

JUNE 25, 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 Fjeldheim led the Pledge of Allegiance.

APPROVAL OF AGENDA:

Commissioner Wiese moved to approve the agenda, seconded by Gage. All members present voting aye. Motion carried.

OPPORTUNITY FOR PUBLIC COMMENT:

Janet Hedges met with the Commission to share that she was opposed to the Howling Woods Subdivision Plat for several reasons, which were the same reasons they were denied a rezone application to convert their Barn into a Special Event Facility in 2018. Janet also shared that they hunt their property on a regular basis and don't want to lose that privilege and displace the Wildlife.

District 3 Representative, Carl Perry informed the Commission that he recently attended the International Legislative Forum in Duluth, MN that included Legislators from North Dakota, Minnesota, South Dakota, and some Canada Provinces. He share that next year, South Dakota will host this event and it will be held in Rapid City. Representative Perry told Commission some of the topics discussed were Water, Roads, Pipelines, Prisons, Public Safety, Drug Issues, Healthcare and Energy.

HALL CROSSING:

John Kippley with Ordway Township met with the Commission to discuss Hall Crossing. John asked the Commission to keep the promise that was made to Ordway Township in the past to keep up the Hall Crossing. He informed the Commission that with Hall Crossing closed traffic is having to use Hwy. 14 which causes safety issues with traffic. John shared that Ordway Township gave up 3 different spots, when agreement was made to keep Hall Crossing open. Commissioner Sutton shared that Hall Crossing has had several issues and is a problem every year and feel the usage has decreased. Commissioner Dennert asked Highway Superintendent, Dirk Rogers how much it would cost to fix it. Dirk responded that the County can't afford to fix it, so it has been easier to pay for temporary fixes each year. Tara Hall shared that she lives in the area and doesn't feel there is much traffic, and it isn't an issue to drive around a few miles – it used to be a county road that was maintained back in the day. Paul Meyers commented that he feels if could make it a dam so the water can run over would be best fix. John shared that it is inconvenient for Farmers in the area and would appreciate the County looking at it.

APPLICATION FOR OCCUPANCY:

Moved by Commissioner Wiese, seconded by Fjeldheim to approve the following application submitted by WEB Water Development for occupancy of North Shore Drive for potable water line in Section 24, T124-R-65, Brown County, South Dakota. All members present voting aye. Motion carried.

HIGHWAY DEPARTMENT UPDATE:

Dirk Rogers, Highway Superintendent shared that Hollaway is doing repair work on Bridge on 21 and should be done within 2 weeks. After they finish, the County will start paving 21. They plan to do micro-surfacing and raise grade 6 miles west of Hecla. They are mowing and blading. Dirk informed the Commission that he will be making changes to his 5-year plan due to budget restraints but is hoping to do a Bid Project for NE area and contractor could set up a mobile plant to complete the projects.

MINUTES:

Moved by Commissioner Dennert, seconded by Wiese to approve the June 18, 2024 General Meeting Minutes. All members present voting aye. Motion carried.

CLAIMS:

Moved by Commissioner Gage, seconded by Fjeldheim to approve the following claims: Professional Fees: CenturyLink-Lumen \$195.75; Schriver's Memorial Mortuary, Inc \$150.00; SD State 4-H Office-Volunteers \$575.00. Publishing: Production Monkeys \$1,500.00. Rentals: Dakota Electronics \$326.00. Repairs & Maintenance: Ace Refrigeration, LLC \$316.20; Asphalt Zipper \$20.04; Brown Conservation District \$1,467.40; Dakota Supply Group \$42.57; Double D Body Shop \$237.00; Graham Tire Inc \$683.50; HF Jacobs & Son Const.

Inc \$21,450.00; Hoven Auto Repair, Inc \$1,359.84; Interstate Powersystems \$3,398.91; K&S Plumbing, Inc \$2,115.67; Lien Transportation Company \$1,469.39; Otis Elevator Company \$90.72; Pheasantland Industries \$16.22; Pierson Ford Lincoln, Inc \$135.19; Titan Machinery \$265.63; TripleC Pros LLC \$1,900.00. Supplies: Advance Auto Parts \$1,403.78; Amazon Capital Services, Inc \$3,003.08; Asphalt Zipper \$120.48; Brett Provins \$45.96; Cole Paper \$667.42; Dakota Supply Group \$1,862.60; FedEx \$19.15; Fire Safety First LLC \$2,979.60; Gillund Enterprises \$764.40; Graham Tire Inc \$171.40; Hillyard Sioux Falls \$92.06; Jebro Inc \$67,729.92; Jensen Rock & Sand Inc \$22,232.85; John Florey \$16.50; Ken's SuperFair Foods \$59.60; Leidholdt Tool Sales, LLC \$20.52; Lien Transportation Company \$8,629.80; Menards \$174.39; Performance Oil \$691.47; Pheasantland Industries \$292.50; Pierson Ford Lincoln, Inc \$12.69; Runnings \$813.41; Safety Service \$3,500.00; Share Corporation \$555.60; Thomson Reuters-West Payment Center \$27.24; Titan Machinery \$346.02; US Postmaster \$11.20. Travel & Conference: Lexipol, LLC \$1,606.08. Utilities: CenturyLink \$994.24; City of Aberdeen Treasurer \$1,154.18; City of Hecla \$159.47; Dependable Sanitation, Inc \$172.00; Montana-Dakota Utilities Co \$37.02; Northwestern Energy \$923.78; NVC \$263.68; Verizon Wireless \$81.92. Others: Ken's SuperFair Foods \$525.00; Office of Child & Family Services \$5,323.25. All members present voting aye. Motion carried.

