \$11.68; Holly Judd \$157.56; Anthony Kallas \$11.68; Linda Kolb \$11.68; Ervin Kruse \$26.80; Amanda Kunkle \$18.40; Debra Lambert \$11.68; Leah Lane \$15.04; Gary Larson \$155.04; Joshua Latterell \$11.68; Dickie Lauseng \$11.68; Todd Lerew \$18.40; Jeanine Luce \$155.04; Michelle Ludwig \$11.68; Joe Malsam \$13.36; James Merkel \$11.68; John Meyer \$11.68; Karla Milbrandt \$11.68; Lori Moffenbier \$155.04; Kayla Moslander \$20.08; John Newling \$11.68; Christopher Onkka \$11.68; Kortnie Osterkamp \$26.80; Gordon Ottenbacher \$11.68; Jason Peterson \$11.68; Kristen Prosper \$11.68; Aaron Rempher \$12.52; Mary Rieger \$11.68; Jason Rowen \$11.68; Robert Sayer \$11.68; James Schaunaman \$11.68; Michael Schmidt \$17.56; Cheryl Schwindt \$11.68; Sherry Searl \$155.04; Michael Seyer \$26.80; Betty Sheldon \$11.68; Dennis Shelton \$56.20; Carol Sieler \$157.56; John Sippel \$27.64; Leonard Sollie \$24.28; Bryce Sombke \$26.80; Annie Stenvig \$11.68; Lisa Streckfuss \$24.28; Lance Tietz \$155.04; Angela Tofflemire \$11.68; Susan Vilhauer \$11.68; Christopher Vosika \$18.40; Amanda Walberg \$11.68; Katherine Waltman \$11.68; Patrick Weiss \$11.68; Lori Westby \$26.80; Gregory Wolf \$11.68; Lynnel Bruemmer \$19.60; Cert Languages International \$234.30; Clark Engineering \$161.25; JPATS/USMS \$2,280.00; LBG 4,507.62; LexisNexis \$100.25; Lincoln Co Treasurer \$9.00; Pizza Ranch \$127.87; Mitch Vilhauer \$1,255.20; Yankton Co Sheriff \$25.00; Marla Zastro \$22.23

Publishing: American News \$2,134.47; Hub City Radio \$300.00;

Rentals: GPHC \$310.00; Chris Hemen \$310.00;

Repairs & Maintenance: Aberdeen Plumbing and Heating \$1,295.20; Artz Equipment \$15.90; Cass Co Heating \$1,297.61; Diesel Machinery \$7,581.41; Double D Body Shop \$8,740.97; Farnams \$31.98; G&K \$342.97; Hoven Auto Repair \$166.00; J Gross Equipment \$85.20; Loiseau Const. \$84,480.00; Miswest Pump & Tank \$251.78; Newman Signs \$4.68; Powerplan \$8,346.25; Titan \$1,589.11; Specialty MFG \$2.00; Wallwork Truck Center \$12.00;

Supplies: A & B Business \$251.52; Aberdeen Area Radiator \$1,524.00; Ameripride \$27.44; Artz Equipment \$1,197.72; Car Quest \$946.16; Cartney Bearing \$359.41; Cash-Wa \$5,541.60; Joyce Dahme \$30.00; Dakota Electronics \$240.00; Dakota Oil \$341.25; Dept of the Army \$1,250; Diesel Machinery \$4,410.56; Dosch's TMD Katahdins \$90.00; Earthgrains \$546.40; Farnams \$168.56; Fritz Bruckner Montadale \$90.00; Susan Gerdes \$30.00; GovConnection \$3,638.95; Great Plains Fire Inc \$59.23; Harmony Farms \$90.00; Janene Harry \$30.00; Chance Hassebrook \$15.00; Trinatee Hassebrook \$15.00; Hedahl's \$29.28; Bruce Hoffman \$90.00; Jan Houghtaling \$90.00; Interstate Battery System \$310.85; Intoximeter \$251.50; Scott Kilber \$90.00; Leidholdt Tools \$96.97; Marco \$89.99; Menards \$629.57; Midstates \$2.55; Mark Milbrandt \$7.00; NCFE Warner \$27,220.00; Newman Signs \$315.00; Powerplan \$1,703.13; Titan \$926.25; QRES Southdowns \$60.00; Race West Awards \$12,502.07; Chuck Ringkob \$200.00; Runnings \$1,469.49; Sewing Shop \$14.00; Shady Lane Farms \$90.00; Specialty MFG \$54.60; Taylor Laundry \$78.00; Tractor Supply Co \$14.99; TrueNorth Steel \$3,211.11; Wallwork Truck Center \$118.83; Safty Service \$295.94; Web Water \$49.00; Ron Wolff \$60.00; Trey Wright \$30.00;

Travel and Conference: Berry Kusler \$291.21; Mark Milbrandt \$509.35; Chuck Ringkob \$39.25; Kathy Schlecht \$11.00; SD Assoc of Fairs \$2,250.00; SD Planners Assoc \$305.00; Aaron Walberg \$366.51;

Utilities: Aberdeen City Treasurer \$292.54; Economy Propane \$615.88; Frederick \$41.00; James Valley \$219.90; Midcontinent \$185.31; Northern Electric Coop \$95.68; NVC \$2822.52; Northwestern Energy \$576.92; Northwestern Public Service \$445.60;

Other: Safe Harbor \$1,439.00; SD Dept of Revenue & Regulation \$2,313.28. All members present voting aye. Motion carried.

#### PERSONNEL:

Moved by Hansen, seconded by Kippley to acknowledge resignation of Becky Stucker from the Fair Board, effective October 13, 2015. All members present voting aye. Motion carried.

Moved by Kippley, seconded by Hansen to approve the employee status change for Bill Rohrbach from Correctional Officer to Maintenance Employee, effective October 26, 2015 @ \$13.65 per hour. All members present voting aye. Motion carried.

Moved by Fjeldheim, seconded by Kippley to approve the employee status change for Elise Westfall, JDC Correctional Officer from part-time status to full-time status, effective November 1, 2015 @ \$14.88 per hour. All members present voting aye. Motion carried.

Moved by Hansen, seconded by Fischbach to approve employee status change for Jenifer Toennies from regular part-time to part-time (working less than 19 hours per week), effective November 8, 2015 at \$12.54 per hour. All members present voting aye. Motion carried.

#### RACE TRACK OPTION:

Moved by Hansen, seconded by Fischbach to approve request, submitted by Todd, Troy and Scott Neuendorf DBA Bullet Sports for one-year option to lease Brown County facilities at the Fairgrounds for the 2016 Car Racing season, per lease dated October 21, 2014 (option one of four available). All members present voting aye. Motion carried.

#### INTEREST STATEMENT:

Moved by Fischbach, seconded by Fjeldheim to accept for filing the July – September 2015 Interest Statement (\$6,614.06) submitted by County Treasurer Sheila Enderson. All members present voting aye. Motion carried.

#### SHERIFF REPORTS:

Moved by Kippley, seconded by Hansen to approve the following September 2015 Sheriff Reports: Incidents and offenses, Prisoner care, JDC, and Money deposited with the County Treasurer. All members present voting aye. Motion carried.

**APPLICATION FOR OCCUPANCY:**

Moved by Fischbach, seconded by Fjeldheim to approve application, submitted by WEB Water Development for occupancy of Spillway Drive in Sec 9-T124N-R64W of the 5<sup>th</sup> P.M., Brown County, SD to provide potable water line. Roll call vote: Commissioners Hansen-abstain, Kippley-aye, Fischbach-aye, Fjeldheim-aye, Sutton-aye. Motion carried.

**EXECUTIVE SESSION:**

Moved by Hansen, seconded by Kippley to go into executive session for personnel discussion, per SDCL 1-25-2(1) with Larry Lovrien, Gary Vetter and Dirk Rogers in attendance. All members present voting aye. Motion carried.

The Chairman declared the executive session closed, with no action taken as a result of the discussion.

**ATTORNEY CONTRACT REQUEST FOR PROPOSALS:**

Moved by Fischbach, seconded by Hansen to not contract for indigent defense services in 2016; rejecting request for proposal, submitted on September 22, 2015 by seven area attorneys; and further approve providing all indigent defense services by judge appointment on a rotation basis. All members present voting aye. Motion carried.

**EXECUTIVE SESSION:**

Moved by Hansen, seconded by Fischbach to go into executive session for personnel discussion, per SDCL 1-25-2(1) with Larry Lovrien and Gary Vetter in attendance. All members present voting aye. Motion carried.

The Chairman declared the executive session closed, with no action taken as a result of the discussion.

**RESIDENT QUESTION:**

Area residents Matt Deilke and Pat Hale asked to see a copy of the grievance that they believe has their names in. The Chairman stated it was a personnel matter so was not at liberty to discuss. It was clarified that the Employee Policy Manual is public information and a copy may be obtained; and the County pays fee for investigator.

**ADJOURNMENT:**

Moved by Fischbach, seconded by Hansen to adjourn the Brown County Commission. All members present voting aye. Motion carried.

Maxine Fischer, Brown County Auditor



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## OCTOBER 20, 2015 – GENERAL MEETING

Meeting called to order by Chairman Sutton at 8:45 A.M. in the Commissioner's Chambers, Courthouse Annex, Brown County, SD. Present were Commissioners Hansen and Kippley. Commissioners Fischbach and Fjeldheim were absent. Chairman Sutton led the Pledge of Allegiance.

### MINUTES:

Moved by Hansen, seconded by Kippley to approve the General Meeting Minutes of October 13, 2015. All members present voting aye. Motion carried.

### CLAIMS:

Moved by Kippley, seconded by Hansen to approve the following claims:

**10-16-15 Payroll:** Commission \$3,767.51; Commission Assistant/Human Resources \$4,088.74; Auditor \$7,540.07; Treasurer \$12,640.47; Data Processing \$7,171.88; State's Attorney \$16,255.24; Blood Draws \$350.00; SVAWA Grant \$1,873.94; Maintenance \$5,337.81; Assessor \$13,136.50; Register of Deeds \$8,774.07; Veterans Service Office \$3,563.74; GIS \$2,195.60; Sheriff Admin \$34,178.52; Jail \$34,696.73; Coroner \$0.00; JDC \$15,022.91; HD \$5,928.57; Welfare Office \$2,515.94; Museum \$7,683.74; Parks & Fairgrounds \$4,998.54; Fair Board \$2,398.40; 4-H \$1,113.60; Weed \$12,293.57; Planning and Zoning \$1,586.47; Highway \$48,777.84; Communications \$20,719.70; Emergency Management \$3,767.34; Teen Court \$145.50; 24/7 \$2,849.73; Landfill \$11,860.32

**Matching Benefits:** FICA \$17,581.33; Medicare \$4,111.72;

**Professional Fees:** Avera McKennan \$635.84; Avera St Lukes 10,484.08; Dependable Sanitation \$27,116.26; Lewis and Clark BHS \$800.00; LSS \$325.96; NE Mental Health \$1,274.00; Pennington Co Jail \$39.61; Sanford Health Occupational \$80.00; SD Underground \$3,500.00; Tammy Stolle \$132.15; Mitch Vilhauer \$800.45

**Publishing:** American News \$2,861.62; Groton Independent \$434.78

**Rentals:** AUD Rentals \$310.00; Sandy Grodzin \$300.00

**Repairs & Maintenance:** Praxair \$12.90; Dakota Fluid Power \$144.83; GCR \$440.21; Ken Jacobson \$570.00; Leidholt Electric \$978.34; NSU Foundation \$35.00; Pro Ag Supply \$149.99; Roto Rooter Sewer Service \$770.00; Sheehan Mack \$218.25;

**Supplies:** Praxair \$497.50; Advance Auto Parts \$314.30; Ameripride \$91.52; Century Business Products \$132.35; Dean Foods \$564.42; Ecolab \$101.43; Farm Power MFG \$820.31; Gardner Locksmithing \$665.24; GCR 758.44; Govconnection \$103.31; J & K Painting \$661.76; Kone Inc \$2,804.10; Mary Locken \$22.26; MAC's \$343.78; Menards \$34.96; Midstates \$368.00; NCFE-Warner \$4,957.29; Network Service \$1,305.66; North Star Energy \$42.00; Sherri Rawstern \$87.07; Sanders Sew-n-Vac \$217.46; Sanford Home Medical; \$28.00

**Travel and Conference:** Leo Leshner \$297.04; Sherri Rawstern \$103.40; Safety Benefits \$130.00

**Utilities:** Aberdeen City Treasurer \$2,607.08; Century Link \$9.90; City of Hecla \$103.98; Dependable Sanitation \$286.00; Midwest Alarm \$251.40; Northern Electric \$1,147.63; Northwestern Energy \$1,474.46; Verizon \$200.05

**Other:** James River \$3,568.83 All members present voting aye. Motion carried.

### PERSONNEL:

Moved by Hansen, seconded by Kippley to approve the following employee step increases, effective October 25, 2015: Nyle Jensen @ \$18.34 per hour, Sandra Mielke @ \$16.69 per hour, Cindy Woodford @ \$15.09 per hour, Dawn Allam @ \$15.49 per hour. All members present voting aye. Motion carried.

Moved by Hansen, seconded by Kippley to approve hiring Justin Yablonski as Full Time Correctional Officer effective October 19, 2015 at \$14.88 per hour. All members present voting aye. Motion carried.

Moved by Kippley, seconded by Hansen to acknowledge the following miles driven and amount to be taxed for personal use of County vehicles during the month of September 2015: Kendell Titze – 120 @ \$69.00, Michael

Scott – 160.00 @ \$92.00, Gary Vetter – 116 @ \$66.70, Dirk Rogers – 648 @ \$393.30. All members present voting aye. Motion carried.

**CONCERNED CITIZEN:**

Area citizen Matt Deilke expressed continued concerns about tax dollar expenditures in the IT Department, IT Department salaries and management.

**BROWN COUNTY SPEEDWAY:**

Todd Neuendorf with Bullet Sports thanked the commission for support during the car race season and gave a summary of the 2015 race season.

**HIGHWAY PROJECT UPDATE:** Dirk Rogers (Highway Superintendent) met to share progress on highway projects.

**BROWN COUNTY 16 DEPARTMENT OF THE ARMY PERMIT:**

Moved by Hansen, seconded by Kippley to approve and authorize the Chairman sign US Army Corps of Engineers Application for Department of the Army Permit #NWO-2013-1435-PIE for Brown County 16 Project. All members present voting aye. Motion carried.

**FAIRGROUNDS PARKING EXPANSION DEPARTMENT OF THE ARMY PERMIT:**

Moved by Hansen, seconded by Kippley to approve and authorize the Chairman sign US Army Corps of Engineers Application for Department of the Army Permit #NWO-2004-30150-PIE for Brown County Fairgrounds Parking Expansion Project. All members present voting aye. Motion carried.

**CONCERNED CITIZEN:** Area citizen Travis Schaunaman expressed concerns about previously billed contracted IT management hours and current IT management wages.

**YOUTH CAMP HOUSE:**

Moved by Hansen, seconded by Sutton to continue work on house at the Richmond Youth Camp. Roll call vote: Commissioners: Hansen –aye, Kippley – Nay, Fischbach – absent, Fjeldheim – absent, Sutton- aye. Motion Carried.

**POLICY MANUAL AMENDMENT:**

Moved by Kippley, seconded by Hansen to include the addition of section E-16 Allowable Make-up Time to the policy manual. Nonexempt employees of Brown County may make up time they are absent from the job in lieu of vacation days, or leave without pay, or having their pay reduced for the period of absence if and only if the time is made up within the company's standard work week (see C-8 – Hours Of Work) excluding Sheriff, Field Deputy, States Attorney's Office and Jail/JDC/Home Detention Corrections Officers as stated.

All others working a standard 8AM to 5PM Monday thru Friday shift must make-up the time within a half (1/2) hour lunch time period Monday through Friday of the same work week with the approval of the Department Head. They must still take the other half-hour for lunch break if they normally take one hour. Effective October 20, 2015. All members present voting aye. Motion carried.

**JAIL/JDC CONTRACT:**

Moved by Kippley, seconded by Hansen to approve and authorize the Chairman sign Contract with Walworth County for housing inmates at the Jail at \$50.00 for each prisoner-day and for housing juveniles in the Detention Center at \$220.00 per prisoner-day. All members present voting aye. Motion carried.

**EXECUTIVE SESSION:**

Moved by Hansen, seconded by Kippley to go into executive session for personnel discussion, per SDCL 1-25-2(1) with Larry Lovrien and Gary Vetter in attendance. Commissioners Tom Fischbach and Doug Fjeldheim were in attendance via conference call. All members present voting aye. Motion carried.

The Chairman declared the executive session closed, with no action taken as a result of the discussion.

**ADJOURNMENT:**

Moved by Hansen, seconded by Kippley to adjourn the Brown County Commission. All members present voting aye. Motion carried.

Cathy McNickle, Brown County Deputy Auditor



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OCTOBER 27, 2015 - JOINT CITY/COUNTY MEETING

The Brown County Commission and the Aberdeen City Council met in joint session at 8:45 A.M. in the Commissioner's Chambers, Courthouse Annex, Brown County, SD. Present from City were Council Members Campbell, Johnson, Remily, Ronayne and Mayor Levsen. Absent were Council Members Bunsness, Rux, Slaight-Hansen and Swanson. Present from County were Commissioners Hansen, Kippley, Fjeldheim and Sutton. Commissioner Fischbach was absent.

ORDINANCE #15-10-02/450:

On motion by Remily, seconded by Johnson, the City unanimously voted to approve First Reading of Ordinance #15-10-02/450.

Moved by Hansen, seconded by Fjeldheim to approve First Reading of Ordinance #15-10-02/450, An Ordinance to amend Ordinance No. 1164 to rezone the following described property from its present zoning designation of (A-1) Agricultural District and (A-2) Greenbelt District to (M-AG) Mini-Agricultural District and (A-2) Greenbelt District: Lot 1, Dahme Pit Addition in the NW ¼ of Sec 35-T123N-R64W of the 5<sup>th</sup> P.M., Brown County, South Dakota (1715 135<sup>th</sup> Street SW). All members present voting aye. Motion Carried.

The City Council adjourned and the County Commission continued in regular session.

