

APRIL 6, 2023 – 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 Dennert, Fjeldheim, Wiese, Gage, and Sutton. Commissioner Gage led the Pledge of Allegiance.

APPROVAL OF AGENDA:

Commissioner Gage moved to approve the agenda, seconded by Dennert. All members present voting aye. Motion carried.

OPPORTUNITY FOR PUBLIC COMMENT: None

BID NOTICE OF AWARD - CHEMICALS:

Time and place as advertised to open, read and consider sealed bids for furnishing of Chemical for the Brown County Weed & Pest Board for 2023. Bids were received from Van Diest Supply Company. Chris Hemen, Weed & Pest Supervisor recommended using Van Diest Supply Company or the State Bid from Department of Ag & Natural Resources. Moved by Fjeldheim, seconded by Dennert to award the bids to Van Diest Supply Company & State Bids on Chemicals based on price and availability. (Complete tabulation sheet on file in the Auditor's Office available for public inspection Mon. – Fri./8a - 5p). All members present voting aye. Motion Carried.

PICKUP FROM SD FEDERAL PROPERTY SURPLUS:

Chris Hemen, Weed & Pest Supervisor informed the Commissioners that he found a 2010 Chevy Colorado Pickup that is located at the SD Federal Surplus in Huron for \$11,500.00 and only has 40 thousand miles. The current pickup is rusting out and has over 250 thousand miles. Chris shared that he did budget for a new vehicle this year and this is a little less than he had budgeted. Commissioner Wiese moved to approve the purchase of the 2010 Chevy Colorado Pickup, seconded by Dennert. All members present voting aye. Motion carried.

ORDINANCE #243 – SECOND READING & ADOPTION:

Ross Aldentaler, State's Attorney Deputy shared that they made a few revisions to the Ordinance, these are changes that the County can regulate, and these are our recommendations. There was a lot of discussion held regarding the setbacks along with asking for Environmental Impact Study from Summit Carbon Solutions and if the pipeline will only be 4 ft. in the ground, how will it be affected by the frost in the ground. Jim Seurer from Glacial Lakes asked the Commission to reconsider this Ordinance because if they cannot hook up their plant on the West side of Aberdeen it will affect the Corn Producers. Arne Svarstad encouraged the Commission to table this so that Brown County, Summit Carbon Solutions and Glacial Lakes can work together and come up with a compromise. Craig Schaunaman didn't think it would pay to table it because of all the work that has already been done and these setbacks were to help the Economic Development. Elizabeth Burns-Thompson and Jason Glodt with Navigator CO2 are under contract with POET but have no route yet and would like to be involved in further discussions. Corey Vosika asked about going along the Railroad but Aaron Eldridge from Summit Carbon Solutions shared that there easements are protected. Commissioner Wiese asked if the Commission was to table this for 30-60-90 days would Summit Carbon Solutions and Glacial Lakes be able to provide more information. The moratorium was done on July 19, 2022 so would like to resolve this before then. Ross Aldentaler, State's Attorney Deputy proposed an Amendment to the Language under 6. B for each chapter to read "The Zoning Board of Adjustment (BOA) may reduce minimum setback issues of a pipeline facility project after there is a complete review of the setback waivers and submission of project plans are submitted to the Zoning Board of Adjustment (BOA) for a Conditional Use Petition (CUP). Moved by Commissioner Fjeldheim, seconded by Dennert to Amend the Language as stated above. All members present voted aye. Motion carried. Commissioner Gage motioned to the table the Ordinance until April 25th and asked Summit Carbon Solutions, Glacial Lakes, and Navigator CO2 to present their information to the Planning & Zoning Board on Tuesday, April 18th at 7pm along with the Brown County Commissioners. Seconded by Wiese. All members present voting aye. Motion carried.

