

MARCH 12, 2024 – 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 Dennert, Fjeldheim, Gage, Sutton, and Wiese. Commissioner Wiese led the Pledge of Allegiance.

APPROVAL OF AGENDA:

Commissioner Wiese moved to approve the agenda with the addition of discuss burn ban, seconded by Gage. All members present voting aye. Motion carried.

OPPORTUNITY FOR PUBLIC COMMENT:

District 3 Representative, Carl Perry shared with the Commissioners that HB1229 passed, which was an act to add a county as able to be assigned responsibility for secondary highways on municipal boundaries. Representative Perry shared that Dirk Rogers, County Highway Superintendent and Robin Bobzien, Aberdeen City Manager both presented along with SD Department of Transportation. All three of them worked together on this bill and it passed by both the House and the Senate then went on to Governor Noem and it was signed. Representative Perry commented that your ideas are listened to and this one went all the way through. He also shared that SB201, which was to provide new statutory requirements for regulating linear transmission facilities, to allow counties to impose a surcharge on certain pipeline companies and to establish a landowner bill of rights - did not give more power to the County, it gave less but shared that all District 3 people voted 'No', but it passed 39-31 in the House. Chairman Sutton thanked Representative Perry for all his help on HB1229 and other bills.

FAIR ENTERTAINMENT CONTRACTS:

Moved by Commissioner Fjeldheim, seconded by Dennert to authorize Chairman Sutton to sign the following Entertainment Contracts for the 2024 Brown County Fair: Sugar Ray for \$70,000.00; LIT for \$40,000.00 and Smash Mouth for \$45,000.00. All members present voting aye. Motion carried.

CHANGE ORDER FOR HOLUM EXPO ROOF:

Curtis Miller with North Central Steel met with the Commission regarding some engineering concerns that were brought to his attention after the engineers found the old drawings of the Expo Building. If they remove the old roof and replace it with the new style the engineers said the roof structure design would not be valid and there is potential for purlin roll over or sag, so they recommend replacing with sag angle like currently on the roof. With technology the product has improved, and the warranty would be the same but will cost less. The Change Order for the Holum Expo Roof results in the Bid going from \$585,654.00 down to \$541,125.00. Commissioner Fjeldheim asked if there are any issues with getting the materials, Curtis shared that he is locked in with a May 1st date, which is the start date on the project and as of now there are no issues. Moved by Commissioner Wiese, seconded by Fjeldheim to approve and authorize Chairman Sutton to sign the Change Order for the Holum Expo Roof. All members present voting aye. Motion carried.

MINUTES:

Moved by Commissioner Wiese, seconded by Fjeldheim to approve the March 5, 2024 General Meeting Minutes. All members present voting aye. Motion carried.

CLAIMS/PAYROLL:

Moved by Commissioner Gage, seconded by Wiese to approve the following claims/payroll:

CLAIMS: Professional Fees: Aberdeen ED \$705.79; Aberdeen Surgery \$72.40; Borns Group \$11,390.46; Carrels & Bain Family Dental Care, LLC \$335.64; Cook County Sheriff \$60.00; Dakota Embalming & Transport Service Inc \$1,463.50; DEVNET \$3,445.31; Freeborn County Sheriff's Office \$100.00; gWorks \$1,050.00; IMEG Corp \$11,700.00; Karpel Solutions \$7,425.00; Language Line Services, Inc \$377.90; LexisNexis Risk Data Mgt, LLC \$200.00; MOCIC \$150.00; Radiology-North Center \$957.20; Sanford Health Occupational Medicine \$188.00; Sara J. Zahn \$51.00; Satellite Tracking of People, LLC \$1,293.50; SD Dept of Public Safety \$6,150.00; Siegel, Barnett & Schutz \$1,012.50; Thomson Reuters-West Payment Center \$291.80; US Bank Visa \$1,454.43. Publishing: Black Hills Pioneer \$12.62; Gannett South Dakota LocalIQ \$21.60; Groton Daily Independent \$9.81; KJRV FM/KOKK AM/KIJV AM \$1,500.00; Mobridge Tribune \$12.39; US Bank Visa \$300.00. Rentals: Aramark \$262.68; Dakota Electronics \$99.50. Repairs & Maintenance: A-1 Locksmithing \$390.00; Ace Refrigeration, LLC \$2,064.48; Big Scoop Snow Removal \$330.00; Diesel Machinery, Inc \$8,267.18; EcoLab Pest Elimination Division \$125.83; Graham Tire Inc \$749.48; Hoven Auto Repair, Inc \$548.50; J&K Painting