Maxine Fischer, Brown County Auditor



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## OCTOBER 27, 2015 – GENERAL MEETING

Meeting called to order by Chairman Sutton at 8:45 A.M. in the Commissioner's Chambers, Courthouse Annex, Brown County, SD. Present were Commissioners Hansen, Kippley and Fjeldheim. Commissioner Fischbach was absent. Chairman Sutton led the Pledge of Allegiance.

### COUNTY GOVERNMENT DAY:

Students from area high schools listened to the Commission proceedings and toured the Jail, Court System, Museum and County Offices as part of County Government Day, sponsored by American Legion Post #24.

### MINUTES:

Moved by Kippley, seconded by Hansen to approve the General Meeting Minutes of October 20, 2015. All members present voting aye. Motion carried.

### CLAIMS:

Moved by Hansen, seconded by Fjeldheim to approve the following claims:

Professional Fees: Adrian Mohr Investigations \$1,631.68; Adam Altman \$4,444.45; AMG Hospitalists Yankton \$278.64; Avera St. Luke's \$14,178.59; Denise Cody \$37.50; Compass Counseling & Assessment \$1,8000.00; Den Herder Law \$184.50; Dhyana Fernandez Investigation \$1,510.00; Chris Dohrer \$5,069.45; Faulk Co. Sheriff's Office \$2,580.00; KCH Law \$153.00; Kuck Law Office \$4,444.45; Kaye Leiferman \$106.52; Lucy Lewno \$310.50; LSS \$2,200.00; Richardson, Wyly, Wise, Sauck \$4,444.45; Ronayne Law Office \$11,775.30; Sanford Health \$2,871.89; SD Dept. of Revenue & Regulation \$1,005.00; Christy Serr \$5,069.45; Tammy Stolle Court Reporting \$200.00; Jodi Sudweeks \$299.80; Karen Swanda \$37.50; US Bank \$25.00; Perk Washenberger \$100.00; Marlene Welsh \$24.00; Yankton Co. EMS \$220.67; Yankton Co. Sheriff Office \$75.00; Yankton Co. Treasurer \$432.50; Zylstra Investigations \$4,578.00.

Publishing: American News \$1,175.57; Groton Independent \$116.23.

Rentals: Wolfson Apartments \$300.00.

Repairs & Maintenance: A & B Business \$32.99; Aberdeen Clean-All \$605.00; Auto Glass Solutions \$328.93; Grote Roofing \$185.72; House of Glass \$355.32; Hoven Auto Repair \$255.47; Lien Transportation \$48,904.37; Loiseau Construction \$60,629.47; Specialty Mfg. \$51.32; US Bank \$1,636.01.

Supplies: A & B Business \$103.87; Ameripride \$26.23; Century Business Products \$737.83; Dakota Electronics \$1,937.00; Danko \$42.86; Den Herder Law \$10.73; Elly & Lindsey Scott Benefit \$177.14; GovConnection \$371.68; KCH Law \$5.46; Leidholdt Tool Sales \$146.13; Lucy Lewno \$12.98; Marco \$390.09; McFarland Supply \$160.58; Menards \$117.26; Midstates Printing \$437.03; NCFE – Warner Elevator \$2,402.23; Network Services \$846.12; Pheasantland Industries \$412.97; Pizza Ranch \$71.45; Proforma \$439.04; Quality Welding \$12.00; Software Unlimited Corp. \$657.00; Universal Hospital Services \$120.00; US Bank \$6,273.25; West Payment Center \$30.00.

Travel and Conference: City of Groton \$87.42; Gene Loeschke \$251.92; Pennington Co. Jail \$389.20; SD Assoc. of County Weed & Pest \$30.00; SD Assoc. of Fairs & Celebrations \$85.00; US Bank \$3,541.58.

Utilities: Dependable Sanitation \$165.00; NWPS \$738.07; SD Farm Bureau \$35.00; US Bank \$1,246.17.

Other: Aberdeen Advanced Care Ambulance \$120.25; Richard Jensen \$30.00; Pizza Ranch \$71.45. All members present voting aye. Motion carried.

### PERSONNEL:

Moved by Kippley, seconded by Hansen to acknowledge termination of Tim Hettich (Highway), effective September 25, 2015 (action resulting from discussion in executive session of October 13, 2015). All members present voting aye. Motion carried.

Moved by Hansen, seconded by Fjeldheim to approve hiring Sabrina Meidinger (Register of Deeds), effective November 2, 2015 @ \$13.65 per hour. All members present voting aye. Motion carried.

Moved by Hansen, seconded by Fjeldheim to approve employee status change for Sandy Woytasek from part-time to full-time clerical position in the Sheriff Department, effective October 26, 2015 at \$14.44 per hour (Step 2). All members present voting aye. Motion carried.

Moved by Kippley, seconded by Hansen to approve hiring Andrea Merrell as part-time JDC Correctional Officer, effective November 1, 2015 @ \$12.54 per hour. All members present voting aye. Motion carried.

Moved by Hansen, seconded by Kippley to approve hiring Diane Lehr as part-time Teen Court Coordinator, effective November 2, 2015 @ \$15.73 per hour. All members present voting aye. Motion carried.

Moved by Hansen, seconded by Kippley to authorize Tanya Mitchner, Jail Nurse purchase up to 30 additional doses of the flu vaccine for county employees. All members present voting aye. Motion carried.

Moved by Hansen, seconded by Kippley for Highway employees to return to a five 8 hour day schedule on November 2, 2015. All members present voting aye. Motion carried.

#### PLATS:

Commissioner Fjeldheim offered the following Resolution:

#### RESOLUTION #67-15

BE IT RESOLVED by the County Commission of Brown County, SD, that the plat showing "Royer First Subdivision in SW ¼ Sec 28-T124N-R64W of 5<sup>th</sup> P.M., Brown County, SD", having been examined, is hereby approved in accordance with the provisions of SDCL of 1967, Chapter 11-3, and any amendments thereof.

Seconded by Commissioner Kippley. Roll call vote: Commissioners Hansen-aye, Kippley-aye, Fischbach-absent, Fjeldheim-aye, Sutton-aye. Resolution adopted.

Commissioner Fjeldheim offered the following Resolution:

#### RESOLUTION #68-15

BE IT RESOLVED by the Board of Commissioners of Brown County, SD, that the plat showing "Dahme Pit Addition in the NW ¼ of Sec 35-T123N-R64W of the 5<sup>th</sup> P.M., Brown County, SD", having been examined, is hereby approved in accordance with the provisions of SDCL of 1967, Chapter 11-3, and any amendments thereof.

Seconded by Commissioner Kippley. Roll call vote: Commissioners Hansen-aye, Kippley-aye, Fischbach-absent, Fjeldheim-aye, Sutton-aye. Resolution adopted.

Commissioner Fjeldheim offered the following Resolution:

#### RESOLUTION #69-15

BE IT RESOLVED by the County Commission of Brown County, SD, that the plat showing "C G LLC Grain Pile Outlot in the SW ¼ of Sec 24-T123N-R64W of the 5<sup>th</sup> P.M., Brown County, SD", having been examined, is hereby approved in accordance with the provisions of SDCL of 1967, Chapter 11-3, and any amendments thereof.

Seconded by Commissioner Kippley. Roll call vote: Commissioners Hansen-aye, Kippley-aye, Fischbach-absent, Fjeldheim-aye, Sutton-aye. Resolution adopted.

Commissioner Fjeldheim offered the following Resolution:

RESOLUTION #70-15

BE IT RESOLVED by the Board of County Commissioners of Brown County, SD, that the plat showing "VanDover's Conservation Easement Tract 1 and Tract 2 in the NE ¼ of Sec 31-T126N-R63W of the 5<sup>th</sup> P.M., Brown County, SD", having been examined, is hereby approved in accordance with the provisions of SDCL 11-3, and any amendments thereof.

Seconded by Commissioner Kippley. Roll call vote: Commissioners Hansen-aye, Kippley-aye, Fischbach-absent, Fjeldheim-aye, Sutton-aye. Resolution adopted.

Commissioner Fjeldheim offered the following Resolution:

RESOLUTION #71-15

BE IT RESOLVED by the Board of County Commissioners of Brown County, SD, that the plat showing "Podoll's Conservation Easement Tract 1 and Tract 2 in the NW ¼ of Sec 22-T125N-R63W of the 5<sup>th</sup> P.M., Brown County, SD", having been examined, is hereby approved in accordance with the provisions of SDCL 11-3, and any amendments thereof.

Seconded by Commissioner Kippley. Roll call vote: Commissioners Hansen-aye, Kippley-aye, Fischbach-absent, Fjeldheim-aye, Sutton-aye. Resolution adopted.

Commissioner Fjeldheim offered the following Resolution:

RESOLUTION #72-15

BE IT RESOLVED by the Board of Commissioners of Brown County, SD, that the plat showing "Scandinavia Lutheran Church Addition in the SE ¼ of Sec 19-T122N-R62W of the 5<sup>th</sup> P.M., Brown County, SD", having been examined, is hereby approved in accordance with the provisions of SDCL of 1967, Chapter 11-3, and any amendments thereof.

Seconded by Commissioner Kippley. Roll call vote: Commissioners Hansen-aye, Kippley-aye, Fischbach-absent, Fjeldheim-aye, Sutton-aye. Resolution adopted.

Commissioner Fjeldheim offered the following Resolution:

RESOLUTION #73-15

BE IT RESOLVED by the Board of County Commissioners of Brown County, SD, that the plat showing "Rystrom Elm River Subdivision in the N ½ of SW ¼ of Sec 13-T125N-R64W of the 5<sup>th</sup> P.M., Brown County, SD", having been examined, is hereby approved in accordance with the provisions of SDCL 11-3, and any amendments thereof.

Seconded by Commissioner Kippley. Roll call vote: Commissioners Hansen-aye, Kippley-aye, Fischbach-absent, Fjeldheim-aye, Sutton-aye. Resolution adopted.

Commissioner Fjeldheim offered the following Resolution:

# RESOLUTION #74-15

BE IT RESOLVED by the County Commission of Brown County, SD, that the plat showing "John Beck's 1<sup>st</sup> Subdivision in SE ¼ Sec 18-T123N-R64W of the 5<sup>th</sup> P.M., Brown County, SD", having been examined, is hereby approved in accordance with the provisions of SDCL of 1967, Chapter 11-3, and any amendments thereof.

Seconded by Commissioner Kippley. Roll call vote: Commissioners Hansen-aye, Kippley-aye, Fischbach-absent, Fjeldheim-aye, Sutton-aye. Resolution adopted.

## ORD 097 - SET HEARING DATE:

Moved by Hansen, seconded by Kippley to set public hearing for Ordinance #097, An Ordinance to amend Title 4 – Zoning, Second Revision Brown County Ordinances, to rezone the following described property from its present zoning designation of Chapter 4.06 (AG-P) Agricultural Preservation District to Chapter 4.10 (R3) Lake Front District: Lots 7 and 8, Block 1 RO-JU-OS Park; Lots 12 and 13, Block 1 RO-JU-OS Park; Lots 1-5, Block 1 RO-JU-OS Park; Lot 6, Block 1 RO-JU-OS Park; Lot 2, Block 1 Graham Oster Addition to RO-JU-OS Park; Lot 3, Block 1 Graham Oster Addition to RO-JU-OS Park; Holty Outlot A to RO-JU-OS Park; and a tract 60' N & S by 175' E & W adjacent to Lot 1 Hart Family Subdivision to RO-JU-OS Park located in the S ½ of SE ¼ of Sec 8-T128N-R65W, Brown County, SD (10186, 10194, 10176, 10184, 10172, 10174, 10160, and 10164 Ro-JU-OS Place), to be held in the Brown County Commission Chambers, Courthouse Annex at 8:45 a.m. on November 17, 2015. All members present voting aye. Motion carried.

## CDBG SAFE HARBOR AGREEMENT:

Moved by Fjeldheim, seconded by Hansen to approve and authorize the Chairman sign agreement with the State of South Dakota for CDBG Grant #1515-105 for the Safe Harbor Facility in amount of \$515,000. All members present voting aye. Motion carried.

## SURPLUS CASH ANALYSIS:

Moved by Hansen, seconded by Kippley to approve the General Fund Surplus Cash Analysis Report for September 30, 2015. All members present voting aye. Motion carried.

## CLAIM ASSIGNMENTS:

Moved by Hansen, seconded by Fjeldheim to approve and authorize the Chairman to sign documentation to assign claims against individuals to Credit Collections Bureau for purpose of collecting a lien. All members present voting aye. Motion carried.

## APPLICATION FOR OCCUPANCY:

Moved by Kippley, seconded by Hansen to approve and authorize the Chairman sign application, submitted by Northern Electric for occupancy of Brown County Highway #18 in NW ¼ Sec 27-T128N-R61W, Brown County, SD to bury underground electric utility line. All members present voting aye. Motion carried.

Moved by Fjeldheim, seconded by Kippley to approve and authorize the Chairman sign application, submitted by Web Water Development for occupancy of County Road #18 in Sec 17-T125N-R61W, Brown County, SD to provide potable water line. Roll call vote: Commissioners Hansen-abstain, Kippley-aye, Fischbach-absent, Fjeldheim-aye, Sutton-aye. Motion carried.

## BID BR 218 ON COUNTY ROAD 5:

Moved by Kippley, seconded by Fjeldheim to authorize advertising public hearing to open, read and consider sealed bids for replacement of bridge 218 on county road 5, to be held in the Brown County Commission Chambers, Courthouse Annex, Brown County, SD on December 8, 2015 at 9:00 a.m. All members present voting aye. Motion carried.



**BID – HIGHWAY SEMI TRACTOR:**

Moved by Hansen, seconded by Kippely to authorize advertising public hearing to open, read and consider sealed bids for the purchase and delivery of a new 2015 or current model, Semi-Tractor for the Brown County Highway Department, to be held in the Commission Chambers, Courthouse Annex at 8:45 a.m. on December 8, 2015. All members present voting aye. Motion carried.

**BID AWARD – HIGHWAY BELLY DUMP:**

Moved by Hansen, seconded by Fjeldheim to award the following bid for the Highway Department: Faulk County Bid for a Belly Dump Trailer in total amount of \$52,900.00 (2016 purchase). All members present voting aye. Motion carried.

**BID AWARD – HIGHWAY VEHICLE:**

Moved by Fjeldheim, seconded by Hansen to award the following bid for the Highway Department: State Contract for one 2016 Chevrolet Silverado ¾ ton 4x4, extended cab, short box in total amount of \$26,270.00 (2016 purchase). All members present voting aye. Motion carried.

**WELFARE GUIDELINES AMENDED:**

Commissioner Hansen offered the following Resolution:

**RESOLUTION #75-15**

WHEREAS, Title 2, Second Revision of Brown County Ordinances, as amended, requires the Brown County Commission, by resolution, to adopt rules, regulations and appendixes necessary for the implementation of a County Welfare Program, in accordance with SDCL 28-13; and

WHEREAS, the Brown County Commission adopted the Brown County Welfare Guidelines by Resolution No. 4-98, dated January 6<sup>th</sup> 1998; amended by Resolution #16-2000 (3/14/2000); Resolution #23-2000 (4/4/2000); Resolution #21-02 and Resolution #22-02 (1/29/02); Resolution #77-04 and Resolution #78-04 (9/28/04); Resolution #20-06 and Resolution #21-06 (4/4/06); Resolution #24-08 and Resolution #25-08 (3/18/08); Resolution #42-09 and Resolution 43-09 (7/28/09); Resolution #88-10 (10/5/10); Resolution #102-10 (12/7/10); Resolution #4-14 (1/28/14), and

WHEREAS, it is deemed necessary and in the best interest of the residents of Brown County to amend Appendix A (Income Eligibility/Determination Tests).

NOW, THEREFORE BE IT RESOLVED that Appendix A (Income Eligibility/Determination Tests) be amended as follows:

**Appendix A**

**Income Eligibility/Determination Tests**

**Poverty Guidelines**

Family Size	Monthly
1	\$ 981
2	\$1,328
3	\$1,674
4	\$2,021
5	\$2,368

6	\$2,714
7	\$3,061
8	\$3,408
9	\$3,755
10	\$4,102

Seconded by Commissioner Fjeldheim. Roll call vote: Commissioners Hansen-aye, Kippley-aye, Fischbach-absent, Fjeldheim-aye, Sutton-aye. Resolution adopted.

#### WELFARE REPORT:

Cliff Rhodes, Welfare Director suggested updating the Commission about claims if county cost could exceed \$20,000. Board concurred.

#### EXECUTIVE SESSION:

Moved by Hansen, seconded by Kippley to go into executive session for personnel discussion, per SDCL 1-25-2(1) and to consult with legal counsel, per SDCL 25-2-1(3) with Larry Lovrien, Gary Vetter and Paul Sivertsen in attendance. All members present voting aye. Motion carried.

The Chairman declared the executive session closed, with the following action taken as a result of the discussion:

Moved by Hansen, seconded by Kippley to approve the Brown County Commission Response to Employee Grievance. The Brown County Commission would like to respond to concerns presented regarding the Brown County IT Department.

- Department Head Salary- We would urge anyone interested to thoroughly research the salaries of similar positions across the state at various levels. We feel we are paying the current IT Department Head a reasonable salary when taking into consideration the job description and responsibilities.
- Double billing and check issues from 2012-A full report by South Dakota Legislative Audit regarding this issue is on file for review by anyone interested in acquiring. This report can be obtained through the BC Auditor's office.
- Fair Ticket Issues- As with any new program, items of concern have been noted so they can be remedied for 2016. During the recap of the ticket sales and revenue, all tickets are accounted for and revenue matches tickets sold. It has been stated that the BC Treasurer is still waiting for reports regarding 2015 ticket sales. As of October 21, 2015, the BC Commission Chair verified that the Treasurer has closed the books on the 2015 BC Fair ticket sales, has presented her information to Legislative Audit, who expressed no concerns, and is not waiting for any additional information or reports.
- It was stated that a recent appearance at a Brown County Commission meeting had been deleted. Upon reviewing the proceedings, it was verified that nothing was deleted from any Commission meeting. As per policy, nothing can be deleted from any BC Commission meeting without a written request by either the Commission Assistant or any BC Commissioner. No such request has ever been made.
- Effective immediately, BC Commission meetings will no longer provide a public forum to attack, condemn or accuse any BC employee. If a concerned citizen has a personnel related issue, that issue will be discussed in Executive Session and dealt with appropriately in open session when and if action is required. There should be a reasonable expectation by every BC employee that they should be able to report to work and do their job without fear of being publically chastised in an open meeting. BC will handle all personnel issues this way in the future. It is the responsibility of the BC Commission to listen to legitimate criticism of County Policy while at same time protecting our employees.