BROWN COUNTY HIGHWAY 21:

Brett Fliehs met with the Commission asking for Br. Co. Highway 21 to be returned to Asphalt. He visited with Dirk Rogers, Highway Superintendent but it keeps getting pushed back so wanted to ask the Board to see if anyway it could be done this year. Dirk shared that it is part of his 5-year plan and is scheduled for next year (2024). Commissioners informed Brett that they will look into the budget and see if there is anything they can do this year.

NEW JAIL (HUB CITY BUILDING) UPDATE:

Commissioner Sutton shared that if the County didn't have 40% of the Cost for the New Jail by April 1st that last year it was stipulated the County would not keep the building. Legislation ended up not giving the Counties any money for a Regional Jail. State's Attorney office provided options and one of those was to declare the building surplus and have the DOE do an Assessment and they do a Bid process to sell the building. Sheriff Lunzman asked if they did sell the building could the proceeds be dedicated to building a new facility. Commissioner Fjeldheim moved to declare the Hub City Building Surplus and restrict the proceeds to building a new jail, seconded by Gage. All members present voting aye. Motion carried. Commission Sutton shared they will keep the public informed as new information becomes available.

MINUTES:

Moved by Commissioner Wiese, seconded by Dennert to approve the General Meeting minutes of March 28, 2023. All members present voting aye. Motion carried.

CLAIMS:

Moved by Commissioner Fjeldheim, seconded by Gage to approve the following claims: Insurance: SD Assoc of County Commissioners \$2,971.00. Professional Fees: Lincoln County Treasurer \$36.67; Northeastern Mental Health Center \$75.00; SD Dept of Transportation \$230.86. Publishing: Groton Daily Independent \$107.07. Repairs & Maintenance: Barton Heating & Air Conditioning, Inc \$773.28; Dakota Supply Group \$68.84; Double D Body Shop \$2,145.55; Graham Tire Inc \$604.20; House of Glass \$258.54; Hoven Auto Repair, Inc \$367.47; Lawson Products, Inc \$118.99; Lien Transportation Company \$672.50; Little Falls Machine, Inc \$166.31; Olson's Pest Technicians \$250.00; Steven Lust Automotive \$82.95; Western States Fire Protection Co \$5,004.70; Woodman Refrigeration, Inc \$600.78. Supplies: Aberdeen Chrysler Center \$88.45; Amazon Capital Services, Inc \$47.45; Cole Paper Inc \$522.54; Dakota Electronics \$28.00; Fastenal Company \$448.57; Jasper Weller LLC \$2,652.23; Jerry Bjerke \$149.99; JGE, Inc \$491.03; Kelco Supply Company \$77.70; LabSource, Inc \$1,299.70; Lawson Products, Inc \$1,409.67; Little Falls Machine, Inc \$1,185.61; Midstates Group \$85.00; Performance Oil \$807.50; Plumbing & Heating Wholesale, Inc \$2,078.01; Steven Lust Automotive \$68.66. Travel & Conference: Carrie Weisenberger \$12.44; Dale Kurth \$112.53; Darwin Bettmann \$15.24; David North \$105.48; Delta Hotels by Marriott \$340.34; Doug Fjeldheim \$185.64; Duane Sutton \$97.92; James Meyers \$28.50; Patrick Keatts \$34.11; Stan Beckler \$24.44. Utilities: AT&T Mobility \$227.73; CenturyLink \$288.56; Midcontinent Communications \$387.42; Northwestern Energy \$13,130.86. All members present voting aye. Motion carried.

HR REPORT:

Moved by Commissioner Dennert, seconded by Gage to approve the following Human Resource Report submitted by Human Resources Director, Erica Coughlin:

- Transfer of Danny Caraballo from Brown County Jail Detention Officer to JDC Detention Officer; effective April 17, 2023.
- Transfer of Samuel Hoppock from Brown County Jail to Brown County Sheriff's Deputy, FT; starting wage \$25.18/hour effective April 17, 2023. Request to fill.
- Approve hiring of Luis Rivera as Brown County Jail Detention Officer, FT; starting wage \$20.67/hour; effective April 3, 2023.
- Approve hiring of Joseph Kretchman as Brown County Sheriff, FT; starting wage \$25.18/hour; effective April 24, 2023.

