

DECEMBER 29, 2020 – GENERAL MEETING

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

APPROVAL OF AGENDA:

Moved by Sutton, seconded by Wiese to approve the agenda. All member present voting aye. Motion carried.

MINUTES:

Moved by Sutton, seconded by Wiese to approve the general meeting minutes of December 22, 2020. All members present voting aye. Motion carried.

CLAIMS:

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

Insurance: Claims Associates Inc \$5,000.00. Professional Fees: Cogley Law Office \$6,682.02; Ryan S. Dell LLC \$3,225.86; Dohrer Law Office \$6,682.02; Gellhaus & Gellhaus PC \$80.00; Christopher A. Haar \$6,682.02; Harmelink, Fox & Ravensborg Law \$146.50; Kuck Law Office \$6,735.82; Lewis & Clark BHS \$552.00; Lexisnexis Risk Data Mgmt \$150.00; Lincoln County Treasurer \$615.15; Jerald M. McNeary \$6,682.02; Medical Waste Transport Inc \$188.57; Minnehaha County Auditor \$81.83; NE Mental Health Center \$21,090.00; Christy Griffin-Serr Law Office \$6,682.02; Taliaferro Law Firm \$6,682.02; University of North Dakota \$4,160.00; Yankton County Sheriff's Office \$100.00; Yankton County Treasurer \$367.50. Publishing: Aberdeen American News \$493.15. Repairs & Maintenance: Dakota Electronics \$1,396.00; Dakota Structured Cabling \$5,564.05; Double D Body Shop \$175.00; Fire Safety First LLC \$32.40; House of Glass \$448.00; J&K Painting \$506.11; Ladner Electric Inc \$317.35; Pro Windmill Inc \$250.00; Steven Lust Automotive \$54.46; Western States Fire Co \$1,756.46; Woodman Refrigeration Inc \$387.65. Supplies: Brown County Treasurer \$11.06; Charm-Tex \$662.53; Dakota Electronics \$17,703.75; Kesslers \$169.17; Matheson Tri-Gas Inc \$282.61; Menards \$83.73; Pitney Bowes Inc \$126.00; Plumbing & Heating Wholesale \$218.80; Sander's Sew-N-Vac \$21.29; Sherwin Williams \$135.52; Karen Swank \$16.00. Utilities: Qwest Corporation \$2,216.96; Northwestern Energy & Communication \$2,077.87. Other: PO Holding LLC \$3,000.00. All members present voting aye. Motion carried.

HR REPORT:

Moved by Fjeldheim seconded by Sutton to approve the following HR Report:

- Acknowledge resignation of Kelsie Counting, Brown County Jail Correctional Officer, full-time; effective December 21, 2020 and approve request to fill vacancy.
- Acknowledge resignation of Alexis Storm, Brown County Jail Correctional Officer, full-time; effective January 5, 2021 and approve request to fill vacancy.
- Approve hiring of Austin Kurkowski as Brown County Jail Correctional Officer, full-time; starting wage of \$16.82 per hour; effective January 11, 2021.
- Approve employee step increases, annual raise, and salary schedule for 2021 as follows:
FEICKERT, DENNIS Commissioner 865.59; FJELDHEIM, DOUGLAS Commissioner 865.59; KIPPLEY, RACHEL Commissioner 865.59; SUTTON, DUANE Commissioner 865.59; WIESE, MICHAEL Commissioner 865.59; MCNICKLE, CATHARINA Auditor 2176.94; FILSINGER, EMILY Chief Deputy Auditor 24.62; WALBERG, JOSHUA Chief Deputy Auditor 24.62; ENGRAF, DAVID Deputy Auditor 17.85; MCCLAIN, JEANNETTE Deputy Auditor 17.42; BORCHARD, DORENE Chief Deputy Treasurer 24.62; MEYERS, CYNTHIA Chief Deputy Treasurer 24.62; ARAGON, AMANDA Deputy Treasurer 16.34; ENGQUIST, TRACY Deputy Treasurer 17.95; FORSTING, JOLENE Deputy Treasurer 18.65; HOVENDICK, ELIZABETH Deputy Treasurer 16.07; SHEFFIELD, JO Deputy Treasurer

