

March 31, 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 (teleconference), Wiese, and Fjeldheim. Commissioner Kippley led the Pledge of Allegiance.

MINUTES:

Moved by Wiese seconded by Feickert to approve the general meeting minutes from March 24th, 2020. Roll call vote: Commissioner Feickert – aye, Sutton- aye, Wiese- aye, Fjeldheim- aye, Kippley – aye. Motion carried.

CLAIMS/PAYROLL:

Moved by Fjeldheim, seconded by Feickert to approve the following claims and payroll:
Payroll: Commission \$4,285.10; Auditor \$8,721.00; Treasurer \$13,495.39; SA \$21,969.72; SVAWA \$1,193.49; Maintenance \$8,314.63; Assessor \$12,798.96; Register of Deeds \$8,983.41; VSO \$2,213.26; GIS \$2,387.50; IT \$4,442.28; HR \$2,173.85; Sheriff \$41,810.67; Jail \$46,559.39; Court Security \$6,001.83; JDC \$22,464.08; Welfare \$2,077.70; Museum \$7,154.94; Parks/Fairgrounds \$4,986.55; Fair Board \$4,089.68; 4-H \$654.30; Weed \$825.02; Planning & Zoning \$4,522.11; Highway \$48,235.73; Dispatch \$23,949.94; Emergency \$4,740.03; Teen Court \$556.58; JDAI \$1,596.93; 24/7 Sobriety \$3,511.34; Landfill \$13,436.81; Matching Benefits: FICA \$19,476.13, Medicare \$4,554.87, Discovery_HSA \$200, Wellmark BCBS \$122,663.52; Delta Dental \$7,078.05; Dearborn Life \$1,084.94; SDRS Retirement \$39,786.25. CLAIMS: Insurance: SDPAA \$200.50. Professional Fees: Cogley Law Office \$6,250.00; De Castro Law Office \$684.00; Ryan Dell \$6,250.00; Dohrer Law Office \$9,224.30; Haar Law Office \$6,284.00; Mark Katterhagen \$21.00; KCH Law Office \$150.97; Kuck Law Office \$6,365.80; Lucy Lewno \$270.00; Darcy Lockwood \$21.00; Jerald McNeary \$6,250.00; NEMHC \$1,768.00; Christy Griffin-Serr Law Office \$6,250.00; Taliaferro Law Firm \$10,130.00. Publishing: Aberdeen American News \$346.07; Groton Independent \$700.60; The Norman Transcript \$19.65. Repairs & Maintenance: Custom Glass & Repair \$192.05; Gardner Locksmith \$65.00; Gillund Enterprises \$6.00; Midstates Printing \$921.00; Sioux Falls Crane & Hoist \$17.71; Thee Glass Doktor \$126.50; Woodman Refrigeration \$1,072.46. Supplies: Ameripride \$76.28; Century Business Products \$2,561.41; Gillund Enterprises \$206.16; GovConnection \$2,587.41; Heartland Paper \$1,798.91; Christeen Krahl \$85.18; LabSource \$1,116.17; LG Everist \$6,695.10; Lucy Lewno \$8.75; Matthew Bender Co. \$58.44; McLeod’s Printing \$60.35; Menards \$10.88; Midstates Printing \$178.00; Pantorium Cleaners \$21.00; PharmChem \$18.00; Plumbing & Heating Wholesale \$130.09; Running’s \$453.79; SD Federal Property Agency \$2,827.00; Share Corp. \$96.00; Sioux Falls Crane & Hoist \$22.75; Steven Lust Automotive \$10.33; Thee Glass Doktor \$76.85. Travel & Conf.: Mary Baird \$37.60. Utilities: AT&T \$247.85; CenturyLink \$56.63; Midcontinent \$128.81; Montana-Dakota Utilities \$113.10; NWPS \$4,088.09. Roll call vote: Commissioner Feickert – aye, Sutton- aye, Wiese- aye, Fjeldheim- aye, Kippley – aye. Motion carried.

HR REPORT:

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

- Approve temporary hiring of Cindy Mitchell as Brown County Jail Shift Sergeant full-time @ \$22.65 per hour effective April 5, 2020
- Approve temporary hiring of John Clark as Brown County Jail shift Sergeant full-time @ \$21.31 per hour effective April 5, 2020

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

PLAT:

RESOLUTION: 18-20 DMVW First Addition

Commissioner Wiese offered the following resolution:

“Be it resolved by the County Commission of Brown County, South Dakota, that the plat showing “DMVW First Addition of the NW1/4 of Section 10, 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 Sutton: Roll call vote: Commissioner Feickert – aye, Sutton- aye, Wiese- aye, Fjeldheim- aye, Kippley – aye. Resolution Adopted.

