

## November 21, 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, Gage, and Sutton. Absent were Commissioners Fjeldheim and Wiese. The Pledge of Allegiance was led by Commissioner Dennert.

### APPROVAL OF AGENDA:

Commissioner Gage moved to approve the agenda with removing MOU for SDSU for 4-H Advisor due to further discussion needed to be had, seconded by Dennert. All members present voting aye. Motion carried.

### OPPORTUNITY FOR PUBLIC COMMENT: None

### ORDINANCE #261 – FIRST READING:

Moved by Commissioner Dennert, seconded by Gage to approve the First Reading of Proposed Ordinance #261. Applicant Brown County Planning & Zoning requesting to add to Title 4 Zoning, Chapters 4.2015 “Fences”. All members present voting aye. Motion carried. (The full proposed ordinance is available for public inspection at the Brown County Auditor’s Office or Brown County Planning & Zoning Office during regular business hours.)

NE COUNCIL OF GOVERNMENT (NECOG) – COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG): Ted Dickey, NECOG Program Coordinator met with the Commission regarding the CDBG Grant for the YMCA Youth Development Center addition. First item presented was the Administration Contract between NECOG and Brown County for the administration of the CDBG Grant in the amount of \$20,000.00 which is paid for entirely out of the CDBG Grant. Moved by Commissioner Gage, seconded by Dennert to approve and authorize Chairman Sutton to sign the Administration Contract between NECOG and Brown County for the construction of the addition to the YMCA Youth Development Center. All members present voting aye. Motion carried. Next item Ted presented was the Drawdown Request #1 for a total of \$597,433.94, requesting approval and authorization of signature. Moved by Commissioner Dennert, seconded by Gage to approve and authorize Chairman Sutton to sign the Drawdown Request #1. All members present voting aye. Motion carried. Final items presented by Ted were the Initial Requirement Documents which include Equal Employment Opportunity Policy; Resolution Assuring Fair Housing; Excessive Force Policy; Certification Regarding Restrictions on Lobbying; Relocation, Displacement and Acquisition Plan and Code of Conduct Policy. Moved by Commissioner Gage, seconded by Dennert to approve and authorize Chairman Sutton to sign the Initial Requirement Documents listed above. All members present voting aye. Motion carried.

### RFP FOR SHERIFF OFFICE IN-CAR CAMERAS & DEPUTY BODY CAMERAS:

Dave Lunzman, Sheriff presented an RFP for the Commission to get approval and authorization for publication requesting proposals for new body camera and in car camera systems. After some discussion, it was moved by Commissioner Dennert, seconded by Gage to authorize advertising for the RFP for new body camera and in car camera systems for the Sheriff Deputies with an open date of December 12, 2023. All members present voting aye. Motion carried.

### TIF ADMINISTRATION FEE:

Commissioner Gage shared that after some discussion with the Department of Revenue, Counties are allowed to charge an Administrative Fee for the work that County Offices put into TIF’s. County offices involved include Equalization, Auditor’s Office, Treasurer, Planning & Zoning and GIS, there is a lot of expense at the County level but there is no tax base to offset that because with a TIF it is locked up for 20 years. There are currently 27 TIF’s that are active; 26 are in Aberdeen City and 1 with Brown County. Ross Aldentaler, State Attorney Deputy shared that he has reached out to another County that has an agreement with a Municipality to put that in the development plan – since they don’t originate with the County, we don’t really have a say in the matter. SDCL 11-9-15 is specific to municipal not counties. Our goal would be to pass a Resolution with an Administrative Fee for the County, stated Chairman Sutton. Commissioner Gage reiterated that due to the number of TIF’s, it puts a large burden on what the County must handle for the 20 years of each TIF. Chairman Sutton shared that at the District Meeting, Brown County is tied at #2 in the State for the number of TIF’s, Pennington County is #1 and Brown County and Codington County are tied at #2, followed by Minnehaha County.

