

February 25, 2020 – GENERAL MEETING

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

MINUTES:

Moved by Wiese seconded by Feickert to approve the general meeting minutes from February 18th, 2020. All members present voting aye. Motion carried.

CLAIMS:

Moved by Feickert seconded by Wiese to approve the following claims:

Insurance: Alliant Insurance \$1,729.00. Professional Fees: AMG – UPA \$2,750.00; Certified Languages \$1,975.05; Cogley Law Office \$6,250.00; Ryan Dell \$6,250.00; Dohrer Law Office \$6,250.00; GBR Interpreting \$120.00; Haar Law Firm \$6,533.60; Mark Katterhagen \$12.00; Kuck Law Office \$10,276.90; Lucy Lewno \$150.00; Darcy Lockwood \$12.00; Jerald McNeary \$6,250.00; Mikelson Law Office \$698.95; Minnehaha Co. Auditor \$157.50; NEMHC \$1,664.00; Sanford Health \$2,416.00; Christy Griffin-Serr Law Office \$6,250.00; SD Dept. of Revenue & Regulation \$2,477.29; Jodi Sudweeks \$30.60; Taliaferro Law Firm \$7,804.85; Mitch Vilhauer \$1,253.58. Publishing: Aberdeen American News \$520.06; Groton Independent \$273.16. Repairs & Maintenance: Commtech \$300.98; Dakota Doors \$122.45; Gardner Locksmith \$75.00; Midwest Pump & Tank \$856.36; Olson’s Pest Techs \$95.00; Pierson-Ford \$35.05; Steven Lust Automotive \$54.46. Supplies: 446-Praxair \$474.25; Aberdeen Fire & Rescue \$244.00; Advance Auto \$120.59; DSG \$83.52; I-State Truck \$64.50; LabSource \$288.00; Dan’s Leather Creation \$153.00; Lucy Lewno \$5.00; Marco \$76.03; Matheson Tri-Gas \$1,827.80; Menards \$58.39; McLeod’s Printing \$232.48; Midwest Pump & Tank \$941.13; Mark Milbrandt \$309.61; Pantorium Cleaners \$21.00; Productivity Plus \$680.74; Safeguard \$174.55; West Payment Center \$1,750.67. Travel & Conference: Mark Milbrandt \$28.00; Roberta Nichols \$194.16; SDACC \$60.00. Utilities: Dependable Sanitation \$165.00; Montana-Dakota Utilities \$105.21; NWPS \$2,617.68; NVC \$252.78. Other: JRWD \$11,869.81; NESDCAP \$2,500.00; Pizza Ranch \$61.46.

All members present voting aye. Motion carried.

HR REPORT:

Moved by Fjeldheim seconded by Feickert to approve the following HR Office Report, which includes the following personnel changes:

- Acknowledge employment end date of Paul Sivertsen, Brown County Chief Information Officer, effective February 18, 2020.
- Approve hiring of Josh Goetz as Brown County JDC Correctional Officer part-time at \$14.19 per hour effective February 27, 2020.
- Approve hiring of Caroline Graf Brown County JDC Correctional Officer part-time at \$14.19 per hour effective March 2, 2020.

All members present voting aye. Motion carried.

ORD 156- ADOPTION:

Moved by Wiese, seconded by Feickert to adopt ordinance 156, an Ordinance to amend Title 4- Zoning, Second Revision Brown County Ordinances, to rezone the following described property from its present zoning designation as Chapter 4.06 Agricultural Preservation District (AG-P) to Chapter 4.07 Mini-Ag District (M-AG): Lots 1&2, “Geist Subdivision” in the N1/2NE1/4 of Section 29-T123N-R62W of the 5th P.M., Brown County, South Dakota. Roll call vote: Feickert- aye, Sutton- absent, Wiese- aye, Fjeldheim – aye, Kippley – aye. Ordinance Adopted.

ORD 157- ADOPTION:

Moved by Feickert, seconded by Fjeldheim to adopt ordinance 157, an Ordinance to amend Title 4- Zoning, Second Revision Brown County Ordinances, to rezone the following described property from its present zoning designation as Chapter 4.06 Agricultural Preservation District (AG-P) to Chapter 4.07 Mini-Ag District (M-AG): “Wayne Cutler Subdivision” in the NE1/4 of Section 9-T125N-R60W of the 5th P.M., Brown County, South Dakota. Roll call vote: Feickert- aye, Sutton- absent, Wiese- aye, Fjeldheim – aye, Kippley – aye. Ordinance Adopted.

