

DECEMBER 13, 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, Gage, Sutton, and Wiese. Commissioner Wiese led the Pledge of Allegiance.

APPROVAL OF AGENDA: Commissioner Fjeldheim moved to approve the agenda, seconded by Gage. All members present voting aye. Motion carried.

OPPORTUNITY FOR PUBLIC COMMENT: None

INDIGENT COUNSEL CONTRACT:

Ross Aldentaler, Deputy State's Attorney met with the Commissioners to discuss the Indigent Counsel 2-year Contract. First year is \$750,000.00 and second year is \$800,000.00 to be split between 8 attorneys. Moved by Commissioner Gage and seconded by Wiese to approve and authorize Chairman Sutton to sign the Indigent Counsel Contract. All members present voting aye. Motion carried.

REQUEST FOR PROPOSAL (RFP)/LEASE OF PROPERTY:

An RFP was presented to the Commissioners to solicit proposals for lease of all or part of property located at Lot 2, ADC 2022-2 Addition to the City of Aberdeen, in the Northeast Quarter of Section 17, Township 123 North, Range 63 West of the 5th P.M., Brown County, South Dakota, according to the recorded plat thereof. The property contains approximately 169,000 square feet of multipurpose space. RFP's will be opened on Tuesday, December 27th. Moved by Commissioner Wiese, seconded by Fjeldheim to approve and authorize the publication of the RFP on Lease of Property. Roll call: Commission Fjeldheim – aye; Commissioner – Feickert – nay; Commissioner Wiese – aye; Commissioner Gage – nay; Commissioner Sutton – aye. Motion approved.

ORDINANCE #235 – SECOND READING/ADOPTION:

Moved by Commissioner Feickert, seconded by Gage to approve the Second Reading and Adopt Ordinance #235. Applicants Lyle Biegler, Diane Bindenagel and Travis Bindenagel requesting to rezone from Chapter 4.06 Agriculture Preservation District (AG-P) to Chapter 4.07 Mini-Agriculture District (M-AG) and Chapter 4.08 Residential District (R-3): Lot 1 and Lot 2, “Bindenagel Richmond Lake Subdivision”, Lot 1, “Bindenagel Third Richmond Lake Subdivision” and Lot 1A, “BNB Second Richmond Lake Subdivision” all in the NW ¼ or Section 25-T124N-R65W of the 5th P.M., Brown County, South Dakota. All members present voting aye. Motion carried.

ORDINANCE #236 – SECOND READING/ADOPTION:

Moved by Commissioner Fjeldheim, seconded by Wiese to approve the Second Reading and Adopt Ordinance #236. Applicants Rory Haar, Estate of Roland W. Haar and Walter Schott to rezone from Chapter 4.08 Residential District (R-1) and Chapter 4.06 Agriculture Preservation District (AG-P) to Chapter 4.07 Mini-Agriculture District (M-AG): “Schott Outlot” and Lot 1, “Haar Addition” both in the SE ¼ of Section 6-T123N-R63W. Proposed Lots 1 thru 4, “Haar’s Second Addition” in the E ½ of Section 6-T123N-R63W of the 5th P.M., Brown County, South Dakota. All members present voting aye. Motion carried.

ORDINANCE #237 – SECOND READING/ADOPTION:

Moved by Commissioner Feickert, seconded by Wiese to approve the Second Reading and Adopt Ordinance #237. Applicant Lon Gellhaus for Derrill J. Mahan Family Trust to rezone from Chapter 4.06 Agriculture Preservation District (AG-P) to Chapter 4.07 Mini-Agriculture District (M-AG): Proposed Lot 1, “Mahan Addition” in the NW ¼ of Section 5-T123N-R60W of the 5th P.M., Brown County, South Dakota. All members present voting aye. Motion carried.

ORDINANCE #238 – SECOND READING/ADOPTION:

Moved by Commissioner Gage, seconded by Wiese to approve Second Reading and Adopt Ordinance #238. Applicants Marian Metter/Rick Mettler, P.O.A to rezone from Chapter 4.11 Rural Urban District (RU) and Multi Zone District (MZ) to Rural Urban (RU) Proposed Lot 1 & Proposed Lot 2 and then Proposed Lot 3 to Chapter 4.06 Agriculture Preservation District (AG-P): Proposed Lot 1, Proposed Lot 2 & Proposed Lot 3, “Mettler Second Subdivision” in the NE ¼ of Section 6-T126N-R61W of the 5th P.M., Brown County, South Dakota. All members present voting aye. Motion carried.

