

March 17, 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, Sutton, Wiese, and Fjeldheim. Commissioner Fjeldheim led the Pledge of Allegiance.

MINUTES:

Moved by Fjeldheim seconded by Sutton to approve the general meeting minutes from March 10th, 2020. All members present voting aye. Motion carried.

CLAIMS/PAYROLL:

Moved by Sutton, seconded by Wiese to approve the following claims and payroll:

Payroll: Commission \$4,285.10; Auditor \$8,721.00; Treasurer \$13,559.00; SA \$21,960.31; SVAWA \$1,193.49; Maintenance \$8,037.68; Assessor \$12,798.93; Register of Deeds \$8,983.40; VSO \$2,443.75; GIS \$2,387.50; IT \$4,780.92; HR \$2,173.85; Sheriff \$38,729.71; Jail \$48,796.84; Court Security \$5,736.79; JDC \$23,972.70; Welfare \$2,077.70; Museum \$7,497.59; Parks/Fairgrounds \$4,995.54; Fair Board \$3,939.63; 4-H \$616.88; Weed \$1,385.02; Planning & Zoning \$4,497.73; Highway \$46,929.14; Dispatch \$24,916.13; Emergency \$4,119.58; Teen Court \$596.02; JDAI \$1,596.93; 24/7 Sobriety \$3,338.55; Landfill \$13,082.10; Matching Benefits: FICA \$19,504.63; Medicare \$4,561.6; Discovery HAS \$200.

Claims: Professional Fees: Avera St. Luke’s \$643.48; Birmingham & Cwach Law Office \$179.70; Dixon Oil \$225.00; Michelle Gaikowski \$61.20; GBR Interpreting \$66.00; Haar Law Firm \$154.00; Kolker Law \$140.00; LSS \$717.36; Marco \$150.00; Pauer Sound \$78.00; Sanford Health \$23.00; Sanford Health Occupational Medicine \$252.00; SD Dept. of Health \$1,995.00; SD Dept. of Revenue & Regulation \$2,270.33; Christy Griffin-Serr Law Office \$2,982.75; Tammy Stolle Court Reporting \$130.00; Jodi Sudweeks \$34.00; US Bank \$460.00; West Payment Center \$169.95. Jurors: Darin Angerhofer \$12.52; Brenda Artz \$19.24; Jennifer Auske \$10.84; Donna Bader \$11.68; Eric Becking \$11.68; Betty Berger \$10.84; Lukas Bretschneider \$10.84; Robert Buechler \$12.52; Nancy Carlson \$10.84; Brian Cleberg \$11.68; Cassie Eppard \$10.84; Brandon Foster \$11.68; James Goetz \$12.52; Mary Goetz \$18.40; Mary Heier \$11.68; Julia Hill \$11.68; Bradley Holm \$11.68; Eric Jenson \$26.80; Sarah Klein \$128.56; Rebecca Kuch \$103.36; Karen Lane \$11.68; Penny Lefforge \$131.92; Colleen Lehr \$20.92; Susan Leon \$15.88; Brenda Madsen \$133.60; Robert Maier \$13.36; Janis McDaniel \$101.68; Carmen Meyer \$12.52; Elizabeth Neuharth \$10.84; Tracy Norman \$11.68; Terry Osborn \$15.04; Michael Palmer \$11.68; Tara Pederson \$11.68; Carol Preszler \$20.08; Mindy Raisanen \$110.08; Amy Rawerts \$12.52; Dave Reder \$15.88; William Roth \$11.68; Jason Rudolph \$10.84; Arthur Russo \$11.68; Rick Ryan \$11.68; Teresa Sauerwein \$118.48; William Schaeftbauer \$105.04; Carla Sperry \$123.52; Travis Sukut \$52.00; Dustin Thompson \$105.04; Scott Townsend \$11.68; Kay Ulmer \$15.04; Eric Vetter \$103.36; Rene Waldman \$11.68; Robert Wiet \$103.36; Ray Wilson \$11.68; David Woods \$105.04; Lori Zimbelman \$10.84. Publishing: Aberdeen American News \$2,059.89; Argus Leader \$30.96; Bennett Co. Booster \$25.53; Groton Independent \$582.30; Phillips Media \$31.96; Todd Co. Tribune \$22.43. Rentals: 446-Praxair \$26.71. Repairs & Maintenance: Cintas \$124.72; Dakota Doors \$200.00; Double A Plumbing \$97.01; Hoven Auto Repair \$36.00; Pierson-Ford \$175.95; Sander’s Sew ‘n’ Vac \$52.49; Harvin Schlosser \$250.00; Schwan Welding \$503.40; Stan Houston Equip. \$22.00; US Bank \$349.80. Supplies: 446-Praxair \$231.87; A. Rifkin Co. \$406.09; Advance Stores \$725.92; AgTegra \$31,789.02; GovConnection \$2,958.10; Gov’t Forms & Supplies \$217.59; Heartland Paper \$562.33; Menards \$213.65; Midstates Printing \$1,297.00; NVC \$26.90; Performance Oil \$348.00; Plumbing & Heating Wholesale \$700.74; Premier Biotech \$463.02; Sander’s Sew ‘n’ Vac \$200.00; Satellite Tracking of People \$416.00; SD – DOT \$25,586.00; Stan Houston Equip. \$247.75; US Bank \$7,916.11; Jason Vilhauer \$1,730.04; West Payment Center \$1,768.18. Travel & Conf.: Roxy Hilgenberg \$140.06; Duane Jark \$86.95; Ramkota – Pierre \$312.00; Kelsi Thilmony-Vinger \$205.36; US Bank \$1075.63; Jason Vilhauer \$186.38; Chris White