WEED BOARD APPOINTMENT:

Discussion on possible weed board appointment. No action taken.

LEASES:

Moved by Fjeldheim, seconded by Wiese to approve the following leases: Liebelts RV for lease of Expo extended until March 29, 2020; Nancy Haugen for lease of Richmond Lake Youth Camp Lodge August 8th, 2020 with alcohol permission form. Roll call vote: Commissioner Feickert – aye, Sutton- aye, Wiese- aye, Fjeldheim- aye, Kippley – aye. Motion carried.

ABATEMENTS:

Moved by Sutton, seconded by Fjeldheim to approve the following abatements: Rodney Boehmer (special assessment paid) @ \$3,984.12 and Ellsbee Estates of Aberdeen (tax-exempt) @ \$1836.93. Roll call vote: Commissioner Feickert – aye, Sutton- aye, Wiese- aye, Fjeldheim- aye, Kippley – aye. Motion carried.

APPLICATION FOR OCCUPANCY:

Moved by Feickert, seconded by Sutton to approve the following applications for occupancy: WEB Water Development for occupancy of Brown County Highway Number 13, in section 22, township 124, range 65 Brown County, South Dakota and Brown County Highway Number 13, Section 35, Township 124, Range 64, Brown County South Dakota for installation of potable water lines. Roll call vote: Commissioner Feickert – aye, Sutton- aye, Wiese- aye, Fjeldheim- aye, Kippley – aye. Motion carried.

BRIDGE REINSPECTION PROGRAM:

Commissioner Feickert offered the following resolution R19-20:

BRIDGE REINSPECTION PROGRAM RESOLUTION FOR USE WITH SDDOT RETAINER CONTRACTS

WHEREAS, Title 23, Section 151, United States Code and Title 23, Part 650, Subpart C, Code of Federal Regulations, requires initial inspection of all bridges and reinspection at intervals not to exceed two

years with the exception of reinforced concrete box culverts that meet specific criteria. These culverts are reinspected at intervals not to exceed four years.

THEREFORE, Brown County is desirous of participating in the Bridge Inspection Program using Bridge Replacement funds.

The County requests SDDOT to hire Clark Engineering Corporation IMEG (Consulting Engineers) for the inspection work. SDDOT will secure federal approvals, make payments to the Consulting Engineer for inspection services rendered, and bill the County for 20% of the cost. The county will be responsible for the required 20% matching funds.

Dated this 31st day of March, 2020 at Aberdeen, South Dakota.

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

BID OPENING – WEED AND PEST CHEMICAL:

Time and place as advertised to open, read, and consider sealed bids for Weed and Pest Chemical. Moved by Fjeldheim, seconded by Wiese to defer bids for review by Weed and Pest Supervisor. Roll call vote: Commissioner Feickert – aye, Sutton- aye, Wiese- aye, Fjeldheim- aye, Kippley – aye. Motion carried.

ALCOHOL LICENSE TRANSFER HEARING:

Moved by Wiese, seconded by Feickert to approve transfer of Retail (on-sale) Liquor License, Stacy Gossman DBA Mansfield Bar and Grill, Main St. Mansfield, SE32-121-64, Brown County, SD to transfer to Stacy Gossman DBA Flying Pig, 5635 US Hwy 12, Aberdeen, SD Lot 2 Gossman Second Addition, SE ¼ of sec 15-T123N-T65W of the 5th p.m., Brown County, SD. Roll call vote: Commissioner Feickert – aye, Sutton- aye, Wiese- aye, Fjeldheim- aye, Kippley – aye. Motion carried.

TEMPORARY ALCOHOL LICENSE HEARING:

Moved by Fjeldheim, seconded by Wiese approve Temporary Malt Beverage and Wine License, Aberdeen Area Chamber of Commerce (Business After Hours) Outlot 2 of Lieberg Outlots 1&2, SW1/4, sec15-T123N-R64W, Brown County, SD (5325 US-12 E Aberdeen, SD). Roll call vote: Commissioner Feickert – aye, Sutton- aye, Wiese- aye, Fjeldheim- aye, Kippley – aye. Motion carried.

STATE’S ATTORNEY OFFICE RESPONSE TO COVID-19

Chris White, Brown County State’s Attorney, met to discuss risk mitigation in the state’s attorney office. One legal assistant and one part-time state’s attorney will work remotely to avoid the possibility of an entire office quarantine.

COVID- 19 Discussion:

Brown County was updated by Emergency Management and department heads on ways to reduce community spread at the courthouse.

