

## JANUARY 4, 2022 -REORGANIZATION MEETING

This being the reorganization meeting of the Brown County Commission for year 2022, said Board convened at 8:45 A.M. in the Commissioner's Chambers, Courthouse Annex, Brown County, South Dakota. Present were Commissioners Dennis Feickert, Doug Fjeldheim, Mike Gage, Duane Sutton and Mike Wiese. Commissioner Sutton led the Pledge of Allegiance.

### APPROVAL OF AGENDA:

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

Cathy McNickle, Brown County Auditor called for nominations for Brown County Commission Chair for year 2022, pursuant to SDCL 7-8-15.

Commissioner Wiese nominated Duane Sutton for Chair. Moved by Wiese, seconded by Fjeldheim that nominations cease and a unanimous ballot be cast for Duane Sutton 2022 Chair of the Brown County Commission. All members present voting aye. Motion carried.

Commissioner Feickert nominated Mike Wiese for Vice Chair. Moved by Feickert seconded by Gage that nominations cease and a unanimous ballot be cast for Mike Wiese Vice Chair 2022 of the Brown County Commission. All members present voting aye. Motion carried.

### MINUTES:

Moved by Feickert, seconded by Wiese to approve the General Meeting minutes of December 28, 2021. All members present voting aye. Motion carried.

### CLAIMS/PAYROLL:

Moved by Fjeldheim, seconded by Wiese to approve the following claims and payroll: Professional Fees: BMI MUSIC LICENSE FOR LOCAL GOVERNMENTAL ENTITIES \$368.00; HOUSTON ENGINEERING, INC. \$11,287.39; KRISTI SPITZER \$200.00; LUMEN \$189.46; Mullen Coughlin, LLC \$1,698.50; NE MENTAL HEALTH CENTER \$4,944.00; Ross K. Den Herder \$366.30; SD ASSOC OF COUNTY COMMISSIONERS \$6,976.00; SD ASSOC. OF COUNTY OFFICIALS \$3,212.37; SD SHERIFF'S ASSOC \$1,595.93; SD STATE'S ATTORNEY ASSOC. \$1,799.00; SD TEEN COURT ASSN \$750.00; STATE BAR OF SOUTH DAKOTA \$2,035.00; TYLER TECHNOLOGIES INC \$1,144.22; US BANK \$497.99; ZYLSTRA INVESTIGATIONS \$875.00 Publishing: KING MIDAS, INC. \$850.00; US BANK \$296.62 Repairs & Maintenance: CRAWFORD M S & F INC \$987.00; CRAWFORD TRUCKS & EQUIPMENT \$598.16; DAKOTA PUMP INC. \$4,545.00; DOUGLAS E. GROTE \$2,425.00; HONEYWELL INTERNATIONAL INC. \$25,783.65; KIRBY KIESZ \$280.50; LEIDHOLT ELECTRIC LLC \$673.04; NICK A. FINNESAND \$500.00; STEVEN LUST AUTOMOTIVE \$64.74; TITAN MACHINERY - ABERDEEN NH \$6,969.99; TITAN MACHINERY, INC - ABERDEEN CASE IH \$729.60; US BANK \$224.94 Supplies: ABERDEEN MEDICAL CENTER PHARMACY \$933.85; ABERDEEN PIT STOP \$769.95; BAKKEN BUILD MAINTENANCE \$500.00; CENTURY BUSINESS PRODUCTS \$82.75; CRAWFORD M S & F INC \$85.50; CRAWFORD TRUCKS & EQUIPMENT \$217.34; DAKOTA MAILING & SHIPPING EQUIPMENT INC \$940.00; FEDEX \$21.36; HOUSE OF GLASS \$43.79; KIRBY KIESZ \$331.60; MARCO INC \$53.42; MENARDS \$184.03; PITNEY BOWES INC. \$126.00; RUNNINGS \$79.61; TITAN MACHINERY - ABERDEEN NH \$115.20; TITAN MACHINERY, INC - ABERDEEN CASE IH \$1,609.72; US BANK \$10,765.92 Travel & Conference: CITY OF GROTON \$327.24; IAFE (INTERNATIONAL ASSOC. OF FAIRS & EXPOSITIONS) \$825.00; MARK MILBRANDT \$200.00; US BANK \$833.43 Utilities: AT&T MOBILITY \$250.39; MIDCONTINENT COMMUNICATIONS \$343.61; NORTHWESTERN ENERGY & COMMUNICATIONS \$5,804.00; QWEST CORPORATION \$297.64;

RICHMOND LAKE SANITARY DIST \$3,780.00; US BANK \$2,172.16 Rentals: NORTHERN ELECTRIC COOP, INC \$1,200.00; ROLAND L. MOERKE \$63.75 Others: LAMB CHEVROLET & IMP \$41,600.00; SD DEPT OF AGRICULTURE & NATURALRESOURCES \$600.00; US BANK \$1,563.50. Payroll 26: Commission \$4,327.95; Auditor \$7,544.14; Treasurer \$12,420.54; SA \$24,740.11; SVAWA \$0.00; Maintenance \$7,822.30; Assessor \$14,793.77; Register of Deeds \$7,969.60; VSO \$4,022.49; GIS \$2,411.38; IT \$7,258.55; HR \$3,833.83; Sheriff \$44,410.83; Jail \$57,417.65; Coroner (Voucher) \$4,650.00; Court Security \$4,488.67; JDC \$31,021.44; Welfare \$2,982.62; Museum \$8,591.78; Parks/Fairgrounds \$3,429.18; Fair Board \$4,160.00; Weed \$884.14; Planning & Zoning \$5,332.71; Highway \$41,874.47; Dispatch \$32,951.63; Emergency \$4,160.96; Teen Court \$531.30; JDAI \$1,846.15; 24/7 Sobriety \$1,376.75; Landfill \$14,987.20; MATCHING Benefits: FICA \$22,480.04; Medicare \$5,257.44; Health Insurance \_Wellmark BCBS \$ 111,696.82; Dental Insurance \_Delta Denta; \$7,384.85, Life Insurnace \_Dearborn \$1,013.87, Retirmenet \_SDRS \$65,836.74. All members present voting aye. Motoin carried. All members present voting aye. Motion carried.

#### HR REPORT:

Moved by Wiese, seconded by Fjeldheim to approve the HR Office Report, which includes the following:

- Acknowledge resignation of Brenda Reich, Brown County HD Correctional Officer, part-time; effective December 19, 2021. Request to fill.
- Approve hiring of Macy Mikkelson as Brown County Building Maintenance Custodian, part-time; starting wage \$11.96/hour; effective January 3, 2022.
- Approve hiring of JorDenne DuCheny as Brown County Communications Dispatcher, full-time; starting wage \$21.16/hour; effective January 17, 2022.
- Approve hiring of Aaron Walberg Jr. as Brown County Jail Correctional Officer, full-time; starting wage \$18.87/hour; effective January 11, 2022.
- Approve hiring of Paige Smit as Brown County Jail Correctional Officer, part-time; starting wage \$14.76/hour; effective December 29, 2021.
- Approve hiring of Candace Rohrbach as Brown County Jail Correctional Officer, part-time; starting wage \$14.76/hour; effective December 29, 2021.
- Approve amendment to wage on 12.21.21 HR report: Promotion of Austin Ball from Brown County Jail CO to Brown County Jail Sergeant; starting wage \$21.20/hour; effective December 27, 2021.
- Approve amendment to 12-28-2021 HR Report, step schedule: Mariann Malsom was \$26.36 s/b \$25.36; Leanne Shutt was \$14.14 s/b \$15.03; Jennifer Hopkins was \$15.44 s/b \$14.42; Samuel Hoppock was \$22.63 s/b \$20.66; Joseph Embury listed twice s/b PT; Jennifer White listed twice s/b PT

All members present voting aye. Motion carried.

#### DOE CLOTHING POLICY:

Moved by Feickert, seconded by Wiese to approve request submitted by Gene Loeschke, DOE, for 2022 clothing allowance @ \$150.00 for each employee in the Equalization Office, per Employee Policy C-12.

All members present voting aye. Motion carried.

#### SHERIFF UNIFORM ALLOWANCE:

Moved by Wiese, seconded by Gage to acknowledge the sheriff uniform request as budgeted for in the 2022 budget. All members present voting aye. Motion carried.

#### OFFICIAL NEWSPAPERS:

Moved by Feickert seconded by Wiese to designate the following as the official Brown County newspapers for year 2022 (SDCL 7-18-3): Aberdeen American News, Aberdeen, SD; The Groton Independent, Groton, SD. These are the only two official newspapers in Brown County for 2022. All members present voting aye. Motion carried.

#### DEPOSITORIES:

Moved by Fjeldheim seconded by Feickert to designate the following as official depositories for Brown County public funds for year 2022 (SDCL 7-2-13), with funds deposited in the name of Patty VanMeter, Brown County Treasurer: Dacotah Bank; US Bank; First Savings of Beresford, First Savings of Hecla; Bank North of Warner; Bank North of Warner, Aberdeen Branch; First National Bank of Frederick; Plains Commerce Bank; Great Western Bank; Great Plains Bank; CorTrust. All members present voting aye. Motion carried.

#### DESIGNATION OF DEPUTIES:

Commissioner Fjeldheim offered the following Resolution:

#### RESOLUTION #1-22

WHEREAS, SDCL Chapter 7-7-20 mandates the designation of the number of deputies and clerks for various offices by the Board of County Commissioners,

THEREFORE, BE IT RESOLVED, that the following deputies and clerks are authorized at the discretion of the County Officials for County offices: Auditor - 2 Chief Deputy, 2 Senior Office Deputies; Treasurer - 2 Chief Deputies, 5 Deputies, 1 part-time Clerk; Register of Deeds - 1 Chief Deputy, 4 Deputies. All extra help hired by County Officials must first be approved by the County Commission.

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

#### INVESTMENT POLICY:

Commissioner Wiese offered the following Resolution:

#### RESOLUTION #2-22

WHEREAS, the nature of tax collections and other revenue is such that cash on deposit in the County's depositories at times exceeds the requirement for current expenditures; and

WHEREAS, it is in the best interest of the County to invest these monies not required for immediate expenditure.

NOW, THEREFORE, BE IT RESOLVED, that the Brown County Treasurer is hereby directed to invest Brown County public funds at the highest rate of interest possible at said time on available monies at financial institutions, as designated by the Brown County Commission, and

FURTHER, to furnish quarterly reports detailing same, as authorized by SDCL 4-5-8.

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

#### INTEREST POLICY:

Moved by Fjeldheim, seconded by Wiese to approve the following Policy in regard to interest earned from deposits and investments: State law allows income from deposits and investments to be credited to either the General Fund or the fund making the investment. The County's policy is to credit all income from deposits and investments to the General Fund during the year, except for interest earned on specific certificates of deposits for the Solid Waste Fund. USGAAP requires income from deposits and investments to be reported in the fund whose assets generated that income. Where the governing board has discretion to credit investment income to a fund other than the fund that provided the resources for investment, a transfer to the designated fund is reported when authorized by the Commission. Fund transfers of investment earnings to the General Fund shall not occur in 2022, all funds shall receive the income generated from the assets of the fund. All members present voting aye. Motion carried.

#### EXPENSE POLICY:

Moved by Feickert, seconded by Wiese to set the following expense rates for Brown County employees for year 2022:

Meal reimbursement made only for out of County travel

	In-State	Out-of-State
Breakfast	\$ 6.00	\$10.00
Lunch	\$14.00	\$18.00
Dinner	<u>\$20.00</u>	<u>\$28.00</u>
	\$40.00	\$56.00

Qualifying time for meal allowances:

Breakfast - leave before 5:31 a.m. - return after 7:59 a.m.

Lunch - leave before 11:30 a.m. - return after 12:59 p.m.

Dinner - leave before 5:31 p.m. - return after 7:59 p.m.

Lodging reimbursed at actual cost, receipt required (if possible have direct billing, as County tax exempt).

Reimbursement for use of personal vehicle for County business, as follows: All county employees and officials shall be paid for traveling expenses for each mile traveled in the discharge of their official duties at 47 cents per mile. Miles to be determined by the assistance of Map Quest or similar web site; Odometer readings required for all destinations not available on web site; Odometer reading only required once to establish routine destination routes, i.e. per diem for board members. All members present voting aye. Motion carried.

#### EXPENSE POLICY - ELECTION OFFICIALS:

Moved by Fjeldheim, seconded by Wiese to set \$250.00 as the one-day fee for vote center officials working on Election Day, \$15.00 per hour for absentee vote center officials working on Election Day, \$20.00 for vote center officials attending Election School, and to set minimum mileage at five miles when claimed by vote center/absentee ballot official. All members present voting aye. Motion carried.

#### TAX DEED NOTICES:

Commissioner Wiese, offered the following Resolution:

#### RESOLUTION #3-22

WHEREAS, Brown County has acquired tax certificates on property with delinquent real estate taxes for which tax deeds and notices can be served.

THEREFORE, BE IT RESOLVED, that the Brown County Commission authorizes the County Treasurer, Patty VanMeter to request States Attorney Ernest Thompson and States Attorney Office personnel to act as agents to process said tax deeds and notices.

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

#### COUNTY RENTAL RATE AND FEE SCHEDULE:

Moved by Wiese, seconded by Gage to establish rental rates and fee schedule for 2022: County wide rental and fee schedule is on file at the Auditor's office. All members present voting aye. Motion carried.

#### VOLUNTEERS/WORKER COMPENSATION:

Moved by Fjeldheim, seconded by Wiese to approve the following list of volunteers for work comp purposes: (CERT, Citizens Corp, Dive Team, Chaplains, Fair, Museum, 4-H Promotion/Expansion). List is on file in the Board Book with the Brown County Auditor. All members present voting aye. Motion carried.

#### COMMUNICATIONS COUNCIL 2022:

Moved by Wiese, seconded by Gage to assign Chair Sutton, and Vice Chair Wiese as representative to Communication Council per agreement. All members present voting aye. Motion carried.

#### FSA APPOINTMENT:

Moved by Feickert, seconded by Wiese to appoint Doug Fjeldheim as Farm Service Agency representative. All members present voting aye. Motion carried.

#### BOARD BOOK INCLUDING COMMISSION COMMITTEE ASSIGNMENTS 2022:

Moved by Feickert, seconded by Wiese to approve the Board Book for 2022 including board appointments and commission committee assignments. Commission Committee assignments are as follows for 2022: Duane Sutton - Aberdeen Development Corporation, Communication Council, Fair Board, SD Public Assurance Alliance, Dacotah Prairie Museum Board, Alternate liaison 4-H Leaders Association/Promotion & Expansion Committee, Edwards Preserve Nature Area, SDACC Catastrophic Legal Board, Centennial Village Liaison; Doug Fjeldheim - Airport Board, NECOG, Sick Leave Bank, Aberdeen/Brown County Regional Railroad Authority, FSA representative; Mike Gage - Risk Management Committee, Legislative Contact, Planning & Zoning Board, JDAI (Juvenile Detention Alternative Initiative), Senior Citizens Board, 4-H Leaders Association/ Promotion & Expansion; Mike Wiese - Range Fire Suppression, Union Negotiations, Liaison to Welfare, LEPC, Alternate to Aberdeen /Brown County Regional RR Authority, Glacial Lakes, Communication Council; Dennis Feickert - Weed & Pest Control Board, alternate legislative contact, County Buildings, Union Negotiations, Grow SD (NESDCAP), Fair Board, NE Mental Health Center. Full board book is on file for public inspection at the Brown County Auditor's Office. All members present voting aye. Motion carried.

#### OUT OF STATE TRAVEL REQUEST:

Moved by Wiese, seconded by Fjeldheim to approve out of state travel for Brown County Fair employees Rachel Kippley and McKenzie Bierman to attend 2022 IFM Summit in Denver Colorado January 21-24, 2022. All members present voting aye. Motion carried.

#### ABATEMENTS:

Moved by Fjeldheim, seconded by Weise to approve the following abatement: Mark Hanse (assessed excess land) @ \$259.72; Brown County (tax exempt) @ \$113.64, \$76.47, \$9.23, \$349.89, \$72.01 \$461.01; Aberdeen Downtown Apartments (Historical Tax Freeze) @ \$14,729.61; Aberdeen School District (Tax exempt) @ \$355.23, \$137.85; Jeff Voeller (Owner Occupied) @ \$87.97. All members present voting aye. Motion carried.

#### SOUTH DAKOTA PUBLIC ASSURANCE ALLIANCE CONTRACT:

Moved by Feickert, seconded by Gage to approve and authorize chair sign revised contract with South Dakota Public Assurance Alliance. All members present voting aye. Motion carried.

#### EXECUTIVE SESSION:

Moved by Fjeldheim, seconded by Wiese to go into executive session to discuss personnel, contracts, and security per SDCL 1-25-2(1,4,6). All members present voting 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 at 10:50 A.M. All members present voting aye. Motion carried.

Cathy McNickle, Brown County Auditor

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## JANUARY 11, 2022 – GENERAL MEETING

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

### APPROVAL OF AGENDA:

Moved by Fjeldheim, seconded by Gage to approve the agenda. All members present voting aye. Motion carried.

### ABATEMENT REQUEST:

Individual met to discuss abatement and senior tax freeze. Treasurer Patty VanMeter advised on the appeal process for senior tax freeze denial. No commissioner action necessary.

### EMS PLATFORM PURCHASE:

Dave Lunzman (Chief Deputy Sheriff) met to request purchase of Fat truck emergency stretcher kit. Moved by Fjeldheim, seconded by Feickert to accept low quote submitted from Maximum Equipment Inc in the amount of \$5,330.00. All members present voting aye. Motion carried.

### 2022 BROWN COUNTY ASSESSMENT PLAN:

Moved by Fjeldheim, seconded by Feickert to acknowledge 2022 Brown County Assessment Plan as presented by Gene Loeschke, Director of Equalization. All members present voting aye. Motion carried.

### BID SET HEARING AND AUTHROIZE ADVERTISING -USED 4.5YD LOADER, GRAVEL, ROAD OIL, HOT MIX, AND CRUSHING EQUIPMENT RENTAL:

Moved by Fjeldheim seconded by Gage authorize advertising public hearing to open, read and consider bids for the following items: Used 4 Yard Loader, Gravel, Road Oil, Hot Mix, and Crushing Equipment Rental at 8:46 a.m., on February 1, 2022 in the Commissioner's Chambers, Courthouse Annex, Brown County, SD. Specifications are on file in the Brown County Auditor's Office and the Brown County Highway Department Office and may be obtained at no charge. All members present voting aye. Motion carried.

### MINUTES:

Moved by Feickert, seconded by Fjeldheim to approve the general meeting minutes of January 4, 2022. All members present voting aye. Motion carried.

### CLAIMS:

Moved by Fjeldheim, seconded by Gage to approve the following claims: Professional Fees: Assurance Land Surveying \$463.00; Avera Heart Hospital of South Dakota \$5,724.36; AVERA ST. LUKE'S \$107.65; CGI \$1,221.92; COMPASS COUNSELING & ASSESSMENTS INC \$4,000.00; DAKOTA COUNSELING GROUP, LLC \$1,900.00; DARCY LOCKWOOD \$55.50; DEAN SCHAEFER COURT REPORTING \$201.00; DICTATION SALES & SERVICE, INC. \$3,980.00; DWARE INC \$4,350.00; GIS WORKSHOPS, LLC \$999.60; HELMS & ASSOCIATES INC \$5,431.10; KUCK LAW OFFICE \$44.60; LANGUAGE LINE SERVICES INC \$996.89; LEWIS & CLARK BHS \$1,104.00; LINCOLN COUNTY TREASURER \$146.66; LUCY LEWNO \$675.00; MARK KATTERHAGEN \$70.50; MARV EKEREN \$15.00; MICROFILM IMAGING SYSTEMS, INC. \$1,564.00; MINN-KOTA COMMUNICATIONS, INC \$6,450.00; PROFESSIONAL DEVELOPMENT ACADEMY \$1,645.00; PULSEPOINT FOUNDATION \$8,000.00; SANFORD HEALTH OCCUPATIONAL MEDICINE ABERDEEN

\$156.00; SD ASSOC OF COUNTY WEED AND PEST SUPERVISORS \$50.00; SD DEPT OF HEALTH \$2,575.00; SDAE4-HP \$120.00; STATE OF SOUTH DAKOTA \$600.00; WEST PUBLISHING CORP. \$672.02; YANKTON COUNTY SHERIFF OFFICE \$50.00; YANKTON COUNTY TREASURER \$610.15. Publishing: Central Dakota Times \$11.78; GROTON INDEPENDENT \$114.02; HUB CITY RADIO \$300.00; LEE ENTERPRISES \$61.68. Repairs & Maintenance: ACTIVE DATA SYSTEMS INC \$12,406.00; BUTLER MACHINERY CO \$2,074.90; DAKOTA FLUID POWER INC \$10.00; LEIDHOLT ELECTRIC LLC \$628.95; MARK KOLB \$430.00; MCGaugh Family Inc \$330.00; MIDSTATES PRINTING \$359.18; R.D. OFFUTT COMPANY \$2,999.37; RDO EQUIPMENT CO. - AG \$3,255.58; ROLAND L. MOERKE \$241.00; RUNNINGS \$193.97; TRANSOURCE TRUCK & EQUIPMENT, INC.; 8,954.91; WALTH SAFETY SERVICE INC \$915.45; WOODMAN REFRIGERATION, INC \$175.51. Supplies: ABERDEEN MEDICAL CENTER PHARMACY \$1,540.94; ACTIVE DATA SYSTEMS INC \$4,016.00; AGTEGRA COOPERATIVE \$49,121.35; BUTLER MACHINERY CO \$1,915.59; CENTURY BUSINESS PRODUCTS \$122.35; CHARM-TEX \$118.90; COLE PAPERS \$661.86; DAKOTA FLUID POWER INC \$861.47; DAKOTA OIL \$34.75; DAKOTA SUPPLY GROUP \$43.52; EARTHGRAINS BAKING CO. INC. \$1,054.45; EAST SIDE JERSEY DAIRY, INC \$996.87; FARNAMS GENUINE PARTS INC \$49.36; FIRE SAFETY FIRST, LLC \$61.20; GOVERNMENT FORM & SUPPLIES \$75.00; GRAHAM TIRE INC \$16.20; GREAT WESTERN TIRE INC \$2,185.48; INTERSTATE BATTERY SYSTEM OF SD \$555.85; KEN'S SUPERFAIR FOODS \$51.65; Linn Kamin \$51.81; LUCY LEWNO \$26.12; MENARDS \$180.27; MIDSTATES PRINTING \$1,436.00; PHARMCHEM \$655.50; PLUMBING & HEATING WHOLESALE, INC. \$117.73; PRECISION KIOSK TECHNOLOGIES \$2,700.00; R.D. OFFUTT COMPANY \$580.11; RDO EQUIPMENT CO. - AG \$4,423.14; ROLAND L. MOERKE \$42.50; RUNNINGS \$1,287.24; SATELLITE TRACKING OF PEOPLE, LLC \$1,449.50; SD REDBOOK FUND \$1,593.14; TRANSOURCE TRUCK & EQUIPMENT, INC. \$12,459.36; TRI STATE WATER \$35.00; TYLER BUSINESS FORMS \$295.61; WALTH SAFETY SERVICE INC \$76.90; ZASTROW'S SALES & SERVICE \$614.76; ZASTROW'S SALES & SERVICE \$500.05. Travel & Conference: ASSOCIATION OF SD COUNTY WEED & PEST BOARDS \$600.00; DOUG FJELDHEIM \$218.08; DUANE SUTTON \$111.86. Utilities: CITY OF ABERDEEN \$1,193.22; ECONOMY PROPANE LLC \$2,507.40; NORTHWESTERN ENERGY & COMMUNICATIONS \$16,316.68; STATE OF SOUTH DAKOTA \$149.22; TOWN OF FREDERICK \$76.00; WEB WATER DEVELOPMENT ASSOC. INC. \$86.14. Rentals: ROLAND L. MOERKE \$657.25. Others: NESDCAP (NE SD COMMUNITY ACTION PROGRAM) \$2,500.00; SD ASSOC. OF COUNTY OFFICIALS \$451.00; SD DEPT OF AGRICULTURE & NATURAL RESOURCES \$4,019.29; WEX HEALTH INC. \$3,000.00. All members present voting aye. Motion carried.

#### HR REPORT:

Moved by Feickert, seconded by Fjeldheim to approve the following HR report:

- Acknowledge reclassification of Jon Sorenson from Brown County Communications shift supervisor to full-time dispatcher, effective January 6, 2022 at \$24.67 per hour.
- Acknowledge Resignation of Emily Meier, Brown County Museum Intern; effective October 2, 2021.
- Approve amendment to 12/28/21 HR report step schedule: Morgan Bingham, Sierra Kamin, Nichole Krenz, MaKayla Madsen, dispatcher step two at \$21.49 per hour.
- Approve amendment to 12/28/21 HR Report step schedule: Meagan Delahanty wage at \$17.32 per hour.
- Approve hiring of Kaycee Cronin as Brown County Fair/4-H admin assistant, full-time; starting wage \$15.50 per hour; effective January 3, 2022.

All members present voting aye. Motion carried.

#### PRE-DISASTER MITIGATION PLAN:

Commissioner Feickert brought the following resolution:



## RESOLUTION #4-22

### RESOLUTION TO ADOPT THE BROWN COUNTY HAZARD MITIGATION PLAN

WHEREAS Brown County has experienced severe damage from strong winds, flooding, hail, heavy snow, heavy rain, and tornadoes on many occasions in the past century, resulting in property loss, loss of life, economic hardship, and threats to public health and safety;

WHEREAS a Hazard Mitigation Plan has been developed after more than one year of research and work by the Brown County Emergency Management, NECOG, and the Natural Hazard Mitigation Committee;

WHEREAS the Plan recommends hazard mitigation actions that will protect the people and property affected by the natural hazards that face the County;

WHEREAS a public meeting was held to review the Plan as required by law;

NOW THEREFORE BE IT RESLOVED by the Commissioners and the County of Brown that:

1. The Hazard Mitigation Plan is hereby adopted as an official plan of Brown County,
2. The respective County official identified in the strategy of the Plan is hereby directed to implement the recommended action assigned to them. These officials will report annually on the activities, accomplishments, and progress to Brown County Emergency Management,
3. The Brown County planner will provide annual progress reports on the status of implementation of the plan to the Brown County Commission. This report shall be submitted to the County Commission by November 1st of each year.

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

#### FAIR CONTRACTS (BOOTH, CAMPER SPONSORSHIP):

Moved by Feickert, seconded by Gage to authorize the fair manager to sign booth rental contracts, camper space rental contracts and sponsorship agreements for the 2022 Brown County Fair as they are presented. All members present voting aye. Motion carried.

#### PLANNING AND ZONING ALTERNATE BOARD MEMBER:

Moved by Fjeldheim, seconded by Gage to appoint Josie Gorecki as an alternate member to the planning and zoning board. All member present voting aye. Motion carried.

#### LEASE:

Moved by Feickert, seconded by Fjeldheim to approve the following lease agreement: Aberdeen Drift Busters Snowmobile Club for lease of Richmond Lake Youth Camp Lodge January 22<sup>nd</sup>, 2022 with approved alcohol use permission form. All members present voting aye. Motion carried.

#### BID SET HEARING AND AUTHROIZE ADVERTISING – LANDFILL LAND LEASE:

Moved by Fjeldheim seconded by Gage authorize advertising public hearing to open, read and consider bids for Landfill Land Lease on 8:46 a.m., on February 1, 2022 in the Commissioner's Chambers, Courthouse Annex, Brown County, SD. Specifications are on file in the Brown County Auditor's Office and the Brown County Landfill Office and may be obtained at no charge. All members present voting aye. Motion carried.

**EMERGENCY MANAGEMENT QUARTERLY REPORT:**

Moved by Feickert, seconded by Fjeldheim to approve, and authorize chair sign first quarter grant report. All members present voting aye. Motion carried.

**QUARTERLY INTERSET:**

Moved by Fjeldheim, seconded by Gage to approve 1<sup>st</sup> quarter interest in the amount of \$4,334.77. All members present voting aye. Motion carried.

**SHERIFF REPORTS:**

Moved by Gage, seconded by Fjeldheim to approve the following October and November 2021 Sheriff Reports: Incidents and offenses, Prisoner care, JDC, and Money deposited with the County Treasurer. All members present voting aye. Motion carried.

**QUARTERLY DEPARTMENT HEAD MEETINGS:**

Discussion to have quarterly department head meetings in 2022. Meeting are scheduled for the first Tuesday of each quarter. Quarter 1 meeting is scheduled for February 1, 2022.

**NEGOTIATING COMMITTEE – UNION:**

Moved by Fjeldheim, seconded by Feickert to proceed with negotiating committee. All members present voting aye. Motion carried.

**EXECUTIVE SESSION:**

Moved by Fjeldheim, seconded by Feickert to go into executive session to discuss personnel, contracts, and security per SDCL 1-25-2(1,4,6). All members present voting aye. Motion carried. The chair declared the executive session closed with no action taken.

**ADJOURNMENT:**

Moved by Feickert, seconded by Fjeldheim to adjourn the Brown County Commission at 10:50 a.m. All members present voting aye. Motion carried.

Cathy McNickle, Brown County Auditor

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

#### JANUARY 18, 2022 – GENERAL MEETING

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

#### APPROVAL OF AGENDA:

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

#### RFP OPENING – FAIR SOUND, LIGHTS, STAGE EQUIPMENT:

Time and place as advertised to open, read and consider sealed bids for Brown County Fair, sound, lights, and stage equipment. Bids received from Perfect Wave and TMS, Inc. Moved by Wiese, seconded by Gage to defer bids to fair manager to review and award at a later county commission meeting. All members present voting aye. Motion Carried.

#### FIRST READING – ORDINANCE 209-211 (MINI AG REZONES):

Moved by Wiese, seconded by Fjeldheim to approve first reading of proposed ordinance 209: Applicant Steve and Deborah Munger requesting to rezone rezoning the following property from Chapter 4.06 Agriculture Preservation District (AG-P) to Chapter 4.07 Mini-Ag District (M-AG): Lot 2, “Munger Second Addition” in the SE1/4 of Section 17-T121N-R64W of the 5<sup>th</sup> P.M., Brown County, South Dakota. All members present voting aye. Motion carried.

Moved by Wiese, seconded by Fjeldheim to approve first reading of proposed ordinance 210: Applicant Alex Droog requesting to rezone rezoning the following property from Chapter 4.06 Agriculture Preservation District (AG-P) to Chapter 4.07 Mini-Ag District (M-AG): Lot 1, “Alex’s First Addition” in the S1/2 of the SE1/4 of Section 36-T124N-R65W of the 5<sup>th</sup> P.M., All members present voting aye. Motion carried.

Moved by Wiese, seconded by Fjeldheim to approve first reading of proposed ordinance 211: Applicant Eretta Dargatz requesting to rezone rezoning the following property from Chapter 4.06 Agriculture Preservation District (AG-P) to Chapter 4.07 Mini-Ag District (M-AG): Proposed Lot 1, “Dargatz Addition” in Section 14-T123N-R60W of the 5<sup>th</sup> P.M., Brown County, South Dakota. All members present voting aye. Motion carried.

#### SD DEPARTMENT OF HEALTH BI-ANNUAL REPORT:

Deanna Harber with SD Department of Health presented a bi-annual report about services provided in Brown County, SD.

#### GPS PROGRAM:

Dave Lunzman (Chief Deputy Sheriff) requested an additional correctional officer position to conduct the home monitoring GPS program. Moved by Wiese, seconded by Fjeldheim to approve additional correctional officer full-time position at the jail. All members present voting aye. Motion carried.

#### MINUTES:

Moved by Fjeldheim seconded by Wiese to approve the general meeting minutes of January 11, 2022. All members present voting aye. Motion carried.

#### CLAIMS/PAYROLL:

Moved by Fjeldheim, seconded by Gage to approve the following claims and payroll: Payroll: Commission \$4,503.96; Auditor \$8,137.93; Treasurer \$12,821.53; SA \$25,995.65; SVAWA \$0.00; Maintenance \$6,625.36; Assessor \$15,248.57; Register of Deeds \$8,028.80; VSO \$4,143.28; GIS \$2,483.72; IT \$7,375.02; HR \$4,061.37; Sheriff \$45,364.41; Jail \$57,911.99; Coroner (Voucher) \$0.00; Court Security \$5,671.43; JDC \$28,123.03; Welfare \$2,161.43; Museum \$8,877.70; Parks/Fairgrounds \$3,492.64; Fair Board \$4,410.00; 4-H \$310.00; Weed \$1,255.68; Planning & Zoning \$5,681.44; Highway \$39,613.86; Dispatch \$36,110.61; Emergency \$4,285.81; Teen Court \$501.60; JDAI \$1,846.15; 24/7 Sobriety \$1,337.16; Landfill \$15,691.94; MATCHING BENEFITS: FICA @ \$21,634.87, Medicare @ \$5,059.72.

CLAIMS: Insurance: FINANCIAL SERVICES OF ABERDEEN, INC. \$2,741.42 Professional Fees: AVERA ST. LUKE'S \$1,782.64; BROWN COUNTY TREASURER \$21.20; CERTIFIED LANGUAGES INTERNATIONAL LLC \$853.05; COGLEY LAW OFFICE, PROF LLC \$81.00; DEPENDABLE SANITATION INC \$28,095.20; DREW BECKER \$200.00; KENNEDY PIER LOFTUS, LLP \$341.55; LEWIS & CLARK BHS \$184.00; MICHELLE GAIKOWSKI \$254.20; SDSU EXTENSION \$21,146.53; STATE BAR OF SOUTH DAKOTA \$203.50; WEX HEALTH INC. \$177.60; Woods County Clerk of Courts \$3.00; ZYLSTRA INVESTIGATIONS \$3,801.00 Repairs & Maintenance: DAKOTA SUPPLY GROUP \$1,290.29; DIESEL MACHINERY \$14,500.00; ECOLAB PEST ELIMINATION \$235.87; HAAR PLUMBING & HEATING INC \$372.10; LIEN TRANSPORTATION COMPANY \$375.00; MB LLC \$20.00; POMPS TIRE SERVICE, INC \$266.66; PRO WINDMILL INC. \$345.00 Supplies: ADVANCE AUTO PARTS \$148.48; COLE PAPERS \$373.66; J.D. POWER & ASSOCIATES \$268.00; KIRBY KIESZ \$181.13; MIDSTATES PRINTING \$81.25; NORTHERN VALLEY COMMUNICATION \$26.76; PITNEY BOWES INC. \$15,000.00; RUNNINGS \$371.88; SHERWIN WILLIAMS \$399.30; US FOODS \$8,488.26; WEB WATER BOTTLING COMPANY \$22.50 Utilities: CITY OF ABERDEEN \$306.36; CITY OF HECLA \$194.49; DEPENDABLE SANITATION INC \$348.00; NORTHERN ELECTRIC COOP, INC \$772.93; NORTHERN VALLEY COMMUNICATION \$1,582.53; NORTHWESTERN ENERGY & COMMUNICATIONS \$43.96; VERIZON WIRELESS SERVICES LLC \$200.05 Rentals: ARAMARK UNIFORM & CAREER APPAREL GROUP, INC \$247.71; Linde Gas & Equipment Inc. \$47.11; ROLAND L. MOERKE \$42.50 Others: GLACIAL LAKES & PRAIRIE TOURISM ASSOC. \$750.00 All members present voting aye. Motion carried.

#### HR REPORT:

Moved by Fjeldheim, seconded by Wiese to approve the following HR report:

- Approve hiring of Stacy Ramsdell, Brown County Communications Dispatcher, full-time at \$21.16 per hour, effective January 18, 2022.
- Approve hiring of Stephanie Jacobson as Brown County Senior Office Deputy- County Election Coordinator Auditor, full-time; starting wage \$18.75 per hour; effective January 14, 2022.

All members present voting aye. Motion carried.

#### CELL PHONE STIPEND:

Moved by Wiese, seconded by Gage to approve cell phone stipend for IT Department employee at \$50 per month. All members present voting aye. Motion carried.

#### BROWN COUNTY LOBBYIST:

Discussion of having a lobbyist to represent Brown County, SD at the 2022 legislative session. No action taken.

#### EXPENSE POLICY – TRAVEL REIMBURSEMENT:

Moved by Fjeldheim, seconded by Wiese to amend the Brown County Expense Policy for Travel to include reimbursement for use of personal vehicle while towing a trailer, camper, boat, or similar towed item at a rate of 63 cents per mile with county commission approval. County employees or board members are eligible for trailer reimbursement as approved in advance by county commission. All member present voting aye. Motion carried.

#### FAIRBOARD APPRECIATION STIPEND:

Moved by Fjeldheim, seconded by Gage to approve the following stipend for fair board members: Appointed members of the Brown County Fair Board who serve over six months are entitled to the following appreciation benefits:

1. 2 General Admission Grandstand passes
2. 2 Weeklong Carnival passes
3. 1 Camping spot

Any fair board member who resigns or is asked to step down by commission prior to fair week shall not receive any of these benefits. Only current fair board members are entitled to these benefits. Once their terms have expired, former fair board members will not retain camping spot. However, if the board member had the camping spot prior to their time on the board, they may choose to retain it.

#### FAIR CONTRACTS:

Moved by Wiese, seconded by Fjeldheim to approve to following fair contracts: The Best of Motown and More (entertainment) @ \$8,000; Freddie Prez (entertainment) @ \$6,200; Farmers Market Music LLC (entertainment) @ \$7,500. All members present voting aye. Motion carried.

#### TAX DEED PROPERTY:

Moved by Wiese, seconded by Gage 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 SET HEARING AND AUTHROIZE ADVERTISING – MICROSURFACING:

Moved by Wiese seconded by Gage authorize advertising public hearing to open, read and consider bids for Microsurfacing on 8:46 a.m., on February 8th, 2022 in the Commissioner's Chambers, Courthouse Annex, Brown County, SD. Specifications are on file in the Brown County Auditor's Office and the Brown County Landfill Office and may be obtained at no charge. All members present voting aye. Motion carried.

#### EXECUTIVE SESSION:

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

#### ADJOURNMENT:

Moved by Fjeldheim, seconded by Wiese to adjourn the Brown County Commission at 10:50 a.m. All members present voting aye. Motion carried.

Cathy McNickle, Brown County Auditor

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

#### JANUARY 25, 2022 – GENERAL MEETING

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

#### APPROVAL OF AGENDA:

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

#### SECOND READING/ADOPTION – ORDINANCE 209:

Moved by Feickert, seconded by Gage to adopt ordinance 209: Applicant Steve and Deborah Munger requesting to rezone the following property from Chapter 4.06 Agriculture Preservation District (AG-P) to Chapter 4.07 Mini-Ag District (M-AG): Lot 2, “Munger Second Addition” in the SE1/4 of Section 17-T121N-R64W of the 5<sup>th</sup> P.M., Brown County, South Dakota. Roll call vote: Commissioner Feickert – aye, Fjeldheim – aye, Wiese – aye, Gage- aye, Sutton – aye. Ordinance adopted.

#### SECOND READING/ADOPTION – ORDINANCE 210:

Moved by Fjeldheim, seconded by Feickert to adopt ordinance 210: Applicant Alex Droog requesting to rezone the following property from Chapter 4.06 Agriculture Preservation District (AG-P) to Chapter 4.07 Mini-Ag District (M-AG): Lot 1, “Alex’s First Addition” in the S1/2 of the SE1/4 of Section 36-T124N-R65W of the 5<sup>th</sup> P.M., Roll call vote: Commissioner Feickert – aye, Fjeldheim – aye, Wiese – aye, Gage- aye, Sutton – aye. Ordinance adopted.

#### SECOND READING/ADOPTION – ORDINANCE 211:

Moved by Fjeldheim, seconded by Gage to adopt ordinance 211: Applicant Eretta Dargatz requesting to rezone the following property from Chapter 4.06 Agriculture Preservation District (AG-P) to Chapter 4.07 Mini-Ag District (M-AG): Proposed Lot 1, “Dargatz Addition” in Section 14-T123N-R60W of the 5<sup>th</sup> P.M., Brown County, South Dakota. Roll call vote: Commissioner Feickert – aye, Fjeldheim – aye, Wiese – aye, Gage- aye, Sutton – aye. Ordinance adopted.

#### EQUIPMENT SURPLUS:

Moved by Fjeldheim, seconded by Gage to approve the following list of highway equipment surplus:  
Trail King Low bow trailer Year2000 MODEL TK-110-HDG CO ID #LB-1 Decal1864 ,NEW HOLLAND WHEEL LOADER Year2001 LW-190 HR 13093 CO ID #L-4 Decal ,HYPAC VIBRATORY ROLLER Year1997 832B WITH CAB CO ID #R-12 Decal2123 ,FERGUUSON 9 WHEEL ROLLER Year1987 SP12 PHEUMATIC RUBBER TIRE CO ID #R-5 Decal1979 ,TRAIL KING UTILITY TRAILER Year2006 MODEL TKT12U CO ID #UT-11 Decal2124 ,TILT TRAILER 20FT Year2009 CO ID #UT-13 Decal588 ,4 INCH WATER PUMP Year2001 MODEL 84A2-B CO ID #WP-1 Decal1929 ,CHEVEROLET PICKUP Year2008 CK20743 CO ID #T-14 Decal572 ,CHEVEROLET PICKUP Year1990 CK309 3500 CO ID #T-12 Decal1814 ,MOWER TRACTOR JD Year1997 6400 CO ID #ML-4 Decal1806 ,MOWER TRACTOR JD with Tiger Offset Mower 780 decal 189 and Tiger side mount mower decal 1830 Year1997 6400 CO ID #M/L-5 Decal1827 ,GANG MOWER 15 FOOT Year2007 ALAMO EAGLE CO ID #GM-02 Decal2140 ,RIDING LAWN MOWER Year MODEL 2554 CO ID #M-12 Decal1988 ,SNOW PLOW LITTLE FALLS Year2000 MODEL 312-ST CO ID #SP-10 Decal1867 ,SNOW PLOW GLEN DALE Year1988 MODEL 11HTB1WH ONE WAY CO ID #SP-03 Decal1907 ,FALLS SNOW WING Year OFF A 2011 VOLO CO ID # Decal ,2 RIMS FOR 2011 VOLO Year NO TIRES. No sale date set. Other governmental entities will have opportunity to purchase before public sale. All members present voting aye. Motion carried.

#### EQUIPMENT PURCHASE – LOW BOY:

Moved by Feickert, seconded by Wiese to purchase 2022 Trail King 110HDG Trailer in the amount of \$94,951.22 off Sourcewell contract #121918-TKI. All members present voting aye. Motion carried.

#### HIGHWAY DEPARTMENT UPDATE – SNOW/ICE POLICY:

Highway superintendent Dirk Rogers discussed the highway snow and ice policy. No action taken.

#### MINUTES:

Moved by Wiese seconded by Feickert to approve the general meeting minutes of January 18, 2022. All members present voting aye. Motion carried.

#### CLAIMS:

Moved by Fjeldheim, seconded by Wiese to approve the following claims: Professional Fees: AVERA ST. LUKE'S \$1,296.57; Boyce Law Firm \$127.80; CANDACE ROHRBACH \$55.00; CHRISTOPHER A. HAAR \$41.80; CHRISTY GRIFFIN-SERR LAW OFFICE \$8,541.67; COGLEY LAW OFFICE, PROF LLC \$8,541.67; DOHRER LAW OFFICE \$8,541.67; ESRI - ENVIRONMENTAL SYSTEMS RESEARCH INSTITUE \$16,500.00; FAULK COUNTY SHERIFFS OFFICE \$1,260.00; HMN Architects, Inc. \$4,914.05; Howard J. Ryan Jr. \$9,062.50; IMEG Corp \$1,777.87; JERALD M. MCNEARY \$8,541.67; KOLKER LAW \$20.65; KUCK LAW OFFICE \$8,541.67; LEXISNEXIS RISK DATA MGMT INC. \$150.00; MOCIC (MID-STATES ORGANIZED CRIME INFO CENTER) \$150.00; NE MENTAL HEALTH CENTER \$312.00; NECOG (NORTHEAST COUNCIL OF GOV'T) \$14,625.00; SANFORD HEALTH \$2,100.05; SANFORD HEALTH OCCUPATIONAL MEDICINE ABERDEEN \$126.00; SARA ZAHN \$23.80; SD DEPT OF REVENUE & REGULATIONS \$1,422.99; SHI INTERNATIONAL CORP \$2,407.50; TALIAFERRO LAW FIRM \$8,541.67; ZYLSTRA INVESTIGATIONS \$605.00 Publishing: GROTON INDEPENDENT \$567.87 Repairs & Maintenance: EPG COMPANIES, INC. \$924.53; FORDHAM SIGNS & DESIGN \$75.00; LEIDHOLT ELECTRIC LLC \$626.23; LIEN TRANSPORTATION COMPANY \$436.88; LITTLE FALLS MACHINE INC \$190.43; MIDWEST PUMP & TANK \$212.01; PANTORIUM CLEANERS INC. \$189.32; SCOTT DEMERY \$121.29; STEVEN LUST AUTOMOTIVE \$80.43 Supplies: ABERDEEN PIT STOP \$102.29; BRAD NEHLICH \$159.99; CHARM-TEX \$2,113.94; KESSLERS \$168.16; LABSOURCE, INC. \$602.93; LEIDHOLDT TOOL SALES, LLC \$29.58; LITTLE FALLS MACHINE INC \$1,427.35; MARCO INC \$15.50; MB LLC \$235.00; MCKESSON MEDICAL-SURGICAL GOVERNMENT SOLUTIONS \$834.19; MENARDS \$1,038.64; MIDSTATES PRINTING \$245.00; PANTORIUM CLEANERS INC. \$56.00; PHARMCHEM \$1,006.40; SHARE CORP \$693.00; STATE OF SOUTH DAKOTA \$3,878.77; The Junction \$504.45; WEST PUBLISHING CORP. \$1,785.86 Travel & Conference: AARON WALBERG \$185.34; RAMKOTA COMPANIES \$219.98 Utilities: JAMES VALLEY TELECOMMUNICATIONS \$219.50; NORTHERN VALLEY COMMUNICATION \$272.11; NORTHWESTERN ENERGY & COMMUNICATIONS \$6,141.11; QWEST CORPORATION \$59.46; VERIZON WIRELESS SERVICES LLC \$3,213.97 Others: SD DEPT OF REVENUE & REGULATIONS \$632,028.79 All members present voting aye. Motion carried.

#### HR REPORT:

Moved by Wiese, seconded by Gage to approve the following HR report:

- Approve hiring of Joel Randall, Brown County Building Maintenance Custodian, full-time; starting at \$15.50 per hour; effective January 26, 2022.
- Approve return of Richard Burns as Brown County Fairgrounds Maintenance, as needed; starting January 18, 2022 at \$12.66 per hour with a seasonal full-time start date of April 4, 2022.

All members present voting aye. Motion carried.

**ORDINANCE 212 – SET HEARING AND AUTHORIZE ADVERTISING:**

Moved by Feickert, seconded by Wiese to set hearing, and authorize advertising proposed ordinance 212. Applicant Brown County Planning and Zoning Office requesting to rezone the following property from Chapter 4.07 Mini-Ag District (M-AG) to Chapter 4.06 Agriculture Preservation District (AG-P): Previously described Lot 1, Block 2; Lot 4, Block 2; & Lot 5, Block 2, “Whitetail Meadows First Subdivision” in the NW1/4 of Section 26-T123N-R65W of the 5<sup>th</sup> P.M., Brown County, South Dakota. Hearing to be held in the Commissioner’s Chambers, Courthouse Annex, Brown County, South Dakota on February 15 at 8:46 A.M. All members present voting aye. Motion carried.

**PLATS:**

**RESOLUTION #5-22 DENNERT ADDITION**

Commissioner Wiese brought the following resolution: “Be it resolved by the Board of County Commissioners of Brown County South Dakota, that the Plat, “DENNERT ADDITION” IN THE NW1/4 SECTION 4, T125N, R63W OF THE 5<sup>TH</sup> P.M., BROWN COUNTY, SOUTH DAKOTA. Having been examined is hereby approved in accordance with the provisions of SDCL 11-2-3, and any amendments thereof.” Seconded by Commissioner Fjeldheim. Roll call: Commissioner Feickert – aye, Fjeldheim – aye, Wiese – aye, Gage- aye, Sutton – aye. Resolution adopted.

**RESOLUTION #6-22 PASCH SECOND SUBDIVISION**

Commissioner Wiese brought the following resolution: “Be it resolved by the Board of County Commissioners of Brown County South Dakota, that the Plat, “PASCH SECOND SUBDIVISION IN THE SW1/4 OF SECTION 8-T122N-R63W OF THE 5<sup>TH</sup> P.M., BROWN COUNTY, SOUTH DAKOTA. Having been examined is hereby approved in accordance with the provisions of SDCL 11-2-3, and any amendments thereof.” Seconded by Commissioner Fjeldheim. Roll call: Commissioner Feickert – aye, Fjeldheim – aye, Wiese – aye, Gage- aye, Sutton – aye. Resolution adopted.

**RESOLUTION #7-22 WAYNE AND NANCY JOHNSON FIRST RICHMOND LAKE SUBDIVISION**

Commissioner Wiese brought the following resolution: “Be it resolved by the Board of County Commissioners of Brown County South Dakota, that the Plat, “WAYNE AND NANCY JOHNSON FIRST RICHMOND LAKE SUBDIVISION, IN THE NW1/4 OF SECTION 13-T124N-R65W OF THE 5<sup>TH</sup> P.M., BROWN COUNTY, SOUTH DAKOTA. Having been examined is hereby approved in accordance with the provisions of SDCL 11-2-3, and any amendments thereof.” Seconded by Commissioner Fjeldheim. Roll call: Commissioner Feickert – aye, Fjeldheim – aye, Wiese – aye, Gage- aye, Sutton – aye. Resolution adopted.

**RESOLUTION #8-22 SVARSTAD ADDITION**

Commissioner Wiese brought the following resolution: “Be it resolved by the Board of County Commissioners of Brown County South Dakota, that the Plat, “SVARSTAD ADDITION IN THE SE1/4 OF SECTION 10, TOWNSHIP 122 NORTH, RANGE 63 WEST OF THE 5<sup>TH</sup> P.M., BROWN COUNTY, SOUTH DAKOTA. Having been examined is hereby approved in accordance with the provisions of SDCL 11-2-3, and any amendments thereof.” Seconded by Commissioner Fjeldheim. Roll call: Commissioner Feickert – aye, Fjeldheim – aye, Wiese – aye, Gage- aye, Sutton – aye. Resolution adopted.

**AUDITOR REPORT OF ACCOUNTS:**



Moved by Fjeldheim, seconded by Wiese to approve the following Auditor's report of accounts:  
OCTOBER: 2021 Total Cash and Checks on Hand 7700 Total Checking Account Balances: 30062731.43  
Total Savings Account Balances: 5125447.42 Total Certificates of Deposit: 3976798.16 General Fund  
Road & Bridge Fund 3586909.9 Road & Bridge Fund - restricted 423243.27 911 Service 1207940.55  
Emergency & Disaster 184008.79 Domestic Abuse 675.67 Teen Court 9550.63 Grant 32.11 JDAI -  
9787.56 Richmond Youth 21916.96 24/7 Sobriety 52533.99 ROD M&P 112392.48 American Rescue Plan  
Federal Grant 3770010 Landfill + cash change 2946700.98 Landfill - restricted 1400479.44 Trust and  
Agency Funds 13317418.62 GRAND TOTAL GENERAL FUND CASH AND INVESTMENTS 39172677.01.

NOVEMBER: Total Cash and Checks on Hand 7700 Total Checking Account Balances: 25106965.4 Total  
Savings Account Balances: 5825447.42 Total Certificates of Deposit: 3976798.16 General Fund Road &  
Bridge Fund 2913790.18 Road & Bridge Fund - restricted 423243.27 911 Service 1112697.9 Emergency &  
Disaster 174334.96 Domestic Abuse 1402.92 Teen Court 6555.7 Grant 32.11 JDAI -14796.42 Richmond  
Youth 21916.96 24/7 Sobriety 51311.6 ROD M&P 110101.48 American Rescue Plan Federal Grant  
3770010 Landfill + cash change 2883217.66 Landfill - restricted 1400479.44 Trust and Agency Funds  
8193052.58 GRAND TOTAL GENERAL FUND CASH AND INVESTMENTS 34916910.98.  
All members present voting aye. Motion Carried.

#### CLAIM ASSIGNMENT:

Moved by Wiese, seconded by Gage to authorize Auditor 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.

#### LEASE:

Moved by Fjeldheim, seconded by Wiese to approve the following lease agreement: Liebelts RV for lease  
of Expo Building March 7-20, 2022. All members present voting aye. Motion carried.

#### LOBBYIST CONTRACT:

Moved by Wiese, seconded by Sutton to approve contract and sign employer authorization form to hire  
Julie Johnson as Brown County Lobbyist for 2022 session not to exceed \$3,000. Roll call: Commissioner  
Feickert – no, Fjeldheim – aye, Wiese – aye, Gage- no, Sutton – aye. Motion carried.

#### EXECUTIVE SESSION:

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

Cathy McNickle, Brown County Auditor  
Published once at the total approximate cost of \$\_\_\_\_\_.

## FEBRUARY 1, 2022 – GENERAL MEETING

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

### APPROVAL OF AGENDA:

Moved by Feickert, seconded by Fjeldheim to approve the agenda. All members present voting aye. Motion carried.

### BID OPENING- LANDFILL LAND LEASE:

Place and time as advertised, to open read and consider bids for county land lease or approximately 129 acres east of the landfill. Moved by Wiese, seconded by Sutton to award bid to Bryan and Stacy Bauer at \$170 per acre, rejecting bid from Tom and Andy Erickson at \$130 per acre. All members present voting aye. Motion carried.

### LANDFILL CONTRACT –MONITORING 2022:

Moved by Feickert, seconded by Gage to authorize chair sign contract with Houston engineering for 2022 monitoring and consulting services at the landfill. All members present voting aye. Motion carried.

### BID OPENING – FOUR YARD LOADER:

Time and place as advertised to open, read and consider sealed bids for used four-yard loader. One bid submitted by Diesel Machinery Inc in the amount of \$174,430. Moved by Feickert, seconded by Wiese award sole bidder. All members present voting aye. Motion carried.

### BIDS OPENING– GRAVEL:

Time and place as advertised to open, read and consider sealed bids for furnishing Gravel Material. Bids were received from Behnke Sand & Gravel, Hanlon Brothers, HF Jacobs & Son Construction, Jensen Rock and Sand, Hall Sand and Gravel, and L.G. Everist. Moved by Feickert, seconded by Gage to award all bids on Gravel Material based on location and availability, as per tabulation sheet on file in the Auditor's Office (available for public inspection Monday – Friday, 8:00 a.m. to 5:00 p.m.). All members present voting aye. Motion Carried.

### BID AWARD – HIGHWAY ASPHALT CONCRETE PLANT MIX MATERIALS (HOT MIX):

Time and place as advertised to open, read and consider sealed bids for furnishing Asphalt Concrete Plant Mix Materials (hot mix). Bids were received from Jensen Rock & Sand and Lien Transportation. Moved by Fjeldheim, seconded by Feickert to award all bids on Asphalt Concrete Plant Mix Materials, as per tabulation sheet on file in the Auditor's Office (available for public inspection Monday – Friday, 8:00 a.m. to 5:00 p.m.). All members present voting aye. Motion Carried.

### BID AWARD – HIGHWAY ROAD OIL:

Time and place as advertised to open, read and consider sealed bids for furnishing highway road oil. Moved by Wiese, seconded by Fjeldheim to award sole road oil bid submitted by Jebro as follows: Road

Oil MC070 \$879.52 per ton; Road Oil MC-3000 \$749.52 per ton; Road Oil CSS1H \$573.12 per ton. Jebro was sole bidder. All members present voting aye. Motion carried.

**BID - RENTAL OF EQUIPMENT (PATCHING, PAVING & CRUSHING):**

Time and place as advertised to open, read and consider sealed bids full operation rental service of paving, patching and crushing equipment. Bids were received from Jensen Rock and Sand and Lien Transportation Moved by Feickert, seconded by Wiese to award all bids on the rental of equipment based on location and availability, as per tabulation sheet on file in the Auditor's Office (available for public inspection Monday – Friday, 8:00 a.m. to 5:00 p.m.) All members present voting aye. Motion Carried.

**TEEN COURT:**

Diane Lehr (Teen Court) met to update the commission on South Dakota Senate Bill 103 that proposes grant funding for teen court programs in South Dakota. All members present voting aye. Motion Carried.

**RFP AWARD: SOUND, LIGHT, AND STAGE EQUIPMENT:**

Moved by Feickert, seconded by Gage to award proposal for Sounds, lights and stage equipment to TMS with a 2022 proposal of 4 day \$31,790 plus risers and 6 day \$38,820 plus risers rejecting proposal from Perfect Wave Productions LLC of 4 day \$52,700 and 6 day \$79,050. Authority is given to the Brown County Fair Board and Manager to decide on 4 day or 6 day as needed. Full RFP Award documents are on file with the Brown County Auditor. All members present voting aye. Motion Carried.

**MINUTES:**

Moved by Wiese seconded by Gage to approve the general meeting minutes of January 25, 2022. All members present voting aye. Motion carried.

**CLAIMS/PAYROLL:**

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

Payroll: Commission \$4,503.96; Auditor \$9,056.95; Treasurer \$12,689.13; SA \$25,962.91; SVAWA \$0.00; Maintenance \$6,817.23; Assessor \$15,215.89; Register of Deeds \$8,028.80; VSO \$4,219.36; GIS \$2,483.72; IT \$7,486.41; HR \$4,061.37; Sheriff \$45,452.41; Jail \$62,307.69; Coroner (Voucher) \$0.00; Court Security \$6,649.31; JDC \$29,133.38; Welfare \$2,161.43; Museum \$9,026.63; Parks/Fairgrounds \$3,867.86; Fair Board \$5,720.00; 4-H \$620.00; Weed \$918.14; Planning & Zoning \$5,681.44; Highway \$43,518.73; Dispatch \$38,203.77; Emergency \$4,285.81; Teen Court \$784.32; JDAI \$1,846.15; 24/7 Sobriety \$1,380.38; Landfill \$15,468.60; Matching Benefits: FICA \$22,520.86, Medicare \$5,266.95, Discovery HSA. \$915.84, Wellmark Blue Cross Blue Shield \$113,289.48, Delta Dental \$7,361.70, Dearborn \$1,010.14, South Dakota Retirement System \$46,633.55.

CLAIMS: Professional Fees: ABERDEEN AREA CHAMBER OF COMMERCE \$800.00; ABERDEEN AREA HUMAN RESOURCE ASSOC \$50.00; Arete Advisors LLC \$56,829.99; CHRISTOPHER A. HAAR \$50.60; DREW BECKER \$200.00; KRISTI BRANDT \$9.60; NECOG (NORTHEAST COUNCIL OF GOV'T) \$25,991.27; STATE OF SOUTH DAKOTA \$3,345.47; US BANK \$6,403.42. Publishing: GateHouse Media South Dakota Holdings, Inc. \$915.72; US BANK \$83.38. Repairs & Maintenance: ABERDEEN AREA CHAMBER OF COMMERCE \$200.00 ABERDEEN AUTO CENTER, INC. \$252.45; DERWIN D. KAMPA \$91.94; JALENE M. PALMER

\$2,205.10; LAWSON PRODUCTS, INC \$62.10; LIEN TRANSPORTATION COMPANY \$1,791.26; MIDWEST PUMP & TANK \$2,501.77; SCHWAN WELDING \$638.60; SMART CHOICE SOLUTIONS LLC \$3,304.00; TRU GREEN CHEMLAWN \$552.90; US BANK \$579.52; WOODMAN REFRIGERATION, INC \$755.10. Supplies: ABERDEEN AUTO CENTER, INC. \$573.71; CENTURY BUSINESS PRODUCTS \$2,452.28; COLE PAPERS \$2,539.00; DERWIN D. KAMPA \$5.00; GANNETT HOLDINGS LLC OHIO \$249.21; Kelco Supply Company \$1,507.72; LAWSON PRODUCTS, INC \$782.52; Maximum Equipment Inc. \$5,330.00; MIDWEST PUMP & TANK \$6,046.30; SD SECRETARY OF STATE \$125.00; US BANK \$12,791.66. Travel & Conference: MCKENZIE BIERMAN \$114.00; RACHEL KIPPLEY \$237.46; US BANK \$705.95. Utilities: DEPENDABLE SANITATION INC \$165.00; MONTANA DAKOTA UTILITIES CO \$45.78; NORTHERN VALLEY COMMUNICATION \$2,832.48; NORTHWESTERN ENERGY & COMMUNICATIONS \$3,036.12; US BANK \$2,493.89

All members present voting aye. Motion carried.

#### HR REPORT:

Moved by Fjeldheim, seconded by Wiese to approve the following HR report:

- Approve hiring of Kyle Price as Brown County Building Maintenance Assistant Superintendent/Plumber, full-time; starting salary \$56,985 per year; effective February 22, 2022
- Approve Sarah Jesz, Brown County Communications Assistant Director, increase in pay to \$29.06 per hour; effective January 1, 2022.
- Approve Kent Jones, Brown County Communications Director, increase in salary to \$72,861.62 annually; effective January 1, 2022.

All members present voting aye. Motion carried.

#### BID – WOOD WASTE GRINDING – SET HEARING AND AUTHORIZE ADVERTISING:

Moved by Feickert, seconded by Wiese authorize advertising public hearing to open, read and consider bids for the following 2022 Wood Waste Grinding at the landfill at 8:47 a.m., on February 22, 2022 in the Commissioner's Chambers, Courthouse Annex, Brown County, SD. Specifications are on online at Brown.SD.US, on file in the Brown County Auditor's Office and the Brown County Highway Landfill Office and may be obtained at no charge. All members present voting aye. Motion carried.

#### BID – WASTE TIRE REMOVAL – SET HEARING AND AUTHORIZE ADVERTISING:

Moved by Feickert, seconded by Wiese authorize advertising public hearing to open, read and consider bids for the following 2022 waste tire cleanup at the landfill at 8:46 a.m., on February 22, 2022 in the Commissioner's Chambers, Courthouse Annex, Brown County, SD. Specifications are on online at Brown.SD.US, on file in the Brown County Auditor's Office and the Brown County Highway Landfill Office and may be obtained at no charge. All members present voting aye. Motion carried.

#### SHERIFF INMATE HOUSING CONTRACT – EDMUNDS COUNTY:

Moved by Fjeldheim, seconded by Wiese to approve, and authorize chair sign agreement with Edmunds County for housing Brown County inmates in Edmunds County at a rate of \$75.00 per day. All members present voting aye. Motion carried.

#### SHERIFF REPORTS:

Moved by Wiese, seconded by Gage to approve the following December 2021 Sheriff Reports: Incidents and offenses, Prisoner care, JDC, and Money deposited with the County Treasurer. All members present voting aye. Motion carried.

**ABATEMENT:**

Moved by Fjeldheim, seconded by Wiese to approve the following abatement: Thomas Paepke SW-27-122-61 (Solid waste removal as dead parcel). All members present voting aye. Motion carried.

**BINGO PERMIT:**

Moved by Wiese, seconded by Feickert to approve Bingo permit for Elm Lake Association for Lottery to be held on July 4<sup>th</sup>, 2022 at Elm Lake Resort. All members present voting aye. Motion carried.

**LOTTERY PERMIT:**

Moved by Fjeldheim, seconded by Feickert to approve Lottery permit for Elm Lake Association for Thursday night weekly at Elm Lake Resort. All members present voting aye. Motion carried.

**STRIPE- FAIR CREDIT CARD VENDOR:**

Moved by Wiese, seconded by Feickert to use Stripe as credit card processor for the fair department. All members present voting aye. Motion carried.

**HANDICAP PARKING:**

Judy Dosch (building superintendent) discussed the need for additional handicap parking spaces.

**EXECUTIVE SESSION:**

Moved by Fjeldheim, seconded by Wiese 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 Fjeldheim, seconded by Wiese to adjourn the Brown County Commission at 10:26 a.m. All members present voting aye. Motion carried.

Cathy McNickle, Brown County Auditor

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## FEBRUARY 8, 2022 – GENERAL MEETING

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

### APPROVAL OF AGENDA:

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

### BID OPENING- MICROSURFACING:

Place and time as advertised, to open read and consider bids for Microsurfacing approximately 28 miles of county highway. Moved by Feickert, seconded by Wiese to award bid from Missouri Petroleum Products Company in the amount of \$1,387,645.35, rejecting bid from Astech Corp. in the amount of \$1,479,781.85. All members present voting aye. Motion carried.

### ABATEMENT:

Joe Huffman met to request a tax abatement for 2021 pay 2022 taxes. The owner-occupied application was not filed with the assessor's by the statutory deadline for taxes payable in 2022. An owner-occupied application has been filed and approved by Assessor for 2022 pay 2023 taxes. Moved by Wiese, seconded by Gage to deny abatement request for 2021 pay 2022 taxes. Roll call vote: Commissioners Feickert-nay, Sutton-aye, Wiese-aye Gage-aye Fjeldheim-aye. Motion Carried.

### MINUTES:

Moved by Wiese seconded by Gage to approve the general meeting minutes of February 1, 2022 with the following correction to Kent Jones wage from \$72,861.62 per hour to \$72,861.62 per year and correct the minutes from January 25, 2022 to include the roll call vote on the following motion as follows: Lobbyist Contract: Moved by Wiese, seconded by Sutton to approve contract and sign employer authorization form to hire Julie Johnson as Brown County Lobbyist for 2022 session not to exceed \$3,000. Roll call: Commissioner Feickert – nay, Fjeldheim – aye, Wiese – aye, Gage- nay, Sutton – aye. Motion carried. All members present voting aye. Motion carried.

### CLAIMS:

Moved by Feickert, seconded by Wiese to approve the following claims: Professional Fees: Aberdeen ED \$525.31; CERTIFIED LANGUAGES INTERNATIONAL LLC \$470.25; CITY OF ABERDEEN \$274.24; COGLEY LAW OFFICE, PROF LLC \$53.94; COMMERCIAL ELECTRONICS CORP \$5,500.00; FREDERICK PEREZ \$1,200.00; GELLHAUS & GELLHAUS, PC \$80.00; HOUSTON ENGINEERING, INC. \$846.50; LANGUAGE LINE SERVICES INC \$933.08; LEXISNEXIS RISK DATA MGMT INC. \$150.00; LUMEN \$149.30; MICHELLE GAIKOWSKI \$1,241.80; MICROFILM IMAGING SYSTEMS, INC. \$1,088.00; Mullen Coughlin, LLC \$197.50; Pathology Clinic Reference LA \$70.44; Radiology - North Center \$566.98; SANFORD CLINIC ABERDEEN \$120.68; SANFORD HEALTH OCCUPATIONAL MEDICINE ABERDEEN \$49.00; SD DEPT OF HEALTH \$40.00; SHI INTERNATIONAL CORP \$168.00; We Care Online \$812.00; ZYLSTRA INVESTIGATIONS \$2,657.50 Publishing: ABERDEEN COMMUNITY THEATRE \$600.00; GateHouse Media South Dakota Holdings, Inc. \$420.00; GROTON INDEPENDENT \$628.99; HUB CITY RADIO \$300.00; MIDSTATES PRINTING \$450.00; NORTHWEST BLADE \$86.00 Repairs & Maintenance: ABERDEEN AUTO CENTER, INC. \$750.00; CRAWFORD TRUCKS & EQUIPMENT \$2,489.26; DAKOTA FLUID POWER INC \$87.44; JOSHUA L. HALSEY \$740.00; LAWSON PRODUCTS, INC \$31.56; MARCO INC \$330.66; MARK KOLB \$340.00; PRO

WINDMILL INC. \$345.00; RDO EQUIPMENT CO. - AG \$2,927.41; TITAN MACHINERY - ABERDEEN NH \$7,230.96 Supplies: ABERDEEN AUTO CENTER, INC. \$679.42; AGTEGRA COOPERATIVE \$13,292.34; APH STORES, INC \$2,064.60; BAKKEN BUILD MAINTENANCE \$500.00; BUTLER MACHINERY CO \$3,931.23; CHARM-TEX \$58.90; COLE PAPERS \$891.04; CRAWFORD M S & F INC \$1,690.30; CRAWFORD TRUCKS & EQUIPMENT \$2,840.44; DAKOTA FLUID POWER INC \$1,065.68; DAKOTA SUPPLY GROUP \$13.12; EARTHGRAINS BAKING CO. INC. \$572.57; EAST SIDE JERSEY DAIRY, INC \$743.76; FEDEX \$89.64; HOUSE OF GLASS \$64.98; LAWSON PRODUCTS, INC \$397.70; LEIDHOLDT TOOL SALES, LLC \$928.98; MAC'S INC \$1,100.96; MARCO INC \$492.80; MB LLC \$88.00; MCKESSON MEDICAL-SURGICAL GOVERNMENT SOLUTIONS \$42.36; MIDSTATES PRINTING \$2,076.50; PANTORIUM CLEANERS INC. \$28.00; R.D. OFFUTT COMPANY \$351.06; RDO EQUIPMENT CO. - AG \$17,639.08; ROLAND L. MOERKE \$727.40; RUNNINGS \$392.43; SATELLITE TRACKING OF PEOPLE, LLC \$1,404.00; SEWER DUCK INC \$325.00; TITAN MACHINERY - ABERDEEN NH \$5,194.27; US FOODS \$7,640.81 Travel & Conference: MARK MILBRANDT \$248.00 Utilities: AT&T MOBILITY \$249.08; CITY OF ABERDEEN \$1,234.61; MIDCONTINENT COMMUNICATIONS \$343.61; NORTHWESTERN ENERGY & COMMUNICATIONS \$14,976.49; QWEST CORPORATION \$1,436.79; TOWN OF FREDERICK \$76.00 Rentals: ROLAND L. MOERKE \$120.45 Others: SD ASSOC OF COUNTY COMMISSIONERS \$2,150.00; SAFE HARBOR \$1,547.40; SD ASSOC. OF COUNTY OFFICIALS \$958.00

All members present voting aye. Motion carried.

#### HR REPORT:

Moved by Wiese, seconded by Gage to approve the following HR report:

- Acknowledge resignation of Austin Kurkowski, Brown County Jail Correctional Officer; full-time; effective February 2, 2022 and approve request to fill vacancy.
- Approve regrouping of Sam Mouna, Brown County HD Supervisor, back to the step schedule with the rest of Sergeants and Supervisors; wage \$24.80; effective December 26, 2021.
- Approve hiring of Dacotah Prairie Museum Intern.
- Approve personal miles driven for December 2021 and January 2022 as follows: December 2021 at .56 per mile: Kendall Titze 114 miles at \$63.84; John Florey 132 miles at \$73.92; Dirk Rogers 760 miles @ \$425.60; Mike Scott 150 miles @ \$84.00. January 2022 at .585 per mile: Kendall Titze 90 miles @ \$52.65; John Florey 126 miles @ 73.71; Dirk Rogers 684 miles @ \$400.14; Mike Scott 190 @ \$111.15.

All members present voting aye. Motion carried.

#### APPENDIX A – WELFARE GUIDELINES:

Commissioner Fjeldheim offered the following Resolution:

#### RESOLUTION #09 - 22

WHEREAS, Title 2, Second Revision Brown County Ordinance, as amended, required the Brown County Commission, to adopt rules, regulations and appendices necessary for the implementation of a County Welfare Program, in accordance with SDCL 28-13, and

WHEREAS, the rules, regulations and appendices necessary for the implementation of a County Welfare Program were adopted by Resolution #23-16, dated April 5, 2016, and

WHEREAS, Roxy Hilgenberg Brown County Welfare Director recommended changes to the fees contained in Appendix A – Income Eligibility/Determination Tests.

NOW, THEREFORE BE IT RESOLVED that the Brown County Commission amend the fees contained in Appendix A – Income Eligibility/Determination Tests, as follows:

#### Appendix A - Income Eligibility/Determination Tests

##### Poverty Guidelines

Family Size	Monthly
1	\$1,383
2	\$1,868
3	\$2,353
4	\$2,839
5	\$3,324
6	\$3,809
7	\$4,295
8	\$4,780

(each additional household member – add \$486/month).

Dated this 08th day of February, 2022.

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

##### MEMORANDUM OF UNDERSTANDING – CIVIL AIR PATROL:

Moved by Wiese, seconded by Gage to approve and authorize chair sign memorandum of understanding between Brown County Emergency Management and The Civil Air Patrol for placement of radio gateway stations. All members present voting aye. Motion carried.

##### LEASES:

Moved by Feickert, seconded by Wiese to approve the following lease agreements: Paula Kornder for lease of Richmond Lake Youth Camp May 28<sup>th</sup>, 2022 with approved alcohol permission form; 4-H Horse Club lease of Akkerman Arena June 22, 2022; 4-H Rodeo for lease of Akkerman Arena July 1-3, 2022; 4-H Hub City Livestock Expo for lease of Expo Addition, Hog and Sheep Barn, Poultry Barn June 1 -5, 2022. All members present voting aye. Motion carried.

##### ABATEMENT:

Moved by Fjeldheim, seconded by Wiese to approve the following abatement: Dan Kimball LT 101,103,105,107 James St Pecks Add Columbia (Solid waste removal as empty lots). All members present voting aye. Motion carried.

##### PUBLIC COMMENT:

Community member inquired about the results of the jail study and when the public hearing on the study would be.

##### 2022 LIBRARY CONTRACT:

Discussion on following up on the library contract negotiation with the City of Aberdeen.

##### ADJOURNMENT:



Moved by Fjeldheim, seconded by Feickert to adjourn the Brown County Commission at 9:33 a.m. All members present voting aye. Motion carried.

Cathy McNickle, Brown County Auditor

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## FEBRUARY 15, 2022 – GENERAL MEETING

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

### APPROVAL OF AGENDA:

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

### ORDINANCE 212 – FIRST READING:

Moved by Feickert, seconded by Gage to approve first reading of proposed ordinance 212. Applicant Brown County Planning and Zoning Office requesting to rezone the following property from Chapter 4.07 Mini-Ag District (M-AG) to Chapter 4.06 Agriculture Preservation District (AG-P): Previously described Lot 1, Block 2; Lot 4, Block 2; & Lot 5, Block 2, “Whitetail Meadows First Subdivision” in the NW1/4 of Section 26-T123N-R65W of the 5<sup>th</sup> P.M., Brown County, South Dakota. All members present voting aye. Motion carried.

### GRANDSTAND LIGHT, SOUNDS, AND STAGE EQUIPMENT (TMS Contract):

Moved by Feickert, seconded by Wiese to approve and authorize the chair sign the 6-day option with TMS as awarded in the bid and as recommended by the Brown County Fair Board in the amount of \$38,820. All members present voting aye. Motion carried.

### FAIRGROUNDS SOUND:

Moved by Feickert, seconded by Wiese to approve, and authorize chair sign agreement with Pauer Sound & Music for sound and light equipment specific to individual events around the fairgrounds during the fair as recommended by the Brown County Fair Board in the amount of \$12,500. All members present voting aye. Motion carried.

### FAIR SANITATION CREW:

Moved by Wiese, seconded by Gage to approve and authorize chair sign agreement with Darrin Olson to provide sanitation services during the County Fair as recommended by the Brown County Fair Board in the amount of \$14,863. All members present voting aye. Motion carried.

### PORTABLE TOILETS- COUNTY FAIR:

Moved by Feickert, seconded by Wiese to approve and authorize chair sign agreement with Dakota Portable Toilets, Inc for portable toilet service during the County Fair as recommended by the Brown County Fair Board in the amount of \$20,000. All members present voting aye. Motion carried.

### FAIR ENTERTAINMENT – RANDY BUKER:

Moved by Feickert, seconded by Gage to approve and authorize chair sign agreement with Randy Buker for entertainment during the County Fair as recommended by the Brown County Fair Board in the amount of \$5,000. All members present voting aye. Motion carried.

### FAIR UPDATE 2022:

Fair Manager Rachel Kippley announced the theme of the 2022 fair is Celebrating the Red, White & Blue.

### MINUTES:

Moved by Feickert seconded by Wiese to approve the general meeting minutes of February 8, 2022. All members present voting aye. Motion carried.

#### CLAIMS/PAYROLL:

Moved by Gage, seconded by Wiese to approve the following payroll: Commission \$4,503.96; Auditor \$9,637.93; Treasurer \$12,862.91; SA \$27,125.58; SVAWA \$0.00; Maintenance \$7,344.18; Assessor \$15,360.25; Register of Deeds \$8,028.80; VSO \$4,143.28; GIS \$2,483.72; IT \$7,918.83; HR \$4,061.37; Sheriff \$41,675.07; Jail \$56,757.11; Coroner (Voucher) \$0.00; Court Security \$6,726.82; JDC \$26,414.75; Welfare \$2,161.43; Museum \$9,058.53; Parks/Fairgrounds \$3,488.06; Fair Board \$5,050.00; 4-H \$620.00; Weed \$918.14; Planning & Zoning \$5,681.44; Highway \$40,923.37; Dispatch \$35,901.08; Emergency \$4,285.81; Teen Court \$528.96; JDAI \$1,846.15; 24/7 Sobriety \$1,380.30; Landfill \$14,582.49; MATCHING BENEFITS: Fica \$21,644.76; Medicare \$5,062.12; Discovery\_HSA \$864.96.