ORD 158- ADOPTION:

Moved by Fjeldheim, seconded by Feickert to adopt ordinance 158, an Ordinance to amend Title 4- Zoning, Second Revision Brown County Ordinances, to rezone the following described property from its present zoning designation as Chapter 4.06 Agricultural Preservation District (AG-P) to Chapter 4.10 Lake Front Residential (R-3): Lot 2A of Lot 2 “Schaeffer Richmond Lake Subdivision” in the NW1/4 of Section 25-T124N-R65W of the 5th P.M., Brown County, South Dakota. Roll call vote: Feickert- aye, Sutton- absent, Wiese- aye, Fjeldheim – aye, Kippley – aye. Ordinance Adopted.

BID AWARD – WOOD WASTE GRINDING:

Time and place as advertised to open, read and consider sealed bids for wood waste grinding at the Landfill. Moved by Feickert, seconded by Fjeldheim to award bid to Dakota Wood-Grinding, Inc. at a rate of \$650 per hour with a \$2,500 mobilization fee, rejecting bid from Shred X Onsite at a rate of \$718 per hour with a \$6,850 mobilization fee. All members present voting aye. Motion carried.

VEHICLE PURCHASE:

Moved by Fjeldheim, seconded by Wiese to approve one new vehicle purchase for the Landfill. 2020 Chevrolet Silverado off state bid item #18 contract #17340 from Beck Motors in Pierre, SD, in the amount of \$34,411.00. All members present voting aye. Motion carried.

ALCOHOL LICENSE PUBLIC HEARING:

Time and place, as advertised for public hearing to consider application for annual Retail (on-off sale) Malt Beverage and SD Farm Wine license. Moved by Fjeldheim, seconded by Feickert to approve an application for annual Malt Beverage & SD Farm Wine license, submitted by Motor Sports, LLC at Brown County Speedway (SW1/4, Sec 1,-T123N-R64W Grandstand-see map on file with auditor). All members present voting aye. Motion Carried.

BID OPENING – MILLING AND RECLAIMING:

Time and place as advertised to open, read, and consider sealed bids for milling and reclaiming equipment for construction and maintenance repairs on Brown County Road Projects for the year 2020. Loiseau Construction was the sole bidder. Moved by Fjeldheim, seconded by Wiese to defer bids for review by Highway Superintendent. Bid tab will be presented with the award of bid. All members present voting aye. Motion carried.

ACCOUNTING SOFTWARE UPGRADE:

Moved by Feickert, seconded by Wiese to approve accounting software and hr management software upgrade to the latest version (INCODE 10) in the amount of \$30,000. All members present voting aye. Motion carried.

TIMEKEEPING SYSTEM:

Discussion on purchasing timekeeping system Executime. Additional research requested. No action taken.

2019 FINANCIAL REPORTS:

Moved by Wiese, seconded by Fjeldheim, to accept the 2019 Financial Reports as presented February 25th, 2020, and approve not preparing the optional M, D & A (Manager's Discussion and Analysis) supplement to the report. All members present voting aye. Motion carried.

LOTTERY PERMIT:

Moved by Fjeldheim, seconded by Wiese to approve lottery permit submitted by Brown County Relay for Life for a raffle drawing to be held May 29, 2020, at the Expo Building. All members present voting aye. Motion carried.

PLATS:

Commissioner Feickert offered the following Resolution:

RESOLUTION 08-20 TR LAND MANAGEMENT ADDITION: "Be it resolved by the County Commission of Brown County, South Dakota, that the plat showing "TR LAND MANAGEMENT ADDITION IN THE SE1/4 OF SECTION 4, TOWNSHIP 123 NORTH, RANGE 63 WEST OF THE 5TH P.M., BROWN COUNTY, SOUTH DAKOTA" having been examined is hereby approved in accordance with the provision of SDCL of 1967, Chapter 11-3, and any amendments thereof." Seconded by Wiese: Roll call vote: Feickert- aye, Sutton-absent, Wiese- aye, Fjeldheim – aye, Kippley – aye. Resolution Passed.

Commissioner Feickert offered the following Resolution:

RESOLUTION 09-20 C&L HABECK'S 1ST SUBDIVISION: "Resolved by the County Commission of Brown County, South Dakota, that the plat showing "C&L HABECK'S 1ST SUBDIVISION IN SW1/4 SEC. 27-T124N-63W of 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: Roll call vote: Feickert- aye, Sutton- absent, Wiese- aye, Fjeldheim – aye, Kippley – aye. Resolution Passed.