All members present voting aye. Motion carried.

**INDIGENT COUNSEL PROCEDURE LETTER:**

Moved by Hansen, seconded by Fjeldheim to approve and authorize the Chairman sign letter to Judge Myren advising of decision in October 13, 2015 minutes requesting that all indigent services be by judge appointment on a rotation basis, effective January 1, 2016. All members present voting aye. Motion carried.

**USE OF MEETING ROOM:**

Moved by Hansen, seconded by Fjeldheim to waive fee for use of an office at the Charlene Millim Office Building several days each week during the Affordable Care Act enrollment period as an outreach program for the residents of Brown County. All members present voting aye. Motion carried.

**ADJOURNMENT:**

Moved by Hansen, seconded by Kippley to adjourn the Brown County Commission. All members present voting aye. Motion carried.

Maxine Fischer, Brown County Auditor *Maxine Fischer*

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## NOVEMBER 3, 2015 – GENERAL MEETING

Meeting called to order by Chairman Sutton at 8:45 A.M. in the Commissioner's Chambers, Courthouse Annex, Brown County, SD. Present were Commissioners Hansen, Kippley, Fischbach and Fjeldheim. Chairman Sutton led the Pledge of Allegiance.

### MINUTES:

Moved by Fjeldheim, seconded by Kippley to approve the Joint City/County Meeting Minutes and the General Meeting Minutes of October 27, 2015. All members present voting aye. Motion carried.

### CLAIMS:

Moved by Hansen, seconded by Fischbach to approve the following claims:

Payroll: Commission \$3,767.51; Commission Assistant/Human Resources \$4,088.74; Auditor \$7,960.01; Treasurer \$12,640.49; Data Processing \$7,171.88; State's Attorney \$16,212.90; Blood Draws \$950.00; SVAWA Grant \$1,873.94; Maintenance \$5,342.57; Assessor \$13,136.50; Register of Deeds \$8,787.69; Veterans Service Office \$3,563.74; GIS \$2,195.60; Sheriff Admin \$32,915.27; SPP-VLSL Payout \$5,390.55; Jail \$35,490.44; Coroner \$900.00; JDC \$16,375.49; HD \$5,401.34; Welfare Office \$3,026.85; Museum \$7,683.74; Parks & Fairgrounds \$4,924.20; Fair Board \$4,002.77; 4-H \$1,113.60; Weed \$2,355.49; Planning and Zoning \$1,586.47; Highway \$46,272.41; Communications \$23,383.92; Emergency Management \$3,767.34; Teen Court \$0.00; 24/7 \$2,968.86; Landfill \$12,730.35

Matching Benefits: FICA \$18,161.04; Medicare \$4,247.39; Life \$658.92; Dental \$6,446.40; Health Insurance \$93,851.26; Retirement \$51,591.13.

Professional Fees: Avera St. Luke's \$8,021.01; Br. Co. Treasurer \$30.00; Language Line Services \$90.12; LBG \$5,518.85; Schriver's Memorial Mortuary \$1,000.00; SD DOT \$6,315.08; SDN Communications \$125.00; Tammy Stolle Court Reporting \$97.65; Jodi Sudweeks \$30.80; Sara Zahn \$239.40.

Publishing: American News \$118.12; Groton Independent \$65.15; Ingstad Family Media \$1,077.00; Nationwide Hotel Guides \$295.00.

Rentals: Jon Malsam Rentals \$269.00.

Repairs & Maintenance: Aberdeen Plumbing & Heating \$67.32; Auto Glass Solutions \$40.00; Butler Machinery \$2,107.09; Cass Co. Heating \$15.32; Climate Control \$1,738.29; Eugene Dennert \$825.00; Great Western Tire \$10.00; HF Jacobs & Son \$17,213.70; Leidholt Electric \$2,270.90; Marco \$124.42; Fritz Pigors \$240.00; Southern Folger Detention \$201,970.00; Thee Glass Doktor \$92.40; Volk Upholstery \$60.00.

Supplies: A & B Business \$60.72; Active Data Systems \$224.93; American Stamp & Marking Products \$84.37; Ameripride \$412.90; Butler Machinery \$3,329.20; Cass Co. Heating \$36.00; Crescent Electric \$156.82; DT Pharmacy \$3,938.39; Equipment Blades \$1,034.80; Sue Gates \$21.83; GovConnection \$841.56; Great Western Tire \$7,629.65; J. Gross Equipment \$521.85; Lang's TV & Appliance \$714.99; Menards \$330.05; Network Services \$266.42; Parcel Erickson \$135.00; Pro Ag Supply \$404.90; Running's \$219.21; Lora Schaunaman \$20.41; Thee Glass Doktor \$121.50; Zastrow's Sales & Service \$85.43.

Travel and Conference: Dawn Allam \$433.34; Exec. Mgmt \$1,047.00; Cliff Rhodes \$97.48; Andrea Sjomeling \$190.72.

Utilities: AT & T \$678.78; BDM Rural Water \$44.00; CenturyLink \$2,655.78; Midcontinent \$525.60; Montana-Dakota Utilities \$24.78; NVC \$136.32; NWPS \$10,588.50; Verizon \$2,572.79; Web Water \$74.68. All members present voting aye. Motion carried.

### PERSONNEL:

Moved by Hansen, seconded by Kippley to approve the following employee step increases, effective November 8, 2015: Andrew Janusz @ \$15.46 per hour, Sheila Anderson @ \$19.00 per hour, Michael Ernst @ \$18.17 per hour. All members present voting aye. Motion carried.

Moved by Hansen, seconded by Kippely to approve hiring Cameron Refsland as full-time Correctional Officer effective November 16, 2015 at \$14.88 per hour; and Grace Gasperich as part-time 24/7 Employee, effective November 3, 2015 @ \$12.54 per hour. All members present voting aye. Motion carried.

Moved by Kippely, seconded by Fischbach to approve request to fill vacancy for a permanent part-time civil process assistant at the Sheriff Department. All members present voting aye. Motion carried.

Moved by Kippely, seconded by Hansen to acknowledge resignation of Diane Mielke, effective November 2, 2015; and approve employee classification change for Teresa Mann from part-time to full-time position (cook at the Jail), effective November 2, 2015 @ \$15.74 per hour. All members present voting aye. Motion carried.

#### UNCLAIMED PROPERTY:

Moved by Fischbach, seconded by Fjeldheim to void the uncashed checks from the General Fund and Jail Commissary and send the \$202.22 to Unclaimed Property. All members present voting aye. Motion carried.

#### COURT SECURITY GRANT APPLICATION:

Moved by Kippely, seconded by Hansen to approve and authorize the Chairman sign Court Security Grant application letter in amount of \$6,782.00 (50/50 match grant). All members present voting aye. Motion carried.

#### CONSOLIDATED BOARD OF EQUALIZATION:

Commissioner Fjeldheim offered the following Resolution:

#### RESOLUTION #76-15 A RESOLUTION TO ESTABLISH CONSOLIDATED BOARD OF EQUALIZATION PURSUANT TO SDCL 10-11-66 THROUGH 10-11-77

BE IT RESOLVED that a consolidated Board of Equalization as authorized by 10-11-66 shall be established pursuant to the Resolution of the Governing Boards of Brown County, City of Aberdeen, and the Aberdeen School District 6-1. The consolidated Board of Equalization as created by this Resolution shall be authorized to exercise all powers contained in SDCL 10-11.

BE IT FURTHER RESOLVED that three members from the Brown County Commission and one member of the Aberdeen City Council and one member of the Aberdeen School District 6-1 School Board shall constitute a consolidated Board of Equalization as provided by SDCL 10-11-66.

BE IT FURTHER RESOLVED that the Aberdeen City Council, Brown County Commission and the Aberdeen School District 6-1 shall be responsible for the per diem and salary and mileage costs of the respective members that serve on the Consolidated Board of Equalization. Brown County Commission shall be responsible for the ordinary and customary expenses associated with the equalization of property including appeals to the State of South Dakota Office of Hearing Examiners. The financial responsibilities contained in this resolution shall remain unless the Aberdeen City Council, Brown County Commission or the Aberdeen School District 6-1 shall request that they be modified prior to December 1<sup>st</sup> of each year.

THIS RESOLUTION shall be binding upon the Brown County Commission, Brown County, SD and upon each governing body adopting this Resolution according to law.

Seconded by Commissioner Kippely. Roll call vote: Commissioners Hansen-aye, Kippely-aye, Fischbach-aye, Fjeldheim-aye, Sutton-aye. Resolution adopted.

#### BID DATE – ANNEX BASEMENT AND FIRST AND SECOND FLOOR COURTHOUSE LIGHTING PROJECT:

Moved by Hansen, seconded by Fjeldheim to authorize advertising for sealed bids for labor and material to replace all light fixtures in the Annex Basement and on the first and second floor of the Brown County Courthouse, to be opened and considered in the Commissioner's Chambers, Courthouse Annex, Brown County, SD at 8:50 A.M. on November 24, 2015 (2016 project). All members present voting aye. Motion carried.

#### CLAIM ASSIGNMENTS:

Moved by Fjeldheim, seconded by Hansen to approve and authorize the Chairman to sign documentation to assign claims against individuals to Credit Collections Bureau for purpose of collecting a lien. All members present voting aye. Motion carried.

#### VOTE CENTERS:

Commissioner Kippley offered the following Resolution:

#### RESOLUTION #77-15 A Resolution Authorizing Use of Vote Centers For the Aberdeen Municipal Special Election

WHEREAS, as per SDCL 12-14-17, the Brown County Board of County Commissioners may authorize the use of vote centers in lieu of precinct polling places, providing that the election is conducted in conformance with all applicable election laws and rules, and

WHEREAS, the City of Aberdeen, Brown County, in its entirety, will be considered one precinct with the use of vote centers for the Aberdeen Municipal Special Election to be held on December 15, 2015; and

WHEREAS, the use of vote centers will make voting more accessible for registered voters in Brown County as they will be able to vote at any one of the vote centers, and

NOW, THEREFORE BE IT RESOLVED that the Brown County Commission declares all of the City of Aberdeen, Brown County as one voting precinct for the Aberdeen Municipal Special Election to be held on December 15, 2015; and designates the following locations as vote centers:

1. AmericInn
2. Best Western Ramkota Hotel/Convention Center
3. Courthouse Community Room

BE IT FURTHER RESOLVED that the Auditor's office will be used as an absentee vote center to process absentee ballots on Election Day.

Dated this 3<sup>rd</sup> day of November 2015.

Seconded by Commissioner Fischbach. Roll call vote: Commissioners Hansen-aye, Kippley-aye, Fischbach-aye, Fjeldheim-aye, Sutton-aye. Resolution adopted.

#### SPEED LIMIT:

Gary Vetter, Commission Assistant discussed speed limit change on County Road 15. No action was taken at this time.

#### DOCUMENT MANAGEMENT SYSTEM:

Shaun Falken, Marco, Inc requested permission to present demonstration of their product M-Files, a content management and document management system to the Commission and each Department. No action was taken at this time.

**EXECUTIVE SESSION:**

Moved by Hansen, seconded by Kippley to go into executive session for contract discussion, per SDCL 1-25-2(4) with Larry Lovrien, Gary Vetter, Mark Milbrandt and John McQuillen in attendance. All members present voting aye. Motion carried.

The Chairman declared the executive session closed, with no action taken as a result of the discussion.

**BCCHC REPORT:**

DeAnna Kyburz presented the Brown County Community Health Center Report for July – September 2015.

**ASSESSMENT QUESTION:**

Cheryl Block inquired about possibility of a lowered assessed value for 2014 payable 2015 on her property. No action can be taken as the appeal process for 2014 payable 2015 has ended.

**EXECUTIVE SESSION:**

Moved by Hansen, seconded by Fjeldheim to go into executive session for personnel discussion, per SDCL 1-25-2(1) and contract discussion, per SDCL 1-25-2(4) with Larry Lovrien and Gary Vetter in attendance. All members present voting aye. Motion carried.

The Chairman declared the executive session closed, with the following action taken as a result of the discussion:

Moved by Kippley, seconded by Hansen to authorize the States Attorney to complete a retainer agreement contract for the Commission. All members present voting aye. Motion carried.

**CONCERNED CITIZEN:**

Area citizen Matt Deilke distributed the definition of a hostile work environment, as stated in United States labor law; and volunteered to go with a county employee of the Commission's choosing and administer an anonymous ballot to all employees in regard to Brown County being a hostile work environment. The Commission will discuss and consult with the States Attorney.

**ADJOURNMENT:**

Moved by Hansen, seconded by Fjeldheim to adjourn the Brown County Commission. All members present voting aye. Motion carried.

Maxine Fischer, Brown County Auditor



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## NOVEMBER 3, 2015 - JOINT CITY/COUNTY MEETING

The Brown County Commission and the Aberdeen City Council met in joint session at 8:45 A.M. in the Commissioner's Chambers, Courthouse Annex, Brown County, SD. Present from City were Council Members Bunsness, Campbell, Johnson, Ronayne and Mayor Levsen. Absent were Council Members Remily, Rux, Slaughter-Hansen and Swanson. Present from County were Commissioners Hansen, Kippley, Fischbach, Fjeldheim and Sutton.

## ORDINANCE #15-10-02/450:

On motion by Bunsness, seconded by Campbell, the City unanimously voted to adopt Ordinance #15-10-02/450.

Moved by Fischbach, seconded by Fjeldheim to adopt Ordinance #15-10-02/450, An Ordinance to amend Ordinance No. 1164 to rezone the following described property from its present zoning designation of (A-1) Agricultural District and (A-2) Greenbelt District to (M-AG) Mini-Agricultural District and (A-2) Greenbelt District: Lot 1, Dahme Pit Addition in the NW ¼ of Sec 35-T123N-R64W of the 5<sup>th</sup> P.M., Brown County, South Dakota (1715 135<sup>th</sup> Street SW). Roll call vote: Commissioners Hansen-aye, Kippley-aye, Fischbach-aye, Fjeldheim-aye, Sutton-aye. Ordinance adopted.

## ORDINANCE #15-11-01/451 AND #15-11-02-452:

On motion by Bunsness, seconded by Johnson, the City unanimously voted to set public hearing date for Ordinance #15-11-01/451 and Ordinance #15-11-02/452

Moved by Fjeldheim, seconded by Kippley to set public hearing for Ordinance #15-11-01/451, An Ordinance to amend Ordinance No. 1164 to rezone the following described property from its present zoning designation of (A-1) Agricultural District to (M-AG) Mini-Agricultural District: Lot 27, Evelo's Outlots in the NE ¼ of Sec 2-T122N-R64W of the 5<sup>th</sup> P.M., Brown County, South Dakota (13649 Pontiac Drive); and Ordinance #15-11-02/452, An Ordinance amending the Aberdeen City Code regarding changes to the downtown facades and signs ordinances, to be held in the County Commission Chambers on November 24, 2015 at 8:45 a.m. All members present voting aye. Motion Carried.

The City Council adjourned and the County Commission continued in regular session.

Maxine Fischer, Brown County Auditor *Maxine Fischer*

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## NOVEMBER 10, 2015 – GENERAL MEETING

Meeting called to order by Chairman Sutton at 8:45 A.M. in the Commissioner's Chambers, Courthouse Annex, Brown County, SD. Present were Commissioners Hansen, Kippley, Fischbach and Fjeldheim. Commissioner Fischbach led the Pledge of Allegiance.

### MINUTES:

Moved by Kippley, seconded by Fischbach to approve the Joint City/County Meeting Minutes and the General Meeting Minutes of November 3, 2015. All members present voting aye. Motion carried.

### CLAIMS:

Moved by Hansen, seconded by Fjeldheim to approve the following claims:

Professional Fees: Avera St. Luke's \$8,815.71; Kristi Brandt \$167.20; Lincoln Co. Treasurer \$310.50; Midstates Printing \$75.00; NCS \$352.50; One Source \$45.00; Aaron Salberg \$220.50; SD Assoc. of County Officials \$1,044.00; SD Dept. of Revenue & Regulation \$583,954.38.

Publishing: American News \$676.03; Hub City Radio \$300.00.

Rentals: Randy Grote \$330.00; SD Real Estate \$330.00.

Repairs & Maintenance: Asphalt Zipper \$83.00; Best Western Ramkota \$4.00; Crawford Trucks & Equip. \$2,929.98; Cunningham Electric \$56.15; Dahme Construction \$24,097.50; DFP \$41.40; Dakota Oil \$.27; Diamond Mowers \$98.20; DMI \$2,250.77; G & K Services \$340.71; Helms & Assoc. \$304.85; HF Jacobs & Son Construction \$4,464.29; House of Glass \$277.60; Lawson Products \$48.20; Matador Detailing \$312.50; Pierson-Ford \$132.13; PowerPlan \$2,079.16; Productivity Plus \$395.85; Sheehan Mack \$12,610.11; Woodman Refrigeration \$1,088.26.

Supplies: Aberdeen Asphalt \$77,338.35; Allegiant Emergency Services \$540.00; Artz Equipment \$1,062.20; Asphalt Zipper \$1,188.00; Bakken Build Maint. \$500.00; CarQuest \$993.96; Cartney Bearing \$82.78; Crawford Trucks & Equip. \$4,705.48; Crescent Electric \$14.11; Cunningham Electric \$2.58; Dakota Electronics \$2,156.30; DFP \$1,080.08; Dakota Oil \$356.21; DSG \$1,617.46; Diamond Mowers \$1,043.52; DMI \$1,168.79; DT Pharmacy \$1,560.00; Earthgrains \$745.07; Farm Power Mfg. \$46.82; Farnam's \$72.81; Fastenal \$446.97; FedEx \$20.80; GovConnection \$1,454.79; Graham Tire \$1,773.00; Green Iron Equip. \$37.64; Hecla Implement \$14.40; Hedahl's \$27.28; Interstate Battery \$1,359.50; Lawson Products \$648.73; Leidholdt Tool Sales \$9.28; Mac's \$35.74; Marco \$178.35; McFarland Supply \$397.58; Menards \$46.43; Midstates Printing \$416.84; NCFE – Warner Elevator \$9,466.65; Network Services \$1,533.98; Pheasantland Industries \$942.33; Pierson-Ford \$134.20; PowerPlan \$1,918.40; Pro Ag Supply \$51.58; Productivity Plus \$117.92; Rowman & Littlefield Publishing \$97.00; Running's \$338.60; Christy Serr \$30.60; Sheehan Mack \$2,156.89; Taylor Laundry \$129.50; Tyler Business Forms \$379.04; United Clinic Pharmacy \$32.99; Patti Woods \$45.90.