CLAIMS: Professional Fees: CASS COUNTY SHERIFF'S DEPARTMENT \$54.50; CGI \$216.72; CHRISTOPHER A. HAAR \$278.40; DAKOTA COUNSELING GROUP, LLC \$2,100.00; DAY COUNTY \$1,120.00; DREW BECKER \$200.00; HELMS & ASSOCIATES INC \$520.00; MICHELLE GAIKOWSKI \$19.00; SANFORD HEALTH OCCUPATIONAL MEDICINE ABERDEEN \$129.00; SARA ZAHN \$51.40; SD DEPT OF HEALTH \$1,715.00; WEST PUBLISHING CORP. \$275.05; WEX HEALTH INC. \$179.85; YANKTON COUNTY SHERIFF OFFICE \$100.00

Repairs & Maintenance: ASPHALT ZIPPER, INC. \$657.05; Boyer Trucks \$10.91; DAY COUNTY TREASURER \$494.04; DIAMOND MOWERS INC \$15.79; DIESEL MACHINERY \$300.00; DOUBLE D BODY SHOP INC \$3,803.32; ECOLAB PEST ELIMINATION \$252.61; JOSHUA L. HALSEY \$330.75; KIRK KARLEN \$60.88; MOTOROLA SOLUTIONS, INC \$48,858.31; PIERSON-FORD-LINCOLN -MERCURY \$199.50; POMPS TIRE SERVICE, INC \$516.10; TIMOTHY C. GARDNER \$90.00; TITAN MACHINERY - ABERDEEN NH \$6,698.39; TRANSOURCE TRUCK & EQUIPMENT, INC. \$6,802.73; WALTH SAFETY SERVICE INC \$2,092.39; WOODMAN REFRIGERATION, INC \$120.41

Supplies: KESSLERS \$2.39 ABERDEEN MEDICAL CENTER PHARMACY \$327.39; ADVANCE AUTO PARTS \$160.13; AGTEGRA COOPERATIVE \$4,486.71; ASPHALT ZIPPER, INC. \$28,690.42; Boyer Trucks \$120.70; BRENT A FISCHER \$15.45; CARTNEY BEARING \$48.00; CENTURY BUSINESS PRODUCTS \$110.30; CNA SURETY \$50.00; COLE PAPERS \$302.00; Cook's Correctional \$56.82; DAKOTA OIL \$246.63; DIAMOND MOWERS INC \$507.43; DIESEL MACHINERY \$58.76; DONALD P. PALMER \$121.84; FARNAMS GENUINE PARTS INC \$412.97; FEDEX \$124.05; FULL CIRCLE AG \$5,936.48; GRAHAM TIRE INC \$716.04; KESSLERS \$219.04; Linde Gas & Equipment Inc. \$269.69; MENARDS \$192.65; NELSON SALES & SERVICE, LLC \$28.74; NORTHERN VALLEY COMMUNICATION \$26.76; PANTORIUM CLEANERS INC. \$56.00; PERFORMANCE OIL & LUBRICANTS \$1,502.75; PERFORMANCE RENTALS LLC \$100.00; PIERSON-FORD-LINCOLN -MERCURY \$385.09; PRECISION KIOSK TECHNOLOGIES \$2,700.00; RUNNINGS \$622.90; SANDERS'S SEW-N-VAC, INC \$209.94; STAN HOUSTON EQUIPMENT CO. \$1,397.00; TITAN MACHINERY - ABERDEEN NH \$4,418.47; TRANSOURCE TRUCK & EQUIPMENT, INC. \$1,764.59; TRI STATE WATER \$67.40; WALTH SAFETY SERVICE INC \$7,332.58; WEB WATER BOTTLING COMPANY \$30.00; WEST PUBLISHING CORP. \$1,785.86

Travel & Conference: CITY OF GROTON \$70.74

Utilities: CITY OF ABERDEEN \$376.39; CITY OF HECLA \$182.06; ECONOMY PROPANE LLC \$2,700.43; NORTHERN ELECTRIC COOP, INC \$1,974.60; NORTHERN VALLEY COMMUNICATION \$2,783.97; NORTHWESTERN ENERGY & COMMUNICATIONS \$4,700.76; STATE OF SOUTH DAKOTA \$119.12; VERIZON WIRELESS SERVICES LLC \$200.05; WEB WATER DEVELOPMENT ASSOC. INC. \$84.32

Rentals: ARAMARK UNIFORM & CAREER APPAREL GROUP, INC \$361.00; Linde Gas & Equipment Inc. \$47.62

Others: DIESEL MACHINERY \$49,270.00; WEX HEALTH INC. \$3,000.00

All members present voting aye. Motion carried.

#### HR REPORT:

Moved by Wiese, seconded by Gage to approve the following HR report:

- Acknowledge retirement of Jacquelyn Ormand, Brown County Museum Collections, full-time; effective April 29, 2022.
- Approve re-hiring of Tyler Richards as Brown County Jail Correctional Officer, full-time; starting wage \$19.22 per hour; effective February 22, 2022.

All members present voting aye. Motion carried.

#### APPLICATION FOR OCCUPANCY:

Moved by Feickert, seconded by Gage to approve application for occupancy submitted by Northwestern Energy for occupancy of Brown County Highway Number 11, in section 25, township Westport, Range 125N to section 27, township Garland, range 125N. All members present voting aye. Motion carried.

#### BRIDGE INSPECTION RESOLUTION:

Commissioner Wiese offered the following resolution:

#### RESOLUTION 10-22 BRIDGE REINSPECTION PROGRAM RESOLUTION FOR USE WITH SDDOT RETAINER CONTRACTS

WHEREAS, 23 CFR 650 Subpart C, 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 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 15th day of February 2022 at Aberdeen, South Dakota.

Seconded by Commissioner Feickert. Roll call vote: Commissioner Feickert – aye, Sutton – aye, Wiese – aye, Gage – aye, Fjeldheim – absent. Resolution adopted.

#### LEASES:

Moved by Wiese, seconded by Gage to approve the following lease agreements: Alexis Defea for lease of Clubhouse May 28<sup>th</sup>-29<sup>th</sup>, 2022; Reverend John G. Creel, M.D. (little rock holiness church) for lease of Richmond Lake Youth Camp July 11<sup>th</sup> – 15<sup>th</sup>, 2022 All members present voting aye. Motion carried.

#### PUBLIC COMMENT:

Brown County Employee Union Representatives met to discuss the status of union negotiations and raised concerns over employee wages and the length of the negotiations. Negotiations are scheduled and ongoing. No action taken.

#### EXECUTIVE SESSION:

Commissioner Dennis Feickert raised concern over discussing the proposed regional jail facility in executive session. Moved by Gage, seconded by Wiese to go into executive session to discuss

personnel, contracts, and security per SDCL 1-25-2(1,4,6). All members present voting aye. Motion carried. The chair declared the executive session closed with no action taken. Commissioner Dennis Feickert was in executive session for personal and excused himself for contracts and security.

ADJOURNMENT:

Moved by Gage, seconded by Wiese to adjourn the Brown County Commission at 10:32 a.m. All members present voting aye. Motion carried.

Cathy McNickle, Brown County Auditor

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## FEBRUARY 22, 2022 – GENERAL MEETING

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

### APPROVAL OF AGENDA:

Moved by Fjeldheim, seconded by Wiese to approve the agenda with the removal of the highway appointment and rescheduling the fair concession contract appointment to 8:46am appointment time. All members present voting aye. Motion carried.

### FAIR CONCESSION CONTRACT- ABERDEEN HOCKEY:

Moved by Feickert, seconded by Wiese to approve the concession contract with Aberdeen Hockey to operate the clubhouse concessions during the Brown County Fair. All members present voting aye. Motion carried.

### ORDINANCE 212 – SECOND READING AND ADOPTION:

Moved by Wiese seconded by Gage to approve ordinance 212. Applicant Brown County Planning and Zoning Office requesting to rezone the following property from Chapter 4.07 Mini-Ag District (M-AG) to Chapter 4.06 Agriculture Preservation District (AG-P): Previously described Lot 1, Block 2; Lot 4, Block 2; & Lot 5, Block 2, “Whitetail Meadows First Subdivision” in the NW1/4 of Section 26-T123N-R65W of the 5<sup>th</sup> P.M., Brown County, South Dakota. Roll call vote: Commissioner Feickert – aye, Sutton – aye, Wiese – aye, Gage – aye, Fjeldheim – aye. Ordinance adopted.

### BID OPENING – WASTE TIRE:

Place and time as advertised, to open read and consider bids for waste tire removal at the landfill.

Moved by Wiese, seconded by Feickert to award lowest bid from Saber Sherd solution in the amount of \$215.00 per ton and reject bid from Liberty Tire in the amount of \$223.35 per ton. All members present voting aye. Motion carried.

### BID OPENING – WOOD WASTE GRINDING:

Place and time as advertised, to open read and consider bids for wood waste grinding at the landfill.

Moved by Feickert, seconded by Wiese to award sole bidder, Dakota Wood-Grinding, Inc in the amount of \$650 per hour plus \$2,500 mobilization fee. All members present voting aye. Motion carried.

### JAIL SURVEY – HMN ARCHITECTS:

HMN Architects met to present the finding of the jail survey. Discuss included projected jail service needs and financial cost analysis. Jail survey is on file with the Brown County Auditor and available for public inspection. No action taken.

### MINUTES:

Moved by Wiese seconded by Gage to approve the general meeting minutes of February 15, 2022. All members present voting aye. Motion carried.

### CLAIMS:

Moved by Gage, seconded by Wiese to approve the following claims:

Professional Fees: ASPIRE INC \$10,000.00; CGI \$2,663.08; DAKOTABILITIES \$1,440.00; DEPENDABLE SANITATION INC \$26,652.60; DREW BECKER \$200.00; HMN Architects, Inc. \$5,063.02; IMEG Corp \$20,175.00; KRISTI BRANDT \$109.40; LIVE, INC. \$720.00; MICHELLE GAIKOWSKI \$19.00; NE MENTAL HEALTH CENTER \$1,716.00; SANFORD HEALTH OCCUPATIONAL MEDICINE ABERDEEN \$672.00; SHI INTERNATIONAL CORP \$840.00; STATE OF SOUTH DAKOTA \$6,150.00 Publishing: GateHouse Media South Dakota Holdings, Inc. \$1,866.62 Repairs & Maintenance: SCHWAN WELDING \$4,744.85; LEIDHOLT ELECTRIC LLC \$132.65; RDO EQUIPMENT CO. - AG \$274.75; SANDERS'S SEW-N-VAC, INC \$66.87; SEWER DUCK INC \$185.00; STATE OF SOUTH DAKOTA \$2,840.00; TIMOTHY C. GARDNER \$124.00; WESTERN STATES FIRE CO \$575.00; Wooden Mallet Custom LLC \$4,948.99 Supplies: ARAMARK UNIFORM & CAREER APPAREL GROUP, INC \$101.04; CHARM-TEX \$64.90; Chelsea Jo Nelson \$437.00; COLE PAPERS \$1,293.48; DAKOTA STRUCTURED CABLING \$288.08; DANIEL J. HEINZ \$625.00; FASTENAL CO \$35.91; GRAHAM TIRE INC \$16.20; HOUSE OF GLASS \$150.38; JENSEN ROCK & SAND INC \$18,727.20; KAREN SWANK \$16.00; LEIDHOLDT TOOL SALES, LLC \$307.05; MIDSTATES PRINTING \$1,041.00; PHARMCHEM \$695.99; SHI INTERNATIONAL CORP \$9,350.00 Travel & Conference: SDSU EXTENSION \$36.80 Utilities: DEPENDABLE SANITATION INC \$513.00; JAMES VALLEY TELECOMMUNICATIONS \$233.90; NORTHERN VALLEY COMMUNICATION \$3,468.73; NORTHWESTERN ENERGY & COMMUNICATIONS \$4,802.52; QWEST CORPORATION \$60.86; VERIZON WIRELESS SERVICES LLC \$2,926.05 Others: ABERDEEN DEVELOPMENT CORPORATION \$15,000.00; AREA IV NUTRITION \$3,000.00; AVERA ST. LUKE'S \$25,000.00; BOYS & GIRLS CLUB \$5,000.00; BUTLER MACHINERY CO \$121,458.89; CITY OF ABERDEEN \$1,000.00; CITY OF GROTON \$6,000.00; CITY OF HECLA \$800.00; EMMA BURNHAM PUBLIC LIBRARY \$1,000.00; GROTON COMMUNITY TRANSIT, INC \$1,000.00; WARNER LIBRARY \$1,000.00

All members present voting aye. Motion carried.

#### HR REPORT:

Moved by Fjeldheim, seconded by Wiese to approve the following HR report:

- Acknowledge resignation of Joshua Moore, Brown County Jail Correctional Officer, full-time; effective March 1, 2022 and approve request to fill vacancy.

All members present voting aye. Motion carried.

#### LAND LEASES – SET HEARING AND AUTHORIZE ADVERTISING:

Moved by Wiese, seconded by Feickert authorize advertising public hearing to open, read and consider bids for the following land leases at 8:50 a.m., on March 15, 2022 in the Commissioner's Chambers, Courthouse Annex, Brown County, SD. Bid will be accepted for lease of approximately 38 acres east of the Brown County Fairgrounds and approximately 21 acres at the Richmond Youth Camp. Detailed specifications are on online at Brown.SD.US, on file in the Brown County Auditor's Office and the Brown County Fair Office and may be obtained at no charge. All members present voting aye. Motion carried.

#### ABATEMENTS:

Moved by Fjeldheim, seconded by Wiese to approve the following abatements: Trent Tapani (BK D Edwards 1<sup>st</sup> SD SE 26-124-64 (10AC) (incorrect structure assessed for parcel) @ \$1,328.50; Todd Black (BOLS LT 2 HAPI 2020-1 SD NE NW 6-123-63 NE NW 6-123-63 detached garage) (BOLS moved out of county) @ \$30.60; Aberdeen City (BOLS HANGAR #4530 LT 1 Aberdeen Regional Airport SD 21-123-63) (non exempt to exempt) @ \$582.40; Craig Larson (LT 4&5 BK 39 1<sup>st</sup> Add & V/S Frederick E2 11-127-64) (SW and SW SLS Tax BOLS abandoned and deemed uncollectible) @ \$34.49; Eric Kramp (BOLS #85 Eisenbeis CT S 300 LT 1 Peirsons SD & N2 V?S (1<sup>st</sup> Ave SE) 18-123-63 Ex HWY 1970 American 12x50 VIN GJ080996 (home no longer exists) @ 48.51; Taylor J Assarsson (BOLS Lakeside Est W2 26-123-64 1973 Marshfield 14x70 VIN# 17232) (home no longer exists) @ 84.59; Gary Knapp, Laura Devine ( BOLS

Lakeside Est W2 26-123-64 1981 Sharlo 16x70 8357 (home no longer exists) @ 152.33; Ronald Arnold, Sandra Arnold (BOLS Lakeside Est W2 26-123-64 1973 Astra 14x65 VIN#1305) (home no longer exists) @ 15.89; Naleen Doll (BOLS Lakeside Est W2 26-123-64 1971 Dickman 14x70 VIN353) (Home no longer exists) @ \$5.28; Lucas Merkel, Taylor Ronke (BOLS Se 12-122-60 1996 Marshfield 16x80 VIN#069190 (Home no longer exists) @ \$110.58; Jamison Marshall (BOLS Country Vlg #114 SE 34-124-64 1976 American 14x67 VIN#KADH08A2560031A) (home no longer exists) @ \$29.70. All members present voting aye. Motion carried.

#### SURPLUS REQUEST:

Moved by Fjeldheim, seconded by Feickert to approve the request to surplus for disposal at the landfill Canon Image Runner copier (SNXDZ9134) in the Veteran Service Office. Copier is no longer operational. All members present voting aye. Motion carried.

#### PLATS:

##### RESOLUTION #11-22 B AND B OUTLOTS

Commissioner Wiese brought the following resolution: Be it resolved by the County Commission of Brown County, South Dakota, that the plat showing "B and B Outlots in the NE1/4 of Section 23, Township 123 North, Range 63 West of the 5<sup>th</sup> 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 Gage. Roll call vote: Commissioner Feickert – aye, Sutton – aye, Wiese – aye, Gage – aye, Fjeldheim – aye. Resolution adopted.

##### RESOLUTION #12-22 S & R Rozell Addition

Commissioner Wiese brought the following resolution: Be it resolved by the County Commission of Brown County, South Dakota, that the plat showing "S and R Rozell Addition in the NE1/4 of Section 1, Township 121 North, Range 65 West of the 5<sup>th</sup> 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 Gage. Roll call vote: Commissioner Feickert – aye, Sutton – aye, Wiese – aye, Gage – aye, Fjeldheim – aye. Resolution adopted.

#### ZONING ORDINANCES - SET HEARING/AUTHORIZE ADVERTISING:

Moved by Wiese, seconded by Gage to set hearing and authorize advertising for first reading of the following zoning ordinances to be held March 15, 2022 in the Commissioner's Chambers, Courthouse Annex, Brown County, SD at 8:45 a.m.: Proposed ordinance 213, applicant Neil Bellikka requesting to move from Chapter 4.06 Agriculture Preservation District (AG-P) to Chapter 4.14 Highway Commercial District (HC): Proposed Outlot 1 and Outlot 2, "B and B Outlots" in the NE ¼ of Section 23-T123N-R63W of the 5<sup>th</sup> P.M., Brown County, South Dakota. (39265 & 39285 133<sup>rd</sup> St); Proposed ordinance 214, applicant Roger Spanier requesting to move from Chapter 4.06 Agriculture Preservation District (AG-P) to Chapter 4.07 Mini Ag District (M-AG): "Spanier Outlot A" in the NW1/4 of Section 25-T123N-R60W of the 5<sup>th</sup> P.M., Brown County, South Dakota. (41125 134<sup>th</sup> st); Proposed ordinance 215 amending Second Revision Brown County Ordinances, Title 4 Zoning, Chapters 4.01 Definitions, 4.06 Agriculture Preservation District (AG-P), 4.07 Mini Agriculture District (M-AG), 4.15 Light Industrial District (LI), and 4.16 Heavy Industrial (HI). The proposed ordinance will be made available for public inspection at the Brown County Auditor's Office or Brown County Planning and Zoning Office during regular business hours. All members present voting aye. Motion carried.



**BID - COURTHOUSE ANNEX ROOF – SET HEARING AND AUTHORIZE ADVERTISING:**

Moved by Feickert, seconded by Wiese authorize advertising public hearing to open, read and consider bids for Roofing Contractors at 8:50 a.m., on March 15, 2022 in the Commissioner's Chambers, Courthouse Annex, Brown County, SD. Project to be bid is to remove existing fully adhered and rock ballasted rubber roof system and replace upper roof with a fully adhered roofing system, and the remaining two (2) sections with a rock ballasted roofing system on the Brown County Annex Building, 25 Market Street, Aberdeen, South Dakota. Bid specs are available online at Brown.SD.US, on file in the Brown County Auditor's Office and the Brown County Maintenance Office and may be obtained at no charge. All members present voting aye. Motion carried.

**SHERIFF REPORTS:**

Moved by Fjeldheim, seconded by Wiese to approve the following January 2022 Sheriff Report: Incidents and offenses, Prisoner care, JDC, and Money deposited with the County Treasurer. All members present voting aye. Motion carried.

**ELM LAKE DUMPSITE AGREEMENT:**

Moved by Feickert, seconded by Fjeldheim to approve and authorize the chair sign agreement for lease of land from Brad Hart for Landfill dumpsters near Elm Lake in the amount of \$1,500. All members present voting aye. Motion carried.

**PUBLIC COMMENT:**

Commissioner Feickert gave a report on the state weed and pest board. No action taken.

**EXECUTIVE SESSION:**

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

**ADJOURNMENT:**

Moved by Wiese, seconded by Gage to adjourn the Brown County Commission at 11:17 a.m. All members present voting aye. Motion carried.

Cathy McNickle, Brown County Auditor

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## MARCH 01, 2022 – GENERAL MEETING

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

### APPROVAL OF AGENDA:

Moved by Fjeldheim, seconded by Feickert to approve the agenda. All members present voting aye. Motion carried.

### APPLICATION FOR OCCUPANCY:

Moved by Fjeldheim, seconded by Gage to approve the following applications for occupancy: Applications made by Northern Valley Communications to bore under roads for telecommunications in the following locations: Brown County Highway 18, section 1/12/13/24/7, township 121, range 62/61; Brown County Highway 23/18, section 3/2/1/6/5/4/3/2/1, township 121, range 62-61; Brown County Highway 16B, section 21, township 122, range 62; Brown County Highway 16C, Section 8, Township 121, Range 62; Brown County Highway 16, section 19/18/7/8, township 121, range 62; Brown County Highway 25/16, section 19/30/29, township 121, range 62, Brown County, South Dakota. All members present voting aye. Motion carried.

### HIGHWAY DEPARTMENT UPDATE:

Highway superintendent Dirk Rogers gave an update on staffing levels being adequate and upcoming projects.

### MINUTES:

Moved by Feickert, seconded by Gage to approve the general meeting minutes of February 22, 2022. All members present voting aye. Motion carried.

### CLAIMS/PAYROLL:

Moved by Gage, seconded by Wiese to approve the following claims/payroll: Payroll: Commission \$4,503.96; Auditor \$9,591.19; Treasurer \$12,755.33; SA \$26,250.77; SVAWA \$0.00; Maintenance \$7,829.20; Assessor \$15,242.96; Register of Deeds \$8,028.80; VSO \$4,143.28; GIS \$2,483.72; IT \$7,366.31; HR \$4,061.37; Sheriff \$42,571.95; Jail \$51,697.54; Coroner (Voucher) \$0.00; Court Security \$6,990.62; JDC \$25,732.04; Welfare \$2,161.43; Museum \$8,702.12; Parks/Fairgrounds \$4,095.74; Fair Board \$4,720.00; 4-H \$620.00; Weed \$3,548.86; Planning & Zoning \$5,728.35; Highway \$38,965.83; Dispatch \$37,131.24; Emergency \$4,285.81; Teen Court \$684.00; JDAI \$1,846.15; 24/7 Sobriety \$1,416.63; Landfill \$14,810.04; Matching benefits: Wellmark Blue Cross Blue Shield \$21,332.54, Delta Dental \$7,685.80, Dearborn \$1,064.54, SDRS Retirement \$44,973.16, FICA \$21,332.54, Medicare \$4,989.03, Discovery HSA \$864.96.

CLAIMS: Professional Fees: AVERA ST. LUKE'S \$30.00; CHRISTY GRIFFIN-SERR LAW OFFICE \$8,541.67; COGLEY LAW OFFICE, PROF LLC \$8,541.67; DAKOTA COUNSELING GROUP, LLC \$2,100.00; DOHRER LAW OFFICE \$8,541.67; ELECTIONS SYSTEMS & SOFTWARE LLC \$6,700.00; JERALD M. MCNEARY \$8,541.67; KRISTI SPITZER \$600.00; KUCK LAW OFFICE \$8,541.67; LINCOLN COUNTY TREASURER \$254.46; LUMEN \$201.31; TAMMY STOLLE COURT REPORTING \$25.55; YANKTON COUNTY SHERIFF OFFICE \$50.00; YANKTON COUNTY TREASURER \$125.00 Publishing: ARGUS LEADER \$45.41; GateHouse Media South Dakota Holdings, Inc. \$25.16 Repairs & Maintenance: LIEN TRANSPORTATION COMPANY \$525.00; MARK NELSON \$887.00; STEVEN LUST AUTOMOTIVE \$168.83; TIMOTHY C. GARDNER \$615.03 Supplies: COLE

PAPERS \$2,034.68; DAKOTA SUPPLY GROUP \$383.81; GREAT WESTERN STATES SUPPLY CO. \$1,015.14; LARRY BECKER \$381.75; MARCO INC \$22.82; MENARDS \$540.50; MIDSTATES PRINTING \$308.00; PAUER SOUND & MUSIC INC \$344.00; RUNNINGS \$201.97; SHERWIN WILLIAMS \$134.16; TITAN MACHINERY - ABERDEEN NH \$159.03 Travel & Conference: CHRIS HEMEN \$66.00; DEAN ZUMBAUM \$48.00; Heartland CISM \$350.00; JERRY LEHRKAMP \$66.00; JOHN FLOREY \$48.00; Joshua Ulmer \$48.00; MICHAEL WIESE \$154.16; MIKE ROHRBACH \$66.00 Utilities: MONTANA DAKOTA UTILITIES CO \$43.09; NORTHWESTERN ENERGY & COMMUNICATIONS \$3,356.16; QWEST CORPORATION \$1,188.29 Others: BROWN COUNTY TREASURER \$1,648.55; DIESEL MACHINERY \$174,430.00; SD ASSOC OF COUNTY COMMISSIONERS \$4,014.00; SD DEPT OF AGRICULTURE & NATURAL RESOURCES \$3,799.70

All members present voting aye. Motion carried.

#### HR REPORT:

Moved by Gage, seconded by Feickert to approve the following Human Resource Report:

- Acknowledge resignation of Jonathan Sorensen, Brown County Communications Dispatcher, full-time; effective March 10, 2022 and approve request to fill vacancy.

All members present voting aye. Motion carried.

#### UNCOLLECTABLE TAX LIST:

Moved by Feickert, seconded by Gage to acknowledge uncollectible tax list as submitted by Patty VanMeter, Brown County Treasurer. All members present voting aye. Motion Carried.

#### AUDITOR REPORT OF ACCOUNTS:

Moved by Fjeldheim, seconded by Gage to approve the following Auditor Report of Accounts:

**September 2021:** Total Cash and Checks on Hand 7700 Total Checking Account Balances: 17346953.71 Total Savings Account Balances: 4825447.42 Total Certificates of Deposit: 3976798.16 Grand Total Cash and Balances: 26156899.29 General Fund Cash and Investment Balances by Funds: General Fund 8781703.5 Road & Bridge Fund 3626202.35 Road & Bridge Fund - restricted 423243.27 911 Service 1283587.68 Emergency & Disaster 198680.32 Domestic Abuse 3154.33 Teen Court 12807.72 Grant 32.11 JDAI -17661.73 Richmond Youth 21916.96 24/7 Sobriety 56477.48 ROD M&P 111073.48 American Rescue Plan Federal Grant 3772010 Rural Access Infrastructure 97293.66 Tif Debt Service 6849.56 Landfill + cash change 2731966.68 Landfill - restricted 1400479.44 Trust and Agency Funds 3647082.48 GRAND TOTAL GENERAL FUND CASH AND INVESTMENTS 26156899.29; **December 2021:** Total Cash and Checks on Hand 7700 Total Checking Account Balances: 15552224.84 Total Savings Account Balances: 6025447.42 Total Certificates of Deposit: 3978174.09 Grand Total Cash and Balances: 25563546.35 General Fund Cash and Investment Balances by Funds: General Fund 12080728.51 Road & Bridge Fund 2550079.05 Road & Bridge Fund - restricted 423243.27 911 Service 1032529.59 Emergency & Disaster 170574.19 Domestic Abuse 1547.4 Teen Court 4141.26 Grant 32.11 JDAI -3018.89 Richmond Youth 21916.96 24/7 Sobriety 50188.58 ROD M&P 109779.64 American Rescue Plan Federal Grant 3772057.66 Rural Access Infrastructure 95415.63 Tif Debt Service 1081.68 Landfill + cash change 2819735.59 Landfill - restricted 1421179.03 Trust and Agency Funds 1012335.09 GRAND TOTAL GENERAL FUND CASH AND INVESTMENTS 25563546.35. All members present voting aye. Motion carried.

#### LEASES:

Moved by Feickert, seconded by Gage to approve the following lease agreements: Brown County Jail for lease of Richmond Lake Youth Camp June 3-5<sup>th</sup>, 2022; Aberdeen Home Builders Association for lease of Holum Expo Building March 4-6<sup>th</sup>, 2022. All members present voting aye. Motion carried.

#### PUBLIC COMMENT:

Commissioner Feickert gave an update on SB 198 to revise provision related to juvenile offenders.

ADJOURNMENT:

Moved by Feickert, seconded by Fjeldheim to adjourn the Brown County Commission at 9:20 a.m. All members present voting aye. Motion carried.

Cathy McNickle, Brown County Auditor

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#### MARCH 08, 2022 – GENERAL MEETING

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

#### APPROVAL OF AGENDA:

Moved by Fjeldheim, seconded by Feickert to approve the agenda. All members present voting aye. Motion carried.

#### AMERICAN RESCUE PLAN ACT – EXPENDATURE:

Moved by Fjeldheim, seconded by Gage to authorize salaries and county paid employee benefits from the general fund as a general government service expenditure qualified by the American Rescue Plan Act Grant Loss Revenue Replacement award in the amount of \$7,554,020. All members present voting aye. Motion carried.

#### JAIL FACILITY PURCHASE:

Moved by Wiese, seconded by Sutton to accept offer to purchase a facility to remodel into a regional jail from the Aberdeen Development Corporation in the amount of \$4,500,000. (2914 Industrial Ave, Aberdeen, SD 57401). Purchase agreement will be drafted and closing to occur before April 1, 2022. Motion includes amendment referenced below. Roll call vote: Commissioner Fjeldheim – Aye, Wiese – Aye, Gage – Aye, Feickert – Nay, Sutton – Aye. Motion carried.

Moved by Fjeldheim, seconded by Wiese to amend initial motion for jail facility purchase to include the following clause on the purchase of the building. Regional jail project status update and funding commitment review to occur after April 1, 2023. 40% of \$30,000,000 or \$12,000,000 in funding commitments should be secured by April 1, 2023. If funding commitments are not secured by April 1, 2023, Brown County Commission will sell 2914 Industrial Ave. Roll call vote on amendment: Commissioner Fjeldheim – Aye, Wiese – Aye, Gage – Aye, Feickert – Nay, Sutton – Aye. Motion carried.

#### ASSIGNED REVENUE – CAPITAL IMPROVEMENTS:

Moved by Fjeldheim, seconded by Gage to approve the use of the assigned revenue for capital improvements in the amount of \$3,336,440.68 toward the purchase of 2914 Industrial Ave Aberdeen, SD 57401. Roll call vote: Commissioner Fjeldheim – Aye, Wiese – Aye, Gage – Aye, Feickert – Nay, Sutton – Aye. Motion carried.

#### BUDGET SUPPLEMENT DISCUSSION:

Cathy McNickle (County Auditor) informed the board the purchase of the regional jail facility was not budgeted for in 2022 budget and will require a formal budget supplement. Budget supplement hearing will occur at a future county commission meeting. No action taken.

#### MINUTES:

Moved by Feickert, seconded by Fjeldheim to approve the general meeting minutes of March 01, 2022. All members present voting aye. Motion carried.

#### CLAIMS:

Moved by Gage, seconded by Wiese to approve the following claims: Professional Fees: BROWN COUNTY TREASURER \$21.20; Aberdeen ED \$69.28; AMG PSYCHIATRY \$153.92; AVERA ST. LUKE'S \$2,426.22; CERTIFIED LANGUAGES INTERNATIONAL LLC \$384.45; DEVNET \$3,445.31; Heather Molan \$200.00; HELMS & ASSOCIATES INC \$250.00; LANGUAGE LINE SERVICES INC \$275.94; LEXISNEXIS RISK DATA MGMT INC. \$150.00; MICHELLE GAIKOWSKI \$133.00; MICROFILM IMAGING SYSTEMS, INC. \$1,224.00; MINNEHAHA COUNTY AUDITOR \$824.64; Radiology - North Center \$432.00; SANFORD CLINIC ABERDEEN \$142.15; SANFORD HEALTH OCCUPATIONAL MEDICINE ABERDEEN \$114.00; SCHNEIDER GEOSPATIAL, LLC \$2,523.00; SD STATE 4-H OFFICE \$105.00; SHI INTERNATIONAL CORP \$333.00; YANKTON COUNTY TREASURER \$387.55 Publishing: HUB CITY RADIO \$300.00 Repairs & Maintenance: B & B CONTRACTING INC \$940.50; CRAWFORD M S & F INC \$1,108.00; DAKOTA DOORS INC \$148.98; DAKOTA FLUID POWER INC \$794.96; DIESEL MACHINERY \$86.01; JASON'S ELECTRIC INC \$178.24; LAWSON PRODUCTS, INC \$14.72; MARK KOLB \$250.00; PANTORIUM CLEANERS INC. \$447.20; PIERSON-FORD-LINCOLN -MERCURY \$59.95; POMPS TIRE SERVICE, INC \$925.76; R.D. OFFUTT COMPANY \$1,500.00; RDO EQUIPMENT CO. - AG \$7,998.80; SMART CHOICE SOLUTIONS LLC \$2,665.00; TITAN MACHINERY - ABERDEEN NH \$2,285.05; TRANSOURCE TRUCK & EQUIPMENT, INC. \$4,855.49 Supplies: ADVANCED DRAINAGE SYSTEMS, INC. \$24,755.60; AGTEGRA COOPERATIVE \$42,534.00; BAKKEN BUILD MAINTENANCE \$500.00; BORNS GROUP \$9,432.95; BUTLER MACHINERY CO \$113.52; CARTNEY BEARING \$59.76; CENTURY BUSINESS PRODUCTS \$13.43; COLE PAPERS \$1,723.63; CRAWFORD M S & F INC \$504.76; CRAWFORD TRUCKS & EQUIPMENT \$845.24; DAKOTA FLUID POWER INC \$1,677.91; DIESEL MACHINERY \$1,053.92; EARTHGRAINS BAKING CO. INC. \$709.61; EAST SIDE JERSEY DAIRY, INC \$768.22; FASTENAL CO \$194.35; FULL CIRCLE AG \$3,188.95; GRAHAM TIRE INC \$16.20; GREAT WESTERN TIRE INC \$5,164.58; Henry Fulda \$12.74; KAREN SWANK \$228.00; L & O ACRES TRANSPORT INC \$2,439.00; LAWSON PRODUCTS, INC \$164.47; LEIDHOLDT TOOL SALES, LLC \$22.98; MAC'S INC \$1,354.34; MB LLC \$120.00; MCKESSON MEDICAL-SURGICAL GOVERNMENT SOLUTIONS \$13.04; MENARDS \$196.80; MIDSTATES PRINTING \$437.50; PANTORIUM CLEANERS INC. \$84.00; PHARMCHEM \$912.05; PLUMBING & HEATING WHOLESALE, INC. \$149.94; RDO EQUIPMENT CO. - AG \$7,374.62; ROLAND L. MOERKE \$426.25; RUNNINGS \$262.96; SATELLITE TRACKING OF PEOPLE, LLC \$1,524.25; SD LAW REVIEW - UNIVERSITY OF SD \$35.00; SHERWIN WILLIAMS \$218.60; SIMON SOLUTIONS, INC. \$162.00; STAN HOUSTON EQUIPMENT CO. \$419.00; TRANSOURCE TRUCK & EQUIPMENT, INC. \$2,200.35; TRI STATE WATER \$35.00; US FOODS \$7,473.81 Travel & Conference: REGENCY MIDWEST VENTURES LIMITED PARTNERSHIP \$288.00; DENNIS WIEDEBUSH \$90.24; DUANE JARK \$139.12; Kyle Price \$74.00; MARK MILBRANDT \$278.00; PATTI WOODS \$95.88; Pramukhrai Huron LLC \$827.91 Utilities: AT&T MOBILITY \$249.08; CITY OF ABERDEEN \$1,054.31; ECONOMY PROPANE LLC \$4,418.26; MIDCONTINENT COMMUNICATIONS \$268.75; NORTHERN ELECTRIC COOP, INC \$684.32; NORTHWESTERN ENERGY & COMMUNICATIONS \$13,835.62; TOWN OF FREDERICK \$76.00; TRANSOURCE TRUCK & EQUIPMENT, INC. \$138.22 Others: SAFE HARBOR \$760.02; SD ASSOC. OF COUNTY OFFICIALS \$984.00; SD DEPT OF AGRICULTURE & NATURAL RESOURCES \$3,573.80

All members present voting aye. Motion carried.

#### HR REPORT:

Moved by Feickert, seconded by Fjeldheim to approve the following Human Resource Report:

- Acknowledge resignation of Samantha McQuarie, Brown County Jail Correctional Officer, full-time; effective March 02, 2022 and approve request to fill vacancy.
- Acknowledge retirement of David Bruckner, Brown County Highway Labor Grade 5, full-time; effective April 15, 2022 and approve request to fill vacancy.

- Approve hiring of Barbara Wacholz as Brown County Jail Correctional Officer, full-time; starting wage \$18.87 per hour; effective March 8, 2022
- Approve hiring of Jakob McKittrick as Brown County Jail Correctional Officer, full-time; starting wage \$18.87 per hour; effective March 8, 2022
- Approve hiring of Christian Van Oss as Brown County Jail Correctional Officer, full-time; starting wage \$18.87 per hour; effective March 22, 2022

All members present voting aye. Motion carried.

#### 2021 FINANCIAL REPORT:

Moved by Fjeldheim, seconded by Gage, to accept the 2021 Financial Reports as presented March 8, 2022, 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.

#### BID – STRUCTURE AND APPROACH GRADING – SET HEARING AND AUTHROIZE ADVERTISING:

Moved by Feickert, seconded by Gage to authorize advertising public hearing to open, read and consider bids for BRO 8007(00)21-1: PCN 08FG Structure and Approach Grading Str. No. 07-110-057; Brown County, SD at 8:45 a.m., on March 29, 2022 in the Commissioner's Chambers, Courthouse Annex, Brown County, SD. Specifications are online at questcdn.com and on file in the Brown County Auditor's Office. All members present voting aye. Motion carried.

#### LEASES:

Moved by Fjeldheim seconded by Gage to approve the following lease agreements: Hub City Radio for lease of Expo Building March 26-27, 2022; Allison Van Veen for lease of Club House May 21-22, 2022. All members present voting age. Motion carried.

#### AUDITOR REPORT OF ACCOUNTS:

Moved by Fjeldheim, seconded by Gage to approve the following Auditor Report of Accounts:  
 January 2022: Total Cash and Checks on Hand 7700 Total Checking Account Balances: 17725640.09 Total Savings Account Balances: 6025447.42 Total Certificates of Deposit: 3978174.09 Grand Total Cash and Balances: 27736961.6 General Fund Cash and Investment Balances by Funds: General Fund 11843975.96 Road & Bridge Fund 2988208.5 Road & Bridge Fund - restricted 423243.27 911 Service 927817.47 Emergency & Disaster 235422.05 Domestic Abuse 2307.42 Teen Court 2967.02 Grant 32.11 JDAI -7916.23 Richmond Youth 21916.96 24/7 Sobriety 47215.68 ROD M&P 109652.64 American Rescue Plan Federal Grant 3772057.66 Rural Access Infrastructure 95415.63 Tif Debt Service 1081.68 Landfill + cash change 2893784.92 Landfill - restricted 1400479.44 Trust and Agency Funds 2979299.42  
 GRAND TOTAL GENERAL FUND CASH AND INVESTMENTS 27736961.6. All members present voting aye. Motion carried.

#### MEMORANDUM OF COMMITMENT – STOP VIOLENCE GRANT:

Moved by Gage, seconded by Fjeldheim to approve and authorize chair sign memorandum of commitment for coordinated response teams for the Stop Violence Against Women Grant. All members present voting aye. Motion carried.

#### ALCOHOL PERMIT- SPECIAL EVENT:

Moved by Fjeldheim, seconded by Feickert to approve special event malt beverage license for Boys & Girls Club of Aberdeen April 1-2, 2022 at the Holm Expo Building during the Bull Riding Classic. All members present voting aye. Motion carried.

#### ADJOURNMENT:

Moved by Feickert, seconded by Fjeldheim to adjourn the Brown County Commission at 10:45a.m. All members present voting aye. Motion carried.

Cathy McNickle, Brown County Auditor

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



#### MARCH 15, 2022 – GENERAL MEETING

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

#### APPROVAL OF AGENDA:

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

#### BID OPENING – COURTHOUSE ANNEX ROOF:

Place and time as advertised, to open read and consider bids for Courthouse Annex Roof. Moved by Feickert, seconded by Gage to award sole bid from Hub City Roofing, Inc in the amount of \$167,000.00. All members present voting aye. Motion carried.

#### QUOTES – AC UNIT 124 S. 1<sup>ST</sup> ST.

Judy Dosch, Building Superintendent presented quotes for 1 Carrier 5 ton roof top unit to replace existing unit at the 124 S. 1<sup>st</sup> St Building. Moved by Weise, seconded by Feickert to accept low quote from Woodman Refrigeration, Inc in the amount of \$12,100, rejecting quote from Custom Sheet Metal, Inc in the amount of \$12,936.00. All members present voting aye. Motion carried.

#### BID OPENING – FAIRGROUNDS LAND LEASE:

Place and time as advertised, to open read and consider bids for Land Lease at the Fairgrounds. Moved by Fjeldheim, seconded by Wiese to award lease to high bidder Don Schumacker at \$90 an acre, rejecting bids from Dustin Griesse at \$85 per acre and Larry Akkermen at \$71 per acre. All members present voting aye. Motion carried.

#### BID OPENING – RICHMOND YOUTH CAMP LAND LEASE:

Place and time as advertised, to open read and consider bids for Land Lease at the Richmond Youth Camp. Moved by Wiese, seconded by Gage to award lease to high bidder Don Schumacker at \$42.50 an acre, rejecting bid from Reid Albrecht at \$35 an acre. All members present voting aye. Motion carried.

#### ORDINANCE 213 – FIRST READING:

Moved by Fjeldheim, seconded by Wiese to approve first reading of proposed ordinance 213. Applicant Neil Bellikka requesting to rezone the following property from Chapter 4.06 Agriculture Preservation District (AG-P) to Chapter 4.14 Highway Commercial District (HC): Proposed Outlot 1 and Outlot 2, “B and B Outlots” in the NE ¼ of Section 23-T123N-R63W of the 5<sup>th</sup> P.M., Brown County, South Dakota. All members present voting aye. Motion carried.

#### ORDINANCE 214 – FIRST READING:

Moved by Wiese, seconded by Gage to approve first reading of proposed ordinance 213. Applicant Roger Spanier requesting to rezone the following property from Chapter 4.06 Agriculture Preservation

District (AG-P) to Chapter 4.07 Mini Ag District (M-AG): "Spanier Outlot A" in the NW1/4 of Section 25-T123N-R60W of the 5<sup>th</sup> P.M., Brown County, South Dakota. All members present voting aye. Motion carried.

#### APPLICATION FOR OCCUPANCY:

Moved by Feickert, seconded by Wiese to approve the following application for occupancy of Brown County Highway Right of Way for potable water line. Application is made by WEB Water Development for occupancy of Brown County Highway Number 6, Section 31, Township 127, Range 64, Brown County, South Dakota. All members present voting aye. Motion carried.

#### APPLICATION FOR OCCUPANCY:

Moved by Wiese seconded by Fjeldheim to approve the following application for occupancy of Brown County Highway Right of Way for telecommunications. Application is made by Northern Valley Communications for occupancy of Brown County Highway Number 20, Section 14,23,26,27, Township 124, Range 60, Brown County, South Dakota; Brown County Highway Number 13, Section 21,22,23/5,3,2, Township 124/123, Range 61/60 Brown County, South Dakota; Brown County Highway Number 12E, Section 29,28,27,26,25, Township 123, Range 60, Brown County, South Dakota; Brown County Highway Number 18, Section 1,36,31,25,24,19,13,18,12,1,6,31 Township 122,123,124 Range 62,61, Brown County, South Dakota; Brown County Highway Number 21, Section 3,11,2,1,18,17,16,15,10,18,17,8,16,15,10 Township 122 Range 62,61,60, Brown County, South Dakota; Brown County Highway Number 20/20A, Section 8,29,32,33,20/10,15,22 Township 127/128 Range 60, Brown County, South Dakota; Brown County Highway Number 18/5 Section 21,22,16,9,4,33,26,22 Township 127,128 Range 61, Brown County, South Dakota; Brown County Highway Number 5,20 Section 22,23,26,25,24,19,20,21,22,23,24,19,20,21,22, Township 128, Range 62/61/60, Brown County, South Dakota. All members present voting aye. Motion carried.

#### LOAD LIMITS:

Commissioner Fjeldheim offered the following Resolution:

#### RESOLUTION #13-22

WHEREAS: Enforce Annual Seasonal Load Restrictions on overweight limits, over width load limits, and speed limits on Brown County Roads. All Brown County oil Roads are posted at 6-ton per axle and truck speed of 40 MPH, with the exception of Brown County Road #10, from Brown County Road #13 (Prairiewood Road) north 2.00 miles is posted at 12-ton gross load limit with truck speed at 40 MPH year round.

WHEREAS: The Brown County Board of Commissioners request that the South Dakota Highway Patrol assist and enforce load restrictions on the posted gross limit per axle and truck speed at 40 MPH as posted by the Brown County Board of Commissioners during the February/March/April spring thaw and breakup period that the roads are posted.

THEREFORE BE IT RESOLVED: That the Brown County Board of Commissioners authorizes the Brown County Highway Department Superintendent to work with the South Dakota Highway Patrol to reduce

weight maximums due to the thawing and excessive moisture and until the roads are free of frost and become stable. SDCL 32-22-25

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

#### DRONE EQUIPMENT PURCHASE:

Moved by Wiese, seconded by Fjeldheim to approve quote from Elite Unmanned LLC for purchase of Autel Robotics EVO II 640T Enterprise Bundle in the amount of \$9,200.00. All members present voting aye. Motion carried.

#### FAIRGROUNDS ELECTRICAL UPGRADES:

Moved by Wiese, seconded by Feickert to approve project for electrical upgrades at the fairgrounds. Low quote awarded to Jim Kramp in the amount of \$18,946, rejecting quotes from Muth Electric at \$84,319.71 and Ringgenberg Electric in the amount of \$36,450.00 All members present voting aye. Motion carried.

#### ELECTRICAL TRANSFORMER PURCHASE:

Moved by Feickert, seconded by Wiese to approve the purchase of increased transformer capacity in the amount of \$5,000 for 60 more camping sites from Northern Electric. All members present voting aye. Motion carried.

#### CAMPING PEDESTALS:

Moved by Wiese, seconded by Feickert to approve spending authority up to \$17,500 to purchase 60 single head camping pedestals. All members present voting aye. Motion carried.

#### BID – SPRAY FOAM CONTRACTORS:

Moved by Feickert, seconded by Wiese to authorize advertising public hearing to open, read and consider bids for either one inch or two inch foam insulation spray on the ceiling of the beef barn located at the Brown County Fairgrounds at 8:45 a.m., on April 5, 2022 in the Commissioner's Chambers, Courthouse Annex, Brown County, SD. Specifications are online brown.sd.us and on file in the Brown County Auditor's Office. All members present voting aye. Motion carried.

#### COUNTY FAIR UPDATE:

Fair Manager, Rachel Kippley gave an update on the 2022 fair. The Rodeo will be live broadcast on the Cowboy Channel. Fair grandstand concerts will have the clear bag policy enforced. Fair board is reviewing camper lot sizes.

#### BROWN COUNTY PROCLAMATION – WELCOME HOME VETERAN'S DAY:

Brown County Proclamation  
A proclamation designating March 29, 2022 as "Welcome Home Veteran's Day"

Whereas, the Vietnam War was fought in Vietnam from 1961 to 1975, and involved North Vietnam and the Viet Cong in conflict with the United States Armed Forces and South Vietnam; and

Whereas, the United States became involved in Vietnam because policymakers in the United States believed that if South Vietnam fell to a Communist government then Communism would spread throughout the rest of Southeast Asia; and

Whereas, members of the United States Armed Forces began serving in an advisory role in the South Vietnamese in 1961; and

Whereas, as a result of the Gulf of Tonkin incidents on August 2, 1964, and August 4, 1964, Congress overwhelmingly passed the Gulf of Tonkin Resolution, on August 7, 1964, which effectively handed over war-making powers to President Johnson until such time as “peace and security” had returned to Vietnam; and

Whereas, in 1965, United States Armed Forces ground combat units arrived in Vietnam; and

Whereas, by the end of 1965, there were 80,000 United States troops in Vietnam, and by 1969 a peak of approximately 543,000 troops was reached; and

Whereas, on January 27, 1973, the Treaty of Paris was signed, which required the release of all United States prisoners-of-war held in North Vietnam and the withdrawal of all United States Armed Forces from South Vietnam; and

Whereas, on March 29, 1973, the United States Armed Forces completed the withdrawal of combat troops from Vietnam; and

Whereas, more than 58,000 members of the United States Armed Forces lost their lives in Vietnam and more than 300,000 members of the Armed Forces were wounded; and

Whereas, members of the United States Armed Forces, who served bravely and faithfully for the United States during the Vietnam War, were caught upon their return home in the crossfire of public debate about the involvement of the United States in the Vietnam War; and

Whereas, it was also the first time in history America failed to welcome its veterans back as heroes; and

Whereas, the establishment of a “Welcome Home Vietnam Veterans Day” would be an appropriate way to honor those members of the United States Armed Forces who served in Vietnam during the Vietnam War; and

Now, therefore be it resolved that the Brown County Commissioners do hereby recognize March 29, 2022 as “Welcome Home Vietnam Veterans Day”. The Brown County Commissioners further honors and recognizes the contributions of veterans of the Armed Forces who served in Vietnam.

Dated this 15th day of March, 2022.

#### MINUTES:

Moved by Feickert, seconded by Fjeldheim to approve the general meeting minutes of March 08, 2022. All members present voting aye. Motion carried.

#### CLAIMS/PAYROLL:

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

Commission \$4,503.96; Auditor \$9,637.93; Treasurer \$12,763.61; SA \$25,658.83; SVAWA \$0.00; Maintenance \$9,640.87; Assessor \$15,215.89; Register of Deeds \$8,028.80; VSO \$4,155.96; GIS \$2,483.72; IT \$7,655.63; HR \$4,061.37; Sheriff \$47,304.05; Jail \$57,561.99; Coroner (Voucher) \$0.00; Court Security \$9,078.21; JDC \$28,651.97; Welfare \$2,161.43; Museum \$8,586.50; Parks/Fairgrounds \$3,779.24; Fair Board \$4,720.00; 4-H \$620.00; Weed \$1,235.82; Planning & Zoning \$5,681.44; Highway \$41,649.70; Dispatch \$39,300.85; Emergency \$4,285.81; Teen Court \$715.92; JDAI \$1,846.15; 24/7 Sobriety \$1,397.45; Landfill \$15,424.98; Matching Benefits: FICA, \$22,569.52, Medicare \$5,278.31, Discovery HSA \$915.84.

Insurance: SD PUBLIC ASSURANCE ALLIANCE-HAGAN INSURANCE \$232,370.34 Professional Fees: AVERA ST. LUKE'S \$519.92; CARLSEN FUNERAL HOME & CREMATORY \$1,360.00; CGI \$465.08; DARCY LOCKWOOD \$6.00; DEPENDABLE SANITATION INC \$24,917.40; GELLHAUS & GELLHAUS, PC \$80.00; LEWIS & CLARK BHS \$552.00; LUCY LEWNO \$110.00; MARK KATTERHAGEN \$6.00; NE MENTAL HEALTH CENTER \$1,378.00; SANFORD CLINIC \$3,143.36; SD DEPT OF HEALTH \$2,025.00; TAMMY STOLLE COURT REPORTING \$13.60; TYLER TECHNOLOGIES INC \$260.00; UNIVERSITY OF NORTH DAKOTA \$2,380.00; WEST PUBLISHING CORP. \$275.05; WEX HEALTH INC. \$175.20; YELLOW ROBE CONSULTING, INC. \$3,000.00 Repairs & Maintenance: BUTLER MACHINERY CO \$118.00; 3E Generator Shop \$390.00; COMMTECH INC. \$7,550.00; DERWIN D. KAMPA \$179.59; ECOLAB PEST ELIMINATION \$117.60; GRAHAM TIRE INC \$239.45; HF JACOBS & SON CONSTRUCTION INC \$131.25; Holland Bros. Oil, Inc \$40.00; HOVEN AUTO REPAIR INC \$73.00; LEIDHOLT ELECTRIC LLC \$823.50; MB LLC \$35.00; POMPS TIRE SERVICE, INC \$299.98; SCOTT DEMERY \$556.30; STEVEN LUST AUTOMOTIVE \$134.99; WOODMAN REFRIGERATION, INC \$966.13 Supplies: ABERDEEN AREA RADIATOR LLC \$850.00; ABERDEEN DOWNTOWN ASSN \$280.00; ABERDEEN MEDICAL CENTER PHARMACY \$407.77; AGTEGRA COOPERATIVE \$16,203.67; APH STORES, INC \$420.81; BEHNKE PIT \$76,476.71; COLE PAPERS \$711.04; CREATIVE PRODUCT SOURCING, INC. \$12.70; DAKOTA OIL \$1,133.15; GRAHAM TIRE INC \$803.80; Holland Bros. Oil, Inc \$4.00; KESSLERS \$94.70; LEIDHOLT ELECTRIC LLC \$1,851.31; Linde Gas & Equipment Inc. \$889.67; LUCY LEWNO \$2.25; MENARDS \$432.13; MIDSTATES PRINTING \$90.00; NORTHWEST DIVERS \$12,627.00; PERFORMANCE RENTALS LLC \$100.00; PRECISION KIOSK TECHNOLOGIES \$2,700.00; RUNNINGS \$1,251.81; SHARE CORP \$720.00; SHERWIN WILLIAMS \$439.20; STATE OF SOUTH DAKOTA \$178.40; WEB WATER BOTTLING COMPANY \$37.50 Travel & Conference: PATTI WOODS \$39.48 Utilities: CITY OF ABERDEEN \$409.57; CITY OF HECLA \$198.42; NORTHERN ELECTRIC COOP, INC \$86.00; NORTHWESTERN ENERGY & COMMUNICATIONS \$4,342.72; QWEST CORPORATION \$60.86; STATE OF SOUTH DAKOTA \$146.55; VERIZON WIRELESS SERVICES LLC \$3,274.64; WEB WATER DEVELOPMENT ASSOC. INC. \$83.86 Rentals: ARAMARK UNIFORM & CAREER APPAREL GROUP, INC \$294.03; Linde Gas & Equipment Inc. \$47.62  
All members present voting aye. Motion carried.

#### HR REPORT:

Moved by Feickert, seconded by Fjeldheim to approve the following Human Resource Report:

- Acknowledge declined offer of Barbara Wacholz, Brown County Jail Correctional Officer, full-time; effective March 8, 2022
- Approve hiring of James Marnette as Brown County Jail Correctional Officer/GPS Coordinator, full-time; starting wage \$18.87 per hour; effective March 21, 2022
- Approve hiring of Anthony Lawson as Brown County Jail Correctional Officer, full-time; starting wage \$18.87 per hour; effective March 22, 2022.
- Acknowledge the following personal miles driven while using county owned vehicle to be taxed at \$.585 per mile: Kendell Titze 96miles @ \$56.16; John Florey 108 miles @ \$63.18; Dirk Rogers 646 miles @ \$377.91; Mike Scott 140 miles @ \$81.90

All members present voting aye. Motion carried.

**FAIR CONTRACTS:**

Moved by Feickert, seconded by Wiese to approve the following fair contracts: Craig Morgan (entertainment); NB Golf Cart for cart rental in the amount of \$19,625.00; Street Smart for rental of portable traffic signal in the amount of \$6,700. All members present voting aye. Motion carried.

**BID – WEED AND PEST CHEMICAL:**

Moved by Feickert, seconded by Gage to authorize advertising public hearing to open, read and consider bids for weed and pest chemical at 8:45 a.m., on April 5, 2022 in the Commissioner's Chambers, Courthouse Annex, Brown County, SD. Specifications are online brown.sd.us and on file in the Brown County Auditor's Office. All members present voting aye. Motion carried.

**OUT OF STATE TRAVEL:**

Moved by Fjeldheim, seconded by Wiese to approve out of state travel for Fair Manager Rachel Kippley, and Fair Board Members Suzanne Moen and Joni Napton to travel to LaCrosse, Wisconsin for IAFE Zone 4 Conference. All members present voting aye. Motion carried.

**LANDFILL REVERSE CREDITS 2021:**

Moved by Fjeldheim, seconded by Feickert to acknowledge the reverse credits at the landfill for 2021 as follows: Ticket 764659 (billing error); Ticket 768319 (billing error). Ticket 76353 (billing error). All members present voting aye. Motion carried.

**CLAIM ASSIGNMENTS:**

Moved by Fjeldheim, seconded by Feickert to authorize auditor to sign claim against an individual to Credit Collections Bureau for the purpose of collecting liens. All members present voting aye. Motion carried.

**FIREWORKS PERMIT:**

Moved by Gage, Seconded by Wiese to approve fireworks permit for Brown County Fair with Lew's Fireworks as Display Vendor for Saturday August 20, 2022 at the Brown County Fairgrounds. All members present voting aye. Motion carried.

**LIBRARY CONTRACT 2022:**

Moved by Wiese, seconded by Feickert to approve contract with Aberdeen City Library in the amount of \$6,000 for county resident library services in 2022. All members present voting aye. Motion carried.

**BID – WAGE STUDY:**

Moved by Feickert, seconded by Gage to authorize advertising public hearing to open, read and consider requests for proposals for a wage study at 8:45 a.m., on April 12, 2022 in the Commissioner's Chambers, Courthouse Annex, Brown County, SD. Specifications are online brown.sd.us and on file in the Brown County Auditor's Office. All members present voting aye. Motion carried.

**LEASES:**

Moved by Fjeldheim seconded by Wiese to approve the following lease agreement: DTOM Veterans Ranch for lease of Expo Building May 14, 2022. All members present voting age. Motion carried.

**ABATEMENT:**

Moved by Wiese, seconded by Fjeldheim to approve the following abatement: Janet Wilson; LT 16 BK 20 Howard & Hedger RPL of NW Add (Adjusted for fire) \$392.39. All members present voting aye. Motion carried.

ADJOURNMENT:

Moved by Fjeldheim, seconded by Gage to adjourn the Brown County Commission at 9:50a.m. All members present voting aye. Motion carried.

Cathy McNickle, Brown County Auditor

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

## MARCH 22, 2022 – GENERAL MEETING

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

### APPROVAL OF AGENDA:

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

### ORDINANCE 213 – SECOND READING/ADOPTION:

Moved by Wiese, seconded by Fjeldheim to adopt Ordinance 213. Applicant Neil Bellikka requesting to rezone the following property from Chapter 4.06 Agriculture Preservation District (AG-P) to Chapter 4.14 Highway Commercial District (HC): Proposed Outlot 1 and Outlot 2, “B and B Outlots” in the NE ¼ of Section 23-T123N-R63W of the 5<sup>th</sup> P.M., Brown County, South Dakota. Roll call vote: Commissioners Feickert-aye, Sutton-aye, Wiese-aye, Gage-aye, Fjeldheim-aye. Ordinance adopted.

### ORDINANCE 214 – SECOND READING/ADOPTION:

Moved by Feickert, seconded by Wiese to adopt Ordinance 214. Applicant Roger Spanier requesting to rezone the following property from Chapter 4.06 Agriculture Preservation District (AG-P) to Chapter 4.07 Mini Ag District (M-AG): “Spanier Outlot A” in the NW1/4 of Section 25-T123N-R60W of the 5<sup>th</sup> P.M., Brown County, South Dakota. Roll call vote: Commissioners Feickert-aye, Sutton-aye, Wiese-aye, Gage-aye, Fjeldheim-aye. Ordinance adopted.

### ORDINANCE 215 – FIRST READING:

Moved by Fjeldheim, seconded by Wiese to pass first reading of proposed ordinance 215. An ordinance amending Second Revision Brown County Ordinances, Title 4 Zoning, Chapters 4.01 Definitions, 4.06 Agriculture Preservation District (AG-P), 4.07 Mini Agriculture District (M-AG), 4.15 Light Industrial District (LI), and 4.16 Heavy Industrial (HI). The proposed ordinance will be made available for public inspection at the Brown County Auditor’s Office or Brown County Planning and Zoning Office during regular business hours. All members present voting aye. Motion carried.

### PIPELINE - SUMMIT CARBON SOLUTIONS:

Jay Volk with Summit Carbon Solutions met with the board of County Commissioners to introduce the project. No action taken.

### LEGISLATIVE RECAP:

Julie Johnson, Brown County Lobbyist, met with the Brown County Commissioners to provide a recap of the 2022 legislative session and gave an update on legislation affecting correctional facility capital improvement projects. No action taken.

### LANDFILL SPRING CLEAN-UP - WAIVE FEES:

Moved by Feickert, seconded by Wiese to approve waiving fees on all material types from Residential Users only during the Spring Residential Cleanup at the Brown County Landfill, to be held from April 22 – May 7<sup>th</sup>, 2022. No large demo projects (houses, tree belts, etc.) will be allowed for free. No free waste will be accepted from commercial contractors or businesses (including mobile homes). Limit of four car or pickup tires. In the event circumstances beyond the control of Brown County (flood, tornado, fire,



other) would occur during the FREE Cleanup period the Brown County Commission reserves the right to end the free cleanup period at such time and implement the regular fee structure. All members present voting aye. Motion carried.

#### CONTAINER PURCHASE - LANDFILL:

Moved by Feickert, seconded by Wiese to authorize the purchase of new 50 yard and 20 yard containers for use by the landfill. All members present voting aye. Motion carried.

#### LANDFILL SCALE:

Mike Scott, Landfill Manager met to discuss the purchase of a new scale. The current scale is accurate and operational, but at the end of its life and showing deterioration in the concrete and steel structure. No action taken.

#### APPLICATION FOR OCCUPANCY:

Moved by Fjeldheim, seconded by Wiese to approve the following application for occupancy of Brown County Highway Right of Way to replace poles. Application is made by Mike Baumgarn for occupancy of Brown County Highway Number 10, Brown County, South Dakota. All members present voting aye. Motion carried.

#### MINUTES:

Moved by Wiese, seconded by Gage to approve the general meeting minutes of March 15, 2022. All members present voting aye. Motion carried.

#### CLAIMS:

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

Insurance: SD PUBLIC ASSURANCE ALLIANCE \$144.88. Professional Fees: Aberdeen ED \$590.07; Acute Care Aberdeen \$176.95; AVERA ST. LUKE'S \$723.95; CGI \$70.00; GBR INTERPRETING & TRANSLATION SERVICES \$300.00; Heather Molan \$200.00; HMN Architects, Inc. \$5,022.93; IMEG Corp \$1,700.00; JODI K. HOFFMANN \$1,267.70; KRISTI SPITZER \$1,200.00; MICHELLE GAIKOWSKI \$15.20; Radiology - North Center \$606.00; Ross K. Den Herder \$174.60; SANFORD CLINIC ABERDEEN \$347.14; SANFORD HEALTH \$53.95; SANFORD HEALTH OCCUPATIONAL MEDICINE ABERDEEN \$226.00. Publishing: GateHouse Media South Dakota Holdings, Inc. \$930.12; GROTON INDEPENDENT \$878.93. Repairs & Maintenance: B & B CONTRACTING INC \$28,697.76; HOUSE OF GLASS \$298.20; KIRBY KIESZ \$102.00; LIEN TRANSPORTATION COMPANY \$210.00; PRO WINDMILL INC. \$595.00; SEWER DUCK INC \$1,000.00; STEVEN LUST AUTOMOTIVE \$15.16; TRAIL KING Industries, Inc. \$30,369.00; WOODMAN REFRIGERATION, INC \$120.41. Supplies: ADVANCE AUTO PARTS \$543.02; APH STORES, INC \$28.96; ARAMARK UNIFORM & CAREER APPAREL GROUP, INC \$123.29; BEHNKE PIT \$13,658.28; COLE PAPERS \$3,916.29; DAKOTA MAILING & SHIPPING EQUIPMENT INC \$254.15; DAKOTA SUPPLY GROUP \$63.11; FADIA CHAMPLAIN \$6.25; GOVCONNECTION INC \$2,497.41; KIRBY KIESZ \$157.00; LABSOURCE, INC. \$959.64; LEIDHOLDT TOOL SALES, LLC \$13.93; MARCO INC \$18.15; MATTHEW BENDER & CO INC \$78.08; MB LLC \$72.18; MCKESSON MEDICAL-SURGICAL GOVERNMENT SOLUTIONS \$26.22; MENARDS \$226.69; NORTHERN VALLEY COMMUNICATION \$26.76; SANDERS'S SEW-N-VAC, INC \$164.95; TRAIL KING Industries, Inc. \$20,981.57; WEST PUBLISHING CORP. \$1,785.86. Travel & Conference: SD ASSOC. OF COUNTY OFFICIALS \$185.00; SD ASSOC OF COUNTY COMMISSIONERS \$30.00. Utilities: CITY OF ABERDEEN \$306.30; DEPENDABLE SANITATION INC \$348.00; MIDCONTINENT COMMUNICATIONS \$85.39; NORTHERN VALLEY COMMUNICATION \$5,210.68; NORTHWESTERN ENERGY & COMMUNICATIONS

\$4,246.68; QWEST CORPORATION \$1,496.08. Others: Michael Klarenbeek \$9,200.00. All members present voting aye. Motion carried.

#### HR REPORT:

Moved by Wiese, seconded by Fjeldheim to approve the following Human Resource Report:

- Acknowledge resignation of Barry Braaten, Brown County Landfill, full-time; effective March 25, 2022 and approve request to fill vacancy.
- Acknowledge reclassification of Jennifer Stoddard from Brown County Chief Deputy State's Attorney to Brown County Deputy State's Attorney; effective March 17, 2022. No change in compensation.

All members present voting aye. Motion carried.

#### LEASES:

Moved by Fjeldheim seconded by Gage to approve the following lease agreement: Mosbrucker Rodeo for lease of Expo Building and Expo Addition (if available) April 1<sup>st</sup> and 2<sup>nd</sup>, 2022. All members present voting age. Motion carried.

#### PLATS:

##### RESOLUTION #14-22 JEFF HOWARD FIRST ADDITION

Commissioner Feickert brought the following resolution: Be it resolved by the Board of County Commissioners of Brown County, South Dakota, that the plat showing Jeff Howard First Addition in the SW1/4 of Section 32 T124N – R60W of the 5<sup>th</sup> 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 Commissioner Wiese. Roll call vote: Commissioner Feickert – aye, Sutton – aye, Wiese – aye, Gage – aye, Fjeldheim – aye. Resolution adopted.

##### RESOLUTION #15-22 A MITCHELL ADDITION

Commissioner Feickert brought the following resolution: Be it resolved by the Board of County Commissioners of Brown County, South Dakota, that the plat showing a Mitchell Addition in the SE1/4 of Section 7, Township 121 North, Range 65 West of the 5<sup>th</sup> 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 Commissioner Wiese. Roll call vote: Commissioner Feickert – aye, Sutton – aye, Wiese – aye, Gage – aye, Fjeldheim – aye. Resolution adopted.

#### ZONING ORDINANCES - SET HEARING/AUTHORIZE ADVERTISING:

Moved by Gage, seconded by Wiese to set hearing and authorize advertising for first reading of the following zoning ordinance to be held April 12, 2022 in the Commissioner's Chambers, Courthouse Annex, Brown County, SD at 8:45 a.m: Proposed Ordinance 216, Applicant Troy Schaffer requesting to rezone from Chapter 4.06 Agriculture Preservation District (AG-P) to Chapter 4.07 Mini Ag District (M-AG): Lot 3, "Feickert's Second Subdivision" in the SE1/4 of Section 20-T124N-R64W of the 5<sup>th</sup> P.M., Brown County, South Dakota. All members present voting aye. Motion carried.

#### ABATEMENT:

Moved by Fjeldheim, seconded by Wiese to approve the following abatement: Northern State University (Remove solid waste and sales tax on bare lot) \$172.43. All members present voting age. Motion carried.

SHERIFF REPORTS:

Moved by Wiese, seconded by Gage to approve the following February 2022 Sheriff Reports: Incidents and offenses, Prisoner care, JDC, and Money deposited with the County Treasurer. All members present voting aye. Motion carried.

ADJOURNMENT:

Moved by Feickert, seconded by Wiese to adjourn the Brown County Commission at 10:05a.m. All members present voting aye. Motion carried.

Cathy McNickle, Brown County Auditor

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#### MARCH 29, 2022 – GENERAL MEETING

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

#### APPROVAL OF AGENDA:

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

#### BID OPENING – STRUCTURE AND APPROACH GRADING – Defer for review:

Place and time as advertised, to open read and consider bids for BRO 8007(00)21-1 PCN 08FG Structure and Approach Grading. Bids were opened and deferred for review. Moved by Fjeldheim, seconded by Feickert to defer bids for review later in the meeting. All members present voting aye. Motion carried.

#### BID OPENING – STRUCTURE AND APPROACH GRADING - Award:

Moved by Feickert, seconded by Wiese to recommend awarding lower bidder for BRO 8007(00)21-1 PCN 08FG Structure and Approach Grading. Robert R. Schroeder Construction Inc. in the amount of \$1,721,645.85; rejecting bids from the following: Duinick, Inc, in the amount of \$3,132,526.45; Swingen Construction Company in the amount of \$2,080,279.00; SFC Civil Constructors in the amount of \$2,621,524.35. All members present voting aye. Motion carried.

#### ORDINANCE 215 – ADOPTION

Moved by Wiese, seconded by Gage to adopt ordinance 215. An ordinance amending Second Revision Brown County Ordinances, Title 4 Zoning, Chapters 4.01 Definitions, 4.06 Agriculture Preservation District (AG-P), 4.07 Mini Agriculture District (M-AG), 4.15 Light Industrial District (LI), and 4.16 Heavy Industrial (HI). The adopted ordinance will be made available for public inspection at the Brown County Auditor's Office or Brown County Planning and Zoning Office during regular business hours. Roll Call Vote: Commissioner Feickert – aye, Fjeldheim – aye, Wiese – aye, Gage – aye, Sutton – aye. Ordinance Adopted.

#### HIGHWAY UPDATE:

Dirk Rogers (Highway Superintendent) met to discuss county application for occupancy qualifications, future federal funding, and rural access infrastructure funding.

#### PURCHASE AGREEMENT – REGIONAL JAIL:

Discussion on the purchase agreement for the regional jail building. No action was taken. Moved by Wiese, seconded by Gage to hold a special meeting Friday, April 1, 2022, at 8:00 a.m. in the Brown County Courthouse Commission Chambers to review a revised purchase agreement. Roll Call Vote: Commissioner Feickert – nay, Fjeldheim – aye, Wiese – aye, Gage – aye, Sutton – aye. Motion carried.

#### JAIL OPTIONS PRESENTATION:

Cory Johnson with GA Johnson Construction, Inc met to present options for proceeding with the regional jail facility. Cory Johnson recommended proceeding with a construction manager and engineer. No action was taken.

#### MINUTES:

Moved by Wiese, seconded by Feickert to approve the general meeting minutes of March 22, 2022. All members present voting aye. Motion carried.

#### CLAIMS:

Moved by Wiese, seconded by Fjeldheim to approve the following claims and Payroll:

Payroll: Commission \$4,503.96; Auditor \$9,516.06; Treasurer \$12,755.33; SA \$25,766.80; SVAWA \$0.00; Maintenance \$10,058.29; Assessor \$15,291.97; Register of Deeds \$8,028.80; VSO \$4,143.28; GIS \$2,483.72; IT \$7,540.46; HR \$4,061.37; Sheriff \$42,798.78; Jail \$54,961.69; Coroner (Voucher) \$0.00; Court Security \$7,004.66; JDC \$25,725.24; Welfare \$2,161.43; Museum \$9,047.19; Parks/Fairgrounds \$4,083.08; Fair Board \$4,720.00; 4-H \$620.00; Weed \$918.14; Planning & Zoning \$5,762.51; Highway \$41,422.16; Dispatch \$42,383.93; Emergency \$4,285.81; Teen Court \$620.16; JDAI \$1,846.15; 24/7 Sobriety \$1,393.50; Landfill \$14,817.21; MATCHING BENEFITS: FICA \$22,031.78, Medicare \$5,152.54; Discovery HSA \$915.84, Wellmark Blue Cross Blue Shield \$117,992.80, Delta Dental \$7,639.50, Dearborn Life \$1,041.42, SDRS Retirement \$46,773.96.

CLAIMS: Professional Fees: AGTERRA TECHNOLOGIES, INC. \$570.00; AVERA ST. LUKE'S \$1,063.90; BROWN COUNTY 4-H LEADERS ASSOCIATION \$5,350.00; CARLSEN FUNERAL HOME & CREMATORY \$660.00; Casey Dinger \$270.72; CGI \$1,452.36; GARY MCNEIL \$558.96; Imaging Forensics \$7,187.50; JODI SUDWEEKS \$395.00; LINCOLN COUNTY TREASURER \$267.87; LUMEN \$200.53; MARK KATTERHAGEN \$40.50; MATTHEW BENDER & CO INC \$78.08; MICHELLE GAIKOWSKI \$44.20; MINNEHAHA COUNTY, SD \$10,276.50; Nanette Storch \$416.02; SANFORD HEALTH OCCUPATIONAL MEDICINE ABERDEEN \$126.00; TALIAFERRO LAW FIRM \$8,541.67; US BANK \$2,496.89 Publishing: ARGUS LEADER \$47.22; GROTON INDEPENDENT \$786.05; LEE ENTERPRISES \$22.85; US BANK \$65.00 Repairs & Maintenance: DAKOTA SUPPLY GROUP \$10.16; LEIDHOLT ELECTRIC LLC \$233.14; POMPS TIRE SERVICE, INC \$715.58; QUALITY WELDING \$320.00; STEVEN LUST AUTOMOTIVE \$1,661.50; US BANK \$193.94 Supplies: Alex Engel \$122.51; AUTO ZONE, INC \$4.94; CENTURY BUSINESS PRODUCTS \$99.57; COLE PAPERS \$1,308.72; DAKOTA SUPPLY GROUP \$1,241.18; GCS SERVICE, INC. \$63.09; GOVCONNECTION INC \$1,452.55; HOUSE OF GLASS \$60.20; Jesse Milbrandt \$150.87; MENARDS \$274.39; PERFORMANCE OIL & LUBRICANTS \$369.84; PITNEY BOWES INC. \$15,126.00; PLUMBING & HEATING WHOLESALE, INC. \$690.99; QUALITY WELDING \$332.96; R.D. OFFUTT COMPANY \$1,474.44; RANDALL E. WEBER \$293.00; STEVEN LUST AUTOMOTIVE \$3,887.82; Towing Plus \$150.00; US BANK \$19,503.42 Travel & Conference: CATHY MCNICKLE \$14.00; SARAH J JESZ \$149.46; Stephanie Jacobson \$14.00; US BANK \$2,092.00 Utilities: DEPENDABLE SANITATION INC \$165.00; JAMES VALLEY TELECOMMUNICATIONS \$213.50; MONTANA DAKOTA UTILITIES CO \$46.04; NORTHWESTERN ENERGY & COMMUNICATIONS \$2,500.54; QWEST CORPORATION \$0.36; US BANK \$3,767.16 Rentals: BRAD HART \$1,500.00 Others: WEX HEALTH INC. \$3,000.00; CITY OF ABERDEEN \$6,000.00

All members present voting aye. Motion carried.

#### HR REPORT:

Moved by Fjeldheim, seconded by Wiese to approve the following Human Resource Report:

- Acknowledge employment end of Anthony Lawson, Brown County Jail Correctional Officer, full-time; effective March 22, 2022, and approve the request to fill the vacancy.

- Approve hiring of Brandon Duxbury as Brown County Dacotah Prairie Museum Curator of Collections, full-time; starting wage \$15.80 per hour; effective April 4, 2022.
- Approve hiring of Jeff Seiler as Brown County Highway Labor Grade 3, full-time, starting wage \$18.94 per hour, effective April 4, 2022.

All members present voting aye. Motion carried.

#### ALCOHOL LICENSE- SPECIAL EVENT:

Moved by Feickert, seconded by Gage to approve the following special event malt beverage permits: DTOM Veterans Ranch at the Holum Expo Building 400 24<sup>th</sup> Ave NW Aberdeen, SD, May 14, 2022 for malt beverage and wine. DTOM Veterans Ranch at the Clubhouse 400 24<sup>th</sup> Ave NW Aberdeen, SD, September 10, 2022, for malt beverage and wine. All members present voting age. Motion carried.

#### LOTTERY:

Moved by Fjeldheim, seconded by Wiese to approve the following lottery application: DTOM 22/0 Foundation for lottery to be held May 14<sup>th</sup>, 2022 at the Holum Expo Building. All members present voting age. Motion carried.

#### LEASES:

Moved by Wiese seconded by Feickert to approve the following lease agreements: Aberdeen Chamber Ag Committee for lease of tables, chairs, and pens April 11-12<sup>th</sup>. DTOM Veterans Ranch for lease of Clubhouse September 10, 2022. All members present voting age. Motion carried.