MINUTES:

Moved by Commissioner Fjeldheim, seconded by Gage to approve the December 6, 2022 General Meeting Minutes. All members present voting aye. Motion carried.

CLAIMS:

Moved by Commissioner Wiese, seconded by Gage to approve the following Claims:

Professional Fees: Avera St. Luke's \$44.52; Certified Languages International \$1,187.90; Dakota's Finest Investigations \$2,258.28; Darcy Lockwood \$42.00; Day County \$935.00; First Interstate Bank \$67.50; Helms & Associates \$5,986.70; Horizon Health Care Inc \$20.00; Jeanie Schmidt \$100.00; Kristi Brandt \$126.50; Language Line Services \$448.87; Lucy Lewno \$479.71; Michelle Gaikowski \$23.80; Saber Shred Solutions \$3,975.35; Satellite Tracking of People \$1,280.50; SD Department of Health \$1,275.00; SD Department of Revenue & Regulations \$2,681.37; State of South Dakota \$24,777.79; Valerie J. Larson \$42.00; West Publishing \$283.30.

Publishing: King Midas Inc \$325.00; Moody County Enterprise \$27.93; Sisseton courier \$37.69.

Rentals: Aramark \$310.25; Dakota Electronics \$159.25.

Repairs & Maintenance: Aberdeen Auto Center \$90.00; Dacotah Prairie Museum \$4,000.00; Diesel Machinery \$11,152.05; Ecolab Pest Elimination \$117.60; Gillund Enterprises \$10.00; Graham Tire \$100.00; HF Jacobs & Son Construction \$4,574.29; Hoven Auto \$69.00; House of Glass \$184.05; Hub City Roofing \$13,010.00; J Gross Equipment \$825.00; Leidholt Electric \$583.65; Lien Transportation Company \$131.25; Pantorium Cleaners \$224.30; RD Offutt Company \$6,452.97; Dakota Electronics \$90.00; Schwan Welding \$407.50; Steven Lust Automotive \$69.99; Transource Truck & Equipment \$4,666.35; Vosika Fencing \$100.00; Walth Safety Service \$431.70.

Supplies: Aberdeen Auto Center \$736.00; Agtegra \$76,665.74; Alondra Caraballo \$45.96; Brown County Sheriff \$950.00; Cartney Bearing \$30.76; Century Business Products \$171.69; Cole papers \$398.04; Dakota Broadcasting \$980.00; Diesel Machinery \$43,018.20; Earthgrains Baking Co. \$1,207.10; East Side Jersey Dairy \$1,028.76; Floor to Ceiling \$254.48; Galls \$504.60; Gillund Enterprises \$317.40; House of Glass \$207.50; JD Power & Associates \$301.00; Ken's SuperFair Foods \$58.97; Leidholdt Tool Sales \$243.65; Matthew Bender & Co \$226.78; MB LLC \$588.64; Menards \$52.56; Midstates Printing \$35.35; Napa Central \$187.85; Nelson Sales & Service \$222.71; Pantorium Cleaners \$56.00; Performance Oil & Lubricants \$371.45; Pharmchem \$471.75; Plumbing & Heating Wholesale \$192.49; Pumps Tire Service \$1,149.40; RD Offutt Company \$2,131.91; Dakota Electronics \$105.00; Runnings \$32.97; Transource Truck & Equipment \$580.17; Tri State Water \$45.00; US Foods \$8,585.67; US Postmaster \$38.30; Web Water Bottling Co \$18.00.

Travel & Conference: McKenzie Bierman \$250.00; Mike Wiese \$109.88; Rachel Kippley \$292.49.

Utilities: City of Aberdeen \$475.68; Northern Electric Coop \$1,951.58; Northwestern Energy & Communications \$8,210.58; Town of Frederick \$76.00; Verizon Wireless \$42.10; Web Water Development Association \$99.29.

