

March 24, 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 Wiese led the Pledge of Allegiance.

MINUTES:

Moved by Sutton seconded by Wiese to approve the general meeting minutes from March 17th, 2020. All members present voting aye. Motion carried.

CLAIMS:

Moved by Feickert, seconded by Fjeldheim to approve the following claims:

Professional Fees: Bantz, Gosch & Cremer \$5,619.86; Kristi Brandt \$55.20; Dependable Sanitation \$20,480.06; Dohrer Law Office \$125.90; GBR Interpreting \$100.00; Haar Law Office \$37.40; Mark Katterhagen \$15.00; Kuck Law Office \$80.20; Lewis & Clark BHS \$712.00; Lucy Lewno \$240.00; LexisNexis \$150.00; Darcy Lockwood \$15.00; Olinger, Lovald, McCahren Van Camp & Thompson \$786.45; Matthew Payne \$200.00; Sanford Health Occupational Medicine \$311.00; SDACES \$15.00; US Records Midwest \$32,297.92; Yankton Co. Sheriff \$100.00; Yankton Co. Treasurer \$393.00.

Publishing: Aberdeen American News \$217.39. Repairs & Maintenance: Aberdeen Plumbing & Heating \$1,110.00; Nardini Fire Equip. \$200.42; Pantorium Cleaners \$44.00; Poms Tire Service \$701.68; Thee Glass Doktor \$138.00; Tru Green Chemlawn \$586.80. Supplies: Applied Concepts \$3,151.00; Dive Rescue \$1,500.00; DT Pharmacy \$3,048.44; EPG Companies \$7,893.68; Heartland Paper \$1,381.36; L.G. Everist \$5,590.90; Leidholdt Tool Sales \$107.68; Lucy Lewno \$6.50; Marco \$66.07; Menards \$193.61; Midstates Printing \$379.00; Midwest Card & ID Solutions \$191.11; Pheasantland Industries \$93.15; Pitney Bowes \$126.00; SD Secretary of State \$7.00; Thee Glass Doktor \$272.18. Travel & Conf.: City of Groton \$59.40; Sarah Jesz \$150.87; Ramkota-Pierre \$104.00; Candace Rohrbach \$522.48; Wesly Warning \$170.40.

Utilities: CenturyLink \$2,313.21; Hub City Radio \$150.00; James Valley Telecommunication \$222.30; Midcontinent \$119.22; NWPS \$293.92; NVC \$252.78; Verizon \$3,176.91.

Other: Spitzer-Miller Funeral Home \$1,611.00. All members present voting aye. Motion carried.

HR REPORT:

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

- Acknowledge resignation of Joshua Albright, Brown County Sheriff JDC Correctional Officer, part-time, effective March 31, 2020 and approve request to fill vacancy.
- Approve hiring of John McQuillen as Brown County Sheriff’s Department Transport Driver, as needed, effective March 25, 2020.
- Approve transfer of Mike Lout from Brown County Landfill part-time to Brown County Landfill full-time at \$16.76 per hour, effective March 23, 2020.
- Approve hiring of Richard Burns as Brown County Fairgrounds Seasonal full-time, starting at \$12.17 per hour, effective April 6, 2020.
- Approve hiring of John Weig as Brown County Fairgrounds part-time help, starting wage \$12.11 per hour, effective May 4, 2020
- Approve hiring Stewart Swenson as Brown County Fairgrounds Seasonal full-time help, starting wage \$12.17 per hour, effective May 4, 2020
- Approve hiring Breanna Locke as Brown County Fairgrounds Seasonal full-time help, starting wage \$12.17 per hour, tentative effective May 6, 2020

All members present voting aye. Motion carried.

FAIR CONTRACTS:

Moved by Fjeldheim, seconded by Wiese to approve the following fair contracts: Contracts presented include camping, booth rental and sponsorship. All members present voting aye. Motion carried

ORD 159 – ADOPTION:

Moved by Sutton, seconded by Fjeldheim to approve second reading and adopt Ordinance 159. An Ordinance 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). Roll call vote: Commissioner Feickert – aye, Sutton- aye, Wiese- aye, Fjeldheim- aye, Kippley – aye. Ordinance Adopted.

COVID-19 DISCUSSION:

County commission, annex department heads and emergency management discussed steps to prevent the spread of COVID-19 and how we can safely conduct essential courthouse business. The Brown County Courthouse is open to the public, but we are asking the public to request service online, by phone, email and mail when possible.