\$1,248.90; Kirk's Auto \$249.00; Meister Mowing LLC \$337.50; Precision Kiosk Technologies \$2,700.00; RDO Equipment Co \$94,488.50; Safety Service \$4,290.74; SD Dept of Public Safety \$2,840.00; Titan Machinery \$839.93; Transource Truck & Equipment, Inc \$6,977.45; US Bank Visa \$5,348.63. Supplies: A-1 Locksmithing \$36.50; Agtegra Cooperative \$49,598.14; Amazon Capital Services, Inc \$1,701.39; Auto Value Aberdeen \$11.88; Bimbo Foods USA, Inc \$792.86; Blaze Mills \$49.87; Butler Machinery Company \$1,753.87; Century Business Products \$381.83; Dakota Electronics \$169.25; Dakota Fluid Power, Inc \$723.04; Diesel Machinery, Inc \$1,711.28; East Side Jersey Dairy Inc \$894.52; Fastenal Company \$33.58; House of Glass \$54.02; IMEG Corp \$1,250.00; Interstate Battery System of South Dakota \$595.80; Karen Swank \$45.00; Kessler's \$297.55; Leidholdt Tool Sales, LLC \$179.62; Linde Gas & Equipment Inc \$399.14; Mac's Inc-Capital One Trade Credit \$181.05; Menards \$137.11; Midstates Group \$75.00; Napa Central \$849.98; Nelson Sales & Service, LLC \$102.00; Northwest Divers \$1,342.00; Performance Oil \$73.44; PharmChem, Inc \$607.05; Pitney Bowes Global Financial Services LLC \$1,046.10; RDO Equipment Co \$173.14; Rinse & Go Car Wash \$24.00; Runnings \$29.98; Safety Service \$330.00; SD Federal Property Agency \$638.35; Sherwin Williams \$39.49; Simon Solutions, Inc \$162.00; Stan Houston Equipment Company, Inc \$3,399.95; Transource Truck & Equipment, Inc \$6,370.08; Tri-State Water \$35.00; US Bank Visa \$19,182.08; US Foods \$9,640.31. Travel & Conference: Dave Lunzman \$458.00; US Bank Visa \$1,133.35. Utilities: City of Aberdeen Treasurer \$1,546.20; Dependable Sanitation, Inc \$172.00; Economy Propane, LLC \$1,545.60; Northern Electric \$101.00; Northwestern Energy 19,640.97; Town of Frederick \$82.62; US Bank Visa \$3,512.23; WEB Water Development Association, Inc \$108.48. Machinery & Equipment: RDO Equipment Co \$77,574.03. Others: SD Assoc of County Officials \$618.00.

PAYROLL: Commission \$4,753.89; Elections (Voucher) \$1,834.40; Auditor \$9,850.83; Treasurer \$17,241.75; SA \$34,526.58; Maintenance \$11,970.11; Assessor \$17,385.05; Register of Deeds \$10,406.83; VSO \$4,466.24; GIS \$2,790.90; IT \$9,322.67; HR \$4,960.64; Sheriff \$56,946.09; Jail \$81,631.61; Coroner \$591.30; Court Security \$7,388.15; JDC \$33,901.46; Welfare \$2,466.75; Museum \$12,994.24; Parks/Fairgrounds \$5,191.94; Fair Board \$4,336.33; 4-H \$830.80; Weed \$3,654.77; Planning & Zoning \$7,674.76; Highway \$53,096.84; Dispatch \$36,667.13; Emergency \$5,098.61; 24/7 Sobriety \$2,811.28; Landfill \$19,545.10; SDRS Pay-out \$12,931.77; FICA \$27,629.88; Medicare \$6,461.86; Discovery (HSA) \$1,739.78. All members present voting aye. Motion carried.