#### SURPLUS SALE:

Moved by Feickert, seconded by Wiese to approve and authorize the following surplus sale: Auction to consist of the following Brown County Highway department surplus: New Holland LW-190 Wheel Loader - 2001 - Serial Number ZEFOLW19000730109, 2006 Trail King Utility Trailer - Model TKT12U - Vin Number 1TKU020266M015188, 2009 Tilt Trailer 20FT - Vin Number 4UGFH20269D017153, 2008 Chevrolet Pickup - CK20743 - Vin Number 1GCHK23K28F212929, 1990 Chevrolet Pickup - CK309 3500 - Vin Number 1GCHK34N7LE126545, JD 6400 Mower Tractor - 1997 - Serial Number L0640000V191892 with Tiger Offset Mower 780 & Tiger Side Mount Mower - Serial Number 89115, JD 6400 Mower Tractor - 1997 - Serial Number L06400V191911, Alamo Eagle Batwing Mower 15 Foot - 2007 - Serial Number 10294, Cub Cadet 2552 Riding Lawn Mower - Serial Number 1B185G10144, 4 inch water pump model 8A2-B. Live auction to be conducted online at [jarkworlie.com](http://jarkworlie.com) Wednesday April 13, 2022 at 10a.m. This is a Live Virtual Online Sale only. Items will be offered / auctioned in catalog order. Go to [www.jarkworlie.com](http://www.jarkworlie.com) and go to April Live Virtual Consignment Sale. Click on the "CLICK HERE FOR CATALOG" icon to go into sale, register and bid. Please register at least 24 hours prior to bidding. Pre-bidding will be offered on all items prior to start of auction. For more information call Jark/Worlie Auction Service at (605) 225-1828 or the Brown County Highway Department at (605) 626-7118. All members present voting age. Motion carried.

#### QUIET TITLE ACTION:

Moved by Fjeldheim, seconded by Weise to approve, and authorize the Chair to sign a contract with Fischbach Law Office for quiet title action on a tax deed property at the following legal description: Lot Twenty-one (21) and the South Ten Feet (S. 10') of the West Half (W ½) of Lot Twenty-two (22), Block Nineteen (19), Hagerty and Lloyd's Addition to Aberdeen, according to the plat thereof of record, subject to easements, restrictions of record, if any. The rate is approximately \$1,500 for legal service and \$200 per hour for additional hearings. All members present voting age. Motion carried.

FAIR CONTRACTS:

Moved by Feickert, seconded by Gage to approve, and authorize the Chair to sign the following contracts for the 2022 Brown County Fair: Larry Fleet (entertainment), Callista Clark (entertainment), Scotty McCreery (entertainment), Danielle Brodbery (entertainment). All members present voting aye. Motion carried.

PUBLIC COMMENT:

State Representative Carl Perry (District 3) gave a legislative update.

ADJOURNMENT:

Moved by Fjeldheim, seconded by Wiese to adjourn the Brown County Commission at 10:50 a.m. All members present voting aye. Motion carried.

Cathy McNickle, Brown County Auditor

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#### APRIL 1, 2022 – SPECIAL MEETING

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

#### APPROVAL OF AGENDA:

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

#### PUBLIC COMMENT:

Opportunity for public comment given.

#### PURCHASE AGREEMENT- REGIONAL JAIL FACILITY:

Moved by Wiese, seconded by Sutton to approve and authorize the Chair to sign a purchase agreement from Aberdeen Development Corporation for the purchase of two parcels to be used for a regional jail facility. Parcel A: Lot 3 Safeguard/ADC Subdivision in Aberdeen, Brown County, South Dakota, according to the plat thereof of record; and Parcel B: Lot 4 Safeguard/ADC Subdivision in Aberdeen, Brown County, South Dakota, according to the plat thereof of record in the total amount of \$4,500,000. Roll call vote. Commissioner Feickert – Nay, Fjeldheim – aye, Wiese – aye, Gage – aye, Sutton – aye. Motion carried.

#### CERTIFICATE OF AUTHORITY:

Moved by Wiese, seconded by Fjeldheim approve and authorize commissioners to sign the Brown County Certificate of Authority as part of the real estate closing documentation. Roll call vote. Commissioner Feickert – Nay, Fjeldheim – aye, Wiese – aye, Gage – aye, Sutton – aye. Motion carried.

#### GENERAL FUND BUDGET FOR PURCHASE:

Moved by Wiese, seconded by Gage to authorize the purchase to be accounted for in the maintenance department budget 101.5.161.43200 (buildings). Roll call vote. Commissioner Feickert – Nay, Fjeldheim – aye, Wiese – aye, Gage – aye, Sutton – aye. Motion carried.

#### ADJOURNMENT:

Moved by Wiese, seconded by Fjeldheim to adjourn the Brown County Commission special meeting. All members present voting aye. Motion carried.

Cathy McNickle, Brown County Auditor

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



#### APRIL 5, 2022 – GENERAL MEETING

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

#### APPROVAL OF AGENDA:

Moved by Fjeldheim, seconded by Gage to approve the agenda. All members present voting aye. Motion carried.

#### OPPORTUNITY FOR PUBLIC COMMENT:

Public comment was heard in opposition to the Summit Carbon Solution pipeline application to the SD Public Utilities Commission.

#### BID OPENING – WEED AND PEST CHEMICAL:

Moved by Fjeldheim, seconded by Feickert to award Weed and Pest Chemical to VanDiest Supply and approve the option to buy of State of South Dakota bid award based on availability and pricing. Bid tab on file with the Brown County Auditor and open for public inspection. All members present voting aye. Motion carried.

#### BID OPENING – SPRAY FOAM CONTRACTORS:

Place and time as advertised, to open read and consider bids Spray Foam Contractors. Bids were opened and deferred for review. Moved by Wiese, seconded by Feickert to defer bids for review at April 12, 2022 meeting. All members present voting aye. Motion carried.

#### ANNUAL CONFERENCE WITH DOE:

Moved by Feickert, seconded by Wiese to acknowledge annual conference with Gene Loeschke, Director of Equalization per SDCL 10-3-14, discussing County Equalization, County Consolidated Boards of Equalization, and the Property Assessments. All members present voting aye. Motion carried.

#### APPLICATION FOR OCCUPANCY:

Moved by Fjeldheim, seconded by Feickert to approve the application for occupancy made by Michael Elsen for occupancy of Brown County Highway Number 16, Section 5&9, Township Liberty, Range 62, Brown County, South Dakota for Tile Pipe. All members present voting aye. Motion carried.

#### APPLICATION FOR OCCUPANCY:

Moved by Wiese seconded by Gage to approve the application for occupancy made by Northern Valley Communications for occupancy of Brown County Highway Number 18, Section 19/31/6, Township 126/125, Range 61, Brown County, South Dakota; Brown County Highway Number 7A, Section 35/26/25/30, Township 126, Range 61/62, Brown County, South Dakota; Brown County Highway Number 16, Section 17,8,5, Township 126, Range 62, Brown County, South Dakota; Brown County Highway Number 7, Section 12,13,18,17,8,3,2,1,34,36, Township 126/127, Range 63/62/31, Brown County, South Dakota for Telecommunications. All members present voting aye. Motion carried.

#### APPLICATION FOR OCCUPANCY:

Moved by Feickert, seconded by Wiese to approve the application for occupancy made by WEB Water for occupancy of Brown County Highway Number 12, Section 6, Township 123, Range 63, Brown County, South Dakota for Potable Water Line. All members present voting aye. Motion carried.

#### SD DOT COST SHARE:

Moved by Wiese, seconded by Feickert to approve and authorize chair sign agreement PP8007(213), PCN 08GQ with the SD Department of Transportation to cost share a new highway rail grade crossing DOT 393781T, MP 713.50, 379<sup>th</sup> Ave West of Aberdeen, SD. County to share in 10% of the total costs of the new highway rail grade crossing signal installations. All members present voting aye. Motion carried.

#### HIGHWAY UPDATE:

Dirk Rogers (Highway Superintendent) met to discuss current and future highway projects. No action taken.

#### APPLICATION FOR PARTY STATUS:

Moved by Feickert, seconded by Wiese to approve and authorize chair sign application for party status before the public utilities commission of the State of South Dakota in the matter of the application by SCS Carbon Transport, LLC for Permit to Construct a Carbon Dioxide Transmission Pipeline. All members present voting aye. Motion carried.

#### DOCKET COMMENT – APPLICATION FOR PARTY STATUS:

Moved by Feickert, seconded by Gage to submit docket comment #HP22-001 with the application for party status before the public utilities commission of the State of South Dakota in the matter of the application by SCS Carbon Transport, LLC for Permit to Construct a Carbon Dioxide Transmission Pipeline. All members present voting aye. Motion carried.

#### MINUTES:

Moved by Wiese, seconded by Feickert to approve the general meeting minutes of March 29, 2022. All members present voting aye. Motion carried.

#### CLAIMS:

Moved by Wiese, seconded by Gage to approve the following claims:

Professional Fees: AVERA ST. LUKE'S \$7,082.18; CHRISTY GRIFFIN-SERR LAW OFFICE \$8,541.67; COGLEY LAW OFFICE, PROF LLC \$8,541.67; COGLEY LAW OFFICE, PROF LLC \$251.00; DARCY LOCKWOOD \$40.50; DOHRER LAW OFFICE \$8,541.67; DREW BECKER \$200.00; Heather Molan \$200.00; JERALD M. MCNEARY \$8,541.67; KRISTI BRANDT \$49.40; KUCK LAW OFFICE \$8,541.67; LUCY LEWNO \$355.00; MICHELLE GAIKOWSKI \$30.60; Saber Shred Solutions, Inc. \$30,871.85; Sanford Health Network \$764.71; SD Governmental Human Resource Association \$50.00; US District Court - District of Minnesota \$13.00  
Publishing: GROTON INDEPENDENT \$274.96 Repairs & Maintenance: DAKOTA DOORS INC \$148.98; DAKOTA PUMP INC. \$1,193.88; FORTERRA CONCRETE PRODUCTS, INC \$3,464.00; KARST CAR CARE \$1,770.07; LAWSON PRODUCTS, INC \$20.51; NICHOLAS R. VOLK \$225.00; STATE OF SOUTH DAKOTA \$690.31 Supplies: APH STORES, INC \$14.48; Austin Ball \$20.01; BAKKEN BUILD MAINTENANCE \$500.00; CHARM-TEX \$1,544.94; CNA SURETY \$50.00; COLE PAPERS \$604.00; DAKOTA SUPPLY GROUP \$583.07; FASTENAL CO \$39.88; GILLUND ENTERPRISES \$240.96; J GROSS EQUIPMENT \$29.02; JEFFREY L. HEISER \$240.00; LABSOURCE, INC. \$147.46; LAWSON PRODUCTS, INC \$258.42; LEIDHOLDT TOOL SALES, LLC

\$469.31; LUCY LEWNO \$13.06; MAC'S INC \$372.95; MENARDS \$164.08; MIDWEST PUMP & TANK \$43.20; PHARMCHEM \$743.68; PLUMBING & HEATING WHOLESALE, INC. \$634.50; ZASTROW'S SALES & SERVICE \$98.91 Travel & Conference: CRAIG STEINLEY \$325.00; DALE KURTH \$112.53; DARWIN BETTMANN \$15.24; DAVID NORTH \$105.48; DOUG FJELDHEIM \$157.92; DUANE SUTTON \$221.84; JAMES MEYERS \$28.50; Joni Napton \$46.00; Josie Gorecki \$1.88; PATRICK KEATTS \$11.37; RACHEL KIPPLEY \$517.88; STAN BECKLER \$18.33; SUZANNE MOEN \$46.00 Utilities: AT&T MOBILITY \$257.55; MIDCONTINENT COMMUNICATIONS \$268.75; NORTHWESTERN ENERGY & COMMUNICATIONS \$13,286.63; QWEST CORPORATION \$306.79 Others: SIEGEL, BARNETT & SCHUTZ \$4,487,709.26 Jury: AMANDA LONG \$275.88; AMY HARTMAN \$32.68; ANDREA FARNDEN \$275.88; Angela Antonsen \$26.80; ANGELA SCHAIBLE \$25.04; Anthony Mach \$11.68; APRIL GEDEROS \$21.68; AUDREY BLOCK \$10.84; Barbara Kimball \$26.80; Barry Parkin \$21.68; BEULAH DECORY \$10.84; BONNIE NERISON \$23.36; Brad Nehlich \$20.92; BRODYN DEHOET \$15.88; Bruce Jones \$26.80; Bryan Garreau \$25.04; Carol Hunter \$11.68; Charles Bell \$275.88; CHRISTOPHER LAMONT \$25.04; Corey Siefkes \$16.72; Dale Washnok \$275.12; Damien Krueger \$67.04; Dave Osborn \$11.68; David Bergjord \$23.36; DAVID HEILMAN \$25.96; Delores Saylor \$10.84; Dennis Johnson \$21.68; Derek Eisenbeisz \$275.88; Diane Giblin \$14.20; DORIS ANDERSON \$26.80; DUSTIN GESE \$21.68; DYLAN REID \$21.68; ELAINE SCHUMACHER \$21.68; Eli Regula \$12.52; Evonne Marx \$10.84; FLAURYSE M C BAGUIDY \$10.84; Gary Hegg \$281.76; Gregory Tople \$25.04; HONEY BERG \$10.84; Jaelyn Opp \$12.52; JAMES CARRELS \$11.68; James Dauwen \$446.40; Jared Grimmus \$10.84; JASON LICKFELT \$23.36; Jeremy Bitz \$23.36; JEREMY SMITH \$21.68; Jessica Peterson \$11.68; JOAN HEIDZIG \$11.68; Jodie Kannas \$12.52; JOEL WEIG \$23.36; John Hinrichs \$39.40; Jon Seaton \$19.24; JONATHAN HILLESTAD \$23.36; Joshua Walberg \$10.84; Judy Barke \$10.84; JUDY WEISMANTEL \$19.24; JULIE KRIEGER \$21.68; JUSTIN WEGLEITNER \$431.36; Kaleb Schneider \$11.68; Kara Pharis \$29.32; Kathy Nipp \$11.68; Keith Mayer \$21.68; KELLIE FRENCH \$10.84; KELLY BURLEY \$528.72; KELLY HOGAN \$12.52; Ken Reinbold \$25.04; KENDALL FRAHM \$265.04; KENNETH MILLER \$36.04; Kevin Braun \$26.72; Kevin Kimball \$11.68; Kim Carlson \$30.08; Kristen Metzger \$10.84; Kristie Fliehs \$25.96; Lauren Mitchener \$21.68; LEE FRENCH \$21.68; Lee Hasz \$11.68; Linda Ertz \$23.36; Linda Lunghi \$11.68; Lori Tobin \$26.72; Lucky Peterson \$265.04; Margaret Artz \$11.68; Mark Fischer \$23.36; MARK HOVEN \$23.36; Martin Schmidt \$281.76; MATHEW ROMBS \$23.36; Matthew Gasperich \$12.52; Melissa Brakefield \$16.72; MICHAEL BISHOP \$23.36; Michael Bowser \$275.88; MICHAEL RE \$13.36; Michelle Huber \$11.68; Molly Genzler \$11.68; Nancy McGarry \$21.68; NATHAN MARZENELL \$11.68; Pamela Behan \$12.52; PATRICIA VANMETER \$14.20; PRISCILLA NELSON \$10.84; RACHEL LARRANAGA \$11.68; Rebekah Malchow \$287.64; RICHARD WEAVER \$11.68; RONALD SPILDE \$11.68; ROSS NORMAN \$23.36; SALESI MOUNGA \$23.36; SHARON RAGELS \$10.84; SHAWN MERKEL \$10.84; SHELLEY WESTRA-HEIER \$11.68; SHELLEY KRYOWATY \$12.52; STACEE ALMICH \$311.16; STACY HARTY \$10.84; Stacy Miller \$11.68; STANTON HUNDSTAD \$11.68; TARA WOODS \$21.68; TAYLOR ARMSTRONG \$270.08; TERENCE WACHOLZ \$14.20; TERRY LIKNESS \$10.84; Thomas Husom \$21.68; TODD BAIN \$21.68; Todd Rozell \$23.44; Valerie Pappas \$53.60; WAYNE HANSON \$10.84; William Brown \$11.68; Yvonne Haynes \$23.36. All members present voting aye. Motion carried.

#### HR REPORT:

Moved by Fjeldheim, seconded by Wiese to approve the following Human Resource Report:

- Acknowledge employment ending for Jakob McKittrick as Brown County Jail Correctional Officer, full-time; effective March 28, 2022, and approve the request to fill the vacancy.
- Acknowledge transfer of Johann Kolb from Brown County Jail Correctional Officer to Brown County JDC Correctional Officer; effective April 1, 2022

All members present voting aye. Motion carried.

#### ABATEMENT:

Moved by Wiese, seconded by Feickert to approve the following abatement request: Henry Hoerner (LT1 HAPI INFILL 2nd Add (E83' LT 1 BK 3 Pleasant Hill)) (qualified appeal) in the amount of \$334.78. All members present voting age. Motion carried.

#### SDPAA MEMORANDUM OF GOVERNMENTAL LIABILITY:

Moved by Fjeldheim, seconded by Gage to approve and authorize chair sign documents with South Dakota Public Assurance Alliance memorandum of Governmental Liability. All members present voting age. Motion carried.

#### LEASES:

Moved by Gage seconded by Wiese to approve the following lease agreements: Don Schumacher for hay cutting land east of the fairgrounds as awarded on bid and Don Schumacher for hayland near Richmond Lake Youth camp as awarded on bid. All members present voting age. Motion carried.

#### OUT OF STATE TRAVEL REQUEST:

Moved by Wiese, seconded by Fjeldheim to approve out of state travel request for Dirk Rogers, Highway Superintendent to attend NACE Annual Convention in Buffalo, NY April 24-28, 2022. All members present voting age. Motion carried.

#### AUDITORS REPORT OF ACCOUNT:

Moved by Feickert, seconded by Wiese to approve the following Auditor Report of Accounts for February, 2022: Total Cash and Checks on Hand 7700 Total Checking Account Balances: 17897133.16 Total Savings Account Balances: 6175447.42 Total Certificates of Deposit: 3978174.09 Grand Total Cash and Balances: 28058454.67 General Fund Road & Bridge Fund 2769318.04 Road & Bridge Fund - restricted 423243.27 911 Service 1299634.06 Emergency & Disaster 215748.6 Domestic Abuse 1880.02 Teen Court 5439.91 Grant 32.11 JDAI 3263.41 Richmond Youth 21916.96 24/7 Sobriety 45885.31 ROD M&P 110040.64 American Rescue Plan Federal Grant 3772057.66 Rural Access Infrastructure 95415.63 Tif Debt Service 1081.68 Landfill + cash change 3138554.45 Landfill - restricted 1400479.44 Trust and Agency Funds 3103955.35 GRAND TOTAL GENERAL FUND CASH AND INVESTMENTS 28058454.67. All members present voting age. Motion carried.

#### WEED AND PEST GRANTS:

Moved by Feickert, seconded by Wiese to authorize the Chair to sign letter of agreement with the South Dakota Weed & Pest Commission for grant award of \$5,100 for Chemical, Seasonal Labor, and Educational Materials in Brown County. All members present voting age. Motion carried.

#### ADJOURNMENT:

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

Cathy McNickle, Brown County Auditor

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## APRIL 12, 2022 – CONSOLIDATED BOARD OF EQUALIZATION

Members of the Brown County Commission, and Aberdeen School District 6-1, Auditor Cathy McNickle, and Director of Equalization Gene Loeschke met for the consolidated board of equalization. A quorum was not established. The meeting will be re-noticed for April 26<sup>th</sup>, 1:00 PM at the Brown County Courthouse Commission Chambers. 25 Market St. Aberdeen, SD 57401. (SDCL 10-11-25).

Oaths of Office were taken by Brown County Commissioners, Mike Wiese, Dennis Feickert, Mike Gage, and Aberdeen School Board Member Duane Alm.

Cathy McNickle – Brown County Auditor

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## APRIL 12, 2022 – BROWN COUNTY BOARD OF EQUALIZATION

This being the second Tuesday, April 12, 2022, the Brown County Commission organized themselves as the Brown County Board of Equalization, in accordance with SDCL 10-11-25, at 11:00 A.M. in the Community Room, Courthouse Annex, Brown County, South Dakota. Oaths of office were taken by Commissioners Mike Wiese, Mike Gage, and Dennis Feickert. Director of Equalization Gene Loeschke was present. Auditor Cathy McNickle called the meeting to order and called for nominations for Chairman.

Commissioner Feickert nominated Mike Wiese as Chair for the 2022 Brown County Board of Equalization. Moved by Fjeldheim, seconded by Gage that nominations cease, and a unanimous ballot be cast for Commissioner Wiese as Chair of the 2022 Brown County Board of Equalization. All members present voting aye. Motion carried.

Commissioner Gage nominated Commissioner Feickert as Vice-Chair for the 2022 Brown County Board of Equalization. Moved by Gage, seconded by Wiese that nominations cease, and a unanimous ballot is cast for Commissioner Feickert as Vice-Chair of the 2022 Brown County Board of Equalization. All members present voting aye. Motion carried.

### ASSESSMENT FREEZE – ELDERLY AND DISABLED:

Moved by Gage, seconded by Feickert to instruct the Director of Equalization to reduce values on all properties qualifying for Assessment Freeze for the Elderly and Disabled for 2022. All members present voting aye. Motion carried.

### ASSESSMENT FREEZE – PARAPLEGIC:

Moved by Feickert, seconded by Gage to instruct the Director of Equalization to reduce values on all properties qualifying for Paraplegic Exemption for 2022. All members present voting aye. Motion carried.

### ASSESSMENT FREEZE – PARAPLEGIC VETERAN:

Moved by Feickert, seconded by Gage to instruct the Director of Equalization to reduce values on all properties qualifying for Paraplegic Veteran Exemption for 2022. All members present voting aye. Motion carried.

### ASSESSMENT FREEZE – 100% DISABLED VETERAN:

Moved by Gage, seconded by Feickert to instruct the Director of Equalization to reduce values on all properties qualifying for 100% Disabled Veteran Exemption for 2022. All members present voting aye. Motion carried.

### TAX EXEMPT STATUS:

Moved by Feickert, seconded by Gage to approve the following tax exempt properties and tax exempt status changes:

- Applications submitted per SDCL 10-4-15 for 100% Tax Exempt Status (complete listing available for public inspection Monday – Friday 8:00 a.m. to 5:00 p.m. at the Director of Equalization Office, 25 Market Street Ste 6, Aberdeen, SD). All members present voting aye. Motion carried.
- New Tax Exempt Status, as requested, for the following new applications at 100% exempt:  
Aberdeen City #32: ABERDEEN DEVELOPMENT CORPORATION LT 1 ADC 2020-2 SD NE 16-123-63 (LT

1 ABDN DEV CORP 1999-2); ABERDEEN DEVELOPMENT CORPORATION LT 2 CCC ADD (LT 1 SPEE-DEE ADD NE 16-123-63); ABERDEEN DEVELOPMENT CORPORATION LT 1 ABERDEEN DEVELOPMENT CORP 2013-1 SD (BK 5 ABDN INDUSTRIAL PARK EAST) NE 16-123-63; ABERDEEN DEVELOPMENT CORPORATION LT 3 BK 1 ABDN INDUSTRIAL PARK EAST ADD NE 16-123-63; ABERDEEN DEVELOPMENT CORPORATION LT 2 BK 1 ABDN INDUSTRIAL PARK EAST ADD NE16-123-63; ABERDEEN DEVELOPMENT CORPORATION LT 3 ADC 2019-1 1ST SD NE 16-123-63 (LT 1 ADC 2018-1 1ST SD); ABERDEEN DEVELOPMENT CORPORATION LT 1 BK 7 ABDN INDUSTRIAL PARK EAST ADD NE 16-123-63; ABERDEEN DEVELOPMENT CORPORATION LT 4 ADC 2020-1 1ST SD NE 16-123-63; ABERDEEN DEVELOPMENT CORPORATION LT 5 ADC 2020-1 1ST SD NE 16-123-63; ABERDEEN DEVELOPMENT CORPORATION LT 1 MIDSTATES PRINTI NG/ADC SD ABDN INDUSTRIAL PARK EAST ADD (L2B7); ASPIRE LT 10 BK 42 2ND ADD; ASPIRE LT 1 MARTIN'S 1ST CONS SD (LT 94-95 MORNING HTS ADD); AVERA ST LUKES LT B OF LT 2 HOWARDS OL B NE 14-123-64 (7.36 A); AVERA ST LUKES LT 7-12 BK 83 HAGERTY & LLOYDS ADD & S 150' LT 2-4 ST LUKES RPL BK 83 HAGERTY & LLOYDS ADD; FOHO I, LLC LT 21 RPL BK 1 HUFFMANS 2ND ADD; MONTESSORI SCHOOL OF ABERDEEN HOWARD'S OL A NE 1/4 14-123-64 & THE STRIP OF LAND IMMEDIATELY E OF SAID OL BETWEEN THE OL & THE W LINE OF RR R/O/W; SOVEREIGN GRACE CHURCH LT 3 AMERICAN NEWS 1ST SD (BK 18 1ST ADD); SOVEREIGN GRACE CHURCH LT 1 SOVEREIGN GRACE CHURCH 2ND SD SW 6-123-63 (LT 10 GUGLES 1ST SD); THE ABERDEEN STORE LLC UNIT 1 MALCHOW PLAZA CONDO OF LT 1 MALCHOW'S 1ST ADD (LT 1-5 BK 31 1ST ADD); THE ABERDEEN STORE LLC UNIT 2 MALCHOW PLAZA CONDO OF LT 1 MALCHOW'S 1ST ADD (LT 1-5 BK 31 1ST ADD);THE ABERDEEN STORE LLC 75% INTEREST OF COMMON AREAS MALCHOW PLAZA CONDO OF LT 1 MALCHOW'S 1ST ADD (LT 1-5 BK 31 1ST ADD); THE ABERDEEN STORE LLC 25% INTEREST OF COMMON AREAS MALCHOW PLAZA CONDO OF LT 1 MALCHOW'S 1ST ADD;

- Partial Tax Exempt Status, as requested, for the following applications: # 32 ABERDEEN CITY REQUESTS FOR LESS THAN 100%; ABERDEEN DEVELOPMENT CORP LT 2 BK 1 CENTENNIAL COMMONS ADD SE 17-123-63 at 69.85%; ACT 2 INC #2 MIDWEST CAPITOL PROJECT OF LT 10-12 BK 27 1ST ADD at 63%; ACT 2 INC #3 MIDWEST CAPITOL PROJECT OF LT 13-18 BK 27 1ST ADD EX MEZZANINE HALLWAY UNIT 3 at 63%; ACT 2 INC MEZZANINE STORAGE UNIT 4A #4 MIDWEST CAPITOL PROJECT OF LT 13-18 BK 27 1ST ADD at 63%; AVERA ST LUKES LT 4 HAGERTY & LLOYDS 3RD SD SE 13-123-64 at 32.03%; AVERA ST LUKES LT 3 AVERA-LAND-O-LAKES 2ND SD (B72 H&L & OL 2 LANES) at 40%; AVERA ST LUKES LOT 1 AVERA LAND-O-LAKES 2ND SD at 72.33%; AVERA ST LUKES LOT 2 AVERA LAND-O-LAKES 2ND SD at 39.52%; AVERA ST LUKES LT 1 AVERA ST LUKES ADD (B86, 87, & 96 H&L ETC) at 99.28%; AVERA ST LUKES PORTION OF BK 83 HAGERTY & LLOYD ADD & ETC. (SEE R.O.D. FOR FULL LEGAL DESCRIPTION) at 40%; AVERA ST LUKES LT 1 AVERA ST LUKES 2ND SD (BK 73 & 82 H&L) at 73.9%; AVERA ST LUKES LT 1 AVERA ST LUKES 2ND SD (BK 73 & 82 H&L) at 79.3%; FIRST UNITED METHODIST CHURCH LT 12-13 BK 29 SD OF LT 4-5 BK 29 1ST ADD & LT 12-13 BK 29 2ND ADD at 33%; LOYAL ORDER OF MOOSE LODGE #590 LT 1-8 & ALL OF VAC ALLEY BLK 54 2ND ADDN at 80%; TDAF/ TOM AMAN LT 1 BLACKSTONE 2ND SD (2.48AC) (RR ROW) at 38%; YELDUZ TEMPLE LT 1 YELDUZ CORNER SD (LT 1-3 BK 50 2ND ADD) at 90%; # 23 WARNER TWP REQUESTS FOR LESS THAN 100%; FOUNDATION FOR YOUTH FIREARMS SAFETY INC N 820' OF SE 15-122-64 E OF RR EX HWY at 80%; # 33 GROTON CITY REQUESTS FOR LESS THAN 100% ; GROTON AMERICAN LEGION POST # 39 LT 22-25 BK 11 ORIG PLAT GROTON at 60%; GROTON COMMUNITY TRANSIT INC. LT 9-12 BLK 10 ORIG PLAT GROTON at 75%; # 35 HIGHLAND TWP REQUESTS FOR LESS THAN 100% ; ST JOHN LUTHERAN CHURCH, LCMS (HIGHLAND) ST JOHN EVANGELICAL LUTHERAN CHURCH OL LOTS 1 & 2 SW 24-122-65 at 85%
- Remove tax exempt status from properties no longer qualifying (complete listing available for public inspection Monday – Friday 8:00 a.m. to 5:00 p.m. at the Director of Equalization Office, 25 Market Street Ste 6, Aberdeen, SD).

All members present voting aye. Motion carried.

RECESS:

Moved by Feickert, seconded by Gage to recess the Board of Equalization recessed until 11:00 a.m. on April 19, 2022.

Cathy McNickle – Brown County Auditor

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#### APRIL 12, 2022 – GENERAL MEETING

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

#### APPROVAL OF AGENDA:

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

#### OPPORTUNITY FOR PUBLIC COMMENT:

Opportunity for public comment was given. No public comment.

#### ORDINANCE 216 – MINI AG REZONE – FIRST READING:

Moved by Fjeldheim, seconded by Wiese to approve first reading of Proposed Ordinance 216, Applicant Troy Schaffer requesting to rezone from Chapter 4.06 Agriculture Preservation District (AG-P) to Chapter 4.07 Mini Ag District (M-AG): Lot 3, “Feickert’s Second Subdivision” in the SE1/4 of Section 20-T124N-R64W of the 5<sup>th</sup> P.M., Brown County, South Dakota. All members present voting aye. Motion carried.

#### BID AWARD – SPRAY FOAM CONTRACTORS:

Bid reviewed and recommended as follows: Accept bid from Bahr Spray Foam for 1” with no coating in the amount of \$34,333.20 rejecting Bahr Spray Foam 1” with coating in the amount of \$46,355.92, 2” with no coating in the amount of \$68,666.40, Spray foam 2” with coating in the amount of \$80,689.12, also rejecting bids from TW Construction as follows: 1” no coating in the amount of \$37,142.92, 2” no coating in the amount of \$72,245.03, 1” with coating 68,342.92, 2” with coating \$103,455.03. The board has questions on the project funding and timeline. Moved by Wiese, seconded by Feickert to defer bid award and discuss at the April 19<sup>th</sup> Commission meeting. All members present voting aye. Motion carried.

#### REQUEST FOR SEALED PROPOSALS OPENING – WAGE STUDY:

Place and time as advertised, to open read and consider sealed proposals for a classification and compensation study for Brown County, South Dakota. One RFP was received from Condrey & Associates, Inc in the amount of \$37,500. Moved by Wiese, seconded by Feickert to defer bids for review at the April 19<sup>th</sup>, 2022 meeting. All members present voting aye. Motion carried.

#### MINUTES:

Moved by Wiese, seconded by Fjeldheim to approve the general meeting minutes of April 5<sup>th</sup>, 2022 and the special meeting minutes of April 1<sup>st</sup>, 2022. All members present voting aye. Motion carried.

#### CLAIMS:

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

Payroll: Commission \$4,503.96; Auditor \$9,637.93; Treasurer \$12,821.53; SA \$26,084.38; SVAWA \$0.00; Maintenance \$9,975.77; Assessor \$15,215.89; Register of Deeds \$8,028.80; VSO \$4,168.64; GIS \$2,483.72; IT \$7,507.61; HR \$4,061.37; Sheriff \$41,968.22; Jail \$56,372.48; Coroner (Voucher) \$0.00; Court Security \$6,149.80; JDC \$28,735.88; Welfare \$2,161.43; Museum \$9,272.48; Parks/Fairgrounds

\$4,095.74; Fair Board \$4,720.00; 4-H \$620.00; Weed \$918.14; Planning & Zoning \$6,531.44; Highway \$43,646.74; Dispatch \$34,259.85; Emergency \$4,285.81; Teen Court \$528.96; JDAI \$1,846.15; 24/7 Sobriety \$1,251.77; Landfill \$14,324.87; MATCHING BENEFITS: FICA \$21,857.66, Medicare \$5,111.87, Discovery HSA \$915.84.

CLAIMS: Insurance: SD UNEMPLOYMENT INSURANCE DIVISION \$15,102.86, Professional Fees: Aberdeen Cardiology \$28.71; Aberdeen ENT \$84.98; Aberdeen Orthopedics \$225.53; Armstrong Forensic Laboratory, Inc. \$220.00; AVERA ST. LUKE'S \$1,034.14; CARRELS & BAIN FAMILY DENTAL CENTER, LLC \$299.86; DAKOTA COUNSELING GROUP, LLC \$2,100.00; DEAN SCHAEFER COURT REPORTING \$93.00; Fairfield \$167.52; FOX & YOUNGBERG PC \$369.70; HELMS & ASSOCIATES INC \$932.60; KARPEL SOLUTIONS \$45,150.00; LANGUAGE LINE SERVICES INC \$855.56; LEXISNEXIS RISK DATA MGMT INC. \$150.00; PROFESSIONAL DEVELOPMENT ACADEMY \$1,695.00; REGISTRATION MAX, LLC \$750.00; ROLAND L. MOERKE \$25.00; Sanford Clinic \$672.77; SANFORD CLINIC ABERDEEN \$290.09; SANFORD HEALTH \$575.40; Sanford Health Network \$2,440.38; SANFORD HEALTH OCCUPATIONAL MEDICINE ABERDEEN \$114.00; SARA ZAHN \$20.40; SD DEPT OF HEALTH \$1,885.00; WEST PUBLISHING CORP. \$275.05; WEX HEALTH INC. \$179.85, Publishing: ABERDEEN PUBLIC SCHOOLS FOUNDATION, INC. \$400.00; HEARTLAND ASSOC OF FAIRS, FESTIVALS & EVENTS \$400.00; HUB CITY RADIO \$300.00; LEE ENTERPRISES \$19.99, Repairs & Maintenance: ABERDEEN AUTO CENTER, INC. \$224.95; ARTZ EQUIPMENT \$32.10; ASPHALT ZIPPER, INC. \$42.59; BUTLER MACHINERY CO \$4,697.16; CRAWFORD TRUCKS & EQUIPMENT \$451.44; DAKOTA FLUID POWER INC \$978.40; DIESEL MACHINERY \$6,628.73; HOVEN AUTO REPAIR INC \$307.08; JALENE M. PALMER \$1,474.80; LIEN TRANSPORTATION COMPANY \$645.00; MARK KOLB \$170.00; MB LLC \$250.00; PANTORIUM CLEANERS INC. \$28.00; PHEASANTLAND INDUSTRIES, GARMENT DIVISION \$14.32; PIERSON-FORD-LINCOLN -MERCURY \$2,392.90; R.D. OFFUTT COMPANY \$28,599.83; RDO EQUIPMENT CO. - AG \$999.64; STATE OF SOUTH DAKOTA \$590.64; STEVEN LUST AUTOMOTIVE \$70.00; TRANSOURCE TRUCK & EQUIPMENT, INC. \$8,870.33, Supplies: AGTEGRA COOPERATIVE \$99,479.17; ARLIN ZOELLNER \$1,930.00; ARTZ EQUIPMENT \$510.46; ASPHALT ZIPPER, INC. \$380.50; BENCO EQUIPMENT CO \$2,550.00; BUTLER MACHINERY CO \$4,799.06; CENTURY BUSINESS PRODUCTS \$4,076.53; COLE PAPERS \$111.72; CRAWFORD TRUCKS & EQUIPMENT \$1,504.05; DAKOTA FLUID POWER INC \$1,463.84; DAKOTA SUPPLY GROUP \$91.33; DIESEL MACHINERY \$1,722.18; EARTHGRAINS BAKING CO. INC. \$758.17; EAST SIDE JERSEY DAIRY, INC \$1,012.92; FARNAMS GENUINE PARTS INC \$136.15; FEDEX \$17.73; FOX & YOUNGBERG PC \$2.72; GCS SERVICE, INC. \$18.42; INTERSTATE BATTERY SYSTEM OF SD \$567.80; KEN'S SUPERFAIR FOODS \$29.97; KESSLERS \$9.99; Linde Gas & Equipment Inc. \$345.66; MENARDS \$656.94; MIDSTATES PRINTING \$218.07; MINN-KOTA COMMUNICATIONS, INC \$37,980.04; PANTORIUM CLEANERS INC. \$56.00; PHEASANTLAND INDUSTRIES, GARMENT DIVISION \$221.75; PIERSON-FORD-LINCOLN -MERCURY \$4,122.66; PRECISION KIOSK TECHNOLOGIES \$2,700.00; RDO EQUIPMENT CO. - AG \$7,088.66; ROLAND L. MOERKE \$19,316.05; RUNNINGS \$222.99; SANDERS'S SEW-N-VAC, INC \$137.48; SATELLITE TRACKING OF PEOPLE, LLC \$1,833.00; SD DEPT OF REVENUE & REGULATION \$3.00; SD SECRETARY OF STATE \$7.00; SHARE CORP \$411.00; TERRY L. LARSON \$159.99; TRANSOURCE TRUCK & EQUIPMENT, INC. \$5,335.17; US FOODS \$8,437.54; WEB WATER BOTTLING COMPANY \$60.00, Travel & Conference: AmericInn Mitchell, SD \$389.96; DAVID HUNTER \$84.48; MARK MILBRANDT \$216.00; PATRICIA KENDALL \$240.00, Utilities: CITY OF ABERDEEN \$1,213.17; CITY OF HECLA \$179.23; ECONOMY PROPANE LLC \$2,216.28; MIDCONTINENT COMMUNICATIONS \$95.39; NORTHERN ELECTRIC COOP, INC \$766.69; NORTHWESTERN ENERGY & COMMUNICATIONS \$1,938.94; STATE OF SOUTH DAKOTA \$106.56; TOWN OF FREDERICK \$76.00; WEB WATER DEVELOPMENT ASSOC. INC. \$85.67, Rentals: ARAMARK UNIFORM & CAREER APPAREL GROUP, INC \$394.81, Others: SD DEPT OF AGRICULTURE & NATURAL RESOURCES \$4,395.95. All members present voting aye. Motion carried.

HR REPORT:

Moved by Fjeldheim, seconded by Wiese to approve the following Human Resource Report:

- Acknowledge employment ending for Jakob McKittrick as Brown County Jail Correctional Officer, full-time; effective March 28, 2022, and approve the request to fill the vacancy.
- Acknowledge transfer of Johann Kolb from Brown County Jail Correctional Officer to Brown County JDC Correctional Officer; effective April 1, 2022

All members present voting aye. Motion carried.

#### WEED AND PEST BOARD REAPPOINTMENT:

Moved by Wiese, seconded by Gage to reappoint Tyler Bierman to the Brown County Weed and Pest Board for a three-year term through March 31, 2025. All members present voting aye. Motion carried.

#### LEASES:

Moved by Feickert seconded by Wiese to approve the following lease agreements: DTOM Veteran's Ranch for lease of Fairgrounds April 5<sup>th</sup>, 2022; State of South Dakota State Patrol AKA Highway Patrol for lease of 2914 and 2916 Industrial Ave April 13<sup>th</sup> and 14<sup>th</sup>, 2022 with insurance and indemnity clauses stricken; Prairie Partner's Master Gardner's for lease of Home Arts Building for Plant Sale May 7<sup>th</sup>, 2022; Brian LaCroix for lease of Richmond Lake Youth Camp June 10-12, 2022. All members present voting aye. Motion carried.

#### EMERGENCY MANAGEMENT QUARTERLY REPORT:

Moved by Fjeldheim, seconded by Wiese to approve, and authorize chair sign second quarter grant report. All members present voting aye. Motion carried.

#### EXECUTIVE SESSION:

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

#### ADJOURNMENT:

Moved by Feickert, seconded by Gage to adjourn the Brown County Commission at 9:53 a.m. All members present voting aye. Motion carried.

Cathy McNickle, Brown County Auditor

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## APRIL 19, 2022 – BROWN COUNTY BOARD OF EQUALIZATION

Brown County Commission met to reconvene the recessed equalization board. The Chair and Vice-chair were absent. Present were Commissioners Sutton, Fjeldheim, and Gage. Oaths of office were taken by Commissioners Doug Fjeldheim, and Duane Sutton. Director of Equalization Gene Loeschke was present. Auditor Cathy McNickle called the meeting to order and called for nominations for a temporary Chair.

Commissioner Fjeldheim nominated Duane Sutton as temporary Chair for the 2022 Brown County Board of Equalization. Moved by Fjeldheim, seconded by Gage that nominations cease, and a unanimous ballot be cast for Commissioner Sutton as temporary Chair of the 2022 Brown County Board of Equalization. All members present voting aye. Motion carried.

### APPEALS:

Moved by Fjeldheim, seconded by Gage to approve the following recommendations from the Director of Equalization as stipulated to maintain equalization: WILLIAM COLBY CRAWFORD NW 19-126-60 @\$343133; RANDALL BRETSCH SE 9-128-62 @\$262269; DARYL LLOYD D. LLOYD ADD W2 OF 26-128-62 @\$52098; DARYL LLOYD SE 13-128-63 @\$289445; TERENCE NASH LT 1 NASH SD NW 10-124-64 @\$320634; APRIL WALDNER BOLS LT 2 LILAC SD IN SW 31-121-64 1971 RITZCRAFT 12X62 VIN# 0701712961 @\$0; ALLEN RINGGENBERG LT 5 BK 2 RICHMOND HEIGHTS SD E2 32-124-64 @\$277133; JEFFRY STOHR LT 17-18 BK 12 ORIG CLAREMONT @\$4999; DARYL RUSSELL 258' S OF N 900' OF E 353' NE 27-123-64 ( @\$203787; MICHAEL EWALT LT 17-18 BK 23 1ST ADD GROTON @\$141651; DONALD SHANHOLTS LT 10-12 BK 32 1ST ADD GROTON @\$136081; STEVE HARRY HARRY'S OL A-C EX LT 1 1ST SD HARRY'S OL C FERNEY SW 31-122-60 @\$12319 AG class; RAYMOND THORPE LT 26 HOBBY FARMS NORTH SE 19-124-63 @\$8496; RONALD KASSA LT 2 KIPPLEY 1ST SD SW 19-125-63 @\$3450; NELS OLSON LT 18 HOBBY FARMS NORTH SE 19-124-63 @\$5344; NELS OLSON LT 19 HOBBY FARMS NORTH SE 19-124-63 @\$9964; Kenneth Bjur BOLS 300' N of S 333' of E 350' NE 27-123-64 (MH) 1994 Century 16x80 MY9489140K @\$0. All members present voting aye. Motion carried.

Moved by Fjeldheim, seconded by Gage to approve the following recommendations from the Director of Equalization to maintain equalization: JANE FISCHER FISCHER'S 1ST SD NE 7-124-63 @\$251,352. All members present voting aye. Motion carried.

### ADJOURN:

Moved by Fjeldheim, seconded by Gage to adjourn brown county equalization at 11:25 a.m. All members present voting aye. Motion carried.

Cathy McNickle – County Auditor

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#### APRIL 19, 2022 – GENERAL MEETING

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

#### APPROVAL OF AGENDA:

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

#### OPPORTUNITY FOR PUBLIC COMMENT:

Casey Weismantel, director of Aberdeen Area Convention and Visitors Bureau shared about National Travel & Tourism Week May 1-7<sup>th</sup>, 2022. A spring hospitality training will be available Wednesday, May 4<sup>th</sup>, 2022 at the Capitol Theatre from 8:30 am- 10:30 a.m.

#### ORDINANCE 216 – MINI AG REZONE – SECOND READING/ADOPTION:

Moved by Fjeldheim, seconded by Gage to adopt Ordinance 216, Applicant Troy Schaffer requesting to rezone from Chapter 4.06 Agriculture Preservation District (AG-P) to Chapter 4.07 Mini Ag District (M-AG): Lot 3, “Feickert’s Second Subdivision” in the SE1/4 of Section 20-T124N-R64W of the 5<sup>th</sup> P.M., Brown County, South Dakota. Roll call vote: Commission Feickert – aye, Fjeldheim – aye, Wiese- aye, Gage – aye, Sutton – aye. Ordinance adopted.

#### BID AWARD – SPRAY FOAM CONTRACTORS:

Bid reviewed and recommended as follows: Accept bid from Bahr Spray Foam for 1” with no coating in the amount of \$34,333.20 rejecting Bahr Spray Foam 1” with coating in the amount of \$46,355.92, 2” with no coating in the amount of \$68,666.40, Spray foam 2” with coating in the amount of \$80,689.12, also rejecting bids from TW Construction as follows: 1” no coating in the amount of \$37,142.92, 2” no coating in the amount of \$72,245.03, 1” with coating 68,342.92, 2” with coating \$103,455.03. Moved by Wiese, seconded by Feickert to award the bid to Bahr Spray Form for inch with no coating contingent on funding source for the project. All members present voting aye. Motion carried.

#### REQUEST FOR SEALED PROPOSALS AWARD – WAGE STUDY :

One RFP was received from Condrey & Associates, Inc in the amount of \$37,500. Moved by Wiese, seconded by Fjeldheim to award sole bidder. All members present voting aye. Motion carried.

#### FY2023 County Employee Benefits - Wellmark:

Moved by Fjeldheim, seconded by Wiese to approve and authorize chair sign Wellmark Blue Cross Blue Shield contract for county employee health insurance from 7/1/22 to 6/30/2023. All members present voting aye. Motion carried.

#### FY2023 County Employee Benefits – Dental:

Moved by Wiese, seconded by Gage to approve and authorize chair sign Delta Dental contract for county employee dental insurance from 7/1/22 to 6/30/2023. All members present voting aye. Motion carried.

#### FY2023 County Employee Benefits – HSA Health Benefit:

Moved by Wiese, seconded by Feickert to approve increase in county paid health savings account contribution to \$61.79 per paycheck. All members present voting aye. Motion carried.

#### BODY CAMERA PURCHASE:

Chief Deputy Sheriff – Dave Lunzman, discussed the need to purchase new body camera for Sheriff Deputies. Quotes were presented from Body Cams in the amount of \$8,699 with one year warranty, Motorola in the amount of \$52,454 on a 5 year contract, and Wolfcom in the amount of \$20,044 for one year contract with \$4,000 annual license, Wolfcom in the amount of \$37,442 for a 5 year contract and 5 year warranty with camera replacement at year 3. Chief Deputy Lunzman recommended Body Cams. Moved by Wiese, seconded by Gage to purchase body cameras from Body Cams by Retired Cops. All members present voting aye. Motion carried.

#### MINUTES:

Moved by Feickert, seconded by Wiese to approve the general meeting minutes of April 12<sup>th</sup>, 2022, and County Board of Equalization minutes. All members present voting aye. Motion carried.

#### CLAIMS:

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

Professional Fees: Armstrong Forensic Laboratory, Inc. \$220.00; AVERA ST. LUKE'S \$118.52; CERTIFIED LANGUAGES INTERNATIONAL LLC \$839.85; DAKOTA COUNSELING GROUP, LLC \$2,100.00; DEPENDABLE SANITATION INC \$26,706.60; KARPEL SOLUTIONS \$3,482.90; MATTHEW BENDER & CO INC \$78.08; MICHELLE GAIKOWSKI \$753.40; MICROFILM IMAGING SYSTEMS, INC. \$1,232.50; NE MENTAL HEALTH CENTER \$910.00; SANFORD HEALTH OCCUPATIONAL MEDICINE ABERDEEN \$168.00; SD DEPT OF REVENUE & REGULATIONS \$2,014.89; TYLER TECHNOLOGIES INC \$260.00; US DEPT OF TREASURY \$1,427.68; YANKTON COUNTY SHERIFF OFFICE \$50.00. Publishing: GROTON INDEPENDENT \$191.22. Repairs & Maintenance: ABERDEEN AUTO CENTER, INC. \$27.45; CRAWFORD M S & F INC \$308.00; DAKOTA DOORS INC \$53.55; DERWIN D. KAMPA \$27,552.34; ECOLAB PEST ELIMINATION \$327.67; GRAHAM TIRE INC \$110.00; HUB CITY ROOFING \$70,537.00; JAKE'S HEATING & COOLING \$3,571.44; MUTH ELECTRIC INC \$2,905.88; PANTORIUM CLEANERS INC. \$235.96; POMPS TIRE SERVICE, INC \$539.58; SCHWAN WELDING \$5,639.22; STEVEN LUST AUTOMOTIVE \$135.44; TITAN MACHINERY - ABERDEEN NH \$1,917.72; Wooden Mallet Custom LLC \$592.04. Supplies: ABERDEEN AUTO CENTER, INC. \$91.00; ABERDEEN MEDICAL CENTER PHARMACY \$257.46; ADVANCE AUTO PARTS \$1,040.72; ARAMARK UNIFORM & CAREER APPAREL GROUP, INC \$126.29; CENTURY BUSINESS PRODUCTS \$1,396.33; COLE PAPERS \$903.68; CRAWFORD M S & F INC \$18.48; DAKOTA DOORS INC \$2,625.00; DAKOTA SUPPLY GROUP \$14,872.75; FASTENAL CO \$197.27; GRAHAM TIRE INC \$1,200.00; HOUSE OF GLASS \$186.91; KESSLERS \$127.27; L. G. EVERIST, INC \$15,384.61; LEIDHOLDT TOOL SALES, LLC \$273.77; MENARDS \$359.95; NORTHERN VALLEY COMMUNICATION \$66.75; PHARMICHEM \$1,069.30; PLUMBING & HEATING WHOLESALE, INC. \$156.53; RUNNINGS \$1,180.75; SANDERS'S SEW-N-VAC, INC \$57.50; SHI INTERNATIONAL CORP \$277.80; TASER INTERNATIONAL \$8,670.00; TITAN MACHINERY - ABERDEEN NH \$49.50; TRI STATE WATER \$35.00. Utilities: CITY OF ABERDEEN \$413.31; JAMES VALLEY TELECOMMUNICATIONS \$227.50; NORTHERN VALLEY COMMUNICATION \$4,713.07; NORTHWESTERN ENERGY & COMMUNICATIONS \$6,613.03; QWEST CORPORATION \$60.61; VERIZON WIRELESS SERVICES LLC \$3,234.73 Rentals: Linde Gas & Equipment Inc. \$46.10 Others: OFFICE OF CHILD & FAMILY SERVICES

\$10,044.00; SD ASSOC. OF COUNTY OFFICIALS \$1,018.00 All members present voting aye. Motion carried.

#### HR REPORT:

Moved by Gage seconded by Wiese to approve the following Human Resource Report:

- Acknowledge resignation of Leann Schutt, Brown County Dacotah Prairie Museum, Front Desk/Volunteer Coordinator, Part-Time; effective June 11, 2022 and approve request to fill vacancy.
- Acknowledge resignation of Tonya Merkel, Brown County Jail Nurse Full-time; effective April 27, 2022 and approve request to fill vacancy.
- Acknowledge personal miles driven while using a county owned vehicle to be taxed at a rate of \$0.585 per mile. Kendell Titze 132 miles @ \$77.22; John Florey 126 @ \$73.71; Dirk Rogers 532 @ \$311.22; Mike Scott 190 @ \$111.15

All members present voting aye. Motion carried.

#### ABATEMENT:

Moved by Fjeldheim, seconded by Wiese to approve the following abatements: City of Aberdeen (Remove Solid Waste Special Assessment) LT 1 Wylie Park SD SE3, SW2, NW 11-123-64 (192.24A) @ \$34.49; City of Aberdeen (Remove Solid Waste Special Assessment) E20' LT17 & LT18 B 77 Hagerty & Lloyd Add @ \$34.49; City of Aberdeen (Remove Solid Waste Special Assessment) Lt 1 Harty Add (L468-470Morning HT) \$34.49; Ray Boschee (Building Removed) BOLS 31 S Einsenbeis LT 505-510 Morning HTS 2007 Highland Classis (HW12110)) @ \$749.22; Better Living Homes (Building Removed), LLC BOLS #210 Park VLG LT 2 BK 1 Park VLG 1979 Detrouiter 14x70 VINMNDH04D13803651A @ \$5.28; Katrina L. Esser; Anastasia C. Esser (Building Removed) BOLS Lakeside EST W2 26-123-64 1978 RITZCRAFT 14x66 VIN#r11070577 @ \$5.28; Better Living Homes (Building Removed) BOLS #501 Park Village LT 2 BK 1 Park Village 1967 Marshfield 12x64 VIN#6908 @ \$37.97; Kenneth BJur, Jan Bjur (Building Removed) BOLS 300' N of S 333' of E 350" NE 27-123-64 (MH) 1994 Century MY9489140K @ \$122.37. All members present voting aye. Motion carried.

#### FAIR CONTRACT:

Moved by Feickert, seconded by Wiese to approve the following fair contract: Parmalee TN, LCC (entertainment). All members present voting aye. Motion carried.

#### LEASES:

Moved by Wiese seconded by Gage to approve the following lease agreements: Aberdeen Area Humane Society for lease of Expo Building April 29<sup>th</sup> and 30<sup>th</sup>, 2022; American Foundation for Suicide Prevention for lease of Expo September 16-17, 2022. All members present voting age. Motion carried.

#### ALCOHOL PERMIT – SPECIAL EVENT:

Moved by Fjeldhiem, seconded by Wiese to approve the following special event alcohol permits: Transfer of RL 5733 ON-Sale (Flying Pig) May 21, 2022 to Brown County Fairgrounds Clubhouse; Transfer of RL 5733 ON-Sale (Flying Pig) May 28, 2022 to Brown County Fairgrounds Clubhouse. All members present voting age. Motion carried.

#### OTHER BUSINESS:

- Load Limits will be removed April 29<sup>th</sup>, 2022.
- Brown Count Application for Party State before the SD Public Utilities Commission regarding the application by Summit Carbon Solutions is approved.

EXECUTIVE SESSION:

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

ADJOURNMENT:

Moved by Feickert, seconded by Wiese to adjourn the Brown County Commission. All members present voting aye. Motion carried.

Cathy McNickle, Brown County Auditor

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#### APRIL 26, 2022 – GENERAL MEETING

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

#### APPROVAL OF AGENDA:

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

#### OPPORTUNITY FOR PUBLIC COMMENT:

An opportunity for public comment was given.

#### LANDFILL PURCHASE- FIRE TRUCK:

Landfill Manager Mike Scott discussed the need for a used fire truck at the landfill. Request is to purchase off the federal surplus. Moved by Feickert, seconded by Gage to approve purchase Osh Kosh Fire Truck from Federal Surplus in Huron, SD for \$12,000. All members present voting aye. Motion carried.

#### PUMPING INTO MOCCASIN CREEK:

Scott Bader, Planning and Zoning Director, met to discuss the process and jurisdictional concerns related to pumping into the Moccasin Creek. Permits are not being granted from the county.

#### MINUTES:

Moved by Wiese, seconded by Gage to approve the general meeting minutes of April 19<sup>th</sup>, 2022. All members present voting aye. Motion carried.

#### CLAIMS/PAYROLL:

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

Payroll: Commission \$4,503.96; Auditor \$9,633.24; Treasurer \$12,821.53; SA \$25,903.13; SVAWA \$0.00; Maintenance \$10,021.27; Assessor \$15,215.89; Register of Deeds \$8,028.80; VSO \$4,194.00; GIS \$2,483.72; IT \$7,409.85; HR \$4,061.37; Sheriff \$42,210.34; Jail \$55,334.66; Coroner (Voucher) \$0.00; Court Security \$6,213.43; JDC \$28,066.48; Welfare \$2,161.43; Museum \$10,041.66; Parks/Fairgrounds \$4,399.58; Fair Board \$4,720.00; 4-H \$620.00; Weed \$918.14; Planning & Zoning \$5,681.44; Highway \$46,616.12; Dispatch \$34,560.83; Emergency \$4,285.81; Teen Court \$474.24; JDAI \$1,846.15; 24/7 Sobriety \$1,296.05; Landfill \$13,401.88; MATCHING BENEFITS: FICA @ \$21,974.54; MEDICARE \$5,139.18; DISCOVERY HSA @ \$864.96; WELLMARK BCBS @ \$115,247.04; DELTA DENTAL @ \$7,454.30; DEARBORN LIFE @ \$1,016.94; SDRS RETIREMENT @ \$46,314.41.

CLAIMS: Insurance: SD PUBLIC ASSURANCE ALLIANCE \$4,624.52. Professional Fees: Assurance Land Surveying \$1,613.55; AVERA ST. LUKE'S \$5,849.33; CHRISTY GRIFFIN-SERR LAW OFFICE \$8,541.67; COGLEY LAW OFFICE, PROF LLC \$8,541.67; DOHRER LAW OFFICE \$8,541.67; DREW BECKER \$200.00; IMEG Corp \$14,920.27; JERALD M. MCNEARY \$8,541.67; KRISTI SPITZER \$200.00; KUCK LAW OFFICE \$8,541.67; LUMEN \$225.01; MICHELLE GAIKOWSKI \$38.00; Myron Haar \$13.36; SANFORD HEALTH \$547.20; Sanford Health Network \$4,629.70; TALIAFERRO LAW FIRM \$8,541.67; YANKTON COUNTY SHERIFF OFFICE \$50.00

Publishing: GateHouse Media South Dakota Holdings, Inc. \$906.50; GROTON INDEPENDENT \$296.91; MCQUILLEN CREATIVE GROUP INC \$695.00. Repairs & Maintenance: AUTO GLASS SOLUTIONS INC \$822.52; POMPS TIRE SERVICE, INC \$575.00; TITAN MACHINERY - ABERDEEN NH \$399.70. Supplies: APH STORES, INC \$16.42; CENTURY BUSINESS PRODUCTS \$420.81; COLE PAPERS \$1,600.56; CRESCENT ELECTRIC SUPPLY CO \$25.00; GRETCHEN A. SHARP \$40.00; HEARST BUSINESS MEDIA CORPORATION \$215.00; HF JACOBS & SON CONSTRUCTION INC \$53,145.05; HOUSE OF GLASS \$78.31; ID&C \$550.00; L. G. EVERIST, INC \$5,422.73; MARCO INC \$18.40; MENARDS \$200.69; MIDSTATES PRINTING \$281.00; MIDWEST PUMP & TANK \$33.00; PERFORMANCE OIL & LUBRICANTS \$538.80; PHARMCHEM \$1,042.40; PLUMBING & HEATING WHOLESALE, INC. \$2,711.32; POMPS TIRE SERVICE, INC \$5,301.67; SIOUX FALLS CRANE & HOIST, INC. \$1,541.20. Travel & Conference: PATTI WOODS \$40.00; SCOTT MEINTS \$40.00; SD ASSOC. OF COUNTY OFFICIALS \$185.00; SDAE4-HP \$65.00. Utilities: DEPENDABLE SANITATION INC \$513.00; MONTANA DAKOTA UTILITIES CO \$32.28; NORTHWESTERN ENERGY & COMMUNICATIONS \$385.57; QWEST CORPORATION \$1,168.23. All members present voting aye. Motion carried.

#### HR REPORT:

Moved by Fjeldheim seconded by Wiese to approve the following Human Resource Report:

- Acknowledge employment ending for Stacy Ramsdell as Brown County Communications Dispatcher full-time; effective April 21, 2022.
- Approve Jacquelyn Ormand; Brown County Dacotah Prairie Museum Collections, part-time through the month of May 2022.
- Approve hiring of two seasonal full-time Fairgrounds employees, with one potentially becoming a permanent full-time employee. One seasonal full-time employee not coming back. The other seasonal full-time employee moving to the part-time position.

All members present voting aye. Motion carried.

#### PLATS:

##### RESOLUTION: 16-22 SEVERSON-LEFOR FIRST ADDITION

Commissioner Feickert brought the following resolution: The plat showing "Severson-Lefor First Addition" in the NE1/4 of Section 34, Township 123 North, Range 64 West of the 5<sup>th</sup> P.M., in Brown County, South Dakota, be approved and accepted and the County Auditor is hereby instructed to endorse on such plat a copy of this resolution and to certify the same. Seconded by Gage. Roll call vote: Commissioner Feickert – aye, Fjeldheim – aye, Wiese – aye, Gage- aye, Sutton- aye. Resolution Adopted.

##### RESOLUTION: 17-22 BAUER-EDWARDS FIRST - ADDITION

Commissioner Feickert brought the following resolution: "Be it resolved by the board of County Commissioners of Brown County, South Dakota, that the plat showing Bauer-Edwards First Addition in the E1/2 SW1/4 of Section 10-T123N-R65W of the 5<sup>th</sup> P.M., Brown County, South Dakota having been examined, is hereby approved in accordance with the provisions of SDCL 11-3, and any amendments thereof. Seconded by Gage. Roll call vote: Commissioner Feickert – aye, Fjeldheim – aye, Wiese – aye, Gage- aye, Sutton- aye. Resolution Adopted.

##### RESOLUTION: 18-22 PAPA SUBDIVISION

Commissioner Feickert brought the following resolution: “Be it resolved by the board of County Commissioners of Brown County, South Dakota, that the plat showing PAPA SUBDIVISION IN STRATFORD SOUTH DAKTOA (Located in the SW1/4 section 4-T121N-R63W of the 5<sup>th</sup> P.M., Brown County, South Dakota) having been examined, is hereby approved in accordance with the provisions of SDCL 11-3, and any amendments thereof. Seconded by Gage. Roll call vote: Commissioner Feickert – aye, Fjeldheim – aye, Wiese – aye, Gage- aye, Sutton- aye. Resolution Adopted.

#### ORDINANCES 217 AND 218 – MINI AG REZONE – SET HEARING DATE:

Moved by Feickert, seconded by Wiese to set a hearing date for May 17<sup>th</sup> at 8:45 a.m. in the Courthouse Commission Chambers and authorize advertising the following mini ag rezone ordinances: Proposed Ordinance 217, Applicant Jared Steger requesting to rezone from Chapter 4.06 Agriculture Preservation District (AG-P) to Chapter 4.07 Mini Ag District (M-AG): “Boesl Addition” in the SE1/4 of the SE1/4 of Section 32-T122N-R63W of the 5<sup>th</sup> P.M., Brown County, South Dakota (38980 142<sup>nd</sup> ST, Warner); and Proposed Ordinance 218, applicant Edwards Legacy Family Limited Partnership requesting to rezone from Chapter 4.06 Agriculture Preservation District (AG-P) to Chapter 4.07 Mini Ag District (M-AG): Proposed Lot 1, “Bauer-Edwards First Addition” in the SW1/4 of Section 10-T123N-R65W of the 5<sup>th</sup> P.M., Brown County, South Dakota. All members present voting aye. Motion carried.

#### SURPLUS SALE- HIGHWAY EQUIPMENT ON PURPLE WAVE:

Moved by Wiese, seconded by Fjeldheim to authorize the following surplus sale: Auction to consist of the following Brown County Highway department surplus: 2000 MODEL TK-110-HDG S/N Y0254 ;1997 832B WITH CAB S/N B208C18882U;1987 SP12 PHEUMATIC RUBBER TIRE S/N 633; 2000 MODEL 312-ST S/N 462599; 1988 MODEL 11HTB1WH ONE WAY S/N5760 OFF A 2011 VOLO NO TIRES. Bids may be submitted online at Purplewave.com. Auction to conclude May 24, 2022. For information please contact the Brown County Highway at (605) 626-7118. All members present voting aye. Motion carried.

#### BOARD APPOINTMENT – WEED AND PEST:

Moved by Feickert, seconded by Gage to acknowledge the resignation of Dennis Wiedebush from the Brown County Weed and Pests Board and acknowledge the appointment of Bill Donaldson for a three-year term. All members present voting aye. Motion carried.

#### OUT OF STATE TRAVEL REQUEST:

Moved by Fjeldheim, seconded by Weise to approve the following out of state employee travel: Sheriff Office employees Terry Evans and Ryan McClain for travel to Casper, WY September 18-22, 2022 to attend 2022 NW Shuttle Conference as related to job duties. All members present voting aye. Motion carried.

#### FAIR CONTRACT:

Moved by Feickert, seconded by Wiese to approve the following fair contracts: Seether, Wade Bowen, and Randy Rogers Band (entertainment). All members present voting aye. Motion carried.

#### LEASES RENEWAL ADDENDUM:

Moved by Wiese seconded by Feickert to approve the following lease agreement addendum: Aberdeen Karting Club for lease of one acre of land east of the horse race tract at the fairgrounds and adequate area for parking. Lease option is for the first three-year period commencing November 1, 2021 and terminating October 31, 2024. All members present voting age. Motion carried.

**SHERIFF REPORTS:**

Moved by Wiese, seconded by Fjeldheim to approve the following March 2022 Sheriff Reports: Incidents and offenses, Prisoner care, JDC, and Money deposited with the County Treasurer. All members present voting aye. Motion carried.

**CLAIM ASSIGNMENT:**

Moved by Fjeldheim, seconded by Wiese to approve, and authorize auditor assign claim against an individual to Credit Collections Bureau for the purpose of collecting liens. All members present voting aye. Motion carried.

**FIREWORKS PERMIT:**

Moved by Gage, seconded by Wiese to approve firework permit for Richmond Lake Association for public display July 3<sup>rd</sup>, 2022. Discharge location from the Edwards Preserve at Richmond Lake. All members present voting aye. Motion carried.

**LEASES:**

Moved by Feickert, seconded by Wiese to approve the following leases: Prairie Partners Master Gardener's for lease of Home Arts Building May 21, 2022; Camp Good News for lease of Richmond Lake Youth Camp Lodge and Dorms July 16-22, 2022. All members present voting aye. Motion carried.

**EXECUTIVE SESSION:**

Moved by Fjeldheim, seconded by Wiese to go into executive session per SDCL 1-25-2 (Contracts and Legal). All members present voting aye. Motion carried. The Chair declare the executive session closed with no action taken.

**ADJOURNMENT:**

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

Cathy McNickle, Brown County Auditor

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## MAY 03, 2022 – GENERAL MEETING

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

### APPROVAL OF AGENDA:

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

### OPPORTUNITY FOR PUBLIC COMMENT:

An opportunity for public comment was given.

### DACOTAH PRAIRIE MUSEUM ANNUAL REPORT:

Patricia Kendall, Museum Director gave the 2021 museum annual report.

### APPLICATION FOR OCCUPANCY (RIGHT OF WAYS):

Moved by Weise, seconded by Feickert to approve the following application for occupancy: Northwestern Electric for occupancy of Brown County Highway Number 20, in section 11 SW1/4, township 124N, range 60W for Buried Primary Electrical. All members present voting aye. Motion carried.

### APPLICATION FOR OCCUPANCY (RIGHT OF WAYS):

Moved by Weise, seconded by Fjeldheim to approve the following application for occupancy: Northwestern Electric for occupancy of Brown County Highway Number 14, in section 9 NE1/4, township 123N, range 63W for Buried Primary Electrical. All members present voting aye. Motion carried.

### MINUTES:

Moved by Fjeldheim, seconded by Gage to approve the general meeting minutes of April 26<sup>th</sup>, 2022 and consolidated board of equalization meeting minutes. All members present voting aye. Motion carried.

### CLAIMS:

Moved by Feickert, seconded by Wiese to approve the following claims: Professional Fees: Aberdeen Cardiology \$9.57; Aberdeen Orthopedics \$46.49; AVERA ST. LUKE'S \$13,792.62; BRICK'S TV & APPLIANCE \$2,542.00; CARRELS & BAIN FAMILY DENTAL CENTER, LLC \$174.25; CGI \$426.72; Dakota County District Court \$14.00; DARCY LOCKWOOD \$63.00; Emergency Service Marketing Corp, Inc \$5,631.75; HELMS & ASSOCIATES INC \$5,820.80; HOUSTON ENGINEERING, INC. \$11,391.00; LINCOLN COUNTY TREASURER \$691.20; LUCY LEWNO \$655.00; MARK KATTERHAGEN \$63.00; MICHELLE GAIKOWSKI \$87.40; MINNEHAHA COUNTY,SD \$1,989.00; Sanford Clinic \$459.80; SANFORD CLINIC ABERDEEN \$133.72; Sanford Health Network \$2,305.02; SCHRIVERS MEMORIAL MORTUARY INC \$1,800.00; SD JUNIOR POINT SHOW \$300.00; SHI INTERNATIONAL CORP \$22,865.29; US BANK \$1,663.00; YANKTON COUNTY SHERIFF OFFICE \$100.00; Publishing: GateHouse Media South Dakota Holdings, Inc. \$2,027.00; GROTON INDEPENDENT \$142.44; US BANK \$499.00; Repairs & Maintenance: ABERDEEN ASPHALT INC \$264.00; HOUSE OF GLASS \$2,125.94; US BANK \$1,330.90; VOSIKA FENCING \$7,981.00; Supplies: ADVANCE AUTO PARTS \$233.14; CENTURY BUSINESS PRODUCTS \$173.43; COLE PAPERS \$2,217.56; DAKOTA SUPPLY GROUP \$489.43; FEDEX \$16.93; GOVCONNECTION INC \$235.62; LUCY LEWNO \$24.62; MENARDS \$137.19; PANTORIUM CLEANERS INC. \$28.00; PLUMBING & HEATING WHOLESALE, INC. \$94.67;

RUNNINGS \$841.50; US BANK \$15,403.39; WEST PUBLISHING CORP. \$1,839.44; Travel & Conference: BRIAN KOENS \$326.18; JOE KRAFT \$251.34; US BANK \$890.94; Utilities: AT&T MOBILITY \$385.37; MIDCONTINENT COMMUNICATIONS \$268.75; NORTHWESTERN ENERGY & COMMUNICATIONS \$4,328.34; US BANK \$3,297.28; Others: WEX HEALTH INC. \$3,000.00; OLYMPIC SALES, INC \$33,250.00. All members present voting aye. Motion carried.

#### HR REPORT:

Moved by Wiese seconded by Gage to approve the following Human Resource Report:

- Acknowledge union negotiated wages as follows effective April 17, 2022: ARNDT, JARELL @ 19.85 per hour; BIERMAN, MCKENZIE @ 20.65 per hour; Cronin, Kaycee @ 15.97 per hour; DANNEN, MICHELLE @ 17.33 per hour; DOHMAN, ANNE @ 17.11 per hour; Duxbury, Brandon @ 16.27 per hour; ENGQUIST, TRACY @ 18.54 per hour; EPPARD, CINDY @ 18.39 per hour; FORSTING, JOLENE @ 19.26 per hour; FORSTING, MONTY @ 17.25 per hour; GROTE, TROY @ 20.11 per hour; GRUENSTEIN, CHARLES @ 20.6 per hour; HEUPEL, MATTHEW @ 19.8 per hour; HOVENDICK, ELIZABETH @ 16.83 per hour; JANUSZ, ANDREW @ 18.44 per hour; JENSEN, CASEY @ 21.04 per hour; JUENGER, NICHOLAS @ 20.99 per hour; KALLENBERGER, JASON @ 20.61 per hour; Keough, Joseph @ 19.6 per hour; KOST, KYLE @ 20.45 per hour; LANE, CORY @ 27.32 per hour; LEHRKAMP, Gerald @ 20.94 per hour; LOUT, TERRY @ 20.66 per hour; MARTTILA-KLIPFEL, MARIANNE @ 17.33 per hour; Matthews, Joshua @ 19.6 per hour; Morgan, Stephanie @ 16.55 per hour; NEHLICH, BRAD @ 20.92 per hour; ORMAND, JACQUELYN @ 19.77 per hour; Otte, Dwain @ 19.6 per hour; OWENS, BRYAN @ 21.09 per hour; PIGORS, KURT @ 22.77 per hour; Randall, Joel @ 15.97 per hour; RAWSTERN, SHERRI @ 20.56 per hour; ROHRBACH, MICHAEL @ 20.11 per hour; SCHLOSSER, DANIEL @ 19.11 per hour; SCHNABEL, SHAWN @ 24.37 per hour; SCHULZ, MICKY @ 19.65 per hour; Seiler, Jeffrey @ 19.51 per hour; SHEFFIELD, JO @ 18.69 per hour; SUTTON, JORDON @ 19.75 per hour; ULMER, JOSHUA @ 19.96 per hour; WIPF, PAUL @ 22.98 per hour; WOODFORD, CINDY @ 18.54 per hour; ZUMBAUM, DEAN @ 20.89 per hour.
- Approve promotion for Meagan Delahanty from Brown County Jail Correctional Officer to Brown County Jail Shift Sergeant, starting wage \$20.84 per hour, effective May 15, 2022.
- Approve hiring of Keri Walker as Brown County Dacotah Prairie Museum inter, wage \$12.50 per hour, effective May 9, 2022.
- Approve return of Breanna Locke as Brown County Fairgrounds part-time summer help; wage \$13.50 per hour; effective May 6, 2022.
- Approve return of Richard Burns as Brown County Fairgrounds full-time summer help; wage \$13.50 per hour; effective May 2, 2022.
- Approve payment of retirement award for Jeffrey Kirnan in the amount of \$150 before taxes, the requirement was met.

All members present voting aye. Motion carried.

#### ABATEMENTS:

Moved by Feickert, seconded by Wiese to approve the following property tax abatements: Kenneth Bjur BOLS 300'N of S 333' of E 350' NE 27-123-64 (MH) 1994 Century 16x80 MY9489140K (moved out of state) @ \$122.37; Prairies Edge Dev LLC – LT A Prairie's edge 7<sup>th</sup> Add (Replatted) @ \$115.80; Prairies Edge Dev LLC – LT A Prairie's Edge 7<sup>th</sup> add (Replatted) refunds prior year @ \$464.31. All members present voting aye. Motion carried.

#### LEASES:

Moved by Gage, seconded by Wiese to approve the following leases: Heidi Klein for lease of Richmond Lake Youth Camp June 24-26, 2022 approved alcohol use permission form; Allison Vetch for lease of Clubhouse June 4-5, 2022 with approved alcohol use permission form; Aberdeen Running Club for lease of fairgrounds (running area) May 26<sup>th</sup>, 2022 with approved alcohol use permission form. All members present voting aye. Motion carried.

**OTHER BUSINESS:**

Commission Gage gave an update on Senior Week Events. Commission Chair Sutton shared that May is Military Appreciation Month and thanked military members.

**EXECUTIVE SESSION:**

Moved by Wiese, seconded by Fjeldheim to go into executive session per SDCL 1-25-2 (Personnel and Legal). All members present voting aye. Motion carried. The Chair declare the executive session closed with no action taken.

**ADJOURNMENT:**

Moved by Feickert, seconded by Gage to adjourn the Brown County Commission at 10:50a.m. All members present voting aye. Motion carried.

Cathy McNickle, Brown County Auditor

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#### MAY 10, 2022 – GENERAL MEETING

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

#### APPROVAL OF AGENDA:

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

#### OPPORTUNITY FOR PUBLIC COMMENT:

An opportunity for public comment was given.

#### STRIPING AGREEMENT:

Moved by Wiese, seconded by Feickert to approve and authorize the Chair to sign agreement with the SD DOT for the striping of approximately 48.0 miles of county roads within Brown County at an estimated cost of \$36,753.28 (County share @ 40% \$14,701.31 State share @ 60% \$22,051.97). All members present voting aye. Motion carried.

#### MINUTES:

Moved by Feickert, seconded by Wiese to approve the general meeting minutes of May 3rd, 2022. All members present voting aye. Motion carried.