HR REPORT:

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

- Resignation of Leeland Koch, Brown County Fair & Parks Maintenance Seasonal worker – effective June 18, 2024. Request to fill.
- Resignation of Sophia Powell, Brown County 911 Communications Officer – effective June 21, 2024. Request to fill.
- Reassignment of Samiuela Mouna from Brown County Jail Administrator to FT Brown County Senior JDC/Home Detention Officer; moving from salary to hourly, wage \$33.21/hr. - effective June 23, 2024. Request to fill.
- Hiring of James Bissett as Brown County 911 Communications Officer, FT; starting wage \$22.37/hr. – effective June 24, 2024.
- Hiring of Jessica Puente Castro as Brown County Museum Curator of Education, FT; starting wage \$22.37/hr. – effective July 29, 2024.
- Payment of retirement award for Penny Hart in the amount of \$150.00 before taxes, requirement was met.

All members present voting aye. Motion carried.

BROWN COUNTY FAIR PROMO LIST:

Moved by Commissioner Dennert, seconded by Wiese to approve the Brown County Fair Promo List. (List is available at the Brown County Fair office). All members present voting aye. Motion carried.

ZONING ORDINANCES-SET HEARING DATE/AUTHORIZE ADVERTISING:

Moved by Commissioner Gage, seconded by Dennert to set hearing date and authorize publication for the first reading of the following zoning ordinances to be held on July 16, 2024 in the Commissioner's Chambers, Courthouse Annex, Brown County, SD. Proposed Ordinance #273, applicant Arlene Webb for the purpose of rezoning the following property from Agriculture Preservation District (AG-P) to Mini-Agriculture District (M-AG) to bring this parcel into compliance for its current use: Proposed Lot 1, "Beving-Webb Addition" in the SE1/4 of Section 13-T123N-R65W of the 5th P.M., Brown County, South Dakota (13291 382nd Avenue; Mercier Twp.). Proposed Ordinance #274, applicants TC Wright Trust/Dennis Jones/Chad & Jean Ferguson for the purpose of rezoning 3 parcels from Agriculture Preservation District (AG-P) to Mini-Agriculture District (M-AG) and 1 parcel from Mini-Agriculture District (M-AG) to Agriculture Preservation District (AG-P) to bring these parcels into compliance for their current use: Lot 1 & 2, "Wright Third Subdivision" in the NE1/4 of Section 7-T123N-R62W and Lot 1 & 2, "Jones-Wright Addition" in the E1/2 of Section-T123N-R62W, all of the 5th P.M., Brown County, South Dakota (13121, 13145, 13149, 13153 395th Avenue, Bath Twp.). All members present voting aye. Motion carried.

BEVING-WEBB ADDITION PLAT:

RESOLUTION #33-24

Commissioner Wiese brought the following resolution "Be it resolved by the County Commission of Brown County, South Dakota, that the plat showing: Beving-Webb Addition in the SE ¼ of Section 13, Township 123 North, Range 65 West of the 5TH 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 Gage. All members present voting aye. Resolution adopted.

MARVIN & GWENETH HANSEN FIRST ADDITION PLAT:

RESOLUTION #34-24

Commissioner Fjeldheim brought the following resolution “Be it resolved by the Board of County Commissioners of Brown County, South Dakota, that the plat showing: Marvin & Gweneth Hansen First Addition in the NW ¼ NE ¼ of Section 6-T128N-R61W of the 5TH P.M., Brown County, South Dakota” having been examined is hereby approved in accordance with the provisions of SDCL 11-3, and any amendments thereof. Seconded by Dennert. All members present voting aye. Resolution adopted.

HOWLING WOODS SUBDIVISION PLAT:

RESOLUTION #35-24

Commissioner Gage brought the following resolution “Be it resolved by the County Commission of Brown County, South Dakota, that the plat showing: Howling Woods Subdivision in the SW ¼ of Section 22, Township 123 North, Range 64 West of the 5TH 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 Wiese. All members present voting aye. Resolution adopted.

CLAIM ASSIGNMENTS:

Moved by Commissioner Fjeldheim, 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.

OTHER BUSINESS:

Auditor Heupel informed the Commission that the Post-Election Audit was completed last evening (Monday, June 24th) and it matched 100%. Results were available if they wanted to review them. Commissioner Wiese stated they would like to Thank the citizens that participated on the Audit Board.

EXECUTIVE SESSION:

Moved by Commissioner Wiese, seconded by Dennert to go into Executive Session for Personnel, Contracts and Legal 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 Wiese to adjourn the Brown County Commission at 10:31 a.m. All members present voting aye. Motion carried.

Lynn Heupel, Brown County Auditor

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