Travel and Conference: C. Scott Bader \$167.82; Best Western Ramkota \$167.98; Patrick Keatts \$167.82; Dale Kurth \$24.00; Cathy McNickle \$41.00; Russell Metz \$168.73; Mark Milbrandt \$489.00; Sara Swisher \$41.00; Mary Worlie \$162.34.

Utilities: Aberdeen City Treasurer \$1,306.86; CenturyLink \$1,361.58; Exec. Mgmt. \$247.08; Midcontinent \$70.30; Northern Electric \$70.00; NVC \$2,812.19; NWPS \$1,992.18; Town of Frederick \$41.00. All members present voting aye. Motion carried.

### PERSONNEL:

Moved by Fjeldheim, seconded by Hansen to approve hiring Jarrod Zaruba, effective November 4, 2015 for purpose of prisoner transport. All members present voting aye. Motion carried.

Moved by Fischbach, seconded by Kippley to approve hiring David Engraf (Auditor's Offices), effective November 16, 2015 @ \$13.92 per hour. All members present voting aye. Motion carried.

Moved by Fjeldheim, seconded by Kippley to acknowledge the following miles driven and amount to be taxed for personal use of County vehicles during the month of October 2015: Kendell Titze – 114 @ \$65.55, Michael

Scott – 210 @ \$120.75, Gary Vetter – 131 @ \$75.33, Dirk Rogers – 684 @ \$393.30. All members present voting aye. Motion carried.

#### AUDITORS REPORT OF ACCOUNT:

Moved by Kippley, seconded by Hansen to approve the October 2015 Auditor's Report of Account with the County Treasurer in total amount of \$30,808,803.56 (total amount of actual cash @ \$3,800.00, US Bank @ \$198,940.77, Dacotah Bank @ \$5,078,791.99, Petty Cash @ \$2,000.00, Fund Investments @ \$25,525,270.80). All members present voting aye. Motion carried.

#### BROWN COUNTY MASTER STREET ADDRESS GUIDE (MSAG):

Commissioner Kippley offered the following Resolution:

##### RESOLUTION #78-15

WHEREAS, it is deemed in the best interest of the residents of Brown County that a change be made on the Master Street Address Guide (MSAG); and

WHEREAS, renaming the three mile quarter section line between 124<sup>th</sup> Street on the north and 125<sup>th</sup> Street on the south; between 396<sup>th</sup> Ave on the east and 393<sup>rd</sup> Ave on the West would better serve the general public and would address public safety concerns.

THEREFORE, BE IT RESOLVED that the Brown County Board of Commissioners rename the following section of the one-half section line to Cambria Road and update all maps accordingly, as follow: :

CAMBRIA ROAD – the three mile quarter section line between 124<sup>th</sup> Street on the north and 125<sup>th</sup> Street on the south; between 396<sup>th</sup> Ave on the east and 393<sup>rd</sup> Ave on the West would better serve the general public and would address public safety concerns.

Dated this 10<sup>th</sup> day of November 2015.

Seconded by Commissioner Sutton. Roll call vote: Commissioners Hansen-nay, Kippley-aye, Fischbach-aye, Fjeldheim-aye, Sutton-aye. Resolution adopted.

#### EQUIPMENT PURCHASE:

Scott Meints, Emergency Management Director discussed the purchase of a Drone Kit for use by Emergency Management and the Sheriff's Department as a tool for first responders at estimated cost of \$4,013.00. Board concurred.

#### COMMISSION ASSISTANT:

Gary Vetter received a request for a long term lease at the Charlene Millim Office Building for an office. The Commission advised to deny the request at this time.

#### EXECUTIVE SESSION:

Moved by Hansen, seconded by Fjeldheim to go into executive session for personnel discussion, per SDCL 1-25-2(1) and to consult with legal counsel, per SDCL 25-2-1(3) with Larry Lovrien and Gary Vetter in attendance. Sheila Enderson and Maxine Fischer were present to answer questions during a portion of the personnel discussion. All members present voting aye. Motion carried.

The Chairman declared the executive session closed, with no action taken as a result of the discussion:

#### EMPLOYEE SURVEY:

Chairman Sutton stated that potential questions are being compiled for an internal employee survey, which will be conducted by an independent on-line survey company in the next week or so; and thanked Matt Deilke for the suggestion and the offer of his time for assistance in completing the survey. Scott Madsen, GIS Coordinator asked the nature of the survey; Chairman Sutton stated it would cover the general feelings of employees of the County.

CONCERNED CITIZEN:

Area citizen Matt Deilke asked for clarification on the grievance response in regard to the 2015 fair tickets and raised the question of accountability and over-site of the ticket program. Commissioner Hansen stated she had never seen daily ticket sale reports in her 21 years as a Commissioner. Commissioner Kippley clarified that the Treasurer provided preliminary information to Legislative Audits about the process used during the week of the fair for tracking ticket sales in comparison to 2014. The 2015 Fair has not been audited.

ADJOURNMENT:

Moved by Hansen, seconded by Kippley to adjourn the Brown County Commission. All members present voting aye. Motion carried.

Maxine Fischer, Brown County Auditor *Maxine Fischer*

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## NOVEMBER 17, 2015 – GENERAL MEETING

Meeting called to order by Chairman Sutton at 8:45 A.M. in the Commissioner's Chambers, Courthouse Annex, Brown County, SD. Present were Commissioners Hansen, Kippley and Fjeldheim. Commissioner Fischbach was absent. Chairman Sutton led the Pledge of Allegiance.

### MINUTES:

Moved by Fjeldheim, seconded by Hansen to approve the General Meeting Minutes of November 10, 2015, with correction that Paul Sivertsen was in attendance during a portion of the executive session via telephone. All members present voting aye. Motion carried.

### CLAIMS:

Moved by Kippley, seconded by Fjeldheim to approve the following claims:

Payroll: Commission \$3,767.51; Commission Assistant/Human Resources \$4,088.74; Auditor \$6,414.13; Treasurer \$12,924.07; Data Processing \$7,171.88; State's Attorney \$16,279.44; Blood Draws \$650.00; SVAWA Grant \$1,873.94; Maintenance \$6,313.56; Assessor \$13,136.51; Register of Deeds \$9,349.67; Veterans Service Office \$3,563.74; GIS \$2,195.60; Sheriff Admin \$31,404.70; Jail \$42,256.67; JDC \$16,496.22; HD \$5,375.28; Welfare Office \$3,477.47; Museum \$7,683.74; Parks & Fairgrounds \$5,179.09; Fair Board \$3,407.85; 4-H \$1,113.60; Weed \$1,483.62; Planning and Zoning \$1,586.47; Highway \$46,475.70; Communications \$20,826.35; Emergency Management \$3,767.34; Teen Court \$283.14; 24/7 \$3,050.37; Landfill \$12,097.74.

Matching Benefits: FICA \$16,835.43; Medicare \$3,937.31.

Professional Fees: Adam Altman \$349.80; Avera St. Luke's \$4,611.27; BMI \$335.00; Brick's TV & Appliance \$5,203.75; Denise Cody \$37.50; Faulk Co. Sheriff Dept. \$10,560.00; HKG Architects \$16,470.00; Lewis & Clark BHS \$640.00; Lucy Lewno \$310.50; LexisNexis \$51.60; Pollard Law \$198.00; SD Dept. of Revenue & Regulation \$8,465.62; Tammy Stolle Court Reporting \$138.80; Karen Swanda \$37.50; Yankton Co. Sheriff Office \$50.00.

Publishing: American News \$382.63.

Rentals: Danne \$330.00.

Repairs & Maintenance: 446-Praxair \$65.83; Asphalt Zipper \$68.63; Farm Power Mfg. \$386.00; GCR Tires \$649.84; Newman Signs \$21.03; Steven Lust Automotive \$61.89; US Bank \$1,039.69; Walth Safety Service \$7.95.

Supplies: Account Services Exchange \$850.00; Allegiant Emergency Services \$294.20; Ameripride \$351.62; Asphalt Zipper \$401.90; Bob's Photo \$4,033.00; Carlsen Funeral Home \$336.84; Civic Research Institute \$179.95; Cole Papers \$1,807.19; Crescent Electric \$135.00; Ecolab \$94.19; Farm Power Mfg. \$1,753.13; GCR Tires \$314.24; Keeley's \$2,711.00; Rodney Kirschenmann \$1,000.00; Lar-Jo's \$564.13; Lucy Lewno \$12.98; LexisNexis \$90.08; Lien Transportation \$13,132.02; Marco \$25.64; Midstates Printing \$369.00; Network Services \$250.76; Newman Signs \$308.30; Pollard Law \$2.00; Pro Ag Supply \$215.54; Sewing Shoppe \$6.00; Share Corp. \$300.00; Tractor Supply \$26.47; Tri-State Water \$26.00; Universal Hospital Services \$30.00; US Bank \$13,565.89; Web Water Bottling Co. \$49.00; West Payment Center \$3,132.83.

Travel and Conference: Leo Leshner \$347.80; SD Assoc. of Fairs & Celebrations \$250.00; SD Sheriff's Assoc. \$295.00; US Bank \$2,571.54; Winner Police Dept. \$67.60.

Utilities: Aberdeen City Treasurer \$278.73; City of Hecla \$159.33; Economy Propane \$296.75; North Star Energy \$129.80; Northern Electric \$1,118.03; NWPS \$115.35; US Bank \$659.52. All members present voting aye. Motion carried.

### CATHERINE LINDEMANN:

Moved by Hansen, seconded by Fjeldheim to close all Brown County Offices able to close to the public from 10:15 a.m. to 12:15 p.m. on Monday, November 23, 2015 to honor the memory of Catherine Lindemann, employee at the Register of Deeds Office from February 1, 1996 to present. Some offices may stay open to the public with minimal staffing, at the discretion of the office head. All members present voting aye. Motion carried.

**PERSONNEL:**

Moved by Hansen, seconded by Fjeldheim to approve employee status changes for Nicole Leslie Tveit from full-time Corrections Officer to part-time Civil Process Assistant, effective November 30, 2015 @ \$14.18 per hour; and for Brian Marcuson from part-time Correctional Officer to part-time cook, effective November 30, 2015 at \$14.12 per hour. All members present voting aye. Motion carried.

**LEASE AGREEMENT:**

Moved by Kippley, seconded by Fjeldheim to approve and authorize the Chairman sign agreement with Carla Janjula-Sperry for lease of the Club House on September 5 & 6, 2015. All members present voting aye. Motion carried.

**ALCOHOLIC BEVERAGE LICENSE RENEWAL:**

Moved by Kippley, seconded by Fjeldheim to approve the following applications for renewal of Alcoholic Beverage Licenses to operate outside of the Municipality: PACKAGE (OFF-SALE) LIQUOR: Venus & Kit Donley DBA Mansfield Bar & Grill, (Lots 12, 13, 14, Block 4, Mansfield, 32-121-64). Marge Frohling DBA The Connection (Lots 13, 14, & 15, Block 2, Houghton, 31-127-61). Roderic L Hanson DBA Ferney Farmers Bar (Lots 4 & 5, Block 5, Ferney, 31-122-60). RETAIL (ON-SALE) AND SUNDAY LIQUOR: Venus & Kit Donley DBA Mansfield Bar & Grill (Lots 12, 13, 14, Block 4, Mansfield 32-121-64). Roderic L Hanson DBA Ferney Farmers Bar (Lots 4 & 5, Block 5, Ferney, 31-122-60). Moccasin Creek Country Club Inc (Prairiewood Village OL 7, 33-124-63). Travis Swenson DBA Elm Lake Resort (Lot 1 Elm Lake Subdivision in the SE ¼ of 8-128-65). Stacy Gossman DBA Big Fella's (Lot 1B Gossman 1st Addn S ½ of 15-123-63). Dennis O Jones DBA Dakota River Ranch/Tacoma Park Place (5 acres in NE corner of NW ¼ of 23-124N-62W). P'ZA Inc DBA Anchors Away Lodge & Resort (Palmer's Richmond Resort Subd Lt 1, Subd OL 1 Richmond OL 1 & 2). RETAIL (ON-OFF-SALE) WINE: ARR LCC DBA Flatland Flyways Lodge (Russo's OL 1 NW ¼ 1-127-62). All members present voting aye. Motion carried.

**SHERIFF REPORT:**

Moved by Fjeldheim, seconded by Kippley to approve the following October 2015 Sheriff Report: Incidents and offenses, Prisoner care, JDC, and Money deposited with the County Treasurer. All members present voting aye. Motion carried.

**TAX DEED SALE:**

Moved by Kippley, seconded by Hansen to authorize advertising the following described property to be offered for sale by auction in the Community Room, Brown County Courthouse Annex, on December 7, 2015 at 10:00 a.m., and further to declare property surplus for purpose of sale: Aberdeen City: Lot 8 Blk 16 Hagerty & Lloyd Addition (509 N Penn Street). All members present voting aye. Motion carried.

**ORD 097 – FIRST READING:**

Moved by Kippley, seconded by Hansen to approve First Reading of Ordinance #097, An Ordinance to amend Title 4 – Zoning, Second Revision Brown County Ordinances, to rezone the following described property from its present zoning designation of Chapter 4.06 (AG-P) Agricultural Preservation District to Chapter 4.10 (R3) Lake Front District: Lots 7 & 8, Block 1 RO-JU-OS Park; Lots 12 & 13, Block 1 RO-JU-OS Park; Lots 1-5, Block 1 RO-JU-OS Park; Lot 6, Block 1 RO-JU-OS Park; Lot 2, Block 1 Graham Oster Addition to RO-JU-OS Park; Lot 3, Block 1 Graham Oster Addition to RO-JU-OS Park; Holty Outlot A to RO-JU-OS Park; and a tract 60' N & S by 175' E & W adjacent to Lot 1 Hart Family Subdivision to RO-JU-OS Park located in the S ½ of SE ¼ of Sec 8-T128N-R65W, Brown County, SD (10186, 10194, 10176, 10184, 10172, 10174, 10160, and 10164 RO-JU-OS Place). All members present voting aye. Motion carried.

**HIGHWAY UPDATE:**

Dirk Rogers, Highway Superintendent presented an update on current department activities; announced open discussions for purpose of public input in regard to the 5-Year Highway Plan in compliance with Senate Bill #1 will be held during the Commission meeting on November 24<sup>th</sup> and at the township officials meeting on November 18<sup>th</sup>.

**EXECUTIVE SESSION:**

Moved by Hansen, seconded by Sutton to go into executive session for personnel discussion, per SDCL 1-25-2(1) and to consult with legal counsel, per SDCL 25-2-1(3) with Larry Lovrien and Gary Vetter in attendance. All members present voting aye. Motion carried.

The Chairman declared the executive session closed, with no action taken as a result of the discussion:

**CONCERNED CITIZEN:**

Area citizen Matt Deilke asked the following in regard to the grievance responses: The basis for determining the salary is reasonable? The Chairman stated an on-line list was reviewed. Who owns the on-line fair ticket program used in 2015? Sivertsen Technology. Is there a formal agreement for the donation of the use of the ticket program between the owner and the County? A draft was prepared and reviewed by the States Attorney but was never acted upon.

**ADJOURNMENT:**

Moved by Hansen, seconded by Fjeldheim to adjourn the Brown County Commission. All members present voting aye. Motion carried.

Maxine Fischer, Brown County Auditor



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# NOVEMBER 24 2015 - JOINT CITY/COUNTY MEETING

The Brown County Commission and the Aberdeen City Council met in joint session at 8:45 A.M. in the Commissioner's Chambers, Courthouse Annex, Brown County, SD. Present from City were Council Members Bunsness, Campbell, Johnson, Ronayne, Rux, Slaight-Hansen, Swanson and Mayor Levsen. Absent Council Member Remily. Present from County were Commissioners Hansen, Kippley, Fischbach, Fjeldheim and Sutton.

## ORDINANCE #15-11-01/451:

On motion by Johnson, seconded by Rux, the City unanimously voted to approve First Reading of Ordinance #15-11-01/451.

Moved by Fischbach, seconded by Hansen to approve First Reading of Ordinance #15-11-01/451, An Ordinance to amend Ordinance No. 1164 to rezone the following described property from its present zoning designation of (A-1) Agricultural District to (M-AG) Mini-Agricultural District: Lot 27, Evelo's Outlots in the NE ¼ of Sec 2-T122N-R64W of the 5<sup>th</sup> P.M., Brown County, South Dakota (13649 Pontiac Drive). All members present voting aye. Motion carried.

## ORDINANCE #15-11-02/452:

On motion by Bunsness, seconded by Ronayne, the City unanimously voted to approve First Reading of Ordinance #15-11-02/452.

Moved by Kippley, seconded by Fjeldheim to approve First Reading of Ordinance #15-11-02/452, An Ordinance amending the Aberdeen City Code regarding changes to the downtown facades and signs ordinances. All members present voting aye. Motion carried.

## PETITION TO VACATE #15-12-1R/453:

On motion by Bunsness, seconded by Slaight-Hansen, the City unanimously voted to set public hearing date for petition to vacate Resolution #15-12-01R/453.

Moved by Hansen, seconded by Fjeldheim to set public hearing on Resolution #15-12-01R/453, the petition to vacate the public right-of-way filed by Duane Hunt, Linda Hunt and Virginia Woken, described as follows: Twenty-First Avenue NW Public Right-of-Way commencing on the West side of North Fifth Street Public Right-of-Way and continuing West to point of termination including the 50' Radius Cul-De-Sac in the NE ¼ of Sec 11-T123N-R64W of the 5<sup>th</sup> P.M., Aberdeen, Brown County, South Dakota (1/10<sup>th</sup> of a Mile South of the Intersection of 24<sup>th</sup> Ave NW and 5<sup>th</sup> Street N, known as 2319 5<sup>th</sup> Street N), to be held in the County Commission Chambers on December 15, 2015 at 8:45 a.m. All members present voting aye. Motion Carried.