18.10; GOLDADE, LORI Deputy Treasurer - Pt 16.07;VANMETER, PATRICIA Interim Treasurer 2176.94; STODDARD, JENNIFER Chief Deputy States Attorney 2894.04; HART, PENNY Chief Office Deputy 25.17; ALDENTALER, ROSS Deputy States Attorney 2855.20;BROWN, JODI Deputy States Attorney 879.48; NELSON, KARLA Deputy State's Attorney 2330.77;SWISHER, SARA Legal Assistant 21.73;NOESS, SHELDON Legal Secretary 17.49;MADSEN, TRACY Secretary 21.73;THOMPSON, ERNEST States Attorney 3729.23;O DAY, BRITTANY Victim Specialist 2164.51;MCCLAIN, RYAN Building Maintenance 17.60;SCHULZ, MICKEY Building Maintenance 19.03;DASCHEL, JON Building Maintenance - Pt 12.23;SCHOOLEY, RICHARD Building Maintenance - Pt 12.23;STUGELMAYER, TOBIAS Building Maintenance - Pt 12.23; DOSCH, JUDY Building Superintendent 2146.59;FORSTING, MONTY Building Maintenance 16.53;FISCHER, KATHRYN Appraiser 23.82;KRAFT, JOSEPH Appraiser 20.61;KUSLER, BARRY Appraiser 23.31;SWENSON, SARAH Appraiser 21.74;RUSH, POLLY Chief Office Deputy 21.94;METZ, RUSSELL Deputy Director 25.38;LOESCHKE, GENE Director 2329.99;DESENS, BECKY Secretary 17.03;DANNEN, MICHELLE Deputy Register of Deeds 16.61;DOHMAN, ANNE Deputy Register of Deeds 16.34;JANUSZ, ANDREW Deputy Register of Deeds 17.85;MALSOM,MARIANN Deputy Register of Deeds 18.10;WOODFORD, CINDY Deputy Register of Deeds 17.95;NICHOLS, ROBERTA Register of Deeds 2176.94;SCHLECHT, KATHY Administrative Assistant 24.62;NIEMANN, TAMMIE Assistant - Pt 12.05; WALBERG, AARON Veterans Service Officer 2052.89;MADSEN, SCOTT GIS Coordinator 2411.38; WOLBERG, PATRICK IT Director 3301.93;LANE, CORY IT Support Specialist 26.02;ADAM, JOSEPH IT Support Technician - Pt 23.66;SCHNABEL, SHAWN IT Technician 23.22;COUGHLIN, ERICA Human Resources Director 2423.08; BARSTAD, KRISTI Administrative Assistant 19.53;MILBRANDT, JESSE Administrative Assistant 19.68; WILSON, RACHEL Administrative Assistant 18.07;LUNZMAN, DAVE Chief Deputy Sheriff 2668.07;NEITZEL, KATHRYN Chief Office Deputy 22.85;BAKER, KEITH Deputy Sheriff 25.48;BLACK, BRANDON Deputy Sheriff 25.17; BRAY, DANIEL Deputy Sheriff 24.11;GRAFF, WESLEY Deputy Sheriff 26.48;HILL, MICHAEL Deputy Sheriff 24.46; KOENS, BRIAN Deputy Sheriff 27.08;LEMKE, JONATHAN Deputy Sheriff 27.92;MARCUSON, ERMELINDA Deputy Sheriff 24.46; MILLS, BRANDON Deputy Sheriff 23.41;SMITH, BENJAMIN Deputy Sheriff 26.83; SORENSEN, ANTHONY Deputy Sheriff 24.11;WRIGHT, GAVIN Deputy Sheriff 24.46; WOYTASSEK, SANDRA Secretary 18.73;MILBRANDT, MARK Sheriff 3400.71;LAKE HARMON, AMY Administrative Assistant 17.35 ;HARPEL, JAMES Control Room officer 14.33;MANN, TERESA Cook - Jail 19.53;JANES, MICHAEL Cook - Jail - Pt 