

SEPTEMBER 20, 2022 – GENERAL MEETING

Meeting called to order by Chairman Sutton at 8:45 A.M. in the Commission Chambers, Courthouse Annex, Brown County, SD. Present were Commissioners Feickert, Fjeldheim, Wiese, Gage and Sutton. Commissioner Gage led the Pledge of Allegiance.

APPROVAL OF AGENDA:

Moved by Fjeldheim, seconded by Feickert to approve the Agenda. All members present voting aye. Motion carried.

OPPORTUNITY FOR PUBLIC COMMENT:

Trevor Jones discussed Convention in Pierre and invited the Commissioners to CHS for Presentation to Mr. Wick's Welding Class. David Meyer with Summit Carbon Solutions answered questions posed to him at the September 6th meeting and showed pipe samples. Both were available for questions.

ORDINANCES 222- REZONE- READING AND ADOPTION:

Moved by Feickert, seconded by Wiese to approve reading and adoption of Proposed Ordinance 222, Applicant Patricia Mehlhaff requesting to rezone from Chapter 4.06 Agriculture Preservation District (AG-P) to Chapter 4.10 Lake Front Residential (R-3): Proposed Lot 1, "Berry-Davis Addition" in the NE ¼ of Section 25-T124N-R65W of the 5th P.M., Brown County, South Dakota. All members present voting aye. Motion carried.

ORDINANCES 223- REZONE- READING AND ADOPTION:

Moved by Fjeldheim, seconded by Gage to approve reading and adoption of Proposed Ordinance 223, Applicant Karen Kempf requesting to rezone from Chapter 4.06 Agriculture Preservation District (AG-P) to Chapter 4.10 Lake Front Residential (R-3): Proposed Lot 1, "Wiek-Kempf Addition" in the SE ¼ of Section 8-T128N-R65W of the 5th P.M., Brown County, South Dakota. All members present voting aye. Motion carried.

ORDINANCES 224- REZONE- READING AND ADOPTION:

Moved by Gage, seconded by Wiese to approve reading and adoption of Proposed Ordinance 224, Applicant Diane Heimann requesting to rezone from Chapter 4.06 Agriculture Preservation District (AG-P) to Chapter 4.07 Mini Ag District (M-AG): Proposed Lot 1, "Alberts-Anderson Addition" in the NW ¼ of Section 10-T124N-R61W of the 5th P.M., Brown County, South Dakota. All members present voting aye. Motion carried.

ORDINANCES 225- REZONE- READING AND ADOPTION:

Moved by Fjeldheim, seconded by Gage to approve reading and adoption of Proposed Ordinance 225, Applicant Nolan Ulmer requesting to rezone from Chapter 4.06 Agriculture Preservation District (AG-P) to Lake Front Residential District (R-3) and Mini Agriculture District (M-AG): Proposed **Lot 1-17**, "Bauer's Fourth Addition" in the S ½ of Section 7-T123N-R65W of the 5th P.M., Brown County, South Dakota. All members present voting aye. Motion carried.

ORDINANCES 226- REZONE- READING AND ADOPTION:

Moved by Feickert, seconded by Wiese to approve reading and adoption of Proposed Ordinance 226, Applicant Todd Lunzman requesting to rezone from Chapter 4.06 Agriculture Preservation District (AG-P) to Mini Agriculture District (M-AG): Proposed Lot 1, "Howell-Lunzman Addition" in the SW ¼ of Section 29-T128N-R62W of the 5th P.M., Brown County, South Dakota. All members present voting aye. Motion carried.

ORDINANCES 227- REZONE- READING AND ADOPTION:

Moved by Fjeldheim, seconded by Gage to approve reading and adoption of Proposed Ordinance 227, Applicant Mark Thompson requesting to rezone from Chapter 4.06 Agriculture Preservation District (AG-P) to Mini Agriculture District (M-AG): Proposed Lot 1, "Mark Thompson Second Addition" and Lot 1, "Mark Thompson Addition" both in the SE ¼ of Section 9-T124N-R61W of the 5th P.M., Brown County, South Dakota. All members present voting aye. Motion carried.