#### CLAIMS/PAYROLL:

Moved by Wiese, seconded by Gage to approve the following claims and payroll: PAYROLL: Commission \$4,503.96; Elections (Voucher) \$915.00; Auditor \$9,694.18; Treasurer \$14,657.53; SA \$24,724.70; SVAWA \$0.00; Maintenance \$10,916.80; Assessor \$15,755.89; Register of Deeds \$9,951.20; VSO \$4,181.32; GIS \$2,483.72; IT \$9,468.69; HR \$4,061.37; Sheriff \$42,478.93; Jail \$60,198.42; Coroner (Voucher) \$0.00; Court Security \$6,175.27; JDC \$27,882.31; Welfare \$2,161.43; Museum \$12,588.17; Parks/Fairgrounds \$5,012.02; Fair Board \$5,397.81; 4-H \$779.79; Weed \$4,202.14; Planning & Zoning \$5,736.17; Highway \$55,298.94; Dispatch \$33,097.12; Emergency \$4,285.81; Teen Court \$556.32; JDAI \$1,846.15; 24/7 Sobriety \$1,303.95; Landfill \$17,100.36; Matching benefits: FICA @ \$23,803.49; Medicare @ \$5,566.90; Discovery HSA @ \$864.96. CLAIMS: Insurance: SD ASSOC OF COUNTY COMMISSIONERS \$2,150.00 Professional Fees: ABERDEEN FIRE & RESCUE \$228.00; AVERA ST. LUKE'S \$9.00; CERTIFIED LANGUAGES INTERNATIONAL LLC \$661.65; KOLETZKY LAW OFFICE, PROF LLC \$237.60; LANGUAGE LINE SERVICES INC \$1,722.92; LEXISNEXIS RISK DATA MGMT INC. \$150.00; MICROFILM IMAGING SYSTEMS, INC. \$748.00; Morrison County Sheriff's Office \$50.00; SANFORD CLINIC \$400.00; SANFORD HEALTH \$21.00; SD RETIREMENT SYSTEM \$180.00; SD SECRETARY OF STATE \$30.00; WEX HEALTH INC. \$172.95 Publishing: ARGUS LEADER \$20.37; DAKOTA BROADCASTING, LLC \$1,400.00; HUB CITY RADIO \$1,500.00 Repairs & Maintenance: ACE REFRIGERATION LLC \$463.08; CRAWFORD TRUCKS & EQUIPMENT \$519.16; DIESEL MACHINERY \$14,127.24; ECOLAB PEST ELIMINATION \$252.61; HOVEN AUTO REPAIR INC \$2,233.64; LAURSEN ASPHALT REPAIR EQUIPMENT SALES, LLC \$15.87; LAWSON PRODUCTS, INC \$79.07; LEIDHOLT ELECTRIC LLC \$2,068.18; MIDWEST PUMP & TANK \$3.03; NARDINI FIRE EQUIPMENT CO OF NORTH DAKOTA \$314.00; PANTORIUM CLEANERS INC. \$222.90; PIERSON-FORD-LINCOLN -MERCURY \$1,924.49; POMPS TIRE SERVICE, INC \$20.00; QUALITY WELDING \$270.00; R.D. OFFUTT COMPANY \$231.84; RDO EQUIPMENT CO. - AG \$55,172.49; ROBERT A LYKE \$975.00; ROLAND L. MOERKE \$1,458.25; RUNNINGS \$37.98; SEWER DUCK INC \$1,000.00; STEVEN LUST AUTOMOTIVE \$6,185.02; TIMOTHY C. GARDNER \$68.00; TOWN & COUNTRY BUILDING SUPPLY \$243.24; TRANSOURCE TRUCK & EQUIPMENT, INC. \$3,722.28; WALTH SAFETY SERVICE INC \$1,136.72; WOODMAN REFRIGERATION, INC \$12,100.00 Supplies: ABERDEEN PIT STOP \$1,793.34; AGTEGRA COOPERATIVE \$63,614.62; APH STORES, INC \$111.54; BAKKEN BUILD MAINTENANCE \$500.00; Brandon Duxbury \$159.74; BUTLER MACHINERY CO \$2,584.84; CARTNEY BEARING \$56.55; CENTURY BUSINESS PRODUCTS \$186.79; COLE PAPERS \$442.64; CRAWFORD TRUCKS & EQUIPMENT \$4,563.94; DAKOTA FLUID POWER INC \$182.80; DAKOTA OIL \$861.54; DIESEL MACHINERY \$6,562.27; EARTHGRAINS BAKING CO. INC. \$790.41; EAST SIDE JERSEY DAIRY, INC \$834.12; FARNAMS GENUINE PARTS INC \$14.07; FASTENAL CO \$23.22; GOVCONNECTION INC \$390.03; JOHN FLOREY \$21.18; KATHY BAER \$72.20; KEN'S SUPERFAIR FOODS \$85.87; LAURSEN ASPHALT REPAIR EQUIPMENT SALES, LLC \$813.00; LAWSON PRODUCTS, INC



\$996.41; LEIDHOLDT TOOL SALES, LLC \$124.79; LEIDHOLT ELECTRIC LLC \$2,340.35; MAC'S INC \$666.02; MARCO INC \$400.00; MCKESSON MEDICAL-SURGICAL GOVERNMENT SOLUTIONS \$55.70; MENARDS \$107.50; MIDSTATES PRINTING \$110.06; MIDWEST PUMP & TANK \$148.27; PANTORIUM CLEANERS INC. \$56.00; PERFORMANCE RENTALS LLC \$12.00; PIERSON-FORD-LINCOLN -MERCURY \$248.59; POMPS TIRE SERVICE, INC 130.37; PRO AG SUPPLY, INC \$2,600.00; QUALITY WELDING \$1,032.08; R.D. OFFUTT COMPANY \$2,779.85; RDO EQUIPMENT CO. - AG \$2,571.02; River Bend Industries \$6,428.57; ROBERT A LYKE \$4,245.25; ROLAND L. MOERKE \$104.79; RUNNINGS \$35.96; SANDERS'S SEW-N-VAC, INC \$399.87; SATELLITE TRACKING OF PEOPLE, LLC \$1,897.75; SD STATE HISTORICAL SOCIETY \$55.00; STATE OF SOUTH DAKOTA \$12,000.00; STEVEN LUST AUTOMOTIVE \$1,774.40; TRI STATE WATER \$72.75; US FOODS \$8,138.66; VAN DIEST SUPPLY CO \$1,704.80; WALTH SAFETY SERVICE INC \$330.00 Travel & Conference: CATHY MCNICKLE \$109.09; Kaycee Cronin \$39.95; MARK MILBRANDT \$370.00 Utilities: CITY OF ABERDEEN \$1,645.48; ECONOMY PROPANE LLC \$381.90; MARCO INC \$97.00; MIDCONTINENT COMMUNICATIONS \$75.39; NORTHWESTERN ENERGY & COMMUNICATIONS \$18,347.26; TOWN OF FREDERICK \$76.00; WEB WATER DEVELOPMENT ASSOC. INC. \$85.21 Rentals: PANTORIUM CLEANERS INC. \$103.68 Others: SD DEPT OF AGRICULTURE & NATURAL RESOURCES \$4,109.43

All members present voting aye. Motion carried.

#### HR REPORT:

Moved by Wiese seconded by Fjeldheim to approve the following Human Resource Report:

- Acknowledge Employment ending for Kaycee Cronin as Brown County Fair / 4-H Admin Assistant, full-time; effective May 3, 2022. Request to fill.
- Acknowledge Transfer of Angel Sanchez from Brown County Jail Correctional Officer to Brown County JDC Correctional Officer; May 15, 2022.
- Approve hiring of Shanae Florence as Brown County Jail Correctional Officer, full-time; starting wage \$18.87/hour; effective May 17, 2022.
- Approve hiring of Morgan Cox as Brown County Jail Correctional Officer, full-time; starting wage \$18.87/hour; effective May 17, 2022.
- Approve hiring of Brandi Trusty as Brown County Deputy Treasurer, full-time; starting wage \$16.27/hour; effective May 16, 2022.
- Approve payment of retirement award for Jacquelyn Ormand in the amount of \$150 before taxes, the requirement was met.
- Approve hiring of Sara Mangan as Brown County State's Attorney intern; wage \$500.00/week; effective May 9, 2022.

All members present voting aye. Motion carried.

#### FAIR CONTRACTS:

Moved by Fjeldheim, seconded by Feickert to approve the following fair contracts: Saliva (entertainment) . All members present voting aye. Motion carried.

#### LEASES:

Moved by Gage, seconded by Wiese to approve the following leases: Jeff Wolff for lease of Hog and Sheep Barn June 12-13, 2022; Janea Janusz for lease of Clubhouse June 25, 2022 with alcohol permission; SPURS for lease of 2555 John Deere Tractor and TR3 arena groomer 4 days between May 1<sup>st</sup> – July 31<sup>st</sup>, 2022; Aberdeen Downtown Association for lease of Clubhouse June 16<sup>th</sup> and July 14<sup>th</sup>, 2022. All members present voting aye. Motion carried.

#### AUDITOR'S REPORT OF ACCOUNT:

Moved by Fjeldheim, seconded by Wiese to approve the following Auditor's Report of Account for March: Total Cash and Checks on Hand 7700 Total Checking Account Balances: 18231111.96 Total Savings Account Balances: 6275447.42 Total Certificates of Deposit: 3978174.09 Grand Total Cash and Balances: 28492433.47 General Fund Cash and Investment Balances by Funds: General Fund 11705667.54 Road & Bridge Fund 2407091.49 Road & Bridge Fund - restricted 423243.27 911 Service 1217112.38 Emergency & Disaster 189394.66 Domestic Abuse 975 Teen Court 1036.1 Grant 32.11 JDAI -1867.17 Richmond Youth 21916.96 24/7 Sobriety 44184.43 ROD M&P

110343.64 American Rescue Plan Federal Grant 3772057.66 Rural Access Infrastructure 95415.63 Tif Debt Service  
1081.68 Landfill + cash change 3178925.06 Landfill - restricted 1400479.44 Trust and Agency Funds 3925343.59  
GRAND TOTAL GENERAL FUND CASH AND INVESTMENTS 28492433.47  
All members present voting aye. Motion carried.

**SURPLUS REQUEST:**

Moved by Feickert, seconded by Wiese to approve surplus to landfill for Museum Copier as it no longer functions.  
All members present voting aye. Motion carried.

**OTHER BUSINESS:**

Discussion on the status of the roads around Richmond Lake.

**ADJOURNMENT:**

Moved by Feickert, seconded by Wiese to adjourn the Brown County Commission at 9:01 a.m. All members  
present voting aye. Motion carried.

Cathy McNickle, Brown County Auditor

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

## MAY 17, 2022 – GENERAL MEETING

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

### APPROVAL OF AGENDA:

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

### OPPORTUNITY FOR PUBLIC COMMENT:

An opportunity for public comment was given. Public comment regarding the request by Demkota Beef to lay pipe to drain into Moccasin Creek was heard during that item.

### DEMKOTA BEEF REQUEST TO DRAIN WEST CELL OF LAGOON INTO MOCCASIN CREEK FOR REPAIRS:

Demkota Beef met to request to lay pipe along 388<sup>th</sup> Ave to drain west cell of the lagoon into Moccasin Creek. Public comment was heard regarding drainage, flow, and quality of water. Questions arose over if the county or township has authority to issue a permit. Moved by Wiese, seconded by Feickert to defer action to determine authority. All members present voting aye. Motion carried.

### COURT RESOURCE HOME PILOT APPLICATION:

Moved by Wiese, seconded by Gage to approve and authorize chair sign letter of support for the implementation of a pilot program, Court Resource Home Project facilitated through the State's Attorney Office. All members present voting aye. Motion carried.

### ORDINANCES 217 - MINI AG REZONE – FIRST READING:

Moved by Wiese, seconded by Feickert to approve first reading of proposed ordinance 217, Applicant Jared Steger requesting to rezone from Chapter 4.06 Agriculture Preservation District (AG-P) to Chapter 4.07 Mini Ag District (M-AG): "Boesl Addition" in the SE1/4 of the SE1/4 of Section 32-T122N-R63W of the 5<sup>th</sup> P.M., Brown County, South Dakota (38980 142<sup>nd</sup> ST, Warner). All members present voting aye. Motion carried.

### ORDINANCE 218 – MINI AG REZONE – FIRST READING:

Moved by Gage, seconded by Wiese to approve first reading of proposed ordinance 218, applicant Edwards Legacy Family Limited Partnership requesting to rezone from Chapter 4.06 Agriculture Preservation District (AG-P) to Chapter 4.07 Mini Ag District (M-AG): Proposed Lot 1, "Bauer-Edwards First Addition" in the SW1/4 of Section 10-T123N-R65W of the 5<sup>th</sup> P.M., Brown County, South Dakota. All members present voting aye. Motion carried.

### MINUTES:

Moved by Fjeldheim, seconded by Wiese to approve the general meeting minutes of May 10th, 2022. All members present voting aye. Motion carried.

### CLAIMS:

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

Professional Fees: AGTERRA TECHNOLOGIES, INC. \$70.00; DEPENDABLE SANITATION INC \$28,122.20; DREW BECKER \$200.00; HEATHER M. LACROIX \$393.90; LEWIS & CLARK BHS \$736.00; MICHELLE GAIKOWSKI \$49.40; Pennington County Sherrif's Office \$1,890.00; SANFORD HEALTH OCCUPATIONAL MEDICINE ABERDEEN \$156.00; SD DEPT OF REVENUE & REGULATIONS \$1,352.17; YANKTON COUNTY TREASURER \$520.10. Publishing: GROTON INDEPENDENT \$193.68. Repairs & Maintenance: ASPHALT ZIPPER, INC. \$117.31; AUTO GLASS SOLUTIONS INC \$40.00; Consolidated Electrical Distributors Inc \$390.00; GRAHAM TIRE INC \$52.81; GROTON FORD \$1,096.06; JASON'S ELECTRIC INC \$360.31; MIDWEST PUMP & TANK \$20.34; PIERSON-FORD-LINCOLN -MERCURY \$1,154.48; POMPS TIRE SERVICE, INC \$835.84; PRECISION KIOSK TECHNOLOGIES \$2,700.00; PRO WINDMILL INC. \$440.00; SIOUX FALLS CRANE & HOIST, INC. \$22.19; STEVEN LUST AUTOMOTIVE \$150.79; TITAN MACHINERY - ABERDEEN NH \$1,932.66; TRANSOURCE TRUCK & EQUIPMENT, INC. \$375.00; WOODMAN REFRIGERATION, INC \$120.41. Supplies: ABERDEEN MEDICAL CENTER PHARMACY \$2,331.64; ADVANCE AUTO PARTS \$575.48; ARAMARK UNIFORM & CAREER APPAREL GROUP, INC \$126.29; ASPHALT ZIPPER, INC. \$1,610.22; Body Cams by Retired Cops \$8,699.00; CENTURY BUSINESS PRODUCTS \$648.54; COLE PAPERS \$700.88; DAKOTA SUPPLY GROUP \$3,038.55; FEDEX \$34.82; GOVCONNECTION INC \$1,059.72; GREAT WESTERN TIRE INC \$9,104.17; HEATHER M. LACROIX \$14.88; HF JACOBS & SON CONSTRUCTION INC \$42,159.87; KESSLERS \$196.73; LEIDHOLDT TOOL SALES, LLC \$445.10; MENARDS \$183.80; MIDSTATES PRINTING \$127.50; MIDWEST PUMP & TANK \$996.04; MIKE DINGER \$11,029.11; NORTHERN VALLEY COMMUNICATION \$26.76; PLUMBING & HEATING WHOLESALE, INC. \$3,494.62; RUNNINGS \$964.81; SHARE CORP \$639.60; SIOUX FALLS CRANE & HOIST, INC. \$286.19; Talent Buyers Network \$1,000.00; TITAN MACHINERY - ABERDEEN NH \$306.66; TOWN & COUNTRY BUILDING SUPPLY \$463.78; TRANSOURCE TRUCK & EQUIPMENT, INC. \$969.68; WEB WATER BOTTLING COMPANY \$37.50. Travel & Conference: Erica Coughlin \$117.30. Utilities: ADVANCE AUTO PARTS \$52.78; CITY OF ABERDEEN \$1,057.62; CITY OF HECLA \$166.13; JAMES VALLEY TELECOMMUNICATIONS \$216.70; NORTHERN ELECTRIC COOP, INC \$2,339.62; NORTHERN VALLEY COMMUNICATION \$4,589.33; NORTHWESTERN ENERGY & COMMUNICATIONS \$2,745.94; QWEST CORPORATION \$1,541.93; STATE OF SOUTH DAKOTA \$121.07; VERIZON WIRELESS SERVICES LLC \$3,227.01. Rentals: ARAMARK UNIFORM & CAREER APPAREL GROUP, INC \$262.86; Linde Gas & Equipment Inc. \$47.62. Others: SD ASSOC. OF COUNTY OFFICIALS \$1,134.00; SD DEPT OF REVENUE & REGULATIONS \$647,558.22. Jury: BETH VERSLUYS \$10.84; CHARLES MOORE \$10.84; Meredith Haney \$10.84; RICHARD WEBER \$11.68; Taylor Carlson \$10.84. All members present voting aye. Motion carried.

#### HR REPORT:

Moved by Wiese, seconded by Gage to approve the following Human Resource Report:

- Acknowledge employment ending for Jesse Jensen, Brown County Jail Correctional Officer, full-time; effective May 11, 2022. Request to fill.
- Approve hiring of Rhaecine Sam as Brown County JDC Correctional Officer, full-time; starting wage \$18.87/hour; effective May 17, 2022.
- Approve hiring of Logan Rohrbach as Brown County Jail Correctional Officer, full-time; starting wage \$18.87/hour; effective May 31, 2022.

All members present voting aye. Motion carried.

#### ANNUAL MALT BEVERAGE LICENSE RENEWALS:

Moved by Fjeldheim, seconded by Wiese to approve applications for renewal of Malt Beverage Licenses to operate outside of a municipality. RETAIL (ON-OFF SALE) MALT BEVERAGE: Marge Frohling DBA The Connection, Houghton (Lots 10-11-12-13 & 14 Block 2, Sec 31, T 127 R61); Richmond Oasis LLC – Chantal Gortmaker (Lt 4 Schaeffer Richmond Lake 2<sup>nd</sup> ADD NW & NE 25-124-165 (5AC)); Bath Quick Stop – Dustin Guthmiller (Lt B Weismantels 1<sup>st</sup> SD Lt 1 Ex N 12' Jenkins SD Inc Adjn 12' Lt Jenkins SD E2 SE 18-123-62);

Brown County Speedway – Motor Sports, LLC (Brown County Fairgrounds - SW ¼, Sec 1, T123 N, R64W); Elm Lake Resort – Travis Swenson (Lt 1 Elm Lake Resort SE ¼ 8-128-65 (that portion of road R 10/W)); Flatland Fyways – ARR LLC, Art Russo (Lodge OL Art Russo OLS in Gov Lt 3&4 NW 1-127-62); Centennial Village Inc (Brown County Fairgrounds SW 1/4, Sec 1, T123N, R64 W – Centennial Village); Anchors Away Lodge & Resort - P'ZA Inc (Palmers Richmond Resort SD Lot 1 (SD OL1 Richmond OL 1 & 2)); Aberdeen Hockey Association Inc. (Brown County Fairgrounds SW ¼ Sec 1, T123N, R64W (Odde Ice Center); Moccasin Creek Country Club (Prairiwood Vlg, OL 7, E2 33-124-63);. All members present voting aye. Motion carried.

#### BID – ENTERTAINMENT CONSULTANTS – SET BID OPENING:

Moved by Feickert, seconded by Gage to authorize advertising public hearing to open, read and consider sealed bids for entertainment consultants at 8:45 a.m., on June 7, 2022 in the Commissioner's Chambers, Courthouse Annex, Brown County, SD. Specifications are online brown.sd.us and on file in the Brown County Auditor's Office. All members present voting aye. Motion carried.

#### FAIR CONTRACTS:

Moved by Wiese, seconded by Feickert to approve the following fair contracts: T&K Tent Rentals for rental of tents for 2022 @ \$16,400 and NSU Women's Swim Team for Stagehand Services for 2022 @ \$7,000, 2023 @ \$7,000, and 2024 @ \$7,000; award low quote to Karlen Electric for wire 60 campsites in the amount of \$24,999. All members present voting aye. Motion carried.

#### JOINT POWERS AGREEMENT – SD DOT:

Moved by Feickert, seconded by Weise to approve joint powers agreement between the SD Department of Transportation and Brown County for Rumble Strip/Pavement Marking project PH0010(157)PNC 06U8. Project is 100% funded by the Highway Safety Improvement Program through the State of South Dakota. The State will pay for all costs incurred under the agreement. All members present voting aye. Motion carried.

#### BC CONNECT SERVICE MOU:

Moved by Wiese, seconded by Gage to approve and authorize chair sign Memorandum of Understanding with Adamsoft LLC for services to BC Connect, a proprietary tax software and lien software. All members present voting aye. Motion carried.

#### EXECUTIVE SESSION:

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

#### ADJOURNMENT:

Moved by Feickert, seconded by Wiese to adjourn the Brown County Commission at 10:05 a.m. All members present voting aye. Motion carried.

Cathy McNickle, Brown County Auditor

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

#### MAY 24, 2022 – GENERAL MEETING

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

#### APPROVAL OF AGENDA:

Moved by Fjeldheim, seconded by Wiese to approve the agenda with the removal of the Disaster Declaration as the declaration is no longer necessary. All members present voting aye. Motion carried.

#### OPPORTUNITY FOR PUBLIC COMMENT:

An opportunity for public comment was given.

#### DEMKOTA BEEF REQUEST TO DRAIN WEST CELL OF LAGOON INTO MOCCASIN CREEK FOR REPAIRS:

Discussion on the request from Demkota Beef to lay pipe along 388<sup>th</sup> Ave to drain west cell of the lagoon into Moccasin Creek. Questions arose over if the county or township has the authority to issue a permit. It was determined the township has authority to issue permits along township roads. No action from Brown County Commission.

#### ORDINANCES 218- MINI AG REZONE – SECOND READING/ADOPTION:

Moved by Fjeldheim, seconded by Wiese to adopt ordinance 217, Applicant Jared Steger to rezone from Chapter 4.06 Agriculture Preservation District (AG-P) to Chapter 4.07 Mini Ag District (M-AG): “Boesl Addition” in the SE1/4 of the SE1/4 of Section 32-T122N-R63W of the 5<sup>th</sup> P.M., Brown County, South Dakota (38980 142<sup>nd</sup> ST, Warner). Roll Call Vote: Commissioner Feickert – aye, Fjeldheim – aye, Wiese – aye, Gage- aye, Sutton- aye. Ordinance Adopted.

#### ORDINANCE 218 – MINI AG REZONE – FIRST READING:

Moved by Gage, seconded by Feickert to adopt ordinance 218, applicant Edwards Legacy Family Limited Partnership to rezone from Chapter 4.06 Agriculture Preservation District (AG-P) to Chapter 4.07 Mini Ag District (M-AG): Proposed Lot 1, “Bauer-Edwards First Addition” in the SW1/4 of Section 10-T123N-R65W of the 5<sup>th</sup> P.M., Brown County, South Dakota. Roll Call Vote: Commissioner Feickert – aye, Fjeldheim – aye, Wiese – aye, Gage- aye, Sutton- aye. Ordinance Adopted.

#### BRIDGE REINSPECTION:

Commissioner Wiese brought the following resolution:

#### PROGRAM RESOLUTION R19-22 FOR USE WITH SDDOT RETAINER CONTRACTS

WHEREAS, 23 CFR 650 Subpart C, 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.

The County requests SDDOT to hire 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.

Seconded by Commissioner Feickert. Roll Call Vote: Commissioner Feickert – aye, Fjeldheim – aye, Wiese – aye, Gage- aye, Sutton- aye. Resolution Carried.

#### HIGHWAY DEPARTMENT UPDATE:

Dirk Rogers Highway Superintendent gave an update on upcoming road and bridge projects.

#### GENERAL FUND OPERATING TRANSFERS:

Moved by Feickert, seconded by Wiese to approve and authorize the following operating transfers as adopted in the 2022 budget from the General Fund (101-911-191) in total amount of \$4,602,076.86 to the following: Road and Bridge Fund (201-371) @ \$4,026,000; E-911 Fund (207-371) @ \$450,000.00; EM Fund (226-371) @ \$116,076.86; 24/7 Teen Court (230-371) @ \$10,000. All members present voting aye. Motion carried.

#### OFFICIAL U.S. FLAG RETIREMENT DROPBOX:

Cathy McNickle, County Auditor presented a temporary dropbox for the retirement of U.S. Flags. The dropbox is located in the courthouse annex entryway and is available during normal business hours. The dropbox is sponsored by the National Association of Counties, SD Association of County Officials, and the SD Association of County Commissioners.

#### CLAIMS/PAYROLL:

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

Payroll: Commission \$4,503.96; Elections (Voucher) \$2,696.25; Auditor \$9,337.93; Treasurer \$13,025.53; SA \$25,697.43; SVAWA \$0.00; Maintenance \$10,134.01; Assessor \$15,275.89; Register of Deeds \$8,242.40; VSO \$4,143.28; GIS \$2,483.72; IT \$7,563.61; HR \$4,061.37; Sheriff \$41,999.52; Jail \$47,914.38; Coroner (Voucher) \$0.00; Court Security \$7,394.60; JDC \$27,827.10; Welfare \$2,161.43; Museum \$10,414.67; Parks/Fairgrounds \$4,660.84; Fair Board \$4,462.94; 4-H \$310.93; Weed \$4,202.14; Planning & Zoning \$5,681.44; Highway \$42,771.28; Dispatch \$32,271.84; Emergency \$4,285.81; Teen Court \$383.04; JDAI \$1,846.15; 24/7 Sobriety \$1,379.26; Landfill \$14,863.57. MATCHING BENEFITS: FICA \$21,630.87, MEDICARE \$5,058.83, Discovery\_HSA \$864.96.

CLAIMS: Insurance: SD PUBLIC ASSURANCE ALLIANCE \$216.52; Professional Fees: CHRISTY GRIFFIN-SERR LAW OFFICE \$18,184.75; DREW BECKER \$200.00; IMEG Corp \$4,815.68; SANFORD HEALTH OCCUPATIONAL MEDICINE ABERDEEN \$98.00; SD DEPT OF HEALTH \$1,180.00; WEST PUBLISHING CORP. \$275.05; Publishing: ARGUS LEADER \$20.37; GateHouse Media South Dakota Holdings, Inc. \$483.00; GROTON INDEPENDENT \$229.86; Repairs & Maintenance: Debby Schlosser \$200.00; DOERR'S TREE SERVICE \$6,500.00; HF JACOBS & SON CONSTRUCTION INC \$2,110.54; HUB CITY ROOFING \$3,850.00; JENSEN ROCK & SAND INC \$17,388.75; KIRBY KIESZ \$102.00; OVERHEAD DOOR \$86.73; RINGGENBERG ELECTRIC INC \$13,719.61; STEVEN LUST AUTOMOTIVE \$64.99; SUPERIOR JETTING INC \$3,854.32; WOODMAN REFRIGERATION, INC \$6,138.51; Supplies: AGTEGRA COOPERATIVE \$2,803.57; CENTURY BUSINESS PRODUCTS \$106.25; CINDY MITCHELL \$80.92; DACOTAH PRAIRIE MUSEUM \$46.24; DAKOTA SUPPLY GROUP \$383.48; ELECTIONS SYSTEMS & SOFTWARE LLC \$10,770.25; FASTENAL CO \$66.58; J GROSS EQUIPMENT \$83.30; JENSEN ROCK & SAND INC \$16,648.52; KAREN SWANK \$24.00; KIRBY KIESZ \$340.50; MENARDS \$190.00; MIDSTATES PRINTING \$122.00; POMPS TIRE SERVICE, INC \$26.50; Ryan McClain \$99.96; SD BUREAU OF ADMIN - STATE FLAG ACCT \$141.74; TOWN & COUNTRY BUILDING SUPPLY \$347.71; Travel & Conference: BRIANNA HAUGEN \$426.44; CITY OF GROTON \$165.94; ERNEST THOMPSON \$426.44; JENNIFER STODDARD \$406.44; Natrona County Sheriff's Office \$500.00; REGENCY MIDWEST VENTURES LIMITED PARTNERSHIP \$109.99; Utilities: DEPENDABLE SANITATION INC \$513.00; MONTANA DAKOTA UTILITIES CO \$33.31; NORTHERN VALLEY

COMMUNICATION \$311.09; Jury: Brian Allbee \$930.24; Corey Herman \$361.76; David Williams \$864.28; Derek Elverud \$930.24; Gary Sundermeyer 981.92; Harold Duncan \$945.36; Kendrick Heilman \$735.28; Kyler Ell \$1,135.60; Lauren Tobin \$930.24; Lisa Peterson \$964.24  
All members present voting aye. Motion carried.

#### MINUTES:

Moved by Fjeldheim, seconded by Wiese to approve the general meeting minutes of May 17th, 2022.  
All members present voting aye. Motion carried.

#### HR REPORT:

- Moved by Wiese, seconded by Gage to approve the following Human Resource Report:
- Acknowledge employment ending for Christian Van Oss, Brown County Jail Correctional Officer, full-time; effective May 16, 2022. Request to fill.
- Acknowledge resignation of Anita Hedrington, Brown County Jail Correctional Officer, full-time; effective May 27, 2022. Request to fill.
- Acknowledge resignation of Sheldon Noess, Brown County State's Attorney's office, full-time; effective July 29, 2022. Request to fill.
- Approve hiring of Monica Hein as Brown County Jail/JDC Nurse, full-time; starting salary \$63,000; effective May 23, 2022. Additional increase after the probationary period, see attached document.
- Approve hiring of Andrew Coughlin as Brown County Fair intern, full-time; starting wage
- \$12.85/hour; effective May 31, 2022.
- Approve amendment to wage on 05.10.22 HR report: Hiring of Brandi Trusty as Brown County Deputy Treasurer, full-time; starting wage \$16.55/hour; effective May 16, 2022.
- Approve promotion of Dawn Allam from Brown County Dispatcher to Brown County Communications Shift Supervisor; starting wage \$26.04/hour; effective May 29, 2022.
- Approve promotion of Aaron Gasser from Brown County Dispatcher to Brown County Communications Shift Supervisor; starting wage \$26.04/hour; effective May 29, 2022.
- Approve hiring of Noah Miller as Brown County 4-H intern, full-time; starting wage \$12.85/hour; effective May 25, 2022.
- Approve hiring of Anthony Miller as Brown County Fairgrounds seasonal worker, part-time; starting wage \$13.50/hour; effective May 31, 2022.
- Approve hiring of Caden Shelton as Brown County Fairgrounds seasonal worker, part-time; starting wage \$13.50/hour; effective May 31, 2022.

All members present voting aye. Motion carried.

#### PLATS:

##### RESOLUTION: 20-22 CARLSON ADDITION

Commissioner Feickert brought the following resolution: Be it resolved by the board of county commissioners of Brown County, South Dakota, that the plat showing "CARLSON ADDITION IN THE NW1/4 OF SECTION 28, TOWNSHIP 125 NORTH, RANGE 62 West of the 5<sup>th</sup> P.M., in 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: Commissioner Feickert – aye, Fjeldheim – aye, Wiese – aye, Gage- aye, Sutton- aye. Resolution Adopted.

##### RESOLUTION: 21-22 PRAIRIE POINT FIRST ELM LAKE ADDITION

Commissioner Feickert brought the following resolution: Be it resolved by the board of county commissioners of Brown County, South Dakota, that the plat showing "PRAIRIE POINT FIRST ELM LAKE



ADDITION IN THE S1/2 SE ¼ OF SECTION 8 T128N R65W OF THE 5<sup>TH</sup> P.M., in Brown County, South Dakota” having been examined is hereby approved in accordance with the provisions of SDCL 11-3, and any amendments thereof. Seconded by Wiese. Roll call vote: Commissioner Feickert – aye, Fjeldheim – aye, Wiese – aye, Gage- aye, Sutton- aye. Resolution Adopted.

**RESOLUTION: 22-22 MEHLHAFF FIRST ADDITION TO RICHMOND LAKE**

Commissioner Feickert brought the following resolution: Be it resolved by the board of county commissioners of Brown County, South Dakota, that the showing “MEHLHAFF FIRST ADDITION TO RICHMOND LAKE IN THE NE1/4 OF SECTION 25 T124N R65W OF THE 5<sup>TH</sup> P.M. in Brown County, South Dakota” having been examined is hereby approved in accordance with the provisions of SDCL 11-3, and any amendments thereof. Seconded by Wiese. Roll call vote: Commissioner Feickert – aye, Fjeldheim – aye, Wiese – aye, Gage- aye, Sutton- aye. Resolution Adopted.

**RESOLUTION: 23-22 BARBER’S THIRD SUBDIVISION**

Commissioner Feickert brought the following resolution: Be it resolved by the board of county commissioners of Brown County, South Dakota, that the showing “BARBER’S THIRD SUBDIVISION” in the SW1/4 of Section 31, Township 124 North, Range 64 West of the 5<sup>th</sup> P.M., in Brown County, South Dakota” having been examined is hereby approved in accordance with the provisions of SDCL 11-3, and any amendments thereof. Seconded by Wiese. Roll call vote: Commissioner Feickert – aye, Fjeldheim – aye, Wiese – aye, Gage- aye, Sutton- aye. Resolution Adopted.

**RESOLUTION: 24-22 NCD BIN SITE ADDITION**

Commissioner Feickert brought the following resolution: Be it resolved by the board of county commissioners of Brown County, South Dakota, that the showing “NCD BIND SITE IN THE SW1/4 SE ¼ OF SECTION 10, T127N, R60W OF THE 5<sup>TH</sup> P.M., in Brown County, South Dakota” having been examined is hereby approved in accordance with the provisions of SDCL 11-3, and any amendments thereof. Seconded by Wiese. Roll call vote: Commissioner Feickert – aye, Fjeldheim – aye, Wiese – aye, Gage- aye, Sutton- aye. Resolution Adopted.

**LOTTERY PERMIT:**

Moved by Wiese, seconded by Fjeldheim to approve the following lottery permit: Boys & Girls Club of Aberdeen for lottery June 20, 2022 at Moccasin Creek Country Club. All members present voting aye. Motion carried.

**EXECUTIVE SESSION:**

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

**ADJOURNMENT:**

Moved by Feickert, seconded by Gage to adjourn the Brown County Commission. All members present voting aye. Motion carried.

Cathy McNickle, Brown County Auditor

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

MAY 31, 2022 – GENERAL MEETING

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

APPROVAL OF AGENDA:

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

OPPORTUNITY FOR PUBLIC COMMENT:

An opportunity for public comment was given.

LIEN RELEASE:

Commissioner Wiese offered the following Resolution:

RESOLUTION # 25-22

WHEREAS, Brown County has filed a Poor Relief Lien with a balance of \$9,340.93 and

WHEREAS, Brown County has determined it to be in the best interest of the taxpayers to release certain property from the effect of said lien, upon condition that the lien remain filed against the individual.

NOW, THEREFORE BE IT RESOLVED that the following real property, which is described as follows:

The East 47 feet of Lots 5 and 6, Block 14, Highland Park Addition to Aberdeen,  
according to the plat thereof of record, Brown County, South Dakota.

is hereby released from the effect and force of said lien, and that the lien balance remain filed against the individual.

Dated this 31st day of May 2022.

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

HIGHWAY DEPARTMENT UPDATE:

Dirk Rogers, Highway Superintendent, gave an update on road conditions after recent heavy rainfall.

2020 AUDIT CLOSING CONFERENCE:

Moved by Fjeldheim, seconded by Wiese to acknowledge the 2020 audit closing conference.

MINUTES:

Moved by Feickert, seconded by Wiese to approve the general meeting minutes of May 24th, 2022. All members present voting aye. Motion carried.

CLAIMS:

Moved by Gage, seconded by Wiese to approve the following claims: Insurance: FINANCIAL SERVICES OF ABERDEEN, INC. \$675.00; Professional Fees: CHRISTY GRIFFIN-SERR LAW OFFICE \$8,541.67; COGLEY LAW OFFICE, PROF LLC \$8,541.67; DOHRER LAW OFFICE \$8,541.67; DREW BECKER \$200.00; JERALD M. MCNEARY \$8,541.67; KRISTI SPITZER \$1,800.00; KUCK LAW OFFICE \$8,541.67; LUMEN \$206.36; MARCO INC \$2,406.90; TALIAFERRO LAW FIRM \$8,541.67; UND Forensic Pathology \$4,760.00; US BANK \$350.26; Publishing: ABERDEEN PARKS, RECREATION & FORESTRY \$550.00; GateHouse Media South Dakota Holdings, Inc. \$25.16; Repairs & Maintenance: AUTO GLASS SOLUTIONS INC \$1,031.03; CRAWFORD TRUCKS & EQUIPMENT \$2,742.50; DAKOTA DOORS INC \$151.16; Ethan Westby \$1,100.00; GRAHAM TIRE INC \$100.00; HOVEN AUTO REPAIR INC \$65.74; JENSEN ROCK & SAND INC \$11,720.00; KIRBY KIESZ \$38.25; LEIDHOLT ELECTRIC LLC \$450.05; OTIS ELEVATOR \$2,875.68; POMPS TIRE SERVICE, INC \$40.00; SANDERS'S SEW-N-VAC, INC \$271.98; Sioux Equipment \$1,900.00; US BANK \$553.18; WALTH SAFETY SERVICE INC \$472.50; Supplies: ALCOPRO, INC. \$324.45; CENTURY BUSINESS PRODUCTS \$465.40; COLE PAPERS \$1,169.23; CRAWFORD TRUCKS & EQUIPMENT \$3,768.19; CRICKET MEDIA INC. \$39.95; DAKOTA DOORS INC \$6.75; JENSEN ROCK & SAND INC \$7,391.12; KIRBY KIESZ \$37.00; LEIDHOLDT TOOL SALES, LLC \$132.88; LEIDHOLT ELECTRIC LLC \$52.35; MARCO INC \$18.18; MENARDS \$313.72; MIDWEST PUMP & TANK \$88.00; PERFORMANCE OIL & LUBRICANTS \$244.40; PHARMCHEM \$1,255.40; POMPS TIRE SERVICE, INC \$255.24; QUALITY WELDING \$50.10; RUNNINGS \$320.85; Russell B. Landscaping \$393.97; Sioux Equipment \$1,684.93; US BANK \$17,402.73; VAN DIEST SUPPLY CO \$2,476.40; WALTH SAFETY SERVICE INC \$134.84; WEST PUBLISHING CORP. \$1,839.44; Travel & Conference: AARON WALBERG \$155.00; DENNIS WIEDEBUSH \$22.56; DUANE JARK \$52.17; Karla Nelson \$426.44; KATHY SCHLECHT \$14.00; US BANK \$2,000.48; Utilities: MIDCONTINENT COMMUNICATIONS \$139.17; NORTHWESTERN ENERGY & COMMUNICATIONS \$9,440.91; US BANK \$2,745.31; Others: ALAN P. OR ANGELA P. BERNARD \$13,017.63; DARWIN H. OR MARY J. BETTMANN \$1,952.65; DAVID AND JILL LEHMANN LIVING TRUST \$16,272.60; DONALD D. OR MAXINE E. FISCHER \$1,952.40; FDM REVOCABLE LIVING TRUST \$16,271.40; GREAT PLAINS BANK \$19,526.45; HERMAN SCHUMACHER \$8,136.30; JAMES D. GRESSETT \$16,271.40; JOHN KIPPLEY \$3,254.41; JOOP ANTONIUS HUBERTUS BOLLEN \$16,271.40; KENDALL OR LINDA PETERSON \$6,508.82; KENDALL PETERSON TRUSTEE PT 09 \$39,052.90; LYNETTE DURHEIM \$6,508.82; MARK & MARY VOLK \$6,508.82; MARLIN NILSSON \$13,017.63; PLAINS COMMERCE BANK - ABDN \$248,306.21; PYUSH RAMANLAL PATEL \$16,271.40; ROBERT M. OR LORA M. LARSON \$3,253.80. All members present voting aye. Motion carried.

#### HR REPORT:

Moved by Fjeldheim, seconded by Feickert to approve the following Human Resource Report:

- Approve return of Les Schaible as Brown County Highway full-time summer help at \$14.02 per hour, effective May 31, 2022.
- Approve hiring of Terry Holder as Brown County Fairgrounds Maintenance worker, full-time; starting wage \$16.70 per hour; effective June 13, 2022.

All members present voting aye. Motion carried.

#### JDC COOPERATIVE AGREEMENT WITH ABERDEEN SCHOOL DISTRICT:

Moved by Wiese, seconded by Fjeldheim to approve and authorize chair sign cooperative agreement with Aberdeen School District 6-1 to establish an educational program for youth placed in the juvenile detention center effective July 1, 2022 – June 30, 2023. All members present voting aye. Motion carried.

#### LEASES:

Moved by Fjeldheim, seconded by Gage to approve the following lease agreements:

Kylie Hawkins for lease of Club House September 24<sup>th</sup>, 2022; Aberdeen Downtown Association for lease of 1 stage June 16<sup>th</sup>, July 14<sup>th</sup>, August 26<sup>th</sup> and 27<sup>th</sup>, 2022; Horsemen's Association for lease of Akkerman Open Horse Arena June 5<sup>th</sup>, June 26<sup>th</sup>, July 17<sup>th</sup>, August 7<sup>th</sup>, 2022; Pastor Neil Hannahs (Northern Plains Baptist Church) for lease of Richmond Lake Youth Camp June 27<sup>th</sup>, July 3<sup>rd</sup>, 2022; Jark Auction Service for lease of Holum Expo Building June 25<sup>th</sup>, 2022; Nancy Schumacher for lease of Club House June 11<sup>th</sup>, 2022; South Dakota Quarter Horse Association for lease of Akkerman Open Horse Arena June 4<sup>th</sup> and August 21<sup>st</sup>, 2022; Dilon Freudenthal for lease of Club House October 1, 2022. All members present voting aye. Motion carried.

#### HIGHWAY CONTRACTOR AGREEMENT:

Moved by Feickert, seconded by Weise to approve and authorize chair sign agreement between Brown County, SD and Robert R Schroeder Construction, Inc for work under contract BRO 8007(00)21-1; PCN 08FG Structure and Approach Grading Str, No. 07-110-057; Brown County, South Dakota.

#### EXECUTIVE SESSION:

Moved by Wiese, seconded by Fjeldheim to go into executive session to discuss legal and contracts per SDCL 1-25-2. All members present voting aye. Motion carried. The chair declared the executive session closed with no action taken.

#### ADJOURNMENT:

Moved by Fjeldheim, seconded by Wiese to adjourn the Brown County Commission at 9:37a.m. All members present voting aye. Motion carried.

Cathy McNickle, Brown County Auditor

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## JUNE 7, 2022 – GENERAL MEETING

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

### APPROVAL OF AGENDA:

Moved by Fjeldheim, seconded by Gage to approve the agenda. All members present voting aye. Motion carried.

### OPPORTUNITY FOR PUBLIC COMMENT:

Patty Tracy, an area resident updated the commission on an issue regarding drainage at Richmond Lake. District 3 Representative, Carl Perry, gave an update on the upcoming regional jail meeting.

### BID OPENING-ENTERTAINMENT CONSULTANTS:

Place and time as advertised, to open read and consider bids for entertainment consultants for the Brown County Fair. Bids were received and opened from Winterset Concert Events; Romeo Entertainment Group; and Pepper Entertainment. Moved by Fjeldheim, seconded by Feickert to defer bids for review. All members present voting aye. Motion carried.

### RIGHT OF WAY APPLICATIONS FOR OCCUPANCY:

Moved by Feickert, seconded by Gage to approve the applications for occupancy by Northern Valley Communications for Telecommunications in the following locations: Occupancy of Brown County Highway 6, in section 36,25, Township 121, Range 65; Highway 27, section 31-35,56, township 121, range 63-65; Highway 2, section 34,27, township 121, range 65, Brown County, South Dakota. All members present voting aye. Motion carried.

### HIGHWAY DEPARTMENT UPDATE:

Dirk Rogers, Highway Superintendent, gave an update on recent and upcoming highway projects.

### MINUTES:

Moved by Fjeldheim, seconded by Gage to approve the general meeting minutes of May 31, 2022. All members present voting aye. Motion carried.

### CLAIMS/PAYROLL:

Moved by Feickert, seconded by Gage to approve the following claims and payroll: PAYROLL Commission \$4,503.96; Elections (Voucher) \$3,030.00; Auditor \$9,637.93; Treasurer \$14,192.31; SA \$25,960.10; SVAWA \$0.00; Maintenance \$9,892.56; Assessor \$15,275.89; Register of Deeds \$8,242.40; VSO \$4,143.28; GIS \$2,483.72; IT \$7,850.69; HR \$4,061.37; Sheriff \$41,754.86; Jail \$50,783.07; Coroner (Voucher) \$0.00; Court Security \$6,733.45; JDC \$29,880.09; Welfare \$2,161.43; Museum \$10,515.70; Parks/Fairgrounds \$5,518.51; Fair Board \$4,152.00; 4-H \$231.30; Weed \$5,442.14; Planning & Zoning \$5,715.03; Highway \$43,740.30; Dispatch \$31,849.09; Emergency \$4,285.81; Teen Court \$528.96; JDAI \$1,846.15; 24/7 Sobriety \$1,316.58; Landfill \$14,471.67; MATCHING BENEFITS: FICA @ \$22,071.13, Medicare \$5,161.78, HSA \$864.96, Wellmark BCBS \$114,460.84; Delta Denta; \$7,361.70; Dearborn Life

\$1,013.54, SDRS Retirement \$46,059.97; CLAIMS Insurance: SD PUBLIC ASSURANCE ALLIANCE \$114.11; Professional Fees: DARCY LOCKWOOD \$18.00; DEVNET \$9,876.25; LINCOLN COUNTY TREASURER \$323.20; LUCY LEWNO \$170.00; MARK KATTERHAGEN \$18.00; MICHELLE GAIKOWSKI \$57.00; NE MENTAL HEALTH CENTER \$1,612.00; PRCA \$1,800.00; SANFORD HEALTH OCCUPATIONAL MEDICINE ABERDEEN \$84.00; SCHNEIDER GEOSPATIAL, LLC \$2,523.00; SD RETIREMENT SYSTEM \$45.00; YANKTON COUNTY SHERIFF OFFICE \$50.00; Publishing: MIDSTATES PRINTING \$139.00; Repairs & Maintenance: DAKOTA DOORS INC \$86.73; Adamsoft LLC \$125.00; BUTLER MACHINERY CO \$189.79; Consolidated Electrical Distributors Inc \$3.90; DAKOTA DOORS INC \$652.89; FIRE SAFETY FIRST, LLC \$706.00; GRAHAM TIRE INC \$12.00; HOUSE OF GLASS \$423.47; JENSEN ROCK & SAND INC \$37,800.35; LAWSON PRODUCTS, INC \$75.00; Meister Mowing LLC \$1,395.00; PIERSON-FORD-LINCOLN -MERCURY \$197.35; RDO EQUIPMENT CO. - AG \$51,178.05; ROLAND L. MOERKE \$160.00; SCHWAN WELDING \$1,165.50; Supplies: AGTEGRA COOPERATIVE \$32,492.50; APH STORES, INC \$279.66; BAKKEN BUILD MAINTENANCE \$500.00; BUTLER MACHINERY CO \$499.88; CENTURY BUSINESS PRODUCTS \$5.36; CHARM-TEX \$790.50; COLE PAPERS \$586.52; DAKOTA SUPPLY GROUP \$279.39; DS SOLUTIONS, INC. \$560.00; ELECTIONS SYSTEMS & SOFTWARE LLC \$2,269.80; GRAHAM TIRE INC \$8.50; GREAT WESTERN TIRE INC \$50.40; JENSEN ROCK & SAND INC \$44,633.84; LABSOURCE, INC. \$2,630.64; LAWSON PRODUCTS, INC \$1,168.44; LUCY LEWNO \$6.53; MENARDS \$129.69; MIDSTATES PRINTING \$372.00; PANTORIUM CLEANERS INC. \$28.00; PLUMBING & HEATING WHOLESALE, INC. \$52.42; R.D. OFFUTT COMPANY \$2,884.37; RDO EQUIPMENT CO. - AG \$7,574.63; ROLAND L. MOERKE \$98.25; RUNNINGS \$1,000.88; SANDERS'S SEW-N-VAC, INC \$244.93; SCHWAN WELDING \$9,849.00; Travel & Conference: DEADWOOD RESORTS, LLC \$80.00; MICHAEL ELIASON \$3,000.84; Utilities: AT&T MOBILITY \$301.21; CITY OF ABERDEEN \$734.76; MIDCONTINENT COMMUNICATIONS \$129.58; NORTHWESTERN ENERGY & COMMUNICATIONS \$14,280.05; ROLAND L. MOERKE \$90.00; TITAN MACHINERY - ABERDEEN NH \$573.16; Rentals: FORDHAM SIGNS & DESIGN \$2,200.00; Others: SD ASSOC. OF COUNTY OFFICIALS \$1,006.00; SD DEPT OF AGRICULTURE & NATURAL RESOURCES \$4,902.42; WEX HEALTH INC. \$7,000.00. All members present voting aye. Motion carried.

#### HR REPORT:

Moved by Fjeldheim, seconded by Gage to approve the following Human Resource Report:

- Acknowledge resignation of Jennifer Powell, Brown County Jail/JDC PRN Nurse, effective May 26, 2022.
- Approve hiring of Brett Wilson as Brown County Jail Correctional Officer, full-time; starting wage \$18.87/hr; effective June 14, 2022
- Approve hiring of Dawson Anderson as Brown County Jail Correctional Officer, full-time; starting wage \$18.87/hr; effective June 14, 2022
- Approve hiring of Nicole Phillips as Brown County Jail Correctional Officer, full-time; starting wage \$18.87/hr; effective June 14, 2022
- Approve hiring of Stacey Usselman as Brown County Fair/4H Office Admin, full-time; starting wage \$15.97/hr; effective July 5, 2022

All members present voting aye. Motion carried.

#### LETTER OF SUPPORT – NSU GRANT:

Moved by Fjeldheim, seconded by Gage to approve and authorize Chair sign letter in support of Northern State University's grant proposal to the United States Economic Development Administration (EDA) Build to Scale Challenge Grant Program for the Northern Innovation and Startup Center. All members present voting aye. Motion carried.

#### LEASES:

Moved by Feickert, seconded by Gage to approve the following lease agreement:  
Rob VanMeter for lease of Richmond Lake Youth Camp July 3<sup>rd</sup>, 2022. All members present voting aye.  
Motion carried.

EXECUTIVE SESSION:

Moved by Fjeldheim, seconded by Gage to go into executive session to discuss legal and contracts and personnel per SDCL 1-25-2. All members present voting aye. Motion carried. The chair declared the executive session closed with no action taken.

ADJOURNMENT:

Moved by Gage, seconded by Fjeldheim to adjourn the Brown County Commission. All members present voting aye. Motion carried.

Cathy McNickle, Brown County Auditor  
Published once at the total approximate cost of \$\_\_\_\_\_.

## JUNE 10, 2022– CANVASS OF JUNE 7, 2022 JOINT PRIMARY ELECTION

Brown County Commissioners Vice-Chair Mike Wiese, Doug Fjeldheim, and Mike Gage convened for purpose of canvassing the June 7, 2022 Joint Primary election, as authorized by SDCL 12-20-36 at 2:00 p.m. on June 10, 2022 in the Commissioner’s Chambers, Courthouse Annex, Brown County, SD. Also present were the Aberdeen School Board and the City of Aberdeen. Vice-Chair Wiese called the meeting to order.

Moved by Fjeldheim, seconded by Gage to approve the Official Canvass, as follows:

### United States Senator - Republican

John R. Thune 3,454

Bruce Whalen 823

Mark Mowry 232

### United States Representative - Republican

Dusty Johnson 2,924

Taffy Howard 1,624

### Governor – Republican

Steven Haugaard 1,046

Kristi Noem 3,530

### State Senator District 01 - Republican

Michael H. Rohl 759

Joe Donnell 312

### State Senator District 03 - Republican

Al Novstrup 1,794

Rachel Dix 1,222

### State Senator District 23 - Republican

Bryan J. Breitling 136

Spencer Gosch 120

### State Representative District 03 - Republican (elect 2)

Kaleb W Weis 1,118

Brandei Schaeffbauer 1,327

Richard Rylance 1,264

Carl E. Perry 1,606

### State Representative District 23 – Republican (elect 2)

Kaleb W Weis 1,118

Scott Moore 118

Brandon Black 91

Gregory Brooks 103

James D. Wangsness 78



County Commissioner At Large – Republican (elect 3)

Mike Russell 1,500  
Drew Dennert 3,118  
Mike Gage 2,225  
Mike Wiese 2,600

Delegates to State Convention - Republican (elect 3)

Ashton Dennert 1,399  
Charlene Cornelius 1,192  
Tabor Schabot 798  
Ron Cornelius 962  
Drew Dennert 2,691  
Jack Hieb 1,688

Precinct Committeeman Precinct-03 -Republican

Daniel Kaiser 145  
Heath Johnson 70  
Dave Lunzman 123

Precinct Committeeman Precinct-06 - Republican

George Paul Dennert 262  
Douglas Roggow 108

Precinct Committeeman Precinct-07 - Republican

Kyler Dinger 211  
Steven Lust 362

Precinct Committeeman Precinct-08 - Republican

Brandon Black 81  
Gregory Brooks 74

Precinct Committeeman Precinct-09 - Republican

Andrew Bergan 124  
Rickey L. Hansen 42

Precinct Committeeman Precinct-10 -Republican

Daniel Richardt 21  
Timothy Prater 14  
Justin Rezatto 13

Precinct Committeeman Precinct-12 - Republican

Darren Engelhart 92  
Jeffrey T. Sveen 73

Precinct Committeeman Precinct-13 - Republican

Jeffrey Kippley 62  
Patrick G Rohl 29

Precinct Committeeman Precinct-15 -Republican  
Michael Rohl 228  
Ken Bjur 74

Precinct Committeeman Precinct-16 -Republican  
Michael Evans 42  
Kaleb Weis 65

Precinct Committeeman Precinct-17 -Republican  
Keith Miller 55  
Kevin Gerard Weig 31

Precinct Committeeman Precinct-19 - Republican  
Jesse Zak 125  
Brandon Bible 62

Precinct Committeewoman Precinct-03 - Republican  
Mary Jane "MJ" Lunzman 108  
Joni Hansen 67  
Laura Zylstra Kaiser 117

Precinct Committeewoman Precinct-07 - Republican  
Sophie Doeden 194  
Lia Dinger 241

Precinct Committeewoman Precinct-12 – Republican  
Heidi Engelhart 95  
Mary Jorgensen 66

Precinct Committeewoman Precinct-15 – Republican  
Monica Meyer 180  
Jan Bjur 52

Precinct Committeewoman Precinct-16 - Republican  
Kayla Weis 52  
Debora J Ross 11  
Barbara Evans 30

Precinct Committeewoman Precinct-17 – Republican  
Shannon Broderson 57  
Anne Miller 41

Precinct Committeewoman Precinct-19 - Republican  
Glenna M. Remington 119  
Krissi Zak 84

School Board Member Aberdeen School District 6-1 – Nonpartisan (elect 2)

Gayle Bortnem 3,438

Mike Bockorny 2,644

Duane Alm 3,117

City Council Member Aberdeen Ward-NE - Nonpartisan

Erin Fouberg 919

Mark Remily 238

Andy Schaunaman 364

City Council Member Aberdeen Ward-NW - Nonpartisan

Charlotte Liebelt 667

Jon Boon McNutt 470

City Council Member Aberdeen Ward-SE - Nonpartisan

Chad Nilson 350

Kyle Walz 320

David Novstrup 523

Constitutional Amendment C: A Constitutional Amendment Requiring Three-Fifths Vote for Approval of Ballot Measures Imposing Taxes or Fees or Obligating over \$10 Million. - Nonpartisan

Yes 2,375

No 5,170

All members present voting aye. Motion carried.

ADJOURN:

Moved by Fjeldheim, seconded by Gage to adjourn the Canvass Meeting for the June 7, 2022 Joint Primary Election.

All members present voting aye. Motion carried.

Cathy McNickle, Brown County Auditor

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

#### JUNE 14, 2022 – GENERAL MEETING

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

#### APPROVAL OF AGENDA:

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

#### OPPORTUNITY FOR PUBLIC COMMENT:

An opportunity for public comment was given.

#### GROW SD ANNUAL UPDATE AND BUDGET REQUEST:

Grow SD presented an annual update to the board of county commissioners and requested \$5,000 appropriation in 2023. No action taken.

#### AGREEMENT – ABERDEEN DEVELOPMENT CORP (REGIONAL JAIL BUILDING SEWER LINE):

Moved by Wiese, seconded by Sutton to approve and authorize chair sign agreement between Brown County and the Aberdeen Development Corporation (ADC) to allow ADC to construct a new sanitary sewer line leading to the regional jail. ADC will pay all construction costs and expenses to construct the new sewer line. A Sanitary Sewer Easement on the west ten feed of the property to give the County the right to access the easement area for maintenance, repair, and replacement of the new sewer line. All members present voting aye. Motion carried.

#### WARRANTY DEED:

Moved by Wiese, seconded by Fjeldheim to approve and authorize chair sign warranty deed for Lot 1, ADC 2022-2 Addition to the City of Aberdeen, in the Northeast Quarter of Section 17, Township 123 North, Range 63 West of the 5<sup>th</sup> P.M., Brown County, South Dakota, according to the recorded plat thereof. Deed is issued in accordance with the contract to purchase the regional jail building. All members present voting aye. Motion carried.

#### EXECUTIVE SESSION:

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

#### SUMMIT CARBON SOLUTIONS:

Paul Phillips with turn key logistics met with the board of county commissioners to give an update on the Summit Carbon Solution pipeline application. No action taken.

#### BID AWARD-ENTERTAINMENT CONSULTANTS:

Moved by Fjeldheim, seconded by Gage to award the low bid to Winterset Concert Events in the amount of \$20,000 for 2023, \$20,000 for 2024, \$25,000 for 2025 with a three year total of \$65,000. Bids rejected from Pepper Entertainment in the amount of 8% of total talent fees for 2023, 9% of total talent fees for 2024, \$10% of total talent fees for 2025, not to exceed \$30,000 annually. Bids rejected from Romeo Entertainment as follows: option 1: \$29,000 for 2023, \$31,000 for 2024, \$33,0100 for 2025, with a three year total of \$93,000. Option 2: \$15,000 plus \$1 per ticket sold for 2023, \$17,000 plus \$1 per

ticket sold for 2024, \$19,000 plus \$1 per ticket sold with a three year total of \$51,000. All members present voting aye. Motion carried.

#### RIGHT OF WAY EASEMENT - FAIRGROUNDS:

Moved by Wiese, seconded by Gage to approve easement request from Northern Electric Cooperative, Inc for the SW Quarter of the SE Quarter (SW1/4 SE1/4) of Section One (1), Township One Hundred Twenty-Three (123) North, Range Sixty-Four (64) West of the Fifth P.M., Except the portion deeded for Highway Purposes, Brown County, South Dakota. The easement is to construct, replace, operate, and maintain electric or telecommunications systems at the Brown County Fairgrounds.

#### FAIR CAMPGROUND NAMING RIGHTS AGREEMENT:

Moved by Wiese, seconded by Fjeldheim to approve agreement with Northern Electric Cooperative for naming rights to a campground at the Brown County Fairgrounds in exchange for electrical service. All members present voting aye. Motion carried.

#### CAMPGROUND NAME:

Moved by Wiese, seconded by Gage to approve naming of the new fairgrounds campground Northern Electric Cooperative Campground. All members present voting aye. Motion carried.

#### MINUTES:

Moved by Fjeldheim, seconded by Gage to approve the general meeting minutes of June 7, 2022 and the election canvass minutes of June 10<sup>th</sup>, 2022. All members present voting aye. Motion carried.

#### CLAIMS:

Moved by Fjeldheim, seconded by Wiese to approve the following claims: Insurance FINANCIAL SERVICES OF ABERDEEN, INC. \$863.16 Professional Fees CARLSEN FUNERAL HOME & CREMATORY \$4,250.00 CERTIFIED LANGUAGES INTERNATIONAL LLC \$853.05 CGI \$1,535.24 DREW BECKER \$200.00 HELMS & ASSOCIATES INC \$972.60; LANGUAGE LINE SERVICES INC \$1,164.85; LEXISNEXIS RISK DATA MGMT INC. \$150.00; MEDICAL WASTE TRANSPORT INC \$203.55; MINNEHAHA COUNTY AUDITOR \$809.64; NE MENTAL HEALTH CENTER \$225.00; SARA ZAHN \$23.20; SATELLITE TRACKING OF PEOPLE, LLC \$1,241.50; SD DEPT OF HEALTH \$2,645.00; SD DEPT OF REVENUE & REGULATIONS \$1,380.00; STATE OF SOUTH DAKOTA \$13,734.00; WEST PUBLISHING CORP. \$275.05; WOMEN'S PROFESSIONAL RODEO ASSOCIATION \$200.00; YANKTON COUNTY SHERIFF OFFICE \$50.00; YANKTON COUNTY TREASURER \$137.60 Publishing GateHouse Media South Dakota Holdings, Inc. \$1,108.88; GROTON INDEPENDENT \$580.18; LEE ENTERPRISES \$21.13; MIDSTATES PRINTING \$208.00; THE DAY COUNTY PRINTING CO. INC \$12.92 Repairs & Maintenance; ABERDEEN CLEAN-ALL, LLC \$525.00; ARTZ EQUIPMENT \$159.90; Brian Braaten \$459.18; COMMTECH INC. \$900.00; DAKOTA DOORS INC \$391.78; DIESEL MACHINERY \$6,026.67; FARNAMS GENUINE PARTS INC \$77.38; INTERSTATE POWERSYSTEMS \$799.00; POMPS TIRE SERVICE, INC \$1,157.18; PRECISION KIOSK TECHNOLOGIES \$2,700.00; ROLAND L. MOERKE \$6,405.00; SANDERS'S SEW-N-VAC, INC \$62.49; STEVEN LUST AUTOMOTIVE \$146.19; TRANSOURCE TRUCK & EQUIPMENT, INC. \$5,946.95; WALTH SAFETY SERVICE INC \$502.38 Supplies; AGTEGRA

COOPERATIVE \$17,498.59; ARTZ EQUIPMENT \$429.94; CARTNEY BEARING \$209.70; CENTURY BUSINESS PRODUCTS \$105.02; CHARM-TEX \$279.60; COLE PAPERS \$510.90; COMMTECH INC. \$720.00; DAKOTA OIL \$8,544.43; DIESEL MACHINERY \$358.40; EARTHGRAINS BAKING CO. INC. \$755.71; EAST SIDE JERSEY DAIRY, INC \$998.08; KAREN SWANK \$20.00; LEIDHOLDT TOOL SALES, LLC \$43.70; Linde Gas & Equipment Inc. \$713.66; MAC'S INC \$49.99; MENARDS \$653.65; MIDSTATES PRINTING \$3,382.50; PANTORIUM CLEANERS INC. \$56.00; PERFORMANCE OIL & LUBRICANTS \$67.04; POMPS TIRE SERVICE, INC \$1,141.20; PRO AG SUPPLY, INC \$129.54; RUNNINGS \$1,989.88; SHARE CORP \$654.60; STERLING SOLUTIONS INC \$750.00; TASER INTERNATIONAL \$564.50; TIMOTHY C. GARDNER \$429.24; TRANSOURCE TRUCK & EQUIPMENT, INC. \$19,631.19; TRI STATE WATER \$85.25; TRUENORTH STEEL \$3,060.00; US FOODS \$9,797.97; WEB WATER BOTTLING COMPANY \$30.00; Travel & Conference: BECKY BERRETH \$45.12; Brock Hoyle \$76.56; Charla Rye \$18.80; CONSTANCE CUTLER \$18.80; Darwin Ives \$18.80; DAVID ENGRAF \$56.40; DEADWOOD RESORTS, LLC \$1,266.10; DEB GUSTAFSON \$28.20; Joshua Walberg \$22.00; JULIE HINDS \$18.80; KATHY SCHAUNAMAN \$17.86; LISA HAM \$13.16; LYNN BUTLER \$9.40; MARK MILBRANDT \$380.00; MARY JANE JARK \$17.86; Mary Stahl \$15.04; Peggy Christenson \$4.70; SD VETERANS SERVICE OFFICERS ASSOCIATION \$200.00; SDSU EXTENSION \$152.24; SHARON ZASTROW \$18.80; Utilities: CITY OF ABERDEEN \$1,440.38; CITY OF HECLA \$144.41; MIDCONTINENT COMMUNICATIONS \$85.39; NORTHERN ELECTRIC COOP, INC \$86.00; NORTHERN VALLEY COMMUNICATION \$272.71; NORTHWESTERN ENERGY & COMMUNICATIONS \$1,608.14; QWEST CORPORATION \$60.61; RICHMOND LAKE SANITARY DIST \$720.00; TOWN OF FREDERICK \$76.00; VERIZON WIRELESS SERVICES LLC \$160.04; WEB WATER DEVELOPMENT ASSOC. INC. \$129.94; Rentals: ARAMARK UNIFORM & CAREER APPAREL GROUP, INC \$344.59; Linde Gas & Equipment Inc. \$47.11; Others: SD DEPT OF REVENUE & REGULATIONS \$917,541.75

All members present voting aye. Motion carried.

#### HR REPORT:

Moved by Wiese seconded by Gage to approve the following Human Resource Report:

- Approve hiring of Veronica Garcia as Legal Secretary for State's Attorney office, full-time; starting wage of \$16.47 per hour; effective July 5, 2022
- Approve hiring of Joe Kaven as Brown County Fairgrounds seasonal worker, part-time; starting wage \$13.50 per hour; effective June 16, 2022
- Approve hiring of LeeAnn as Brown County Jail/JDC Nurse, PRN; effective June 8, 2022.

All members present voting aye. Motion carried.

#### FIREWORKS PERMIT:

Moved by Wiese, seconded by Gage to approve the following fireworks permit: Display by Big Shot Fireworks at the Brown County Fairgrounds – Grandstand Stage July 1, 2022. All members present voting aye. Motion carried.

#### LEASES:

Moved by Gage, seconded by Wiese to approve the following lease agreement:

Aberdeen Downtown Association for lease of West half of parking lot north of museum August 27<sup>th</sup>, 2022. All members present voting aye. Motion carried.

#### SPECIAL EVENT MALT BEVERAGE:

Moved by Fjeldheim, seconded by Wiese to approve the following temporary special event malt beverage permit: Aberdeen Downtown Association June 16th and July 15<sup>th</sup>, 2022 at the Brown County Fairgrounds Clubhouse. The permit is for a back up location if inclement weather during the Downtown Summer Concert Series. All members present voting aye. Motion carried.

EXECUTIVE SESSION:

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

ADJOURNMENT:

Moved by Gage, seconded by Fjeldheim to adjourn the Brown County Commission at 10:12 a.m. All members present voting aye. Motion carried.

Cathy McNickle, Brown County Auditor

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#### JUNE 21, 2022 – GENERAL MEETING

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

#### APPROVAL OF AGENDA:

Moved by Fjeldheim, seconded by Gage to approve the agenda. All members present voting aye. Motion carried.

#### OPPORTUNITY FOR PUBLIC COMMENT:

An opportunity for public comment was given.

#### LAW OFFICER OF THE YEAR AWARD:

Mike Hill (Brown County Sheriff Deputy) was recognized by 40/8 Veteran's Groups as Law Officer of the Year.

#### APPLICATION FOR OCCUPANCY:

Move by Wiese, seconded by Feickert to approve the following application for occupancy: Northern Electric for occupancy of Brown County Highway Number 16, in section 08, township 62W, Brown County South Dakota for electrical service. All members present voting aye. Motion carried.

#### HIGHWAY DEPARTMENT UPDATE:

Highway Superintendent, Dirk Rogers, met to give an update on current and future road and bridge projects.

#### STORM DAMAGE UPDATE:

Scott Meints, Emergency Manager, gave an update on recent storm damage in Brown County. Frederick area suffered significant damage and research is being conducted to determine if the area qualified for a disaster declaration. No action taken.

#### MINUTES:

Moved by Wiese, seconded by Gage to approve the general meeting minutes of June 14, 2022. All members present voting aye. Motion carried.

#### CLAIMS/PAYROLL:

Moved by Feickert, seconded by Fjeldheim to approve the following claims and payroll: PAYROLL: Commission \$4,503.96; Elections (Voucher) \$13,620.62; Auditor \$11,021.98; Treasurer \$14,349.53; SA \$26,162.38; SVAWA \$0.00; Maintenance \$9,958.85; Assessor \$15,275.89; Register of Deeds \$8,242.40; VSO \$4,168.64; GIS \$2,483.72; IT \$7,536.19; HR \$4,061.37; Sheriff \$45,022.80; Jail \$56,748.05; Coroner (Voucher) \$0.00; Court Security \$6,874.76; JDC \$31,808.82; Welfare \$2,161.43; Museum \$9,519.80; Parks/Fairgrounds \$5,487.72; Fair Board \$5,239.82; 4-H \$832.04; Weed \$4,253.25; Planning & Zoning \$5,681.44; Highway \$45,095.40; Dispatch \$35,838.18; Emergency \$4,285.81; Teen Court \$547.20; JDAI



\$1,846.15; 24/7 Sobriety \$1,511.87; Landfill \$14,774.53; MATCHING BENEFITS: FICA \$23,141.35; Medicare \$5,412.07; Discovery HSA \$864.96 and June SDRS Retirement \$46,826.86. CLAIMS: Professional Fees: AGTERRA TECHNOLOGIES, INC. \$440.00; DARCY LOCKWOOD \$15.00; DEPENDABLE SANITATION INC \$36,531.40; KRISTI BRANDT \$44.20; KRISTI SPITZER \$200.00; LEWIS & CLARK BHS \$184.00; LUCY LEWNO \$150.00; MARK KATTERHAGEN \$15.00; NAT'L SHERIFF ASSOCIATION \$142.00; REGENCY MIDWEST VENTURES LIMITED PARTNERSHIP PROPE \$250.00; SANFORD HEALTH OCCUPATIONAL MEDICINE ABERDEEN \$72.00; SHI INTERNATIONAL CORP \$29,504.61; THURMAN LAW OFFICE \$430.65; UND Forensic Pathology \$2,380.00; ZYLSTRA INVESTIGATIONS \$3,142.50. Publishing: HUB CITY RADIO \$300.00; LEE ENTERPRISES \$81.68; MIDSTATES PRINTING \$349.00. Repairs & Maintenance: ACE REFRIGERATION LLC \$310.08; ECOLAB PEST ELIMINATION \$117.60; WOODMAN REFRIGERATION, INC \$120.41. Supplies: ABERDEEN MEDICAL CENTER PHARMACY \$658.75; ARAMARK UNIFORM & CAREER APPAREL GROUP, INC \$127.29; CENTURY BUSINESS PRODUCTS \$730.28; CHARM-TEX \$335.50; DIAL-A-MOVE \$476.70; FIRE SAFETY FIRST, LLC \$46.85; GOVCONNECTION INC \$859.68; GREAT WESTERN STATES SUPPLY CO. \$281.25; KEN'S SUPERFAIR FOODS \$219.21; KESSLERS \$247.55; LUCY LEWNO \$6.53; MB LLC \$1,197.22; NAT'L 4-H COUNCIL - SUPPLY SERVICE \$245.61; NELSON SALES & SERVICE, LLC \$142.99; NORTHERN VALLEY COMMUNICATION \$26.76; PHARMCHEM \$566.10; PLUMBING & HEATING WHOLESALE, INC. \$211.03; SHERWIN WILLIAMS \$165.50; THURMAN LAW OFFICE \$11.31; TITAN MACHINERY - ABERDEEN NH \$603.76; WEST PUBLISHING CORP. \$1,839.44. Travel & Conference: Cortney Paul \$534.04. Utilities: CITY OF ABERDEEN \$1,465.44; JAMES VALLEY TELECOMMUNICATIONS \$213.90; NORTHERN ELECTRIC COOP, INC \$905.24; NORTHERN VALLEY COMMUNICATION \$4,792.86; NORTHWESTERN ENERGY & COMMUNICATIONS \$121.00; QWEST CORPORATION \$1,446.33; STATE OF SOUTH DAKOTA \$102.75; VERIZON WIRELESS SERVICES LLC \$3,114.24. Rentals: PANTORIUM CLEANERS INC. \$207.36; SEWER DUCK INC \$175.00. All members present voting aye. Motion carried.

#### HR REPORT:

Moved by Wiese seconded by Gage to approve the following Human Resource Report:

- Acknowledge resignation of Tracy Madsen, Brown County State's Attorney's Office, full-time; effective June 24, 2022 and approve request to fill vacancy.
- Acknowledge Resignation of Elise Westfall, Brown County JDC Correctional Officer, full-time; effective June 25, 2022 and approve request to fill vacancy.
- Approve hiring of Lisa Samson as Brown County State's Attorney Legal Secretary, full-time; starting wage of \$18.01 per hour; effective June 27, 2022.
- Approve amendment to start date on 6.14.22 HR report: Hiring of Veronica Garcia as Legal Secretary for State's Attorney's Office, full-time; starting wage \$16.47 per hour; effective June 21, 2022.

All members present voting aye. Motion carried.

#### SHERIFF REPORTS:

Moved by Fjeldheim, seconded by Wiese to approve the following May 2022 Sheriff Reports: Incidents and offenses, Prisoner care, JDC, and Money deposited with the County Treasurer. All members present voting aye. Motion carried.

#### LEASES:

Moved by Feickert, seconded by Gage to approve the following lease agreement:

Boys Scouts of America for lease of Richmond Lake Youth Camp Lodge June 18<sup>th</sup>, 2022. All members present voting aye. Motion carried.

EXECUTIVE SESSION:

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

ADJOURNMENT:

Moved by Fjeldheim, seconded by Wiese to adjourn the Brown County Commission at 10:05 a.m. All members present voting aye. Motion carried.

Cathy McNickle, Brown County Auditor

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#### JUNE 28, 2022 – GENERAL MEETING

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

#### APPROVAL OF AGENDA:

Moved by Gage, seconded by Fjeldheim to approve the agenda. All members present voting aye. Motion carried.

#### OPPORTUNITY FOR PUBLIC COMMENT:

Jamie Lickfelt discussed a conditional use permit for his firework tent.

#### CONDITIONAL FIREWORK PERMIT:

Moved by Fjeldheim, seconded by Gage to allow firework stand operated by Jamie Lickfelt to operate during the statutory timeframe in 2022. Lickfelt is required to apply and pay for a conditional use permit through the Brown County Planning and Zoning Office. All members present voting aye. Motion carried.

#### OPENING AUDIT CONFERENCE 2021 (SD DEPARTMENT OF LEGISLATIVE AUDIT):

Christopher Theroux, SD Department of Legislative Audi, met with the Commission to discuss the 2021 audit of Brown County. Moved by Feickert, seconded by Wiese to authorize chair to sign engagement letter for the 2021 Opening Audit Conference. All members present voting aye. Motion carried.

#### COURTHOUSE BOILER:

Judy Dosch (building superintendent) discussed the need for tube replacement and repairs to the courthouse boiler. Commissioners agreed to proceed with tube replacement and repair quotes. Quotes will be presented at the next meeting. No action taken.

#### APPLICATION FOR OCCUPANCY:

Move by Feickert seconded by Wiese to approve the following application for occupancy: Northern Valley Communications for telecommunications in the following locations: County Highway 14, section 16,15,22,27,34,3,4,8,10, township 126/125 range 63; Highway 18, sections 29,20,17,8,5,6,31, township 125,126, range 61; Highway 16, section 20,29,32,5,8,17,20,28,29,32,5,8, township 126,125,125, Range 62; Highway 7A, section 33, township 126, range 62; highway 9, section 9,10,11,8,9,10,11,2, township 125, range 62,61; highway 20, section 35 ,34, 2, 11, 14, 15, 23,22,26,27,35,34,2,3,11,14, 15,22,23,27,26, 34,34,3,2,10,11,15,22,23,27,26, township 137.126.125.124, range 60; Highway 7, section 18,17, 16, 15,14, township 126, range 60; Highway 9, section 6,5,4,2,1, township 125, range 60; highway 11, section 28,27,26,25,30,29,28,19,20,22,23,35,36, township 125, range 62,61,60; Highway 11E section 10, township 124, range 60; Brown County South Dakota. All members present voting aye. Motion carried.

#### CLAREMONT AREA ROADS:

Discussion on Claremont Area Roads including hauling and storing of materials. No action taken.

#### HIGHWAY DEPARTMENT UPDATE:

Highway Superintendent, Dirk Rogers, met to give an update on current and future road and bridge projects.

#### MINUTES:

Moved by Wiese, seconded by Gage to approve the general meeting minutes of June 21, 2022. All members present voting aye. Motion carried.

#### CLAIMS:

Moved by Feickert, seconded by Wiese to approve the following claims: Insurance: FINANCIAL SERVICES OF ABERDEEN, INC. \$436.37. Professional Fees: Adamsoft LLC \$437.50; AVERA ST. LUKE'S \$413.21; CHRISTY GRIFFIN-SERR LAW OFFICE \$8,541.67; COGLEY LAW OFFICE, PROF LLC \$8,541.67; Condrey and Associates, Inc. \$18,750.00; DOHRER LAW OFFICE \$8,541.67; Eric Kobernusz \$300.00; JERALD M. MCNEARY \$8,541.67; KUCK LAW OFFICE \$8,541.67; LUMEN \$218.30; MICHELLE GAIKOWSKI \$17.00; SANFORD HEALTH OCCUPATIONAL MEDICINE ABERDEEN \$177.00; TALIAFERRO LAW FIRM \$8,541.67. Publishing: GateHouse Media South Dakota Holdings, Inc. \$825.04. Repairs & Maintenance: ABERDEEN AUTO CENTER, INC. \$480.00; Boyer Trucks \$12.00; BRENT A FISCHER \$37.00; DAKOTA DOORS INC \$312.20; DIAMOND MOWERS INC \$70.68; GRAHAM TIRE INC \$644.95; HAAR PLUMBING & HEATING INC \$487.04; HDA, LLC \$189.70; HF JACOBS & SON CONSTRUCTION INC \$4,539.37; HUB CITY ROOFING \$420.00; IMEG Corp \$40,207.74; KIRBY KIESZ \$51.00; MIDWEST PUMP & TANK \$410.11; POMPS TIRE SERVICE, INC \$64.99. Supplies: ABERDEEN AUTO CENTER, INC. \$494.20; ADVANCE AUTO PARTS \$739.41; ALCOPRO, INC. \$554.00; APH STORES, INC \$67.77; Boyer Trucks \$565.60; CENTURY BUSINESS PRODUCTS \$214.94; COLE PAPERS \$583.48; DIAMOND MOWERS INC \$822.88; GANNETT HOLDINGS LLC OHIO \$275.60; GOVCONNECTION INC \$224.29; GRAHAM TIRE INC \$565.94; Jacob Bosmoe \$30.00; JEBRO INC. \$15,548.75; JENSEN ROCK & SAND INC \$151,014.76; KAREN SWANK \$16.00; KELSI THILMONY-VINGER \$387.85; KIRBY KIESZ \$2.50; LEIDHOLDT TOOL SALES, LLC \$386.34; LIEN TRANSPORTATION COMPANY \$37,920.00; MENARDS \$137.22; MIDWEST PUMP & TANK \$6,187.99; . PAST PERFECT SOFTWARE INC. \$540.00; PAUER SOUND & MUSIC INC \$364.16; PITNEY BOWES INC. \$126.00; POMPS TIRE SERVICE, INC \$47.45; PREMIER BIOTECH, INC \$163.74; PRO AG SUPPLY, INC \$71.52; QUALITY WELDING \$332.00; ROLAND L. MOERKE \$165.00; RUNNINGS \$17.88; RUSSELL METZ \$10.59; SHERWIN WILLIAMS \$346.33; Swank Motion Pictures, Inc. \$295.00; TITAN MACHINERY - ABERDEEN NH \$15.25; WALTH SAFETY SERVICE INC \$330.00. Travel & Conference: Eric Kobernusz \$125.02; KENT JONES \$149.46; MAVIS COX \$28.20; SDAAO - SD ASSOC OF ASSESSING OFFICERS \$1,450.00. Utilities: DEPENDABLE SANITATION INC \$513.00; KELSI THILMONY-VINGER \$100.00; MONTANA DAKOTA UTILITIES CO \$28.10; NORTHERN VALLEY COMMUNICATION \$269.19; NORTHWESTERN ENERGY & COMMUNICATIONS \$5,705.25. Rentals: ADVANTAGE SELF STORAGE \$3,312.00. All members present voting aye. Motion carried.