HR REPORT:

Moved by Commissioner Fjeldheim, seconded by Gage to approve the following Human Resource Report submitted by Human Resources Director, Allison Tunheim:

- Acknowledge the resignation of Cheyenne Waldo, Brown County 911 Communications Officer, FT - effective March 8, 2024. Request to fill.
- Hiring of Blaze Mills as Brown County Jail Detention Officer, PT; starting wage \$15.50/hr. – effective March 5, 2024.
- Return of Richard Burns as Brown County Fair and Parks Maintenance, PT, starting wage \$15.50/hr. – effective March 5, 2024.
- Hiring of Lori Wipf as Brown County Jail/JDC Nurse, PRN; PT Temporary – effective March 8, 2024. Approximate time period for assignment is two weeks.
- Extension of Allison Campton as Brown County Jail/JDC Nurse, PRN; PT Temporary for an additional approximate two-week time period assignment – effective March 9, 2024.
- Extension of Brenda Lyke as Brown County Jail/JDC Nurse, PRN; PT Temporary for an additional approximate two-week time period assignment – effective March 9, 2024.

All members present voting aye. Motion carried.

NOTICE FOR TAX DEED SALE:

Moved by Commissioner Gage, seconded by Wiese to authorize advertising the following described properties to be offered for sale by auction in the Community Room, Brown County Courthouse Annex on March 27, 2024 at 10am and further to declare property surplus for purpose of sale: Aberdeen City: Lot – 605 N. Arch St. (LT 1 Brown County Commissioner's 6th SD; LT 10 & N 10' LT 11 BK 10 Hagerty & Lloyd Addition) Aberdeen, Brown County, South Dakota; Stratford City: House – 381 Campbell Ave. (E ½ of LT 11 & All of LT 12 BK 2) Stratford, Brown County, South Dakota and House – 688 5th St. (LT 1-6 BK 1) Stratford, Brown County, South Dakota; Groton: Land – 14320 408th Ave. (Holmen OL 1 NW ¼ Sec 9-T121N-R60W) Groton, Brown County South Dakota. All members present voting aye. Motion carried.

CLAIM ASSIGNMENTS:

Moved by Commissioner Dennert, seconded by Wiese to authorize and approve the Auditor sign the Claim Assignment against an individual to Credit Collections Bureau for the purpose of collecting liens. All members present voting aye. Motion carried.

COMMUNITY OUTREACH & DEVELOPMENT PROGRAMS:

Kristi Lindell, Government Account Executive from T-Mobile met with the Commissioners wanting to see how they can enter into a partnership with the County and share how they are partnering with counties across Minnesota & South Dakota and share about a community outreach program they have. Chairman Sutton recommended that she contact the IT Department and Emergency Management Department to review the information and determine if it would be a good fit for Brown County.

LEASE AGREEMENTS:

Moved by Commissioner Wiese, seconded by Gage to approve and authorize Chairman Sutton to sign the following lease agreements: Janel Hoeltzer for lease of Richmond Lake Youth Camp on September 14, 2024 for a Wedding; Dave Kramer for lease of Richmond Lake Youth Camp on July 27, 2024 for a Wedding. All members present voting aye. Motion carried.

LOTTERY PERMITS:

Moved by Commissioner Fjeldheim, seconded by Wiese to approve and authorize Chairman Sutton to sign applications submitted by SPURS Therapeutic Riding Center for a lottery to be held September 14, 2024 at the SPURS Barn and for another lottery to be held on December 13, 2024 at the SPURS Therapeutic Riding Center. All members present voting aye. Motion carried.

ALCOHOLIC BEVERAGE TEMPORARY PERMIT FOR SPECIAL EVENT:

Moved by Commissioner Wiese, seconded by Gage to approve the following Alcoholic Beverage Temporary Permit for Special Event to Stacy Gossman, DBA: Flying Pig (RL-5733) at the Brown County Fairgrounds Clubhouse for a Wedding on September 7, 2024. All members present voting aye. Motion carried.