ORDINANCES 228- REZONE- READING AND ADOPTION:

Moved by Feickert, seconded by Fjeldheim to approve reading and adoption of Proposed Ordinance 228, Applicants Jeremy Walberg and Troy Grote requesting to rezone from Chapter 4.06 Agriculture Preservation District (AG-P) to Mini Agriculture District (M-AG): Proposed Lot 3, "Hagemann First Subdivision" and Lots 1 and 2, Garrett's Subdivision of Lot 1, "Hagemann First Subdivision" in the SE ¼ of Section 26-T124N-R63W of the 5th P.M., Brown County, South Dakota. All members present voting aye. Motion carried.

ORDINANCES 229- REZONE- READING AND ADOPTION:

Moved by Fjeldheim, seconded by Wiese to approve reading and adoption of Proposed Ordinance 229, Applicant Stacy Gossman requesting to rezone from Residential District (R-1) to Highway Commercial (HC): Proposed Lot 1, "Ronnie's Way Addition" and Lot 1, "Creekside Addition" both in the NW ¼ of Section 17-T123N-R63W of the 5th P.M., Brown County, South Dakota. All members present voting aye. Motion carried.

ORDINANCES 230- REZONE- READING AND ADOPTION:

Moved by Wiese, seconded by Gage to approve reading and adoption of Proposed Ordinance 230, Applicant James Whitman requesting to rezone from Chapter 4.06 Agriculture Preservation District (AG-P) to Chapter 4.07 Mini Ag District (M-AG): Proposed Lot 1, "Whitman's First Subdivision" in the N ½ of the NE ¼ of Section 29-T123N-R62W of the 5th P.M., Brown County, South Dakota. All members present voting aye. Motion carried.

CDBG YMCA Youth Development Center:

Ted Dickey, Kim Dorsett, Mike Quast, Dick Kornder and Dean Marske were present to discuss the YMCA Youth Development Center Block Grant.

Moved by Wiese, seconded by Feickert to approve the Chairman sign the following Resolution:

RESOLUTION #45-22

Authorizing Community Development Block Grant Application

To Assist In An Addition On To The YMCA Youth Development Center in Aberdeen, South Dakota

WHEREAS, Brown County proposes to execute an application for \$770,000 Community Development Block Grant funds to construct an addition on to the YMCA Youth Development Center in Aberdeen; 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, September 20, 2022, 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

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 20th day of September, 2022.

All members present voting aye. Motion carried.

QUIET TITLE ACTION:

Moved by Fjeldheim, seconded by Feickert to approve, and authorize the Chair to sign a Bond of Indemnity in the amount of \$500.00 for quiet title action on a tax deed property. All members present voting aye. Motion carried.

SHERIFF'S OFFICE REPORT:

Dave Lunzman, Chief Deputy Sheriff met with Commission and shared that the Drone saved several man hours for them when searching for a suspect. Dive Team received 3 complete Dive Suits that were donated by an anonymous donor – they will be placed with Groton Rescue Rig. Dave explained why they are asking for a second full-time cook in the HR Report and requested permission to hire new Chief Deputy in October/November to help with transition process. Permission was granted.

SD OPIOID SETTLEMENT MOA:

Moved by Wiese, seconded by Fjeldheim to make the State's Attorney's Office – Ross Aldentaler point of contact for the Opioid Settlement with SD DSS Division of Behavioral Health.

UNION CONTRACT:

Moved by Wiese, seconded by Gage to approve the Chairman to sign the Union Contract. All members present voting aye. Motion carried.

HIGHWAY DEPARTMENT 5 YEAR PLAN:

Dirk Rogers, Highway Superintendent asked for a motion to set date for 5-year plan public meeting for October 11, 2022. Moved by Feickert, seconded by Wiese to set the date for October 11, 2022. All members present voting aye. Motion carried.

FAIR FEE SCHEDULE:

Rachel Kippley met to discuss some items that are being used by renters or businesses that we haven't been charging for. She would like to amend the Fee Schedule and add some of these items. Board recommended she review the items and come back with a proposal.