#### HR REPORT:

Moved by Fjeldheim seconded by Gage to approve the following Human Resource Report:

- Acknowledge no show, Logan Rohrbach as Brown County Jail Correctional Officer, full-time. Request to fill.
- Acknowledge resignation of Cathy McNickle, Brown County Auditor; effective July 15, 2022.
- Acknowledge transfer of Sgt. Jerry Vega from Brown County Jail Sergeant to Brown County JDC Sergeant; effective June 26, 2022.
- Acknowledge transfer of Rhaecine Sam from Brown County Jail Correctional Officer to Brown County JDC Correctional Officer; effective June 26, 2022.

- Approve hiring of Laurie Richardson as Brown County State's Attorney, full-time; starting wage \$65,000 year; effective October 17, 2022

All members present voting aye. Motion carried.

#### PLATS:

##### RESOLUTION R26-22 JARK REPLAT

Commissioner Wiese brought the following resolution: "be it resolved by the board of County Commissioners of Brown County, South Dakota, that the plat showing Jark Replat of Block 10 to Stratford in the SW1/4 of section 4-T121N-R62W of the 5<sup>th</sup> P.M., Brown County, South Dakota, having been examined is hereby approved in accordance with the provisions of SDCL 11-3, and any amendments thereof". Seconded by Commissioner Feickert. Roll call vote: Commissioners Feickert-aye, Fjeldheim-aye, Gage-aye, Wiese-aye, Sutton-aye. Resolution adopted.

##### RESOLUTION R27-22 BIM AND LORI'S VENTURE ADDITION

Commissioner Wiese brought the following resolution: "be it resolved by the County Commission of Brown County, South Dakota, that the plat showing Bim and Lori's Venture Addition in the NW1/4 of Section 9, township 123 north, range 63 west of the 5<sup>th</sup> P.M., Brown County, South Dakota, having been examined is hereby approved in accordance with the provisions of SDCL 11-3, and any amendments thereof". Seconded by Commissioner Feickert. Roll call vote: Commissioners Feickert-aye, Fjeldheim-aye, Gage-aye, Wiese-aye, Sutton-aye. Resolution adopted.

##### RESOLUTION R28-22 WEISZHAAR THIRD SUBDIVISION

Commissioner Wiese brought the following resolution: "be it resolved by the County Commission of Brown County, South Dakota, that the plat showing Weiszhaar third subdivision in the SE1/4 of section 34, township 124 north, range 64 west of the 5<sup>th</sup> P.M., Brown County, South Dakota, having been examined is hereby approved in accordance with the provisions of SDCL 11-3, and any amendments thereof". Seconded by Commissioner Feickert. Roll call vote: Commissioners Feickert-aye, Fjeldheim-aye, Gage-aye, Wiese-aye, Sutton-aye. Resolution adopted.

##### RESOLUTION R29-22 BORG THIRD SUBDIVISION

Commissioner Wiese brought the following resolution: "be it resolved by the County Commission of Brown County, South Dakota, that the plat showing Borg third subdivision in the SE1/4 of section 26-T124N-R64 west of the 5<sup>th</sup> P.M., Brown County, South Dakota, having been examined is hereby approved in accordance with the provisions of SDCL 11-3, and any amendments thereof". Seconded by Commissioner Feickert. Roll call vote: Commissioners Feickert-aye, Fjeldheim-aye, Gage-aye, Wiese-aye, Sutton-aye. Resolution adopted.

##### RESOLUTION R30-22 STANGE-BARTZ ADDITION

Commissioner Wiese brought the following resolution: "be it resolved by the County Commission of Brown County, South Dakota, that the plat showing Stange-Bartz addition in the W1/2 of section 14, township 121 North, Range 62 west of the 5<sup>th</sup> P.M., Brown County, South Dakota, having been examined is hereby approved in accordance with the provisions of SDCL 11-3, and any amendments thereof". Seconded by Commissioner Feickert. Roll call vote: Commissioners Feickert-aye, Fjeldheim-aye, Gage-aye, Wiese-aye, Sutton-aye. Resolution adopted.

##### RESOLUTION R31-22 BALL FIRST ADDITION

Commissioner Wiese brought the following resolution: "be it resolved by the County Commission of Brown County, South Dakota, that the plat showing Ball first addition in the NE1/4 of Section 18-T121N-

R60 west of the 5<sup>th</sup> P.M., Brown County, South Dakota, having been examined is hereby approved in accordance with the provisions of SDCL 11-3, and any amendments thereof". Seconded by Commissioner Feickert. Roll call vote: Commissioners Feickert-aye, Fjeldheim-aye, Gage-aye, Wiese-aye, Sutton-aye. Resolution adopted.

#### RESOLUTION R32-22 DELIAH WILLIAMS FIRST ADDITION

Commissioner Wiese brought the following resolution: "be it resolved by the County Commission of Brown County, South Dakota, that the plat showing Deliah Williams First Addition, in the SW1/4 of Section 23-T124N-R62 west of the 5<sup>th</sup> P.M., Brown County, South Dakota, having been examined is hereby approved in accordance with the provisions of SDCL 11-3, and any amendments thereof". Seconded by Commissioner Feickert. Roll call vote: Commissioners Feickert-aye, Fjeldheim-aye, Gage-aye, Wiese-aye, Sutton-aye. Resolution adopted.

#### RESOLUTION R33-22 DELIAH WILLIAMS SECOND ADDITION

Commissioner Wiese brought the following resolution: "be it resolved by the County Commission of Brown County, South Dakota, that the plat showing Deliah Williams Second Addition, in the S1/2 NW1/4 of Section 26-T124N-R62 west of the 5<sup>th</sup> P.M., Brown County, South Dakota, having been examined is hereby approved in accordance with the provisions of SDCL 11-3, and any amendments thereof". Seconded by Commissioner Feickert. Roll call vote: Commissioners Feickert-aye, Fjeldheim-aye, Gage-aye, Wiese-aye, Sutton-aye. Resolution adopted.

#### ORDINANCES 219-221- REZONES- SET HEARING DATE:

Moved by Feickert, seconded by Wiese to set a hearing date for July 19<sup>th</sup> at 8:45 a.m. in the Courthouse Commission Chambers and authorize advertising the following rezone ordinances: Proposed Ordinance 219, Applicants Clarence and Lori Habeck requesting to rezone from Chapter 4.06 Agriculture Preservation District (AG-P) to Chapter 4.14 Highway Commercial (H-C): Proposed Lot 1, "Bim and Lori's Venture Addition" in the NW ¼ of Section 9-T123N-R63W of the 5<sup>th</sup> P.M., Brown County, South Dakota. Proposed Ordinance 220, applicants Done and Christine Brunes requesting to go from Chapter 4.06 Agriculture Preservation District (AG-P) to Chapter 4.07 Mini Ag District (M-AG): "Brunes' Outlot 1" in the SE1/4 of Section 28-T122N-R62W of the 5<sup>th</sup> P.M., Brown County, South Dakota. Proposed ordinance 221, applicants Jeremy and Lindsey Lesnar requesting to rezone from Chapter 4.06 Agriculture Preservation District (AG-P) to Chapter 4.07 Mini Ag District (M-AG): Lot 2, "Hagemann First Subdivision" in the SE1/4 of Section 26-T124N-R63W of the 5<sup>th</sup> P.M., Brown County, South Dakota. All members present voting aye. Motion carried.

OTHER BUSINESS: Commissioner raised questions to the State's Attorney office on the process and qualifications to abstain from a vote.

#### EXECUTIVE SESSION:

Moved by Fjeldheim, seconded by Gage to go into executive session to discuss personnel and legal per SDCL 1-25-2. All members present voting aye. Motion carried. The chair declared the executive session closed with no action taken.

#### ADJOURNMENT:

Moved by Wiese, seconded by Feickert to adjourn the Brown County Commission at 10:35 a.m. All members present voting aye. Motion carried.

Cathy McNickle, Brown County Auditor

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## JULY 5, 2022 – GENERAL MEETING

Meeting called to order by Chair Sutton at 8:45 A.M. in the Commission Chambers, Courthouse Annex, Brown County, SD. Present were Commissioners Feickert, Fjeldheim, Wiese, and Gage. Auditor McNickle led the pledge of allegiance.

### APPROVAL OF AGENDA:

Moved by Fjeldheim, seconded by Feickert to approve the agenda. All members present voting aye. Motion carried.

### OPPORTUNITY FOR PUBLIC COMMENT:

Public testimony was heard regarding opposition to the surveying methods used by Summit Carbon Solutions carbon pipeline.

### MINUTES:

Moved by Wiese, seconded by Gage to approve the general meeting minutes of June 28, 2022. All members present voting aye. Motion carried.

### CLAIMS/PAYROLL:

Moved by Gage, seconded by Wiese to approve the following claims and payroll: Payroll Commission \$4,503.96; Elections (Voucher) \$0.00; Auditor \$9,675.97; Treasurer \$14,283.33; SA \$35,692.40; SVAWA \$0.00; Maintenance \$10,299.89; Assessor \$14,757.25; Register of Deeds \$8,242.40; VSO \$4,143.28; GIS \$2,483.72; IT \$7,948.42; HR \$4,061.37; Sheriff \$46,164.85; Jail \$62,286.47; Coroner (Voucher) \$0.00; Court Security \$6,851.01; JDC \$37,241.27; Welfare \$2,161.43; Museum \$8,370.84; Parks/Fairgrounds \$6,982.78; Fair Board \$4,744.52; 4-H \$867.38; Weed \$4,661.55; Planning & Zoning \$5,754.42; Highway \$44,491.89; Dispatch \$37,318.60; Emergency \$4,285.81; Teen Court \$642.96; JDAI \$1,846.15; 24/7 Sobriety \$1,381.70; Landfill \$15,143.55; MATCHING BENEFITS: FICA \$24,290.16, medicare \$5,680.75, Discovery\_HSA \$1,421.17, Wellmark Blue Cross Blue Shield \$118,381.28, Delta Dental \$7,715.86, Dearborn Life \$1,020.34. CLAIMS: Professional Fees: AUDREY RIDER \$130.62; BECKY ERICKSON \$40.00; BROWN COUNTY TREASURER \$24.20; CGI \$388.36; DREW BECKER \$200.00; GELLHAUS & GELLHAUS, PC \$80.00; HORN LAW OFFICE PROF LLC \$474.70; TALIAFERRO LAW FIRM \$1,210.00; US BANK \$288.00; WOMEN'S PROFESSIONAL RODEO ASSOCIATION \$200.00; YANKTON COUNTY SHERIFF OFFICE \$200.00. Publishing: GateHouse Media South Dakota Holdings, Inc. \$825.04; GROTON INDEPENDENT \$390.92; US BANK \$27.49. Repairs & Maintenance: ABERDEEN CLEAN-ALL, LLC \$533.50; BURDETTE SECURITY & TECHNOLOGIES, LLC \$173.47; FIRE SAFETY FIRST, LLC \$423.00; GRAHAM TIRE INC \$1,391.12; HUB CITY ROOFING \$160.00; JENSEN ROCK & SAND INC \$16,330.00; LIEN TRANSPORTATION COMPANY \$60,587.45; US BANK \$187.95. Supplies: ACTIVE DATA SYSTEMS INC \$449.86; CENTURY BUSINESS PRODUCTS \$168.98; CHARM-TEX \$2,125.00; COLE PAPERS \$717.20; DUANE SUTTON \$36.75; GREAT WESTERN TIRE INC \$1,253.52; JENSEN ROCK & SAND INC \$129,581.40; LIEN TRANSPORTATION COMPANY \$301,565.80; MATTHEW BENDER & CO INC \$265.63; MB LLC \$1,730.00; MENARDS \$704.93; MIDSTATES PRINTING \$33.50; PLUMBING & HEATING WHOLESALE, INC. \$837.42; POMPS TIRE SERVICE, INC \$37.10; SHERWIN WILLIAMS \$52.07; US BANK \$24,972.26. Travel & Conference: DOUG FJELDHEIM \$224.66; DUANE SUTTON \$118.44; McKenzie Serfoss \$320.80; US BANK \$232.50. Utilities: AT&T MOBILITY \$310.77; MIDCONTINENT COMMUNICATIONS \$137.11; NORTHWESTERN ENERGY & COMMUNICATIONS \$16,226.50; US BANK \$3,486.71. All members present voting aye. Motion carried.

### HR REPORT:

Moved by Wiese seconded by Gage to approve the following Human Resource Report:



- Acknowledge resignation of Aaron Walberg Jr., Brown County Jail Correctional Officer, full-time; effective June 12, 2022 and approve request to fill vacancy.
- Approve hiring of Madelyn Sumption of Brown County Fair Intern, Full-time; starting wage of \$12.85 per hour; effective July 5, 2022
- Approve hiring of Caid Verzani as Brown County Jail Correctional Officer, full-time; starting wage \$18.87 per hour; effective July 12, 2022
- Approve promotion of Tanner Podoll from Brown County Jail CO to Brown County Jail Shift Sergeant; starting wage \$21.91 per hour; effective July 10, 2022
- Approve request to full deputy register of deeds position.

All members present voting aye. Motion carried.

#### LOTTERY PERMIT:

Moved by Fjeldheim, seconded by Wiese to approve the following lottery permit: Richmond Lake Association for lottery July 23, 2022. All members present voting aye. Motion carried.

#### TEMPORARY SPECIAL EVENT ALCOHOL PERMIT:

Moved by Gage, seconded by Fjeldheim to approve temporary alcohol permit for Aberdeen Hockey Association to operate the Clubhouse during the Brown County Fair, August 15-August 22, 2022. All members present voting aye. Motion carried.

#### SURPLUS REQUEST – SHERIFF VEHICLE:

Moved by Feickert, seconded by Wiese to approve surplus of 2014 Ford Interceptor police package vehicle VINxxx85526. The vehicle will be surplus for trade-in toward to purchase of a new 2022 Chevy Tahoe police package with a trade-in value of \$2,800 from Karl Emergency Vehicles out of Des Moines IA. All members present voting aye. Motion carried.

#### BOILER REPAIR QUOTES:

Moved by Feickert, seconded by Wiese to approve quotes for boiler repair from Do-All Insulation for removal and disposal of ACM and reinsulate totaling \$7,560 and approve the quote from Schwan Welding and Boiler Repair for retubing heating Boiler for \$15,277. All members present voting aye. Motion carried.

#### LEASES:

Moved by Fjeldheim, seconded by Wiese to approve the following leases: Denise Dutenhofer for lease of Akkerman Open Horse Arena September 10, 2022, Watertown Human Service Agency for lease of Richmond Lake Youth Camp July 26 – 28, 2022. All members present voting aye. Motion carried.

OTHER BUSINESS: Commissioner Feickert led a discussion regarding implementing a moratorium related to pipelines in Brown County. No action taken.

#### EXECUTIVE SESSION:

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

#### ADJOURNMENT:

Moved by Wiese, seconded by Fjeldheim to adjourn the Brown County Commission at 9:28 a.m. All members present voting aye. Motion carried.

Cathy McNickle, Brown County Auditor

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## JULY 12, 2022 – GENERAL MEETING

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

### APPROVAL OF AGENDA:

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

### OPPORTUNITY FOR PUBLIC COMMENT:

Public testimony was heard from proponents of the pipeline moratorium pipeline. Public comment was also heard on the status of the roads at Richmond Lake.

### PIPELINE MORATORIUM:

Moved by Feickert and seconded by Fjeldheim to direct the States Attorney to draft a moratorium resolution regarding pipelines. All members present voting aye. Motion carried.

### RICHMOND LAKE ROADS:

Discussion with area landowners regarding the status of improvements to roads around Richmond Lake. Petition for repair was presented for Brown County Highway 13 from the intersection fo Brown County Highway 13A east to the existing asphalt pavement. Evaluation and repair estimates will be researched and presented at a future commission meeting. No action taken.

### APPLICATION FOR OCCUPANCY:

Moved by Fjeldheim, seconded by Weise to application for occupancy by Virgil Frohling for Tile Pipe on County Road 5A in section 34&35, township Liberty, Range 62. All members present voting aye. Motion carried.

### MINUTES:

Moved by Feickert, seconded by Gage to approve the general meeting minutes of July 5, 2022. All members present voting aye. Motion carried.

### CLAIMS:

Moved by Fjeldheim, seconded by Feickert to approve the following claims: Insurance: SD ASSOC OF COUNTY COMMISSIONERS \$2,150.00 Professional Fees: DARCY LOCKWOOD \$81.00; HELMS & ASSOCIATES INC \$733.50; KENNEDY PIER LOFTUS, LLP \$121.20; LANGUAGE LINE SERVICES INC \$828.33; LEXISNEXIS RISK DATA MGMT INC. \$150.00; LUCY LEWNO \$820.00; MARK KATTERHAGEN \$81.00; MICHELLE GAIKOWSKI \$22.80; SANFORD HEALTH OCCUPATIONAL MEDICINE ABERDEEN \$72.00; SATELLITE TRACKING OF PEOPLE, LLC \$1,485.25; SD DEPT OF HEALTH \$40.00; YANKTON COUNTY SHERIFF OFFICE \$50.00; YANKTON COUNTY TREASURER \$785.20 Publishing: Chesterman Communications, Inc. \$3,000.00; GROTON INDEPENDENT \$128.86; HUB CITY RADIO \$300.00; MIDSTATES PRINTING \$2,727.70; SD MAGAZINE, LLC \$1,054.00 Repairs & Maintenance: ABERDEEN CLEAN-ALL, LLC \$350.00; B & B CONTRACTING INC \$10,688.80; Brian Braaten \$892.86; BUTLER MACHINERY CO \$3,334.20; CENTURY BUSINESS PRODUCTS \$0.61; CRAWFORD TRUCKS & EQUIPMENT \$4,739.63; DAKOTA FLUID POWER INC \$481.82; DIESEL MACHINERY \$14,341.65; ECOLAB PEST ELIMINATION \$247.67; EILERS WATER CONDITIONING & LAWN IRRIGATION \$227.50; GARY MCNEIL \$70.29; JALENE M. PALMER \$1,261.42; JENSEN ROCK & SAND INC \$5,895.00; KNCOS Inc. \$4,184.68;

LAWSON PRODUCTS, INC \$71.51; LEIDHOLT ELECTRIC LLC \$443.93; Meister Mowing LLC \$1,485.68; MUTH ELECTRIC INC \$1,081.43; PANTORIUM CLEANERS INC. \$378.64; PRECISION KIOSK TECHNOLOGIES \$2,700.00; PRO WINDMILL INC. \$595.00; RDO EQUIPMENT CO. - AG \$6,136.85; SD DEPT OF PUBLIC SAFETY \$320.00; STATE OF SOUTH DAKOTA \$65.70; STEVEN LUST AUTOMOTIVE \$64.99; TRANSOURCE TRUCK & EQUIPMENT, INC. \$6,965.84; WALTH SAFETY SERVICE INC \$442.00; WOODMAN REFRIGERATION, INC \$502.04 Supplies: Adamsoft LLC \$250.00; AGTEGRA COOPERATIVE \$66,201.61; AMERICAN BUSINESS FORMS \$762.80; APH STORES, INC \$1,107.05; ARAMARK UNIFORM & CAREER APPAREL GROUP, INC \$127.29; BAKKEN BUILD MAINTENANCE \$500.00; BRENT A FISCHER \$56.00; BUTLER MACHINERY CO \$1,248.30; CENTURY BUSINESS PRODUCTS \$32.05; CHARM-TEX \$59.80; COLE PAPERS \$2,124.07; CRAWFORD TRUCKS & EQUIPMENT \$3,836.93; DAKOTA FLUID POWER INC \$6,299.85; DAKOTA OIL \$1,550.80; DIESEL MACHINERY \$2,989.21; EAST SIDE JERSEY DAIRY, INC \$1,099.80; ELECTION SYSTEMS & SOFTWARE LLC \$6,857.45; FASTENAL CO \$590.47; INTERSTATE BATTERY SYSTEM OF SD \$141.95; JENSEN ROCK & SAND INC \$58,339.38; LAWSON PRODUCTS, INC \$847.09; LIEN TRANSPORTATION COMPANY \$159,328.40; LUCY LEWNO \$32.65; Makendra Ochsner \$138.45; MARCO INC \$143.88; MB LLC \$308.64; MENARDS \$82.76; MINN-KOTA COMMUNICATIONS, INC \$795.00; Napa Central \$63.56; PANTORIUM CLEANERS INC. \$84.00; PERFORMANCE OIL & LUBRICANTS \$424.43; PLUMBING & HEATING WHOLESALE, INC. \$390.46; POMPS TIRE SERVICE, INC \$41.00; PREMIER SOUTHERN TICKET \$388.79; PRO AG SUPPLY, INC \$5.99; R.D. OFFUTT COMPANY \$2,880.76; RDO EQUIPMENT CO. - AG \$3,969.91; ROLAND L. MOERKE \$238.00; SAFEGUARD BUSINESS SYSTEMS \$775.97; SHERWIN WILLIAMS \$564.93; TRANSOURCE TRUCK & EQUIPMENT, INC. \$1,100.76; US FOODS \$9,304.04; WALTH SAFETY SERVICE INC \$1,401.38 Travel & Conference: JOE KRAFT \$435.38; MARK MILBRANDT \$252.00; RUSSELL METZ \$134.00; SARAH SWENSON \$441.38 Utilities: CITY OF ABERDEEN \$2,040.14; ECONOMY PROPANE LLC \$1,829.38; MIDCONTINENT COMMUNICATIONS \$85.39; NORTHWESTERN ENERGY & COMMUNICATIONS \$1,911.90; QWEST CORPORATION \$305.49; TOWN OF FREDERICK \$76.00; VERIZON WIRELESS SERVICES LLC \$560.00 Rentals: ARAMARK UNIFORM & CAREER APPAREL GROUP, INC \$245.44; CENTURY BUSINESS PRODUCTS \$26.83 Others: SAFE HARBOR \$4,270.00. All members present voting aye. Motion carried.

#### DESIGNATE DUAL CHECK SIGNATURE:

Moved by Feickert, seconded by Wiese to appoint Chief Deputy Auditor Brock Hoyle as secondary check signatory until an interim County Auditor is sworn in. All members present voting aye. Motion carried.

#### AUDITOR'S REPORT OF ACCOUNTS:

Moved by Gage, seconded by Wiese to approve the auditor report of accounts for April and May 2022 as follows: April -Total Cash and Checks on Hand 7700 Total Checking Account Balances: 31660244.69 Total Savings Account Balances: 6675447.42 Total Certificates of Deposit: 3978174.09 Grand Total Cash and Balances: 42321566.2 General Fund Cash and Investment Balances by Funds: General Fund Cash and Investment Balances by Funds: General Fund 13083962.1 Road & Bridge Fund 2700464.91 Road & Bridge Fund - restricted 423243.27 911 Service 1096332.16 Emergency & Disaster 190956.28 Domestic Abuse 1955 Teen Court -922.8 Grant 32.11 JDAI -6864.29 Richmond Youth 0 24/7 Sobriety 39775.94 ROD M&P 109531.19 American Rescue Plan Federal Grant 2168438.72 Rural Access Infrastructure 95415.63 Tif Debt Service 465521.1 Landfill + cash change 3327106.02 Landfill - restricted 1400479.44 Trust and Agency Funds 17226139.42. May- Total Cash and Checks on Hand 7700 Total Checking Account Balances: 21937663.18 Total Savings Account Balances: 7550447.42 Total Certificates of Deposit: 3978174.09 Grand Total Cash and Balances: 33473984.69 General Fund Cash and Investment Balances by Funds: General Fund Cash and Investment Balances by Funds: General Fund 12636929.02 Road & Bridge Fund 3339769.07 Road & Bridge Fund - restricted 423243.27 911 Service 1037160.57 Emergency & Disaster 177446.12 Domestic Abuse 2865 Teen Court -2505.37 Grant 32.11 JDAI -6972.95

Richmond Youth 0 24/7 Sobriety 38026.35 ROD M&P 110292.19 American Rescue Plan Federal Grant 3772057.66 Rural Access Infrastructure 95415.63 Tif Debt Service 436232.07 Landfill + cash change 3368848.23 Landfill - restricted 1400479.44 Trust and Agency Funds 6644666.28. All members present voting aye. Motion carried.

#### LOTTERY PERMIT:

Moved by Fjeldheim, seconded by Wiese to approve the following lottery permit: Brown County Fair Foundation for Raffle August 16-21 at the Brown County Fairgrounds. Roll call vote: Commissioner Feickert – aye, Fjeldheim – aye, Wiese – aye, Gage – aye, Sutton – abstain. Motion carried

#### INDIGENT DEFENSE CONTRACT- SET HEARING DATE:

Moved by Fjeldheim, seconded by Gage to authorize advertising and set bid date for indigent defense services. Bid specs are available at the Brown County Auditor's Office. Sealed bids shall be received by the Brown County Auditor by August 2, 2022 until 8:45a.m. All members present voting aye. Motion carried.

#### CLAIM ASSIGNMENT:

Moved by Feickert, seconded by Gage to approve, and authorize auditor to assign the claim against an individual to Credit Collections Bureau for the purpose of collecting liens. All members present voting aye. Motion carried.

#### FIREWORK PERMIT:

Moved by Gage, seconded by Fjeldheim to approve firework display by Richmond Lake Association for display July 23, 2022. All members present voting aye. Motion carried.

#### QUARTERLY INTEREST:

Moved by Feickert, seconded by Wiese to approve 2nd quarter interest in the amount of \$2,866.80. All members present voting aye. Motion carried.

#### OTHER BUSINESS: none

#### EXECUTIVE SESSION:

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

#### ADJOURNMENT:

Moved by Fjeldheim, seconded by Wiese to adjourn the Brown County Commission at 11:26 a.m. All members present voting aye. Motion carried.

Cathy McNickle, Brown County Auditor

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

JULY 19, 2022 – GENERAL MEETING

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

APPROVAL OF AGENDA:

Moved by Gage, seconded by Feickert to approve the agenda. All members present voting aye. Motion carried.

OPPORTUNITY FOR PUBLIC COMMENT:

Commission was informed of the Republican Party meeting being held in Bristol South Dakota.

PIPELINE MORATORIUM:

Dan Lederman, Summit Carbon Solutions, spoke against signing the Moratorium. Concerns were heard from landowners supporting signing the moratorium.

PIPELINE MORATORIUM:

Commissioner Feickert offered the following Resolution:

RESOLUTION #33-22

**A RESOLUTION ESTABLISHING A TEMPORARY MORATORIUM ON THE ISSUANCE OF CONDITIONAL USE PERMITS AND BUILDING PERMITS ON HAZARDOUS WASTE PIPELINES IN BROWN COUNTY, SOUTH DAKOTA.**

**WHEREAS**, to promote the health, safety, and general welfare of the County, the Board of Commissioners for Brown County adopted Title 4 Brown County Zoning Ordinances for the purpose of establishing zoning regulations upon all land within the unincorporated areas of Brown County, South Dakota; and

**WHEREAS**, Title 4 otherwise known as the Brown County Zoning Ordinance, categorizes all land within the unincorporated areas of Brown County into Districts with each District having its own unique set of permitted uses, conditional uses, and prohibited uses; and

**WHEREAS**, Title 4.0102 of the Brown County Zoning Ordinance defines a conditional use as a use that would not be appropriate generally or without restriction throughout the zoning division or district, but which, if controlled as to number, area, location, or relation to the neighborhood, would promote the public health, safety, welfare, morals, order, comfort, convenience, appearance, prosperity, or general welfare, and such uses may be permitted in a zoning district as conditional uses, as specific provisions for such exception are made Brown County zoning regulations, and conditional uses are subject to evaluation and approval by the Board of Adjustment and are administrative in nature. (Ord. 2004-1); and

**WHEREAS**, Title 4.0102 of the Brown County Zoning Ordinance states a transmission pipeline may mean a pipeline that transports hazardous liquid or gas within a storage field or

transports hazardous liquid or gas user or operates at a hoop stress of twenty percent or more of the specified minimum yield strength and that a “water service main” or a natural gas service main are meant as smaller mains, service lines and utility lines for servicing buildings or individual parcels and would not qualify as a transmission pipeline; and

**WHEREAS**, Transmission Pipelines, particularly those requiring the approval of the South Dakota Public Utilities Commission, can impact the public health, safety, welfare, morals, order, comfort, convenience, appearance, prosperity, or general welfare of a large portion of Brown County's population: and

**WHEREAS**, Brown County has enacted an ordinance establishing siting, or performance standards necessary for the granting of transmission pipeline conditional use permit, but said ordinance may need to be revised to ensure it is consistent with South Dakota and Federal law The Brown County Zoning Board of Adjustment requires time to begin the process of studying, reviewing South Dakota and Federal law, and the siting and performance standards that it believes are necessary to safeguard the health ,safety, and general welfare of the public prior to the issuance of a transmission pipeline conditional use permit.

**NOW, THEREFORE, BE IT RESOLVED**, that the Board of Brown County Commissioners does hereby impose a temporary moratorium on the issuance of any and all permits, licenses, or approvals for the construction, installation, or use of any transmission pipeline requiring the approval of the South Dakota Public Utilities Commission, traversing those lands contained within the unincorporated areas of Brown County, South Dakota, including the construction of any transmission pipeline related infrastructure, with said moratorium running for such a length of time that will give the Planning and Zoning Commission an opportunity to complete their review process or one year from the date of this Resolution is enacted.

Dated this 19<sup>th</sup> Day of July 2022.

Seconded by Commissioner Gage. Roll call vote: Commissioners Fjeldheim-aye; Gage-aye; Wiese-aye; Sutton-aye. Resolution Adopted.

**RICHMOND LAKE ROADS:**

Dirk Rogers, Highway Superintendent, gave an update on Richmond Lake Roads and options for improving roads. No action taken.

**HIGHWAY DEPARTMENT UPDATE:**

Dirk Rogers, Highway Superintendent, gave updates on Bridge Inspection Resolution and Highway Department.

**MINUTES:**

Moved by Fjeldheim, seconded by Wiese to approve the general meeting minutes of July 12, 2022. All members present voting aye. Motion carried.

**ORDINANCES 219- REZONE- FIRST READING:**

Moved by Fjeldheim, seconded by Feickert to approve first reading of Proposed Ordinance 219, Applicants Clarence and Lori Habeck requesting to rezone from Chapter 4.06 Agriculture Preservation District (AG-P) to Chapter 4.14 Highway Commercial (H-C) : Proposed Lot 1, “Bim and Lori’s Venture Addition” in the NW ¼ of Section 9-T123N-R63W of the 5<sup>th</sup> P.M., Brown County, South Dakota. All members present voting aye. Motion carried.

**ORDINANCE 220 – REZONE – FIRST READING:**

Moved by Gage, seconded by Wiese to approve first reading of Proposed Ordinance 220, applicants Done and Christine Brunes requesting to go from Chapter 4.06 Agriculture Preservation District (AG-P) to Chapter 4.07 Mini Ag District (M-AG): “Brunes’ Outlot 1” in the SE1/4 of Section 28-T122N-R62W of the 5<sup>th</sup> P.M., Brown County, South Dakota. All members present voting aye. Motion Carried.

**ORDINANCE 221 – REZONE – FIRST READING**

Moved by Feickert, seconded by Fjeldheim to approve first reading of Proposed ordinance 221, applicants Jeremy and Lindsey Lesnar requesting to rezone from Chapter 4.06 Agriculture Preservation District (AG-P) to Chapter 4.07 Mini Ag District (M-AG): Lot 2, “Hagemann First Subdivision” in the SE1/4 of Section 26-T124N-R63W of the 5<sup>th</sup> P.M., Brown County, South Dakota. All members present voting aye. Motion carried.

**CLAIMS:**

Professional Fees: ACE REFRIGERATION LLC \$418.20; CERTIFIED LANGUAGES INTERNATIONAL LLC \$744.15; Child's Voice Route #6361 \$435.48; DEAN SCHAEFER COURT REPORTING \$354.00; FIRE SAFETY FIRST, LLC \$183.00; KRISTI BRANDT \$80.00; MICHELLE GAIKOWSKI \$121.80; NE MENTAL HEALTH CENTER \$2,262.00; Saber Shred Solutions, Inc. \$12,524.15; SANFORD HEALTH \$2,100.00; SANFORD HEALTH OCCUPATIONAL MEDICINE ABERDEEN \$378.00; SD DEPT OF HEALTH \$620.00; SD DEPT OF REVENUE & REGULATIONS \$1,016.76; SD NETWORK AGAINST FAMILY VIOLENCE & SEXUAL ASSAULT \$200.00; SHI INTERNATIONAL CORP \$1,067.80; TYLER TECHNOLOGIES INC \$260.00; WEST PUBLISHING CORP. \$1,417.08; WEST PUBLISHING CORP. \$1,142.03; WEX HEALTH INC. \$170.70 Publishing: GateHouse Media South Dakota Holdings, Inc. \$1,137.59; HUB CITY RADIO \$5,910.00; LEE ENTERPRISES \$19.42; NORTHWEST BLADE \$54.75 Repairs & Maintenance: CENTURY BUSINESS PRODUCTS \$16.01; DOUBLE D BODY SHOP INC \$18,751.31; HOUSE OF GLASS \$180.57; IMEG Corp \$20,249.75; POMPS TIRE SERVICE, INC \$1,107.00; SEWER DUCK INC \$65.00; SHOWTIME INVESTMENTS, INC \$2,560.36; TITAN MACHINERY - ABERDEEN NH \$993.82 Supplies: ADVANCE AUTO PARTS \$717.57; AGTEGRA COOPERATIVE \$11,052.87; ASHLEY FARRAND DUNHAM \$40.00; Avera LTC Pharmacy Aberdeen \$21.80; CENTURY BUSINESS PRODUCTS \$2,121.18; CHARM-TEX \$136.02; CREATIVE PRODUCT SOURCING, INC. \$1,094.88; EARTHGRAINS BAKING CO. INC. \$948.76; ELECTION SYSTEMS & SOFTWARE LLC \$127.00; Ellie Weinmeister \$42.17; FIRE SAFETY FIRST, LLC \$451.00; JENSEN ROCK & SAND INC \$18,458.56; KESSLERS \$145.52; LIEN TRANSPORTATION COMPANY \$98,572.99; Linde Gas & Equipment Inc. \$334.71; MAC'S INC \$509.82; MENARDS \$182.99; MIDWEST ALARM \$279.26; NORTHERN VALLEY COMMUNICATION \$26.76; PHARMCHEM \$103.00; PIERSON-FORD-LINCOLN -MERCURY \$166.98; PLUMBING & HEATING WHOLESALE, INC. \$92.23; POMPS TIRE SERVICE, INC \$1,022.35; PRO AG SUPPLY, INC \$115.83; RIXSTINE TROPHY COMPANY \$1,956.60; RUNNINGS \$139.96; SCHWAN WELDING \$1,429.10; SHARE CORP \$303.00; STAN HOUSTON EQUIPMENT CO. \$222.95; Talent Buyers Network \$1,000.00; TITAN MACHINERY - ABERDEEN NH \$79.46; TRI STATE WATER \$35.00; WEST PUBLISHING CORP. \$2,397.11 Travel & Conference: REGENCY MIDWEST VENTURES LIMITED PARTNERSHIP \$390.64; SDSU EXTENSION \$64.68 Utilities: DEPENDABLE SANITATION INC \$348.00; JAMES VALLEY TELECOMMUNICATIONS \$218.30; MIDCONTINENT COMMUNICATIONS \$127.52;



NORTHERN ELECTRIC COOP, INC \$495.73; NORTHERN VALLEY COMMUNICATION \$5,275.28; NORTHWESTERN ENERGY & COMMUNICATIONS \$90.27; QWEST CORPORATION \$1,207.81; STATE OF SOUTH DAKOTA \$140.61; VERIZON WIRELESS SERVICES LLC \$40.03; WEB WATER DEVELOPMENT ASSOC. INC. \$85.53 Rentals: Linde Gas & Equipment Inc. \$47.62; PANTORIUM CLEANERS INC. \$207.36

All members present voting aye. Motion carried.

#### DESIGNATE AUDITOR SIGNATURE:

Moved by Wiese, seconded by Gage to appoint Chief Deputy Auditor Brock Hoyle as signatory for documents requiring Auditors Signature until an interim County Auditor is sworn in. All members present voting aye. Motion carried.

#### TEMPORARY SPECIAL EVENT MALT BEVERAGE PERMIT:

Moved by Wiese, seconded by Gage to approve temporary Malt Beverage permit for Boys & Girls Club of Aberdeen Area during the Brown County Fair Grandstand Concessions August 15 – 21<sup>st</sup>, 2022 . All members present voting aye. Motion carried.

#### HR REPORT:

Moved by Gage seconded by Feickert to approve the following Human Resource Report:

- Acknowledge Resignation of Nicole Phillips, Brown County Jail Correctional Officer, Full Time; effective July 7, 2022. Request to fill.
- Approve Hiring of Heather Kulwicki as Brown County Jail Correctional Officer, Full Time; effective July 26, 2022, starting wage \$19.58/hr.
- Approve Hiring of Dawn Owens as Brown County Jail Correctional Officer, Full Time, Starting Wage \$18.87/hr, effective July 26, 2022.
- Approve Hiring of Cody Richards as Brown County Jail Correctional Officer, Full Time, Starting Wage \$18.87/hr, effective July 26, 2022.
- Increase the wage of Kelsi Vinger with the Brown County State's Attorney Office to \$52,000/year plus \$7,000/year for the new grant, for a total of \$59,000/year, effective July 1, 2022. For 2023, the COLA increase will be calculated from \$52,000. The new grant is scheduled to end on 6-30-23, at that time the \$7,000 will be subtracted from the annual wage.
- Acknowledge the following personal miles driven for April, May & June while using county owned vehicle to be taxed at \$.585 per mile: Kendell Titze 294miles @ \$171.99; John Florey 342 miles @ \$200.07; Dirk Rogers 1,995 miles @ \$1,167.08; Mike Scott 590 miles @ \$345.15

#### LEMPG QUARTER 3 REPORT:

Moved by Feickert, seconded by Fjeldheim to Approve LEMP Quarter 3 Report. All members present voting aye. Motion carried.

#### OTHER BUSINESS:

Chair Sutton, presented the promo list for carnival tickets for approval. Moved by Feickert, Seconded by Fjeldheim to approve. All members present voting aye. Motion Carried.

OUT OF STATE TRAVEL REQUEST:

Moved by Fjeldheim, seconded by Wiese to approve out of state travel request for Scott Madsen, GIS Coordinator to attend ND Geospatial Summit September 14-15, 2022. All members present voting aye. Motion Carried.

EXECUTIVE SESSION:

Moved by Fjeldheim, seconded by Wiese to go into executive session to discuss personnel, legal and contracts per SDCL 1-25-2. All members present voting aye. Motion carried. The chair declared the executive session closed with no action taken.

ADJOURNMENT:

Moved by Feickert, seconded by Gage to adjourn the Brown County Commission at 11:00 a.m. All members present voting aye. Motion carried.

Brown County Auditor

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

## JULY 26, 2022 – GENERAL MEETING

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

### APPROVAL OF AGENDA:

Moved by Feickert, seconded by Gage to approve the agenda. All members present voting aye. Motion carried.

### OPPORTUNITY FOR PUBLIC COMMENT:

Trevor Jones with Carbon Summit Solutions introduced himself as a contact for questions.

### ORDINANCES 219- REZONE- SECOND READING AND ADOPTION:

Moved by Fjeldheim, seconded by Gage to approve second reading and adoption of Proposed Ordinance 219, Applicants Clarence and Lori Habeck requesting to rezone from Chapter 4.06 Agriculture Preservation District (AG-P) to Chapter 4.14 Highway Commercial (H-C) : Proposed Lot 1, “Bim and Lori’s Venture Addition” in the NW ¼ of Section 9-T123N-R63W of the 5<sup>th</sup> P.M., Brown County, South Dakota. All members present voting aye. Motion carried.

### ORDINANCE 220 – REZONE – SECOND READING AND ADOPTION:

Moved by Feickert, seconded by Fjeldheim to approve second reading and adoption of Proposed Ordinance 220, applicants Don and Christine Brunes requesting to go from Chapter 4.06 Agriculture Preservation District (AG-P) to Chapter 4.07 Mini Ag District (M-AG): “Brunes’ Outlot 1” in the SE1/4 of Section 28-T122N-R62W of the 5<sup>th</sup> P.M., Brown County, South Dakota. All members present voting aye. Motion Carried.

### ORDINANCE 221 – REZONE – SECOND READING AND ADOPTION:

Moved by Gage, seconded by Feickert to approve second reading and adoption of Proposed ordinance 221, applicants Jeremy and Lindsey Lesnar requesting to rezone from Chapter 4.06 Agriculture Preservation District (AG-P) to Chapter 4.07 Mini Ag District (M-AG): Lot 2, “Hagemann First Subdivision” in the SE1/4 of Section 26-T124N-R63W of the 5<sup>th</sup> P.M., Brown County, South Dakota. All members present voting aye. Motion carried.

### RECONVEYANCE OF REAL PROPERTY:

Commissioner Feickert Offered the following Resolution:

#### RESOLUTION #34-22

### A RESOLUTION AUTHORIZING RECONVEYANCE OF REAL PROPERTY TO THE OWNER OF RECORD

WHEREAS, On June 27, 2022 Brown County accepted a Tax Deed for real property located at:

Lot 6 and the North 25 Feet of Lot 7, Block 18, Simmon’s First Addition to Aberdeen, According to the Plat Thereof Record, Brown County, South Dakota; and

WHEREAS, Joy M. Ino, record owner, wishes to enter into an agreement for reconveyance of said property from Brown County; and

WHEREAS, South Dakota Codified Law 10-25-41 to 44 permits county commissioners to authorize a reconveyance by quitclaim deed to the record owner on payment in cash of the price fixed by

the resolution of the county commissioners, which amount shall not be less than the total principal, interest, and costs of all taxed represented in the tax deed and any other taxes and interest which are unpaid on the real property; and

WHEREAS, the total amount due and owing Brown County calculated through August 2022 is \$15,531.83.

NOW, THEREFORE, BE IT RESOLVED, in consideration for the amount due and owing of \$15,531.83 the Board of Brown County Commissioners does hereby authorize the reconveyance by quitclaim deed to Joy M. Ino:

Lot 6 and the North 25 Feet of Lot 7, Block 18, Simmon's First Addition to Aberdeen, According to the Plat Thereof Record, Brown County, South Dakota

Dated at Aberdeen, South Dakota, this 26<sup>th</sup> day of July, 2022.

Seconded by Commissioner Gage. Roll Call Vote: Commissioners Fjeldheim-aye; Gage-aye; Sutton-aye; Wiese absent. Resolution adopted.

**RISK POOL REIMBURSEMENT & SHERIFF VEHICLE SURPLUS:**

Dave Lunzman, Chief Deputy Sheriff, met to discuss Risk Pool Reimbursement for claim on vehicle damage. Add to August 2, 2022 agenda to Rescind July 5, 2022 surplus of 2014 police interceptor police package vehicle, VINXXX85526, as trade in and approve surplus of vehicle to the Brown County Assessor's Office.

**MINUTES:**

Moved by Fjeldheim, seconded by Gage to approve the general meeting minutes of July 19, 2022. All members present voting aye. Motion carried.

**CLAIMS:**

Professional Fees: ACE REFRIGERATION LLC \$418.20; CERTIFIED LANGUAGES INTERNATIONAL LLC \$744.15; Child's Voice Route #6361 \$435.48; CHRISTY GRIFFIN-SERR LAW OFFICE \$8,541.67; CITY OF ABERDEEN \$500.00; COGLEY LAW OFFICE, PROF LLC \$8,588.88; DEAN SCHAEFER COURT REPORTING \$354.00; DEPENDABLE SANITATION INC \$35,843.00; DOHRER LAW OFFICE \$8,541.67; FIRE SAFETY FIRST, LLC \$183.00; JERALD M. MCNEARY \$8,541.67; KRISTI BRANDT \$80.00; KUCK LAW OFFICE \$8,541.67; MICHELLE GAIKOWSKI \$121.80; NE MENTAL HEALTH CENTER \$2,262.00; PRCA \$5,000.00; Saber Shred Solutions, Inc. \$12,524.15; SANFORD HEALTH \$2,100.00; SANFORD HEALTH OCCUPATIONAL MEDICINE ABERDEEN \$378.00; SD DEPT OF HEALTH \$620.00; SD NETWORK AGAINST FAMILY VIOLENCE & SEXUAL ASSAULT \$200.00; SHI INTERNATIONAL CORP \$1,266.40; TALIAFERRO LAW FIRM \$8,541.67; TYLER TECHNOLOGIES INC \$390.00; WEST PUBLISHING CORP. \$1,417.08; YANKTON COUNTY SHERIFF OFFICE \$150.00

Publishing: GateHouse Media South Dakota Holdings, Inc. \$2,324.43; GROTON INDEPENDENT \$149.01; HUB CITY RADIO \$5,910.00; LEE ENTERPRISES \$19.42; MIDSTATES PRINTING \$120.00; NORTHWEST BLADE \$54.75

Repairs & Maintenance: Boyer Trucks \$11.37; CENTURY BUSINESS PRODUCTS \$16.01; DAY COUNTY TREASURER \$1,847.04; DOUBLE D BODY SHOP INC \$18,751.31; EILERS WATER CONDITIONING & LAWN IRRIGATION \$744.25; HF JACOBS & SON CONSTRUCTION INC \$1,849.28; HOUSE OF GLASS \$563.23; HUB CITY ROOFING \$735.00; IMEG Corp \$20,249.75; J

GROSS EQUIPMENT \$4,531.92; LIEN TRANSPORTATION COMPANY \$2,300.42; LOISEAU CONSTRUCTION, INC. \$138,512.80; Missouri Petroleum \$1,388,702.00; OTIS ELEVATOR \$71.80; POMPS TIRE SERVICE, INC \$1,148.00; SD DEPT OF PUBLIC SAFETY \$80.00; SEWER DUCK INC \$1,273.75; SHOWTIME INVESTMENTS, INC \$2,560.36; TITAN MACHINERY - ABERDEEN NH \$993.82; WOODMAN REFRIGERATION, INC \$502.04

Supplies: ADVANCE AUTO PARTS \$717.57; AGTEGRA COOPERATIVE \$11,052.87; APH STORES, INC \$31.91; ARTZ EQUIPMENT \$613.13; ASHLEY FARRAND DUNHAM \$40.00; Avera LTC Pharmacy Aberdeen \$21.80; Boyer Trucks \$83.70; BRANDON BLACK \$48.95; CENTURY BUSINESS PRODUCTS \$2,121.18; CHARM-TEX \$136.02; COLE PAPERS \$327.08; CREATIVE PRODUCT SOURCING, INC. \$1,094.88; Dykman Merchandise LLC \$175.00; EARTHGRAINS BAKING CO. INC. \$948.76; ELECTION SYSTEMS & SOFTWARE LLC \$127.00; Ellie Weinmeister \$42.17; FIRE SAFETY FIRST, LLC \$451.00; J GROSS EQUIPMENT \$6,858.24; JENSEN ROCK & SAND INC \$92,800.44; KAREN SWANK \$108.00; KESSLERS \$145.52; KIESLER'S POLICE SUPPLY, INC. \$690.00; LEIDHOLDT TOOL SALES, LLC \$195.61; LIEN TRANSPORTATION COMPANY \$143,846.89; Linde Gas & Equipment Inc. \$334.71; MAC'S INC \$509.82; MARCO INC \$27.28; MENARDS \$767.43; MEYERS TRACTOR SALVAGE \$750.00; MIDSTATES PRINTING \$91.45; MIDWEST ALARM \$279.26; MIDWEST PUMP & TANK \$83.00; NETWORK CENTER INC. \$4,101.67; NORTHERN VALLEY COMMUNICATION \$26.76; PHARMCHEM \$826.35; PIERSON-FORD-LINCOLN -MERCURY \$166.98; PLUMBING & HEATING WHOLESALE, INC. \$92.23; POMPS TIRE SERVICE, INC \$1,022.35; PRO AG SUPPLY, INC \$115.83; RIXSTINE TROPHY COMPANY \$1,956.60; RUNNINGS \$1,216.85; SCHWAN WELDING \$1,429.10; SHARE CORP \$303.00; STAN HOUSTON EQUIPMENT CO. \$222.95; TITAN MACHINERY - ABERDEEN NH \$79.46; TRI STATE WATER \$35.00; US POSTMASTER \$15.12; WEST PUBLISHING CORP. \$2,397.11

Travel & Conference: CITY OF GROTON \$50.22; PATTI WOODS \$103.40; REGENCY MIDWEST VENTURES LIMITED PARTNERSHIP \$390.64; SDSU EXTENSION \$64.68; UND \$125.00

Utilities: CITY OF ABERDEEN \$3,378.98; CITY OF HECLA \$122.61; DEPENDABLE SANITATION INC \$348.00; JAMES VALLEY TELECOMMUNICATIONS \$218.30; MIDCONTINENT COMMUNICATIONS \$127.52; MONTANA DAKOTA UTILITIES CO \$26.13; NORTHERN ELECTRIC COOP, INC \$495.73; NORTHERN VALLEY COMMUNICATION \$5,275.28; NORTHWESTERN ENERGY & COMMUNICATIONS \$1,140.30; QWEST CORPORATION \$1,207.86; STATE OF SOUTH DAKOTA \$140.61; VERIZON WIRELESS SERVICES LLC \$3,566.50; WEB WATER DEVELOPMENT ASSOC. INC. \$85.53

Rentals: Linde Gas & Equipment Inc. \$47.62; PANTORIUM CLEANERS INC. \$207.36

Others: SD ASSOC. OF COUNTY OFFICIALS \$1,052.00; SD DEPT OF AGRICULTURE & NATURAL RESOURCES \$4,887.59

All members present voting aye. Motion carried.

#### HR REPORT:

Moved by Gage seconded by Fjeldheim to approve the following Human Resource Report:

- Approve hiring of Kari Harmon as Brown County Communications Dispatcher, Full Time; effective August 1, 2022, starting wage \$21.16/hr.

Plats:

**RESOLUTION #35-22 CREEKSIDE ADDITION**

Commissioner Fjeldheim brought the following resolution. "Be it resolved by the County Commission of Brown County South Dakota, that the plat showing "Moccasin Creek Substation Second Addition in the NE1/4 of Section 27, Township 124 North, Range 64 West of the 5<sup>th</sup> 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 Commissioner Feickert. Roll Call Vote: Commissioners Feickert-aye, Fjeldheim-aye, Gage-aye, Wiese-absent, Sutton-aye. Resolution adopted.

**RESOLUTION #36-22 CHRIS & WENDY MEHLHAFF FIRST SUBDIVISION**

Commissioner Fjeldheim brought the following resolution. "Be it resolved by the Board of County Commissioners of Brown County, South Dakota, that the plat showing Chris & Wendy Mehlhaff First Subdivision in the SW1/4 of section 19-T125N-R63W of the 5<sup>th</sup> P.M., Brown County, South Dakota having been examined, is hereby approved in accordance with the provisions of SDCL 11-3, and any amendments thereof." Seconded by Commissioner Feickert. Roll Call Vote: Commissioners Feickert-aye, Fjeldheim-aye, Gage-aye, Wiese-absent, Sutton-aye. Resolution adopted.

**RESOLUTION #37-22 WIEK-KEMPF ADDITION**

Commissioner Fjeldheim brought the following resolution: "Be it resolved by the County Commission of Brown County, South Dakota, that the plat showing: "Wiek-Kemp addition in the SE1/4 of section 8, Township 128 North, Range 65 West of the 5<sup>th</sup> 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 Commissioner Feickert. Roll Call Vote: Commissioners Feickert-aye, Fjeldheim-aye, Gage-aye, Wiese-absent, Sutton-aye. Resolution adopted.

**RESOLUTION #38-22 ALBERTS-ANDERSON ADDITION**

Commissioner Fjeldheim brought the following resolution: "Be it resolved by the County Commission of Brown County, South Dakota, that the plat showing: Alberts-Anderson Addition in the NW1/4 of Section 10, Township 124 North, Range 61 West of the 5<sup>th</sup> 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 Commissioner Feickert. Roll Call Vote: Commissioners Feickert-aye, Fjeldheim-aye, Gage-aye, Wiese-absent, Sutton-aye. Resolution adopted.

**RESOLUTION #39-22 BAUER'S FOURTH ADDITION**

Commissioner Fjeldheim brought the following resolution: "Be it resolved by the County Commission of Brown County, South Dakota, that the plat showing: "Bauer's Fourth Addition in the S1/2 of Section 7, Township 123 North, Range 65 West of the 5<sup>th</sup> 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 Commissioner Gage. Roll Call Vote: Commissioners Feickert-abstain, Fjeldheim-aye, Gage-aye, Wiese-absent, Sutton-aye. Resolution adopted.

**RESOLUTION #40-22 MOCCASIN CREEK SUBSTATION SECOND ADDITION**

Commissioner Fjeldheim brought the following resolution: "Be it resolved by the County Commission of Brown County, South Dakota, that the plat showing "Moccasin Creek Substation Second Addition in the NE1/4 of Section 27, Township 124 North, Range 64 West of the 5<sup>th</sup> 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 Commissioner Feickert. Roll Call Vote: Commissioners Feickert-aye, Fjeldheim-aye, Gage-aye, Wiese-absent, Sutton-aye. Resolution adopted.

LEASES:

Moved by Feickert, seconded by Gage to approve leases with Mike Traxinger & SDFU for area south of beef barn July 26<sup>th</sup>, 2022; NSU Focus Group for lease of Richmond Youth Camp August 18 – 19<sup>th</sup>, 2022. All members present voting aye. Motion Carried.

LEGAL ASSIGNMENT:

Moved by Fjeldheim, seconded by Feickert to approve, and authorize auditor to assign the claim against an individual to Credit Collections Bureau for the purpose of collecting liens. All members present voting aye. Motion carried.

SHERIFF'S REPORT:

Moved by Gage, seconded by Sutton to approve the June 2022 Sheriff Reports: Incidents and offenses, Prisoner care, JDC, and Money deposited with the County Treasurer. All members present voting aye. Motion carried.

OTHER BUSINESS:

Commissioner Fjeldheim discussed phone calls received about the road at Elm Lake Dam, Commissioner Gage advised of opportunities for volunteering at the Brown County Fair. No Action Taken.

EXECUTIVE SESSION:

Moved by Gage, seconded by Fjeldheim to go into executive session to discuss personnel and legal per SDCL 1-25-2. All members present voting aye. Motion carried. The chair declared the executive session closed with no action taken.

ADJOURNMENT:

Moved by Feickert, seconded by Gage to adjourn the Brown County Commission at 9:45 a.m. All members present voting aye. Motion carried.

Brown County Auditor

Published August 3, 2022, at the total approximate cost of \$\_\_\_\_\_ and may be viewed free of charge at [www.sdpublicnotices.com](http://www.sdpublicnotices.com).

## AUGUST 2, 2022 – GENERAL MEETING

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

### APPROVAL OF AGENDA:

Moved by Gage, seconded by Feickert to approve the agenda. All members present voting aye. Motion carried.

### OPPORTUNITY FOR PUBLIC COMMENT:

Trevor Jones with Carbon Summit Solutions was present for any questions.

### BID OPENING INDIGENT DEFENSE CONTRACT:

Moved by Gage, seconded by Feickert to cancel the RFP for Indigent Defense Contract All members present voting aye. Motion carried.

### RFP INDIGENT DEFENSE CONTRACT:

Moved by Feickert, Seconded by Gage to readvertise for Indigent Defense Contract with a deadline date of September 30, 2022. All members present voting aye. Motion carried.

### DEPARTMENT OF HEALTH BI-ANNUAL REPORT:

Kari Stickelmyer gave the commission updates and the bi-annual report.

### MINUTES:

Moved by Feickert, seconded by Gage to approve the general meeting minutes of July 26, 2022. All members present voting aye. Motion carried.

### CLAIMS:

Moved by Gage, seconded by Feickert to approve the following claims

Insurance: SD PUBLIC ASSURANCE ALLIANCE \$312.19

Professional Fees: Aberdeen Cardiology \$178.10; Acute Care Aberdeen \$177.96; AGTERRA TECHNOLOGIES, INC. \$140.00; AVERA ST. LUKE'S \$3,721.66; BRICK'S TV & APPLIANCE \$1,653.75; CARLSEN FUNERAL HOME & CREMATORY \$1,800.00; CARRELS & BAIN FAMILY DENTAL CENTER, LLC \$163.84; DARCY LOCKWOOD \$36.00; GELLHAUS & GELLHAUS, PC \$80.00; KENNEDY PIER LOFTUS, LLP \$151.50; Koch's Repair Shop \$78.00; LEWIS & CLARK BHS \$1,104.00; LINCOLN COUNTY TREASURER \$437.70; LUCY LEWNO \$450.00; LUMEN \$185.22; MICHELLE GAIKOWSKI \$53.20; Orange County Sheriff \$65.00; Sanford Clinic \$2,694.47; SANFORD CLINIC ABERDEEN \$439.24; Sanford Health Network \$4,877.97; TSCHETTER & ADAMS LAW OFFICE PC \$559.73; Valerie J. Larson \$36.00; Yellowstone County Sheriff's Office \$75.00

Publishing: MIDSTATES PRINTING \$116.00

Repairs & Maintenance: CENTURY BUSINESS PRODUCTS \$5.57; DAKOTA FLUID POWER INC \$242.73; DAKOTA PUMP & CONTROL \$450.00; JENSEN ROCK & SAND INC \$5,341.25; LANG'S AUDIO TV & APPLIANCE \$193.00; LAWSON PRODUCTS, INC \$25.88; MYERS TIRE SUPPLY - SALT LAKE CITY #20 \$40.19; PARKVIEW NURSERY \$3,593.02; PAUER SOUND & MUSIC INC



\$1,700.00; PIERSON-FORD-LINCOLN -MERCURY \$97.30; POMPS TIRE SERVICE, INC \$255.69; STEVEN LUST AUTOMOTIVE \$123.51

Supplies: AGTEGRA COOPERATIVE \$3,512.46; APH STORES, INC \$247.91; CENTURY BUSINESS PRODUCTS \$790.06; COLE PAPERS \$1,365.30; Ellie Weinmeister \$40.46; FASTENAL CO \$30.95; JENSEN ROCK & SAND INC \$5,328.74; LAWSON PRODUCTS, INC \$306.59; LUCY LEWNO \$19.63; MB LLC \$154.18; MENARDS \$460.86; MIDSTATES PRINTING \$313.25; MYERS TIRE SUPPLY - SALT LAKE CITY #20 \$1,110.22; PANTORIUM CLEANERS INC. \$28.00; PIERSON-FORD-LINCOLN -MERCURY \$95.30; PITNEY BOWES INC. \$15,000.00; REGALIA MANUFACTURING COMPANY \$50.29; RUNNINGS \$477.20; STAN HOUSTON EQUIPMENT CO. \$2,489.00; WEB WATER BOTTLING COMPANY \$22.50

Travel & Conference: DEADWOOD RESORTS, LLC \$1,116.00; MARK MILBRANDT \$224.00

Utilities: AT&T MOBILITY \$187.09; DEPENDABLE SANITATION INC \$165.00; MIDCONTINENT COMMUNICATIONS \$139.17; NORTHWESTERN ENERGY & COMMUNICATIONS \$22,713.08; QWEST CORPORATION \$303.36; SD STATE 4-H OFFICE \$55.00; VERIZON WIRELESS SERVICES LLC \$53.42

All members present voting aye. Motion carried.

#### HR REPORT:

Moved by Feickert seconded by Gage to approve the following Human Resource Report:

- Acknowledge Retirement of Kurt Smith, Brown County Fairgrounds Manager, full time; effective August 29, 2022.
- Acknowledge Rescind acceptance (7-19-2022) HR Report, Heather Kulwicki as Brown County JDC Correctional Officer, Full time.
- Acknowledge No Show, Heather Brothers as Brown County Jail Correctional Officer, full time; was supposed to start July 26, 2022.
- Acknowledge Resignation of Bryan Owens, Brown County Highway labor grade 5, full time; effective July 28, 2022. Request to fill.
- Approve hiring of Theresa Hedges as Brown County Communication Dispatcher, full time; effective July 28, 2022.

All members present voting aye. Motion carried.

#### TEMPORARY ALCOHOL PERMIT:

Moved by Gage, seconded by Feickert to approve a temporary alcohol permit for the Aberdeen Area Chamber of Commerce for an event on September 9, 2022. All members present voting aye. Motion carried

#### OUT OF STATE TRAVEL REQUEST:

Moved by Feickert, seconded by Gage to approve out of state travel request from the Sheriff's Office for two employees to attend a conference in Nebraska. All members present voting aye. Motion carried

#### VEHICLE SURPLUS REQUEST:

Moved by Feickert, seconded by Gage to approve surplus request for a 2006 Chevy transport van, VIN# 9898, to be sold by bids, following current accepted procedure. All members present voting aye. Motion carried

RECIND SHERIFF'S SURPLUS REQUEST:

Moved by Gage, seconded by Feickert to rescind the Sheriff's surplus request for a 2014 Interceptor from the July 5, 2022 meeting. All members present voting aye. Motion carried

VEHICLE SURPLUS REQUEST:

Moved by Gage, seconded by Feickert to surplus 2014 Interceptor, VIN# 5526, from Sheriff's Department to Director of Equalization Department. All members present voting aye. Motion carried

OTHER BUSINESS:

None

EXECUTIVE SESSION:

Moved by Gage, seconded by Feickert to go into executive session to discuss personnel and legal per SDCL 1-25-2. All members present voting aye. Motion carried. The chair declared the executive session closed with no action taken.

ADJOURNMENT:

Moved by Feickert, seconded by Gage to adjourn the Brown County Commission at 9:50 a.m. All members present voting aye. Motion carried.

Brown County Auditor

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#### AUGUST 9, 2022 – GENERAL MEETING

Meeting called to order by Chair Sutton at 8:45 A.M. in the Commission Chambers, Courthouse Annex, Brown County, SD. Present were Commissioners Feickert, Fjeldheim, Sutton, and Gage. Commissioner Wiese was absent. Commissioner Fjeldheim led the pledge of allegiance. Commission Chair Sutton requested a moment of Silence in Remembrance for Don Fischer.

#### APPROVAL OF AGENDA:

Moved by Fjeldheim, seconded by Gage to approve the agenda. All members present voting aye. Motion carried.

#### OPPORTUNITY FOR PUBLIC COMMENT:

Trevor Jones with Carbon Summit Solutions was present for any questions.

#### NECOG COMMUNITY DEVELOPMENT BLOCK GRANT PASS-THROUGH:

Ted Dickey updated the commission on a grant supporting the Y Youth Development Center. September 20, 2022 set for grant application and publication. Moved by Fjeldheim, Seconded by Feickert. All members present voting aye. Motion Carried.

#### BID OPENING IMEG-ELM LAKE ACCESS ROAD BID OPENING:

4 Bids received, Moved by Feickert, Seconded by Gage to defer until August 16, 2022. All members present voting aye. Motion carried.

#### NAME AUDITOR REPLACEMENT:

Lynn Heupel was named as Interim Auditor for 2 years. She will have to run in the 2024 election. Moved by Gage, seconded by Fjeldheim. All members present voting aye. Motion Carried.

#### SET HEARING DATE FOR BDM WATER APPLICATION:

Ross Aldentaler, Deputy State's Attorney, met to discuss setting hearing date for BDM Water Application. He recommended August 30, 2022 for hearing date. Moved by Feickert, seconded by Fjeldheim. All members present voting aye. Motion Carried.

#### INTERLOCAL AGREEMENT BETWEEN CITY OF ABERDEEN AND BROWN COUNTY:

Dave Lunzman, Chief Deputy Sheriff, discussed the need for an MOU between the City of Aberdeen and Brown County. Grant money has been used for body cams, radios, towers, etc. in the past. Moved by Feickert, seconded by Gage. All members present voting aye. Motion Carried.

#### WAIVE FEES FOR FREE FALL RESIDENTIAL CLEANUP:

Mike Scott, Landfill Manager, met to discuss waiving the fees for the fall residential cleanup. Landfill will be the only drop site for the fall cleanup. Moved by Fjeldheim, seconded by Gage. All members present voting aye. Motion Carried.

#### MINUTES:

Moved by Gage, seconded by Gage to approve the general meeting minutes of August 2, 2022. All members present voting aye. Motion carried.

#### CLAIMS:

Moved by Fjeldheim, seconded by Gage to approve the following claims

Professional Fees: ABERDEEN FIRE & RESCUE \$950.00; ACE REFRIGERATION LLC \$102.00; Aleda Tollefson \$50.00; Alesha Stadel \$50.00; Ashley Seeklander \$50.00; AVERA ST. LUKE'S \$2,370.99; Brian Braaten \$2,959.19; Cathy Jorgenson \$50.00; Cindy Schnabel \$50.00; DAKOTA COUNSELING GROUP, LLC \$2,100.00; Doreen Sperry \$50.00; Florence Kraus \$50.00; GELLHAUS & GELLHAUS, PC \$80.00; Grant Petersen \$137.50; HELMS & ASSOCIATES INC \$240.00; JAMES KRAMP \$12,000.00; Joy Braun \$50.00; Karen Porter Bartell \$50.00; Kathy Novstrup \$50.00; Katie Saterbak \$75.00; KENNEDY PIER LOFTUS, LLP \$151.50; LANGUAGE LINE SERVICES INC \$90.00; Linda Thurston \$50.00; Lora Schaunaman \$50.00; Lucille M. Youngberg \$203.11; Mike Grann \$50.00; Mysty Schaunaman \$150.00; Nancy Klungseth \$50.00; Randy Schweer \$75.00; Rosalie Schumacher \$50.00; SANFORD HEALTH \$746.80; SANFORD HEALTH OCCUPATIONAL MEDICINE ABERDEEN \$42.00; Shirelle Stadel \$50.00; Susan Gerlach \$50.00; Terry Burks \$250.00; Tonya Zinter \$50.00; Tyler Meyers \$150.00; Val Dashed \$50.00; Weston Geppert \$100.00; YANKTON COUNTY TREASURER \$352.20; Zack Post \$150.00

Publishing: DAKOTA BROADCASTING, LLC \$210.00; GROTON INDEPENDENT \$242.55; HUB CITY RADIO \$1,390.00; MIDSTATES PRINTING \$6,557.50

Repairs & Maintenance: CRAWFORD TRUCKS & EQUIPMENT \$3,024.65; DAKOTA FLUID POWER INC \$78.71; DIAMOND MOWERS INC \$133.13; DIESEL MACHINERY \$14,790.00; DOUBLE D BODY SHOP INC \$228.00; ECOLAB PEST ELIMINATION \$147.16; HF JACOBS & SON CONSTRUCTION INC \$4,133.16; Locators & Supplies Inc. \$70.29; Meister Mowing LLC \$1,395.00; MIDWEST PUMP & TANK \$13,047.81; POMPS TIRE SERVICE, INC \$619.64; PRO WINDMILL INC. \$440.00; RDO EQUIPMENT CO. - AG \$609.95; ROLAND L. MOERKE \$6,608.75; SEWER DUCK INC \$550.00; STEVEN LUST AUTOMOTIVE \$213.48; TRANSOURCE TRUCK & EQUIPMENT, INC. \$19,635.88; WALTH SAFETY SERVICE INC \$370.00; WOODMAN REFRIGERATION, INC \$552.04

Supplies: AGTEGRA COOPERATIVE \$51,060.08; APH STORES, INC \$237.84; ARAMARK UNIFORM & CAREER APPAREL GROUP, INC \$132.50; BAKKEN BUILD MAINTENANCE \$500.00; BUTLER MACHINERY CO \$3,618.05; CARTNEY BEARING \$137.86; COLE PAPERS \$2,472.63; CRAWFORD TRUCKS & EQUIPMENT \$2,993.30; CRESCENT ELECTRIC SUPPLY CO \$44.73; DAKOTA FLUID POWER INC \$1,843.84; DAKOTA OIL \$571.17; DAKOTA SUPPLY GROUP \$207.27; DIAMOND MOWERS INC \$1,316.19; DIESEL MACHINERY \$935.25; GREAT WESTERN TIRE INC \$6,169.25; INTERIOR DESIGN CONCEPTS, INC \$474.80; JENSEN ROCK & SAND INC \$111,599.40; KAREN SWANK \$40.50; LARRY BECKER \$601.86; LEIDHOLDT TOOL SALES, LLC \$92.97; LIEN TRANSPORTATION COMPANY \$69,477.83; Linde Gas & Equipment Inc. \$120.85; Locators & Supplies Inc. \$462.00; MB LLC \$20.00; MENARDS \$351.74; MIDSTATES PRINTING \$1,334.33; MIDWEST PUMP & TANK \$294.80; PHARMCHEM \$629.00; Plains Mechanical Services, Inc. \$14,132.68; PLUMBING & HEATING WHOLESALE, INC. \$325.81; R.D. OFFUTT COMPANY \$2,055.10; RDO EQUIPMENT CO. - AG \$3,156.28; RUNNINGS \$74.99; SHARE CORP \$1,035.60; Tom Paepke \$187.74; TRANSOURCE TRUCK & EQUIPMENT, INC. \$14,233.80; TRI STATE WATER \$35.00; US FOODS \$8,832.09

Travel & Conference: Ann Gibbs \$50.00; Becky Erickson \$50.00; Bobbi Dempsey \$50.00; Brian Sharp \$50.00; Brianna Arrowwood \$50.00; Cara Dennert \$50.00; Cathy Jorgenson \$27.07; Courtney Wolff \$111.10; Deb Stamm \$246.64; Evalyn Smith \$50.00; Grant Petersen \$177.92; Gretchen Sharp \$50.00; Hannah Sumption \$50.00; Jeff VanderWal \$284.42; John Eilertson \$306.04; Joy Braun \$28.84; KAREN MIKKELSON \$50.00; Karen Porter Bartell \$38.92; Katie Saterbak \$227.28; KEYLI SAWATZKY \$700.00; Lisa Fedeler \$272.02; Marsha Braun \$119.56; Mike Grann \$115.61; Pat Dennert \$50.00; Randy Schweer \$175.58; Renee Axness \$50.00; Rosalie Schumacher \$56.78; Stephanie Jacobson \$183.46;

Taylor Wolff \$111.10; Tyler Goplen \$245.70; Tyler Meyers \$298.92; Weston Geppert \$139.12; Zack Post \$263.20

Utilities: CITY OF ABERDEEN \$1,494.77; ECONOMY PROPANE LLC \$103.82; MIDCONTINENT COMMUNICATIONS \$127.52; NORTHWESTERN ENERGY & COMMUNICATIONS \$3,295.73; STATE OF SOUTH DAKOTA \$128.08; TOWN OF FREDERICK \$76.00; WEB WATER DEVELOPMENT ASSOC. INC. \$96.53

Others: SD DEPT OF AGRICULTURE & NATURAL RESOURCES \$4,476.47

All members present voting aye. Motion carried.

#### HR REPORT:

Moved by Feickert, seconded by Fjeldheim to approve the following Human Resource Report:

- Acknowledge resignation of Shawn Schnabel, Brown County IT Office, Full time; Effective August 12, 2022. Request to fill.
- Acknowledge adjusting end date from August 2, 2022, HR report; Retirement of Kurt Smith, Brown County Fairgrounds Manager, full time; effective August 31, 2022.
- Approve hiring of Martha Stohr, Brown County Register of Deeds Deputy, full time; Starting wage of \$16.27/hour; effective August 23, 2022.
- Approve hiring of Lynn Heupel, Brown County Auditor, full time; starting salary \$63,448/year; effective September 6, 2022.

All members present voting aye. Motion carried.

#### LOTTERY PERMIT:

Moved by Gage, seconded by Fjeldheim to approve a lottery permit for the Aspire Foundation Inc. for an event at the Brown County Fair. Commission Sutton abstained from the vote. All other members present voting aye. Motion carried

#### HIGHWAY DEPARTMENT RIGHT OF WAY:

Continuation of the previous update. Moved by Feickert, seconded by Fjeldheim. All members present voting aye. Motion carried.

#### OUT OF STATE TRAVEL REQUEST:

Moved by Gage, seconded by Feickert to approve out of state travel request from the Planning & Zoning Office for two employees to attend a conference in North Dakota. All members present voting aye. Motion carried

#### OTHER BUSINESS:

Carl Perry discussed that August 22, 2022 is the upcoming regional jail planning meeting. Commissioner Feickert asked Carl Perry for update on Property Tax Study, Carl stated he has not seen the update yet.

#### ADJOURNMENT:

Moved by Fjeldheim, seconded by Gage to adjourn the Brown County Commission at 9:11 a.m. All members present voting aye. Motion carried.

Brown County Auditor

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#### AUGUST 16, 2022 – GENERAL MEETING

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

#### APPROVAL OF AGENDA:

Moved by Feickert, seconded by Gage to approve the agenda. All members present voting aye. Motion carried.

#### OPPORTUNITY FOR PUBLIC COMMENT:

Trevor Jones with Summit Carbon Solutions was present for any questions. David Meyer spoke in support of the Carbon Summit Solutions Pipeline. Commissioner Feickert advised that Landowners for Property Rights has a booth at the Brown County Fair.

#### BID AWARD-ELM LAKE ACCESS ROAD:

Dirk Rogers, Highway Superintendent, recommended awarding the bid to Webster Scale in the amount of \$459,855.25. Rejecting Bids from HF Jacobs & Son - \$743,829.30; Lien Transportation - \$714,133.50 and Midwest Contracting LLC - \$511,933.45. Moved by Feickert, Seconded by Fjeldheim. All members present voting aye. Motion carried.

#### LOTTERY PERMITS:

Moved by Fjeldheim, Seconded by Gage to approve lottery permits for Aberdeen Area Veterans Incorporated and Brown County Democrats. Moved by Fjeldheim, seconded by Gage. All members present voting aye. Motion Carried.

#### Temporary Alcohol Permit:

Moved by Gage, seconded by Fjeldheim to approve a temporary alcohol permit for the Celtic Fair September 17<sup>th</sup> & 18<sup>th</sup>, 2022. All members present voting aye. Motion Carried.

#### Leases:

Moved by Feickert, seconded by Fjeldheim to approve lease for the Richmond Youth Camp to Bart Walker(Celtic Faire) September 17 & 18, 2022. All members present voting aye. Motion Carried.

#### 4 WAY STOP AT 14W & COUNTY 10:

Dirk Rogers, Highway superintendent, discussed putting in a four way stop at the intersection of Highway 14W & County 10. No action taken.

#### HIGHWAY DEPARTMENT UPDATE:

Dirk Rogers, Highway Superintendent, gave update on current and future projects for the Highway Department. No action taken.

#### RIGHT OF WAY:

Moved by Fjeldheim, Seconded by Gage to approve application for right of way submitted by WEB Water Development, Brown County Highway 13, for potable water line. All members present voting aye. Motion Carried.

**RIGHT OF WAY:**

Moved by Feickert, Seconded by Gage to approve application for right of way submitted by WEB Water Development, Brown County Highway 12, for potable water line. All members present voting aye. Motion Carried.

**MINUTES:**

Moved by Fjeldheim, seconded by Feickert to approve the general meeting minutes of August 9, 2022. All members present voting aye. Motion carried.