The City Council adjourned and the County Commission continued in regular session.

Maxine Fischer, Brown County Auditor



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# NOVEMBER 24, 2015 – GENERAL MEETING

Meeting called to order by Chairman Sutton at 8:45 A.M. in the Commissioner's Chambers, Courthouse Annex, Brown County, SD. Present were Commissioners Hansen, Kippley, Fischbach and Fjeldheim. Chairman Sutton led the Pledge of Allegiance.

## MINUTES:

Moved by Kippley, seconded by Hansen to approve the General Meeting Minutes of November 17, 2015. All members present voting aye. Motion carried.

## CLAIMS:

Moved by Fischbach, seconded by Fjeldheim to approve the following claims:

Professional Fees: Adam Altman \$4,444.45; Avera St. Luke's \$354.69; Carrels & Bain Family Dental Center \$137.02; Denise Cody \$15.00; Dean Schaefer Court Reporting \$252.00; Chris Dohrer \$5,069.45; Mark Katterhagen \$15.00; Kuck Law Office \$4,444.45; Lucy Lewno \$243.00; NE Mental Health Center \$2,314.00; One Source \$45.00; Richardson, Wyly, Wise, Sauck & Hieb, LLP \$4,444.45; Ronayne Law Office \$14,341.95; Sanford Clinic \$1,019.79; Sanford Health \$1,661.87; Sanford Health Occupational \$161.00; SDN Communications \$125.00; Christy Serr \$5,069.45; Jodi Sudweeks \$34.00; Yankton Co. Sheriff \$75.00; Yankton Co. Treasurer \$386.25.

Publishing: American News \$633.23; Dex Media \$154.83; KELO TV \$240.00.

Rentals: Robert Schatz \$300.00.

Repairs & Maintenance: A & B Business \$32.99; Aberdeen Plumbing & Heating \$202.44; Asphalt Zipper \$52.98; Clark Engineering \$3,981.68; Gillund Enterprises \$6.00; HF Jacobs \$4,620.00; Hoven Auto Repair \$847.60; Interstate Powersystems \$423.63; Leidholt Electric \$170.42; NorthStar Safety \$24.55; Pheasantland Industries \$60.18; Sander's Sew 'n' Vac \$103.13; Sperry Stump Removal \$700.00.

Supplies: Aberdeen Awards \$7.00; Allegiant Emergency Services \$1,478.00; Asphalt Zipper \$2,907.91; Cash-Wa \$4,515.28; Century Business Products \$167.27; DSG \$8.20; Dean Foods \$428.40; DPM Mercantile \$27.80; DT Pharmacy \$2,077.12; Ecolab Pest Elimination \$131.45; ES & S \$2,636.99; Fire Safety First \$100.00; Gall's \$376.99; Gillund Enterprises \$191.76; GovConnection \$67.90; Casey Jensen \$8.13; Kessler's \$93.45; Lucy Lewno \$10.45; Marco \$11.62; McKesson-Medical \$101.60; Menards \$171.95; Midstates Printing \$151.93; Moore Medical \$466.36; NorthStar Safety \$325.57; Pheasantland Industries \$3,082.25; Pitney Bowes \$5,045.00; Web Water Bottling Co. \$23.66.

Travel and Conference: Brian Bahr \$61.88; City of Groton \$72.85; Clubhouse \$615.00; Gene Loeschke \$263.67; Kathy Thompson \$22.00; Mark Wendt \$22.00; Patti Woods \$184.46.

Utilities: CenturyLink \$1,099.67; Dependable Sanitation \$33,162.32; NWPS \$2,045.10; Verizon \$200.05.

Other: JRWD \$78,001.20; Pizza Ranch \$55.96.

Equipment: Butler Machinery \$14,904.00.

BC TIFF 1 Bond Payments: Alan or Angela Bernard \$13,020.87; James Gressett \$16,276.55; Joop Bollen \$16,276.55; Pyush Patel \$16,276.55; Herman Schumacher \$8,138.35; Mark & Mary Volk \$6,510.43; Plains Commerce Bank \$248,376.75; FDM Revocable Living Trust \$16,276.55; Marlin Nilsson \$13,020.87; David & Jill Lehmann \$16,276.70; Don & Maxine Fischer \$1,953.05; Great Plains Bank \$19,531.30; Robert & Lora Larson \$3,255.60; Bruce or Lynette Durheim \$6,510.43; Kendall or Linda Peterson \$6,510.43; Peterson Securities Trust 2009 \$39,062.60; Darwin or Mary Bettmann \$1,953.13; John Kippley \$3,255.22. All members present voting aye. Motion carried.

## PERSONNEL:

Moved by Hansen, seconded by Kippley to approve request to fill vacancies for one full-time and one part-time Jail Correction Officers. All members present voting aye. Motion carried.

Moved by Fjeldheim, seconded by Hansen to approve hiring Jennie Hubert as full-time Jail Correction Officer, effective November 23, 2015 at \$14.88 per hour. All members present voting aye. Motion carried.



Moved by Fjeldheim, seconded by Hansen to approve hiring Chris Hemen as part-time Weed & Pest Supervisor, effective December 7, 2015 at \$17.00 per hour (to be transferred to full-time status at a later date). All members present voting aye. Motion carried.

PLATS:

Commissioner Fjeldheim offered the following Resolution:

RESOLUTION #79-15

BE IT RESOLVED by the Board of County Commissioners of Brown County, SD, that the plat showing "JM Adams Subdivision in the SE ¼ of the SW ¼ of Sec 14-T124N-R64W of the 5<sup>th</sup> P.M., Brown County, SD", having been examined, is hereby approved in accordance with the provisions of SDCL 11-3, and any amendments thereof.

Seconded by Commissioner Hansen. Roll call vote: Commissioners Hansen-aye, Kippley-aye, Fischbach-aye, Fjeldheim-aye, Sutton-aye. Resolution adopted.

Commissioner Fjeldheim offered the following Resolution:

RESOLUTION #80-15

BE IT RESOLVED by the Board of County Commissioners of Brown County, SD, that the plat showing "Bellikka, Fischer Estates Addition in the SW ¼ of Sec 26-T124N-R64W of the 5<sup>th</sup> P.M., Brown County, SD", having been examined, is hereby approved in accordance with the provisions of SDCL 11-3, and any amendments thereof.

Seconded by Commissioner Hansen. Roll call vote: Commissioners Hansen-aye, Kippley-aye, Fischbach-aye, Fjeldheim-aye, Sutton-aye. Resolution adopted.

Commissioner Fjeldheim offered the following Resolution:

RESOLUTION #81-15

BE IT RESOLVED by the Board of County Commissioners of Brown County, SD, that the plat showing "Schile Subdivision in SE ¼ of Sec 19-T125N-R65W of the 5<sup>th</sup> P.M., Brown County, SD", having been examined, is hereby approved in accordance with the provisions of SDCL 11-3, and any amendments thereof.

Seconded by Commissioner Hansen. Roll call vote: Commissioners Hansen-aye, Kippley-aye, Fischbach-aye, Fjeldheim-aye, Sutton-aye. Resolution adopted.

Commissioner Fjeldheim offered the following Resolution:

RESOLUTION #82-15

BE IT RESOLVED by the County Commission of Brown County, SD, that the plat showing "DLV Hunt Outlot A in NE ¼ Sec 11-T123N-R64W of the 5<sup>th</sup> P.M., Brown County, SD", having been examined, is hereby approved in accordance with the provisions of SDCL of 1967, Chapter 11-3, and any amendments thereof.

Seconded by Commissioner Hansen. Roll call vote: Commissioners Hansen-aye, Kippley-aye, Fischbach-aye, Fjeldheim-aye, Sutton-aye. Resolution adopted.

Commissioner Fjeldheim offered the following Resolution:

## RESOLUTION #83-15

BE IT RESOLVED by the County Commission of Brown County, SD, that the plat showing "Northwood Eastgate Addition in NE ¼ Sec 6-T123N-R63W of the 5<sup>th</sup> P.M., Brown County, SD", having been examined, is hereby approved in accordance with the provisions of SDCL of 1967, Chapter 11-3, and any amendments thereof.

Seconded by Commissioner Hansen. Roll call vote: Commissioners Hansen-aye, Kippley-aye, Fischbach-aye, Fjeldheim-aye, Sutton-aye. Resolution adopted.

Commissioner Fjeldheim offered the following Resolution:

## RESOLUTION #84-15

BE IT RESOLVED by the County Commission of Brown County, SD, that the plat showing "Northwood Block One Owners Extension Subdivision in NE ¼ Sec 6-T123N-R63W of the 5<sup>th</sup> P.M., Brown County, SD", having been examined, is hereby approved in accordance with the provisions of SDCL of 1967, Chapter 11-3, and any amendments thereof.

Seconded by Commissioner Hansen. Roll call vote: Commissioners Hansen-aye, Kippley-aye, Fischbach-aye, Fjeldheim-aye, Sutton-aye. Resolution adopted.

## RELIEF LIEN:

Moved by Kippley, seconded by Hansen to release \$300.00 relief lien filed on September 3, 2013, due to extenuating circumstances. All members present voting aye. Motion carried.

## LEASE AGREEMENT:

Moved by Kippley, seconded by Fjeldheim to approve and authorize the Chairman sign agreement with Target Corp for lease of 25 cattle panels on November 25 & 26, 2015. All members present voting aye. Motion carried.

## BID – 2016 PHASE III JAIL RENOVATIONS:

Moved by Hansen, seconded by Fischbach to authorize advertising public hearing to open, read and consider sealed bids for labor and material required for the Brown County Jail Phase III 2016 Renovations, to be held in the Brown County Commission Chambers on December 22, 2015 at 8:50 a.m. All members present voting aye. Motion carried.

## TELEPHONE SYSTEM LICENSE:

Moved by Fjeldheim, seconded by Hansen to approve and authorize the Chairman sign Telephone System Licensing document with SDN Communications. All members present voting aye. Motion carried.

## BID ANNEX BASEMENT &amp; COURTHOUSE LIGHTING PROJECT:

Moved by Kippley, seconded by Fischbach to approve Addendum #E-1 and E-2 to the electrical plans and specifications for the Brown County Courthouse Basement and 1<sup>st</sup> and 2<sup>nd</sup> floor of the main courthouse Lighting Improvement Project. All members present voting aye. Motion carried.

Time and place, as advertised to open, read and consider sealed bids for the Brown County Courthouse Basement and 1<sup>st</sup> and 2<sup>nd</sup> floor of the main courthouse Lighting Improvement Project. Bids were received from Muth Electric, Mitchell, SD; Efraimson Electric Inc, Bryant, SD; Jacobson Electric, Groton SD and Ladner Electric Inc, Aberdeen, SD. Moved by Fischbach, seconded by Fjeldheim to award low bid, submitted by Ladner Electric Inc in amount of 115,892.00 for labor and material for the Brown County Courthouse Basement

and 1<sup>st</sup> and 2<sup>nd</sup> floor of the main Courthouse Lighting Improvement Project; rejecting the following: Muth Electric @ \$136,955.00, Eframson Electric @ \$118,850.00, Jacobson Electric @ \$157,000.00. All members present voting aye. Motion carried.

#### ORD 097:

Moved by Kippley, seconded by Fjeldheim to adopt Ordinance #097, An Ordinance to amend Title 4 – Zoning, Second Revision Brown County Ordinances, to rezone the following described property from its present zoning designation of Chapter 4.06 (AG-P) Agricultural Preservation District to Chapter 4.10 (R3) Lake Front District: Lots 7 & 8, Block 1 RO-JU-OS Park; Lots 12 & 13, Block 1 RO-JU-OS Park; Lots 1-5, Block 1 RO-JU-OS Park; Lot 6, Block 1 RO-JU-OS Park; Lot 2, Block 1 Graham Oster Addition to RO-JU-OS Park; Lot 3, Block 1 Graham Oster Addition to RO-JU-OS Park; Holty Outlot A to RO-JU-OS Park; and a tract 60' N & S by 175' E & W adjacent to Lot 1 Hart Family Subdivision to RO-JU-OS Park located in the S ½ of SE ¼ of Sec 8-T128N-R65W, Brown County, SD (10186, 10194, 10176, 10184, 10172, 10174, 10160, and 10164 RO-JU-OS Place). Roll call vote: Commissioners Hansen-aye, Kippley-aye, Fischbach-aye, Fjeldheim-aye, Sutton-aye. Ordinance adopted.

#### HIGHWAY FIVE YEAR PLAN:

Time and place, as advertised to discuss and receive public comment on the 5 year County Highway and Bridge Improvement Plan. Dirk Rogers, Highway Superintendent outlined the county highway projects for 2016-2020. Several residents were in attendance, but no questions or comments were offered.

#### DOCUMENT MANAGEMENT SOFTWARE:

Paul Sivertsen, IT Director discussed quotes received for Document Management Software, with initial implementation in the State's Attorney's Office. There was no action taken at this time.

#### EXECUTIVE SESSION:

Moved by Hansen, seconded by Fjeldheim to go into executive session to discuss contractual matters, per SDCL 1-25-2(3) with Larry Lovrien, Gary Vetter, Paul Sivertsen, Sheila Enderson, Mary Worlie and Maxine Fischer in attendance. All members present voting aye. Motion carried.

The Chairman declared the executive session closed, with the following action taken as a result of the discussion:

Moved by Hansen, seconded by Fjeldheim to purchase the source code for all Adamsoft, Inc programs currently in use by Brown County for \$150,000.00; and authorize the Chairman to sign contract documentation; with Commissioner Kippley voicing concern that the market dictates a price of \$45,000.00. Roll call vote: Commissioners Hansen-aye, Kippley-nay, Fischbach-aye, Fjeldheim-aye, Sutton-aye. Motion carried.

#### CONCERNED CITIZEN:

Area citizen Matt Deilke stated he did not find an on-line list of salaries referenced last week. The Chairman referred him to SD Government wages through the Argus Leader and the Aberdeen School District. Mr. Deilke also shared correspondence he received from a county employee voicing concern about the confidentiality of the Survey Monkey internet site and again offered his assistance with an employee survey. The Chairman thanked Mr. Deilke for the offer and instructed Gary Vetter to research other sites and Commissioner Hansen suggested Mr. Vetter contact NECOG in regard to conducting the survey.

#### ADJOURNMENT:

Moved by Hansen, seconded by Fjeldheim to adjourn the Brown County Commission. All members present voting aye. Motion carried.

Maxine Fischer, Brown County Auditor

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*Maxine Fischer*

## DECEMBER 1, 2015 - JOINT CITY/COUNTY MEETING

The Brown County Commission and the Aberdeen City Council met in joint session at 8:45 A.M. in the Commissioner's Chambers, Courthouse Annex, Brown County, SD. Present from City were Council Members Bunsness, Johnson, Ronayne, Slaughter-Hansen and Mayor Levensen. Absent Council Members Campbell, Remily, Rux and Swanson. Present from County were Commissioners Hansen, Kippley, Fischbach, Fjeldheim and Sutton.

## ORDINANCE #15-11-01/451:

On motion by Bunsness, seconded by Johnson, the City unanimously voted to adopt Ordinance #15-11-01/451.

Moved by Hansen, seconded by Fjeldheim to adopt Ordinance #15-11-01/451, An Ordinance to amend Ordinance No. 1164 to rezone the following described property from its present zoning designation of (A-1) Agricultural District to (M-AG) Mini-Agricultural District: Lot 27, Evelo's Outlots in the NE ¼ of Sec 2-T122N-R64W of the 5<sup>th</sup> P.M., Brown County, South Dakota (13649 Pontiac Drive). Roll call vote: Commissioners Hansen-aye, Kippley-aye, Fischbach-aye, Fjeldheim-aye, Sutton-aye.

## ORDINANCE #15-11-02/452:

On motion by Slaughter-Hansen, seconded by Bunsness, the City unanimously voted to adopt Ordinance #15-11-02/452.

Moved by Fjeldheim, seconded by Fischbach to adopt Ordinance #15-11-02/452, An Ordinance amending the Aberdeen City Code regarding changes to the downtown facades and signs ordinances. Roll call vote: Commissioners Hansen-aye, Kippley-aye, Fischbach-aye, Fjeldheim-aye, Sutton-aye

The City Council adjourned and the County Commission continued in regular session.

Maxine Fischer, Brown County Auditor



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## DECEMBER 8, 2015 – GENERAL MEETING

Meeting called to order by Chairman Sutton at 8:45 A.M. in the Commissioner's Chambers, Courthouse Annex, Brown County, SD. Present were Commissioners Hansen, Kippley, Fischbach and Fjeldheim. Commissioner Hansen led the Pledge of Allegiance.

### MINUTES:

Moved by Fjeldheim, seconded by Fischbach to approve the Joint City/County Meeting Minutes and General Meeting Minutes of December 1, 2015. All members present voting aye. Motion carried.

### CLAIMS:

Moved by Hansen, seconded by Kippley to approve the following claims:

Professional Fees: Avera Sacred Heart Hospital \$1,722.34; Billie Ronshaugen \$49.40; Kristi Brandt \$421.00; Bridgeway Counseling Center \$3,200.00; Denise Cody \$21.00; Den Herder Law Office \$144.00; Fox & Youngberg \$180.00; William Gerdes \$16,470.00; Hennepin Co. Sheriff's Office \$70.00; HKG Architects \$13,363.80; Mark Katterhagen \$6.00; Kayla Cavalier \$35.96; LBG \$1,540.00; Lucy Lewno \$333.00; Midstates Printing \$75.00; Pollard Law \$180.00; Richardson, Wyly, Wise, Sauck \$3,890.10; Sanford Health \$3,876.37; SD Dept. of Revenue & Regulation \$590,788.97; Tammy Stolle Court Reporting \$189.20; Jodi Sudweeks \$98.60; Karen Swanda \$15.00; Thurman Law \$342.00; Woods, Fuller, Schultz & Smith \$539.50; Yankton Co. Sheriff \$125.00.

Publishing: American News \$533.90.

Rentals: Leroy Imberi \$300.00.

Repairs & Maintenance: DFP \$8.00; Dakota Tree Co. \$1,730.00; Double D Body Shop \$181.75; Eiler's \$200.00; Great Western Tire \$13.00; House of Glass \$77.76; Lawson Products \$62.52; Lien Transportation \$1,686.25; Millborn Seeds \$17,121.38; Oasis Inn \$4.00; Pierson-Ford \$486.14; Sheehan Mack \$5,563.35; Zastrow's Sales & Service \$150.00.