COMMISSION INFORMATION SESSION:

Commission informational work session is scheduled for March 26, 2020 at 3pm. with Gallagher in the Commission Chambers, Courthouse Annex.

HIGHWAY TRAILER PURCHASE:

Moved by Fjeldheim, seconded by Feickert to authorize purchase off Sourcewell Contract # 121918-TKI. Highway will purchase 2020 Trailking Bottom Dump Trailer from Butler Machinery in the amount of \$51,735.00. All members present voting aye. Motion carried.

BUDGET SUPPLEMENT- SET HEARING:

Moved by Sutton, seconded by Wiese to authorize advertising and set public hearing for consideration of budget supplement as follows: Modernization and Preservation Fund 251.5.163.422 @ 32,297.92 funded by undesignated surplus cash in the Modernization and Preservation Fund 251.1.101.99. Hearing set for April 14, 2020 at 9:00 a.m., Brown County Courthouse, Commission Chambers, Courthouse Annex. The public is invited to attend the hearing and to present comments and testimony regarding the supplements. All members present voting aye. Motion carried.

BID – WATER TANK – SET HEARING DATE:

Moved by Feickert, seconded by Wiese to authorize advertising and set hearing date to open, read and consider sealed bids for Domestic Hot Water Storage Tank & Pump Improvements. Hearing set for April 14, 2020 at 8:45 a.m., Brown County Courthouse, Commission Chambers, Courthouse Annex. All members present voting aye. Motion carried.

PLATS:

RESOLUTION: 13-20 JT Hanson Farm Addition

Commissioner Fjeldheim offered the following resolution:

“Be it resolved by the County Commission of Brown County, South Dakota, that the plat showing “JT HANSON FARM ADDITION IN THE SE1/4 OF SECTION 9, TOWNSHIP 126 NORTH, RANGE 62 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 Commissioner Wiese: Roll call vote: Commissioner Feickert – aye, Sutton- aye, Wiese- aye, Fjeldheim- aye, Kippley – aye. Resolution Adopted.

RESOLUTION: 14-20 JT Janson Farm Second Addition

Commissioner Fjeldheim offered the following resolution:

“Be it resolved by the County Commission of Brown County, South Dakota, that the plat showing “JT HANSON FARM SECOND ADDITION IN THE SW1/4 OF SECTION 10, TOWNSHIP 126 NORTH, RANGE 62 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 Commissioner Wiese: Roll call vote: Commissioner Feickert – aye, Sutton- aye, Wiese- aye, Fjeldheim- aye, Kippley – aye. Resolution Adopted.

RESOLUTION: 15-20 BRS First Addition to Block 7, Prairiewood Village

Commissioner Fjeldheim offered the following resolution:

“Be it resolved by the board of county commissioners of Brown County, South Dakota, that the plat showing BRS First Addition to Block 7, Prairiewood Village in the NE1/4 of section 33-T124N-R63W of the 5th P.M., Brown County, South Dakota, having been examined, is hereby approved in accordance with the provision of SDCL 11-2-2, and any amendments thereof.” Seconded by Commissioner Wiese: Roll call vote: Commissioner Feickert – aye, Sutton- aye, Wiese- aye, Fjeldheim- aye, Kippley – aye. Resolution Adopted.

RESOLUTION: 16-20 Luke’s Landing Addition

Commissioner Fjeldheim offered the following resolution:

“Be it resolved by the County Commission of Brown County, South Dakota, that the plat showing “LUKE’S LANDING ADDITION IN THE N1/2 OF SECTION 13, 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 Commissioner Wiese: Roll call vote: Commissioner Feickert – aye, Sutton- aye, Wiese- aye, Fjeldheim- aye, Kippley – aye. Resolution Adopted.

RESOLUTION: 17-20 Neva and Frank Sieh Subdivision

Commissioner Fjeldheim offered the following resolution:

“Be it resolved by the board of County Commissioners of Brown County, South Dakota, that the plat showing: Neva and Frank Sieh Subdivision in the W1/2 SW1/4 of section 12-T122N-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 therof.” Seconded by Commissioner Wiese: Roll call vote: Commissioner Feickert – aye, Sutton- aye, Wiese- aye, Fjeldheim- aye, Kippley – aye. Resolution Adopted.