### FLOOD PLAIN DEVELOPMENT PERMITS:

Scott Bader, Planning & Zoning Director met with the Commission to discuss the Flood Plain Development Permits that Townships need to complete when there is a Flood to recoup costs for gravel or culvert repairs or replacements through FEMA. Normally, Emergency Management does the meetings with the Townships and works with FEMA. What is happening is that the Townships are sending their documentation into FEMA, but then FEMA is sending it back because they are missing the Flood Plain Permit that is issued by a Flood Plain Administrator. Then its crunch time because of the deadlines that it needs to be submitted. Scott contacted the State Emergency Management office to see about adding a line item, so the Townships are aware of this step before they submit their documents to FEMA. Scott questioned if they want the County Emergency Management Director, Scott Meints to inform them or he could attend the meetings, also to visit with the Townships. After further discussion, it was decided the Emergency Management Department will notify the entities to contact Scott Bader, Planning and Zoning Director. Dirk Rogers, Highway Superintendent would like to be included in this process as well, so he is aware of what they are applying for when it comes to the recovery of the roads if they are going to be using FEMA funds then the Highway Department needs have this permit before proceeding with their process. Scott Bader also shared that he is going to attend the Equalization Township meeting in March and visit with the Board Members at that meeting as well.

#### MINUTES:

Moved by Commissioner Gage, seconded by Dennert to approve the General Meeting minutes of November 14, 2023. All members present voting aye. Motion carried.

#### CLAIMS/PAYROLL:

Moved by Commissioner Dennert, seconded by Gage to approve the following claims/payroll:

Claims: Professional Fees: Avera St. Luke's Hospital \$131.91; Birmingham & Cwach Law Offices, PLLC \$278.20; Brick's TV and Appliance \$1,650.00; Christy Griffin-Serr Law Office \$7,211.64; Cogley Law Office, Prof LLC \$7,211.64; Den Herder Law Firm \$172.36; Dependable Sanitation, Inc \$41,027.20; Dohrer Law Office, PC \$7,211.64; Horizon Health Care, Inc \$457.16; Jerald M. McNeary \$7,211.64; Jeremy Lund-Siegel Barnett & Schutz, LLP \$7,211.64; John Noyes-Bantz, Gosch & Cremer \$7,211.64; Krista Heeren-Graber \$500.00; Kuck Law Office \$7,211.64; Natrona County Sheriff's Office \$55.00; Northeastern Mental Health Center \$780.00; Saber Shred Solutions, Inc \$3,975.35; SD Assoc of County Officials \$100.00; SD Dept of Health \$2,810.00; Taliaferro Law Firm, PC \$7,211.64; Yankton County Sheriff's Office \$100.00; Yellowstone County Sheriff's Office \$75.00. Publishing: Black Hills Pioneer \$13.10; GateHouse Media California Holdings, Inc \$33.20; Gatehouse Media South Dakota Holdings, Inc \$337.99; Groton Daily Independent \$183.79; Lakota Times \$27.20; McQuillen Creative Group, Inc \$3,060.00. Rentals: H & H Farms \$250.00; Les Frohling \$200.00; Linde Gas & Equipment Inc \$49.16; Ron Jacobson \$250.00; Titan Machinery \$455.00. Repairs & Maintenance: 5D Transport, LLC \$6,480.00; Butler Machinery Company \$836.40; Diesel Machinery, Inc \$2,183.50; EcoLab Pest Elimination Division \$157.46; Hoven Auto Repair, Inc \$51.00; IMEG Corp \$33,543.30; Leidholt Electric, LLC \$9.61; Pomp's Tire Service, Inc \$1,101.56; Safety Service \$65.00; Sewer Duck, Inc \$85.00; Titan Machinery \$10,272.80; Traffic Solutions, Inc \$1,098.20; Webster Scale \$22,368.05; Woodman Refrigeration \$8,885.86. Supplies: Abigail Johnson \$20.00; Advance Auto Parts \$1,277.97; Agtegra Cooperative \$2,670.26; Amazon Capital Services, Inc \$408.08; Anna Johnson \$23.33; Avera LTC Pharmacy Aberdeen \$562.04; Birmingham & Cwach Law Offices, PLLC \$6.65; Century Business Products \$165.49; Cole Paper Inc \$1,156.00; Elite Unmanned LLC \$239.00; Gillund Enterprises \$252.20; Graham Tire Inc \$1,981.35; Hall Sand & Gravel, Inc \$9,398.81; J.D. Power \$351.00; Jordenne DuCheny \$81.67; Leidholt Electric, LLC \$471.04; Linde Gas & Equipment Inc \$711.60; MacQueen Emergency \$781.84; Menards \$646.15; Midstates Group \$47.50; Norman Johnson \$20.00; Pitney Bowes Global Financial Services LLC \$15,000.00; Runnings \$699.97; Safety Service \$1,669.10; Thomson Reuters-West Payment Center \$1,894.62; Titan Machinery \$680.85; Traffic Solutions, Inc \$53,806.97; WEB Water Bottling Company \$27.75; Woodman Refrigeration \$354.17. Travel & Conference: Adelaide Mounga \$213.86; Axon Enterprise, Inc \$495.00; Bill Donaldson \$24.48; Clubhouse Hotel & Suites Pierre \$760.60; Lynn Heupel \$114.11; Michael Wiese \$108.86; Ramkota Hotel & Conference Center \$107.00; Safe Harbor \$500.00. Utilities: CenturyLink \$1,323.41; City of Aberdeen Treasurer \$321.47; City of Hecla \$176.34; Dependable Sanitation, Inc \$513.00; James Valley Telecommunications \$209.10; Midcontinent Communications \$4.62; Northwestern Energy \$1,087.07; NVC \$3,828.61; State of South Dakota PMB 0112 \$96.47; Verizon Wireless \$1,467.04. Machinery & Equipment: CommTech Inc \$34,009.66. Others: Butler Machinery Company \$1,000.00; Safe Harbor \$755.00; SD Assoc of County Officials \$788.00.