Supplies: 3D Specialties \$4,563.00; A & B Business \$290.22; Ameripride Services \$213.36; Bakken Building Maint. \$500.00; Bonnie Bitz \$144.00; CarQuest \$1,276.59; Cartney Bearing \$131.58; Century Business Products \$163.74; Creative Product Source \$471.73; Crescent Electric \$13.18; DFP \$427.68; Den Herder Law Office \$10.48; Earthgrains \$734.05; Farnam's \$21.34; Fastenal \$474.41; Fox & Youngberg \$7.32; Galls \$98.01; GovConnection \$615.48; Great Western Tire \$7,159.31; Hanten's Repair \$38.31; Hecla Implement \$8.25; IDC \$37.89; Interstate Battery \$375.80; J. Gross Equipment \$754.80; Lawson Products \$841.48; Leidholdt Tool Sales \$4.26; Lucy Lewno \$11.74; Marco \$473.83; Midstates Printing \$188.88; Midwest Card & ID Solutions \$1,500.00; NCFE – Warner \$5,946.26; Network Services \$1,281.73; Pitney Powes \$126.00; Pizza Ranch \$111.43; Pollard Law \$3.00; Rowman & Littlefield Publishing \$78.00; Running's \$484.48; Schaeffer's Mfg \$483.04; Sciencenter \$10,000.00; Christy Serr \$5.26; Sewing Shoppe \$27.00; Taylor Laundry \$112.00; Thurman Law \$6.78; Tyler Business Forms \$435.52; Ultramax \$906.00; Web Water Bottling Co. \$6.50; Zastrow's Sales & Service \$74.53.

Travel and Conference: Exec. Mgmt. \$1,552.00; Mark Milbrandt \$304.00; Oasis Inn \$110.00; Sanford Health Occupational \$70.00.

Utilities: Aberdeen City Treasurer \$1,143.35; AT & T \$69.99; BDM Rural Water \$30.00; CenturyLink \$258.17; Exec. Mgmt. \$98.64; Midcontinent \$410.60; Northern Electric \$56.04; NVC \$2,879.29; NWPS \$10,386.29; Town of Frederick \$41.00.

Other: Safe Harbor \$842.00; SDACO \$1,088.00. All members present voting aye. Motion carried.

### NECOG AGREEMENT:

Moved by Fischbach, seconded by Fjeldheim to approve and authorize the Chairman sign Joint Cooperative Agreement with NECOG for 2016 in amount of \$23,560.43. All members present voting aye. Motion carried.

### BCCHC CONTRACT:

Moved by Fjeldheim, seconded by Kippley to approve and authorize the Chairman sign Contract with the State of South Dakota for providing community health-nursing services in Brown County for fiscal year 2016 in amount of \$18,540.00. All members present voting aye. Motion carried.

#### BUDGET SUPPLEMENT 2015:

Moved by Fjeldheim, seconded by Hansen to authorize public hearing to be held on the 29<sup>th</sup> day of December, 2015 beginning at 9:00 a.m. in the Brown County Commission Chambers, Courthouse Annex, Aberdeen, SD to consider supplementing the 2015 fiscal year budget, as follows: Brown County Fair Sponsorships #101-5.524.426.80 @ \$40,000.00, to be funded by sponsorships received #101-4-345.53 @ \$40,000.00. Brown County Fair Entertainment #101-5.524.422.73 @ \$60,000.00; Court Appointed Attorney #101-5.153.422 @ \$170,000.00; Maintenance #101-5.161.425 @ \$170,000.00, to be funded by undesignated surplus cash in the General Fund #101-1.101.99 @ \$400,000.00. All members present voting aye. Motion carried.

#### INCREASE SPENDING AUTHORITY/ESTIMATED REVENUE:

Moved by Fischbach, seconded by Kippley to increase spending authority and estimated revenue in the following funds for unanticipated reimbursement for expenditures: Fund #101-4.339 @ \$13,820.98, #101-5.120.411 @ \$511.72, #101-5.120.422 @ \$6,615.00, #101-5.120.423 @ \$2,493.32, #101-5.120.426 @ \$2,794.74, #101-5.120.427 @ \$10.20, #101-120.425.03 @ \$1,396.00 (Elections); Fund #101-4.331.97 @ \$53,324.72, #101-5.152.411 @ \$44,974.32, 101-5.152.426 @ \$4,274.08, #101-5.152.427 @ \$2,106.02, #101-5.152.412.10 @ \$1,970.30 (SVAWA Grant); Fund #226-4.331.23 @ \$21,445.07, #226-5.228.426.69 @ \$21,445.07 (HLS Grant). All members present voting aye. Motion carried.

#### OPERATING TRANSFERS:

Moved by Fischbach, seconded by Fjeldheim to approve and authorize the following operating transfer from the General Fund #101-911-191 in total amount of \$1,000,000.00 to Road and Bridge Fund #201-371 @ \$1,000,000.00, as reflected in the 2015 General Fund Budget. All members present voting aye. Motion carried.

#### WAIVE FEE:

Moved by Fischbach, seconded by Kippley to waive penalty and interest fee in amount of \$18.02 on real estate taxes, as notification sent to wrong person. All members present voting aye. Motion carried.

#### BID AWARD SCBA TANKS:

Moved by Hansen, seconded Kippley to purchase an additional 36 SCBA (Self Contained Breathing Apparatus) Tanks for the Brown County Rural Fire Chiefs from the bid awarded by Brown County on December 30, 2014 to Allegiant Emergency Services Inc in amount of \$36,000.00, to be funded in 2016 by Homeland Security Grant Funds. All members present voting aye. Motion carried.

#### FINANCIAL REPORT STANDARDS:

Commissioner Kippley offered the following Resolution:

#### RESOLUTION #85-15

WHEREAS, the Governmental Accounting Standards Board (GASB), a not-for-profit national organization issued statement of Governmental Accounting Standard No. 34 – Basic Financial Statements – and Management's Discussion Analysis, and

WHEREAS, both the GAAP (modified accrual basis) and the Special Purpose Reporting (modified cash basis) entities follow these standards, and

WHEREAS, Brown County has been following the GAAP standards since implementation of GASB 34, and

WHEREAS, it has been determined that most South Dakota Counties use the Special Purpose Reporting (modified cash basis) standards and find them just as effective as the GAAP standards, and

WHEREAS, GASB requires that policies are established for long-term investments, capital assets, interest earnings, and restricted and unrestricted resources.

NOW, THEREFORE BE IT RESOLVED that Brown County's financial statements will be prepared on Special Purpose Reporting Standards, the modified cash receipts and disbursement basis of accounting (GASB 34 "modified cash basis"), and

FURTHER BE IT RESOLVED that the following policies be restated to accompany the Special Purpose Reporting (modified cash basis) method of accounting:

1. Long-Term Investments acquired with cash assets will be recorded at cost.
2. Capital Asset Capitalization Policy:
  - Land and Land Rights – all purchases included
  - Buildings - \$25,000
  - Improvements other than buildings - \$25,000
  - Machinery and Equipment - \$5,000
  - Infrastructure - \$25,000
  - Bridges – Structures greater than 20' (SDCL 31-14)
  - Roads – composite method: entire system including base, culverts and gravel surface
  - Paved Road New Construction – composite method, with definition of new construction being 2" overlay or greater for distance exceeding one mile.
  - Personal Property Listings – All county departments are required to file an additional personal property list, to be used for tracking items with an original cost of less than \$5,000 for purposes of theft and/or disaster recovery and insurance coverage.
3. Interest earnings will be recorded in the respective county funds applicable.
4. Restricted and Unrestricted Resource Policy: When both restricted and unrestricted resources are available for use, it is the policy of Brown County to use restricted resources first, then unrestricted resources as they are needed.

AND FURTHER RESOLVE that Brown County chooses not to prepare the optional Management's Discussion Analysis.

Dated this 8<sup>th</sup> day of December 2015

Seconded by Commissioner Hansen. Roll call vote: Commissioners Hansen-aye, Kippley-aye, Fischbach-aye, Fjeldheim-aye, Sutton-aye. Resolution adopted.

#### AUDITORS REPORT OF ACCOUNT:

Moved by Fjeldheim, seconded by Fischbach to approve the November 2015 Auditor's Report of Account with the County Treasurer in total amount of \$22,118,809.56 (total amount of actual cash @ \$3,800.00, US Bank @ \$27,638.02, Dacotah Bank @ \$667,644.71, Petty Cash @ \$2,000.00, Fund Investments @ \$21,417,726.83). All members present voting aye. Motion carried.

#### BID AWARD – SHERIFF VEHICLES:

Moved by Hansen, seconded by Fjeldheim to award the following bids for the Sheriff Department: State Contract #16866 from Billion Motors for (1) one Chevrolet Tahoe in amount of \$34,948.00 and State Contract

#16870 from Pierson Ford for (2) two Ford Interceptor SUV's in amount of \$56,870.00. All members present voting aye. Motion carried.

#### GUARDRAIL ON BR351:

Moved by Hansen, seconded by Kippley to approve and authorize the Chairman sign Utilities Certificate for Project #P6525(03) PCN 04Q0 (Guardrail project on BR351). All members present voting aye. Motion carried.

#### BROWN COUNTY TRANSPORTATION PLAN CERTIFICATRION:

Moved by Kippley, seconded by Fischbach to approve and authorize the Chairman sign Brown County Transportation Plan Certification for the SDDOT. All members present voting aye. Motion carried.

#### BID AWARD SEMI TRACTOR:

Time and place, as advertised to open, read and consider sealed bids for furnishing and delivery of one (1) new 2017 Tandem Axle Semi Tractor for the Highway Department. Bids were received from Sheehan Mack Sales and Crawford Trucks. Moved by Hansen, seconded by Fjeldheim to refer all bids to Dirk Rogers, Highway Superintendent for review and recommendation. All members present voting aye. Motion carried. Moved by Kippley, seconded by Fischbach to award bid submitted by Sheehan Mack for the purchase and delivery of a 2017 Mack CHG613 Semi Tractor in total amount of \$112,650.00 (base bid and option b); rejecting bid submitted by Crawford in total amount of \$116,991.50 (base bid and option b). All members present voting aye. Motion carried.

#### BID -BR 218 ON CO RD 5:

Time and place, as advertised to open, read and consider sealed bids for the 2016 County Road 5 - Bridge #218 Replacement Project. Bids were received from Duinick Inc, Prinsburg MN; Industrial Builders Inc, Fargo ND, Grangaard Construction, Watertown SD. Moved by Fjeldheim, seconded by Fischbach to refer all bids to Dirk Rogers, Highway Superintendent for review and recommendation. All members present voting aye. Motion carried.

#### EQUIPMENT PURCHASE:

Moved by Hansen, seconded by Fischbach to approve purchase of a Kyocera TASKalfa 3051ci Color MFP for the Director of Equalization Department in amount of \$6,648.04 from Century Business Products. All members present voting aye. Motion carried.

#### EXECUTIVE SESSION:

Moved by Hansen, seconded by Kippley to go into executive session for personnel discussion, per SDCL 1-25-2(1) with Larry Lovrien, Gary Vetter and Derek Ricci in attendance. All members present voting aye. Motion carried.

The Chairman declared the executive session closed, with no action taken as a result of the discussion.

#### COUNTY ROAD 9:

Dale Kurth, Ron Wegleitner and Justin Wegleitner met to question the possibilities of opening the section of County Road 9 east of the curve entering Claremont. No official action was taken.

#### CLOSING AUDIT CONFERENCE:

Russ Olson, Audit Manager for the Department of Legislative Audits met with the Commission for closing conference for audit of fiscal year 2014.

#### TACOMA PARK:

Area resident George Nikolas met to discuss and present historical information in regard to the roads, bridges and dam at Tacoma Park. Bill Antonides was also in attendance. No official action was taken.



US HIGHWAY 12:

Commissioner Fischbach offered the following Resolution:

RESOLUTION #86-15

RESOLUTION EXPRESSING SUPPORT OF U.S. HIGHWAY 12 EXPANSION TO 4 LANES

WHEREAS, in South Dakota, U.S. Highway 12 is a two-lane highway for approximately twenty-one (21) miles between Aberdeen, South Dakota and Ipswich, South Dakota; and

WHEREAS, there have been numerous fatal wrecks on U.S. Highway 12 between Aberdeen, Ipswich and Mobridge; and

WHEREAS, it is urged that changes be made on U.S. Highway 12 due to 8 fatalities in 2015 alone; and

WHEREAS, in 2014 traffic counts in the 2-lane stretch between Aberdeen and Ipswich were 3660, 4010 and 3040 vehicles respectively on the 3 segments going west; and

WHEREAS, the 3660 vehicle segment in Brown County is projected to be 5409 vehicles by 2030 per transportation plan study compiled in 2012; and

WHEREAS, the potential almost forty-eight percent (48%) traffic count increase in the next 15 years is further cause for concern;

NOW, THEREFORE, the Brown County Commission does hereby adopt, in its entirety, this resolution to urge State officials to provide adequate funding for this important project to expand such portion of highway at minimum from Aberdeen to Ipswich from two lane to four lane; and does direct its administrator to prepare and furnish a copy of this Resolution for submission to the Governor, South Dakota Congressional delegation and South Dakota Department of Transportation.

Adopted this 8<sup>th</sup> day of December 2015.

Seconded by Commissioner Hansen. Roll call vote: Commissioners Hansen-aye, Kippley-aye, Fischbach-aye, Fjeldheim-aye, Sutton-aye. Resolution adopted.

EXECUTIVE SESSION:

Moved by Fjeldheim, seconded by Hansen to go into executive session for personnel discussion, per SDCL 1-25-2(1) with Larry Lovrien and Gary Vetter in attendance. All members present voting aye. Motion carried.

The Chairman declared the executive session closed, with no action taken as a result of the discussion.

ADJOURNMENT:

Moved by Fjeldheim, seconded by Kippley to adjourn the Brown County Commission. All members present voting aye. Motion carried.

Maxine Fischer, Brown County Auditor



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DECEMBER 15, 2015 - JOINT CITY/COUNTY MEETING

The Brown County Commission and the Aberdeen City Council met in joint session at 8:45 A.M. in the Commissioner's Chambers, Courthouse Annex, Brown County, SD. Present from City were Council Members Bunsness, Campbell, Johnson, Ronayne and Mayor Levsen. Absent Council Members Remily, Rux, Slight-Hansen and Swanson. Present from County were Commissioners Hansen, Kippley, Fischbach, Fjeldheim and Sutton.

RESOLUTION #15-12-01R/453:

On motion by Ronayne, seconded by Bunsness, the City unanimously voted to approve Resolution #15-12-01R/453 (County Resolution #87-15).

RESOLUTION TO VACATE PUBLIC RIGHT-OF-WAY:

Commissioner Fjeldheim offered the following Resolution:

RESOLUTION #87-15  
RESOLUTION #15-129-01R/453

RESOLUTION TO VACATE PUBLIC RIGHT OF WAY

BE IT RESOLVED by the Brown County Commission, Aberdeen, South Dakota that the Petition to Vacate the Public Right-of-Way filed by Duane Hunt, Linda Hunt, and Virginia Woken is hereby granted and the public right-of-way is hereby vacated for the following described areas:

Twenty-First Avenue, NW Public Right-of-way commencing on the West Side of North Fifth Street Public Right-of-way and continuing West to point of termination including 50' Radius Cul-De-Sac in the NE ¼ of Sec 11-T123N-R64W of the 5<sup>th</sup> P.M., Brown County, SD (2319 5<sup>th</sup> Street N)

BE IT FURTHER RESOLVED by the Brown County Commission, Aberdeen, South Dakota that a certified copy of the this Resolution shall be filed for record and duly recorded in the Office of the Register of Deeds in Brown County.

Dated this 15<sup>th</sup> day of December 2015.

Seconded by Commissioner Hansen. Roll call vote: Commissioners Hansen-aye, Kippley-aye, Fischbach-aye, Fjeldheim-aye, Sutton-aye. Resolution adopted.

The City Council adjourned and the County Commission continued in regular session.

Maxine Fischer, Brown County Auditor *Maxine Fischer*

Published once at the total approximate cost of \$\_\_\_\_\_.

## DECEMBER 15, 2015 – GENERAL MEETING

Meeting called to order by Chairman Sutton at 8:45 A.M. in the Commissioner's Chambers, Courthouse Annex, Brown County, SD. Present were Commissioners Hansen, Kippely, Fischbach and Fjeldheim. Chairman Sutton led the Pledge of Allegiance.

### MINUTES:

Moved by Kippely, seconded by Hansen to approve the General Meeting Minutes of December 8, 2015. All members present voting aye. Motion carried.

### CLAIMS:

Moved by Hansen, seconded by Fjeldheim to approve the following claims:

Payroll: Commission \$3,767.51; Commission Assistant/Human Resources \$4,088.74; Auditor \$7,534.95; Treasurer \$12,782.28; Data Processing \$7,171.88; States Attorney \$16,126.89; Blood Draws \$550.00; SVAWA Grant \$1,873.94; Maintenance \$6,462.76; Assessor \$13,136.50; Register of Deeds \$8,130.87; Veterans Service Office \$3,563.74; GIS \$2,195.60; Sheriff Admin \$32,148.39; Jail \$37,598.33; JDC \$16,624.74; HD \$5,606.95; Welfare Office \$3,477.47; Museum \$7,683.74; Parks & Fairgrounds \$4,414.45; Fair Board \$4,081.10; 4-H \$1,113.60; Planning and Zoning \$1,586.47; Highway \$44,542.19; Communications \$22,744.77; Emergency Management \$3,767.34; Teen Court \$503.36; 24/7 \$2,962.59; Landfill \$11,489.78.

Matching Benefits: FICA \$16,971.35; Medicare \$3,969.02.

Professional Fees: Norma Andersen \$22.50; Avera St. Luke's \$16,710.70; Carlsen Funeral Home \$1,000.00; Clark Engineering \$716.49; Marv Ekeren \$21.00; Helms & Assoc. \$800.00; Mark Katterhagen \$21.00; LabSource \$39.40; Language Line \$229.41; Lewis & Clark BHS \$1,280.00; Lucy Lewno \$409.50; LSS \$977.88; Pharchem \$75.00; Public Safety Group \$499.00; Sanford Health \$1,017.80; Sanford Health Occupational \$40.00; SD Dept. of Revenue & Regulation \$4,157.89; SDN \$228.00; Karen Swanda \$22.50; UND \$2,000.00; US Bank \$636.96.