ABATEMENTS:

Moved by Commissioner Dennert, seconded by Wiese to approve the following abatement for Tax Year 2024: Parcel #19504 \$4,008.56 for Collin Gengerke. All members present voting aye. Motion carried.

DISCUSS JAIL NURSE HIRES:

Sheriff Dave Lunzman met with the Commissioners to give a quick update on the nursing staff. Sheriff Lunzman shared with being short-staffed they have hired 2 RN's and 1 LPN, and they are starting to get into a groove and things are going well. Chairman Sutton shared that they wanted an updated because they seen in the HR Report that a third nurse was hired, and the other two temporary nurses were extended for an additional two weeks so asked if they are still working on a potential permanent solution. Sheriff Lunzman replied he hopes so but hard to know what that will be at this time; the first two temporary employees have full-time jobs so it was taxing them which is the reason for the third nurse at a lower rate, which helps with cost associated and can spread the duties out to handle them 24/7; there is a possibility of bringing on another person to spread it out even more. Commissioner Dennert asked how much lower the rate was on the third employee. Sheriff Lunzman stated only thing they changed was by the hour and went to \$50.00. Commissioner Wiese ask if he anticipates a long-term solution coming. Sheriff Lunzman said it is hard to plan and not knowing how long they are going to be short or how all of this will go and what will happen. Sheriff Lunzman stated to discuss further would need to go into Exec since it is Personnel.

EXECUTIVE SESSION:

Moved by Commissioner Fjeldheim, seconded by Dennert 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.

OTHER BUSINESS:

Chairman Sutton shared that he had spoken with Scott Meints, Emergency Management Director and at this time there will not be a burn ban but that is subject to change; conditions are extremely dry and dangerous; urge people

to use extreme caution and go through the proper channels, make the notifications, have a backup plan in case it gets out of control any expenses of distinguishing the fire goes to the Landowner that started the fire. Commissioner Dennert asked Scott to clarify that it is just a suggestion but not required to not burn at this time. Scott Meints shared that Corey Mitchell, Columbia Fire Chief and President of the Fire Chief Association along with Kevin Barton, Frederick Fire Chief and Vice-President of the Fire Chief Association joined the call to change that recommendation and ask for a County-Wide Burn Ban be put on immediately. Due to the dry conditions and a result of a control burn that was reported but got out of control which the landowner was not prepared for and got within 100 feet of 2 homes in Westport. Ross Aldentaler, State's Attorney Deputy shared that per County Ordinance 18.02 "No person shall set any open fire when the National Weather Service publication of the grassland fire danger index reaches any of the following categories "very high" or "extreme fire danger" or "fire weather watch" or "red flag warning" for any or all of Brown County"; so its tied to the National Weather Service but the Commission by Resolution can determine a fire danger emergency. After further discussion, the following Resolution was presented for a County-Wide Burn Ban effective immediately until lifted.

OPEN BURNING BAN

Commissioner Dennert offered the following Resolution.

RESOLUTION #15-24

WHEREAS, Brown County having received very little rain fall across the entire county, 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 ALL open burning with the exception barbecue grills in order to protect the public health and safety; and

RESOLVE that the ban will be in place until further notice; and

FURTHER RESOLVE that criminal and civil penalties per County Ordinance 18.07 be imposed if found in violation of this Resolution.

Dated this 12th day of March 2024.

Seconded by Commissioner Fjeldheim.

Roll call vote: Commissioners Dennert-aye, Fjeldheim-aye, Gage-aye, Sutton-aye, Wiese-aye. Resolution adopted.

Auditor, Lynn Heupel informed the Commissioners that Legislative Audits will be coming on Monday, March 25th to start the 2022 & 2023 Audits.

ADJOURNMENT:

Moved by Commissioner Wiese, seconded by Gage to adjourn the Brown County Commission at 9:48 a.m. All members present voting aye. Motion carried.

Lynn Heupel, Brown County Auditor

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