**CLAIMS:**

Moved by Gage, seconded by Feickert to approve the following claims

Professional Fees: 4-H PERFORMING ARTS \$200.00; Aberdeen Cardiology \$9.57; ABERDEEN CURLING CLUB \$250.00; ABERDEEN KARTING CLUB \$500.00; AVERA ST. LUKE'S \$180.24; Blue Crew Productions, Inc \$58,500.00; Bowen Touring LLC \$10,000.00; Brooks Forsyth \$1,500.00; BROWN COUNTY OLD TIME TRACTOR PULLERS ASSOC. \$1,500.00; Carrie Hansen \$50.00; Cathy Schmitz \$150.00; Cory Zimmer \$1,500.00; Dakota Portable Toilet \$11,500.00; Darrin Olson \$9,063.00; DEPENDABLE SANITATION INC \$31,056.00; FIRE SAFETY FIRST, LLC \$325.00; GOMPFF DISPLAY INC \$1,985.00; GOOD SHEPHERD LUTHERAN CHURCH \$3,500.00; Groton Lions Club \$2,250.00; Hooah Music, Inc \$30,000.00; HUB AREA HABITAT FOR HUMANITY, INC. \$1,000.00; Julie M. Johnson \$3,112.44; KARLEN ELECTRIC INC \$25,510.24; KOLETZKY LAW OFFICE, PROF LLC \$246.40; LAURA A. MOUNT \$800.00; LEWIS & CLARK BHS \$968.00; LEW'S FIREWORKS \$1,000.00; LEXISNEXIS RISK DATA MGMT INC. \$185.00; Little E & the A'Jays \$100.00; MEDICAL PRIORITY CONSULTANTS, INC. \$11,420.00; MICHELLE GAIKOWSKI \$356.40; Mike Frey \$50.00; MIRANDA DAUKSAVAGE \$1,700.00; Noah's Way Exotic Petting Zoo \$4,050.00; NORTHERN STATE UNIVERSITY FOUNDATION \$7,000.00; NSU Dominant Seven \$500.00; Old Soul Touring, Inc \$10,000.00; Parmalee TN, LLC \$35,000.00; PAUER SOUND & MUSIC INC \$12,500.00; PHIL BAKER \$1,200.00; RANDALL BUKER \$5,000.00; ROMEO ENTERTAINMENT GROUP INC \$26,000.00; ROOM #8, LLC \$30,000.00; Saliva Touring LLC \$15,000.00; SANFORD CLINIC ABERDEEN \$258.43; SANFORD HEALTH \$6.92; Sanford Health Network \$366.51; SANFORD HEALTH OCCUPATIONAL MEDICINE ABERDEEN \$240.00; SATELLITE TRACKING OF PEOPLE, LLC \$1,644.50; SD DEPT OF HEALTH \$1,300.00; SD NURSE'S ASSOCIATION \$1,000.00; SD SNOW QUEEN FESTIVAL INC. \$1,200.00; Seether Touring Inc. \$76,000.00; Sideline Media Group, LLC \$2,600.00; Sodexo, Inc & Affiliates \$512.06; T & K RENTALS, LLC \$16,400.00; The Best of Mo-Town \$1,000.00; THREE SEASONS TENT RENTAL INC \$3,587.50; TMS \$51,780.00; True Faith Entertainment, Inc \$20,000.00; Two Hounds, LLC \$20,000.00; TYLER TECHNOLOGIES INC \$260.00; Union Cattle Band \$450.00; WEST PUBLISHING CORP. \$275.05; WEX HEALTH INC. \$184.20; WOLFGANG V. ZANK \$500.00; YANKTON COUNTY SHERIFF OFFICE \$50.00; YELLOW ROBE CONSULTING, INC. \$3,000.00

Publishing: ARGUS LEADER \$19.85; DAKOTA BROADCASTING, LLC \$3,000.00; DAKOTA COMMUNICATIONS, LTD \$1,500.00; KBMW RADIO - RADIO FM MEDIA \$675.00; Moody County Enterprise \$180.32

Repairs & Maintenance: CENTURY BUSINESS PRODUCTS \$80.64; ECOLAB PEST ELIMINATION \$105.45; GARY LEE FISCHER \$7,560.00; GRAHAM TIRE INC \$75.00; HOVEN AUTO REPAIR INC \$174.35; JENSEN ROCK & SAND INC \$6,455.00; MARK J. RICHTER \$509.98; Matthew Swearingen \$1,300.00; PANTORIUM CLEANERS INC. \$222.90; Penny Sampson \$675.00; PIERSON-FORD-LINCOLN -MERCURY \$62.95; POMPS TIRE SERVICE, INC \$761.99; SEWER DUCK INC \$85.00



Supplies: AASLH - AMERICAN ASSOC OF STATE/LOCAL HISTORY \$168.00; ADVANCE AUTO PARTS \$836.47; AGTEGRA COOPERATIVE \$17,936.99; APH STORES, INC \$42.97; CENTURY BUSINESS PRODUCTS \$337.68; COLE PAPERS \$950.32; Dakota Prairie Ammunition \$1,400.00; DAKOTA SUPPLY GROUP \$84.36; EARTHGRAINS BAKING CO. INC. \$748.28; EAST SIDE JERSEY DAIRY, INC \$976.05; GRAHAM TIRE INC \$925.36; JEBRO INC. \$120,095.59; JENSEN ROCK & SAND INC \$53,672.94; Karla Nelson \$10.00; KELSI THILMONY-VINGER \$9.69; LIEN TRANSPORTATION COMPANY \$46,509.71; MAC'S INC \$186.78; MB LLC \$3,839.72; MENARDS \$539.12; MIDSTATES PRINTING \$138.00; NORTHERN VALLEY COMMUNICATION \$27.40; PANTORIUM CLEANERS INC. \$56.00; PERFORMANCE OIL & LUBRICANTS \$67.01; PIERSON-FORD-LINCOLN -MERCURY \$19.89; PRO AG SUPPLY, INC \$716.15; ROLAND L. MOERKE \$10,075.00; RUNNINGS \$60.59; VAN DIEST SUPPLY CO \$6,579.10

Travel & Conference: REGENCY MIDWEST VENTURES LIMITED PARTNERSHIP \$80.00; Carrie Hansen \$40.61; Cathy Schmitz \$55.27; Mike Frey \$50.00

Utilities: CITY OF ABERDEEN \$680.87; CITY OF HECLA \$129.75; NORTHERN ELECTRIC COOP, INC \$361.66; NORTHERN VALLEY COMMUNICATION \$1,231.45; NORTHWESTERN ENERGY & COMMUNICATIONS \$1,084.43; QWEST CORPORATION \$123.48; VERIZON WIRELESS SERVICES LLC \$3,493.44

Rentals: ARAMARK UNIFORM & CAREER APPAREL GROUP, INC \$247.88; Linde Gas & Equipment Inc. \$47.11; PANTORIUM CLEANERS INC. \$259.20

Others: Blue Crew Productions, Inc \$6,500.00; Dakota Portable Toilet \$9,500.00; Darrin Olson \$5,800.00; Devon Worley Band, Inc \$7,500.00; FREDERICK PEREZ \$5,000.00; Hooah Music, Inc \$10,000.00; KEITH RAYMOND \$4,000.00; LEW'S FIREWORKS \$4,000.00; MARK LEISINGER \$752.50; PAMELA LINTON \$3,000.00; PAUER SOUND & MUSIC INC \$200.00; ROOM #8, LLC \$5,000.00; SAFE HARBOR \$900.00; Seether Touring Inc. \$6,500.00; Sutton Rodeo \$48,510.00; Terry Dosch \$7,200.00; The Best of Mo-Town \$7,000.00; TMS \$23,940.00; WEX HEALTH INC. \$3,000.00; WOLFGANG V. ZANK \$2,500.00

All members present voting aye. Motion carried.

#### HR REPORT:

Moved by Feickert, seconded by Gage to approve the following Human Resource Report:

- Acknowledge last day of internship for Sara Manga, Brown County States Attorney Office Intern; Effective July 27, 2022.
- Acknowledge last day of internship for Kari Walker, Brown County Museum Intern, Effective July 29, 2022.
- Acknowledge transfer of Alexander Engel from Brown County Jail Correctional Officer to Brown County JDC Correctional Officer effective August 7, 2022.

All members present voting aye. Motion carried.

#### SHERIFF'S REPORT:

Moved by Fjeldheim, seconded by Gage to approve July 2022 report. All members present voting aye. Motion carried

Executive Session:

Moved by Fjeldheim, seconded by Gage to go into executive session to discuss legal updates per SDCL 1-25-2. All members present voting 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 at 9:31 a.m. All members present voting aye. Motion carried.

Brown County Auditor

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#### AUGUST 23, 2022 – GENERAL MEETING

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

#### APPROVAL OF AGENDA:

Moved by Fjeldheim, seconded by Feickert to approve the agenda. All members present voting aye. Motion carried.

#### OPPORTUNITY FOR PUBLIC COMMENT:

Trevor Jones with Summit Carbon Solutions was present for any questions and talked about sponsorship at the rodeos at the Brown County Fair. Al Novstrup gave update on the regional jail and his recent tour of jails.

#### AUTHORIZE PUBLICATION OF 2023 PROVISIONAL BUDGET:

Moved by Wiese, Seconded by Feickert to approve the publication of the 2023 Provisional Budget. All members present voting aye. Motion Carried.

#### BMX LEASE:

Moved by Fjeldheim, Seconded by Gage to approve the lease with BMX for use of county lots for parking during and event on August 26 to August 28, 2022. All members present voting aye. Motion Carried.

#### AMENDMENT TO SAND LAKE BRIDGE PROJECT:

Dirk Rogers, Highway Superintendent, met to discuss the amendments to the Sand Lake Bridge Project. Moved by Fjeldheim, seconded by Wiese to authorize signing amendment 2 to agreement number 716665 to Sand Lake Bridge Project. All members present voting aye. Motion carried.

#### TEMPORARY ALCOHOL PERMIT:

Moved by Fjeldheim, seconded by Wiese to approve a temporary alcohol permit submitted by SPURS for an event on September 17, 2022. All members present voting aye. Motion Carried.

#### LOTTERY PERMIT:

Moved by Feickert, seconded by Wiese to approve lottery application submitted by SPURS for an event on September 17, 2022. All members present voting aye. Motion Carried.

#### ORDINANCES 222-230- REZONES- SET HEARING DATE:

Moved by Feickert, seconded by Wiese to set a hearing date for September 13th at 8:45 a.m. in the Courthouse Commission Chambers and authorize advertising the following rezone ordinances:

Proposed Ordinance 222, Applicants Patricia Mehlhaff requesting to rezone from Chapter 4.06 Agriculture Preservation District (AG-P) to Chapter 4.10 Lake Front Residential(R-3) Lot 1, “Berry-Davis Addition” in the NE1/4 of Section 25-T124N-R65W of the 5<sup>th</sup> P.M., Brown County, South Dakota;

Proposed Ordinance 223, Applicant Karen Kempf requesting to rezone from Chapter 4.06 Agriculture Preservation District (AG-P) to Chapter 4.10 Lake Front Residential (R-3): Proposed

Lot 1, "Wiek-Kempf Addition" in the SE1/4 of Section 8-T128N-R65W of the 5<sup>th</sup> P.M., Brown County, South Dakota;

Proposed Ordinance 224 Applicant Diane Heimann requesting to rezone from Chapter 4.06 Agriculture Preservation District (AG-P) to Chapter 4.07 Mini Ag District (M-AG): Proposed Lot 1, "Alberts-Anderson Addition" in the NW1/4 of Section 10-T124N-R61W, except Railroad ROW, of the 5<sup>th</sup> P.M., Brown County, South Dakota;

Proposed Ordinance 225, Applicant Nolan Ulmer requesting to rezone from Chapter 4.06 Agriculture Preservation District (AG-P) to Lake Front Residential District (R-3) and Mini Agriculture District (M-AG): Lots 1-17, "Bauer's Fourth Addition" in the S1/2 of Section 7-T123N-R65W of the 5<sup>th</sup> P.M., Brown County, South Dakota:

Proposed Ordinance 226, Applicant Todd Lunzman, requesting rezone from Chapter 4.06 Agriculture Preservation District (AG-P) to Mini Agriculture District (M-AG): Proposed Lot 1, "Howell-Lunzman Addition" in the SW1/4 of Section 29-T128N-R62W of the 5<sup>th</sup> P.M., Brown County, South Dakota;

Proposed Ordinance 227, Applicant Mark Thompson, requesting rezone from Chapter 4.06 Agriculture Preservation District (AG-P) to Mini Agriculture District (M-AG): Proposed Lot 1, "Mark Thompson Second Addition" and Lot 1, "Mark Thompson Addition" both in the SE1/4 of Section 9-T128N-R61W of the 5<sup>th</sup> P.M., Brown County South Dakota:

Proposed Ordinance 228, Applicants Jeremy Walberg and Troy Grote, requesting rezone from Chapter 4.06 Agriculture Preservation District (AG-P) to Mini Agriculture District (M-AG): Lot 3, "Hagemann First Subdivision" and Lots 1 and 2, Garrett's Subdivision of Lot 1, "Hagemann First Subdivision" in the SE ¼ of Section 26T124N-R63W of the 5<sup>th</sup> P.M., Brown County, South Dakota:

Proposed Ordinance 229, Applicant Stacy Gossman, requesting rezone Residential District (R-1) to Highway Commercial (HC) Lot 1, "Ronnie's Way Addition" and Lot 1, "Creeside Addition" both in the NW1/4 of Section 17-T123N-R63W of the 5<sup>th</sup> P.M., Brown County South Dakota:

Proposed Ordinance 230, Applicant James Whitman, requesting rezone from Chapter 4.06 Agriculture Preservation District (AG-P) to Chapter 4.07 Mini Ag District (M-AG): Proposed Lot 1, "Whitman's First Subdivision" in the N1/2 of the NE1/4 of Section 29-T123N-R62W of the 5<sup>th</sup> P.M., Brown County, South Dakota.

#### MINUTES:

Moved By Fjeldheim, Seconded by Sutton to approve minutes from August 16, 2022 Meeting. All members present voting aye. Motion Carried.

#### CLAIMS:

Moved by Wiese, seconded by Gage to approve the following claims

Insurance:

Professional Fees: Adamsoft LLC \$2031.25; AVERA ST. LUKE'S \$215.61; CERTIFIED LANGUAGES INTERNATIONAL LLC \$2029.50; IMEG Corp \$17311.46; NE MENTAL HEALTH CENTER \$1664.00; Northern Plains OMS \$44.57; ZYLSTRA INVESTIGATIONS \$1190.00

Publishing: ABERDEEN COMMUNITY CONCERT ASSOCIATION \$100.00; GateHouse Media South Dakota Holdings, Inc. \$250.04; GROTON INDEPENDENT \$310.13; Independent Press Newspaper \$58.50; MCQUILLEN CREATIVE GROUP INC \$375.00

Repairs & Maintenance: BRENT A FISCHER \$26.00; FARM POWER MFG INC \$42.50; HF JACOBS & SON CONSTRUCTION INC \$11046.92; HOVEN AUTO REPAIR INC \$52.00; JENSEN ROCK & SAND INC \$3325.00; LAWSON PRODUCTS, INC \$77.25; MENARDS \$38.98; Penny Sampson \$165.00; POMPS TIRE SERVICE, INC \$76.84; PRECISION KIOSK TECHNOLOGIES \$2700.00; SEWER DUCK INC \$325.00; STEVEN LUST AUTOMOTIVE \$85.79; WOODMAN REFRIGERATION, INC \$755.92

Supplies: APH STORES, INC \$103.95; Avera LTC Pharmacy Aberdeen \$5.52; CENTURY BUSINESS PRODUCTS \$378.78; CHARM-TEX \$226.20; COLE PAPERS \$2244.83; DONALD P. PALMER \$153.00; FARM POWER MFG INC \$3750.66; FIRE SAFETY FIRST, LLC \$407.50; GOVERNMENT FORM & SUPPLIES \$483.50; GRAHAM TIRE INC \$17.77; HANLON BROTHERS \$117973.29; Henry Fulda \$25.09; HF JACOBS & SON CONSTRUCTION INC \$813.20; KEN'S SUPERFAIR FOODS \$464.00; KESSLERS \$355.66; LAWSON PRODUCTS, INC \$914.94; LEIDHOLDT TOOL SALES, LLC \$10.61; MB LLC \$496.40; MENARDS \$126.17; MILLSTONE RESTAURANT \$380.58; PLUMBING & HEATING WHOLESALE, INC. \$1421.65; POMPS TIRE SERVICE, INC \$1480.67; RUNNINGS \$398.92; TITAN MACHINERY - ABERDEEN NH \$63.21; WEST PUBLISHING CORP. \$1959.00

Travel & Conference: ASSOCIATION OF SD MUSEUMS \$240.00; Dakota 911 Conference Inc \$300.00; DAVID ENGRAF \$199.43; SD ASSOC OF COUNTY COMMISSIONERS \$390.00

Utilities: CITY OF ABERDEEN \$7792.69; DEPENDABLE SANITATION INC \$513.00; JAMES VALLEY TELECOMMUNICATIONS \$258.30; NORTHERN ELECTRIC COOP, INC \$904.60; NORTHERN VALLEY COMMUNICATION \$1416.34; NORTHWESTERN ENERGY & COMMUNICATIONS \$5539.13; VERIZON WIRELESS SERVICES LLC \$105.16

Others: SD ASSOC. OF COUNTY OFFICIALS \$1072.00

All members present voting aye. Motion carried.

#### HR REPORT:

Moved by Wiese, seconded by Fjeldheim to approve the following Human Resource Report:

- Acknowledge no show: Dawn Owens, Brown County Jail Correctional Officer, full-time, request to fill.
- Acknowledge resignation of Angel Sanchez Ortiz, Brown County JDC Correctional Officer, full-time; effective September 3, 2022. Request to fill.
- Acknowledge last day of internship Madelyne Sumption, Brown County Fair Intern; effective August 21, 2022.
- Approve re-hire of Brandon Richardson as Brown County Jail Correctional Officer, full-time; starting wage \$18.87/hour; effective August 23, 2022.
- Approve hiring of Patricia Slutts as Brown County Jail Correctional Officer, full-time; starting wage \$18.87/hour; effective August 23, 2022.

- Approve temporary 2022 Brown County Fair workers August 14<sup>th</sup> thru 21<sup>st</sup>; Ticket Supervisor Malerie Henschel \$14.50/hour; Ticket Sellers Jacque Ohleen-Kallhoff, Anje Hinkelman, Becky Fjelstad, April Fryer, Jody Parsons and Sascha Usselman \$14.00/hour; Maintenance John Weig \$13.50/hour; Odde Office Staff Julie Van Dover, Jan Erickson, Bobbie Dempsey and Linda Thurston \$14.18/hour; Gatekeepers Jodi Carlsgaard, Emma Carlsgaard, Tammy Cantalope, Bill Cantalope, Toney Price, Kevin Price, Hunter Kramer, Jackson Rusten, Angela Rusten and Jonathan Shepherd \$12/hour; Security Staff Taren odegard, Braxton Farmen, Keith Miller, Brady Woehl, Tyler Bogue, Jorden Majeske, Anne Weig, Zac Krage, Justine Charles, Brent Koens Kyle Couchey, Dave Hunter, Drew Plooster, Mike Wiese, LaNae Stevens and Cole Kissner \$35.00/hour.

All members present voting aye. Motion carried.

#### TRAVEL REQUESTS:

Moved by Wiese, seconded by Gage to approve travel request from Communication Department. All members present voting aye. Motion carried.

#### PLATS:

##### Resolution #41-22

Commissioner Gage brought the following resolution: "Be it resolved by the board of county commissioners of Brown County, South Dakota, that the plat showing BNB Second Richmond Lake Subdivision in the NW ¼ of section 25-T124N-R65W of the 5<sup>th</sup> P.M., Brown County South Dakota, having been examined, is hereby approved in accordance with the provisions of SDCL 11-3, and any amendments thereof." Seconded by Commissioner Feickert. Roll Call Vote: Commissioners Feickert-aye, Fjeldheim-aye, Gage-aye, Wiese-aye, Sutton-aye. Resolution adopted.

##### Resolution #42-22

Commissioner Gage Brought the following resolution: "Be it resolved by the board of county commissioners of Brown County, South Dakota, that the plat showing Howell-Lunzman Addition in the SW 1/3 of Section 29-T128N-R65W of the 5<sup>th</sup> P.M., Brown County South Dakota, having been examined, is hereby approved in accordance with the provisions of SDCL 11-3, and any amendments thereof." Seconded by Commissioner Feickert. Roll Call Vote: Commissioners Feickert-aye, Fjeldheim-aye, Gage-aye, Wiese-aye, Sutton-aye. Resolution adopted.

##### Resolution #43-22

Commissioner Gage Brought the following resolution: "Be it resolved by the board of county commissioners of Brown County, South Dakota, that the plat showing Mark Thompson Second Addition in the SE ¼ of Section 9 T124N R61W of the 5<sup>th</sup> P.M., Brown County South Dakota, having been examined, is hereby approved in accordance with the provisions of SDCL 11-3, and any amendments thereof." Seconded by Commissioner Feickert. Roll Call Vote: Commissioners Feickert-aye, Fjeldheim-aye, Gage-aye, Wiese-aye, Sutton-aye. Resolution adopted.

##### Resolution #44-22

Commissioner Gage Brought the following resolution: "Be it resolved by the board of county commissioners of Brown County, South Dakota, that the plat showing Whitman's First Subdivision in the N ½ NE ½ of section 29-T123N-R62W of the 5<sup>th</sup> P.M., Brown County South Dakota, having been examined, is hereby approved in accordance with the provisions of SDCL 11-3, and any amendments thereof." Seconded by Commissioner Feickert. Roll Call Vote: Commissioners Feickert-aye, Fjeldheim-aye, Gage-aye, Wiese-aye, Sutton-aye. Resolution adopted.

OTHER BUSINESS:

Dirk Rogers, Highway Superintendent advised that the transition from the Rodeo to the Racetrack went well. Commissioner Feickert and Dirk Rogers discussed Summit Carbon Solutions doing soil testing in the county right of way. Commissioner Wiese discussed the possibility of short term storage at county building.

Executive Session:

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

ADJOURNMENT:

Moved by Feickert, seconded by Gage to adjourn the Brown County Commission at 9:52 a.m. All members present voting aye. Motion carried.

Brown County Auditor

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#### AUGUST 30, 2022 – GENERAL MEETING

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

#### APPROVAL OF AGENDA:

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

#### OPPORTUNITY FOR PUBLIC COMMENT:

Trevor Jones with Summit Carbon Solutions discussed pipeline and improvements to pipeline construction.

#### AMENDMENT TO ELM LAKE BRIDGE PROJECT:

Dirk Rogers, Highway Superintendent, met to discuss the amendment 1 Federal Bridge Project Elm Lake. Moved by Wiese, seconded by Feickert to authorize signing amendment 1 to agreement number 717422 to Elm Lake Bridge Project. All members present voting aye. Motion carried.

#### BDM RURAL WATER SYSTEMS INC.

Commissioner Feickert offered the following resolution:

#### RESOLUTION #44-22

Resolution No. 44-22, granting BDM Rural Water System, 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 BDM Rural Water System, Inc., water system.

BDM Rural Water System, Inc. applied to the Brown County Board of the 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 BDM Rural Water System, 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 the 30th day of August, 2022. All Commissioners were present. After discussion, the following resolution was numbered 44-22 and upon motion duly made, seconded, and carried was unanimously adopted:

BE IT RESOLVED that BDM Rural Water System, Inc., a South Dakota Non-profit 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 BDM Rural Water System, Inc. will bear the expenses or costs associated in the construction and operating of the water system.

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

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, a Right - of - Way Occupancy Permit must be obtained from the Brown County Commission.
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: Not 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 Highway Superintendent.
4. Clean Up Right-of-Way: Upon completion of work, litter will be removed from the rightof-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 "as built" 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 and pay all expenses or costs to the County which occurs as a result of the operation and maintenance of the pipelines and appurtenances.
8. All Roadways: Pipelines installed perpendicular to 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 lane will be left clear and open to traffic at all times. All lanes will remain clear and open during the hours of darkness.
9. 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 BDM Rural Water System, Inc. at the time of the County review of the need for change in pipeline cover.

Adopted this 30th day of August, 2022.

Seconded by Wiese, Roll Call Vote: Commissioners Fjeldheim-aye; Feickert-aye; Gage-aye; Wiese-aye; Sutton-aye. Resolution Adopted.

**AUTHORIZE UNION CONTRACT SIGNING:**

Erica Coughlin, Human Resource Director, met to recommend changes and defer commissioner signing to September 6, 2022 meeting.

**MINUTES:**

Moved By Wiese, Seconded by Gage to approve minutes from August 23, 2022 Meeting. All members present voting aye. Motion Carried.

**CLAIMS:**

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

Professional Fees: AVERA ST. LUKE'S \$125.63; CARLSEN FUNERAL HOME & CREMATORY \$665.00; CHRISTY GRIFFIN-SERR LAW OFFICE \$8,541.67; COGLEY LAW OFFICE, PROF LLC \$8,541.67; DOHRER LAW OFFICE \$8,541.67; JERALD M. MCNEARY \$8,541.67; KUCK LAW OFFICE \$8,541.67; LINCOLN COUNTY TREASURER \$36.67; LUMEN \$282.07; STATE OF SOUTH DAKOTA \$1,585.82; TALIAFERRO LAW FIRM \$8,593.17; TYLER TECHNOLOGIES INC \$49,993.00; UND Forensic Pathology \$2,380.00; YANKTON COUNTY SHERIFF OFFICE \$50.00

Publishing: GateHouse Media South Dakota Holdings, Inc. \$911.00; GROTON INDEPENDENT \$480.22

Repairs & Maintenance: CENTURY BUSINESS PRODUCTS \$1.72; DIAMOND MOWERS INC \$17.45; GRAHAM TIRE INC \$775.55; HOVEN AUTO REPAIR INC \$210.59; HUB CITY ROOFING \$193,000.00; JENSEN ROCK & SAND INC \$17,633.75; LAWSON PRODUCTS, INC \$20.99; LEIDHOLT ELECTRIC LLC \$6.00; SERVICE SIGNS & SALES \$263.79; TYLER TECHNOLOGIES INC \$449.00

Supplies: CENTURY BUSINESS PRODUCTS \$213.38; CHARM-TEX \$2,230.48; COLE PAPERS \$3,056.97; DAKOTA SUPPLY GROUP \$865.10; DIAMOND MOWERS INC \$104.84; HOUSE OF GLASS \$196.42; JEBRO INC. \$101,485.01; JENSEN ROCK & SAND INC \$55,903.30; KATHLEEN PARISOT \$65.00; LABSOURCE, INC. \$419.70; LAWSON PRODUCTS, INC \$248.81; LEIDHOLT ELECTRIC LLC \$293.85; MARCO INC \$34.18; MENARDS \$321.39; NICHOLAS R. VOLK \$500.00; PERFORMANCE OIL & LUBRICANTS \$522.08; PLUMBING & HEATING WHOLESALE, INC. \$18.30; POMPS TIRE SERVICE, INC \$51.50; ROLAND L. MOERKE \$920.00; RUNNINGS \$46.56

Travel & Conference: AARON WALBERG \$246.48; Brock Hoyle \$26.00; DALE KURTH \$112.53; DARWIN BETTMANN \$15.24; DAVID NORTH \$140.64; JAMES MEYERS \$19.00; PATRICK KEATTS \$22.74; REGENCY MIDWEST VENTURES LIMITED PARTNERSHIP \$144.00; SD ASSOC OF COUNTY COMMISSIONERS \$975.00; SDSU EXTENSION \$163.55; STAN BECKLER \$24.44

Utilities: MIDCONTINENT COMMUNICATIONS \$85.39; MONTANA DAKOTA UTILITIES CO \$27.13; NORTHERN VALLEY COMMUNICATION \$3,117.69; NORTHWESTERN ENERGY & COMMUNICATIONS \$17,010.63; QWEST CORPORATION \$1,192.01; VERIZON WIRELESS SERVICES LLC \$130.13

Others: SD DEPT OF AGRICULTURE & NATURAL RESOURCES \$327.00; WEX HEALTH INC. \$4,000.00

All members present voting aye. Motion carried.

#### HR REPORT:

Moved by Fjeldheim, seconded by Wiese to approve the following Human Resource Report:

- Acknowledge last day for seasonal worker, Caden Shelton, Brown County Fairgrounds; effective August 16, 2022.
- Acknowledge last day of seasonal worker, Anthony Miller, Brown County Fairgrounds; effective August 10, 2022.
- Acknowledge Last day of internship Noah Miller, Brown County 4-H Intern; effective August 21, 2022.
- Acknowledge resignation of Diane Lehr, Brown County Teen Court, part time; effective August 31, 2022.
- Acknowledge employment ending for Veronica Garcia-MaConnell as legal secretary for State's Attorney's office, full time; effective August 24, 2022. Request to fill.
- Acknowledge transfer of Makayla Jenniges from Brown County JDC CO to Brown County Jail CO; Effective September 6, 2022.
- Approve adjust start date from August 9, 2022 HR Report – Hiring Lynn Heupel, Brown County Auditor, full time; starting salary \$63,448/year; effective September 8, 2022.
- Approve promotion of Madeline Ellerbusch from Brown County Jail CO to Brown County JDC Shift Sergeant; starting wage \$20.20/hr; effective September 5, 2022.

All members present voting aye. Motion carried.

#### CLAIM ASSIGNMENT:

Moved by Feickert, seconded by Wiese to approve, and authorize auditor to assign the claim against an individual to Credit Collections Bureau for the purpose of collecting liens. All members present voting aye. Motion carried.

#### AUDITORS REPORT OF ACCOUNTS:

Moved by Gage, Seconded by Wiese to approve the auditor report of accounts for June 2022 as follows: June total cash and checks on hand 7700; Total Checking Account Balances: 7550447.42; Total Savings Account Balances: 3978174.09; Total Certificates of Deposit: 3978174.09; Grand Total Cash and Balances 31934208.36; General fund cash and investment balances by funds: General Fund 7223349.69 Road & Bridge Fund 7057105.29 Road & Bridge Fund - restricted 423243.27 911 Service 1488482.87 Emergency & Disaster 281591.78 Domestic Abuse 4270.00 Teen Court 4063.53 Grant 32.11 JDAI 6961.06 Richmond Youth 0 24/7 Sobriety 33772.24 ROD M&P 111870.19 American Rescue Plan Federal Grant 7544067.66 Rural Access Infrastructure 95415.63 Tif Debt Service 13166.06 Landfill + cash change 3486435.80 Landfill - restricted 1400479.44 Trust and Agency Funds 2759901.74. All members present voting aye. Motion carried.

#### OTHER BUSINESS:

Rachel Kippley, Fair Manager, met to give preliminary numbers for the 2022 Brown County Fair and to advise of upcoming contracts and grant information.

Executive Session:

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

ADJOURNMENT:

Moved by Wiese, seconded by Feickert to adjourn the Brown County Commission at 10:52 a.m. All members present voting aye. Motion carried.

Brown County Auditor

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## SEPTEMBER 6, 2022 – GENERAL MEETING

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

### APPROVAL OF AGENDA:

Moved by Fjeldheim, seconded by Gage to approve the agenda. All members present voting aye. Motion carried.

### OPPORTUNITY FOR PUBLIC COMMENT:

David Meyer with Summit Carbon Solutions discussed pipeline meeting last week and was available for any questions.

### 2023 PROVISIONAL BUDGET PUBLIC HEARING:

Moved by Fjeldheim, Seconded by Gage to approve the 2023 Provisional Budget. All members present voting Aye. Motion Carried.

### WINTERSET CONTRACT:

Rachel Kippley, Fair Manager, discussed the new contract with Winterset for entertainment at the Brown County Fair. Moved by Fjeldheim, seconded by Feickert to approve signing contract. All members present voting Aye. Motion Carried.

### TREASURER'S OFFICE FEE SCHEDULE:

Patty VanMeter, Treasurer, met to discuss setting a fee schedule for tax files that are requested. If electronic fee is \$125.00, paper copy is \$1.00 per page. Moved by Fjeldheim, seconded by Gage to approve fee schedule. All members present voting Aye. Motion Carried.

### MINUTES:

Moved By Feickert, Seconded by Fjeldheim to approve minutes from August 30, 2022 Meeting. All members present voting aye. Motion Carried.

### CLAIMS:

Moved by Feickert, seconded by Gage to approve the following claims except one claim; Moved by Fjeldheim, seconded by Feickert to approve all claims after explanation of claim in question.

Professional Fees: ACE REFRIGERATION LLC \$300.90; BLACK HILLS LAND & RV RENTALS, LLC \$5,180.00; BRICK'S TV & APPLIANCE \$3,742.50; CITY OF ABERDEEN \$4,750.00; Kippley Angus Farms \$22,500.00; MICHELLE GAIKOWSKI \$83.60; ROMEO ENTERTAINMENT GROUP INC \$4,180.00; Sanford Health Network \$313.95; SANFORD HEALTH OCCUPATIONAL MEDICINE ABERDEEN \$72.00; SARA ZAHN \$43.20; YANKTON COUNTY SHERIFF OFFICE \$100.00

Publishing: GateHouse Media South Dakota Holdings, Inc. \$4,052.11; LEE AGRI-MEDIA \$370.00; MIDSTATES PRINTING \$4,058.00

Repairs & Maintenance: CLIMATE CONTROL \$11,928.00; DAKOTA DOORS INC \$304.08; GRAHAM TIRE INC \$393.41; HOVEN AUTO REPAIR INC \$420.95; LIEN TRANSPORTATION COMPANY \$12,689.62; SHOWTIME INVESTMENTS, INC \$360.50; STATE OF SOUTH DAKOTA \$2,340.00; STEVEN LUST AUTOMOTIVE \$85.79

Supplies: ABERDEEN SWIM CLUB \$400.00; ADVANCE AUTO PARTS \$88.91; AGTEGRA COOPERATIVE \$2,186.23; AMERICAN BUSINESS FORMS \$293.48; APH STORES, INC \$124.06; ARAMARK UNIFORM & CAREER APPAREL GROUP, INC \$133.29; BRENT A FISCHER \$47.50; COLE PAPERS \$698.88; COMMTECH INC. \$900.00; DAKOTA SUPPLY GROUP \$80.00; FULL CIRCLE AG \$2,257.79; GOVCONNECTION INC \$742.83; GOVERNMENT FORM & SUPPLIES \$219.49; HOUSE OF GLASS \$9.50; KAREN SWANK \$27.00; MAC'S INC \$23.16; MB LLC \$111.00; MENARDS \$568.77; MIDSTATES PRINTING \$246.36; O'REILLY AUTO ENTERPRISES, LLC \$42.00; PHARMCHEM \$1,884.40; PITNEY BOWES INC. \$89.85; R.D. OFFUTT COMPANY \$334.35; RUNNINGS \$60.01; SANDERS'S SEW-N-VAC, INC \$174.95; SCHWAN WELDING \$136.50; SHERWIN WILLIAMS \$130.71; TITAN MACHINERY - ABERDEEN NH \$372.53; Tom Paepke \$134.49

Travel & Conference: MARK MILBRANDT \$310.00; MICHAEL WIESE \$411.46

Utilities: AT&T MOBILITY \$125.12; MIDCONTINENT COMMUNICATIONS \$234.56; NORTHWESTERN ENERGY & COMMUNICATIONS \$2,530.09; QWEST CORPORATION \$291.16; VERIZON WIRELESS SERVICES LLC \$121.94

Rentals: NB GOLF, LLC \$19,625.00; STREET SMART RENTAL \$6,700.00

All members present voting aye. Motion carried.

**LEASE:**

Moved by Fjeldheim, seconded by Feickert to approve lease with Scott Richards for use of the Richmond Youth Camp on September 3, 2022. All members present voting Aye. Motion Carried.

**STATE REIMBURSEMENT RATES:**

Moved by Gage, seconded by Feickert to approve the new state reimbursement rates effective September 12, 2022. All members present voting Aye. Motion carried.

**OTHER BUSINESS:**

Carl Perry, advised the commission about an upcoming Regional Jail Meeting on September 20, 2022. Mike Wiese, Commissioner advised that there will be no Commission Meeting on September 13, 2022.

**EXECUTIVE SESSION:**

Moved by Gage, seconded by Fjeldheim to go into executive session to discuss personnel and contracts per SDCL 1-25-2. All members present voting aye. Motion carried. The chair declared the executive session closed with no action taken.

**ADJOURNMENT:**

Moved by Feickert, seconded by Gage to adjourn the Brown County Commission at 9:51 a.m. All members present voting aye. Motion carried.

**Brown County Auditor**

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## SEPTEMBER 20, 2022 – GENERAL MEETING

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

### APPROVAL OF AGENDA:

Moved by Fjeldheim, seconded by Feickert to approve the Agenda. All members present voting aye. Motion carried.

### OPPORTUNITY FOR PUBLIC COMMENT:

Trevor Jones discussed Convention in Pierre and invited the Commissioners to CHS for Presentation to Mr. Wick's Welding Class. David Meyer with Summit Carbon Solutions answered questions posed to him at the September 6<sup>th</sup> meeting and showed pipe samples. Both were available for questions.

### ORDINANCES 222- REZONE- READING AND ADOPTION:

Moved by Feickert, seconded by Wiese to approve reading and adoption of Proposed Ordinance 222, Applicant Patricia Mehlhaff requesting to rezone from Chapter 4.06 Agriculture Preservation District (AG-P) to Chapter 4.10 Lake Front Residential (R-3): Proposed Lot 1, "Berry-Davis Addition" in the NE ¼ of Section 25-T124N-R65W of the 5<sup>th</sup> P.M., Brown County, South Dakota. All members present voting aye. Motion carried.

### ORDINANCES 223- REZONE- READING AND ADOPTION:

Moved by Fjeldheim, seconded by Gage to approve reading and adoption of Proposed Ordinance 223, Applicant Karen Kempf requesting to rezone from Chapter 4.06 Agriculture Preservation District (AG-P) to Chapter 4.10 Lake Front Residential (R-3): Proposed Lot 1, "Wiek-Kempf Addition" in the SE ¼ of Section 8-T128N-R65W of the 5<sup>th</sup> P.M., Brown County, South Dakota. All members present voting aye. Motion carried.

### ORDINANCES 224- REZONE- READING AND ADOPTION:

Moved by Gage, seconded by Wiese to approve reading and adoption of Proposed Ordinance 224, Applicant Diane Heimann requesting to rezone from Chapter 4.06 Agriculture Preservation District (AG-P) to Chapter 4.07 Mini Ag District (M-AG): Proposed Lot 1, "Alberts-Anderson Addition" in the NW ¼ of Section 10-T124N-R61W of the 5<sup>th</sup> P.M., Brown County, South Dakota. All members present voting aye. Motion carried.

### ORDINANCES 225- REZONE- READING AND ADOPTION:

Moved by Fjeldheim, seconded by Gage to approve reading and adoption of Proposed Ordinance 225, Applicant Nolan Ulmer requesting to rezone from Chapter 4.06 Agriculture Preservation District (AG-P) to Lake Front Residential District (R-3) and Mini Agriculture District (M-AG): Proposed **Lot 1-17**, "Bauer's Fourth Addition" in the S ½ of Section 7-T123N-R65W of the 5<sup>th</sup> P.M., Brown County, South Dakota. All members present voting aye. Motion carried.

### ORDINANCES 226- REZONE- READING AND ADOPTION:

Moved by Feickert, seconded by Wiese to approve reading and adoption of Proposed Ordinance 226, Applicant Todd Lunzman requesting to rezone from Chapter 4.06 Agriculture Preservation District (AG-P) to Mini Agriculture District (M-AG): Proposed Lot 1, "Howell-Lunzman Addition" in the SW ¼ of Section 29-T128N-R62W of the 5<sup>th</sup> P.M., Brown County, South Dakota. All members present voting aye. Motion carried.

ORDINANCES 227- REZONE- READING AND ADOPTION:

Moved by Fjeldheim, seconded by Gage to approve reading and adoption of Proposed Ordinance 227, Applicant Mark Thompson requesting to rezone from Chapter 4.06 Agriculture Preservation District (AG-P) to Mini Agriculture District (M-AG): Proposed Lot 1, "Mark Thompson Second Addition" and Lot 1, "Mark Thompson Addition" both in the SE ¼ of Section 9-T124N-R61W of the 5<sup>th</sup> P.M., Brown County, South Dakota. All members present voting aye. Motion carried.

ORDINANCES 228- REZONE- READING AND ADOPTION:

Moved by Feickert, seconded by Fjeldheim to approve reading and adoption of Proposed Ordinance 228, Applicants Jeremy Walberg and Troy Grote requesting to rezone from Chapter 4.06 Agriculture Preservation District (AG-P) to Mini Agriculture District (M-AG): Proposed Lot 3, "Hagemann First Subdivision" and Lots 1 and 2, Garrett's Subdivision of Lot 1, "Hagemann First Subdivision" in the SE ¼ of Section 26-T124N-R63W of the 5<sup>th</sup> P.M., Brown County, South Dakota. All members present voting aye. Motion carried.

ORDINANCES 229- REZONE- READING AND ADOPTION:

Moved by Fjeldheim, seconded by Wiese to approve reading and adoption of Proposed Ordinance 229, Applicant Stacy Gossman requesting to rezone from Residential District (R-1) to Highway Commercial (HC): Proposed Lot 1, "Ronnie's Way Addition" and Lot 1, "Creekside Addition" both in the NW ¼ of Section 17-T123N-R63W of the 5<sup>th</sup> P.M., Brown County, South Dakota. All members present voting aye. Motion carried.

ORDINANCES 230- REZONE- READING AND ADOPTION:

Moved by Wiese, seconded by Gage to approve reading and adoption of Proposed Ordinance 230, Applicant James Whitman requesting to rezone from Chapter 4.06 Agriculture Preservation District (AG-P) to Chapter 4.07 Mini Ag District (M-AG): Proposed Lot 1, "Whitman's First Subdivision" in the N ½ of the NE ¼ of Section 29-T123N-R62W of the 5<sup>th</sup> P.M., Brown County, South Dakota. All members present voting aye. Motion carried.

CDBG YMCA Youth Development Center:

Ted Dickey, Kim Dorsett, Mike Quast, Dick Kornder and Dean Marske were present to discuss the YMCA Youth Development Center Block Grant.

Moved by Wiese, seconded by Feickert to approve the Chairman sign the following Resolution:

RESOLUTION #45-22

Authorizing Community Development Block Grant Application

To Assist In An Addition On To The YMCA Youth Development Center in Aberdeen, South Dakota

WHEREAS, Brown County proposes to execute an application for \$770,000 Community Development Block Grant funds to construct an addition on to the YMCA Youth Development Center in Aberdeen; and

WHEREAS, Brown County is eligible for Federal assistance for the proposed project; and

WHEREAS, with the submission of the Community Development Block Grant application, Brown County assures and certifies that all Community Development Block Grant program requirements will be fulfilled; and



WHEREAS, Brown County has held the required public hearing on Tuesday, September 20, 2022, for the Community Development Block Grant; and

WHEREAS, Brown County is required to designate a certifying officer for the purpose of signing documents pertaining to this grant; and

WHEREAS, Brown County is required to designate an environmental certifying officer for the purpose of signing required environmental documents pertaining to this grant;

NOW, THEREFORE BE IT RESOLVED, that the Chair of the Brown County Commission, will be authorized to execute the Community Development Block Grant application for Brown County; and

AND BE IT FURTHER RESOLVED, that the Chair of the Brown County Commission, be hereby designated as the County's certifying officer for the purpose of signing correspondence, pay requests, and other required documents;

AND BE IT FURTHER RESOLVED, that the Chair of the Brown County Commission, be hereby designated as the County's environmental certifying officer for the purpose of signing correspondence and other required documents and forms.

Signed this 20<sup>th</sup> day of September, 2022.

All members present voting aye. Motion carried.

#### QUIET TITLE ACTION:

Moved by Fjeldheim, seconded by Feickert to approve, and authorize the Chair to sign a Bond of Indemnity in the amount of \$500.00 for quiet title action on a tax deed property. All members present voting aye. Motion carried.

#### SHERIFF'S OFFICE REPORT:

Dave Lunzman, Chief Deputy Sheriff met with Commission and shared that the Drone saved several man hours for them when searching for a suspect. Dive Team received 3 complete Dive Suits that were donated by an anonymous donor – they will be placed with Groton Rescue Rig. Dave explained why they are asking for a second full-time cook in the HR Report and requested permission to hire new Chief Deputy in October/November to help with transition process. Permission was granted.

#### SD OPIOID SETTLEMENT MOA:

Moved by Wiese, seconded by Fjeldheim to make the State's Attorney's Office – Ross Aldentaler point of contact for the Opioid Settlement with SD DSS Division of Behavioral Health.

#### UNION CONTRACT:

Moved by Wiese, seconded by Gage to approve the Chairman to sign the Union Contract. All members present voting aye. Motion carried.

#### HIGHWAY DEPARTMENT 5 YEAR PLAN:

Dirk Rogers, Highway Superintendent asked for a motion to set date for 5-year plan public meeting for October 11, 2022. Moved by Feickert, seconded by Wiese to set the date for October 11, 2022. All members present voting aye. Motion carried.

#### FAIR FEE SCHEDULE:

Rachel Kippley met to discuss some items that are being used by renters or businesses that we haven't been charging for. She would like to amend the Fee Schedule and add some of these items. Board recommended she review the items and come back with a proposal.

#### MINUTES:

Moved By Wiese, Seconded by Gage to approve minutes from September 6, 2022 Meeting. All members present voting aye. Motion Carried.

#### CLAIMS/PAYROLL:

Moved by Fjeldheim, seconded by Wiese to approve the following claims and payroll: Payroll Commission \$4,503.96; Auditor \$7,197.60; Treasurer \$13,886.13; State's Attorney \$26,892.93; Maintenance \$10,206.38; Assessor \$14,930.13; Register of Deeds \$9,413.84; Veterans Service Office \$4,143.28; GIS \$2,483.72; IT \$5,686.59; HR \$4,061.37; Sheriff \$41,368.50; Jail \$57,044.98; Court Security \$7,077.65; JDC/HD \$28,605.69; Welfare \$2,161.43; Museum \$8,033.37; Parks/Fairgrounds \$6,822.93; Fair \$5,252.32; 4-H \$830.18; Weed \$4,533.29; Planning & Zoning \$6,631.44; Highway \$44,002.52; Dispatch \$36,267.38; EM \$4,285.81; Teen Court \$18.40; 24/7 Sobriety \$1,499.37; Landfill \$15,594.33; SDRS Pay-out \$15,121.06; Retirement Award \$150.00. MATCHING BENEFITS: FICA \$22,218.91, Medicare \$5,196.37, Discovery HSA \$1,359.38. CLAIMS: Professional Fees: AGTERRA TECHNOLOGIES, INC. \$70.00; BRICK'S TV & APPLIANCE \$933.75; CERTIFIED LANGUAGES INTERNATIONAL LLC \$981.75; Condrey and Associates, Inc. \$18,750.00; Daniel L. Fox \$160.00; DARCY LOCKWOOD \$30.00; DEPENDABLE SANITATION INC \$30,612.80; DEVNET \$3,445.31; KENNEDY PIER LOFTUS, LLP \$70.70; LANGUAGE LINE SERVICES INC \$133.50; LEWIS & CLARK BHS \$368.00; LEXISNEXIS RISK DATA MGMT INC. \$194.85; LINCOLN COUNTY TREASURER \$75.00; LUCY LEWNO \$160.00; MICHELLE GAIKOWSKI \$163.40; REGENCY MIDWEST VENTURES LIMITED PARTNERSHIP PROPE \$15,130.44; Saber Shred Solutions, Inc. \$1,698.50; SANFORD HEALTH OCCUPATIONAL MEDICINE ABERDEEN \$298.00; SATELLITE TRACKING OF PEOPLE, LLC \$1,833.00; SCHNEIDER GEOSPATIAL, LLC \$2,523.00; SD DEPT OF HEALTH \$2,270.00; SD DEPT OF REVENUE & REGULATIONS \$1,403.26; STATE OF SOUTH DAKOTA \$5,400.00; TAMMY STOLLE COURT REPORTING \$383.00; TAS, INC \$12,723.00; US BANK \$1,041.87; Valerie J. Larson \$30.00; WEST PUBLISHING CORP. \$283.30; WESTERN STATES FIRE CO \$195.00; WEX HEALTH INC. \$186.60; YANKTON COUNTY SHERIFF OFFICE \$100.00; YANKTON COUNTY TREASURER \$255.00. Publishing: ALPHAMEDIA USA, LLC \$4,200.00; DAKOTA BROADCASTING, LLC \$1,400.00; DAKOTA RADIO GROUP - JAMES RIVER BROADCASTING INC. \$1,568.00; GROTON INDEPENDENT \$462.33; HOAK MEDIA OF DAKOTA, LLC \$2,984.50; HUB CITY RADIO \$1,200.00; INGSTAD FAMILY MEDIA \$3,500.00; KBMW RADIO - RADIO FM MEDIA \$1,067.00; LEE AGRI-MEDIA \$1,429.60; THE DAY COUNTY PRINTING CO. INC \$25.98; US BANK \$1,815.00. Repairs & Maintenance: ABERDEEN CLEAN-ALL, LLC \$550.00; CENTURY BUSINESS PRODUCTS \$1.24; CLIMATE CONTROL \$498.00; CRAWFORD TRUCKS & EQUIPMENT \$6,623.88; DAKOTA FLUID POWER INC \$512.29; DIESEL MACHINERY \$7,254.01; DOUBLE D BODY SHOP INC \$467.28; ECOLAB PEST ELIMINATION \$267.60; GRAHAM TIRE INC \$758.48; GROTON FORD \$12,714.50; HUB CITY ROOFING \$96,463.00; JENSEN ROCK & SAND INC \$7,990.00; KIRK KARLEN \$60.88; LANG'S AUDIO TV & APPLIANCE \$60.00; LEIDHOLT ELECTRIC LLC \$867.80; LIEN TRANSPORTATION COMPANY \$43,389.12; Meister Mowing LLC \$1,860.00; PANTORIUM CLEANERS INC. \$189.32; PIERSON-FORD-LINCOLN - MERCURY \$311.20; POMPS TIRE SERVICE, INC \$814.03; PRO WINDMILL INC. \$345.00; RDO EQUIPMENT CO. - AG \$3,576.63; ROLAND L. MOERKE \$1,634.15; SEWER DUCK INC \$85.00; STEVEN LUST AUTOMOTIVE \$161.13; TITAN MACHINERY - ABERDEEN NH \$3,366.66; TRANSOURCE TRUCK & EQUIPMENT, INC. \$19,753.28; US BANK \$820.51; VOSIKA FENCING \$3,200.00; WALTH SAFETY SERVICE INC \$339.62. Supplies: AGTEGRA COOPERATIVE

\$8,133.15; APH STORES, INC \$977.59; ARTZ EQUIPMENT \$29.50; Avera LTC Pharmacy Aberdeen \$80.66; Avera Pharmacies \$10.00; BAKKEN BUILD MAINTENANCE \$500.00; BOTTLING GROUP LLC \$277.48; BRANDON BLACK \$30.87; Caid Verzani \$143.22; CARTNEY BEARING \$486.46; CENTURY BUSINESS PRODUCTS \$1,015.94; COLE PAPERS \$789.06; CRAWFORD TRUCKS & EQUIPMENT \$102,890.20; DAKOTA OIL \$462.00; DAKOTA SUPPLY GROUP \$191.03; Daniel L. Fox \$5.07; DIESEL MACHINERY \$934.84; Domain Listings \$288.00; DOMINO'S PIZZA INC \$117.87; EARTHGRAINS BAKING CO. INC. \$858.43; EAST SIDE JERSEY DAIRY, INC \$1,124.80; FIRE SAFETY FIRST, LLC \$1,505.71; GOVCONNECTION INC \$2,599.45; GRAHAM TIRE INC \$230.68; GREAT WESTERN TIRE INC \$7,042.35; HOH Water Technology Inc. \$239.45; INTERSTATE BATTERY SYSTEM OF SD \$498.80; JEBRO INC. \$46,183.23; Jeff Eisenbeisz \$209.81; JENSEN ROCK & SAND INC \$1,753.06; KEN'S SUPERFAIR FOODS \$3,998.30; KESSLERS \$4,055.58; LIEN TRANSPORTATION COMPANY \$135,675.97; Linde Gas & Equipment Inc. \$421.68; LUCY LEWNO \$6.57; MAC'S INC \$174.76; MARK GRAMM \$309.00; MB LLC \$256.16; McDonald's \$294.40; MENARDS \$486.39; MIDSTATES PRINTING \$597.24; MIDWEST PUMP & TANK \$51.60; MINN-KOTA COMMUNICATIONS, INC \$760.59; Montgomery's \$1,024.97; NORTHERN VALLEY COMMUNICATION \$26.76; PANTORIUM CLEANERS INC. \$84.00; PARKER KROLL \$693.00; PERFORMANCE OIL & LUBRICANTS \$398.14; PHARMCHEM \$930.05; PLUMBING & HEATING WHOLESALE, INC. \$855.54; RDO EQUIPMENT CO. - AG \$3,168.44; ROLAND L. MOERKE \$414.00; RUNNINGS \$221.65; RYAN SWENSON \$129.78; SANDERS'S SEW-N-VAC, INC \$545.52; SHARE CORP \$96.00; SHERWIN WILLIAMS \$114.54; SPECIALTY MFG INC \$1.74; STAN HOUSTON EQUIPMENT CO. \$280.40; T & M Management, LLC \$201.32; THEATRICAL MEDIA SERVICES INC \$325.00; TRANSOURCE TRUCK & EQUIPMENT, INC. \$6,942.61; TRI STATE WATER \$35.00; US BANK \$15,331.51; US FOODS \$11,836.35; WALTH SAFETY SERVICE INC \$3.80; WEST PUBLISHING CORP. \$1,839.44. Travel & Conference: Anchors Away Lodge & Resort \$306.33; Becca Tullar \$234.00; CITY OF GROTON \$344.52; CORY LANE \$51.23; Grant County Auditor \$591.36; LYNN HEUPEL \$189.20; Mike Nehls \$473.00; Pat Wolberg \$179.54; PATRICIA KENDALL \$100.00; PATRICIA VANMETER \$169.32; PATTI WOODS \$120.00; RACHEL KIPPLEY \$1,186.20; REGENCY MIDWEST VENTURES LIMITED PARTNERSHIP \$495.00; SAFE HARBOR \$450.00; SAFETY BENEFITS INC \$75.00; SCOTT MEINTS \$120.00; SDSU EXTENSION \$95.04; US BANK \$1,434.59; US HOTEL ACS VENTURES, LLP \$217.84. Utilities: CITY OF ABERDEEN \$5,887.24; CITY OF HECLA \$145.11; DEPENDABLE SANITATION INC \$348.00; JAMES VALLEY TELECOMMUNICATIONS \$219.90; MIDCONTINENT COMMUNICATIONS \$141.64; NORTHERN ELECTRIC COOP, INC \$4,552.36; NORTHERN VALLEY COMMUNICATION \$5,016.31; NORTHWESTERN ENERGY & COMMUNICATIONS \$1,540.57; QWEST CORPORATION \$1,193.84; STATE OF SOUTH DAKOTA \$135.19; TOWN OF FREDERICK \$76.00; US BANK \$4,452.83; VERIZON WIRELESS SERVICES LLC \$3,116.38; WEB WATER DEVELOPMENT ASSOC. INC. \$92.64. Rentals: ARAMARK UNIFORM & CAREER APPAREL GROUP, INC \$308.58; Linde Gas & Equipment Inc. \$47.62; Mike Nehls \$80.84; PANTORIUM CLEANERS INC. \$207.36. Others: SAFE HARBOR \$1,355.00; SD DEPT OF AGRICULTURE & NATURAL RESOURCES \$4,544.54. All members present voting aye. Motion carried.

#### HR REPORT:

Moved by Feickert, seconded by Wiese to approve the following Human Resource Report:

- Acknowledge transfer of Morgan Cox from Brown County Jail Correctional Officer to Brown County JDC Correctional Officer; effective September 5, 2022.
- Acknowledge transfer of Ellie Weinmeister from Brown County JDC Correctional Officer to Brown County Jail Correctional Officer; effective September 20, 2022.
- Acknowledge transfer of Rhaecine Sam from Brown County Jail Correctional Officer to Brown County JDC Correctional Officer; effective September 18, 2022.

- Approve hiring of Lane Kahler as Brown County Jail Correctional Officer, full-time; starting wage \$18.87/hour; effective September 7, 2022.
- Approve payment of retirement award for Kurt Smith in the amount of \$150 before taxes, the requirement was met.
- Approve increase the wage of Lisa Samson, Brown County State's Attorney Legal Secretary to \$20.17/hour; September 19, 2022. For 2023, wages will be frozen. For 2024, she will only get the COLA, which will take her to the next step.
- Approve hiring of Troy Knebel as Brown County JDC Correctional Officer, full-time; starting wage \$18.87/hour; effective September 19, 2022.
- Approve hiring of Savanna Simon as Brown County Jail Correctional Officer, full-time; starting wage \$18.87/hour, effective September 20, 2022.
- Approve request to hire a full-time Jail Cook.
- Approve hiring of Lois Usselman as Brown County Election worker, as needed; starting wage \$15.00/hour; effective September 12, 2022.
- Approve hiring Steven Thithavong as Brown County Election worker, as needed; starting wage \$15.00/hour; effective September 12, 2022.
- Approve hiring of Veronica MacConnell as Brown County Jail Correctional Officer, full-time; starting wage \$18.87/hour; effective September 20, 2022.
- Approve hiring of Jessica Rychlik as Brown County State's Attorney Legal Secretary, full-time; starting wage \$20.17/hour; effective September 19, 2022. For 2023, wages will be frozen. For 2024, she will only get the COLA, which will take her to the next step.
- Approve hiring of Tony Garcia as Brown County Sheriff's Deputy part-time, Armed Court Security and Jail/JDC transport as needed; starting wage Deputy/Armed Court Security \$23.75/hour; transport per trip; effective September 15, 2022.

#### TRAVEL REQUESTS:

- Moved by Wiese, seconded by Fjeldheim to approve from Landfill, Treasurer's Office, Register of Deed Office, Auditor's Office, and Museum.

#### LEASES:

Moved by Wiese, seconded by Gage to approve the following leases:

- Aberdeen Humane Society for lease of Expo Building October 1-2, 2022.
- Morgan Hoffman for lease of Clubhouse October 8-9, 2022.
- Agtegra lease of 1 People Mover October 8, 2022.
- Roncalli Senior Retreat lease of Richmond Youth Camp September 25-26, 2022.

All member present voting aye. Motion carried.

#### TONNAGE REPORT:

Moved by Feickert, seconded by Wiese to acknowledge the Landfill Tonnage Report for August 2022. All members present voting aye. Motion carried.

#### AUDITORS REPORT OF ACCOUNTS:

Moved by Fjeldheim, Seconded by Wiese to approve the auditor report of accounts for July 2022 as follows: July total cash and checks on hand 7700; Total Checking Account Balances: 21,984,163.93; Total Savings Account Balances: 2,050,447.42; Total Certificates of Deposit: 3,978,174.09; Grand Total Cash and Balances: 28,020,485.44; General fund cash and investment balances by funds: General Fund 6,486,809.31 Road & Bridge Fund 4,877,505.90 Road & Bridge Fund - restricted 423,243.27 911 Service

1,386,284.82 Emergency & Disaster 264,293.23 Domestic Abuse 900.00 Teen Court 1,879.62 Grant 32.11 JDAI 14,127.15 Richmond Youth 0 24/7 Sobriety 29,490.33 ROD M&P 112,962.63 American Rescue Plan Federal Grant 7,544,067.66 Rural Access Infrastructure 295,338.93 Tif Debt Service 13,166.06 Landfill + cash change 3,513,288.51 Landfill - restricted 1,400,479.44 Trust and Agency Funds 1,656,616.47. All members present voting aye. Motion carried.

**CLAIM ASSIGNMENT:**

Moved by Wiese, seconded by Gage to approve, and authorize auditor to assign the claim against an individual to Credit Collections Bureau for the purpose of collecting liens. All members present voting aye. Motion carried.

**OTHER BUSINESS:**

Duane Sutton accepted the Gold & Platinum Safety Awards for Brown County at State Convention from SD Public Assurance Alliance.

**EXECUTIVE SESSION:**

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

**ADJOURNMENT:**

Moved by Feickert, seconded by Wiese to adjourn the Brown County Commission at 10:25 a.m. All members present voting aye. Motion carried.

Lynn Heupel, Brown County Auditor

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## SEPTEMBER 27, 2022 – GENERAL MEETING

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

### APPROVAL OF AGENDA:

Commissioner Sutton added Oath of Office for new County Auditor to the agenda. Moved by Wiese to approve with addition, seconded by Gage to approve the agenda. All members present voting aye. Motion carried.

### OPPORTUNITY FOR PUBLIC COMMENT:

David Meyer with Summit Carbon Solutions introduced himself and just asked if there were any questions. There were none currently.

### SURPLUS:

Moved by Wiese, seconded by Fjeldheim to Surplus EM Radio and donate it to the Claremont Fire District. All members present voting aye. Motion carried.

### FAIR BOARD:

Moved by Feickert, seconded by Wiese to approve the following Fair Board appointments:

- 1 - 3-year term: Randy Mages, Stephanie Mages, Clint Sombke, Mike Russell and Ryan Swenson
- 1 – 1-year term: Greg Markley and Jayson Tollefson
- 2 - 3-year terms: Adam Butcher and Conald Burgard

### FAIR CONTRACT:

Rachel Kippley, Fair Manager discussed the Rodeo Contract for the Brown County Fair. Sutton Rodeo is opting out of the 3<sup>rd</sup> year of the contract due to financial loss. Rachel will do up a new RFP and present to the Commission next week for approval.

### STOP SIGN RESOLUTION:

Dirk Rogers, Highway Superintendent presented the following Resolution:

Moved by Feickert, seconded by Wiese

#### RESOLUTION #46-22

STOP SIGN at Intersection of Co. #14w & Co. #10, Aberdeen, South Dakota

**Whereas**, the traffic pattern has changed at the intersection of Co. #14w and Co. #10, and

**Whereas**, the current 2-way stop is no longer an efficient traffic control method, and

**Whereas**, the Brown County Sheriff and Brown County Highway Department request a change at this intersection, and

**Whereas**, this change meets Warrant 3, (Peak Hour) and Warrant 8, (Roadway Network) from the MUTCD;

**Now Therefore be it Resolved** That the intersection of Co. #14W and Co.#10 will be changed from a two-way stop to a four way stop.

Signed this 20<sup>th</sup> day of September, 2022.

All members present voting aye. Motion carried.

### ANNUAL BUDGET FOR 2023:

Commissioner Fjeldheim offered the following Resolution:

ANNUAL BUDGET FOR BROWN COUNTY, SD

For the Year January 1, 2023 to December 31, 2023

#### RESOLUTION #47-22

ADOPTION OF ANNUAL BUDGET FOR BROWN COUNTY, SOUTH DAKOTA

Whereas, (7-21-5 thru 13), SDCL provides that the Board of County Commissioners shall each year prepare a Provisional Budget of all contemplated expenditures and revenues of the County and all its institutions and agencies for such fiscal year and,

Whereas, the Board of County Commissioners did prepare a Provisional Budget and cause same to be published by law, and

Whereas, due and legal notice has been given to the meeting of the Board of County Commissioners for the consideration of such Provisional Budget and all changes, elimination's and additions have been made thereto.

NOW THEREFORE, BE IT RESOLVED, That such provisional budget as amended and all its purposes, schedules, appropriations, amounts, estimates and all matters therein set forth, SHALL BE APPROVED AND ADOPTED AS THE ANNUAL BUDGET OF THE APPROPRIATION AND EXPENDITURES FOR BROWN COUNTY, SOUTH DAKOTA and all its institutions and agencies for calendar year beginning January 1, 2023 and ending December 31, 2023 and the same is hereby approved and adopted by the Board of County Commissioners of Brown County, South Dakota, this 27<sup>th</sup> day of September, 2022.

The Annual Budget so adopted is available for public inspection during normal business hours at the office of the County Auditor, Brown County, South Dakota. The accompanying taxes are levied by Brown County for the year January 1, 2023 through December 31, 2023.

COUNTY TAX LEVIES WITHIN LIMITED LEVY	Dollars	\$/S/1,000
*General County Purposes (10-12-9)	\$16,208,932	3.645
TOTAL TAXES LEVIED BY COUNTY	\$16,208,932	3.645

\*These amounts include the 25% to be distributed to cities.

\* As of September 27, 2022 these levies are not approved by the DOR.

Seconded by Commissioner Wiese. All members present voting aye. Resolution adopted.

#### MINUTES:

Moved by Gage, seconded by Wiese to approve minutes from September 20, 2022 Meeting. All members present voting aye. Motion Carried.

#### CLAIMS/PAYROLL:

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

##### PAYROLL:

Commission \$4,503.96; Auditor \$8936.27; Elections \$390.00; Treasurer \$14,283.33; State's Attorney \$26,495.93; Maintenance \$10,087.27; Assessor \$15,275.89; Register of Deeds \$9,544.00; Veterans Service Office \$4,143.28; GIS \$2,483.72; IT \$5,586.59; HR \$4,061.37; Sheriff \$45,706.97; Jail \$59,486.30; Court Security \$7,048.27; JDC/HD \$31,153.36; Welfare \$2,161.43; Museum \$8,238.86; Parks/Fairgrounds \$4,049.43; Fair \$4,790.80; 4-H \$638.80; Weed \$4,479.46; Planning & Zoning \$5,681.44; Highway \$43,703.10; Dispatch \$40,823.81; EM \$4,285.81; 24/7 Sobriety \$1,506.62; Landfill \$15,850.29; Meal Benefits \$230.00; MATCHING BENEFITS: FICA \$22,989.96, Medicare \$5,376.66, Discovery HSA \$1,359.38; Health Insurance-Wellmark BCBS \$123,207.29; Dental Insurance-Delta \$7,855.77; Life Insurance-Dearborn \$1,040.74; Retirement-SDRS \$47,819.85.

##### CLAIMS:

Professional Fees: Adamsoft Llc \$2,062.50; Avera St. Luke's \$6,032.52; CGI \$1,323.00; Christy Griffin-Serr Law Office \$8,541.67; Ciox Health \$24.41; Cogley Law Office, Prof LLC \$8,541.67; Darcy Lockwood \$30.00; Dohrer Law Office \$8,541.67; Jerald M. McNeary \$8,541.67; Kuck Law Office \$8,541.67; Lucy Lewno \$320.00; Lutheran Social Services Inc \$431.44; Michael Carlsen \$450.00; Ne Mental Health Center \$1,040.00; Saber Shred Solutions, Inc. \$2,201.60; San Joaquin Sheriff \$40.00; Sara Zahn \$126.20; Sd Dept Of Legislative Audit \$6,750.00; Taliaferro Law Firm \$8,541.67; Valerie J. Larson \$30.00

Publishing: GateHouse Media South Dakota Holdings, Inc. \$1,427.69

Repairs & Maintenance: Aberdeen Auto Center, Inc. \$42.40; Auto Glass Solutions Inc \$486.10; Butler Machinery Co \$700.00; City of Aberdeen \$9,570.00; Commtech Inc. \$9,712.72; Fastcase Inc. \$480.00; Graham Tire Inc \$887.76; Hub City Roofing \$210.00; Imeg Corp \$11,217.59; Jason's Electric Inc \$81.63; Pro Windmill Inc. \$250.00; Steven Lust Automotive \$156.60; Titan Machinery, Inc - Aberdeen Case IH \$270.50; Welton Maunu \$96.50

Supplies: Aberdeen Auto Center, Inc. \$61.00; Advance Auto Parts \$1,086.39; Agtegra Cooperative 50,711.60; Avera Ltc Pharmacy Aberdeen \$1,663.04; Butler Machinery Co \$7,502.46; Century Business Products \$7,309.55; Cole Papers \$1,213.40; Dakota Fluid Power Inc \$691.35; FedEx \$19.76; Gillund Enterprises \$349.00; J.D. Power & Associates \$210.00; Jebro Inc. \$77,133.10; Jensen Rock & Sand Inc \$8,443.40; Kessler's \$205.18; Lien Transportation Company \$3,274.51; Lucy Lewno \$11.64; Marco Inc \$12.04; Menards \$303.27; Midwest Pump & Tank \$883.27; On Site Repair \$317.89; Runnings \$914.93; Share Corp \$285.60; Shelly Eisenbeisz \$121.67; Sherwin Williams \$777.04; Shi International Corp \$1,965.85; Storesmart \$192.08; Titan Machinery, Inc - Aberdeen Case IH \$59.50; Weismantel Rent-All \$1,425.00

Travel & Conference: Candace Rohrbach \$460.06; Craig Steinley \$100.00; Dale Kurth \$112.53; Darwin Bettmann \$15.24; David North \$105.48; Dennis Feickert \$248.20; James Meyers \$28.50; Joe Kraft \$366.26; Mike Scott \$34.00; Patrick Keatts \$34.11; Robert Baumgartner \$34.00; Russell Metz \$363.20; Safe Harbor \$450.00; Sarah J Jesz \$474.62; Sarah Swenson \$363.20; Scott Madsen \$470.80; Stan Beckler \$18.33

Utilities: City Of Aberdeen \$281.98; Dependable Sanitation Inc \$165.00; Montana Dakota Utilities Co \$46.92; Northern Valley Communication \$756.07; Northwestern Energy & Communications \$1,206.40; Verizon Wireless Services LLC \$42.13

All members present voting aye. Motion carried.

#### HR REPORT:

Moved by Wiese, seconded by Gage to approve the following Human Resource Report:

- Acknowledge employment ending for Tanya Merkel as a nurse for Brown County Jail/JDC in Sheriff's office as needed; effective September 21, 2022. Request to fill.
- Acknowledge employment ending for Bonnie Dix as a nurse for Brown County Jail/JDC in Sheriff's office, as needed; effective September 21, 2022. Request to fill.
- Approve hiring of Laura Dixon as Brown County Jail Correctional Officer, full-time; starting wage \$18.87/hour; effective October 4, 2022.
- Approve hiring JoAnn Hatzenbeller as Brown County Jail Cook, full-time; starting wage \$16.48/hour; effective October 3, 2022.
- Approve hiring Jan Erickson as Brown County Election worker, as needed; starting wage \$15.00/hour; effective September 28, 2022.
- Approve personal miles driven for July 2022 at .585 per mile as follows: Kendall Titze 114 miles at \$66.69; John Florey 120 miles at \$70.20; Dirk Rogers 646 miles @ \$377.91; Mike Scott 190 miles @ \$111.15.

#### PLATS:

##### Resolution #48-22

Commissioner Feickert brought the following resolution: "Be it resolved by the County Commission of Brown County, South Dakota, that the plat showing "Haar's Second Addition in the E ½ of Section 6, Township 123 North, Range 63 West of the 5<sup>th</sup> 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 Commissioner Wiese. All members present voting aye. Resolution adopted.

##### Resolution #49-22

Commissioner Feickert brought the following resolution: "Be it resolved by the County Commission of Brown County, South Dakota, that the plat showing "Rohl Country Addition in the NW ¼ of Section 35, Township 124 North, Range 64 West of the 5<sup>th</sup> 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 Commissioner Wiese. All members present voting aye. Resolution adopted.

##### Resolution #50-22

Commissioner Feickert brought the following resolution: "Be it resolved by the County Commission of Brown County, South Dakota, that the plat showing "Mahan Addition in the NW ¼ of Section 5, Township 123 North, Range 60 West of the 5<sup>th</sup> 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 Commissioner Wiese. All members present voting aye. Resolution adopted.



Resolution #51-22

Commissioner Feickert brought the following resolution: “Be it resolved by Board of County Commission of Brown County, South Dakota, that the plat showing “Gauer First Richmond Lake Addition in the SE ¼ of Section 24, T124N, R65W of the 5<sup>th</sup> P.M. and in the SW ¼ of Section 19, T124N, R64W of the 5<sup>th</sup> P.M., all in Brown County South Dakota” having been examined is hereby approved in accordance with the provisions of SDCL 11-3 and any amendments thereof.” Seconded by Commissioner Wiese. All members present voting aye. Resolution adopted.

EXECUTIVE SESSION:

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

OTHER BUSINESS:

Dave Meyer with Summit Solutions notified everyone that he received a message that the Cultural Crew will be out and about in Brown County today.

ADJOURNMENT:

Moved by Wiese, seconded by Feickert to adjourn the Brown County Commission at 10:15 a.m. All members present voting aye. Motion carried.

Lynn Heupel, Brown County Auditor

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## OCTOBER 4, 2022 – GENERAL MEETING

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

### APPROVAL OF AGENDA:

Commissioner Fjeldheim moved to approve the agenda, seconded by Gage to approve the agenda. All members present voting aye. Motion carried.

### OPPORTUNITY FOR PUBLIC COMMENT:

Carl Perry, District 3 Representative invited the Commission to NSU Library on Wednesday to hear about Education Legislation. Shared about Environment Social Governments (ESG) meeting in Pierre regarding Responsible Investing and informed the Commission that they will have an answer on the Regional Jail on November 5<sup>th</sup>.

LeAnn Frederickson and Dawn Shepard discussed concerns and why they are opposed to the 4-way stop at intersection of Co. #14W and Co. #10. Dirk Rogers, Highway Superintendent shared that the traffic counts have almost doubled at that intersection from the east and west roads is the reasoning for the 4 -way stop.

### FAIR RODEO REQUEST FOR PROPOSAL:

Rachel Kippley, Fair Manager discussed the Rodeo Contract for the Brown County Fair and asked Commission to approve publishing and posting the RFP. Moved to Gage and seconded by Feickert to approve publishing and posting the RFP for Brown County Fair Rodeo. All members present voting aye. Motion carried.

### FAIR FOUNDATION:

Rachel Kippley, Fair Manager shared information regarding fund raising for the Rainbow Playground Equipment and asked for motion to have Chairman sign letter backing the foundation to apply for a \$5,000 grant. Moved by Feickert, seconded by Fjeldheim to approve Chairman Sutton to sign the letter of support. All members present voting aye. Motion carried.

### HOCKEY/CLUBHOUSE REPORT:

Rachel Kippley, Fair Manager shared the report from Aberdeen Hockey Association on their numbers from the Clubhouse for 2022 Brown County Fair.

### LOCAL EMERGENCY MANAGEMENT PERFORMANCE GRANT AGREEMENT:

Moved by Fjeldheim, seconded by Gage to approve Chairman Sutton signing the LEMPG Grant. All members present voting aye. Motion carried.

### BID OPENING – INDIGENT DEFENSE SERVICES:

Time and place, as advertised to open, read and award bid for the Indigent Defense Services was a combination of 8 attorneys – Tom Cogley with Cogley Law Office, Prof. LLC, Chris Dohrer with Dohrer Law Office, Prof. LLC, Scott Kuck with Kuck Law Office, Jeremy Lund with Siegel, Barnett & Schutz, LLP, Jerald McNeary with Gerdes & McNeary Law Office, Christy Griffin-Serr with Serr Law Office, Brandon Taliaferro with Taliaferro Law Firm and John Noyes with Bantz, Gosch & Cremer. Moved by Fjeldheim, seconded by Gage to defer the proposal to the State's Attorney office to review the 2-year proposal. All members present voting aye. Motion carried.

### SPEED LIMITS ON BROWN COUNTY 4 DISCUSSION:

Dirk Rogers, Highway Superintendent, met to discuss the speed limits on Brown County 4, which is between 24<sup>th</sup> Ave. to Highway 13 on Dakota Street. Dirk has been contacted by residents and the city to change the speed limit. Suggested to change ½ mile that is now 55 mph down to 45 mph. No action taken at this time.

#### SUMMIT CARBON SOLUTIONS:

Dave Meyer with Summit Carbon Solutions addressed the Commission about comments made about not enough information on the project so wanted to know what other information is needed. Public comments were heard on asking for results on the Plume study, safety concerns for public, First Responders training at this time not equipped or trained for carbon explosions, financial reports, lawsuits filed on landowners, funding from South Korea and Saudi Arabia, why they won't sign a contract stating actual property tax dollars, etc. Commissioners of Brown County have voiced opinion that they don't want the pipeline, same with landowners and citizens that were in attendance. Asked Dave Meyer to show on a map the # of welds that will be in Spink, Brown and McPherson counties and each intersection of pipe, what part of 'No' does the company not understand, the amount of pressure and thickness of the pipeline, Summit Solutions Safety Person to attend meeting if available and certificate of HazMat training.

#### MINUTES:

Moved by Fjeldheim, seconded by Gage to approve minutes from September 27, 2022 Meeting. All members present voting aye. Motion carried.