REZONE ORDINANCES- SET HEARING DATE:

Moved by Feickert, seconded by Wiese to authorize advertising and set hearing date for the following rezone ordinances:

ORD 160 – Application has been made by Clarence Habeck 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 April 14, 2020 at 8:55 A.M. for the purpose of rezoning the following property from Chapter 4.06 Agricultural Preservation District (AG-P) to Chapter 4.07 Mini-Ag District (M-AG): Lots 1 & 2, “C&L Habeck’s 1st Subdivision” in the SW1/4 of Section 27-T124N-R63W of the 5th P.M., Brown County, South Dakota (12854 & 12862 391st Ave) The public is invited to attend the hearing and to present comments and testimony regarding the amendment to Second Revision Brown County Ordinances pertaining to rezoning the described property. At the conclusion of the hearing, the Brown County Commission may adopt first reading of Ordinance No. 160.

ORD 161 - Application has been made by Keith Miller 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 April 14, 2020 at 8:55 A.M. for the purpose of rezoning the following property from Chapter 4.06 Agricultural Preservation District (AG-P) to Chapter 4.07 Mini-Ag District (M-AG): “K. Miller Addition” in the SW1/4 of Section 15-T122N-R64W of the 5th P.M., Brown County, South Dakota (38514 139th St). The public is invited to attend the hearing and to present comments and testimony regarding the amendment to Second Revision Brown County Ordinances pertaining to rezoning the described property. At the conclusion of the hearing, the Brown County Commission may adopt first reading of Ordinance No. 161.

ORD 162 - Application has been made by Jeff Hanson 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 April 14, 2020 at 8:55 A.M. for the purpose of rezoning the following property from Chapter 4.06 Agricultural Preservation District (AG-P) to Chapter 4.07 Mini-Ag District (M-AG): Lot 2, “JT Hanson Farm Addition” in the SE1/4 of Section 9-T126N-R62W of the 5th P.M., Brown County, South Dakota (39698 114th St) The public is invited to attend the hearing and to present comments and testimony regarding the amendment to Second Revision Brown County Ordinances pertaining to rezoning the described property. At the conclusion of the hearing, the Brown County Commission may adopt first reading of Ordinance No. 162.

ORD 163 - Application has been made by Jeff Hanson 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 April 14, 2020 at 8:55 A.M. for the purpose of rezoning the following property from Chapter 4.06 Agricultural Preservation District (AG-P) to Chapter 4.07 Mini-Ag District (M-AG): Lot 2, “JT Hanson Farm Addition” in the SE1/4 of Section 10-T126N-R62W of the 5th P.M., Brown County, South Dakota (11396 397th Ave). The public is invited to attend the hearing and to present comments and testimony regarding the amendment to Second Revision Brown County Ordinances pertaining to rezoning the described property. At the conclusion of the hearing, the Brown County Commission may adopt first reading of Ordinance No. 163.

ORD 164 - Application has been made by A.) Jamie Jones and Steven Goetz, B.) Bruce Jones and Sandy Jones 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 April 14, 2020 at 8:55 A.M. for the purpose of rezoning the following property from Chapter 4.06 Agricultural Preservation District (AG-P) to Chapter 4.07 Mini-Ag District (M-AG): A.) “Lockwood’s Outlot 1” in the NE1/4 of

Section 24/T123N-R65W of the 5th P.M., Brown County, South Dakota (37963 133rd st) B.) “Jones’s Outlot 1” in the NE1/4 of Section 24-T123N-R65W of the 5th P.M., Brown County, South Dakota. (37965 133rd st). The public is invited to attend the hearing and to present comments and testimony regarding the amendment to Second Revision Brown County Ordinances pertaining to rezoning the described property. At the conclusion of the hearing, the Brown County Commission may adopt first reading of Ordinance No. 164.

ORD 165 - Application has been made by Paul Meyers 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 April 14, 2020 at 8:55 A.M. for the purpose of rezoning the following property from Chapter 4.06 Agricultural Preservation District (AG-P) to Chapter 4.16 Heavy Industrial District (H-1): Lot 2, “Luke’s Landing Addition” in the N1/2 of Section 13-T123N-R63W of the 5th P.M., Brown County, South Dakota (13245 394th Ave). The public is invited to attend the hearing and to present comments and testimony regarding the amendment to Second Revision Brown County Ordinances pertaining to rezoning the described property. At the conclusion of the hearing, the Brown County Commission may adopt first reading of Ordinance No. 165.

All members present voting aye. Motion carried.

EXECUTIVE SESSION:

Moved by Wiese, seconded by Sutton to go into executive session to discuss legal per SDCL 1-25-2(3). 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 9:24 a.m. All members present voting aye. Motion carried.

Cathy McNickle, Brown County Auditor

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