17.35; GIBSON, TY Correctional Office - Jail 17.16;BARNETT, AMBER Correctional Officer - Jail 17.16;CARRILLO, JACOB Correctional Officer - Jail 17.51;DULIK, JOSEPH Correctional Officer - Jail 17.16;GEDITZ, JESSICA Correctional Officer - Jail 17.51;GERANEN, LESLI Correctional Officer - Jail 17.16;HEDRINGTON, ANITA Correctional Officer - Jail 17.16;KRAHL, CHRISTEEN Correctional Officer - Jail 19.26;KULWICKI, HEATHER Correctional Officer - Jail 20.14; MCQUARIE, SAMANTHA Correctional Officer - Jail 17.16; OCHSNER, RUSSELL Correctional Officer - Jail 20.86;RICHARDS, TYLER Correctional Officer - Jail 17.16; ROSALES, CLAUDIA Correctional Officer - Jail 17.51;SANCHEZ, ANGEL Correctional Officer - Jail 17.16; VEGA, JERREMIAS Correctional Officer - Jail 17.88;EMBURY, JOSEPH Correctional Officer - Jail PT 14.33;SMITH, NATHAN Deputy Sheriff - Jail 26.83; CLARK, JOHN Jail Sergeant 22.23;MITCHELL, CYNTHIA Jail Sergeant 22.93;NAGEL, JACLYN Jail Sergeant 20.83; WHITE, JENNIFER Jail Sergeant 22.42;KAMIN, LINN Jail Supervisor 27.92;MITCHENER, TANYA Nurse - Jail 2424.81;ERNST, MICHAEL Correctional Officer 20.55;EVANS, TERRENCE Deputy Sheriff 27.13; PAUL, CORTNEY Deputy Sheriff 24.82;HILLESTAD, DANICA Assistant Supervisor - JDC 20.83; WASEM, STACIE Correctional Officer - HD 20.35;WEINMEISTER, ELLIE Correctional Officer - HD 17.16; REICH, BRENDA Correctional Officer - HD -Pt 15.21;CHAMPLAIN, FADIA Correctional Officer - JDC 17.51; GORDON, BRYAN Correctional Officer - JDC 17.51;HOPPOCK, SAMUEL Correctional Officer - JDC 18.20;KIRNAN, JEFFREY Correctional Officer - JDC 20.91;KOENS, KRISTAL Correctional Officer - JDC 20.86;MOUNGA, ADELAIDE Correctional Officer - JDC 20.40;WESTFALL, ELISE Correctional Officer - JDC 18.92;GOETZ, JOSHUA Correctional Officer - JDC -Pt 17.16;GRAF, CAROLINE Correctional Officer - JDC -Pt 14.33;HALE, MEAGAN Correctional Officer - JDC -Pt 16.82; HERMANSEN, JULIE Correctional Officer - JDC -Pt 14.33;KOPETSKY, DONOVAN Correctional Officer - JDC -Pt 14.33;MOUNGA, SAMIUELA Interim Supervisor - HD 22.43;BAHR, BRIAN Supervisor - JDC 1862.32; HILGENBERG, ROXANNE Welfare Director 2098.48;MARTTILA - Klipfel, Marianne Curator 16.61; ORMAND, JACQUELYN Curator of Collections 19.15;RAWSTERN, SHERRI Curator of Education 19.91; BAIRD, MARY Curatorial Assistant - Pt 14.99;KENDALL, PATRICIA Museum Director 1768.28; SHUTT, LEANNE Museum Office/Volunteer Coord. 13.73;SMITH, KURT Fairgrounds Manager 1962.78; SCHLOSSER, DANIEL Maintenance 18.33;BURNS, RICHARD Summer Help - Ft 12.29; LOCKE, BREANNA Summer Help - Ft 12.29; SWENSON, STEWART Summer Help - Ft 12.29;WEIG, JOHN Summer Help - Pt 12.29;OBAN, SONJE