Commissioner Feickert offered the following Resolution:

RESOLUTION 10-20 GOSSMAN SECOND ADDITION: "Be it resolved by the board of County Commissioners of Brown County, South Dakota, that the plat showing Gossman Second Addition in the SE ¼ of Section 15-T123N-R63W of the 5th P.M., Brown County, South Dakota having been examined is hereby approved in accordance with the provision of SDCL 11-3, and any amendments thereof." Seconded by Wiese: Roll call vote: Feickert- aye, Sutton- absent, Wiese- aye, Fjeldheim – aye, Kippley – aye. Resolution Passed.

SET HEARING DATE- REZONE ORDINANCE:

Moved by Wiese, seconded by Fjeldheim to approve advertising and set hearing date of the following proposed rezone ordinances 159: Application has been made by TR Land Management to the Brown County Board of Commissioners for a change of zoning. Hearing to be held in the Commissioner's Chambers, Courthouse Annex, Brown County, South Dakota on March 17, 2020, at 8:45 A.M. for the purpose of rezoning the following property from Chapter 4.06 Agricultural Preservation District (AG-P) to Chapter 4.14 Highway Commercial District (HC): Lot 1 "TR Land Management Addition" in the SE1/4 of Section 4-T123N-R63W of the 5th P.M., Brown County, South Dakota. All members present voting aye. Motion carried.

NATURAL GAS CONTRACT:

Moved by Fjeldheim, seconded by Feickert to authorize chair sign agreement with NorthWestern Energy for natural gas at a rate of 0.3672 from November 1, 2020, to October 31, 2021. All members present voting aye. Motion carried.

LEASES:

Moved by Fjeldheim, seconded by Wiese to authorize chair sign the following lease agreements: Hub City Radio for lease of Expo March 28-28, 2020; Titan Machinery for lease of Expo April 8, 2020; North Plains Baptist Church for lease of Richmond Lake Youth Camp Lodge June 22 -26, 2020. All members present voting aye. Motion carried.

CLAIM ASSIGNMENT:

Moved by Wiese, seconded by Feickert to authorize chair sign documentation to assign claim against an individual to Credit Collection Bureau for the purpose of collecting liens. All members present voting aye. Motion carried.

FAIR CONTRACTS: none presented this week.

LEASE OPTION RENEWAL ADDENDUM:

Moved by Wiese, Seconded by Feickert to authorize chair sign lease option renewal addendum with RB Farms for leased land adjacent to the Landfill: 29 acres of county owned cropland located in the NW 14-123-65, directly west of the Brown County Landfill and 129 acres in the NW 13-123-65, directly east of the Brown County Landfill. This is the third of four options to renew effective January 1, 2020 – December 31, 2020. All members present voting aye. Motion carried.

AUDITOR'S REPORT OF ACCOUNT:

Moved by Feickert, seconded by Wiese to approve the following January 2020 Auditor's report of account: Total Cash and Checks on Hand 7700 Total Checking Account Balances: 6671072.42 Total Savings Account Balances: 1780447.42 Total Certificates of Deposit: 5523127.01 Grand Total Cash and Balances: 13982346.85 General Fund Cash and Investment Balances by Funds: General Fund 3754368.55 Road & Bridge Fund 1985497.09 Road & Bridge Fund - restricted 423243.27 911 Service 87021.79 Emergency & Disaster 45523.29 Domestic Abuse 583.67 Teen Court 36679.38 Grant 1199.19 JDAI -14465.16 Richmond Youth 21916.96 24/7 Sobriety 20030.39 ROD M&P 122663.48 Tif Debt Service 9272.05 Landfill + cash change 2949378.98 Landfill - restricted 1364284 Trust and Agency Funds 3175149.92 GRAND TOTAL GENERAL FUND CASH AND INVESTMENTS 13982346.85. All members present voting aye. Motion carried.

WEED AND PEST UPDATE:

Commissioner Feickert gave an update on the weed and pest board.

CAFO UPDATE:

Commissioner Weise gave an update on Brown County CAFO Ordinance. Public input is being accepted. CAFO Ordinance update can be found online, and comments can be submitted online. Brown.SD.US.

ADJOURNMENT:

Moved by Wiese, seconded by Feickert to adjourn the Brown County Commission at 9:30 a.m. All members present voting aye. Motion carried.

Cathy McNickle, Brown County Auditor

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