MINUTES:

Moved By Wiese, Seconded by Gage to approve minutes from September 6, 2022 Meeting. All members present voting aye. Motion Carried.

CLAIMS/PAYROLL:

Moved by Fjeldheim, seconded by Wiese to approve the following claims and payroll: Payroll Commission \$4,503.96; Auditor \$7,197.60; Treasurer \$13,886.13; State's Attorney \$26,892.93; Maintenance \$10,206.38; Assessor \$14,930.13; Register of Deeds \$9,413.84; Veterans Service Office \$4,143.28; GIS \$2,483.72; IT \$5,686.59; HR \$4,061.37; Sheriff \$41,368.50; Jail \$57,044.98; Court Security \$7,077.65; JDC/HD \$28,605.69; Welfare \$2,161.43; Museum \$8,033.37; Parks/Fairgrounds \$6,822.93; Fair \$5,252.32; 4-H \$830.18; Weed \$4,533.29; Planning & Zoning \$6,631.44; Highway \$44,002.52; Dispatch \$36,267.38; EM \$4,285.81; Teen Court \$18.40; 24/7 Sobriety \$1,499.37; Landfill \$15,594.33; SDRS Pay-out \$15,121.06; Retirement Award \$150.00. **MATCHING BENEFITS:** FICA \$22,218.91, Medicare \$5,196.37, Discovery HSA \$1,359.38. **CLAIMS:** Professional Fees: AGTERRA TECHNOLOGIES, INC. \$70.00; BRICK'S TV & APPLIANCE \$933.75; CERTIFIED LANGUAGES INTERNATIONAL LLC \$981.75; Condrey and Associates, Inc. \$18,750.00; Daniel L. Fox \$160.00; DARCY LOCKWOOD \$30.00; DEPENDABLE SANITATION INC \$30,612.80; DEVNET \$3,445.31; KENNEDY PIER LOFTUS, LLP \$70.70; LANGUAGE LINE SERVICES INC \$133.50; LEWIS & CLARK BHS \$368.00; LEXISNEXIS RISK DATA MGMT INC. \$194.85; LINCOLN COUNTY TREASURER \$75.00; LUCY LEWNO \$160.00; MICHELLE GAIKOWSKI \$163.40; REGENCY MIDWEST VENTURES LIMITED PARTNERSHIP PROPE \$15,130.44; Saber Shred Solutions, Inc. \$1,698.50; SANFORD HEALTH OCCUPATIONAL MEDICINE ABERDEEN \$298.00; SATELLITE TRACKING OF PEOPLE, LLC \$1,833.00; SCHNEIDER GEOSPATIAL, LLC \$2,523.00; SD DEPT OF HEALTH \$2,270.00; SD DEPT OF REVENUE & REGULATIONS \$1,403.26; STATE OF SOUTH DAKOTA \$5,400.00; TAMMY STOLLE COURT REPORTING \$383.00; TAS, INC \$12,723.00; US BANK \$1,041.87; Valerie J. Larson \$30.00; WEST PUBLISHING CORP. \$283.30; WESTERN STATES FIRE CO \$195.00; WEX HEALTH INC. \$186.60; YANKTON COUNTY SHERIFF OFFICE \$100.00; YANKTON COUNTY TREASURER \$255.00. Publishing: ALPHAMEDIA USA, LLC \$4,200.00; DAKOTA BROADCASTING, LLC \$1,400.00; DAKOTA RADIO GROUP - JAMES RIVER BROADCASTING INC. \$1,568.00; GROTON INDEPENDENT \$462.33; HOAK MEDIA OF DAKOTA, LLC \$2,984.50; HUB CITY RADIO \$1,200.00; INGSTAD FAMILY MEDIA \$3,500.00; KBMW RADIO - RADIO FM MEDIA \$1,067.00; LEE AGRI-MEDIA \$1,429.60; THE DAY COUNTY PRINTING CO. INC \$25.98; US BANK \$1,815.00. Repairs & Maintenance: ABERDEEN CLEAN-ALL, LLC \$550.00; CENTURY BUSINESS PRODUCTS \$1.24; CLIMATE CONTROL \$498.00; CRAWFORD TRUCKS & EQUIPMENT \$6,623.88; DAKOTA FLUID POWER INC \$512.29; DIESEL MACHINERY \$7,254.01; DOUBLE D BODY SHOP INC \$467.28; ECOLAB PEST ELIMINATION \$267.60; GRAHAM TIRE INC \$758.48; GROTON FORD \$12,714.50; HUB CITY ROOFING \$96,463.00; JENSEN ROCK & SAND INC \$7,990.00; KIRK KARLEN \$60.88; LANG'S AUDIO TV & APPLIANCE \$60.00; LEIDHOLT ELECTRIC LLC \$867.80; LIEN TRANSPORTATION COMPANY \$43,389.12; Meister Mowing LLC \$1,860.00; PANTORIUM CLEANERS INC. \$189.32; PIERSON-FORD-LINCOLN - MERCURY \$311.20; POMPS TIRE SERVICE, INC \$814.03; PRO WINDMILL INC. \$345.00; RDO EQUIPMENT CO. - AG \$3,576.63; ROLAND L. MOERKE \$1,634.15; SEWER DUCK INC \$85.00; STEVEN LUST AUTOMOTIVE \$161.13; TITAN MACHINERY - ABERDEEN NH \$3,366.66; TRANSOURCE TRUCK & EQUIPMENT, INC. \$19,753.28; US BANK \$820.51; VOSIKA FENCING \$3,200.00; WALTH SAFETY SERVICE INC \$339.62. Supplies: AGTEGRA COOPERATIVE