Payroll: Commission \$4,615.41; Auditor \$11,144.00; Treasurer \$16,578.58; SA \$33,002.19; Maintenance \$10,336.74; Assessor \$15,143.68; Register of Deeds \$9,932.81; VSO \$4,254.10; GIS \$2,643.52; IT \$9,274.46;

HR \$4,698.75; Sheriff \$53,329.37; Jail \$65,101.83; Coroner \$683.60; Court Security \$7,980.01; JDC \$33,957.83; Welfare \$2,336.49; Museum \$11,605.18; Parks/Fairgrounds \$4,918.00; Fair Board \$4,107.21; 4-H \$786.80; Weed \$3,131.79; Planning & Zoning \$7,232.60; Highway \$53,833.44; Dispatch \$36,580.98; Emergency \$4,808.51; 24/7 Sobriety \$2,673.89; Landfill \$18,004.34; Meal Benefits \$28.00; FICA \$25,672.66; Medicare \$6,004.09; Discovery\_HSA \$ 1,739.78; Retirement\_SDRS \$54,266.98. All members present voting aye. Motion carried.

#### HR REPORT:

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

- Hiring of Cheyenne Neck as Brown County Jail Detention Officer, FT; starting wage \$20.67/hr. – effective November 19, 2023.

All members present voting aye. Motion carried.

#### CLAIM ASSIGNMENTS:

Moved by Commissioner Dennert, seconded by Sutton to authorize and approve the Auditor sign the Claim Assignments against individuals to Credit Collections Bureau for the purpose of collecting liens. All members present voting aye. Motion carried.

#### LEASE AGREEMENT:

Moved by Commissioner Gage, seconded by Dennert to approve and authorize the Chairman to sign the following lease agreement: Tom Aman for lease of 37 10' Concrete Jersey Barriers on November 19, 2023, to December 18, 2023. All members present voting aye. Motion carried.

#### TRAVEL REQUESTS:

Moved by Commissioner Dennert, seconded by Gage to approve the Travel Request for Dirk Rogers, Highway Superintendent to attend Lake Region District Meeting in Veblen on November 16, 2023. All members present voting aye. Motion carried.

OTHER BUSINESS: None

#### EXECUTIVE SESSION:

Moved by Commissioner Gage, seconded by Dennert to go into Executive Session for Personnel and Contracts for Planning & Zoning per SDCL 1-25-2. All members present voting aye. Motion carried. The Chairman declared the executive session closed with no action taken.

#### ADJOURNMENT:

Moved by Commissioner Dennert, seconded by Gage to adjourn the Brown County Commission meeting at 9:57 a.m. All members present voting aye. Motion carried.

Lynn Heupel, Brown County Auditor

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