Other: Andax \$3879.60; SD Association of County Officials \$776.00; SD Dept of Agriculture & Natural Resources \$4,426.14; SD Department of Revenue & Regulations \$748,923.00; South Brown Conservation District \$718.00; WEX Health Inc \$4,000.00.

All members present voting aye. Motion carried.

HR REPORT:

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

- Acknowledge employment ending for Terry Holder as Brown County Fairgrounds Maintenance worker, full-time; effective December 8, 2022. Request to fill.
- Acknowledge of resignation of Theresa Hedges as Brown County Communications Dispatcher, full-time; effective December 5, 2022. Request to fill.
- Approve employment for Joe Kaven, Brown County Fairgrounds worker; as needed for snow removal effective December 12, 2022.
- Request to fill the part-time Dacotah Prairie Museum Guest Services Coordinator.
- Approve personal miles driven for October 2022 at .585 per mile as follows: Kendall Titze 114 miles at \$66.69; John Florey 114 miles at \$66.69; Mike Scott 170 miles at \$99.45.
- Approve personal miles driven for November 2022 at .585 per mile as follows: Kendall Titze 90 miles at \$52.65; John Florey 90 miles at \$52.65; Mike Scott 120 miles at \$70.20.

All members present voting aye. Motion carried.

TRAVEL REQUESTS:

Moved by Commissioner Gage, seconded by Fjeldheim to approve the following Travel Requests:

- Rachel Kippley, Fair Manager to travel to Washington, D.C. on February 24-25, 2023 for IAFE Summit.
- Dirk Rogers, Highway Superintendent to travel to Milbank, SD for Lake Region District Meeting on Wednesday, November 30, 2022.

All members present voting aye. Motion carried.

ABATEMENT:

Moved by Commissioner Wiese, seconded by Feickert to approve the following abatements on Tax Deed Properties: Parcel #14196.@ \$8,324.05; Parcel #24370 @ \$540.00; Parcel #12510 @ \$8,006.66; Parcel #28298 @ \$1,696.77. All members present voting aye. Motion carried.

AUDITORS REPORT OF ACCOUNT:

Moved by Commissioner Wiese, seconded by Fjeldheim to approve the auditor report of accounts for October 2022 as follows: October total cash and checks on hand \$7,700.00; Total Checking Account Balances: \$35,501,200.92; Total Savings Account Balances: \$2,450,447.42; Total Certificates of Deposit: \$3,978,174.09; Grand Total Cash and Balances: \$41,937,522.43; General fund cash and investment balances by funds: General Fund \$8,536,937.67 Road & Bridge Fund \$3,905,172.45; Road & Bridge Fund - restricted \$423,243.27; 911 Service \$1,133,514.72; Emergency & Disaster \$262,728.65; Domestic Abuse \$1,084.87; Teen Court \$414.19; Grant \$32.11; JDAI \$13,574.29; Richmond Youth \$0.00; 24/7 Sobriety \$25,839.79; ROD M&P \$114,269.98; American Rescue Plan Federal Grant \$7,545,865.45; Rural Access Infrastructure \$295,338.93; TIF Debt Service \$453,075.80; Landfill + cash change \$3,837,032.05; Landfill - restricted \$1,400,479.44; Trust and Agency Funds \$13,988,918.77. All members present voting aye. Motion carried.

FAIR CONTRACTS:

Moved by Commissioner Feickert, seconded by Wiese to approve and authorize Chairman Sutton to sign an entertainment contract for the 2023 Brown County Fair (names confidential until official press release). All members present voting aye. Motion carried.

SPECIAL EVENT MALT BEVERAGE/WINE LICENSE:

Moved by Commissioner Wiese, seconded by Gage to approve and authorize Chairman Sutton to sign the application for Special Event Malt Beverage/Wine License for Aberdeen Area Chamber of Commerce on January 12, 2023 for Business After Hours at Budget Furniture. All members present voting aye. Motion carried.

OTHER BUSINESS: None

EXECUTIVE SESSION: Moved by Commissioner Wiese, seconded by Gage to go into executive session to discuss Personnel, Legal and Contracts 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 Commissioner Fjeldheim, seconded by Feickert to adjourn the Brown County Commission at 10:37 a.m. All members present voting aye. Motion carried.

Lynn Heupel, Brown County Auditor

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