Publishing: American News \$573.47; Hub City Radio \$300.00.

Repairs & Maintenance: C & L Plumbing & Heating \$152.66; Crawford Trucks & Equip. \$28.67; G & K Services \$423.37; GCR Tires \$90.00; Geospatial Experts \$472.71; Graham Tire \$3,510.06; HF Jacobs & Son \$10,494.92; PowerPlan \$11,222.23; Productivity Plus \$163.95; US Bank \$424.57; Walth Safety Service \$945.00.

Supplies: Aberdeen Area Radiator \$375.00; Advance Auto Parts \$23.59; Allegiant \$1,478.00; Ameripride \$65.29; Brick's Roto-Rooter \$200.00; Cash-Wa \$4,452.99; City of Groton \$7,640.92; Crawford Trucks & Equip. \$1,531.73; Creative Product Source \$1,716.02; Dakota Electronics \$1,000.30; Dakota Supply Group \$23.41; Dean Foods \$409.16; Fastenal \$29.64; Galls \$54.56; GCR Tires \$5.00; Gordor Supply \$496.49; GovConnection \$3,179.56; House of Glass \$96.40; Intab \$231.60; Intoximeters \$2,000.00; Knight Towing \$110.00; LabSource \$200.00; Lucy Lewno \$14.73; Mac's \$5.98; Marco \$28.36; Matheson Tri-Gas \$124.47; Menards \$107.91; Minn-Kota Communications \$152,532.90; Network Services \$812.50; Newman Signs \$825.45; Pierson-Ford \$719.13; PowerPlan \$346.36; Productivity Plus \$208.12; Rowman & Littlefield \$36.96; Running's \$535.95; SD Dept. of Public Safety \$103.00; Taylor Laundry \$131.00; US Bank \$8,253.13; Walth Safety Service \$47.25; Web Water Bottling Co. \$65.50; Zones \$1,168.91.

Travel and Conference: Barry Kusler \$32.43; Gerald Lehrkamp \$209.00; Leo Leshner \$399.03; Gene Loeschke \$203.51; Pennington Co. Jail \$1.75; Derek Ricci \$241.62; Sanford Health Occupational \$70.00; US Bank \$3,293.81; Mary Worlie \$162.34.

Utilities: Aberdeen City Treasurer \$307.46; AT & T \$380.93; CenturyLink \$3,677.62; Economy Propane \$777.15; James Valley Telecommunications \$454.10; Midcontinent \$185.30; Northern Electric \$1,498.30; NVC \$56.52; NWPS \$30.13; US Bank \$660.16; Verizon \$2,808.76.

Other: JRWD \$29,363.30; US Bank \$2,147.43. All members present voting aye. Motion carried.

### PERSONNEL:

Moved by Fischbach, seconded by Hansen to approve the following employee step increases, effective December 20, 2015: Sarah Jesz @ \$18.55 per hour, Charles Gruenstein @ \$17.35 per hour, Jared Embury @ \$15.54 per hour. All members present voting aye. Motion carried.

Moved by Kippley, seconded by Fischbach to acknowledge the following miles driven and amount to be taxed for personal use of County vehicles during the month of November 2015: Kendell Titze – 96 @ \$55.20, Michael Scott – 130 @ \$74.75, Gary Vetter – 100 @ \$57.50, Dirk Rogers – 608 @ \$349.60. All members present voting aye. Motion carried.

Moved by Hansen, seconded by Fjeldheim to approve request to fill vacancy for a part-time cook at the Jail. All members present voting aye. Motion carried.

#### BID – MARKET STREET ENTRANCE PROJECT:

Moved by Fischbach, seconded by Fjeldheim to authorize advertising public hearing to open, read and consider sealed bids for furnishing labor and material for the Market Street Entrance Project (remove existing doors and steps and replace with enclosed (option 1) or open (option 2) handicapped ramp and entrance), to be held in the Commissioner's Chambers, Courthouse Annex, Brown County, SD at 8:45 a.m. on January 12, 2016. All members present voting aye. Motion carried.

#### SUBORDINATION AGREEMENT:

Moved by Fischbach, seconded by Fjeldheim to approve and authorize the Chairman sign Subordination Agreement for a Poor Relief Lien with Aberdeen Federal Credit Union on Kane Addition in the SE ¼ of Sec 27-T123N-R64W of the 5<sup>th</sup> P.M., Brown County, South Dakota. All members present voting aye. Motion carried.

#### SHERIFF REPORTS:

Moved by Fischbach, seconded by Hansen to approve the following November 2015 Sheriff Reports: Incidents and offenses, Prisoner care, JDC, and Money deposited with the County Treasurer. All members present voting aye. Motion carried.

#### COMMISSION ASSISTANT REPORT:

Gary Vetter discussed options for the Jail laundry during the upcoming construction. Quotes will be obtained for presentation at a later date.

#### REGIONAL TRAINING:

Moved by Hansen, seconded by Kippley to approve the Brown County Community Room as host site for regional training by Tyler Technologies INCODE Financial users, with cost to Brown County being snacks and drinks for all attendees (registration fee for county employees waived), to be held February 23, 24 & 25, 2016. All members present voting aye. Motion carried.

#### CONCERNED CITIZEN:

Matt Deilke presented questions and information on the following topics: 1) 2015 fair ticket sales; 2) Grievance response; 3) DOE Copier quotes; 4) Employee survey. No action was taken.

#### BID AWARD – BR218 ON COUNTY ROAD 5:

Moved by Fischbach, seconded by Fjeldheim to award bid, submitted by Industrial Builders Inc, Fargo, ND in amount of \$1,669,690.26 for completion of the 2016 County Road 5 – Bridge Replacement (BR218) Project; rejecting the following: Grangaard Construction, Watertown, SD @ \$1,692,110.50, Duinick Inc, Prinsburg, MN @ \$2,481,530.40. All members present voting aye. Motion carried.

#### EXECUTIVE SESSION:

Moved by Hansen, seconded by Fjeldheim to go into executive session for personnel discussion, per SDCL 1-25-2(1) with Gary Vetter and Mark Milbrandt in attendance. All members present voting aye. Motion carried.

The Chairman declared the executive session closed, with the following action taken as a result of the discussion.

**2016 SALARY INCREASE:**

Moved by Hansen, seconded by Fjeldheim to authorize a 3% increase across the board for all county employees, except authorize a 5% increase for all Sheriff Field Deputies and Investigators, effective December 20, 2015 (beginning date of first payroll paid in 2016). All members present voting aye. Motion carried.

**ADJOURNMENT:**

Moved by Hansen, seconded by Fischbach to adjourn the Brown County Commission. All members present voting aye. Motion carried.

Maxine Fischer, Brown County Auditor



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## DECEMBER 22, 2015 – GENERAL MEETING

Meeting called to order by Chairman Sutton at 8:45 A.M. in the Commissioner's Chambers, Courthouse Annex, Brown County, SD. Present were Commissioners Hansen, Kippley, Fischbach and Fjeldheim. Chairman Sutton led the Pledge of Allegiance.

### MINUTES:

Moved by Fjeldheim, seconded by Kippley to approve the Joint City/County Meeting Minutes and the General Meeting Minutes of December 15, 2015. All members present voting aye. Motion carried.

### CLAIMS:

Moved by Hansen, seconded by Fischbach to approve the following claims:

Professional Fees: Aberdeen Advanced Care Ambulance \$13,139.62; Aberdeen City Treasurer \$750.00; Avera Queen of Peace \$59.90; Avera St. Luke's \$10,173.44; Kristi Brandt \$44.00; Denise Cody \$34.50; Interpretcorps \$88.00; Lucy Lewno \$301.50; Lincoln Co. Treasurer \$563.00; NE Mental Health Center \$18,490.00; Pollard Law \$202.50; SD DOT \$3,512.10; Spitzer-Miller Funeral Home \$1,845.00; Karen Swanda \$34.50; We Care Online \$184.00; Yankton Co. Sheriff \$50.00; Yankton Co. Treasurer \$628.50; Dolly Evans \$205.00; Bonnie Fischer \$60.00; Marilyn Flemmer \$60.00; Kay Fredrick \$60.00; Joyce Gage \$60.00; Jeanette Gollnick \$200.00; Ardys Gosch \$205.00; Marilyn Gramlow \$200.00; Sally Hofer \$200.00; Elaine Huff \$200.00; Shirley Jahraus \$200.00; Rebecca Jeschke \$205.00; Penny Krogstrand \$60.00; Evangeline Miller \$60.00; Marlis Nack \$200.00; Dennis Nelson \$60.00; Deb Pagel \$180.00; Joyce Pfeiffer \$200.00; Geri Sillman \$200.00; Evalyn Smith \$200.00; Donna Swanhorst \$200.00; Kathryn Vitense \$60.00; Gary Warne \$60.00; May Wylie \$60.00; Diane Zahalka \$200.00.

Publishing: American News \$910.25; Groton Independent \$1,042.24; SD Assoc. of Fairs & Celebrations \$250.00.

Rentals: Randall Weber \$150.00.

Repairs & Maintenance: 446-Praxair \$38.85; A & B Business \$32.99; Dakota Tree Co. \$1,583.00; HF Jacobs & Son \$11,416.35; House of Glass \$125.44; Hoven Auto Repair \$112.25; Lien Transportation \$786.25; Western States Fire Co. \$838.18.

Supplies: 446-Praxair \$1,002.11; A & B Business \$2,795.43; Allegiant \$156.00; DPM \$62.65; DSS \$79.90; DT Pharmacy \$2,874.25; Gardner Locksmithing \$404.75; GovConnection \$1,064.48; Lar-Jo's \$158.00; Lucy Lewno \$12.98; Marco \$578.41; Matthew Bender \$144.62; Medical Waste Transport \$169.39; Menards \$25.16; Midstates Printing \$1,238.56; NCFE – Warner Elevator \$4,129.04; NECOG \$331.52; Pollard Law \$3.00; Jeff's Home Improvements \$4,081.64; Web Water Bottling Co. \$13.00; West Payment Center \$2,024.05.

Travel and Conference: Stan Beckler \$18.33; Darwin Bettmann \$15.24; City of Groton \$50.29; Exec. Mgmt. \$1,053.50; Patrick Keatts \$22.74; Dale Kurth \$112.53; Tina McLeod \$166.00; David North \$105.48; Jerome Streckfuss \$23.32; Kay Fredrick \$10.81.

Utilities: Dependable Sanitation \$29,191.94; NVC \$284.98; NWPS \$2,782.56; Verizon \$200.05.

Other: Pizza Ranch \$85.44.

Machinery & Equipment: Century Business Products \$6,648.04. All members present voting aye. Motion carried.

### PERSONNEL:

Moved by Fischbach, seconded by Hansen to approve the following employee salary adjustments, as reflected in the 2016 budget work papers (amounts include the 3% increase for 2016): Judy Dosch @ \$52,112.70 prorated annual salary; C. Scott Bader @ \$47,476.52 prorated annual salary, effective December 20, 2015; and classification change for Mickey Schultz from "Clerk, Secretary, Maintenance, Parts Step 10" to "Labor Grade 3 Step 7" @ \$16.76 per hour (amount includes the 3% and additional earned at step 10 in previous classification), effective December 20, 2015. All members present voting aye. Motion carried.

Moved by Fischbach, seconded by Kippley to approve employee status change for Brian Marcuson from part-time cook to regular part-time Correctional Officer in JDC, effective December 31, 2015 at \$12.54 per hour. All members present voting aye. Motion carried.

Moved by Hansen, seconded by Fischbach to approve paying out vacation hours earned by Nicole Leslie Tveit as full-time employee over the limit allowed on the books by a part-time employee, due to classification change from full-time to part-time, effective November 30, 2015. All members present voting aye. Motion carried.

Moved by Hansen, seconded by Kippley to add the following classifications to the Salary Schedule:

Legal Secretary I	Legal Secretary II
Step	Step
1 \$14.39	1 \$16.78
2 \$14.68	2 \$17.12
3 \$14.92	3 \$17.46
4 \$15.15	4 \$17.81
5 \$15.39	5 \$18.17
6 \$15.62	6 \$18.53
7 \$15.83	7 \$18.90
8 \$16.02	8 \$19.28
9 \$16.23	9 \$19.67
10 \$16.45	10 \$20.06

All members present voting aye. Motion carried.

#### PLATS:

Commissioner Hansen offered the following Resolution:

#### RESOLUTION #88-15

BE IT RESOLVED by the Board of Commissioners of Brown County, SD, that the plat showing "W & N Johnson Replat of Campton's Outlot 1 in the SE ¼ of Sec 18-T124N-R64W of the 5<sup>th</sup> P.M., Brown County, SD", having been examined is hereby approved in accordance with the provisions of SDCL of 1967, Chapter 11-3, and amendments thereof.

Seconded by Commissioner Fjeldheim. Roll call vote: Commissioner Hansen-aye, Kippley-aye, Fischbach-aye, Fjeldheim-aye, Sutton-aye. Resolution adopted.

Commissioner Hansen offered the following Resolution:

#### RESOLUTION #89-15

BE IT RESOLVED by the Board of Commissioners of Brown County, SD, that the plat showing "K and L Dean Second Homestead Addition in the SW ¼ of Sec 23-T124N-R63W of the 5<sup>th</sup> P.M., Brown County, SD", having been examined is hereby approved in accordance with the provisions of SDCL of 1967, Chapter 11-3, and amendments thereof.

Seconded by Commissioner Fjeldheim. Roll call vote: Commissioner Hansen-aye, Kippley-aye, Fischbach-aye, Fjeldheim-aye, Sutton-aye. Resolution adopted.

Commissioner Hansen offered the following Resolution:

#### RESOLUTION #90-15

BE IT RESOLVED by the County Commission of Brown County, SD, that the plat showing "Yun Tract 1 in the SE ¼ of Sec 22-T122N-R65W of the 5<sup>th</sup> P.M., Brown County, SD", having been examined is hereby approved in accordance with the provisions of SDCL of 1967, Chapter 11-3, and amendments thereof.

Seconded by Commissioner Fjeldheim. Roll call vote: Commissioner Hansen-aye, Kippley-aye, Fischbach-aye, Fjeldheim-aye, Sutton-aye. Resolution adopted.

Commissioner Hansen offered the following Resolution:

#### RESOLUTION #91-15

BE IT RESOLVED by the Board of County Commissioners of Brown County, SD, that the plat showing "Fischer-Schwan Subdivision in the SE ¼ of Sec 18-T121N-R62W of the 5<sup>th</sup> P.M., Brown County, SD", having been examined is hereby approved in accordance with the provisions of SDCL 11-3, and amendments thereof.

Seconded by Commissioner Fjeldheim. Roll call vote: Commissioner Hansen-aye, Kippley-aye, Fischbach-aye, Fjeldheim-aye, Sutton-aye. Resolution adopted.

Commissioner Hansen offered the following Resolution:

#### RESOLUTION #92-15

BE IT RESOLVED by the Board of Commissioners of Brown County, SD, that the plat showing "Terry Gauer Addition in the NE ¼ of Sec 17-T122N-R63W of the 5<sup>th</sup> P.M., Brown County, SD", having been examined is hereby approved in accordance with the provisions of SDCL of 1967, Chapter 11-3, and amendments thereof.

Seconded by Commissioner Fjeldheim. Roll call vote: Commissioner Hansen-aye, Kippley-aye, Fischbach-aye, Fjeldheim-aye, Sutton-aye. Resolution adopted.

Commissioner Hansen offered the following Resolution:

#### RESOLUTION #93-15

BE IT RESOLVED by the County Commission of Brown County, SD, that the plat showing "Neifer First Subdivision in NE ¼ Sec 22-T123N-R64W of the 5<sup>th</sup> P.M., Brown County, SD", having been examined is hereby approved in accordance with the provisions of SDCL of 1967, Chapter 11-3, and amendments thereof.

Seconded by Commissioner Fjeldheim. Roll call vote: Commissioner Hansen-aye, Kippley-aye, Fischbach-aye, Fjeldheim-aye, Sutton-aye. Resolution adopted.

Commissioner Hansen offered the following Resolution:

#### RESOLUTION #94-15

BE IT RESOLVED by the County Commission of Brown County, SD, that the plat showing "Van Dover-Daggett Addition to Prairiewood Village in the NE ¼ of Sec 33-T124N-R63W of the 5<sup>th</sup> P.M., Brown County, SD", having been examined is hereby approved in accordance with the provisions of SDCL of 1967, Chapter 11-3, and amendments thereof.



Seconded by Commissioner Fjeldheim. Roll call vote: Commissioner Hansen-aye, Kippley-aye, Fischbach-aye, Fjeldheim-aye, Sutton-aye. Resolution adopted.

Commissioner Hansen offered the following Resolution:

#### RESOLUTION #95-15

BE IT RESOLVED by the Board of Commissioners of Brown County, SD, that the plat showing "SCHB Addition in the W ½ of the N ½ of the SW ¼ of Sec 2-T127N-R64W of the 5<sup>th</sup> P.M., Brown County, SD", having been examined is hereby approved in accordance with the provisions of SDCL of 1967, Chapter 11-3, and amendments thereof.

Seconded by Commissioner Fjeldheim. Roll call vote: Commissioner Hansen-aye, Kippley-aye, Fischbach-aye, Fjeldheim-aye, Sutton-aye. Resolution adopted.

#### ORD 098 - SET HEARING DATE:

Moved by Fjeldheim, seconded by Kippley to set public hearing for Ordinance #098, An Ordinance to amend Title 4 – Zoning, Second Revision Brown County Ordinances, to rezone the following described property from its present zoning designation of Chapter 4.06 (AG-P) Agricultural Preservation District to Chapter 4.07 (M-AG) Mini Agricultural District: John Beck's 1<sup>st</sup> Subdivision in the SE ¼ of Sec 18-T123N-R64W of the 5<sup>th</sup> P.M., Brown County, SD (38286 133<sup>rd</sup> Street), to be held in the Commission Chambers, Courthouse Annex, Brown County, SD at 8:50 a.m. on January 12, 2016. All members present voting aye. Motion carried.