\$8,133.15; APH STORES, INC \$977.59; ARTZ EQUIPMENT \$29.50; Avera LTC Pharmacy Aberdeen \$80.66; Avera Pharmacies \$10.00; BAKKEN BUILD MAINTENANCE \$500.00; BOTTLING GROUP LLC \$277.48; BRANDON BLACK \$30.87; Caid Verzani \$143.22; CARTNEY BEARING \$486.46; CENTURY BUSINESS PRODUCTS \$1,015.94; COLE PAPERS \$789.06; CRAWFORD TRUCKS & EQUIPMENT \$102,890.20; DAKOTA OIL \$462.00; DAKOTA SUPPLY GROUP \$191.03; Daniel L. Fox \$5.07; DIESEL MACHINERY \$934.84; Domain Listings \$288.00; DOMINO'S PIZZA INC \$117.87; EARTHGRAINS BAKING CO. INC. \$858.43; EAST SIDE JERSEY DAIRY, INC \$1,124.80; FIRE SAFETY FIRST, LLC \$1,505.71; GOVCONNECTION INC \$2,599.45; GRAHAM TIRE INC \$230.68; GREAT WESTERN TIRE INC \$7,042.35; HOH Water Technology Inc. \$239.45; INTERSTATE BATTERY SYSTEM OF SD \$498.80; JEBRO INC. \$46,183.23; Jeff Eisenbeisz \$209.81; JENSEN ROCK & SAND INC \$1,753.06; KEN'S SUPERFAIR FOODS \$3,998.30; KESSLERS \$4,055.58; LIEN TRANSPORTATION COMPANY \$135,675.97; Linde Gas & Equipment Inc. \$421.68; LUCY LEWNO \$6.57; MAC'S INC \$174.76; MARK GRAMM \$309.00; MB LLC \$256.16; McDonald's \$294.40; MENARDS \$486.39; MIDSTATES PRINTING \$597.24; MIDWEST PUMP & TANK \$51.60; MINN-KOTA COMMUNICATIONS, INC \$760.59; Montgomery's \$1,024.97; NORTHERN VALLEY COMMUNICATION \$26.76; PANTORIUM CLEANERS INC. \$84.00; PARKER KROLL \$693.00; PERFORMANCE OIL & LUBRICANTS \$398.14; PHARMCHEM \$930.05; PLUMBING & HEATING WHOLESALE, INC. \$855.54; RDO EQUIPMENT CO. - AG \$3,168.44; ROLAND L. MOERKE \$414.00; RUNNINGS \$221.65; RYAN SWENSON \$129.78; SANDERS'S SEW-N-VAC, INC \$545.52; SHARE CORP \$96.00; SHERWIN WILLIAMS \$114.54; SPECIALTY MFG INC \$1.74; STAN HOUSTON EQUIPMENT CO. \$280.40; T & M Management, LLC \$201.32; THEATRICAL MEDIA SERVICES INC \$325.00; TRANSOURCE TRUCK & EQUIPMENT, INC. \$6,942.61; TRI STATE WATER \$35.00; US BANK \$15,331.51; US FOODS \$11,836.35; WALTH SAFETY SERVICE INC \$3.80; WEST PUBLISHING CORP. \$1,839.44. Travel & Conference: Anchors Away Lodge & Resort \$306.33; Becca Tullar \$234.00; CITY OF GROTON \$344.52; CORY LANE \$51.23; Grant County Auditor \$591.36; LYNN HEUPEL \$189.20; Mike Nehls \$473.00; Pat Wolberg \$179.54; PATRICIA KENDALL \$100.00; PATRICIA VANMETER \$169.32; PATTI WOODS \$120.00; RACHEL KIPPLEY \$1,186.20; REGENCY MIDWEST VENTURES LIMITED PARTNERSHIP \$495.00; SAFE HARBOR \$450.00; SAFETY BENEFITS INC \$75.00; SCOTT MEINTS \$120.00; SDSU EXTENSION \$95.04; US BANK \$1,434.59; US HOTEL ACS VENTURES, LLP \$217.84. Utilities: CITY OF ABERDEEN \$5,887.24; CITY OF HECLA \$145.11; DEPENDABLE SANITATION INC \$348.00; JAMES VALLEY TELECOMMUNICATIONS \$219.90; MIDCONTINENT COMMUNICATIONS \$141.64; NORTHERN ELECTRIC COOP, INC \$4,552.36; NORTHERN VALLEY COMMUNICATION \$5,016.31; NORTHWESTERN ENERGY & COMMUNICATIONS \$1,540.57; QWEST CORPORATION \$1,193.84; STATE OF SOUTH DAKOTA \$135.19; TOWN OF FREDERICK \$76.00; US BANK \$4,452.83; VERIZON WIRELESS SERVICES LLC \$3,116.38; WEB WATER DEVELOPMENT ASSOC. INC. \$92.64. Rentals: ARAMARK UNIFORM & CAREER APPAREL GROUP, INC \$308.58; Linde Gas & Equipment Inc. \$47.62; Mike Nehls \$80.84; PANTORIUM CLEANERS INC. \$207.36. Others: SAFE HARBOR \$1,355.00; SD DEPT OF AGRICULTURE & NATURAL RESOURCES \$4,544.54. All members present voting aye. Motion carried.