TELECOMMUTING POLICY:

Moved by Wiese, seconded by Sutton to approve Telecommuting Policy. The policy allows employees to work remotely in the event of an emergency. Policy is on file at the Brown County Auditor’s Office for

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

FMLA LEAVE EXPANSION AND EMERGENCY SICK LEAVE POLICY (CORONAVIRUS):

Moved by Fjeldheim, seconded by Sutton to approve FMLA Leave Expansion and Emergency Paid Sick Leave Policy in response to COVID-19 pandemic. The policy is temporary and expires on December 31, 2020. The policy is on file at the Brown County Auditor’s Office for public inspection. Roll call vote: Commissioner Feickert – aye, Sutton- aye, Wiese- aye, Fjeldheim- aye, Kippley – aye. Motion carried.

COURTHOUSE ANNEX CLOSURE:

In an effort to reduce community spread of COVID-19, the board recommended the courthouse annex be closed to walk-in traffic and do business either remote or by appointment only. The following resolution was passed:

COVID-19 PUBLIC HEALTH CRISIS:

Commissioner Wiese offered the following Resolution:

RESOLUTION #20-20

AN EMERGENCY RESOLUTION TO ADDRESS A PUBLIC HEALTH CRISIS BY IMPLEMENTING CERTAIN MEASURES WHICH HAVE BEEN DEEMED NECESSARY TO SLOW THE COMMUNITY SPREAD OF CORONAVIRUS (COVID-19).

WHEREAS, the Brown County Commission has the authority to pass Resolutions, per SDCL§7-8-20 (10), for the purpose of promoting the health, safety, morals and general welfare, of the community and the promotion of health and the suppression of disease; and

WHEREAS, an outbreak of the disease COVID-19, which is caused by the novel coronavirus, has been confirmed in more than 100 countries, including the United States; and

WHEREAS, COVID-19 is a severe respiratory disease transmitted by person-to-person contact, or by contact with surfaces contaminated by the virus. In some cases, especially among older adults and persons with serious underlying health conditions, COVID-19 can result in serious illness requiring hospitalization, admission to an intensive care unit, and death; and

WHEREAS, the World Health Organization (WHO), the Centers for Disease Control and Prevention (CDC), and the Secretary of the U.S. Department of Health and Human Services have declared the outbreak of COVID-19 as a public health emergency; and

WHEREAS, on March 13, 2020, the President of the United States declared a national emergency in response to the global pandemic of COVID-19; and

WHEREAS, on the same day, Governor Kristi Noem, issued Executive Order 2020-04 which declared a state of emergency to exist in the State of South Dakota in response to the spread of COVID-19; and

WHEREAS, COVID-19 has been confirmed in Brown County, South Dakota; and

WHEREAS, the CDC and health experts have recommended social distancing to slow the spread of COVID-19; and

WHEREAS, social distancing is a method of slowing down or stopping the spread of a contagious disease by reducing the probability of contact between infected persons and those not infected in order to minimize disease transmission; and

WHEREAS, in response to the need to implement social distancing all schools in the state have been closed for at least two weeks; and

WHEREAS, the failure to successfully implement social distancing will likely result in higher numbers of infected individuals and has the potential to overwhelm the capacity of the County's health care providers; and

WHEREAS, it is important that control measures be taken to reduce or slow down the spread of COVID-19 in order to protect the health and safety of the County's residents, especially for seniors and those with underlying health conditions that make them particularly vulnerable to COVID-19.

WHEREAS, many services offered by the County can be conducted online, by phone, email, and mail.

NOW, THEREFORE, BE IT RESOLVED that the Brown County Commission close the Courthouse Annex. (Market Street Entrance) Effective April 1, 2020, Brown County Courthouse Annex is closed to the general public. Brown County will continue to operate and conduct business by mail, email, online, by phone, or by appointment on a case-by-case basis.

BE IT FURTHER RESOLVED, that this Resolution is necessary for the immediate preservation of the public peace, health, safety, and welfare of Brown County and shall become effective immediately upon passage.

Dated this 31st day of March 2020

Seconded by Commissioner Sutton. Roll call vote: Commissioners Feickert-aye, Sutton-aye, Wiese-aye, Fjeldheim-aye, Kippley -aye. Resolution adopted.

EXECUTIVE SESSION:

Moved by Wiese, seconded by Sutton to go into executive session to discuss personnel per SDCL 1-25-2(1). Roll call vote: Commissioner Feickert – aye, Sutton- aye, Wiese- aye, Fjeldheim- aye, Kippley – aye. Motion carried. The Chair declared the executive session closed with no action taken.

ADJOURNMENT:

Moved by Fjeldheim, seconded by Feickert to adjourn the Brown County Commission. Roll call vote: Commissioner Feickert – aye, Sutton- aye, Wiese- aye, Fjeldheim- aye, Kippley – aye. Motion carried.

Cathy McNickle, Brown County Auditor

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