\$286.28; Dennis Wiedebush \$56.40. Utilities: Aberdeen City Treasurer \$317.44; CenturyLink \$1,637.42; City of Hecla \$208.00; Dependable Sanitation \$513.00; Midcontinent \$260.00; Northern Electric \$3,156.27; NWPS \$2,631.70; NVC \$1,259.15; Kelsi Thilmony-Vinger \$20.00; US Bank \$779.97; Verizon \$260.10. Other: JRWD \$6,890.53; Safe Harbor \$636.33. All members present voting aye. Motion carried.

HR REPORT:

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

- Acknowledge Cortney Paul hired as Sheriff's Deputy to also work Court Security at \$24.22 per hour, effective February 10, 2020.
- Acknowledge resignation of Mari Flack, Brown County Sheriff's Department Home Detention, Part-Time, effective March 8, 2020, and approve request to fill vacancy.
- Approve request to fill Home Detention full-time vacancy.
- Approve request to hire one full-time employee (internally) for the Landfill and one part-time employee for the landfill.
- Authorize Advertising for IT Director.

Roll call vote: Commissioner Feickert – nay, Sutton – aye, Wiese –aye, Fjeldheim – aye, Kippley – nay. Motion carried.

FAIR CONTRACTS:

Moved by Sutton, seconded by Wiese to approve the following fair contracts: Hub City Radio ad contract; TMS (EYB Backline) @ \$3,100; Best Western Ramkota Hotel for guestrooms @ \$89.99 per room, per night, Black Hills Land & RV Rental (4 trailer rentals) @ \$1,095 each; Spotslam (booth curtain rental) @ \$2,653.00; Jim Bahr (4H Judge) @ \$300; Robbert Kramer (4H Judge) @ \$150; Fire Safety First (fire protection) @ \$325; SDNA District 4 (1st aid station) @ \$1,000; Power Sounds & Music (sound equipment) @ \$12,500; Marty Davis Show (entertainment) \$ 3,800; 2020 Dakota Kids Pedal Pull Contract (entertainment) @ \$751; Brown County Old Time Tractor Pullers Association @ 1,200; JaCee Engelhart (photography) @ \$1,400. All members present voting aye. Motion carried

SURPLUS REQUEST:

Moved by Feickert, seconded by Sutton to approve surplus request by the Fair department to surplus broken laminator to the landfill. All members present voting aye. Motion carried.

ABATEMENT:

Moved by Sutton, seconded by Wiese to approve the following abatements: Judy Weismantel (clerical error) @ \$153.57; Blake Bellikka (owner-occupied) @ \$2,062.68. All members present voting aye. Motion carried.