#### CLAIMS:

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

Professional Fees: Midwest Wellness Institute, LLC \$4,009.80; Fischbach Law Office \$1,778.80; Horn Law Office Prof LLC \$444.40; Kristi Brandt \$55.40; Lucille M. Youngberg \$426.42; Lumen \$193.65; Michelle Gaikowski \$61.80; Muth Electric Inc \$39,380.26. Publishing: Friends of The Aberdeen University-Civic Symphony \$150.00; Gatehouse Media South Dakota Holdings, Inc. \$1,665.48; Lee Agri-Media \$370.00 Repairs & Maintenance: Century Business Products \$65.57; Hoven Auto Repair Inc \$1,341.47; J Gross Equipment \$197.54; Jensen Rock & Sand Inc \$40,479.84; Lawson Products, Inc \$71.46; Menards \$17.08 Pierson-Ford-Lincoln -Mercury \$220.11; Pro Windmill Inc. \$95.00; Runnings \$69.98; Schwan Welding \$16,637.70; Sewer Duck Inc \$325.00; Sherman Cutler \$200.00. Supplies: Aramark Uniform & Career Apparel Group, Inc \$133.29; Avera Ltc Pharmacy Aberdeen \$756.04; Bakken Build Maintenance \$500.00; Century Business Products \$7,524.47; Cole Papers \$285.78; Dakota Mailing & Shipping Equipment Inc \$194.40; Fastenal Co \$25.96; GovConnection Inc \$259.80; Hoh Water Technology Inc. \$943.23; J Gross Equipment \$160.87; Lawson Products, Inc \$857.82; Leidholdt Tool Sales, LLC \$458.49; Menards \$539.37; Midstates Printing \$565.00; Nelson Sales & Service, LLC \$24.05; Pantorium Cleaners Inc. \$28.00; Pierson-Ford-Lincoln -Mercury \$206.25; Pumps Tire Service, Inc \$989.84; Roland L. Moerke \$1,090.34; Russ Bassett Corp \$23,952.90; Walth Safety Service Inc \$9.08. Travel & Conference: Brandon Duxbury \$60.00; C. Scott Bader \$357.06; Heartland Assoc Of Fairs, Festivals & Events \$245.00; Jay Hopkins \$34.00; Kristin Boeshans \$54.00; Levi Margolies \$20.00; Marianne Marttila Klipfel \$60.00; Mark Milbrandt \$926.00; Patricia Kendall \$80.00; Regency Midwest Ventures Limited Partnership \$2,767.80; Ron Keller \$150.00; Sd Assoc Of County Commissioners \$245.00. Utilities: AT&T Mobility \$145.57; Midcontinent Communications \$139.17; Northwestern Energy & Communications \$12,781.95. Others: Wex Health Inc. \$4,000.00.

#### HR REPORT:

Moved by Fjeldheim, seconded by Gage to approve to table the Human Resource Report until further information is gathered by Erica.

#### TRAVEL REQUEST:

Moved by Feickert, seconded by Fjeldheim to approve the following Travel Requests:

- Dirk Rogers, Highway Superintendent to Region 8 Road Advisors Conference on October 18 – 20, 2022 in Rapid City.

#### SHERIFF REPORT:

Moved by Gage, seconded by Fjeldheim to approve the following August 2022 Sheriff Reports: Incidents and offenses, Prisoner care, JDC, and Money deposited with the County Treasurer. All members present voting aye. Motion carried.

#### CLAIM ASSIGNMENT:

Moved by Fjeldheim, seconded by Feickert to approve, and authorize auditor to assign the claim against an individual to Credit Collections Bureau for the purpose of collecting liens. All members present voting aye. Motion carried.

#### NOTICE OF TAX DEED SALE:

Moved by Feickert, seconded by Gage to authorize advertising the following described property to be offered for sale by auction in the Community Room, Brown County Courthouse Annex, on October 26, 2022, at 10:00 a.m., and further to declare property surplus for purpose of sale: Aberdeen City: (Lot – 414 3<sup>rd</sup> Ave. SE) 35' E of W 35' LT 1-3 BK 89 Hagerty & Lloyd Addition, Aberdeen, Brown County, South Dakota; (Lot – 909 S. Main St. ) S 40' of W 34' LT 12 & S 40' LT 13 & S 40' of E 16' LT 14 & 4' Strip directly N of Parcel BK 53 2<sup>nd</sup> Addition, Aberdeen, Brown County, South Dakota; (House – 520 N. Kline St.) Lt 21 & S 10' of W2 Lt 22 BK, Hagerty & Lloyd Addition, Aberdeen, Brown County, South Dakota; (House – 117 14<sup>th</sup> Ave. SE) E46' LT 2 & E46'' of S 40' LT 1 BK 1 College SD of BK 8-11 Simmons 1<sup>st</sup> Addition, Aberdeen, Brown County, South Dakota; (Lot – 0 Melgaard Rd. E) S 123' W 50' RR ROW Adjacent to LT 17 BK 25 Simmons 1<sup>st</sup> Addition, Aberdeen, Brown County, South Dakota. Frederick City: (Lot – 403 5<sup>th</sup> St.) LT 5A BK3 Original PL (RPL L 3-5) Frederick, Brown County, South Dakota. All members present voting aye. Motion carried.

#### LEASES:

Moved by Fjeldheim, seconded by Gage to approve the following Leases:

- People Mover for October 8<sup>th</sup> by Brown County Democrats
- Richmond Youth Camp on October 9<sup>th</sup> – 10<sup>th</sup> by Good Shepard Lutheran Church

#### EXECUTIVE SESSION:

Moved by Fjeldheim, seconded by Gage to go into executive session to discuss contracts per SDCL 1-25-2. Sutton – aye, Fjeldheim – aye, Gage – aye, Feickert – nay. 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 at 10:15 a.m. All members present voting aye. Motion carried.

Lynn Heupel, Brown County Auditor

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## OCTOBER 11, 2022 – GENERAL MEETING

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

### APPROVAL OF AGENDA:

Commissioner Gage moved to approve the agenda, seconded by Wiese to approve the agenda. All members present voting aye. Motion carried.

### OPPORTUNITY FOR PUBLIC COMMENT:

LeAnn Frederickson and Dawn Shepard discussed concerns and why they are opposed to the 4-way stop at intersection of Co. #14W and Co. #10. Mentioned they are circulating petitions. If goes through ask to have either Flashing Caution Lights, Flashing Stop Lights or suggested putting in a round about at that intersection. Another Safety concern is the wide turns the semis need to take.

### SUMMIT CARBON SOLUTIONS:

Dana Siefkes Lewis with Summit Carbon Solution introduced herself to the Commission and stated she is an Advocate for the residents of Brown and Spink County. There are 200 Ethanol plants and 70 of those will be on this pipeline. Aaron Eldridge, Project Manager with Summit Carbon Solutions discussed the process for laying the pipeline, and they are going a foot deeper than required and the testing they put the pipes through looking for any leaks. He shared there will be 4 pump stations that will be inside shelters and have Cellular & Radio access. They must follow the route that they submitted to PUC for their permit. They are compensating landowners; landowners don't need to increase insurance. If a landowner has Drain Tile and repairs are needed, they have a company that will repair for the lifetime of the project, or they will compensate landowners if they have another contract. Landowners will have permanent easement but can not plant any trees or something with roots over the structure but can build next to it. They will try to go around shelter belts but that is not always possible. Landowners will be compensated for loss on crops for 3 years and after that if crops in that area are not producing as well as the rest of the crops – they will pay the difference on yields for lifetime of the project. Commissioner Feickert asked for a list of investors, and they stated they can't give them everyone, only those that allow them to share their information – one of them is based out of South Korea.

### LOCAL ASSISTANCE & TRIBAL CONSISTENCY FUNDS:

Moved by Feickert, seconded by Gage to approve applying for the Local Assistance & Tribal Consistency Funds (LATCF) funds from the U.S. Treasury. Brown County is eligible for \$50,000.00 in 2022 & 2023. All members present voting aye. Motion carried.

### HIGHWAY 5-YEAR PLAN:

Time and place, as advertised to discuss and receive public comment on the 5-year County Highway and Bridge Improvement Plan. Dirk Rogers, Highway Superintendent outlined the county highway projects for 2023-2027. Several residents were in attendance from Richmond Lake area to discuss Br. Co. 13 – there is 4000 ft. that they want addressed due to condition and safety of that stretch of road. At this time Highway Department will prime the road and work on the drainage to possibly laying millings next Spring.

### MINUTES:

Moved by Feickert, seconded by Wiese to approve minutes from October 4, 2022 Meeting. All members present voting aye. Motion carried.

### CLAIMS/PAYROLL:

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

#### PAYROLL:

Commission \$4,503.96; Auditor \$9,666.46; Elections \$1,770.00; Treasurer \$14,349.53; State's Attorney \$27,510.32; Maintenance \$10,247.81; Assessor \$15,275.89; Register of Deeds \$9,544.00; Veterans Service Office \$4,143.28; GIS \$2,483.72; IT \$5,686.59; HR \$4,061.37; Sheriff \$41,835.93; Jail \$54,674.76; Court Security \$6,868.86; JDC/HD \$28,446.12; Welfare \$2,161.43; Museum \$8,635.40; Parks/Fairgrounds

\$4,535.43; Fair \$4,790.80; 4-H \$638.80; Weed \$4,292.82; Planning & Zoning \$6,615.03; Highway \$43,744.49; Dispatch \$36,232.22; EM \$4,285.81; 24/7 Sobriety \$1,343.71; Landfill \$14,010.09; Mileage Benefits: 625.95. MATCHING BENEFITS: FICA \$22,103.58, Medicare \$5,169.41, Discovery HSA \$1,421.17.

#### CLAIMS:

Insurance: SD Assoc of County Commissioners \$2,150.00

Professional Fees: Agterra Technologies, Inc. \$70.00; Brick's Tv & Appliance \$2,201.25; Darcy Lockwood \$15.00; Dean Schaefer Court Reporting \$120.00; Helms & Associates Inc \$4,095.00; Lincoln County Treasurer \$78.00; Lucy Lewno \$160.00; Michelle Gaikowski \$87.40; Romeo Entertainment Group Inc \$2,947.29; Saber Shred Solutions, Inc. \$5,381.45; Sanford Health \$9.54; Sanford Health Occupational Medicine Aberdeen \$42.00; Satellite Tracking Of People, LLC \$1,979.25; Sd Attorney General's Office \$1,710.49; State Bar Of South Dakota \$500.00; State Of South Dakota \$2,403.65; US Bank \$3,290.46; Valerie J. Larson \$15.00; West Publishing Corp. \$283.30; Wex Health Inc. \$191.25

Publishing: US Bank \$305.00; Gatehouse Media South Dakota Holdings, Inc. \$83.68; Groton Independent \$407.30; Moody County Enterprise \$13.97

Repairs & Maintenance: Aberdeen Auto Center, Inc. \$2,568.42; Crawford Trucks & Equipment \$15.71; Dakota Fluid Power Inc \$35.85; Diamond Mowers Inc \$52.29; Diesel Machinery \$6,986.65; Fulcrum Biometrics \$749.00; Jalene M. Palmer \$1,304.76; Jebro Inc. \$1,840.00; Pantorium Cleaners Inc. \$189.32; Precision Kiosk Technologies \$2,700.00; R.D. Offutt Company \$1,565.12; RDO Equipment Co. – Ag \$2,955.50; Roland L. Moerke \$2,616.00; Runnings \$69.98; State Of South Dakota \$65.70; Us Bank \$5,388.48

Supplies: Aberdeen Auto Center, Inc. \$1,485.00; Agtegra Cooperative \$54,431.70; APH Stores, Inc \$633.76; Arlin Zoellner \$3,545.00; Butler Machinery Co \$1,697.87; Cartney Bearing \$90.20; Charm-Tex \$370.20; Clint Sombke \$232.60; Cole Papers \$1,751.96; Crawford Trucks & Equipment \$775.13; Dakota Fluid Power Inc \$497.64; Dakota Oil \$4,343.28; Diamond Mowers Inc \$444.60; Diesel Machinery \$168.78; Earthgrains Baking Co. Inc. \$1,023.80; East Side Jersey Dairy, Inc \$1,249.60; Govconnection Inc \$155.10; Great Western Tire Inc \$10,489.44; Jensen Rock & Sand Inc \$122,549.18; Larry Becker \$420.00; Lien Transportation Company \$92,029.15; Linde Gas & Equipment Inc. \$105.84; Lucy Lewno \$5.07; Menards \$5.98; Midstates Printing \$854.20; Pantorium Cleaners Inc. \$56.00; Pharmchem \$566.10; Pumps Tire Service, Inc \$50.00; RDO Equipment Co. - Ag \$4,033.51; Runnings \$108.20; Tri State Water \$35.00; Us Bank \$13,430.68; Us Foods \$10,149.75; Van Diest Supply Co \$28,218.40; Walth Safety Service Inc \$9.08

Travel & Conference: Duane Sutton \$262.32; Joshua Walberg \$14.00; Kelsi Thilmony-Vinger \$189.20; Lynn Heupel \$177.20; Michael Gage \$171.36; Michael Wiese \$163.20; Regency Midwest Ventures Limited Partnership \$146.72; Us Bank \$2,666.83

Utilities: City of Aberdeen \$1,930.62; Midcontinent Communications \$129.58; Northern Electric Coop, Inc \$828.17; Northwestern Energy & Communications \$13,371.02; State Of South Dakota \$136.66; Town Of Frederick \$76.00; Us Bank \$3,001.94; Verizon Wireless Services LLC \$42.13

Rentals: Pantorium Cleaners Inc. \$207.36

Others: SD Dept of Agriculture & Natural Resources \$4,027.89

Fair Premiums: Abigail Johnson \$16.82; Ada Sharp \$13.45; Alayna Caulfield \$367.48; Aleigha Allison \$20.67; Allison Meland \$43.50; Ally Schwab \$10.00; Anna Johnson \$13.46; Arthur Nelson \$463.24; Ashlyn Rathert \$20.67; Ashlyn Roudabush \$310.56; Barb Crawford \$25.00; Blair Wasland \$247.14; Blake Pauli \$51.06; Brad Ellefson \$25.00; Brantley Belden \$68.60; Brayden Goehring \$266.82; Brenda Hanson \$30.00; Brianna Duerre \$467.48; Briella Klipfel \$10.00; Brittany Heinje \$6.73; Cade Rindels \$15.00; Caleb Bratland \$511.72; Calli Schaunaman \$608.74; Camden Miller \$301.72; Carissa Scheel \$283.64; Carley Crist; 60.55; Carson Eichler \$520.57; Cassidy Hardie \$717.48; Cathy Durst \$15.00; Chancey Kessler \$22.26; Char Akkerman \$25.00; Charlee Holt \$314.23; Charlee Kessler \$31.44; Charli Rawden \$282.72; Chloe Jager \$86.99; Cihak Suffolks \$167.53; Claire Murphy \$44.69; Connie Howard \$25.00; Cooper Holt \$8.73; Coy Petersen \$30.28; Coy Stephenson \$45.88; Creighton Hoots \$79.77; Cutler Schaunaman \$158.74; DAVID JUNTUNEN \$160.89; Deb Droog \$15.00; Dee Sanderson \$10.00; Delaney Atherton \$33.52; Dusty Fuller \$116.62; Dylan Schaunaman \$86.99; Ed Kleinsasser \$15.00; Ellen Niblet \$10.00; Elyana Roach \$27.52; Emma Carlsgaard \$10.00; Emma Caulfield \$158.74; Emma Pierce \$23.55; Emma Rodine \$39.27; Ethan Andresen 232.18; Garrett Zeigler \$358.22; Gentry Murphy \$42.25; Glenn Ringgenberg \$247.14; Glenn Treftz \$72.86; Gracelyn Straight \$211.55; Grady Wasland \$321.43; Grant Gubrud \$10.09; Gwyn Fischbach \$15.00; Hailey Heinje \$85.65; Hailey Pauli \$33.52; Haleigh Holt \$208.74; Hank & Cort Paulson \$113.88; Hannah

Miller \$10.09; Harmony Dorsets \$256.70; Harper Torgerson \$108.74; Hayes Burggraff \$88.54; Hazelee Hettver \$173.96; Hunter Kern \$37.21; Iggy Fuller \$13.09; Isaiah Sharp \$23.55; Izabell Ceroll \$18.35; Jacie Fogarty \$37.21; Jacob Jung \$265.15; James Dragt \$158.53; Janet Wright \$142.17; Jarrett Erdmann \$23.54; Jean Larson \$10.00; Jesie Raymundo \$49.61; Jessie Coyle \$89.38; Jocelyn Wagner \$111.72; Josie Buntrock \$217.45; Joy Flagtvedt \$15.00; Joyce Walter \$15.00; Justin Klootwyk \$317.48; Kailtyn Gubrud \$6.73; Kaleb Holsing \$10.00; Kanin Wasland \$495.41; Karly Allison \$4.13; Karly Wellman \$25.00; Kathy Novstrup \$10.00; Kaylee White \$108.74; Kelly Face \$15.00; Kerry Beckler \$30.00; Kilber Family Targhee \$205.70; Kylie Herman \$10.00; Landon Coyle \$71.00; Landon Ries \$15.00; Landon Wager \$118.09; Lane Krueger \$55.86; LaRae Syhre \$15.00; Larry Rosenow \$15.00; Laurel McNickle \$30.00; Lauren Griesse \$304.47; LeAnn Conn \$15.00; Leann Fredrickson \$15.00; Levi Ries \$15.00; Lexi Osterman \$216.47; Lilly Solemsaas \$195.96; Lincoln Reidburn \$33.64; Linda Yates \$10.00; Lindsey Mertens \$293.76; Liza Krueger \$389.62; Logan Ries \$30.00; Lyla Bothe \$369.71; Mackenzie Atherton \$78.21; Madelyn Caulfield \$108.74; Madison Dwire \$13.76; Maggie Holt \$467.48; Maisy Petersen \$26.92; Marie Goetz \$10.00; Mary Anne Whitman \$15.00; Merrick Gemar \$258.74; Mike Frey \$244.13; Miller Livestock \$29.45; Miranda Hanson \$195.73; Nolan Eichler \$67.03; Nolan Gubrud \$16.82; Owen Pierce \$30.28; Pat Fritz-Bruckner \$267.70; Peggy Hallstrom \$30.00; Preston hinkelman \$48.65; Raymond Thorpe \$183.97; Rebecca Wallace \$15.00; Remington Smith \$108.74; Rhett Munger \$13.46; Rhylen Roach \$36.70; Richard Haberman \$890.00; Riley Zoellner \$428.07; Ron Lyren \$15.00; Ron Wolff \$318.61; Ryan Crist \$10.09; Ryan Mattson \$40.00; Samuel Fogarty \$33.08; Sara Dwire \$22.94; Shakinah Holsing \$25.00; Sierra Kervin \$41.29; Sophia Fogarty \$457.68; Stetson Stearns \$68.60; Steven Munger \$41.34; Sutton Murphy \$180.55; Sutton Stearns \$309.37; Sydney Holmes \$131.67; Tamrin Rathert \$37.21; Tate Burggraff \$26.31; Tate McGraw \$10.09; Taylor McGraw \$13.46; Teagan Scheel \$16.82; Terry Salfank \$40.00; Tigh Hardie \$108.74; Treyson Zeigler \$212.27; Tristan Gosch \$108.74; Tru Hagen \$326.22; Tucker Giesen \$3.36; Tuf Hagen \$108.74; Tyler Heinje \$13.46; Vanessa Barondeau \$10.00; Walker Zoellner \$503.42; William Bruckner \$83.90; Wyatt Burggraff \$44.69; Wyatt Holmes \$13.76

All members present voting aye. Motion carried

#### HR REPORT:

Moved by Wiese, seconded by Gage to approve the following Human Resource Report:

- Acknowledge the retirement of Kathy Schlecht, Brown County Veteran's Service Administrative Assistant, full-time, effective January 1, 2023.
- Approve personal miles driven for August 2022 at .585 per mile as follows: Kendall Titze 120 miles at \$70.20; John Florey 132 miles at \$77.22; Dirk Rogers 190 miles @ \$111.15; Mike Scott 240 miles @ \$140.40.

All members present voting aye. Motion carried

#### QUARTLERY INTEREST:

Moved by Wiese, seconded by Feickert to approve 3rd quarter interest in the amount of \$6,382.51. All members present voting aye. Motion carried.

#### ADJOURNMENT:

Moved by Feickert, seconded by Gage to adjourn the Brown County Commission at 10:25 a.m. All members present voting aye. Motion carried.

Lynn Heupel, Brown County Auditor

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## OCTOBER 18, 2022 – GENERAL MEETING

Meeting called to order by Chairman Sutton at 8:50 A.M. in the Commission Chambers, Courthouse Annex, Brown County, SD. Present were Commissioners Feickert, Fjeldheim, Gage, Wiese and Sutton Commissioner. Commissioner Gage led the Pledge of Allegiance.

### APPROVAL OF AGENDA:

Commissioner Gage moved to approve the agenda, seconded by Wiese to approve the agenda. All members present voting aye. Motion carried.

### OPPORTUNITY FOR PUBLIC COMMENT: None

### LOCAL EMERGENCY MANAGEMENT PERFORMANCE GRANT:

Moved by Fjeldheim, seconded by Wiese to approve the Commission Chair to sign the 4<sup>th</sup> quarter LEMPG Grant Report. All members voting aye. Motion carried.

### FAIR BOARD:

Rachel Kippley, Fair Manager notified the Commissioners that Mel Sombke has resigned her position on the Fair board and asked for approval to appoint Rhonda Retzlaff for two 3-year terms. The Fair Board will still have three openings on the Board. Moved by Wiese, seconded by Feickert to approve the recommendation. All members voting aye. Motion carried.

### RFP FOR GRANDSTAND CONCESSIONS:

Rachel Kippley, Fair Manager met to discuss the RFP for the Grandstand Concessions and ask for Authorization of Public Notice on the RFP. Moved by Feickert, seconded by Wiese to increase the payments for keg of beer from \$75 to \$80 and for every case of malt beverage from \$15 to \$17. All members voting aye. Motion carried.

### MINUTES:

Moved by Gage, seconded by Feickert to approve minutes from October 11, 2022 Meeting. All members present voting aye. Motion carried.

### CLAIMS:

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

#### CLAIMS:

Professional Fees: Avera St. Luke's \$3,018.59; Certified Languages International LLC \$1,097.25; Cobb State Court Clerk's Office \$5.00; Dependable Sanitation Inc \$29,758.20; IMEG Corp \$1,700.00; Language Line Services Inc \$372.59; Lewis & Clark Bhs \$552.00; LexisNexis Risk Data Mgmt. Inc. \$150.00; Sanford Health Network \$337.06; Sanford Health Occupational Medicine Aberdeen \$853.00; Sara Zahn \$388.60; Sd Dept Of Health \$2,385.00; Tschetter & Adams Law Office Pc \$359.95; Tyler Technologies Inc \$520.00; Yankton County Sheriff Office \$50.00; Yankton County Treasurer \$382.50; Zylstra Investigations \$1,260.00  
Publishing: Midcontinent Communications \$14,091.00; Sisseton Courier \$14.06; The Pride of The Prairie \$129.20

Repairs & Maintenance: Century Business Products \$160.00; Ecolab Pest Elimination \$151.25; Ethan Westby \$100.00; Hoven Auto Repair Inc \$92.00; J Gross Equipment \$175.00; Laursen Asphalt Repair Equipment Sales, LLC \$14.78; Loiseau Construction, Inc. \$138,512.80; Pumps Tire Service, Inc \$15.90; Pro Windmill Inc. \$250.00; Runnings \$23.98; Sewer Duck Inc \$85.00; Steven Lust Automotive \$259.61; TranSource Truck & Equipment, Inc. \$6,181.13; Western States Fire Co \$1,015.20

Supplies: Advance Auto Parts \$425.21; Agtegra Cooperative \$17,974.06; Avera LTC Pharmacy Aberdeen \$311.81; Budget Furniture \$2,529.00; Cartney Bearing \$203.88; Century Business Products \$987.62; FedEx \$75.34; Groton Area Fire Protection \$1,137.26; Jensen Rock & Sand Inc \$54,210.18; Ken's Superfair Foods \$1,542.56; Kessler's \$144.65; Laursen Asphalt Repair Equipment Sales, LLC \$312.60; Leidholdt Tool Sales, LLC \$86.03; Lien Transportation Company \$39,502.51; Mac's Inc \$13.56; Maki Printing LLC \$65.39; Midstates Printing \$231.00; Northern Valley Communication \$26.76; Performance Oil & Lubricants \$429.86; Pro Ag Supply, Inc \$122.15; Roland L. Moerke \$1,114.00; Runnings \$1,403.39; Sanford Health Occupational



Medicine Aberdeen \$49.00; Titan Machinery - Aberdeen Nh \$71.50; TranSource Truck & Equipment, Inc. \$179.98; West Publishing Corp. \$1,839.44

Travel & Conference: Brianna Haugen \$288.08; Jordenne Ducheny \$339.60; Karla Nelson \$288.08; Makayla Madsen \$350.48; Patti Woods \$206.37; SDSU Extension \$125.00

Utilities: City Of Aberdeen \$362.87; City Of Hecla \$131.23; James Valley Telecommunications \$218.70; Midcontinent Communications \$85.39; Midwest Alarm \$306.73; Northern Electric Coop, Inc \$495.73; Northern Valley Communication \$5,698.90; Northwestern Energy & Communications \$635.75; Qwest Corporation \$1,496.10; Verizon Wireless Services LLC \$3,330.99; Web Water Development Assoc. Inc. \$95.25

Rentals: Aramark Uniform & Career Apparel Group, Inc \$251.61; Linde Gas & Equipment Inc. \$47.62

Others: Wex Health Inc. \$4,000.00; Sd Assoc. Of County Officials \$936.00; Meyer Auction Service, LLC \$5,194.80

All members present voting aye. Motion carried

#### HR REPORT:

Moved by Feickert, seconded by Wiese to approve the following Human Resource Report:

- Acknowledge the retirement of Brian Koens, Brown County Deputy Sheriff, full-time, effective November 26, 2022. Request to fill.
- Acknowledge resignation of Michelle Dannen, Brown County Register of Deeds Deputy, full-time, effective October 21, 2022. Request to fill.
- Approve hiring John Weig as temporary Brown County Fairgrounds help; wage \$13.50/hour; effective October 18, 2022.
- Approve hiring Cheryl Finstad as temporary Brown County Election worker; wage \$15.00/hour; effective October 19, 2022.

All members present voting aye. Motion carried

#### OTHER BUSINESS:

Commissioner Sutton shared that the Upper Missouri Valley Commissioner's Association meeting will be held at Wakeside Bar & Grill at Mina Lake on Thursday, October 20<sup>th</sup>, social at 5:30 p.m., meal at 6:30 p.m. with meeting to follow.

#### EXECUTIVE SESSION:

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

#### ADJOURNMENT:

Moved by Wiese, seconded by Feickert to adjourn the Brown County Commission at 10:35 a.m. All members present voting aye. Motion carried.

Lynn Heupel, Brown County Auditor

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## OCTOBER 25, 2022 – GENERAL MEETING

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

### APPROVAL OF AGENDA:

Commissioner Fjeldheim moved to approve the agenda with addition of amending and approving September 20<sup>th</sup> minutes, seconded by Feickert. All members present voting aye. Motion carried.

**OPPORTUNITY FOR PUBLIC COMMENT:** Dave Meyer with Summit Carbon Solutions commented that he was here if anyone had any questions.

### INDIGENT COUNSEL PROPOSAL:

Ernest Thompson, State's Attorney shared there are 8 attorneys that sent in a proposal for a 2-year period; January 1, 2023 to December 31, 2024. Annual payment of \$750,000.00 for calendar year 2023/equal installments of \$7,812.50 and \$800,000.00 for calendar year 2024/ equal installments of \$8,333.33. This being the only bid Ernest recommended to accept the bid and can start contract negotiations. Moved by Fjeldheim, seconded by Gage to accept the proposal then move forward with Contract Negotiations. All members present voting aye. Motion carried.

### JAIL PROJECT:

Dave Lunzman, Sheriff Chief Deputy and Ernest Thompson, State's Attorney met with the Commission to discuss the Jail Project and heighten the awareness and importance of this need. The current jail is 56 years old, no longer meets expectations, needs upgrades, too small. Current capacity is 48 beds – estimate new jail could hold around 200 beds. They stressed to the Commission that we need to either build a new facility or we will be spending money to transfer prisoners to other states because this is a problem across the state. If they end up having to transport prisoners than our expenses will go up. Federal prisoners can be brought in to help cover some of the costs. Commissioner Sutton shared that Commissioner Wiese and himself have been contacting other counties to see if they are interested in the Regional Jail – Aberdeen being a good location due to having 2 hospitals, NE Mental Health Center and staffing. Representative Perry shared they have a Regional Jail meeting in Pierre on November 1<sup>st</sup>; there is a possibility of some funding coming from the State to help with this project, also. Was discussed that they want to have rehabilitation programs, which would be another benefit but don't have the ability to do that right now. Deputy Lunzman shared that they don't have any Trustees in jail right now, they are violent criminals that can't be trusted so need to be incarcerated. State's Attorney Thompson shared the issue is not going away it is getting worse.

### TOWNSHIP RURAL ACCESS INFRASTRUCTURE FUNDING (RAIF):

Dirk Rogers, Highway Superintendent presented plans from 3 Townships for 5 culverts. Greenfield Township 1 application for \$10,500/ 5 yr. plan; Groton Township 2 applications for \$12,500 ea./5 yr. plan; Liberty Township 2 applications for \$18,500 ea./5 yr. plan. Moved by Feickert to award the grants per Dirks recommendation, seconded by Wiese. All members present voting aye. Motion carried.

### GROTON AG PARTNERS:

Scott Bader, Planning & Zoning Director along with Carl Schwab and June Thompson from Groton Ag met with the Commission to discuss "Green Energy" Tax Credits. Sharing information with the Commission to make them aware and to ask them to find ways to Harvest "Green Energy" Tax Credits to retain some of the money within the county and/or local government.

### ELECTION UPDATE:

Lynn Heupel, Auditor gave an update on the General Election. As of October 24<sup>th</sup>, we had 2098 absentee voters. 119 New Voter Registrations were processed on October 24<sup>th</sup>, which was the last day to register for this election. Held one Mock Election and will be doing another one this Thursday, October 27<sup>th</sup>. Public testing of the Tabulator will be held on Tuesday, November 1<sup>st</sup> at 11am. Discussion is happening about doing Post-Election Audits but that will be discussed with Legislators in the future.

#### TRANSFER BAND RADIO:

Moved by Wiese, seconded by Fjeldheim to transfer Communications Band Radio and to the Landfill. All members present voting aye. Motion carried.

#### MINUTES:

Moved by Wiese, seconded by Feickert to approve the October 18, 2022 General Meeting Minutes. All members present voting aye. Motion carried.

Moved by Feickert, seconded by Wiese to amend and approve the September 30, 2022 minutes for Ordinances 225 & 227. All members present voting aye. Motion carried.

#### PAYROLL/CLAIMS:

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

##### PAYROLL:

Commission \$4,503.96; Elections \$2,610.00; Auditor \$9,666.46; Treasurer \$14,250.23; SA \$27,444.01; Maintenance \$10,259.73; Assessor \$15,103.01; ROD \$9,544.00; VSO \$4,143.28; GIS \$2,483.72; IT \$5,586.59; HR \$4,061.37; Sheriff \$45,568.31; Jail \$64,236.11; Court Security \$7,372.19; JDC/HD \$29,917.90; Welfare \$2,161.43; Museum \$8,036.98; Parks/Fairgrounds \$4,133.80; Fair \$4,790.80; 4-H \$638.80; W&P \$4,248.63; P&Z \$5,681.44; Hwy. \$42,526.79; Dispatch \$40,869.36; EM \$4,285.81; 24/7 \$1,524.73; Landfill \$14,585.83; Meal Benefits \$182.00. MATCHING BENEFITS: FICA \$23,192.72; Medicare \$5,424.08; Discovery/HSA \$1,421.17; Retirement/SDRS \$47,966.97.

##### CLAIMS:

Professional Fees: Avera St. Luke's \$369.78; Century Business Products \$54.23; Christy Griffin-Serr Law Office \$8,541.67; Cogley Law Office, Prof LLC \$8,541.67; Dana J. Larson \$140.00; Darcy Lockwood \$30.00; Dave Lunzman \$200.00; Dohrer Law Office \$8,541.67; Harmelink & Fox Law Office \$169.67; James Kramp \$12,640.45; Jerald M. McNeary \$8,541.67; Kuck Law Office \$8,541.67; Lucy Lewno \$220.00; Lumen \$165.46; Marco Inc \$400.00; Nicole Embury \$1,407.09; Sd Dept Of Health \$40.00; Taliaferro Law Firm \$8,541.67; Valerie J. Larson \$30.00.

Publishing: GateHouse Media South Dakota Holdings, Inc. \$2,046.31; Groton Independent \$746.22.

Repairs & Maintenance: Century Business Products \$44.70; Climate Control \$119.35; Ecolab Pest Elimination \$113.54; House of Glass \$146.69; Kone Inc \$4,239.72; McGaugh Family Inc \$25.33; Midwest Pump & Tank \$330.89; Northwestern Energy & Communications \$491.88; Timothy C. Gardner \$70.00; Woodman Refrigeration, Inc \$849.92.

Supplies: Agtegra Cooperative \$1,542.62; Arts South Dakota \$350.00; Avera LTC Pharmacy Aberdeen \$472.91; Cartney Bearing \$92.94; Century Business Products \$945.51; Charm-Tex \$2,647.44; Cole Papers \$3,668.27; Crescent Electric Supply Co \$31.75; Daniel J. Heinz \$450.00; Election Systems & Software LLC \$9,150.99; Karen Swank \$9.00; Kessler's \$54.43; Lucy Lewno \$13.14; Marco Inc \$41.38; Meister Mowing LLC \$465.00; Menards \$363.86; Plumbing & Heating Wholesale, Inc. \$171.14; Premier Biotech, Inc \$616.98; Roland L. Moerke \$1,137.26; Shi International Corp \$216.54; Tri State Water \$37.75; Web Water Bottling Company \$98.25.

Travel & Conference: Heartland Assoc of Fairs, Festivals & Events \$1,395.00; Kelsi Thilmony-Vinger \$215.28; Rachel Wilson \$30.00.

Utilities: City of Aberdeen \$406.81; Dependable Sanitation Inc \$348.00; Northwestern Energy & Communications \$8,109.61; Verizon Wireless Services LLC \$124.21.

Rentals: H & H Farms \$250.00; Les Frohling \$200.00; Ron Jacobson \$250.00.

All members present voting aye. Motion carried

#### HR REPORT:

Moved by Fjeldheim, seconded by Gage to approve the following Human Resource Report:

- Acknowledge the resignation of Jordon Sutton, Brown County Landfill Equipment Operator, full-time; effective November 4, 2022. Request to fill.
- Approve request to hire Brown County IT intern, part-time; wage of \$12.50/hour.

All members present voting aye. Motion carried

## PLATS:

### Resolution #52-22

Commissioner Gage brought the following resolution: "Be it resolved by the County Commission of Brown County, South Dakota, that the plat showing "DeMaray Addition to the City of Columbia, in the NW ¼ of Section 28, Township 125 North, Range 62 West of the 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 Commissioner Wiese. All members present voting aye. Resolution adopted.

### Resolution #53-22

Commissioner Gage brought the following resolution: "Be it resolved by the County Commission of Brown County, South Dakota, that the plat showing "Jangula Subdivision in the NE ¼ of Section 24-T123N-R65W 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 thereof." Seconded by Commissioner Wiese. All members present voting aye. Resolution adopted.

### Resolution #54-22

Commissioner Gage brought the following resolution: "Be it resolved by the County Commission of Brown County, South Dakota, that the plat showing "Ole Crow Addition in the NW ¼ of Section 17, 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 provisions of SDCL of 1967, Chapter 11-3 and any amendments thereof." Seconded by Commissioner Wiese. All members present voting aye. Resolution adopted.

### Resolution #55-22

Commissioner Gage brought the following resolution: "Be it resolved by the County Commission of Brown County, South Dakota, that the plat showing "Bormann First Addition in the W ½ SW ¼ of Section 30-T128N-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 thereof." Seconded by Commissioner Wiese. All members present voting aye. Resolution adopted.

### Resolution #56-22

Commissioner Gage brought the following resolution: "Be it resolved by the County Commission of Brown County, South Dakota, that the plat showing "S L A Addition in the SW ¼ of Section 25, Township 124 North, Range 64 West of the 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 Commissioner Wiese. All members present voting aye. Resolution adopted.

## ZONING ORDINANCES - SET HEARING DATE/AUTHORIZE ADVERTISING:

Moved by Feickert, seconded by Wiese to set hearing date and authorize advertising for first reading of the following zoning ordinances to be held November 15, 2022 in the Commissioner's Chambers, Courthouse Annex, Brown County, SD at 8:45 a.m.: Proposed ordinance 231, applicant Todd Ochsner/Ochsner Real Estate, LP requesting to move from Chapter 4.06 Agriculture Preservation District (AG-P) to Chapter 4.15 Light Industrial District (L-I): The S ½ of Section 19-T123N-R64W lying South of Railroad R.O.W. of the 5TH P.M., Brown County, South Dakota; Proposed ordinance 232, applicant Jerrad Jangula requesting to move from Chapter 4.06 Agriculture Preservation District (AG-P) to Chapter 4.07 Mini Ag District (M-AG): "Proposed Lot 1, "Jangula Subdivision" in the NE ¼ pf Section 24-T123N-R65W of the 5TH P.M., Brown County, South Dakota; Proposed ordinance 233 applicant John Daily requesting to move from Chapter 4.06 Agriculture Preservation District (AG-P) to Chapter 4.07 Mini Ag District (M-AG): Lot 1, "First Subdivision of Bieber's Outlot 1" in the N ½ of Section 21-T126N-R64W of the 5TH P.M., Brown County, South Dakota; Proposed ordinance 234, applicant Stacy Gossman requesting to move from Chapter 4.08 Residential District (R-1) to Chapter 4.13 Commercial District (C); Proposed Lot 1 "Ole Crow Addition" in the NW ¼ of Section 17-T123N-R63W of the 5TH P.M., Brown County, South Dakota. The proposed ordinances will be made available for public inspection at the Brown County Auditor's Office or Brown County Planning and Zoning Office during regular business hours. All members present voting aye. Motion carried.

OTHER BUSINESS: None

EXECUTIVE SESSION:

Moved by Gage, seconded by Wiese to go into executive session to discuss Personnel & Legal per SDCL 1-25-2. All members present voting aye. Motion carried. The chair declared the executive session closed with no action taken.

ADJOURNMENT:

Moved by Wiese, seconded by Gage to adjourn the Brown County Commission at 11:10 a.m. All members present voting aye. Motion carried.

Lynn Heupel, Brown County Auditor

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## NOVEMBER 1, 2022 – GENERAL MEETING

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

### APPROVAL OF AGENDA:

Commissioner Gage moved to approve the agenda, seconded by Fjeldheim. All members present voting aye. Motion carried.

**OPPORTUNITY FOR PUBLIC COMMENT:** Jared Bossly wanted Commissioners to know that the landowners stand behind them in regard to the lawsuit by Summit Carbon Solutions. Ed Fischbach also thanked the Commission for taking a stand and letting the PUC know where they stood. He also encouraged the County to contact the attorney that is representing the landowners – it will be no cost to the County – cost is covered by the landowners. Commissioner Sutton did share that the County is covered by SD Public Assurance Alliance so they will be representing the County.

### REQUEST FOR PROPOSAL FOR RODEO STOCK CONTRACTORS:

Rachel Kippely, Fair Manager met to open the RFP's for Rodeo Stock Contractors for the 2023, 2024 and 2025 Brown County Fair. Proposals received for a 3-year total include from Bailey Pro Rodeo \$135,000.00 and 10 Motel Rooms; Barnes PRCA Rodeo \$195,000.00 and 4 Motel Rooms; Sutton Rodeo \$174,511.38 and 8 Motel Rooms; Korkow Rodeo \$117,000.00 and 6 Motel Rooms; and Mosbrucker Rodeo \$45,000.00 for first year and then 5-10% increase per year and didn't list number of rooms. Rachel asked they defer the decision for 2-weeks so the Fair Board could review the proposals and bring back a recommendation to the Commissioners. Moved by Commissioner Feickert, seconded by Gage to defer the decision for 2-weeks. All members present voting aye. Motioned carried.

### ROW FOR NORTHERN ELECTRIC:

Moved by Fjeldheim, seconded by Gage to approve the application made by Northern Electric for occupancy of Brown County Highway 11, in NW ¼ S 32 – T125N – R62W. All members present voting aye. Motioned carried.

### MINUTES:

Moved by Gage, seconded by Feickert to approve the October 25, 2022 General Meeting Minutes. All members present voting aye. Motion carried.

### CLAIMS:

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

Insurance: Claims Associates Inc \$3,037.90.

Professional Fees: Houston Engineering, Inc. \$15,498.43; Hall County Sheriff \$35.00; Hidalgo County Clerk \$27.00; Kristi Brandt \$103.50; Ne Mental Health Center \$650.00; Sara Zahn \$40.80; State Of South Dakota \$4,201.07; We Care Online \$428.00.

Publishing: Groton Independent \$864.42; Ingstad Family Media \$400.00; Sd Snow Queen Festival Inc. \$200.00

Repairs & Maintenance: Aberdeen Auto Center, Inc. \$90.00; Artz Equipment \$31.10; Boyer Trucks \$14.23; Dakota Doors Inc \$8,632.28; Day County Treasurer \$1,697.28; Know Ink, LLC \$7,625.00; Lawson Products, Inc \$45.62; Nardini Fire Equipment Co Of North Dakota \$389.00; Newman Signs Inc. \$10.99; Pumps Tire Service, Inc \$57.24; Traffic Solutions, Inc \$50,855.00; Whitmore Inc. \$550.00

Supplies: Aberdeen Auto Center, Inc. \$865.00; Agtegra Cooperative \$49,998.17; APH Stores, Inc \$29.98; Aramark Uniform & Career Apparel Group, Inc \$136.70; Artz Equipment \$858.00; Boyer Trucks \$426.55; Cartney Bearing \$205.57; Century Business Products \$278.36; Cole Papers \$534.31; Dakota Doors Inc \$85.00; Dakota Oil \$889.10; Dakota Supply Group \$72.41; Donald P. Palmer \$92.85; Farm Power Mfg. Inc \$58.65; Fastenal Co \$151.82; Jensen Feed & Grain \$2,358.40; Jensen Rock & Sand Inc \$2,997.74; Kirby Kiesz \$51.00; Lawson Products, Inc \$540.37; Leidholdt Tool Sales, LLC \$64.63; Menards \$86.86; Midwest Card & ID Solutions \$1,750.00; Nelson Sales & Service, LLC \$12.58; Newman Signs Inc. \$204.00; Performance Oil & Lubricants \$166.08; Plumbing & Heating Wholesale, Inc. \$4,478.37; Pumps Tire Service,

Inc \$541.22; Pro Ag Supply, Inc \$51.44; Roland L. Moerke \$1,137.26; Runnings \$179.54; Share Corp \$450.60; Whitmore Inc. \$21,983.75.

Travel & Conference: Bill Donaldson \$24.48; Duane Jark \$132.09; Mark Milbrandt \$224.00; Michael Wiese \$33.26; Troy Knecht \$77.52.

Utilities: Dependable Sanitation Inc \$165.00; Midcontinent Communications \$268.75; Montana Dakota Utilities Co \$27.77; Northwestern Energy & Communications \$9,052.31; Verizon Wireless Services LLC \$42.10.

All members present voting aye. Motion carried

#### HR REPORT:

Moved by Gage, seconded by Fjeldheim to approve the following Human Resource Report:

- Acknowledge the last day of employment for Breanna Locke, Brown County Fairgrounds worker; effective September 11, 2022.
- Acknowledge the last day of employment for John Weig, Brown County Fairgrounds worker; effective October 19, 2022.
- Acknowledge the last day of employment for Les Schaible, Brown County Highway worker; effective October 27, 2022.
- Acknowledge the employment ending for Veronica MacConnell as Brown County Jail Correctional Officer, full-time; effective October 25, 2022. Request to fill.
- Approve request to fill Brown County Veterans Services Administrative Assistant position; full-time.

All members present voting aye. Motion carried

#### LOTTERY PERMIT:

Moved by Fjeldheim, seconded by Gage to approve the Lottery Permit for Aberdeen Hockey Association to be held at the Odde Ice Center on February 17, 2023. All members present voting aye. Motion carried.

#### TRAVEL REQUEST:

Moved by Feickert, seconded by Gage to approve Travel Request for Dirk Rogers, Highway Superintendent for NACE Fall Board Meeting on November 2 – 3, 2022 in Omaha. All members present voting aye. Motion carried.

#### LEASE OPTION RENEWAL ADDENDUMS:

Moved by Fjeldheim, seconded by Feickert to approve the Lease Option Renewal Addendums for Don Schumacher to lease the Hay Land located at Richmond Youth Camp and Brown County Fairgrounds. All members present voting aye. Motion carried.

#### ABATEMENT/ABATEMENT TAX SPLIT:

Moved by Fjeldheim, seconded by Gage to approve the following abatements: Sovereign Grace Church LT 4-6 & 9-12 BK 18 & LT 4 HOPKINS 1<sup>ST</sup> RAR LT 7-8 BK 18 1<sup>ST</sup> ADD Aberdeen (Non-Exempt to Exempt) AND Parcel Split 8857 into 31128, 31129 and 31130. All members present voting aye. Motion carried.

#### AUDITORS REPORT OF ACCOUNTS:

Moved by Gage, seconded by Fjeldheim to approve the auditor report of accounts of August 2022 as follows: August total cash and checks on hand 7,700.00; Total Checking Account Balances: 20,541,625.53; Total Savings Account Balances: 2,050,447.42; Total Certificates of Deposit: 3,978,174.09; Grand Total Cash and Balances: 26,577,947.04; General fund cash and investment balances by funds: General Fund 4,848,526.93 Road & Bridge Fund 4,165,730.30 Road & Bridge Fund - restricted 423,243.27 911 Service 1,305,104.32 Emergency & Disaster 252,235.48 Domestic Abuse 1,355.00 Teen Court 694.77 Grant 32.11 JDAI 14,075.02 Richmond Youth 0.00 24/7 Sobriety 30,119.80 ROD M&P 119,678.67 American Rescue Plan Federal Grant 7,545,865.45 Rural Access Infrastructure 295,338.93 Tif Debt Service 13,166.06 Landfill + cash change 3,578,478.40 Landfill - restricted 1,400,479.44 Trust and Agency Funds 2,583,823.09. All members present voting aye. Motion carried.

Moved by Gage, seconded by Fjeldheim to approve the auditor report of accounts of September 2022 as follows: September total cash and checks on hand 7,700.00; Total Checking Account Balances: 20,092,127.91; Total Savings Account Balances: 2,250,447.42; Total Certificates of Deposit: 3,978,174.09; Grand Total Cash and Balances: 26,328,449.42; General fund cash and investment balances by funds: General Fund 4,951,447.00 Road & Bridge Fund 3,899,233.14 Road & Bridge Fund - restricted 423,243.27 911 Service 1,228,842.41 Emergency & Disaster 227,394.46 Domestic Abuse 1,038.50 Teen Court 456.29 Grant 32.11 JDAI 14,000.04 Richmond Youth 0.00 24/7 Sobriety 28,163.37 ROD M&P 113,298.39 American Rescue Plan Federal Grant 7,545,865.45 Rural Access Infrastructure 295,338.93 Tif Debt Service 13,166.06 Landfill + cash change 3,617,737.04 Landfill - restricted 1,400,479.44 Trust and Agency Funds 2,568,713.53. All members present voting aye. Motion carried.

#### QUIT CLAIM DEED:

Moved by Feickert, seconded by Fjeldheim to approve and authorize the Chairman sign Quit Claim Deed for the following property acquired by tax deed to: Verwey Family Trust – S 123' W 50' RR R-O-W Adjacent to Lot 17, Block 25, Simmons 1<sup>st</sup> Addition, Aberdeen, Brown County, South Dakota (0 Melgaard Rd E). All members present voting aye. Motion carried

Moved by Feickert, seconded by Fjeldheim to approve and authorize the Chairman sign Quit Claim Deed for the following property acquired by tax deed to: Mark Glanzer – E 46' of S 40' of Lot 1, Block 1, College Subdivision of Blocks 10 & 11 and parts of Blocks 8 & 9, Simmons 1<sup>st</sup> Addition to Aberdeen, according to the Plat thereof record, Brown County, South Dakota AND the E 46' of Lot 2, Block 1, College Subdivision of Blocks 10 & 11, and parts of Blocks 8 & 9, Simmons 1<sup>st</sup> Addition to Aberdeen according to the plat thereof record, Brown County, South Dakota (117 14<sup>th</sup> Ave. SE). All members present voting aye. Motion carried.

Moved by Feickert, seconded by Fjeldheim to approve and authorize the Chairman sign Quit Claim Deed for the following property acquired by tax deed to: Jessica Nilson – Lot 5A, Block 3 (Replat of Lots 3, 4 and 5 Block 3) Frederick, according to the plat thereof record, Brown County, South Dakota (403 5<sup>th</sup> Street). All members present voting aye. Motion carried.

Moved by Feickert, seconded by Fjeldheim to approve and authorize the Chairman sign Quit Claim Deed for the following property acquired by tax deed to: HayJon, Inc. – W 34' of Lot 12 except the N 78'; Lot 13 except the N 78'; and the E 16' of Lot 14 except the N 78', Block 53, Second addition to Aberdeen, Brown County, South Dakota (909 S. Main St.). All members present voting aye. Motion carried.

Moved by Feickert, seconded by Fjeldheim to approve and authorize the Chairman sign Quit Claim Deed for the following property acquired by tax deed to: Dennis L. Kamen and Michael D. Bobby, Sr. – 35' E of the W 35' of Lots 1, 2, 3, Block 89, Hagerty and Lloyd's Addition to Aberdeen, Brown County, South Dakota according to the Recorded Plat Thereof (414 3<sup>rd</sup> Ave. SE). All members present voting aye. Motion carried.

Moved by Feickert, seconded by Fjeldheim to approve and authorize the Chairman sign Quit Claim Deed for the following property acquired by tax deed to: Lori Habeck – Lot 21 and the S 10' of the W ½ of Lot 22, Block 19, Hagerty & Lloyd's Addition to Aberdeen, according to the plat thereof of record, subject to easements, restrictions of record if any (520 N. Kline St.). All members present voting aye. Motion carried.

OTHER BUSINESS: Dirk Rogers, Highway Superintendent informed the Commissioners that they are back to 8-hour days. Office staff will be light for a while. Dirk also informed Commissioners that he is monitoring the surveyors after receiving calls from the landowners and Sheriff's office.

#### EXECUTIVE SESSION:

Moved by Fjeldheim, seconded by Gage to go into executive session to discuss Personnel & Legal per SDCL 1-25-2. All members present voting aye. Motion carried. The chair declared the executive session closed with no action taken.



ADJOURNMENT:

Moved by Feickert, seconded by Gage to adjourn the Brown County Commission at 10:47 a.m. All members present voting aye. Motion carried.

Lynn Heupel, Brown County Auditor

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## NOVEMBER 8, 2022 – GENERAL MEETING

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

### APPROVAL OF AGENDA:

Commissioner Gage moved to approve the agenda, seconded by Fjeldheim. All members present voting aye. Motion carried.

### OPPORTUNITY FOR PUBLIC COMMENT: None

### REQUEST FOR PROPOSAL FOR GRANDSTAND CONCESSIONS:

Rachel Kippley, Fair Manager met to open the RFP's for Grandstand Concessions during Brown County Fair. We received 1 RFP from the Boys & Girls Club. Their proposal was for \$85/keg; \$20/case; 15% Concessions \$1.00-\$10,000.00 and 30% Concession for \$10,001.00 and up. Rachel suggested to accept the RFP since they have been a good partner in the past and went above what we were asking for. Moved by Commissioner Feickert, seconded by Fjeldheim to accept this RFP. All members present voting aye. Motion carried.

### CONTRACT FOR EMPLOYEES ASSISTANCE PROGRAM (EAP)

Moved by Wiese, seconded by Feickert to authorize and approve the Chairman sign the EAP contract to add Northern Plains Psychological Associates as another provider for EAP Services, effective January 1, 2023. All members present voting aye. Motion carried.

### FORKLIFT TRAINER APPOINTMENT:

Moved by Fjeldheim, seconded by Wiese to approve the request from the Brown County Safety Committee to appoint Kyle Price as the official forklift trainer for Brown County Employees to replace Kurt Smith who has retired. All members present voting aye. Motion carried.

### MINUTES:

Moved by Wiese, seconded by Gage to approve the November 1, 2022 General Meeting Minutes. All members present voting aye. Motion carried.

### PAYROLL/CLAIMS:

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

Payroll: Commission \$4,503.96; Elections \$2,910.00; Auditor \$10,051.92; Treasurer \$14,283.33; SA \$30,353.00; Maintenance \$10,274.80; Assessor \$15,380.50; ROD \$10,157.13; VSO \$4,143.28; GIS \$2,483.72; IT \$5,586.59; HR \$4,061.37; Sheriff \$41,670.44; Jail \$58,244.53; Court Security \$6,722.56; JDC/HD \$27,419.53; Welfare \$2,161.43; Museum \$7,824.28; Parks/Fairgrounds \$4,052.80; Fair \$4,790.80; 4-H \$638.80; W&P \$4,642.14; P&Z \$5,746.31; Hwy. \$41,286.31; Dispatch \$37,165.38; EM \$4,285.81; 24/7 \$1,424.58; Landfill \$13,840.40. MATCHING BENEFITS: FICA \$22,394.28; Medicare \$5,237.43; Discovery/HSA \$1,421.17; Health Insurance/Wellmark BCBS \$124,358.81; Dental Insurance/Delta \$8,042.63; Life Insurance/Dearborn \$1,054.34. Claims: Professional Fees: Certified Languages International LLC \$727.65; Dakota Counseling Group, LLC \$2,100.00; Gellhaus & Gellhaus, PC \$80.00; Grace Anderson \$242.08; Kenty County 17th Circuit Court \$10.00; Language Line Services Inc. \$548.25; LexisNexis Risk Data Mgmt. Inc. \$150.00; Lincoln County Treasurer \$511.22; Michelle Gaikowski \$85.00; Sanford Health Occupational Medicine Aberdeen \$47.00; Satellite Tracking of People, LLC \$1,563.25; Tyler Technologies Inc \$520.00; West Publishing Corp. \$283.30; Yellow Robe Consulting, Inc. \$4,500.00. Publishing: Groton Independent \$102.10; Hub City Radio \$300.00; Independent Press Newspaper \$71.50; US Bank \$173.67. Repairs & Maintenance: Auto Glass Solutions Inc \$487.56; Double D Body Shop Inc \$6,381.12; Graham Tire Inc \$17.77; Hoven Auto Repair Inc \$1,209.89; Kirk Karlen \$540.74; Precision Kiosk Technologies \$2,700.00; Roland L. Moerke \$1,458.75; Tri State Water \$85.00; US Bank \$1,127.76.

Supplies: Aberdeen Awards \$15.00; APH Stores, Inc \$17.52; Bakken Build Maintenance \$500.00; Barton Heating & Air Conditioning, Inc. \$102.04; Cole Papers \$551.35; Crawford Trucks & Equipment \$231.88; Dave Lunzman \$22.63; Earthgrains Baking Co. Inc. \$815.48; East Side Jersey Dairy, Inc \$967.12; Henry Fulda \$12.76; House Of Glass \$5,203.12; Kasey Kurtz \$40.26; Ken's SuperFair Foods \$29.97; Matheson Tri-Gas, Inc. \$1,377.52; Mb LLC \$140.92; Menards \$121.24; Midstates Printing \$91.45; Pantorium Cleaners Inc. \$84.00; Pharmchem \$691.90; Pumps Tire Service, Inc \$852.84; Pro Ag Supply, Inc \$41.59; Town & Country Building Supply \$24.00; Tri State Water \$35.00; Us Bank \$12,642.98; Us Foods \$11,486.37; Zastrow's Sales & Service \$173.95. Travel & Conference: Jordenne DuCheny \$27.20; Russell Metz \$164.40; US Bank \$5,659.29. Utilities: At&T Mobility \$43.23; Midcontinent Communications \$85.39; Northwestern Energy & Communications \$9,539.01; Qwest Corporation \$299.45; Town of Frederick \$76.00; US Bank \$2,141.96 Others: US Bank \$76.46; SS Assoc. of County Officials \$870.00

#### HR REPORT:

Moved by Gage, seconded by Wiese to approve the following Human Resource Report:

- Acknowledge employment ending for Morgan Cox, Brown County JDC Correctional Officer, full-time; effective November 1, 2022. Request to fill.
- Acknowledge the resignation of Cory Erhardt, Brown County Communications Dispatcher; full-time effective November 3, 2022. Request to fill.
- Approve hiring Heather Kulwicki as Brown County Jail Correctional Officer, full-time; starting wage \$18.87/hour; effective November 15, 2022.

All members present voting aye. Motion carried

#### LIQUOR LICENSE RENEWALS:

Moved by Fjeldheim, seconded by Wiese to approve the following applications for liquor license renewals of Alcoholic Beverage Licenses to operate outside of the Municipality: PACKAGE (OFF-SALE) LIQUOR: Stacy J Gossman DBA Mansfield Bar & Grill, (Lots 11-14, Block 4, Mansfield, 32-121-64) AND Roderic L Hanson DBA Ferney Farmers Bar (Lot 4-5, Block 5 Ferney SW 31-122-60) AND Travis Swenson DBA Elm Lake Resort LLC (Lot 1 Elm Lake Resort SE 8-128-65) AND Jackie Chantal LLC DBA Richmond Oasis (Lot 4 Schaeffer Richmond Lake 2<sup>nd</sup> Addition NW & NE 25-124-65) AND P'ZA Inc DBA Anchors Away Lodge & Resort (Palmer's Richmond Resort SD Lt 1, SD OL 1 Richmond OL 1 & 2 ) AND Dustin Guthmiller DBA Bath Quick Stop LLC (Lot B Weismantels 1<sup>st</sup> SD Lot 1 Ex. N 12' Jenkins SD Inc Adjacent N 12' Lot 1 Jenkins SD E2 SE 18-123-62). RETAIL (ON-SALE) LIQUOR: Stacy J Gossman DBA Flying Pig (Lot 2, Gossman 2<sup>nd</sup> Addition, SE ¼ of Section 15-123N-R63) AND Stacy J Gossman DBA Big Fella's (Lot 1B, Gossman 1<sup>st</sup> Addition, S2 15-123-63) AND Stacy Gossman DBA Nacho Business (Outlot A SE 15-123-63) AND Tyler Jones DBA: Tacoma Park Place LLC (5 acres in NE Corner of NW ¼ 23-124-62) AND Roderic L Hanson DBA Ferney Farmers Bar (Lots 4 & 5, Block 5, Ferney, 31-122-60) AND Travis Swenson DBA Elm Lake Resort LLC (Lot 1 Elm Lake Resort SE 8-128-65) AND Moccasin Creek Country Club Inc (Prairiewood Village OL 7, E2, 33-124-63) AND P'ZA Inc DBA Anchors Away Lodge & Resort (Palmer's Richmond Resort SD Lt 1, SD OL 1 Richmond OL 1 & 2). RETAIL (ON-OFF-SALE) WINE AND CIDER: ARR LCC DBA Flatland Flyways Lodge (Russo's OL 1 NW ¼ 1-127-62) AND Moccasin Creek Country Club (Prairiewood Village OL 7, E2, 33-124-63). All members present voting aye. Motion carried.

#### ABATEMENT:

Moved by Feickert, seconded by Wiese to approve the following abatement: CML Companies LLC Unit 1 305 S Main Condominiums LT 15-16 BK 5 Original Plat – Parcel #28425 – Special Assessment Coded wrong, should be BID Aberdeen. All members present voting aye. Motion carried.

#### CLAIM ASSIGNMENT:

Moved by Wiese, seconded by Fjeldheim to authorize and approve the Chairman sign the Claim Assignment against an individual to Credit Collections Bureau for the purpose of collecting liens. All members present voting aye. Motion carried.

#### LANDFILL TONNAGE REPORT:

Moved by Gage, seconded by Wiese to acknowledge the Landfill Tonnage Report for October 2022. All members present voting aye. Motion carried.

**SDPAA RELEASE FORM:**

Moved by Wiese, seconded by Feickert to approve and authorize Chairman Sutton to sign the SDPAA Release form for claim settlement, so that we may receive payment. All members present voting aye. Motion carried.

**OTHER BUSINESS:** Carl Perry just wanted to remind everyone that today is Election Day so please get out and vote.

**EXECUTIVE SESSION:**

Moved by Wiese, seconded by Fjeldheim to go into executive session to discuss Personnel, Legal and Contracts per SDCL 1-25-2. All members present voting 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 at 10:15a.m. All members present voting aye. Motion carried.

Lynn Heupel, Brown County Auditor

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## NOVEMBER 14, 2022 – CANVASS OF NOVEMBER 8, 2022 GENERAL ELECTION

Brown County Commissioners Doug Fjeldheim, Mike Gage, Chairman Duane Sutton and Vice-Chair Mike Wiese convened for the purpose of canvassing the November 8, 2022 General Election, as authorized by SDCL 12-20-36 at 10:00 a.m. on November 14, 2022 in the Commissioner's Chambers, Courthouse Annex, Brown County, SD. American Pledge was led by Commissioner Fjeldheim.

Moved by Commissioner Fjeldheim, seconded by Wiese to approve the Official Canvass, as follows:

<u>United States Senator</u>		<u>State Senator/District 01</u>	
Brian L. Bengs (Dem)	3,893	Michael H. Rohl (Rep)	2,374
Tamara J. Lesnar (Lib)	451	Susan Wismer (Ind)	1,249
John R. Thune (Rep)	9,577	<u>State Senator/District 03</u>	
<u>United States Representative</u>		Al Novstrup (Rep)	5,698
Collin Duprel (Lib)	2,684	<u>State Senator/District 23</u>	
Dusty Johnson (Rep)	10,425	Bryan J. Breitling (Rep)	679
<u>Governor and Lieutenant Governor</u>		<u>State Representative/District 01 (Vote for Two)</u>	
Jamie Smith and		Steven D. McCleerey (Dem)	1,162
Jennifer Keintz (Dem)	5,167	Kay F. Nikolas (Dem)	1,120
Tracey Quint and		Joe Donnell (Rep)	2,105
Ashley Strand (Lib)	341	Tamara St. John (Rep)	2,096
Kristi Noem and		<u>State Representative/District 03 (Vote for Two)</u>	
Larry Rhoden (Rep)	8,456	Brandei Schaeffbauer (Rep)	4,625
<u>Secretary of State</u>		Carl E. Perry (Rep)	5,050
Thomas A. Cool (Dem)	5,184	<u>State Representative/District 23 (Vote for Two)</u>	
Monae Johnson (Rep)	8,007	James D. Wangsness (Rep)	432
<u>Attorney General</u>		Scott Moore (Rep)	609
Marty J. Jackley (Rep)	10,228	<u>County Commissioners At Large (Vote for Three)</u>	
<u>State Auditor</u>		Chad Fischbach (Dem)	6,215
Stephanie Marty (Dem)	4,637	Mike Wiese (Rep)	7,139
Rene Meyer (Lib)	671	Mike Gage (Rep)	7,122
Richard Sattgast (Rep)	7,838	Drew Dennert (Rep)	8,398
<u>State Treasurer</u>		<u>Judge of the Circuit Court, Position A Fifth Circuit</u>	
John Cunningham (Dem)	4,657	Marshall C. Lovrien	8,637
Josh Haeder (Rep)	8,482	<u>Judge of the Circuit Court, Position B Fifth Circuit</u>	
<u>Commissioner of School and Public Lands</u>		Tony L. Portra	8,467
Timothy Azure (Dem)	4,703	<u>Judge of the Circuit Court, Position C Fifth Circuit</u>	
Brock Greenfield (Rep)	8,351	Gregory C. Magera	7,683
<u>Public Utilities Commissioner</u>		<u>Judge of the Circuit Court, Position D Fifth Circuit</u>	
Jeffrey Barth (Dem)	4,280	Richard A. Sommers	7,843
Chris Nelson (Rep)	8,946		

### Supreme Court Justice Retention

Shall Justice Patricia J. DeVaney representing the Third Supreme Court District, whose term expires January 1, 2023 be retained in office?

Yes	9,484
No	2,076

Shall Justice Mark E. Salter representing the Second Supreme Court District, whose term expires January 1, 2023 be retained in office?

Yes	9,299
No	2,081

Constitutional Amendment D: An initiated amendment to the South Dakota Constitution expanding Medicaid eligibility.

Yes	7,646
No	5,932

Initiated Measure 27: An initiated measure legalizing the possession, use and distribution of marijuana.

Yes	6,694
No	7,141

Referendum: Brown-Marshall and South Brown Conservation District Merger

Yes	8,837
No	3,116

ADJOURNMENT:

Moved by Commissioner Wiese, seconded by Gage to adjourn the Canvass Meeting for the November 8, 2022 General Election. All members present voting aye. Motion carried.

Lynn Heupel, Brown County Auditor

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

## NOVEMBER 15, 2022 – GENERAL MEETING

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

### APPROVAL OF AGENDA:

Commissioner Fjeldheim moved to approve the agenda, seconded by Feickert. All members present voting aye. Motion carried.

### OPPORTUNITY FOR PUBLIC COMMENT: None

### ORDINANCE #231 – FIRST READING:

Moved by Commissioner Gage, seconded by Feickert to approve the First Reading of Proposed Ordinance #231, Applicant Todd Ochsner/Ochsner Real Estate LP requesting to rezone from Chapter 4.06 Agriculture Preservation District (AG-P) to Chapter 4.15 Light Industrial District (L-I): The S ½ of Section 19-T123N-R64W lying South of Railroad R.O.W. of the 5th P.M., Brown County, South Dakota. All members present voting aye. Motion carried.

### ORDINANCE #232 – FIRST READING:

Moved by Commissioner Wiese, seconded by Fjeldheim to approve the First Reading of Proposed Ordinance #232, Applicant Jerrad Jangula requesting rezone from Chapter 4.06 Agriculture Preservation District (AG-P) to Chapter 4.07 Mini-Agriculture District (M-AG): Proposed Lot 1, “Jangula Subdivision” in the NE ¼ of Section 24-T123N-R65W of the 5th P.M., Brown County, South Dakota. All members present voting aye. Motion carried.

### ORDINANCE #233 – FIRST READING:

Moved by Commissioner Fjeldheim, seconded by Feickert to approve the First Reading of Proposed Ordinance #233, Applicant John Daily requesting rezone from Chapter 4.06 Agriculture Preservation District (AG-P) to Chapter 4.07 Mini-Agriculture District (M-AG): Lot 1, “First Subdivision of Bieber’s Outlot 1” in the N ½ of Section 21-T126N-R64W of 5th P.M., Brown County, South Dakota. All members present voting aye. Motion carried.

### ORDINANCE #234 – FIRST READING:

Moved by Commissioner Feickert, seconded by Gage to approve the First Reading of Proposed Ordinance #234, Applicant Stacy Gossman requesting to rezone from Chapter 4.08 Residential District (R-1) to Chapter 4.13 Commercial District (C): Proposed Lot 1, “Ole Crow Addition” in the NW ¼ of Section 17-T123N-R63W of the 5th P.M., Brown County, South Dakota. All members present voting aye. Motion carried.

### AWARD BROWN COUNTY FAIR RODEO CONTRACTOR:

Rachel Kippley, Fair Manager recommended on behalf of the Brown County Fair Rodeo Committee to accept the RFP from Bailey Pro Rodeo as the Brown County Fair Rodeo Contractor for 2023-2025 Fairs. Moved by Commissioner Feickert, seconded by Fjeldheim to accept the Bailey Pro Rodeo Proposal for years of 2023-2025. All members present voting aye. Motion carried.

### BROWN COUNTY FAIR CONTRACTS:

Rachel Kippley, Fair Manager presented two Fair Contracts for approval. One for ‘The Best of Motown 2’ at the cost of \$8,000.00 for nine performances. The second one for ‘Duck Enterprises’ to host Duck races in the Kids Zone at the cost of \$7,000.00. Moved by Commissioner Wiese, seconded by Gage to approve both Fair Contracts. All members present voting aye. Motion carried.

### FAIR BOARD MEMBER APPROVAL:

Rachel Kippley, Fair Manager asked to approve Brodie Mueller as a new Fair Board Member for two three-year terms. Moved by Commissioner Wiese, seconded by Feickert to approve Brodie Mueller as new Fair Board Member. All members present voting aye. Motion carried.

#### SALES TAX REVENUE:

Rachel Kippely, Fair Manager shared with the Commissioners the amount of Sales Tax Revenue that is brought in just from the Brown County Fairgrounds. She would like the Board to contact Legislators to see about some of those funds being reallocated back to the County to help with upkeep and improvements needed at the Fairgrounds. Commissioners agreed this would be a benefit to other counties as well. Representative Carl Perry was in attendance and will look into this matter. Commissioner Fjeldheim also mentioned that he would like to see a 2% Sales Tax on services that the County provides to benefit the Counties.

#### WEED & PEST UPDATE:

Chris Hemen, Weed & Pest Supervisor met with Commission to give a Department Update and inform the Board that they are applying for a \$2000.00 Grant from the Department of Ag & Natural Resources.

#### MINUTES:

Moved by Commissioner Wiese, seconded by Gage to approve the November 8, 2022 General Meeting Minutes. All members present voting aye. Motion carried.

#### PAYROLL/CLAIMS:

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

Professional Fees: Avera St. Luke's \$3,837.80; Domain Networks \$289.00; Helms & Assoc. Inc. \$1,146.55; Know Ink, LLC \$3,500.00; Lewis & Clark BHS \$368.00; Marco Inc. \$375.00; Cortney Paul \$129.54; Richardson, Wyly, Wise, Sauck & Hieb, LLP \$372.90; Sanford Health Occupational Medicine Aberdeen \$223.00; Sanford Health Network \$5,557.50; Sara Zahn \$46.60; SD Dept. of Revenue & Regulations \$1,991.63.

Publishing: Groton Independent \$320.91.

Rentals: Aramark \$246.61.

Repairs & Maintenance Ecolab Pest Elimination \$147.16; Eilers Water Conditioning & Lawn Irrigation \$125.00; Prairie Scale Systems, Inc. \$833.90; Pro Windmill Inc. \$95.00; Steven Lust Automotive \$94.16; Titan Machinery - Aberdeen NH \$13,790.04;

TranSource Truck & Equipment, Inc. \$1,978.39; Walth Safety Service Inc. \$1,154.48.

Supplies: Agtegra Cooperative \$12,242.23; Butler Machinery Co. \$2,405.69; Century Business Products \$233.65; Charm-Tex \$155.40; Dakota Oil \$217.60; Dakota Supply Group \$183.29; Fastenal Co. \$505.38; Kessler's \$142.65; Marco Inc. \$2,435.00; Menards \$466.47; NAPA Central \$221.88; Peter Osowski \$224.00; Roland L. Moerke \$1,137.26; Runnings \$24.48; Warner Fire Dept. \$1,137.26.

Travel & Conference: Bonnie Bourassa \$19.43; Carolyn Dinger \$49.06; Constance Cutler \$38.51; Deb Gustafson \$27.49; Julie Hinds \$20.35; Laura Adema \$15.05; Lynn Butler \$10.25; Regency Midwest Ventures Limited Partnership \$101.00; Sharon Zastrow \$20.66.

Utilities: AT&T Mobility \$140.54; City of Aberdeen \$2,008.85; Northwestern Energy & Communications \$3,295.05; Qwest Corporation \$1,201.30; State of South Dakota \$110.86; Verizon Wireless Services LLC \$3,086.43; Web Water Development Assoc. Inc. \$98.91.

Others: Safe Harbor \$1,084.87; SD Dept. of Agriculture & Natural Resources \$3,875.42; SD Dept. of Revenue & Regulations \$643,221.64.

All members present voting aye. Motion carried.

#### HR REPORT:

Moved by Fjeldheim, seconded by Gage to approve the following Human Resource Report:

- Acknowledge transfer of MaKendra Ochsner from Brown County Jail CO to Brown County JDC CO; effective November 14, 2022.
- Acknowledge transfer of Kari Harmon from Brown County Communications, Dispatcher to Brown County Jail CO; effective November 15, 2022.
- Acknowledge resignation of Brianna Haugen, Brown County States Attorney Deputy, full-time effective December 23, 2022. Request to fill.
- Acknowledge resignation of Brock Hoyle, Brown County Auditor Chief Deputy, full-time effective December 2, 2022. Request to fill.



- Acknowledge last day of temporary employment for Jan Erickson, Brown County Election worker; effective November 9, 2022.
- Acknowledge last day of temporary employment for Cheryl Finstad, Brown County Election worker; effective November 9, 2022.
- Acknowledge temporary transfer of Jerry Lehrkamp from Brown County Weed & Pest to Brown County Highway; effective November 14, 2022
- Acknowledge temporary transfer of Mike Rohrbach from Brown County Weed & Pest to Brown County Highway; effective November 14, 2022
- Acknowledge temporary transfer of Chris Hemen from Brown County Weed & Pest to Brown County State's Attorney; effective November 14, 2022
- Approve hiring of Jerry Bjerke as Brown County Highway Labor Grade 3 worker; wage \$19.51/hour; effective November 14, 2022.

All members present voting aye. Motion carried

#### MEMORANDUM OF UNDERSTANDING (MOU) for 4-H YOUTH PROGRAM ADVISOR:

Moved by Commissioner Feickert, seconded by Wiese to authorize and approve the Chairman to sign the MOU for the 4-H Youth Program Advisor, Becca Tullar. All members present voting aye. Motion carried.

#### CLAIM ASSIGNMENT:

Moved by Commissioner Fjeldheim, seconded by Wiese to authorize and approve the Chairman sign the Claim Assignment against an individual to Credit Collections Bureau for the purpose of collecting liens. All members present voting aye. Motion carried.

#### TRAVEL REQUESTS:

Moved by Commissioner Wiese, seconded by Gage to approve the following travel requests:

- Lynn Heupel, Auditor and Stephanie Jacobson, Elections Clerk to travel to Faulkton on Monday, November 21<sup>st</sup> for meeting on Election Laws
- Lynn Heupel, Auditor to travel to Milbank on Wednesday, November 30<sup>th</sup> for Lake Region District Meeting

All members present voting aye. Motion carried.

OTHER BUSINESS: Carl Perry wanted to congratulate Drew Dennert, Mike Gage, Mike Wiese for winning their elections. Thank-you to Chad Fischbach for caring about Brown County and participating. There are a lot of people talking about Election Integrity and problems, but we are not talking about Lynn Heupel's job: she is doing a good job. Chairman Sutton reiterated the congratulations and Thanks to Lynn and her crew for a job well done on the Election as seen in the Canvass yesterday.

#### EXECUTIVE SESSION:

Moved by Commissioner Wiese, seconded by Fjeldheim to go into executive session to discuss Personnel, and Contracts per SDCL 1-25-2. All members present voting aye. Motion carried. The chair declared the executive session closed with no action taken.

#### ADJOURNMENT:

Moved by Commissioner Feickert, seconded by Wiese to adjourn the Brown County Commission at 10:15a.m. All members present voting aye. Motion carried.

Lynn Heupel, Brown County Auditor

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## NOVEMBER 22, 2022 – GENERAL MEETING

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

### APPROVAL OF AGENDA:

Commissioner Gage moved to approve the agenda, seconded by Fjeldheim. All members present voting aye. Motion carried.

### OPPORTUNITY FOR PUBLIC COMMENT: None

### REGIONAL JAIL SUMMER STUDY:

Julie Johnson, met to update the Commissioners on the Regional Jail Summer Study. They have 6 Committees that are looking at different aspects of the Regional Jail. Money in Reserves for the State to build a new State Prison. The recommendations are to have a Regional Jail, use the Appropriate Funds and Property Tax Freeze. Chairman Sutton Thanked Julie for her work and support on this project. Commissioner Wiese said they have heightened awareness and appreciates the work Julie has done, also. Chief Deputy Sheriff, Dave Lunzman commented that this is a 1-time opportunity, so we need to move on this now.

### BROWN COUNTY FAIR (BCF) PRCA RODEO CONTRACT:

McKenzie Bierman, Asst. Fair Manager asked the Commission to approve and authorize Chairman to sign the BCF PRCA Rodeo Three Year Contract (2023-2025) with Bailey Pro Rodeo. Moved by Commissioner Feickert, seconded by Wiese. All members present voting aye. Motion carried.

### R-O-W OCCUPANIES FOR NORTHERN ELECTRIC:

Dirk Rogers, Highway Superintendent met with Commission to ask for approval of three R-O-W for K&H Electric to do work for Northern Electric on Br. Co. Hwy. 5, Section 19, T128- R61; Br. Co. Hwy. 28, Section 128-T128-R60; Br. Co. Hwy. 10 T127-R60. Moved by Commissioner Fjeldheim, seconded by Wiese to approve these three R-O-W. All members present voting aye. Motion carried.

Dirk Dirk Rogers, Highway Superintendent met with Commission to ask for approval of one R-O-W for Schmidt Construction to do work for Northern Electric on Br. Co. Hwy. 23, Section 32, T122- R65. Moved by Commissioner Feickert, seconded by Wiese to approve these this R-O-W. All members present voting aye. Motion carried.

### HIGHWAY DEPARTMENT UPDATE:

Dirk Rogers, Highway Superintendent gave a department update to the Commissioners. Ice problems were addressed, working on the culvert program with Townships and hauling gravel today. Dirk will look into Elm Lake Project and report back.

### ORDINANCE #231 – SECOND READING/ADOPTION:

Moved by Commissioner Gage, seconded by Wiese to approve the Second Reading and Adopt Ordinance #231, Applicant Todd Ochsner/Ochsner Real Estate LP requesting to rezone from Chapter 4.06 Agriculture Preservation District (AG-P) to Chapter 4.15 Light Industrial District (L-I): The S ½ of Section 19-T123N-R64W lying South of Railroad R.O.W. of the 5th P.M., Brown County, South Dakota. All members present voting aye. Motion carried.