HR REPORT:

Moved by Feickert, seconded by Wiese to approve the following Human Resource Report:

- Acknowledge transfer of Morgan Cox from Brown County Jail Correctional Officer to Brown County JDC Correctional Officer; effective September 5, 2022.
- Acknowledge transfer of Ellie Weinmeister from Brown County JDC Correctional Officer to Brown County Jail Correctional Officer; effective September 20, 2022.
- Acknowledge transfer of Rhaecine Sam from Brown County Jail Correctional Officer to Brown County JDC Correctional Officer; effective September 18, 2022.

- Approve hiring of Lane Kahler as Brown County Jail Correctional Officer, full-time; starting wage \$18.87/hour; effective September 7, 2022.
- Approve payment of retirement award for Kurt Smith in the amount of \$150 before taxes, the requirement was met.
- Approve increase the wage of Lisa Samson, Brown County State’s Attorney Legal Secretary to \$20.17/hour; September 19, 2022. For 2023, wages will be frozen. For 2024, she will only get the COLA, which will take her to the next step.
- Approve hiring of Troy Knebel as Brown County JDC Correctional Officer, full-time; starting wage \$18.87/hour; effective September 19, 2022.
- Approve hiring of Savanna Simon as Brown County Jail Correctional Officer, full-time; starting wage \$18.87/hour, effective September 20, 2022.
- Approve request to hire a full-time Jail Cook.
- Approve hiring of Lois Usselman as Brown County Election worker, as needed; starting wage \$15.00/hour; effective September 12, 2022.
- Approve hiring Steven Thithavong as Brown County Election worker, as needed; starting wage \$15.00/hour; effective September 12, 2022.
- Approve hiring of Veronica MacConnell as Brown County Jail Correctional Officer, full-time; starting wage \$18.87/hour; effective September 20, 2022.
- Approve hiring of Jessica Rychlik as Brown County State’s Attorney Legal Secretary, full-time; starting wage \$20.17/hour; effective September 19, 2022. For 2023, wages will be frozen. For 2024, she will only get the COLA, which will take her to the next step.
- Approve hiring of Tony Garcia as Brown County Sheriff’s Deputy part-time, Armed Court Security and Jail/JDC transport as needed; starting wage Deputy/Armed Court Security \$23.75/hour; transport per trip; effective September 15, 2022.

TRAVEL REQUESTS:

- Moved by Wiese, seconded by Fjeldheim to approve from Landfill, Treasurer’s Office, Register of Deed Office, Auditor’s Office, and Museum.

LEASES:

Moved by Wiese, seconded by Gage to approve the following leases:

- Aberdeen Humane Society for lease of Expo Building October 1-2, 2022.
- Morgan Hoffman for lease of Clubhouse October 8-9, 2022.
- Agtegra lease of 1 People Mover October 8, 2022.
- Roncalli Senior Retreat lease of Richmond Youth Camp September 25-26, 2022.

All member present voting aye. Motion carried.

TONNAGE REPORT:

Moved by Feickert, seconded by Wiese to acknowledge the Landfill Tonnage Report for August 2022. All members present voting aye. Motion carried.

AUDITORS REPORT OF ACCOUNTS:

Moved by Fjeldheim, Seconded by Wiese to approve the auditor report of accounts for July 2022 as follows: July total cash and checks on hand 7700; Total Checking Account Balances: 21,984,163.93; Total Savings Account Balances: 2,050,447.42; Total Certificates of Deposit: 3,978,174.09: Grand Total Cash and Balances: 28,020,485.44; General fund cash and investment balances by funds: General Fund 6,486,809.31 Road & Bridge Fund 4,877,505.90 Road & Bridge Fund - restricted 423,243.27 911 Service

1,386,284.82 Emergency & Disaster 264,293.23 Domestic Abuse 900.00 Teen Court 1,879.62 Grant 32.11 JDAI 14,127.15 Richmond Youth 0 24/7 Sobriety 29,490.33 ROD M&P 112,962.63 American Rescue Plan Federal Grant 7,544,067.66 Rural Access Infrastructure 295,338.93 Tif Debt Service 13,166.06 Landfill + cash change 3,513,288.51 Landfill - restricted 1,400,479.44 Trust and Agency Funds 1,656,616.47. All members present voting aye. Motion carried.

CLAIM ASSIGNMENT:

Moved by Wiese, seconded by Gage to approve, and authorize auditor to assign the claim against an individual to Credit Collections Bureau for the purpose of collecting liens. All members present voting aye. Motion carried.

OTHER BUSINESS:

Duane Sutton accepted the Gold & Platinum Safety Awards for Brown County at State Convention from SD Public Assurance Alliance.

EXECUTIVE SESSION:

Moved by Gage, seconded by Wiese to go into executive session to discuss personnel per SDCL 1-25-2. All members present voting aye. Motion carried. The chair declared the executive session closed with no action taken.

ADJOURNMENT:

Moved by Feickert, seconded by Wiese to adjourn the Brown County Commission at 10:25 a.m. All members present voting aye. Motion carried.

Lynn Heupel, Brown County Auditor

Published September 28, 2022, at the total approximate cost of \$_____ and may be viewed free of charge at www.sdpublicnotices.com.