LEASE:

Moved by Wiese, seconded by Sutton to approve the following lease agreement: Boy Scouts for lease of Richmond Lake Youth Camp March 13-15, 2020. All members present voting aye. Motion carried.

AUDITOR'S REPORT OF ACCOUNT:

Moved by Feickert, seconded by Wiese to approve the February Auditor's report of account with the County Treasurer in the following amounts: Total Cash and Checks on Hand 7700 Total Checking Account Balances: 4507986.36 Total Savings Account Balances: 1780447.42 Total Certificates of Deposit: 5523127.01 Grand Total Cash and Balances: 11819260.79 General Fund Cash and Investment Balances

by Funds: General Fund 3623806.54 Road & Bridge Fund 997601.47 Road & Bridge Fund - restricted 423243.27 911 Service 97432.6 Emergency & Disaster 33672.4 Domestic Abuse 636.33 Teen Court 35002.26 Grant 189.61 JDAI -8050.1 Richmond Youth 21916.96 24/7 Sobriety 18508.48 ROD M&P 122222.48 Tif Debt Service 9272.05 Landfill + cash change 3005372.6 Landfill - restricted 1364284 Trust and Agency Funds 2074149.84 GRAND TOTAL GENERAL FUND CASH AND INVESTMENTS 11819260.79. All members present voting aye. Motion carried.

ORD 159 – 1ST READING:

Moved by Sutton, seconded by Feickert to approve first reading of Ordinance 159. Applicant TR Land Management, request to 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. (13055 391st Ave). All members present voting aye. Motion carried.

LANDFILL DUMPSTER FINE:

Individual met to discuss dumpster fine. No action taken.

COUNTY IT ASSESSMENT:

A&B Business gave a presentation on services offered, including network assessment and professional services. No action taken.

HOME DETENTION PERSONNEL:

Dave Lunzman (Chief Deputy Sheriff) met to discuss home detention staffing. Request for full-time and part-time position. Requests for staffing will be conducted through the HR Report.

WEB WATER RESOLUTION:

Commissioner Feickert brought the following resolution:

RESOLUTION NO. 12-20

Resolution No. 12-20, granting WEB Water Development Association, Inc., a county-wide authorization for the purpose of the continued placement, repair, and maintenance of pipeline and related appurtenances and the construction and maintenance of new pipeline and related appurtenances for the Brown county portion of the WEB Water Development Association water system.

WEB Water Development Association, Inc., applied to the Brown County Board of County Commissioners for authorization to construct, repair, and maintain its water system on, over, across, or under public highways and rights-of-way for the purpose of providing rural water service in Brown County, South Dakota. Notice was duly given by mail of the application of WEB Water Development Association, Inc. to all persons, firms or corporations owning or operating electric, telephone, or telegraph lines within Brown County, South Dakota, in compliance with SDCL 31-26-13. All comments received were considered by the Brown County Commissioners. This Resolution was adopted according to SDCL Ch. 31-26 and in particular SDCL 31-26-24 and 31-26-25 by the Brown County Board of County Commissioners at a regular meeting which was held in the Commissioner’s room in the Courthouse in the city of Aberdeen, Brown County, South Dakota, on March 17, 2020. All Commissioners were present. After discussion, the following resolution was numbered 12-20 and upon motion duly made, seconded, and carried was unanimously adopted:

BE IT RESOLVED that the WEB Water Development Association, Inc., a South Dakota nonprofit corporation, will be allowed and permitted to run an underground pipeline for transmitting water or all purposes for which said corporation was formed along any and all public rights-of-way, including

pipelines, appurtenances, all rights-of-way between all sections in Brown County, South Dakota, so long as said transmission and distribution pipe is buried so as not to interfere with the building of any roads or causing any liability to the County.

BE IT FURTHER RESOLVED that the WEB Water Development Association, Inc. will bear the expense the water system components, if required by Brown County.

BE IT FURTHER RESOLVED that when the pipeline is installed in the public right-of-way, such right-of-way must be restored to as near its original condition as is practical with normal construction methods.