### ORDINANCE #232 – SECOND READING/ADOPTION:

Moved by Commissioner Fjeldheim, seconded by Wiese to approve the Second Reading and Adopt Ordinance #232, Applicant Jerrad Jangula requesting rezone from Chapter 4.06 Agriculture Preservation District (AG-P) to Chapter 4.07 Mini-Agriculture District (M-AG): Proposed Lot 1, “Jangula Subdivision” in the NE ¼ of Section 24-T123N-R65W of the 5th P.M., Brown County, South Dakota. All members present voting aye. Motion carried.

**ORDINANCE #233 – SECOND READING/ADOPTION:**

Moved by Commissioner Gage, seconded by Fjeldheim to approve the Second Reading and Adopt Ordinance #233, Applicant John Daily requesting rezone from Chapter 4.06 Agriculture Preservation District (AG-P) to Chapter 4.07 Mini-Agriculture District (M-AG): Lot 1, “First Subdivision of Bieber’s Outlot 1” in the N ½ of Section 21-T126N-R64W of 5th P.M., Brown County, South Dakota. All members present voting aye. Motion carried.

**ORDINANCE #234 – SECOND READING/ADOPTION:**

Moved by Commissioner Wiese, seconded by Gage to approve the Second Reading and Adopt Ordinance #234, Applicant Stacy Gossman requesting to rezone from Chapter 4.08 Residential District (R-1) to Chapter 4.13 Commercial District (C): Proposed Lot 1, “Ole Crow Addition” in the NW ¼ of Section 17-T123N-R63W of the 5th P.M., Brown County, South Dakota. All members present voting aye. Motion carried.

**MINUTES:**

Moved by Commissioner Fjeldheim, seconded by Wiese to approve the November 14, 2022 General Election Canvass Meeting Minutes and November 15, 2022 General Meeting Minutes. All members present voting aye. Motion carried.

**PAYROLL/CLAIMS:**

Moved by Commissioner Feickert, seconded by Gage to approve the following payroll/claims:

**Payroll:** Commission \$4,503.96; Elections \$17,660.73; Auditor \$11,366.88; Treasurer \$14,440.56; SA \$29,563.31; Maintenance \$9,871.21; Assessor \$15,275.89; ROD \$8,157.60; VSO \$4,143.28; GIS \$2,483.72; IT \$5,686.59; HR \$4,061.37; Sheriff \$45,354.04; Jail \$63,087.02; Court Security \$6,420.21; JDC/HD \$28,209.14; Welfare \$2,161.43; Museum \$8,018.95; Parks/Fairgrounds \$3,080.80; Fair \$4,790.80; 4-H \$638.80; W&P \$4,238.06; P&Z \$5,681.44; Hwy. \$36,358.37; Dispatch \$39,002.66; EM \$4,285.81; 24/7 \$1,314.76; Landfill \$16,320.15; Meal Benefits \$210.00. **MATCHING BENEFITS:** FICA \$22,662.30; Medicare \$5,300.02; Discovery/HSA \$1,421.17; Retirement/SDRS \$47,619.32.

**Claims:** Professional Fees: Agterra Technologies, Inc. \$70.00; Avera St. Luke's \$1,533.29; Dakota Counseling; Group, LLC \$2,100.00; Dana J. Larson \$50.00; Darcy Lockwood \$30.00; Dependable Sanitation Inc \$38,330.80; Gail Stoltenberg \$500.00; Hannah Schmierer \$493.54; Larry Dixon \$675.00; Lucy Lewno \$270.00; Sanford Health \$940.12; Sanford Health Network \$244.92; Sd Dept Of Health \$2,475.00; Tyler Technologies Inc \$650.00; Valerie J. Larson \$30.00; West Publishing Corp. \$177.20; Yankton County Sheriff Office \$100.00; Yankton County Treasurer \$127.50.

Publishing: ARGUS LEADER \$20.89; GateHouse Media South Dakota Holdings, Inc. \$572.52; Moody County Enterprise \$15.56; TDS Media Direct, Inc. \$630.00.

Rentals: Linde Gas & Equipment Inc. \$47.11; Pantorium Cleaners Inc. \$207.36.

Repairs & Maintenance: Butler Machinery Co. \$924.42; Century Business Products \$162.73; Dakota Fluid Power Inc. \$48.42; Diesel Machinery \$6,948.40; Ecolab Pest Elimination \$105.45; IMEG Corp \$20,775.90; Interstate Powersystems \$1,691.00; Jalene M. Palmer \$1,250.64; Lien Transportation Company \$742.50; Northstar Safety, Inc \$45.02; Pantorium Cleaners Inc. \$447.65; Pumps Tire Service, Inc \$230.58; R.D. Offutt Company \$1,957.25; Schroeder Construction Inc. \$159,936.57; Schwan Welding \$281.50; Sewer Duck Inc \$85.00; Titan Machinery, Inc - Aberdeen Case Ih \$1,099.36; Transource Truck & Equipment, Inc. \$300.00; Woodman Refrigeration, Inc \$563.86.

Supplies: Agtegra Cooperative \$1,532.59; APH Stores, Inc \$684.45; Arlin Zoellner \$1,960.00; Avera LTC Pharmacy Aberdeen \$1,210.72; Butler Machinery Co \$695.58; Century Business Products \$811.05; Cole Papers \$1,618.86; Dakota Fluid Power Inc \$2,297.63; Dakota Oil \$542.25; Dakota Supply Group \$119.15; Daniel Higgins \$290.00; Diesel Machinery \$389.25; Great Western States Supply Co. \$497.40; Interstate Battery System Of Sd \$141.95; Jensen Rock & Sand Inc \$2,387.98; Linde Gas & Equipment Inc. \$103.00; Lucy Lewno \$13.14; Marco Inc \$23.33; Menards \$371.69; Northern Valley Communication \$26.76; Northstar Safety, Inc \$240.00; Patricia Slutts \$74.94; Pitney Bowes Inc. \$15,000.00; Plumbing & Heating Wholesale, Inc. \$360.13; R.D. Offutt Company \$5,601.09; Runnings \$530.93; Schwan Welding \$168.00; State Of South Dakota \$292.00; Transource Truck & Equipment, Inc. \$1,075.88; Web Water Bottling Company \$18.00; West Publishing Corp. \$1,972.34.

Travel & Conference: City of Groton \$182.00; Ernest Thompson \$222.18; Judith Lloyd \$33.35; SDSU Extension \$190.82.

Utilities: City of Aberdeen \$706.80; City Of Hecla \$135.22; Dependable Sanitation Inc \$348.00; James Valley Telecommunications \$223.10; Northern Electric Coop, Inc \$870.13; Northern Valley Communication \$4,978.57; Northwestern Energy & Communications \$89.76; Verizon Wireless Services LLC \$328.44.

Others: WEX Health Inc. \$4,000.00.

All members present voting aye. Motion carried.

#### HR REPORT:

Moved by Commissioner Wiese, seconded by Fjeldheim to approve the following Human Resource Report:

- Acknowledge the last day of temporary employment for Lois Usselman, Brown County Election worker; effective November 15, 2022.
- Acknowledge the resignation of Lane Kahler as Brown County Jail Correctional Officer, full-time; effective November 25, 2022. Request to fill.
- Approve Cortney Paul as Brown County Sheriff's Deputy, as needed; starting wage \$25.00/hour; effective October 31, 2022.
- Approve Jon Lemke as Brown County Chief Deputy Sheriff in training effective November 28, 2022.
- Approve hiring of Sydney Kamin as Brown County IT intern, as needed; starting wage \$12.50/hour; effective November 16, 2022.

All members present voting aye. Motion carried

#### ZONING ORDINANCES - SET HEARING DATE/AUTHORIZE ADVERTISING:

Moved by Commissioner Feickert, seconded by Wiese to set hearing date and authorize advertising for first reading of the following zoning ordinances to be held December 6, 2022 in the Commissioner's Chambers, Courthouse Annex, Brown County, SD at 8:45 a.m.: Proposed Ordinance 235, applicants Lyle Biegler, Diane Bindenagel and Travis Bindenagel requesting to move from Chapter 4.06 Agriculture Preservation District (AG-P) to Chapter 4.17 Mini-Agriculture District (M-AG) and Chapter 4.08 Residential District (R-3): Lot 1 and Lot 2, "Bindenagel Richmond Lake Subdivision", Lot 1, "Bindenagel Third Richmond Lake Subdivision" and Lot 1A, "BNB Second Richmond Lake Subdivision" all in the NW ¼ or Section 25-T124N-R65W of the 5th P.M., Brown County, South Dakota; Proposed Ordinance 236, applicant Rory Haar, Estate of Roland W. Haar and Walter Schott requesting to move from Chapter 4.08 Residential District (R-1) and Chapter 4.06 Agriculture Preservation District (AG-P) to Chapter 4.07 Mini-Agriculture District (M-AG): "Schott Outlot" and Lot 1, "Haar Addition" both in the SE ¼ of Section 6-T123N-R63W. Proposed Lots 1 thru 4, "Haar's Second Addition" in the E ½ of Section 6-T123N-R63W of the 5th P.M., Brown County, South Dakota; Proposed Ordinance 237, applicant Lon Gellhaus for Derrill J. Mahan Family Trust requesting to move from Chapter 4.06 Agriculture Preservation District (AG-P) to Chapter 4.07 Mini-Agriculture District (M-AG): Proposed Lot 1, "Mahan Addition" in the NW ¼ of Section 5-T123N-R60W of the 5th P.M., Brown County, South Dakota; Proposed Ordinance 238, applicant Marian Mettler/Rick Mettler, P.O.A. requesting to move from Chapter 4.11 Rural Urban District (RU) and Multi-Zone District (MZ) to Rural Urban (RU) Proposed Lot 1 & Proposed Lot 2 and then Proposed Lot 3 to Chapter 4.06 Agriculture Preservation District (AG-P): Proposed Lot 1, Proposed Lot 2 & Proposed Lot 3, "Mettler Second Subdivision" in the NE ¼ of Section 6-T126N-R61W of the 5th P.M., Brown County, South Dakota. All members present voting aye. Motion carried.

#### PLATS:

##### Resolution #57-22

Commissioner Fjeldheim brought the following resolution: "Be it resolved by the Board of County Commissioners of Brown County, South Dakota, that the plat showing "Agtegra First Addition to the City of Columbia, in the SW ¼ of Section 28-T125N-R62W 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 thereof." Seconded by Commissioner Gage. All members present voting aye. Resolution adopted.

Resolution #58-22

Commissioner Fjeldheim brought the following resolution: "Be it resolved by the County Commission of Brown County, South Dakota, that the plat showing "CORRECTIVE PLAT of Carlson Addition in the NW/4 of Section 28, Township 125 North, Range 62 West of the 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 Commissioner Gage. All members present voting aye. Resolution adopted.

Resolution #59-22

Commissioner Fjeldheim brought the following resolution: "Be it resolved by the Board of County Commissioners of Brown County, South Dakota, that the plat showing "Duncan-Tobin Outlots in the NW ¼ of Section 1-T123N-R64W 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 thereof." Seconded by Commissioner Gage. All members present voting aye. Resolution adopted.

Resolution #60-22

Commissioner Fjeldheim brought the following resolution: "Be it resolved by the Board of County Commission of Brown County, South Dakota, that the plat showing "Mettler Second Subdivision in the NE ¼ of Section 6-T126N-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 thereof." Seconded by Commissioner Gage. All members present voting aye. Resolution adopted.

Resolution #61-22

Commissioner Fjeldheim brought the following resolution: "Be it resolved by the County Commission of Brown County, South Dakota, that the plat showing "Fischer Land Resources Addition in the SE ¼ of Section 6, Township 124 North, Range 63 West of the 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 Commissioner Gage. All members present voting aye. Resolution adopted.

Resolution #62-22

Commissioner Fjeldheim brought the following resolution: "Be it resolved by the County Commission of Brown County, South Dakota, that the plat showing "Webb Vilhauer Addition in the E ½ of Section 20, Township 123 North, Range 65 West of the 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 Commissioner Gage. All members present voting aye. Resolution adopted.

SHERIFF REPORT:

Moved by Commissioner Wiese, seconded by Gage to approve the following September 2022 Sheriff Reports: Incidents and offenses, Prisoner care, JDC, and Money deposited with the County Treasurer. All members present voting aye. Motion carried.

TRAVEL REQUESTS:

Moved by Commissioner Feickert, seconded by Wiese to approve the following travel requests:

- Rachel Kippley, Fair Manager and McKenzie Bierman, Asst. Fair Manager to travel to Indianapolis on November 26<sup>th</sup> to December 1<sup>st</sup> for IAFE Convention.

All members present voting aye. Motion carried.

OTHER BUSINESS: Commissioner Feickert just wanted to comment that when he called Dirk regarding the icy roads in the Frederick Area, the Highway Dept. salted the next day, and the constituents were very happy.

EXECUTIVE SESSION:

Moved by Commissioner Fjeldheim, seconded by Wiese to go into executive session to discuss Personnel, Legal and Contracts per SDCL 1-25-2. All members present voting aye. Motion carried. The chair declared the executive session closed with no action taken.

ADJOURNMENT:

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

Lynn Heupel, Brown County Auditor

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## NOVEMBER 29, 2022 – GENERAL MEETING

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

### APPROVAL OF AGENDA:

Commissioner Gage moved to approve the agenda, seconded by Fjeldheim. All members present voting aye. Motion carried.

### OPPORTUNITY FOR PUBLIC COMMENT: None

### NWPS GAS FRANCHISE RENEWAL:

Robert Gehm, Real Estate Agent for Northwestern Public Service met with the Commission Board requesting them to renew the Franchise Permits which allows permitting do to be done through the Highway Department for new buildings and only for natural gas pipelines. The Franchise Permits term out or expire every 20 years. Motioned by Commissioner Feickert, seconded by Gage to approve and authorize Chairman Sutton to sign the franchise renewal. All members present voting aye. Motion carried.

### COURT RESOURCE HOME MEMORANDUM OF UNDERSTANDING (MOU):

Kelsi Vinger and Ernest Thompson met with the Commission Board to discuss the MOU for Court Resource Home. Kelis informed the Commission that they someone going through the process to be a Licensed Court Resource Home so asking them to approve and sign the MOU which identifies the roll of Lutheran Social Services and Brown County and the payment structure for this grant. Commissioner Wiese motioned to approve and authorize Chairman Sutton to sign the MOU for Court Resource Home, which was seconded by Feickert. All members voting aye. Motion carried.

### TRUANCY COURT:

Earnest Thompson, States Attorney wanted to ask the Commission to think about transferring the Teen Court budget to a budget for Truancy Court since we no longer have Teen Court. This will give us the opportunity to make a positive impact on a critical issue with Juveniles. Since Brown County no longer has Teen Court or receiving Grant funds for the programs, we are not asking for any more funding that what was already allocated. Commissioner Feickert asked what was in the Fund, for 2023 Budget \$26,575.00 is allocated to Teen Court. Chairman Sutton asked Auditor Heupel to look into this and will follow-up with Commission on the process.

### JOINT ELECTION AGREEMENT:

Moved by Commissioner Wiese, seconded by Fjeldheim to approve and authorize Chairman Sutton to sign the Joint Election Agreement with Aberdeen School District, City of Aberdeen, and Brown County. All members present voting aye. Motion carried.

### COMPENSATION STUDY/MEMORANDUM OF UNDERSTANDING WITH UNION:

Erica Coughlin, HR Director informed the Commission that she met with the Union, and they have agreed to Table A – Modified. Next step is to sign the MOU and then move forward with the implementation of the wage study. The employees will be shown their current wage, proposed new wage and the difference. Chairman Sutton commented that he feels the wage study was money well-spent and hopes it will improve the relations with the County Employees. Motioned by Commissioner Wiese, seconded by Gage to approve and authorize Chairman Sutton to sign the MOU with the Union. All members present voting aye. Motion carried.

### MINUTES:

Moved by Commissioner Wiese, seconded by Fjeldheim to approve the November 22, 2022 General Meeting Minutes. All members present voting aye. Motion carried.

#### CLAIMS:

Moved by Commissioner Gage, seconded by Wiese to approve the following claims:

Professional Fees: BJ Clocksene \$50.00; Christy Griffin-Serr Law Office \$8,541.67; Cogley Law Office, Prof LLC \$8,541.67; Dohrer Law Office \$8,541.67; Jerald M. McNeary \$8,541.67; Kristi Brandt \$668.40; Kuck Law Office \$8,541.67; NE Mental Health Center \$1,534.00; Ross K. Den Herder \$151.50; Taliaferro Law Firm \$8,647.67; Tyler Technologies Inc \$260.00.

Publishing: Groton Independent \$84.99; Gatehouse Media South Dakota Holdings, Inc. \$1,188.99.

Repairs & Maintenance: Pierson-Ford-Lincoln -Mercury \$2,141.18; Steven Lust Automotive \$328.73; Titan Machinery, Inc - Aberdeen Case Ih \$472.40.

Supplies: Advance Auto Parts \$1,007.31; Avera McKennan \$173.50; Century Business Products \$245.24; Claremont Area Fire Protection District \$1,137.00; FedEx \$22.06; Fire Safety First, LLC \$88.00; Leidholdt Tool Sales, LLC \$71.60; Mac's Inc \$193.42; Menards \$31.24; Richard Marberg \$9,648.79; Runnings \$519.87; Titan Machinery, Inc - Aberdeen Case IH \$628.47; Truenorth Steel \$28,164.30.

Travel & Conference: SD Assoc Of County Hwy Supt \$350.00.

Utilities: Dependable Sanitation Inc \$165.00; Midcontinent Communications \$129.58; Montana Dakota Utilities Co \$30.94; Northern Valley Communication \$273.20; Northwestern Energy & Communications \$1,739.62.

Others: Alan P. Or Angela P. Bernard \$13,007.53; Darwin H. or Mary J. Bettmann \$1,951.08; David and Jill Lehmann Living Trust \$16,258.70; Donald D. or Maxine E. Fischer \$1,950.95; FDM Revocable Living Trust \$16,258.55; Great Plains Bank \$19,510.80; Herman Schumacher \$8,129.35; James D. Gressett \$16,258.55; John Kippley \$3,251.80; Joop Antonius Hubertus Bollen \$16,258.55; Kendall or Linda Peterson \$6,503.27; Kendall Peterson Trustee Pt 09 \$39,021.60; Lynette Durheim \$6,503.27; Mark & Mary Volk \$6,503.27; Marlin Nilsson \$13,007.53; Plains Commerce Bank - Abdn \$248,108.74; Pyush Ramanlal Patel \$16,258.55; Robert M. or Lora M. Larson \$3,252.05.

All members present voting aye. Motion carried.

#### HR REPORT:

Moved by Commissioner Feickert, seconded by Wiese to approve the following Human Resource Report:

- Acknowledge the last day of employment for Joe Kaven, Brown County Fairgrounds worker; effective October 14, 2022.
- Acknowledge the last day of employment for Richard Burns, Brown County Fairgrounds worker; effective November 2, 2022.

All members present voting aye. Motion carried

OTHER BUSINESS: None

#### EXECUTIVE SESSION:

Moved by Commissioner Wiese, seconded by Fjeldheim to go into executive session to discuss Personnel, Legal and Contracts per SDCL 1-25-2. All members present voting aye. Motion carried. The chair declared the executive session closed with no action taken.

#### ADJOURNMENT:

Moved by Commissioner Fjeldheim, seconded by Wiese to adjourn the Brown County Commission at 9:27 a.m. All members present voting aye. Motion carried.

Lynn Heupel, Brown County Auditor

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## DECEMBER 6, 2022 – GENERAL MEETING

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

### APPROVAL OF AGENDA:

Commissioner Wiese moved to approve the agenda, seconded by Feickert. All members present voting aye. Motion carried.

### OPPORTUNITY FOR PUBLIC COMMENT: None

### ORDINANCE #235 – FIRST READING:

Moved by Commissioner Feickert, seconded by Fjeldheim to approve the First Reading of Proposed Ordinance #235. Applicants Lyle Biegler, Diane Bindenagel and Travis Bindenagel requesting to rezone from Chapter 4.06 Agriculture Preservation District (AG-P) to Chapter 4.07 Mini-Agriculture District (M-AG) and Chapter 4.08 Residential District (R-3): Lot 1 and Lot 2, “Bindenagel Richmond Lake Subdivision”, Lot 1, “Bindenagel Third Richmond Lake Subdivision” and Lot 1A, “BNB Second Richmond Lake Subdivision” all in the NW ¼ or Section 25-T124N-R65W of the 5th P.M., Brown County, South Dakota. All members present voting aye. Motion carried.

### ORDINANCE #236 – FIRST READING:

Moved by Commissioner Gage, seconded by Wiese to approve the Proposed Ordinance #236. Applicants Rory Haar, Estate of Roland W. Haar and Walter Schott to rezone from Chapter 4.08 Residential District (R-1) and Chapter 4.06 Agriculture Preservation District (AG-P) to Chapter 4.07 Mini-Agriculture District (M-AG): “Schott Outlot” and Lot 1, “Haar Addition” both in the SE ¼ of Section 6-T123N-R63W. Proposed Lots 1 thru 4, “Haar’s Second Addition” in the E ½ of Section 6-T123N-R63W of the 5th P.M., Brown County, South Dakota. All members present voting aye. Motion carried.

### ORDINANCE #237 – FIRST READING:

Moved by Commissioner Fjeldheim, seconded by Wiese to approve the Proposed Ordinance #237. Applicant Lon Gellhaus for Derrill J. Mahan Family Trust to rezone from Chapter 4.06 Agriculture Preservation District (AG-P) to Chapter 4.07 Mini-Agriculture District (M-AG): Proposed Lot 1, “Mahan Addition” in the NW ¼ of Section 5-T123N-R60W of the 5th P.M., Brown County, South Dakota. All members present voting aye. Motion carried.

### ORDINANCE #238 – FIRST READING:

Moved by Commissioner Gage, seconded by Feickert to approve Proposed Ordinance #238. Applicants Marian Metter/Rick Mettler, P.O.A to rezone from Chapter 4.11 Rural Urban District (RU) and Multi Zone District (MZ) to Rural Urban (RU) Proposed Lot 1 & Proposed Lot 2 and then Proposed Lot 3 to Chapter 4.06 Agriculture Preservation District (AG-P): Proposed Lot 1, Proposed Lot 2 & Proposed Lot 3, “Mettler Second Subdivision” in the NE ¼ of Section 6-T126N-R61W of the 5th P.M., Brown County, South Dakota. All members present voting aye. Motion carried.

### JOINT COOPERATIVE AGREEMENT WITH NECOG FOR 2023:

Moved by Commissioner Wiese, seconded by Feickert to approve and authorize Chairman Sutton to sign the Joint Cooperative Agreement with NECOG for 2023 in the amount of \$26,420.13. All members present voting aye. Motion carried.

### MINUTES:

Moved by Commissioner Wiese, seconded by Gage to approve the November 29, 2022 General Meeting Minutes. All members present voting aye. Motion carried.

### PAYROLL/CLAIMS:

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

Payroll: Commission \$4,503.96; Elections (Voucher) \$80.00; Auditor \$9,644.27; Treasurer \$14,324.71; SA \$30,673.81; SVAWA \$0.00; Maintenance \$10,352.63; Assessor \$15,275.89; Register of Deeds \$8,157.60; VSO

\$4,143.28; GIS \$2,483.72; IT \$5,792.84; HR \$4,061.37; Sheriff \$55,740.09; Jail \$72,562.52; Coroner (Voucher) \$0.00; Court Security \$6,415.46; JDC \$34,885.76; Welfare \$2,161.43; Museum \$8,350.61; Parks/Fairgrounds \$2,864.80; Fair Board \$4,790.81; 4-H \$638.79; Weed \$918.14; Planning & Zoning \$5,681.44; Highway \$40,395.85; Dispatch \$39,452.69; Emergency \$4,285.81; Teen Court \$0.00; JDAI \$0.00; 24/7 Sobriety \$1,514.96; Landfill \$16,079.55. FICA \$24,240.37; Medicare \$5,669.19; Discovery\_HSA \$1,482.96; Health Insurance\_Wellmark BCBS \$122,960.13; Dental Insurance\_Delta \$7,949.29; Life Insurance\_Dearborn \$1,039.38. Claims: Professional Fees: Adamsoft LLC \$625.00; Avera St Luke's \$26.19; Birmingham & Cwach Law Office \$380.35; Carrels & Bain Family Dental Center \$1,129.35; City Of Aberdeen \$572.72; Dakota Wood Grinding \$53,453.50; Election Systems & Software \$1,613.00; Healthstream \$2,611.92; Lincoln County Treasurer \$100.83; Lumen \$187.24; Maxine J Risty Court Reporting \$320.40; Psychological Associates Of Yankton \$1,250.00; Regency Midwest Ventures \$250.00; Richardson, Wyly, Wise, Sauck & Hieb \$7.10; Sanford \$176.51; Sara Zahn \$157.60; Shriver's Memorial Mortuary \$1,800.00; Tyler Technologies \$1,750.00; Yankton County Sheriff \$50.00; Zylstra Investigations \$1,011.50.

Publishing: Gatehouse Media \$508.80; Groton Independent \$391.96; SeaChange Printing & Marketing \$185.00.

Repairs & Maintenance: Adamsoft LLC \$1875.00; All Over Roofing \$11,150.95; B&B Contracting \$38,843.97; Crawford Trucks & Equipment \$27.45; Dakota Fluid Power \$475.27; Dakota Pump Inc \$7991.56; Heartland Heating \$2,845.39; Karst Car Kare \$494.95; Lawson Products \$76.59; Leidholt Electric \$1,900.51; Big Scoop Snow Removal \$400.00; Meister Mowing \$465.00; Newman Signs \$24.32; Pierson Ford \$549.90; Prairie Scale Systems \$2,700.50; Precision Kiosk Technologies \$2,700.00; Dakota Electronics \$475.00.

Supplies: Bakken Building Maintenance \$500.00; Becky Berreth \$21.00; Century Business Products \$10,515.87; Cindy Mitchell \$63.15; Cole Papers \$1,458.67; Columbia Area Rural Fire Protection District \$1,137.26; Communications Direct Inc \$2,900.00; Crawford Trucks & Equipment \$1,476.95; Dakota Fluid Power \$3,304.66; Dakota Supply Group \$75.41; Ds Solutions Inc \$175.00; Election Systems & Software \$3,863.97; Farm & Home Publishers \$1,920.00; Farm Power Mfg. \$88.98; Fastenal \$678.54; Fire Safety First \$74.40; Great Western Tire \$15,124.88; Interstate Battery System \$410.85; Karen Swank \$15.00; Lawson Products \$886.43; Macqueen Emergency \$1,137.00; Menards \$701.48; Newman Signs \$509.20; Pantorium Cleaners \$28.00; Performance Rentals \$20.00; Pierson Ford \$472.20; Plumbing & Heating Wholesale \$425.47; Pumps Tire Service \$2,012.88; Safe Life Defense \$2,557.30; Sherwin Williams \$569.69; Specialty Mfg. \$157.19; Taser International \$236.93; Walth Safety Service \$825.68; Web Water Bottling Company \$42.75.

Travel & Conference: Jerry Lehrkamp \$20.00; Lynn Heupel \$174.65; Mark Milbrandt \$292.00; Mike Rohrbach \$20.00; Patty Woods \$134.84; St. Paul's Ev Lutheran Church \$200.00.

Utilities: AT&T \$183.77; City of Aberdeen \$1,673.49; Lumen \$282.68; Midcontinent Communications \$224.56; Northwestern Energy & Communications \$17,087.52; Dakota Electronics \$90.00.

Machinery & Equipment: Karl Chevrolet \$36,614.93.

All members present voting aye. Motion carried.

#### HR REPORT:

Moved by Commissioner Fjeldheim, seconded by Gage to approve the following Human Resource Report:

- Acknowledge the resignation of Josh Goetz, Brown County JDC Correctional Officer, full-time; effective December 3, 2022. Request to fill.
- Approve hiring Alondra Caraballo-Sambolin as Brown County Jail Correctional Officer, full-time; starting wage \$18.87/hour; effective November 29, 2022.
- Approve hiring Janel Hettich as Brown County Chief Deputy Auditor, full-time; starting wage \$25.36/hour; effective December 7, 2022.
- Approve personal miles driven for September 2022 at .585 per mile as follows: Kendall Titze 114 miles at \$66.69; John Florey 117 miles at \$68.45; Dirk Rogers 98 miles at \$57.33; Mike Scott 170 miles at \$99.45;

All members present voting aye. Motion carried

#### BUDGET SUPPLEMENTS HEARING:

Moved by Wiese, seconded by Feickert to approve and authorize the publication for 2022 Budget Supplements Hearing to be held on December 27, 2022 to consider supplementing the 2022 fiscal year budget as follows:

General – Maintenance \$4,518,272.23 from undesignated surplus cash 101.5.101.99. All members present voting aye. Motion carried.

**FAIR CONTRACTS:**

Moved by Commissioner Wiese, seconded by Gage to approve and authorize Chairman Sutton to sign 2023 Addendum to Brown County Fair Carnival Agreement with Todd Armstrong Shows, Inc. to exercise the “One-Year Option” for 2023 and entertainment contracts for the 2023 Brown County Fair (names confidential until official press release). All members present voting aye. Motion carried.

**TONNAGE REPORT:**

Moved by Feickert, seconded by Wiese to acknowledge the Landfill Tonnage Report for November 2022. All members present voting aye. Motion carried.

**OTHER BUSINESS:** Commissioner Sutton shared that he received a letter from SD Governor’s Office of Economic Development that Brown County was awarded the \$770,000 Community Development Block Grant (CDBG) to assist with the Aberdeen YMCA YDC Addition project.

**EXECUTIVE SESSION:**

Moved by Commissioner Wiese, seconded by Gage to go into executive session to discuss Personnel, Legal and Contracts per SDCL 1-25-2. All members present voting aye. Motion carried. The chair declared the executive session closed with no action taken.

**ADJOURNMENT:**

Moved by Commissioner Fjeldheim, seconded by Feickert to adjourn the Brown County Commission at 10:45 a.m. All members present voting aye. Motion carried.

Lynn Heupel, Brown County Auditor

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## DECEMBER 13, 2022 – GENERAL MEETING

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

**APPROVAL OF AGENDA:** Commissioner Fjeldheim moved to approve the agenda, seconded by Gage. All members present voting aye. Motion carried.

**OPPORTUNITY FOR PUBLIC COMMENT:** None

### INDIGENT COUNSEL CONTRACT:

Ross Aldentaler, Deputy State's Attorney met with the Commissioners to discuss the Indigent Counsel 2-year Contract. First year is \$750,000.00 and second year is \$800,000.00 to be split between 8 attorneys. Moved by Commissioner Gage and seconded by Wiese to approve and authorize Chairman Sutton to sign the Indigent Counsel Contract. All members present voting aye. Motion carried.

### REQUEST FOR PROPOSAL (RFP)/LEASE OF PROPERTY:

An RFP was presented to the Commissioners to solicit proposals for lease of all or part of property located at Lot 2, ADC 2022-2 Addition to the City of Aberdeen, in the Northeast Quarter of Section 17, Township 123 North, Range 63 West of the 5th P.M., Brown County, South Dakota, according to the recorded plat thereof. The property contains approximately 169,000 square feet of multipurpose space. RFP's will be opened on Tuesday, December 27<sup>th</sup>. Moved by Commissioner Wiese, seconded by Fjeldheim to approve and authorize the publication of the RFP on Lease of Property. Roll call: Commission Fjeldheim – aye; Commissioner – Feickert – nay; Commissioner Wiese – aye; Commissioner Gage – nay; Commissioner Sutton – aye. Motion approved.

### ORDINANCE #235 – SECOND READING/ADOPTION:

Moved by Commissioner Feickert, seconded by Gage to approve the Second Reading and Adopt Ordinance #235. Applicants Lyle Biegler, Diane Bindenagel and Travis Bindenagel requesting to rezone from Chapter 4.06 Agriculture Preservation District (AG-P) to Chapter 4.07 Mini-Agriculture District (M-AG) and Chapter 4.08 Residential District (R-3): Lot 1 and Lot 2, "Bindenagel Richmond Lake Subdivision", Lot 1, "Bindenagel Third Richmond Lake Subdivision" and Lot 1A, "BNB Second Richmond Lake Subdivision" all in the NW ¼ of Section 25-T124N-R65W of the 5th P.M., Brown County, South Dakota. All members present voting aye. Motion carried.

### ORDINANCE #236 – SECOND READING/ADOPTION:

Moved by Commissioner Fjeldheim, seconded by Wiese to approve the Second Reading and Adopt Ordinance #236. Applicants Rory Haar, Estate of Roland W. Haar and Walter Schott to rezone from Chapter 4.08 Residential District (R-1) and Chapter 4.06 Agriculture Preservation District (AG-P) to Chapter 4.07 Mini-Agriculture District (M-AG): "Schott Outlot" and Lot 1, "Haar Addition" both in the SE ¼ of Section 6-T123N-R63W. Proposed Lots 1 thru 4, "Haar's Second Addition" in the E ½ of Section 6-T123N-R63W of the 5th P.M., Brown County, South Dakota. All members present voting aye. Motion carried.

### ORDINANCE #237 – SECOND READING/ADOPTION:

Moved by Commissioner Feickert, seconded by Wiese to approve the Second Reading and Adopt Ordinance #237. Applicant Lon Gellhaus for Derrill J. Mahan Family Trust to rezone from Chapter 4.06 Agriculture Preservation District (AG-P) to Chapter 4.07 Mini-Agriculture District (M-AG): Proposed Lot 1, "Mahan Addition" in the NW ¼ of Section 5-T123N-R60W of the 5th P.M., Brown County, South Dakota. All members present voting aye. Motion carried.

### ORDINANCE #238 – SECOND READING/ADOPTION:

Moved by Commissioner Gage, seconded by Wiese to approve Second Reading and Adopt Ordinance #238. Applicants Marian Metter/Rick Mettler, P.O.A to rezone from Chapter 4.11 Rural Urban District (RU) and Multi Zone District (MZ) to Rural Urban (RU) Proposed Lot 1 & Proposed Lot 2 and then Proposed Lot 3 to Chapter 4.06 Agriculture Preservation District (AG-P): Proposed Lot 1, Proposed Lot 2 & Proposed Lot 3, "Mettler Second Subdivision" in the NE ¼ of Section 6-T126N-R61W of the 5th P.M., Brown County, South Dakota. All members present voting aye. Motion carried.

## MINUTES:

Moved by Commissioner Fjeldheim, seconded by Gage to approve the December 6, 2022 General Meeting Minutes. All members present voting aye. Motion carried.

## CLAIMS:

Moved by Commissioner Wiese, seconded by Gage to approve the following Claims:

Professional Fees: Avera St. Luke's \$44.52; Certified Languages International \$1,187.90; Dakota's Finest Investigations \$2,258.28; Darcy Lockwood \$42.00; Day County \$935.00; First Interstate Bank \$67.50; Helms & Associates \$5,986.70; Horizon Health Care Inc \$20.00; Jeanie Schmidt \$100.00; Kristi Brandt \$126.50; Language Line Services \$448.87; Lucy Lewno \$479.71; Michelle Gaikowski \$23.80; Saber Shred Solutions \$3,975.35; Satellite Tracking of People \$1,280.50; SD Department of Health \$1,275.00; SD Department of Revenue & Regulations \$2,681.37; State of South Dakota \$24,777.79; Valerie J. Larson \$42.00; West Publishing \$283.30. Publishing: King Midas Inc \$325.00; Moody County Enterprise \$27.93; Sisseton courier \$37.69.

Rentals: Aramark \$310.25; Dakota Electronics \$159.25.

Repairs & Maintenance: Aberdeen Auto Center \$90.00; Dacotah Prairie Museum \$4,000.00; Diesel Machinery \$11,152.05; Ecolab Pest Elimination \$117.60; Gillund Enterprises \$10.00; Graham Tire \$100.00; HF Jacobs & Son Construction \$4,574.29; Hoven Auto \$69.00; House of Glass \$184.05; Hub City Roofing \$13,010.00; J Gross Equipment \$825.00; Leidholt Electric \$583.65; Lien Transportation Company \$131.25; Pantorium Cleaners \$224.30; RD Offutt Company \$6,452.97; Dakota Electronics \$90.00; Schwan Welding \$407.50; Steven Lust Automotive \$69.99; Transource Truck & Equipment \$4,666.35; Vosika Fencing \$100.00; Walth Safety Service \$431.70.

Supplies: Aberdeen Auto Center \$736.00; Agtegra \$76,665.74; Alondra Caraballo \$45.96; Brown County Sheriff \$950.00; Cartney Bearing \$30.76; Century Business Products \$171.69; Cole papers \$398.04; Dakota Broadcasting \$980.00; Diesel Machinery \$43,018.20; Earthgrains Baking Co. \$1,207.10; East Side Jersey Dairy \$1,028.76; Floor to Ceiling \$254.48; Galls \$504.60; Gillund Enterprises \$317.40; House of Glass \$207.50; JD Power & Associates \$301.00; Ken's SuperFair Foods \$58.97; Leidholdt Tool Sales \$243.65; Matthew Bender & Co \$226.78; MB LLC \$588.64; Menards \$52.56; Midstates Printing \$35.35; Napa Central \$187.85; Nelson Sales & Service \$222.71; Pantorium Cleaners \$56.00; Performance Oil & Lubricants \$371.45; Pharmchem \$471.75; Plumbing & Heating Wholesale \$192.49; Pumps Tire Service \$1,149.40; RD Offutt Company \$2,131.91; Dakota Electronics \$105.00; Runnings \$32.97; Transource Truck & Equipment \$580.17; Tri State Water \$45.00; US Foods \$8,585.67; US Postmaster \$38.30; Web Water Bottling Co \$18.00.

Travel & Conference: McKenzie Bierman \$250.00; Mike Wiese \$109.88; Rachel Kippley \$292.49.

Utilities: City of Aberdeen \$475.68; Northern Electric Coop \$1,951.58; Northwestern Energy & Communications \$8,210.58; Town of Frederick \$76.00; Verizon Wireless \$42.10; Web Water Development Association \$99.29.

Other: Andax \$3879.60; SD Association of County Officials \$776.00; SD Dept of Agriculture & Natural Resources \$4,426.14; SD Department of Revenue & Regulations \$748,923.00; South Brown Conservation District \$718.00; WEX Health Inc \$4,000.00.

All members present voting aye. Motion carried.

## HR REPORT:

Moved by Commissioner Feickert, seconded by Wiese to approve the following Human Resource Report:

- Acknowledge employment ending for Terry Holder as Brown County Fairgrounds Maintenance worker, full-time; effective December 8, 2022. Request to fill.
- Acknowledge of resignation of Theresa Hedges as Brown County Communications Dispatcher, full-time; effective December 5, 2022. Request to fill.
- Approve employment for Joe Kaven, Brown County Fairgrounds worker; as needed for snow removal effective December 12, 2022.
- Request to fill the part-time Dacotah Prairie Museum Guest Services Coordinator.
- Approve personal miles driven for October 2022 at .585 per mile as follows: Kendall Titze 114 miles at \$66.69; John Florey 114 miles at \$66.69; Mike Scott 170 miles at \$99.45.
- Approve personal miles driven for November 2022 at .585 per mile as follows: Kendall Titze 90 miles at \$52.65; John Florey 90 miles at \$52.65; Mike Scott 120 miles at \$70.20.

All members present voting aye. Motion carried.

## TRAVEL REQUESTS:

Moved by Commissioner Gage, seconded by Fjeldheim to approve the following Travel Requests:

- Rachel Kippely, Fair Manager to travel to Washington, D.C. on February 24-25, 2023 for IAFE Summit.
- Dirk Rogers, Highway Superintendent to travel to Milbank, SD for Lake Region District Meeting on Wednesday, November 30, 2022.

All members present voting aye. Motion carried.

#### ABATEMENT:

Moved by Commissioner Wiese, seconded by Feickert to approve the following abatements on Tax Deed Properties: Parcel #14196 @ \$8,324.05; Parcel #24370 @ \$540.00; Parcel #12510 @ \$8,006.66; Parcel #28298 @ \$1,696.77. All members present voting aye. Motion carried.

#### AUDITORS REPORT OF ACCOUNT:

Moved by Commissioner Wiese, seconded by Fjeldheim to approve the auditor report of accounts for October 2022 as follows: October total cash and checks on hand \$7,700.00; Total Checking Account Balances: \$35,501,200.92; Total Savings Account Balances: \$2,450,447.42; Total Certificates of Deposit: \$3,978,174.09; Grand Total Cash and Balances: \$41,937,522.43; General fund cash and investment balances by funds: General Fund \$8,536,937.67 Road & Bridge Fund \$3,905,172.45; Road & Bridge Fund - restricted \$423,243.27; 911 Service \$1,133,514.72; Emergency & Disaster \$262,728.65; Domestic Abuse \$1,084.87; Teen Court \$414.19; Grant \$32.11; JDAI \$13,574.29; Richmond Youth \$0.00; 24/7 Sobriety \$25,839.79; ROD M&P \$114,269.98; American Rescue Plan Federal Grant \$7,545,865.45; Rural Access Infrastructure \$295,338.93; TIF Debt Service \$453,075.80; Landfill + cash change \$3,837,032.05; Landfill - restricted \$1,400,479.44; Trust and Agency Funds \$13,988,918.77. All members present voting aye. Motion carried.

#### FAIR CONTRACTS:

Moved by Commissioner Feickert, seconded by Wiese to approve and authorize Chairman Sutton to sign an entertainment contract for the 2023 Brown County Fair (names confidential until official press release). All members present voting aye. Motion carried.

#### SPECIAL EVENT MALT BEVERAGE/WINE LICENSE:

Moved by Commissioner Wiese, seconded by Gage to approve and authorize Chairman Sutton to sign the application for Special Event Malt Beverage/Wine License for Aberdeen Area Chamber of Commerce on January 12, 2023 for Business After Hours at Budget Furniture. All members present voting aye. Motion carried.

#### OTHER BUSINESS: None

EXECUTIVE SESSION: Moved by Commissioner Wiese, seconded by Gage to go into executive session to discuss Personnel, Legal and Contracts per SDCL 1-25-2. All members present voting aye. Motion carried. The chair declared the executive session closed with no action taken.

ADJOURNMENT: Moved by Commissioner Fjeldheim, seconded by Feickert to adjourn the Brown County Commission at 10:37 a.m. All members present voting aye. Motion carried.

Lynn Heupel, Brown County Auditor

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## DECEMBER 20, 2022 – GENERAL MEETING

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

**APPROVAL OF AGENDA:** Commissioner Gage moved to approve the agenda, seconded by Feickert. All members present voting aye. Motion carried.

**OPPORTUNITY FOR PUBLIC COMMENT:** None

### COMPENSATION STUDY:

Erica Coughlin, HR Director met with the Commissioners and asked them to Implement the Wage Study for Non-Union Employees using Plan A Modified, which goes back to a Step-Scale and would be effective for the 1<sup>st</sup> payment in January. She is still in negotiations with Union at this time and will come back to the table once they come to an agreement to get that approved at that time. Commissioner Wiese commented that there will be significant changes, but it is a step in the right direction. We hired the professionals to do the wage study and they interviewed the employees to get an assessment of each position. Going to be a little tough with the Property Tax Caps that Counties are left with and have been for 30 years now. Erica shared that the Company also created brand new job descriptions for each position as well. Commissioner Sutton also commented that he feels it was money well spent, it is something the employees have been asking for and we agreed that whatever the results were we'd seriously consider implement what the results were. Commissioner Feickert commented that he is glad we were able to do a wage study and try to pay our employees what they are worth and show appreciation for what they have done and try to maintain the employees that we got. After further discussion in regard to budgets and sustaining this down the road, Commissioner Feickert motioned to implement Plan A Modified of the wage study beginning with first payroll of January for Non-Union Employees, seconded by Gage. All members present voting aye. Motion carried.

### MINUTES:

Moved by Commissioner Wiese, seconded by Gage to approve the December 13, 2022 General Meeting Minutes. All members present voting aye. Motion carried.

### CLAIMS/PAYROLL:

Moved by Commissioner Feickert, seconded by Wiese to approve the following:

Claims: Professional Fees: Daniel L. Fox \$336.75; Darcy Lockwood \$15.00; Kristi Brandt \$434.00; Sanford Health Occupational Medicine Aberdeen \$397.00; Tonja Jungwirth \$2,225.00; Tyler Technologies Inc \$2,895.00; Valerie J. Larson \$15.00; Yankton County Sheriff Office \$50.00; Zylstra Investigations \$932.50.

Publishing: Groton Independent \$832.19; Ingstad Family Media \$400.00.

Rentals: Linde Gas & Equipment Inc \$47.62.

Repairs & Maintenance: Century Business Products \$153.71; Jalene M. Palmer \$1,340.46; Joshua L. Halsey \$80.00; Lawson Products, Inc \$67.15; Lien Transportation \$696.25; Pierson-Ford-Lincoln-Mercury \$577.50; Poms Tire Service, Inc \$65.94; Steven Lust Automotive \$383.89; Titan Machinery, Inc Aberdeen Case IH \$9,149.00; Two Way Solutions, Inc \$265.99; Weismantel Rent-All \$285.00.

Supplies: Advance Auto Parts \$840.81; Avera McKennan \$23.25; Century Business Products \$3,037.31; Cole Papers \$2,058.11; Dakota Supply Group \$64.31; Daniel L. Fox \$4.49; Farm Power Mfg Inc \$66.11; GovConnection Inc \$1,461.28; LabSource, Inc \$918.13; Larry Becker \$355.75; Lawson Products, Inc \$795.51; Linde Gas & Equipment Inc \$1,023.28; Mac's Inc \$58.37; Marco Inc \$21.04; MB LLC \$20.00; Menards \$627.69; Midwest Art Conservation Center \$100.00; Nelson Sales & Service LLC \$6.94; Nicholas R. Volk \$40.00; Northern Valley Communication \$26.76; Performance Oil & Lubricants \$178.00; Plumbing & Heating Wholesale, Inc \$995.06; Poms Tire Service, Inc \$106.50; Runnings \$776.92; Tyler Business Forms \$303.26.

Travel & Conference: Dale Kurth \$122.10; Darwin Bettmann \$16.50; David North \$114.45; Doug Fjeldheim \$496.30; James Meyers \$30.90; Lynn Heupel \$204.22; Patrick Keatts \$12.34; Stan Beckler \$19.86.

Utilities: City of Aberdeen \$288.78; City of Hecla \$188.55; Economy Propane LLC \$1,378.65; James Valley Telecommunications \$209.10; Lumen \$1,203.10; Northern Valley Communication \$4,856.56; Northwestern Energy & Communications \$3,475.73; State of South Dakota \$121.41; Verizon Wireless Services LLC \$5,186.41.

Machinery & Equipment: Joshua L. Halsey \$485.00; Karl Chevrolet \$52,994.97.

Fair Premiums: Barb Crawford \$5.00; Briella Klipfel \$10.00; Ellen Niblet \$10.00; Emma Carlsgaard \$10.00; Kylie Herman \$10.00; Linda Yates \$10.00; Marie Goetz \$10.00; Ryan Mattson \$5.00; Terry Salfrank \$5.00.

Others: Wex Health Inc \$4,000.00.

Payroll: Commission \$4,503.96; Auditor \$13,644.81; Treasurer \$14,283.33; SA \$29,909.28; Maintenance \$9,986.92; Assessor \$15,103.01; Register of Deeds \$8,157.60; VSO \$4,143.28; GIS \$2,483.72; IT \$6,095.97; HR \$4,061.37; Sheriff \$40,489.29; Jail \$58,568.97; Court Security \$6,568.66; JDC \$29,114.61; Welfare \$2,161.43; Museum \$8,155.94; Parks/Fairgrounds \$3,240.55; Fair Board \$4,790.80; 4-H \$638.80; Weed \$1,492.84; Planning & Zoning \$6,481.44; Highway \$41,683.55; Dispatch \$31,695.07; Emergency \$4,285.81; 24/7 Sobriety \$1,425.67; Landfill \$12,423.69. All members present voting aye. Motion carried.

#### HR REPORT:

Moved by Commissioner Gage, seconded by Wiese to approve the following Human Resource Report:

- Acknowledge the resignation of Brianna Haugen, Brown County States Attorney Deputy, full-time, effective December 16, 2022. Request to fill.
- Resignation of Michael Carlson, Brown County Coroner; effective December 31, 2022.
- Approve payment of retirement award for Brian Koens in the amount of \$150.00 before taxes, the requirement was met.
- Approve hiring of Mackenzie Berninghaus as Brown County JDC Correctional Officer, full-time; starting wage \$20.67/hour; effective December 26, 2022.

All members present voting aye. Motion carried.

#### ABATEMENT:

Moved by Commissioner Wiese, seconded by Gage to approve the following abatements on Tax Deed Properties: Parcel #9609.@ \$25,298.75; Parcel #13188 @ \$16,521.10. All members present voting aye. Motion carried.

#### CENTENNIAL VILLAGE FAIR REPORT:

Moved by Commissioner Feickert, seconded by Gage to acknowledge receipt of revenue generated at Centennial Village for 2022 in the amount of \$14,082.75. All members present voting aye. Motion carried.

#### SHERIFF REPORT:

Moved by Commissioner Wiese, seconded by Gage to approve the following October 2022 Sheriff Reports: Incidents and offenses, Prisoner care, JDC, and Money deposited with the County Treasurer. All members present voting aye. Motion carried.

#### CLAIM ASSIGNMENT:

Moved by Feickert, seconded by Wiese to authorize and approve the Auditor sign the Claim Assignment against an individual to Credit Collections Bureau for the purpose of collecting liens. All members present voting aye. Motion carried.

#### OTHER BUSINESS: None

EXECUTIVE SESSION: Moved by Commissioner Gage, seconded by Wiese to go into executive session to discuss Personnel and Legal per SDCL 1-25-2. All members present voting aye. Motion carried. The chair declared the executive session closed with no action taken.

ADJOURNMENT: Moved by Commissioner Feickert, seconded by Gage to adjourn the Brown County Commission at 9:55 a.m. All members present voting aye. Motion carried.

Lynn Heupel, Brown County Auditor

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## DECEMBER 27, 2022 – GENERAL MEETING

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

### APPROVAL OF AGENDA:

Amended the Agenda by moving HR Report to after Executive Session and add IMEG under Other Business. Commissioner Gage moved to approve the agenda with the amendments, seconded by Wiese. All members present voting aye. Motion carried.

### OPPORTUNITY FOR PUBLIC COMMENT:

Dirk Rogers, Highway Superintendent just wanted to remind everyone that snow can not be pushed into the Right-Of-Ways. If you are caught there is an ordinance in place for being fined.

### BUDGET SUPPLEMENT:

Date and place, as advertised for 2022 Budget Supplement Hearing. No one appeared with questions or comments. Moved by Commissioner Wiese, seconded by Gage to approve the following Budget Supplement for year 2022: Brown County Maintenance Department #101-5.161.432 @ \$4,518,272.23 to be funded by undesignated surplus cash in General Fund #101-1.101.99. All members present voting aye. Motion carried.

### REQUEST FOR PROPOSAL (RFP) FOR LEASE OF PROPERTY:

No RFP's were received.

### CORONER POSITION:

Micheal Carlson, Coroner has resigned effective December 31, 2022. Dave Lunzman, Sheriff Elect met with the Commission to discuss appointing him as Interim Coroner, effective January 1, 2023 for 2 years (remainder of the term). Dave already had planned in his 2023 Budget for a Sargent position-Road Deputy. This person would be able to handle the paperwork for the Coroner position. The Sheriff's office already has a vehicle to use but there would be some one-time costs for equipment. Commissioner Wiese motioned to approve appointing Dave Lunzman Interim Coroner with approval of hiring an additional employee since it was approved in the budget. Seconded by Gage. All members present voting aye. Motion carried.

### LOCAL EMERGENCY MANAGEMENT PERFORMANCE GRANT QUARTERLY REPORT:

Moved by Commissioner Wiese, seconded by Gage to authorize Chairman Sutton to sign the Quarterly Report for LEMPG – 1<sup>st</sup> Quarter. All members present voting aye. Motion carried.

### PLANNING & ZONING BOARD APPOINTMENT:

Moved by Commissioner Gage, seconded by Wiese to approve appointing Carrie Weisenburger as an Alternate for the Planning & Zoning (P&Z) Board. All members present voting aye. Motion carried.

### EMERGENCY MANAGEMENT RADIO EQUIPMENT:

Moved by Commissioner Wiese, seconded by Gage to approve the purchase of radio equipment: NXR-810 Kenwood Repeater @ \$2,933.00 and 4512Rn Amplifier @ \$2,250.00. This was in the 2023 Budget, and it is to switch the last of the radio towers to digital frequencies. All members present voting aye. Motion carried.

### LOBBYIST CONTRACT FOR 2023:

Commission Sutton shared how they did a contract with Julie Johnson for the 2022 Legislative Session, and she was a valuable asset for Brown County and would like to recommend that we do another contract for 2023 Legislative Session. Moved by Commissioner Wiese, seconded by Gage to renew the Lobbyist contract with Julie Johnson at the same rate of \$3,000 for the 2023 Legislative Session. All members present voting aye. Motion carried. Commissioner Wise commented that Julie is a huge asset and appreciate her assistance.

#### UNION WAGES:

Erica Coughlin, HR Director met with the Commission to share that they came to an agreement with the Union for wages to be implemented as of December 25, 2022 so asking the Commission to approve and authorize the Chairman to sign the agreement when received. Moved by Commissioner Wiese to approve the Union agreement and authorize Chairman Sutton to sign the agreement, seconded by Gage. All members present voting aye. Motion carried.

#### HOLIDAYS FOR 2023:

Erica Coughlin, HR Director shared some dates with the Commission for 2023 Holidays but she was asked to check into what the State will be doing for some Holidays since it does effect some of the County offices when they are closed. Holiday schedule will be decided at the next meeting.

#### FAIRGROUND IMPROVEMENT FUND:

Rachel Kippely, Fair and Parks Manager met with Commission asking them to add the revenue of \$46,018 from 2021 Fair and \$14,082.75 from Centennial Village this year to the Fairground Improvement Fund. Motioned by Commissioner Wiese, seconded by Gage to move those funds to the Fairgrounds Improvement Fund. All members present voting aye. Motion carried.

#### MINUTES:

Moved by Commissioner Gage, seconded by Wiese to approve the December 20, 2022 General Meeting Minutes. All members present voting aye. Motion carried.

#### CLAIMS/PAYROLL:

Moved by Commissioner Wiese, seconded by Gage to approve the following:

Claims: Professional Fees: Christy Griffin-Serr Law Office \$8,541.67; Cogley Law Office, Prof LLC \$8,541.67; Darcy Lockwood \$18.00; Dependable Sanitation Inc \$32,128.60; Dohrer Law Office \$8,541.67; Faulk County Sheriffs Office \$990.00; IMEG Corp \$23,744.44; Jerald M. McNeary \$8,541.67; Kennedy Pier Loftus, LLP \$141.40; Kuck Law Office \$8,541.67; Lewis & Clark BHS \$552.00; LexisNexis Risk Data Mgmt Inc. \$115.00; Lucy Lewno \$260.00; Midwest Wellness Institute, PLLC \$5,984.95; NE Mental Health Center \$26,922.00; Renee S. Kruse Thornton \$177.25; Schriver's Memorial Mortuary \$150.00; SD Dept of Legislative Audit \$22,779.90; State Bar of South Dakota \$2,625.00; Taliaferro Law Firm \$8,541.67; UND Forensic Pathology \$4,760.00; Valerie J. Larson \$18.00; Yankton County Sheriff Office \$200.00; Yankton County Treasurer \$352.20. Publishing: Lee Enterprises, Inc. \$101.96. Repairs & Maintenance: Brent A. Fischer \$444.00; Diebold Fixdorf, Inc \$233.00; Haar Plumbing & Heating Inc \$3,004.66; House of Glass \$3,467.71; Lien Transportation Company \$3,126.25; Mark Kolb \$2,195.00; Meister Mowing LLC \$4,400.00; Schroeder Construction Inc. \$180,825.19. Supplies: Aberdeen Awards \$105.00; Amazon Capital Services, Inc \$2,830.43; Aramark Uniform & Career Apparel Group, Inc \$136.70; Avera McKennan \$1,525.42; Century Business Products \$2,574.78; Charm-Tex \$299.94; Cole Papers \$373.25; Dakota Supply Group \$71.23; FedEx \$17.39; Fordham Signs & Design \$3,117.00; House of Glass \$112.54; Intab LLC \$52.41; J Gross Equipment \$562.03; Karen Swank \$15.00; Kesslers \$149.79; Lucy Lewno \$8.82; Menards \$11,636.84; Midstates Printing \$387.66; Northwest Divers \$2,356.00; PharmChem \$1,255.40; Runnings \$12.99; SHI International \$15,013.46; Walth Safety Service Inc \$67.50; WEB Water Bottling Company \$18.00; Wooden Mallet Custom LLC \$292.20. Travel & Conference: Bill Donaldson \$12.24; Duane Jark \$18.87; Duane Sutton \$346.80; Lexipol \$1,470.00; Troy Knecht \$38.76. Utilities: Dependable Sanitation Inc \$513.00; Lumen \$182.29; Northwestern Energy & Communications \$3,196.86; Verizon Wireless Services LLC \$42.10. Jury: Aaron Carson \$11.02; Abigail Cogley \$12.04; Alex Bower \$11.02; Alex Mitchell \$11.02; Allen McKiver \$12.04; Anthony LeBeau \$11.02; Arlin Myrmoe \$13.06; Arthur Marmorstein \$11.02; Austin Nellan \$12.04; Becky Mehlhoff \$13.06; Bonnie Henjum \$12.04; Brandon Wolbeck \$30.40; Brian Werlinger \$13.06; Brock Sperry \$106.12; Carol Osterman \$39.58; Chanda Boesl \$16.12; Christina Reid \$11.02; Christopher Brockhouse \$12.04; Christopher Reder \$17.14; Daphne Elkins \$102.04; Darlys Lanz \$11.02; Debra Aman \$12.04; Dennis Dayton \$11.02; Dennis Schuchhardt \$11.02; Diane Vetch \$20.20; Dustin Vogel \$13.06; Dwight Aman \$16.12; Eldon Reich \$13.06; Eric Jacobsen \$12.04; Felicia Awe \$12.04; Jaimie Bayman \$11.02; James Kamen \$122.44; Janet Abu Sirriya \$11.02; Janice Badger \$11.02; Jason Kumpf \$11.02; Jason Vetch \$11.02; Jaxon Block \$102.04; Jean Gillies \$11.02; Jean Thomas \$11.02; Jennifer Anderson \$13.06; Jennifer Ring \$12.04; Jessica Hagen \$12.04; Jill McCord \$20.20; Joe Reinbold \$14.08; John Borchard \$12.04; Jolene Zahn \$13.06; Joshua Scheuffele \$22.24; Julie Rozell \$20.20; Kalen Kjellsen \$106.12; Kari Foss \$29.38; Katherine Bruse \$12.04; Kendel Simon \$102.04; Kevin Kayser \$11.02; Kristi Anderson \$11.02; Kristin Rigg

\$13.06; Kyle Zimmer \$12.04; Lance Hanson \$39.58; Larry Fischer \$11.02; Leanna Miller \$19.18; Leslie Simon \$12.04; Linda Bladow \$11.02; Lucas Litchfield \$102.04; Lynnette Grandbois \$11.02; Marjorie Holzer \$12.04; Mary Raymond \$12.04; Matt Kranzler \$12.04; Matthew Martin \$11.02; Melissa Green \$116.32; Monica Karpinske \$12.04; Nadya Preszler \$13.06; Nevely Randle \$104.08; Nicholas King \$12.04; Norma Hall \$13.06; Olga Gonzalez \$12.04; Pamela Martyn \$14.08; Patricia Kappes \$30.40; Randy Bonn \$16.12; Rebecca Dockter \$12.04; Rhonda Dell \$11.02; Ricky Gehring \$104.08; Rita Landegent \$12.04; Robert Keil \$13.06; Ronald Anderson \$30.40; Ronald Elsen \$58.96; Ruby Tisher \$58.96; Samuel Bobby \$11.02; Sandra Hauck \$11.02; Sarah Dinger \$11.02; Scott Dunn \$118.36; Scott Rozell \$20.20; Sean Meyers \$12.04; Shannon Imbery \$13.06; Shaun Hettich \$104.08; Sheila Anderson \$11.02; Shelly Likness \$104.08; Sheri Weig \$12.04; Sherwin Nyberg \$30.40; Sierra Tunby \$50.80; Sonya Kempf \$12.04; Spencer Engelhart \$17.14; Stacey Lust \$13.06; Steven Graf \$12.04; Steven Larson \$11.02; Steven Thomas \$11.02; Tammy Babcock \$12.04; Tandy Walker \$11.02; Tara Gaulrapp \$11.02; Tara Hall \$24.28; Tracy Battest \$11.02; Tracy Klein \$14.08; Tressa Anderson \$12.04; Trevor Marquardt \$11.02; Troy Braun \$12.04; Vickie Wilson \$14.08; Virginia Davidson \$12.04; Warren Hundstad \$12.04; William Wieland \$11.02.

Payroll: SA \$7,131.20; Assessor \$3,986.20; Sheriff \$4,821.60; Jail \$1,298.40; JDC \$2,489.70; Museum \$1,556.00; Weed \$734.40; Highway \$4,102.40; Dispatch \$6,111.40; Landfill \$2,020.00.

All members present voting aye. Motion carried.

#### CONTINGENCY TRANSFERS:

Moved by Commissioner Wiese, seconded by Gage to increase spending authority (no cash): Fund #101.5.XXX.422.99: 166 Predatory Animal @ .01; 171 Information Technology @ \$10,393.70; 172 Human Resources @ \$2,024.03; 215 JDC @ \$23,100.64; 421 County Nurse @ \$88.00; 524 Fair @ \$101,766.65. All members present voting aye. Motion carried.

#### AUTO BUDGET SUPPLEMENTS:

Moved by Commissioner Gage, seconded by Wiese to increase spending authority and estimated revenue in the following funds for unanticipated reimbursement for expenditures: Fund #101.4.33197 @ \$38,115.36, #101.5.151.411 @ \$38,115.36 (SVAWA); Fund # 101.4.37300 @ 232,478.62, #101.5.161.42597 @ \$199,765.11, #101.5.512.42518 @ \$4,099.94, #101.5.523.42500 @ \$28,613.57. All members present voting aye. Motion carried.

#### SHERIFF REPORT:

Moved by Commissioner Wiese, seconded by Gage to approve the following November 2022 Sheriff Reports: Incidents and offenses, Prisoner care, JDC, and Money deposited with the County Treasurer. All members present voting aye. Motion carried.

#### PLATS:

##### Resolution #63-22

Commissioner Wiese brought the following resolution: "Be it resolved by the Board of County Commission of Brown County, South Dakota, that the plat showing "Palmyra Farmhouse Addition in the SW ½ of Section 18-Township 128 North, Range 65 West of the 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 Commissioner Gage. All members present voting aye. Resolution adopted.

##### Resolution #64-22

Commissioner Wiese brought the following resolution: "Be it resolved by the Board of County Commissioners of Brown County, South Dakota, that the plat showing "Emmett's First Subdivision in the SE ¼ of Section 30-T124 N-R64W 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 thereof." Seconded by Commissioner Gage. All members present voting aye. Resolution adopted.

##### Resolution #65-22

Commissioner Wiese brought the following resolution: "Be it resolved by the Board of County Commissioners of Brown County, South Dakota, that the plat showing "David and Sara Vetch First Addition in the SE ¼ of Section 26-T124N-R64W 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 thereof.” Seconded by Commissioner Gage. All members present voting aye. Resolution adopted.

#### Resolution #66-22

Commissioner Wiese brought the following resolution: “Be it resolved by the Board of County Commissioners of Brown County, South Dakota, that the plat showing “Columbia Park First Addition to the City of Columbia, in the SE ¼ of Section 29-T125N-R62W 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 thereof.” Seconded by Commissioner Gage. All members present voting aye. Resolution adopted.

#### Resolution #67-22

Commissioner Wiese brought the following resolution: “Be it resolved by the Board of County Commissioners of Brown County, South Dakota, that the plat showing “Columbia Park Second Addition to the City of Columbia, in the SW ¼ of Section 28-T125N-R62W 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 thereof.” Seconded by Commissioner Gage. All members present voting aye. Resolution adopted.

#### Resolution #68-22

Commissioner Wiese brought the following resolution: “Be it resolved by the Board of County Commission of Brown County, South Dakota, that the plat showing “Prairie’s Edge Fifteenth Addition in the NW ¼ of Section 8, 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 provisions of SDCL of 1967, Chapter 11-3 and any amendments thereof.” Seconded by Commissioner Gage. All members present voting aye. Resolution adopted.

#### ZONING ORDINANCES - SET HEARING DATE/AUTHORIZE ADVERTISING:

Moved by Commissioner Wiese, seconded by Gage to set hearing date and authorize advertising for first reading of the following zoning ordinances to be held January 10, 2023 in the Commissioner’s Chambers, Courthouse Annex, Brown County, SD: Proposed Ordinance 239, applicants Nicole Kempf, Personal Representative of the Estate of Daniel C. Kempf requesting to move from Chapter 4.06 Agriculture Preservation District (AG-P) to Chapter 4.07 Mini-Agriculture District (M-AG) for Proposed Lot 1 to bring this parcel into compliance for its future use: Proposed Lot 1, “Palmyra Farmhouse Addition” in the SW ¼ of Section 18-T128N-65W of the 5th P.M., Brown County, South Dakota (10260 373<sup>rd</sup> Ave., Palmyra Twp.). Proposed Ordinance 240, Lucas & Mary Keahey and CJ Lane is hereby granted and Title 4, Second Revision Brown County Ordinances is hereby amended to change the zoning on the following described property from Agriculture Preservation District (AG-P) to Mini-Agriculture District (M-AG) to bring these parcels into compliance for their current use: The South 250’ of the East 963’, Except Road R.O.W., and the 337’ North of the South 250’ of the East 963’, Except Road R.O.W., both in the NE1/4 of Section 19-T123N-R64W of the 5<sup>th</sup> P.M., Brown County, South Dakota. (13341 & 13345 383<sup>rd</sup> Ave., Aberdeen Twp.). All members present voting aye. Motion carried.

#### OTHER BUSINESS:

Chelsey Sheridan and Michael Gutenkauf, from IMEG shared with the Commissioners their findings on the Bridge Inspections they did in Brown County. They inspected 82 Bridges in 2022 – Brown County Average Sufficiency rating for 2022 is 83.5 which is higher than the State’s average.

Commissioner Sutton commented that he would like to the Thank the Highway Department, Sheriff’s Office, and Emergency Management for all they have done and endured due to the high amount of snow we have received.

Amended Resolution #R-47-22 for the Levy amount per Department of Revenue, going from 3.645 to 3.598.

#### EXECUTIVE SESSION:

Moved by Commissioner Gage, seconded by Wiese to go into executive session to discuss Personnel and Legal per SDCL 1-25-2. All members present voting aye. Motion carried. The chair declared the executive session closed with no action taken.

#### HR REPORT:

Moved by Commissioner Gage, seconded by Wiese to approve the following Human Resource Report:

Approve the following title changes effective 12-25-2022: Rachel Kippely to Brown County Fair & Parks Manager; Brown County Correctional Officer to Detention Officers; Auditor's office manager to Senior Deputy officer; Equalization office manager to Administrative Assistant; Equalization Secretary to Appraisal Technician; Equalization Appraiser to Real Property Appraiser; Equalization Senior Appraiser to Senior Real Property Appraiser; HR assistant to HR Specialist; Landfill office manager to Administrative Assistant; Landfill Equipment Operator/ LG 4 to Heavy Equipment Operator; Mickey Schulz from Custodian to Building and Grounds Maintenance Worker; Custodian to Building Service Worker; Curator to Curator of Education, Curator of Collections, Curator of Exhibits; Planning and Zoning Tech to Planning and Zoning Specialist; Highway Secretary to Administrative Assistant; LG 3 to Truck Driver; LG 4 to Equipment Operator; LG 5 to Roads and Bridges Crewleader; John Florey from Foreman to Roads and Bridges Operations Supervisor; Kendell Titze from Assistant Superintendent to Roads and Bridges Operations Supervisor; States Attorney Secretary to Legal Assistant; Sheriff's Department Office Manager to Administrative Coordinator; Sheriff Department Administrative Assistant to Records Technician; Kent Jones from Communications Director to 911 Communications Manager; Sarah Jesz from Assistant Communications Director to Assistant 911 Communications Manager; Shift Supervisor to 911 Shift Supervisor; Dispatcher to Communications Officer; HD Correctional Officer to HD Detention Officer; HD Supervisor to HD Sergeant; HD Correctional Officer to HD Detention Officer; Jail Office Manager to Administrative Assistant; Jail Correctional Officer to Jail Detention Officer; Jail Supervisor to Jail Administrator; Ryan McClain to Jail Records Technician; Michael Janes Cook to Kitchen Manager; Monica Hein Jail Nurse to Licensed Practical Nurse; JDC Correctional Officer to JDC Detention Officer; Gerald Lehrkamp and Michael Rohrbach to Weed and Pest Control Technician.

Reclassification of the following effective 12-25-2022: Mckenzie Bierman to Brown County Fair & Parks Event Coordinator; Jerry Lehrkamp when working for the Brown County Highway to mechanic; Joshua Matthews to Brown County Highway to Crew Leader; Cory Lane to Brown County IT Senior support specialist; Sarah Swisher to Chief Legal Assistant; Linn Kamin Jail Administrator, from hourly to salaried employee; Sarah Jesz, Assistant 911 Communications Manager, from hourly to salaried employee; Kristin Boeshans, Curator of Education, from part-time to full-time; starting wage \$21.72/hour; \$1.00 differential for special duties within the jail, JDC, such as passing meds to inmates and deputies, such as firearms training, taser training, and field training officer.

Wage increases as submitted effective December 25, 2022 for a pay date of January 13, 2023: All eligible employees **per hour**: Lynn Heupel @ 38.46; Janel Hettich @ 27.80; Joshua Walberg @ 28.49; David Engraf @ 22.82; Stephanie Jacobson @ 21.72; Stacey Usselman @ 19.67; McKenzie Bierman @ 24.57; Rachel Kippely @ 33.87; Daniel Schlosser @ 22.82; Scott Meints @ 33.87; Patti Woods @ 27.80; Polly Rush @ 23.97; Stephanie Morgan @ 18.27; Russell Metz @ 29.21; Gene Loeschke @ 33.87; Kathryn Fischer @ 26.46; Joseph Kraft @ 24.57; Barry Kusler @ 25.81; Sarah Swenson @ 27.80; Scott Madsen @ 33.04; Erica Coughlin @ 40.26; Jessica Johnson @ 22.26; Patrick Wolberg @ 44.44; Cory Lane @ 29.21; Robert Baumgartner @ 23.97; Jarell Arndt @ 23.39; Jason Kallenberger @ 23.97; Terry Lout @ 23.97; Michael Scott @ 33.87; Kyle Price @ 27.80; Mickey Schulz @ 20.67; Judy Dosch @ 33.87; Monty Forsting @ 17.82; Joel Randall @ 16.96; Kristin Boeshans @ 21.72; Brandon Duxbury @ 21.72; Sherri Rawstern @ 22.82; Marianne Marttila-Klipfel @ 22.26; Patricia Kendall @ 29.21; Cliften Bader @ 41.27; Dorion 'Chris' Anderson @ 24.57; Ronald Keller @ 24.57; Cindy Eppard @ 20.67; Matthew Heupel @ 22.26; Brad Nehlich @ 22.82; Joshua Ulmer @ 22.26; Kurt Pigors @ 23.97; Paul Wipf @ 24.57; Casey Jensen @ 23.97; Nicholas Juenger @ 23.97; Dean Zumbaum @ 23.97; Joshua Matthews @ 23.39; John Florey @ 29.21; Kendell Titze @ 29.94; Dirk Rogers @ 41.27; Jerry Bjerke @ 20.67; Troy Grote @ 21.72; Charles Gruenstein @ 21.72; Joseph Keough @ 21.19; Kyle Kost @ 21.72; Dwain Otte @ 21.19; Jeffrey Seiler @ 20.67; Mariann Malsom @ 38.46; Martha Stohr @ 19.67; Anne Dohman @ 20.17; Andrew Janusz @ 20.67; Cindy Woodford @ 20.67; Ernest Thompson @ 55.29; Penny Hart @ 27.80; Sara Swisher @ 25.18; Laurie Richardson @ 35.58; Karla Nelson @ 36.47; Kelis Vinger @ 29.18; Jessica Rychlik @ 20.17; Lisa Sampson @ 20.17; Ross Aldentaler @ 41.27; Jennifer Stoddard @ 40.26; Cortney Paul @ 25.81; Dave Lunzman @ 48.08; Sandra Woytassek @ 25.18; Jonathan Lemke @ 39.28; Keith Baker @ 28.49; Brandon Black @ 27.80; Daniel Bray @ 27.12; Terrence Evans @ 29.94; Michael Hill @ 27.12; Kasey Kurtz @ 25.81; Ermelinda Marcuson @ 27.12; Brandon Mills @ 26.46; Benjamin Smith @ 29.21; Anthony Sorensen @ 27.12; Erin Spencer @ 25.81; Gavin Wright @ 27.12; Russell Ochsner @ 24.57; Wesley Graff @ 29.21; Kristin Barstad @ 22.82; Jesse Milbrandt @ 23.39; Lynn Zacher @ 18.73; Kenton Jones @ 37.39; Dawn Allam @ 27.80; Aaron Gasser @ 27.80; Candace Rohrbach @ 25.18; Tonya Walth @ 28.49; Sarah Jesz @ 30.68; Morgan Bingham @ 22.26; Jill Crosby @ 22.82; Jordenne Ducheny @ 21.19; Sierra Kamin @ 22.26; Nichole Krenz @ 22.26; Makayla Madsen @ 22.26; Haydn Podoll @ 22.82; Mckenzie Serfoss @ 21.19; Paige Smit @ 22.82; Stacie Wasem @ 23.97; Jerremias Vega @ 21.72; Samiuela Mouna @ 26.46; Danica Hillestad @ 21.72; Nathan Smith

@ 29.21; Dawson Anderson @ 20.67; Alondra Caraballo-Sambolin @ 20.67; Michael Ellerbusch @ 21.19; Laura Dixon @ 20.67; Shanae Florence @ 20.67; Lesli Geranen @ 21.19; Ty Gibson @ 21.19; Samuel Hoppock @ 21.72; James Marnette @ 20.67; Makayla Jenniges @ 21.19; Kari Harmon @ 20.67; Tyler Richards @ 20.67; Heather Kulwicki @ 20.67; Cody Richards @ 20.67; Brandon Richardson @ 20.67; Savanna Simon @ 20.67; Patricia Slutts @ 20.67; Caid Verzani @ 20.67; Ellie Weinmeister @ 21.19; Brett Wilson @ 20.67; Linn Kamin @ 33.87; Ryan McClain @ 20.67; Michael Janes @ 19.19; Joann Hatzenbeller @ 16.96; Monica Hein @ 31.45; Austin Ball @ 25.81; John Clark @ 26.46; Meagan Delahanty @ 26.46; Cynthia Mitchell @ 27.12; Tanner Podoll @ 25.81; Rachel Wilson @ 26.46; Jacob Carrillo @ 21.19; Troy Knebel @ 20.67; Kristal Koens @ 24.57; Jennifer Kolb @ 21.19; Johann Kolb @ 21.19; Rhaecine Sam @ 20.67; Alexander Engel @ 21.19; Makendra Ochsner @ 20.67; Fadia Champlain @ 26.46; Madeline Ellerbusch @ 25.81; Patty Vanmeter @ 38.46; Dorene Borchard @ 29.21; Cynthia Meyers @ 29.21; Tracy Engquist @ 20.67; Jolene Forsting @ 20.67; Elizabeth Hovendick @ 20.17; Jo Sheffield @ 20.67; Brandi Trusty @ 19.67; Aaron Walberg @ 29.21; Christopher Hemen @ 26.46; Gerald Lehrkamp @ 22.82; Michael Rohrbach @ 22.82; Roxanne Hilgenberg @ 29.21. **Part-Time Employees – per hour** (\$2.00 increase): Jon Daschel @ 14.60; Macy Mikkelson @ 13.96; Jason Reed @ 14.08; Richard Schooley @ 14.60; Jennifer Hopkins @ 16.42; Levi Margollies @ 16.42; Henry Fulda @ 17.80; Maggie Bell @ 16.76; Doreen Howell @ 16.76; Joseph Embury @ 18.48; Julie Hermansen @ 16.76; Tobias Stugelmayer @ 18.55; Rhonda Kvernevig @ 18.55; Steven Ramsdell @ 18.55; Lori Goldade @ 18.55. **Per Pay Period – Commissioners** (2.5% increase): Duane Sutton @ 913.85; Mike Wiese @ 913.85; Dennis Feickert @ 913.85; Doug Fjeldheim @ 913.85; Mike Gage @ 913.85.

Side note: Kelsi Vinger with the Brown County State's Attorney office, JDAI, wage as of 12.25.2022, \$53,693.01/year plus \$7,000/year for the grant, for a total of \$60,693.01/year; effective 12.25.2022. The grant is scheduled to end on 6-30-2023; at that time, the \$7,000 will be subtracted from the annual wage. All members present voting aye. Motion carried.

#### ADJOURNMENT:

Moved by Commissioner Gage, seconded by Wiese to adjourn the Brown County Commission at 9:47 a.m. All members present voting aye. Motion carried.

Lynn Heupel, Brown County Auditor

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