All members present voting aye. Motion carried.

TRAVEL REQUESTS:

Moved by Commissioner Gage, seconded by Fjeldheim to approve the following Travel Requests:

- Roxy Hilgenberg - SD Assoc. of County Welfare Officials Workshop in Pierre, SD on April 12th & 13th.
- Dirk Rogers - NACE Conference in Orange Beach, AL on April 16th – 20th.

All members present voting aye. Motion carried.

LOTTERY PERMIT:

Moved by Commissioner Wiese, seconded by Sutton to approve and authorize the Chair sign application, submitted by the Elm Lake Association for a lottery to be held at the Elm Lake Resort on July 4, 2023. All members present voting aye. Motion carried.

ABATEMENTS:

Moved by Commissioner Gage, seconded by Dennert to approve the following abatements for tax year 2023: Ronald Eisenbeisz, Parcel #29928 \$578.36; Daniel Latterell, Parcel #9270 \$1,039.06. For Tax Year 2020: David Vitense, Parcel #22642 \$431.23. All members present voting aye. Motion carried.

BROWN COUNTY FAIR CONCERT SCREEN BIDS:

Moved by Commissioner Fjeldheim, seconded by Wiese to authorize advertising public hearing to open, read and consider bids for Project-Provide Large Video Screens, all equipment and technicians for Brown County Fair Grandstand Entertainment in years 2023, 2024, 2025 and 2026 at 8:45 a.m., on May 2, 2023 in the Commissioner's Chambers, Courthouse Annex, Brown County, SD. Specifications are available online at brown.sd.us, Brown County Fair Office and the Brown County Auditor's Office. All members present voting aye. Motion carried.

LOCAL EMERGENCY MANAGEMENT PERFORMANCE GRANT:

Moved by Commissioner Fjeldheim, seconded by Wiese to approve the Commission Chair to sign the 2nd quarter LEMPG Grant Report. All members present voting aye. Motion carried.

CLAIM ASSIGNMENTS:

Moved by Commissioner Gage, 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.

PURCHASE CULVERTS OFF BEADLE COUNTY BID:

Moved by Commissioner Dennert, seconded by Wiese to approve the Highway Department can purchase culverts off the Beadle County Bid. All members present voting aye. Motion carried.

PLATS:

Resolution #11-23

Commissioner Gage brought the following resolution: "Be it resolved by the Board of County Commissioners of Brown County, South Dakota, that the plat showing "River Horse North Second Subdivision in the NE ¼ of Section 4-T123N-R63W 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 #12-23

Commissioner Gage brought the following resolution: "Be it resolved by the County Commission of Brown County, South Dakota, that the plat showing "Buntrock Outlot in the NW ¼ of Section 5, T125N-R62W 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 #13-23

Commissioner Gage brought the following resolution: "Be it resolved by the County Commission of Brown County, South Dakota, that the plat showing "C. Bonn Addition in the E ½ E ½ SE ¼ of Section 24-T122N-R61W of the 5TH P.M., Brown County, South Dakota," having been examined, is hereby approved in accordance with the provisions of SDCL 1967, Chapter 11-3 and any amendments thereof." Seconded by Commissioner Wiese. All members present voting aye. Resolution adopted.

OTHER BUSINESS:

Auditor Heupel was asked by Judy Lloyd with the Township Association to share that the next meeting will be held on Tuesday, April 11th with meal at 6pm, followed by meeting at 6:30pm.

Commissioner Sutton shared that Circus came to town earlier than planned due to weather but they needed a place to house the animals. A lease was done, and fees should cover the utility costs. Auditor Heupel shared the lease will be in the packet next week.

EXECUTIVE SESSION:

Moved by Commissioner Dennert, 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 Commissioner Fjeldheim, seconded by Dennert to adjourn the Brown County Commission meeting at 12:05 p.m. All members present voting aye. Motion carried.

Lynn Heupel, Brown County Auditor

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