BE IT FURTHER RESOLVED that the installation of such pipeline and appurtenances in the public right-of-way will conform to plans and specifications to be submitted to the County, prior to construction, for review and comment, and must include the following conditions:

1. Notice Prior to Starting-Work: Before starting construction work, the County Road Superintendent or other designated employee of the County will be notified at least 48 hours in advance of the time work is to begin.
2. Minimum Interference with Traffic: All work will be planned and carried out so as to minimize inconvenience to the traveling public.
3. Storage of Material: No material may be stored within eight feet from the edge of pavement or traveled way or within the shoulder line unless otherwise approved by the County Superintendent.
4. Clean Up Right-of-Way: Upon completion of work, litter will be removed and the right-of-way and it will be left in as presentable a condition as before work started.
5. Care of Drainage: If the contemplated work interferes with established drainage, provisions will be incorporated in the project during construction to maintain normal drainage.
6. Location Plans: Upon completion of the work a copy of the record drawings will be furnished to the County for their records and use.
7. Maintenance: The pipelines and appurtenances placed in the County right-of-way will be maintained and reasonable care exercised in inspecting and repairing any portion of the right-of-way which occurs as a result of the operation and maintenance of the pipelines and appurtenances.
8. All County Roads: Pipelines installed perpendicular to asphalt or concrete paved roadways will be installed by boring or jacking methods. Pipelines installed longitudinally in a right-of-way will be by an open cut. Minimum of one-half of paved surfacing will be left clear and open to traffic at all times. All lanes will remain clear and open during the hours of darkness.
9. Other Roadways: Pipelines installed transversely or longitudinally in a graveled or other road right-of-way will be by an open cut method. Roadways may be closed during construction for crossing provided a detour signing is maintained. All lanes will remain clear and open during the hours of darkness.
10. Depth of Pipelines: Pipelines will be placed to a depth of cover consistent with design standards for water pipelines for the area. Where additional pipeline cover is necessary to accommodate future roadways, vertical and horizontal roadway designed clearances, the County will so advise WEB Water at the time of County review of the need for change in pipeline cover.

Adopted this 17 Day of March 2020.

Seconded by Sutton; Roll call vote: Commissioner Feickert – aye, Sutton – aye, Wiese –aye, Fjeldheim – aye, Kippley –aye. Resolution Adopted.

APPLICATION FOR OCCUPANCY:

Moved by Wiese, seconded by Sutton to approve application made by Northwestern Energy for occupancy of Brown County Highway Number 6F, in section 24, Township 124N, Range 65W, Brown County, SD and County Highway Number 13, section 30, Township 124N, Range 64W to erect wooden utility pole and install electrical equipment on pole. All members present voting aye. Motion carried.

HIGHWAY EQUIPMENT:

Dirk Rogers (Highway Superintendent) met to discuss the purchase of a new Trail King Belly Dump trailer. County Highway would surplus old equipment to fund purchase. No action taken.

HIGHWAY DEPARTMENT UPDATE:

Dirk Rogers (Highway Superintendent) met to give department update, including crushing material at highway shop for grade raising projects, stockpiling chips for chip seal, cold mix patching, and local flooding issues.

BROWN COUNTY INFORMATION TECHNOLOGY DEPARTMENT:

Update on county IT needs, including prioritization of projects, hiring professional services to assist with projects, network assessment, and advertising IT Director. No action on professional services or network assessment. Quotes for the switch installation project will be presented at a future meeting. IT Director advertising was conducted under the HR Report.

BROWN COUNTY FAIR QUIET HOURS:

Derek Ricci (Fair Manager) and Dave Lunzman (Chief Deputy Sheriff) met to propose quiet hours starting at midnight with service till 1 a.m. Moved by Sutton, seconded by Wiese to set quiet hours at the Brown County Fair at midnight with service until 1 a.m. Roll call vote: Commissioner Feickert – nay, Sutton – aye, Wiese –aye, Fjeldheim – aye, Kippley –absent. Motion carried.

BROWN COUNTY SURPLUS PROPERTY:

Discussion on surplus property process. No action taken.

EXECUTIVE SESSION:

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

ADJOURNMENT:

Moved by Wiese, seconded by Sutton to adjourn the Brown County Commission at 11:16 a.m. All members present voting aye. Motion carried.

Cathy McNickle, Brown County Auditor

Published once at the total approximate cost of \$_____.