#### BID NOTICE OF AWARD – BR218 ON COUNTY ROAD 5:

Moved by Fjeldheim, seconded by Hansen to approve and authorize the Chairman sign Notice of Award document for Industrial Builders Inc to complete the 2016 County Road 5 – Bridge Replacement (BR218) Project. All members present voting aye. Motion carried.

#### BID JAIL PHASE III 2016 RENOVATION PROJECT:

Moved by Fischbach, seconded by Hansen to approve Addendum #1 and Addendum #2 to the General, Mechanical and Electrical Plans and Specifications for the Brown County Jail Phase III 2016 Renovation Project. All members present voting aye. Motion carried. Time and place, as advertised to open, read and consider sealed bids for furnishing labor, material and equipment for the construction of the Brown County Jail Phase III 2016 Renovation Project. Bids were received from Gray Construction, Watertown; Huff Construction, Aberdeen; Kyburz-Carlson Construction, Aberdeen; Zeller Construction, Aberdeen. Moved by Fischbach, seconded by Hansen to refer all bids to Judy Dosch, Maintenance Superintendent for review and recommendation. All members present voting aye. Motion carried. Moved by Fjeldheim, seconded by Hansen to award bid to Huff Construction in total amount of \$1,956,200.00 (including base bid, alternate #'s 3, 4 & 5 for furnishing labor, material and equipment for the construction of the Brown County Jail Phase III 2016 Renovation Project; rejecting the following: Huff Construction alternate #1 @ \$26,500.00, alternate #2 @ \$2,000.00; Gray Construction base bid @ \$2,520,000.00, alternate #1 @ \$50,000.00, alternate #2 @ \$1,200.00, alternate #3 @ \$1,300.00, alternate #4 @ \$9,000.00, alternate #5 no bid; JDH Construction base bid @ \$2,030,000.00, alternate #1 @ \$26,600.00, alternate #2 @ \$1,100.00, alternate #3 @ \$2,660.00, alternate #4 @ \$8,700.00, alternate @ \$0; Kyburz-Carlson Construction base bid @ \$2,007,000.00, alternate #1 @ \$27,847.00, alternate #2 @ \$1,252.00, alternate #3 @ \$2,812.00, alternate #4 @ \$9,578.00, alternate #5 no bid; Zeller Construction base bid @ \$2,236,551.00, alternate #1 @ \$27,200.00, alternate #2 @ \$1,184.00, alternate #3 @ \$2,730.00, alternate #4 @ \$8,976.00, alternate @ (\$500.00). All members present voting aye. Motion carried.

#### HIGHWAY REPORT:

Dirk Rogers, Highway Superintendent informed the Commission that, as a result of Senate Bill #1, the SD DOT will be disbursing all of the County funds held by the State for project reimbursements in a lump sum rather than

in yearly installments. Brown County's balance of \$3,752,863.51 is expected to arrive in January and will be used as originally planned for the County Road #16 Project and the Bridge 218 Project with balance to be delegated to future projects.

**EXECUTIVE SESSION:**

Moved by Fjeldheim, seconded by Hansen to go into executive session to consult with legal counsel, per SDCL 1-25-2(3) with Larry Lovrien, Gary Vetter, Dirk Rogers and Maxine Fischer in attendance. All members present voting aye. Motion carried.

The Chairman declared the executive session closed, with no action taken as a result of the discussion.

**DOCUMENT MANAGEMENT SYSTEM:**

Moved by Hansen, seconded by Fischbach to authorize sending Requests for Proposals to known qualified vendors for furnishing and delivery of a Document Management System for Brown County, with proposals to be opened in the Brown County Commission Chambers at 9:10 a.m. on January 12, 2016. All members present voting aye. Motion carried.

**EXECUTIVE SESSION:**

Moved by Hansen, seconded by Kippley to go into executive session for personnel discussion, per SDCL 1-25-2(1) with Larry Lovrien, Gary Vetter and Peter Nielsen (via teleconference) in attendance. All members present voting aye. Motion carried.

The Chairman declared the executive session closed, with no action taken as a result of the discussion.

**ADJOURNMENT:**

Moved by Fischbach, seconded by Kippley to adjourn the Brown County Commission. All members present voting aye. Motion carried.

Maxine Fischer, Brown County Auditor



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## DECEMBER 29, 2015 – GENERAL MEETING

Meeting called to order by Chairman Sutton at 8:45 A.M. in the Commissioner's Chambers, Courthouse Annex, Brown County, SD. Present were Commissioners Hansen, Kippely, Fischbach and Fjeldheim. Commissioner Hansen led the Pledge of Allegiance.

### MINUTES:

Moved by Kippely, seconded by Fischbach to approve the General Meeting Minutes of December 22, 2015. All members present voting aye. Motion carried.

### CLAIMS:

Moved by Hansen, seconded by Fjeldheim to approve the following claims:

Payroll: Commission \$3,767.51; Commission Assistant/Human Resources \$4,088.74; Elections \$568.69; Auditor \$7,540.07; Treasurer \$12,640.48; Data Processing \$7,171.88; States Attorney \$16,103.98; Blood Draws \$650.00; SVAWA Grant \$1,873.94; Maintenance \$6,469.71; Assessor \$13,185.30; Register of Deeds \$8,130.87; Veterans Service Office \$3,563.74; GIS \$2,195.60; Sheriff Admin \$33,470.95; Jail \$32,378.90; JDC \$16,034.78; HD \$5,083.08; Welfare Office \$3,477.47; Museum \$7,687.74; Parks & Fairgrounds \$4,414.45; Fair Board \$4,164.44; 4-H \$1,113.60; Weed & Pest \$605.32; Planning and Zoning \$2,226.47; Highway \$44,343.22; Communications \$20,538.00; Emergency Management \$3,767.34; Teen Court \$385.39; 24/7 \$2,780.77; Landfill \$11,779.49.

Matching Benefits: FICA \$16,634.24; Medicare \$3,890.30; Life \$679.35; Dental \$6,609.60; Health Insurance \$96,185.34; Retirement \$34,045.67.

Professional Fees: Adam Altman \$4,444.38; AMG ENT \$77.66; Avera McKennan Hospital \$625.52; Avera St. Luke's \$7,743.04; Brandy Yarbrough \$20.00; Carrels & Bain Family Dental \$338.22; Certified Languages \$270.60; Compass Counseling \$3,600.00; Dakota Wood Grinding \$11,700.00; Dhyana Fernandez Investigation \$190.00; Chris Dohrer \$5,069.38; Fox & Youngberg \$337.50; Kuck Law Office \$4,444.38; Language Line Services \$569.20; Marcus Ware \$20.00; Redwood Toxicology Lab \$11.00; Richardson, Wyly, Wise, Sauck \$4,444.38; Ronanye Law Office \$7,306.88; Sanford Clinic \$659.23; Sanford Health \$89.52; SD Dept. of Revenue & Regulation \$56,889.41; Christy Serr \$5,069.38; Tschetter & Adams Law Office \$542.22; Mitch Vilhauer \$447.14; Woods, Fuller, Schultz & Smith \$1,242.00; Yankton Co. Sheriff \$25.00.

Publishing: Dakota Press \$3,432.46; Dex Media \$1.43; Gregory Times – Advocate \$52.16; Groton Independent \$124.21; Hub City Radio \$400.00.

Repairs & Maintenance: Barton Heating & Cooling \$8,513.74; Clark Engineering \$3,883.75; Hanlon Brothers \$19,880.00; Hoven Auto Repair \$166.76; Midwest Alarm \$95.00; Pierson-Ford \$264.00; Service Signs \$3,603.78; Thee Glass Doktor \$92.40; Vosika Fencing \$687.88; Walth Safety Service \$90.25.

Supplies: A & B Business \$2,136.69; Advance Auto Parts \$10.44; Cartney Bearing \$36.76; Cash-Wa \$4,154.64; Century Business Products \$277.12; Dakota Electronics \$3,176.40; Danko \$39.98; Dean Foods \$411.48; Earthgrains \$702.30; ES & S \$552.65; Equipment Blades \$1,897.60; Fox & Youngberg \$14.64; Galls \$345.44; GovConnection \$615.48; House of Glass \$712.80; IDC \$1,180.00; J Gross Equipment \$12.50; Ken's \$237.36; Kessler's \$91.68; Lang's \$86.00; Lar-Jo's \$426.13; Marco \$641.12; Menards \$399.86; Midwest Alarm \$117.00; Minn-Kota Communications \$1,226.00; NCFE-Warner \$3,138.73; Pierson-Ford \$170.70; Pitney Bowes \$5,045.00; Thee Glass Doktor \$121.50; Walth Safety Service \$58.00; West Payment Center \$92.25.

Travel and Conference: C. Scott Bader \$438.08; Dave Engraf \$10.81.

Utilities: CenturyLink \$2,732.26; City of Hecla \$240.44; Montana-Dakota Utilities \$23.32; NWPS \$1,168.29; Verizon \$2,734.92. All members present voting aye. Motion carried.

### PERSONNEL:

Moved by Fischbach, seconded by Fjeldheim to approve the following employee step increases, effective January 3, 2016: Adelaide Mouna @ \$16.53 per hour, Craig Nelson @ \$21.95 per hour; Jackie Ormand @ \$15.90 per hour, Sonje Oban @ \$14.89 per hour, Kyle Kost @ \$17.06 per hour, Gerald Lehrkamp @ \$17.58 per hour, Brenda Dreyer @ \$14.18 per hour. All members present voting aye. Motion carried.

**POLICY MANUAL ADDITION:**

Moved by Kippley, seconded by Fischbach to approve Policy I – Purchasing Policy and Replacement Procedures, as amended from original draft, establishing effective guidelines for the development, solicitation, evaluation and award of quotes and proposals for goods and services for Brown County. Roll call vote: Commissioners Hansen-nay, Kippley-aye, Fischbach-aye, Fjeldheim-aye, Sutton-aye. Motion carried.

**TAX DEED PROPERTY:**

Moved by Kippley, seconded by Fischbach to authorize Sheila Enderson, County Treasurer to submit all qualifying parcels to the States Attorney for completion of the tax deed process. All members present voting aye. Motion carried.

Moved by Hansen, seconded by Fjeldheim to declare the following contracts in default and proceed with tax deed procedure: 1) 20 rods W of E 26 rods of N 11 rods of NE 19-128-62 (Twp 31); and 2) Lt 8 Block 7 Forest Acres Third Addition (Aberdeen). All members present voting aye. Motion carried.

Moved by Kippley, seconded by Hansen to authorize Sheila Enderson enter into contracts on the following properties, effective January 2016: 1) \$3000 down and \$150 per month (Lt 6 Blk 21 First Addn to Aberdeen); 2) \$250 per month (Lt 9 Blk 50 Thomas Addn to Aberdeen); 3) \$2900 down and \$250 per month ( E 92' of Lts 3-4 Blk 20 Hagerty & Lloyd Addn to Aberdeen); 4) \$200 per month (E 48' Lt 34 Blk 53 Second Addition to Aberden); \$2800 down and \$125 per month (W 2' Lt 34 & E 38' Lt 35 Blk 53 Second Addn to Aberdeen). All members present voting aye. Motion carried.

Moved by Hansen, seconded by Fischbach to extend agreement to defer tax deed proceedings on the S ½ SE ¼ 9-127-60 until Dec 31, 2016, due to estate proceedings still in progress. All members present voting aye. Motion carried.

**UNCOLLECTIBLE TAX LIST:**

Moved by Hansen, seconded by Kippley to acknowledge uncollectible tax list (four parcels), as submitted by Sheila Enderson, Brown County Treasurer. All members present voting aye. Motion carried.

**BUDGET SUPPLEMENT:**

Time and place, as advertised for 2015 Budget Supplement Hearing. No one appeared with questions or comments. Moved by Fjeldheim, seconded by Hansen to approve the following Budget Supplement for year 2015: Brown County Fair Sponsorships – Fund #101-5.524.426.80 @ \$40,000.00, to be funded by sponsorships received #101-4.345.50 @ \$40,000.00; Brown County Fair Entertainment #101-5.524.422.73 @ \$60,000.00; Court Appointed Attorney #101-5.153.422 @ \$170,000.00; Maintenance #101-5.161.425 @ \$170,000.00, to be funded by undesignated surplus cash in the General Fund #101-5.101.99 @ \$400,000.00. All members present voting aye. Motion carried.

**ATTORNEY CONTRACT DISCUSSION:**

Commissioner Fjeldheim opened discussion in regard to the procedure to end the 2015 Attorney Contract. Contract members Chris Dohrer, Scott Koch, Christy Griffin Serr, Tom Cogley, Josh Finer and Adam Altman were in attendance.

The County Commission agreed it would make the final payments due under the 2015 contract as scheduled.

The contract attorneys agreed to submit a partial, (or when possible a final) voucher for all work done in each contract case through Dec 31, 2015. For those contract cases not completed by December 31, it was agreed that

a partial voucher would still be submitted for work completed as of Dec. 31 and a final voucher would later be submitted to the County once that case has been completed.

A final voucher submitted after Dec. 31 in a contract case would not be the basis for any additional compensation to the contract attorney because (1) the reason for filing a voucher under the contract is not to trigger payment by the County to the attorney but rather to allow the County to file a lien for repayment of attorney fees and because (2) the contract requires each contract attorney to complete all assigned cases still open at the end of the contract period and to file a final voucher in each of those cases, and because (3) the County would have already paid all compensation due under the contract.

EXECUTIVE SESSION:

Moved by Hansen, seconded by Kippley to go into executive session for personnel discussion, per SDCL 1-25-2(1) and contract discussion, per SDCL 1-25-2(4) with Larry Lovrien, Gary Vetter and John McQuillen in attendance. All members present voting aye. Motion carried.

The Chairman declared the executive session closed, with no action taken as a result of the discussion.

ADJOURNMENT:

Moved by Hansen, seconded by Fjeldheim to adjourn the Brown County Commission. All members present voting aye. Motion carried.

Maxine Fischer, Brown County Auditor



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## DECEMBER 31, 2015 – SPECIAL YEAR END MEETING

The Special Meeting was called to order by Chairman Sutton at 8:45 A.M. in the Commissioner's Chambers, Courthouse Annex, Brown County, SD. Present were Commissioners Hansen, Kippley, Fischbach and Fjeldheim. Commissioner Fjeldheim led the Pledge of Allegiance.

## CLAIMS:

Moved by Hansen, seconded by Kippley to approve the following claims:

Insurance: SD Public Assurance Alliance \$242.00.

Professional Fees: Avera St. Luke's \$2,518.84; Carrels & Bain Dentistry \$274.04; Denise Cody \$15.00; Mark Katterhagen \$15.00; Kennedy Pier Knoff Loftus, LLP \$720.00; LGB \$12,726.13; Lucy Lewno \$144.00; Sanford Health \$5,281.60; Tammy Stolle Court Reporting \$220.00.

Publishing: Aberdeen American News \$199.45; Dakota Press \$471.71.

Repairs & Maintenance: 446-Praxair \$12.90; Butler Machinery \$767.54; Crawford Trucks & Equip. \$901.18; Dakota Oil \$23.45; Dakota Tree Co. \$1,223.00; DMI \$2,604.47; Double D Body Shop \$825.10; G & K Services \$421.17; GCR Tires & Services \$1,168.20; Great Western Tire \$129.00; Hanten's Repair \$30.00; HF Jacobs & Son \$14,065.63; PowerPlan \$1,965.67; Sheehan Mack \$8,906.09.

Supplies: 446-Praxair \$222.41; C. Scott Bader \$14.07; CarQuest \$786.45; Cartney Bearing \$14.40; Crawford Trucks & Equip. \$4,625.47; Dakota Electronics \$235.00; DFP \$116.21; Dakota Oil \$3,812.98; DMI \$147.81; Fastenal \$1,117.38; Fire Safety First \$109.75; GCR Tires & Services \$72.00; GovConnection \$1,156.58; Great Western Tire \$1,050.00; Hanten's Repair \$415.69; Interstate Battery \$200.90; J Gross Equip. \$187.82; Kennedy Pier Knoff Loftus, LLP \$20.00; Lucy Lewno \$6.49; Mac's \$521.06; Menards \$296.44; Midstates Printing \$63.75; NCFE – Warner \$10,400.81; Pheasantland Industries \$403.16; PowerPlan \$1,993.65; Productivity Plus – Titan \$1,494.95; Running's \$163.97; SDN Communications \$882.07; Sheehan Mack \$623.78; Spillman Technologies \$8,730.00.

Travel and Conference: Tom Fischbach \$253.80; Kathy Fischer \$10.00; Doug Fjeldheim \$213.38; Rachel Kippley \$192.70; Barry Kusler \$10.00; Leo Leshner \$10.00; Gene Loeschke \$10.00; Russell Metz \$10.00; Mark Milbrandt \$162.00; Duane Sutton \$147.58; Mary Worlie \$10.00.

Utilities: AT & T \$222.90; CenturyLink \$219.15; Economy Propane \$376.20; NWPS \$8,633.68; Web Water \$67.53. All members present voting aye. Motion carried.

## CONTINGENCY TRANSFERS:

Moved by Hansen, seconded by Fischbach to approve the following Contingency Transfers: increase spending authority (no cash): Fund #101-5.xxx.422.99: 151 SVAWA @ \$8,428.09; 153 CALC @ \$18,985.12; 161 Maintenance @ \$6,535.86; 213 Coroner @ \$14,723.72; 441 Mentally Ill @ \$82,060.42, 442 Developmental Disabled @ \$580.00; 443 Drug Abuse @ \$15,126.67; 523 Fairgrounds @ \$9,559.62; 524 Fair @ \$9,809.53; 611 4-H @ \$5,463.62; 248-5.212.422.99 @ \$7,626.26; reduce spending authority (no cash) 101-112-422 @ \$178,898.91. All members present voting aye. Motion carried.

## EXECUTIVE SESSION:

Moved by Fjeldheim, seconded by Hansen to go into executive session for personnel discussion, per SDCL 1-25-2(1) and contract discussion, per SDCL 1-25-2(4) with Ryan Vogel and Gary Vetter in attendance. All members present voting aye. Motion carried.

The Chairman declared the executive session closed, with no action taken as a result of the discussion.

## ADJOURNMENT:

Moved by Hansen, seconded by Fjeldheim to adjourn the Brown County Commission. All members present voting aye. Motion carried.

Maxine Fischer, Brown County Auditor



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