Administrative Assistant 17.90; RICCI, DEREK Fair Manager 1921.55;BIERMAN, MCKENZIE Secretary - 4H/Fair Office 15.79; HEMEN, CHRISTOPHER Weed and Pest Supervisor 1768.28;CLARK NORTH, NANCY Planning & Zoning Assistant 14.07; BADER, CLIFTEN Planning & Zoning Director 2157.51;KELLER, RONALD Planning and Zoning Technician 21.34; TITZE, KENDELL Assistant Superintendent - Hwy 26.14;FLOREY, JOHN Foreman - Highway 23.74; ROGERS, DIRK Highway Superintendent 2979.54;LEHRKAMP, GERALD Lab Grade 3 Highway/Weed&Pest 20.28; ROHRBACH, MICHAEL Lab Grade 3 Highway/Weed&Pest 19.43;GROTE, TROY Labor Grade 3 - Highway 19.43; GRUENSTEIN, CHARLES Labor Grade 3 - Highway 19.95;KOST, KYLE Labor Grade 3 - Highway 19.73; ULMER, JOSHUA Labor Grade 3 - Highway 19.27;VAN HEERDE, DENNIS Labor Grade 3 - Highway 19.83; HEUPEL, MATTHEW Labor Grade 4 - Highway 19.12;NEHLICH, BRAD Labor Grade 4 - Highway 20.26; BRUCKNER, DAVID Labor Grade 5 - Highway 21.95;JENSEN, CASEY Labor Grade 5 - Highway 20.38; JUENGER, NICHOLAS Labor Grade 5 - Highway 20.33;OWENS, BRYAN Labor Grade 5 - Highway 20.43; ZUMBAUM, DEAN Labor Grade 5 - Highway 20.17;PIGORS, KURT Mechanic - Highway 21.99;WIPF, PAUL Mechanic - Highway 22.26;LLOYD, DARYL Mechanic Highway 22.16;EPPARD, CINDY Secretary - Highway 17.81;SCHAIBLE, LESLIE Summer Help - Highway - Ft 13.61;JESZ, SARAH Assistant Director 26.76;JONES, KENTON Communications Director 2604.24;WALLER-SORENSEN, JONATHAN Dispatch Shift Supervisor 22.23;WALTH, TONYA Dispatch Shift Supervisor 22.82; ALLAM, DAWN Dispatcher 19.52;CROSBY, JILL Dispatcher 17.80; ERHARDT, CORY Dispatcher 19.87;GASSER, AARON Dispatcher 19.52; PODOLL, HAYDN Dispatcher 17.45; POTTER, SHAY Dispatcher 17.45; ROHRBACH, CANDACE Dispatcher 17.80;SMIT, PAIGE Dispatcher 17.45; WOODS, PATTI Emergency Management Assistant 21.99;MEINTS, SCOTT Emergency Management Director 2401.76; LEHR, DIANE Teen Court Coordinator 17.71;VINGER, KELSI JDAI Coordinator 1786.92; FULDA, HENRY 24/7 Sobriety Coordinator 15.34;BELL, MAGGIE 24/7 Sobriety Tester 14.33; HOWELL, DOREEN 24/7 Sobriety Tester 14.33; KAMIN, SIERRA 24/7 Sobriety Tester 14.33; BRAATEN, BARRY Equipment Operator - Landfill 19.88; KALLENBERGER, JASON Equipment Operator - Landfill 19.88; LOUT, MICHAEL Facility Maintenance - Pt 16.07; NESS, JOHN Facility Maintenance - Pt 16.07; ARNDT, JARELL Heavy Equipment Operator 19.17; LOUT, TERRY Labor Grade 4 - Landfill 20.01; SCOTT, MICHAEL Landfill Manager 2451.59; BAUMGARTNER, ROBERT Landfill Office Manager 21.87; KVERNEVIG, RHONDA Scale Operator - Pt 16.07; RAMSDELL, STEVE Scale Operator - Pt 16.07;

All members present voting aye. Motion carried.

PLANNING and ZONING DEPARTMENT APPLICATION FEE SCHEDULE AMENDMENTS:

Commissioner Sutton offered the following Resolution:

RESOLUTION # 82-20

WHEREAS, Second Revision Brown County Ordinances, the Board of Brown County Commissioners may alter or amend the schedule of fees, charges, expenses and a collection procedure for building permits, zoning permits, certificates of zoning compliance, appeals and

WHEREAS, it has been determined that the Application Fee Schedule established by Resolution #41-19, be amended; and

WHEREAS, it has been determined that application fees will be as shown in:

PLANNING & ZONING "APPLICATION FEE SCHEDULE - TABLE 2021"

NOW, THEREFORE BE IT RESOLVED by authority of Chapter 4.26 Second Revision Brown County Ordinances, the following APPLICATION FEE SCHEDULE in the Planning/Zoning Department is hereby approved and adopted to be effective January 04, 2021 as shown on:

PLANNING & ZONING "APPLICATION FEE SCHEDULE - TABLE 2021"

- APPEAL ZONING ADMINISTRATOR ORDINANCE DECISION - \$200 (to the Zoning BOA)
- APPEAL ZONING BOARD OF ADJUSTMENT DECISION - \$200 (to the Board of Commissioners)
- APPEAL BOARD OF COMMISSIONERS DECISION - \$200 (to Circuit Court – paperwork prep)
- REZONE PARCEL APPLICATION - \$350
- PRELIMINARY PLAT_ APPLICATION - \$25
- VACATION OF AN EXISTING PLAT_ APPLICATION - \$100
- PRELIMINARY & FINAL PLAT_ APPLICATION (combined) - \$100

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

INMATE HOUSING CONTRACT – FAULK COUNTY:

Moved by Sutton, seconded by Fjeldheim to authorize chair sign jail prisoner housing agreement with Faulk County at a rate of \$90 per inmate per day. All members present voting aye. Motion carried.

WAIVE SOLID WASTE FEES - 2019 LANDFILL WRITE-OFFS:

Moved by Fjeldheim, seconded by Wiese to approve and authorize the following solid waste write-offs for fiscal year 2019: A1 Sanitation \$78.28, City of Aberdeen \$77.52, Dependable Sanitation \$828.78, House of Glass \$14.69, Hub City Inc. \$436.71, SD Game Fish and Park \$110.28. All members present voting aye. Motion carried.

FAIR BOARD APPOINTMENTS:

Moved by Sutton, seconded by Feickert to approve the following fair board appointment for three year terms (2021-2023): Mike Nehls and Melanie “Mel” Sombke. All members present voting aye. Motion carried.

NSU FOUNDATION REVENUE BONDS – INTEREST RATE MODIFICATION:

Commissioner Sutton offered the following Resolution:

RESOLUTION NO. 84-20

A RESOLUTION AUTHORIZING MODIFICATION OF BROWN COUNTY ECONOMIC DEVELOPMENT REVENUE BONDS (NORTHERN STATE UNIVERSITY FOUNDATION), SERIES 2019, THE NOTE RELATING THERETO, AND APPROVING AND AUTHORIZING OTHER ACTIONS IN RESPECT THERETO.

WHEREAS, Brown County, a body politic and corporate duly organized and validly existing under the laws of the State of South Dakota (the “County”), pursuant to South Dakota Codified Laws Sections 6-8B-30 through 6-8B-52, 7-18-6 and Chapter 9-54, as supplemented and amended (collectively, the “Act”), is authorized and empowered to make modifications to the Economic Development Revenue Bonds (Northern State University Foundation), Series 2019 (the “Bonds”) and the Note relating thereto (the “Note”); and

WHEREAS, as a result of negotiations between the holders of the Bonds and Northern State University Foundation (the “Borrower”), all holders of the Bonds have agreed to lower the interest rate on the Bonds; and

WHEREAS, the County desires to authorize its Chairman, Vice Chairman or County Auditor to take certain action for modification of the Bonds and Note.

NOW, THEREFORE, BE IT RESOLVED by the Brown County as follows:

Section 1. Authorization of Modification. There are hereby authorized to modify the interest rate on the Note and Bonds to 1.75%.

Section 2. Terms and Modification of the Bonds and Note. The modification shall be executed by the manual or facsimile signatures of any of the Chairman or Vice Chairman of the County Commission or the County Auditor (each an “Authorized Signatory” and, collectively, the “Authorized Signatories”) and attested by the manual or facsimile signature of any other Authorized Signatory.

Section 3. Incidental Authorization. The Authorized Signatories, or any of them, are hereby authorized and directed, in the name of and on behalf of the County, to execute any and all instruments, documents and certificates, perform any and all acts, approve any and all matters, and do any and all things deemed by them to be necessary or desirable in order to carry out the purposes of this Resolution.

Section 4. Invalidity. If any section, paragraph, clause or provision of this Resolution shall be ruled by any court of competent jurisdiction to be invalid, the invalidity of such section, paragraph, clause or provision shall not affect any of the remaining sections, paragraphs, clauses or provisions.

Section 5. Conflicts. All ordinances, resolutions and orders, or parts thereof, in conflict with the provisions of this Resolution, are, to the extent of such conflict, hereby repealed.

Section 6. Effective Date. This Resolution shall be in full force and effect immediately upon its passage. Seconded by Commissioner Wiese. Roll call vote: Commissioner Feickert –aye, Sutton – aye, Wiese – aye, Fjeldheim – aye, Kippley –aye. Resolution Adopted.

SURPLUS DECLARATION:

Moved by Sutton, seconded by Fjeldheim to declare the following patrol vehicles surplus: 2013 Ford Explorer, VIN ...20852; 2015 Ford Explorer, VIN ...98586; 2061 Ford Explorer, VIN ...26119. Surplus sale will be noticed at a later date. All members present voting aye. Motion carried.

CONTINGENCY TRANSFERS:

Moved by Feickert, seconded by Wiese to authorize the following Contingency Transfers: Mental Illness Board in the amount of \$7,000 from contingency 101-5.112.422.99 to 101-5.445.422.99. All members present voting aye. Motion carried.

TAX DEED PROPERTY:

Moved by Sutton, seconded by Feickert to authorize Patty VanMeter, County Treasurer, to submit all qualifying parcels to the States Attorney for completion of the tax deed process. All members present voting aye. Motion carried.

BID OPENING – HIGHWAY ROOF:

Time and place as advertised to open, read and consider bids for Highway Building Roof. One bid received from Hub City Roofing in the amount of \$132,750 at \$1.10 per board foot. Moved by Fjeldheim, seconded by Feickert to award bid to Hub City Roofing. All members present voting aye. Motion carried.

ASSIGNED REVENUE:

Moved by Sutton, seconded by Feickert to assign \$250,000 from surplus cash to future capital building improvements. All members present voting aye. Motion carried.

BUDGET SUPPLEMENTS 2020:

Moved by Fjeldheim, seconded by Wiese to approve the following budget supplements: Commission \$30,000.00 Undesignated Surplus Cash in the General Fund 101.5.101.99 101.5.111.426.07; Elections \$19,957.00 General Fund Donations 101.4.365 101.5.120.426; Information Technology \$50,000.00 Undesignated Surplus Cash in the General Fund 101.5.101.99 101.5.171.426; Coroner \$20,000.00 Undesignated Surplus Cash in the General Fund 101.5.101.99 101.5.213.426; County Nurse \$1,000.00 Undesignated Surplus Cash in the General Fund 101.5.101.99 101.5.421.429; Developmentally Disabled \$5,000.00 Undesignated Surplus Cash in the General Fund 101.5.101.99 101.5.422.03; Highway \$225,000.00 Undesignated Surplus Cash in the Highway Fund 201.5.101.99 201.5.311.426; POD Fund \$2,458.04 POD Surplus Cash 234.1.101.99 234.5.222.426; JDAI \$7,000.00 Undesignated Surplus Cash in the General Fund 101.5.101.99 238.5.159.426. All members present voting aye. Motion carried.

COURT APPOINTED INDIGENT DEFENSE CONTRACT:

Moved by Wiese, seconded by Sutton to defer the contract one week. All members present voting aye. Motion carried.

EXECUTIVE SESSION:

Moved by Sutton, seconded by Feickert to go into executive session to discuss contracts per SDCL 1-25-2(4). All members present voting aye. Motion carried. The chair declared executive session closed with no action taken.

ADJOURNMENT:

Moved by Fjeldheim, seconded by Wiese to adjourn the Brown County Commission at 10:00 a.m. All members present voting aye. Motion carried.

Cathy McNickle, Brown County Auditor

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