

February 04, 2020 – GENERAL MEETING

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

MINUTES:

Moved by Sutton seconded by Wiese to approve the County Commission January 28, 2020 Minutes. All members present voting aye. Motion carried.

CLAIMS:

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

Payroll: Commission \$4,285.10; Auditor \$8,701.69; Treasurer \$13,465.76; SA \$21,677.08; SVAWA \$1,193.49; Maintenance \$7,983.07; Assessor \$12,746.93; Register of Deeds \$8,932.20; VSO \$2,736.89; GIS \$2,387.50; IT \$8,432.16; HR \$2,173.85; Sheriff \$42,053.13; Jail \$52,808.77; Court Security \$4,524.97; JDC \$23,994.63; Welfare \$2,077.70; Museum \$7,236.58; Parks/Fairgrounds \$4,965.75; Fair Board \$4,021.88; 4-H \$622.64; Weed \$825.02; Planning & Zoning \$4,290.31; Highway \$53,959.07; Dispatch \$28,648.03; Emergency \$4,119.59; Teen Court \$569.72; JDAI \$1,596.93; 24/7 Sobriety \$3,788.79; Landfill \$13,331.18; Matching Benefits: FICA \$21,637.70, Medicare \$5,060.45, Wellmark BCBS \$125,605.44, Delta Insurance \$7,293.17, Dearborn \$1,100.92, SDRS Retirement \$62,701.24.

Claims: Professional Fees: Avera St. Luke’s \$556.52; Bantz, Gosch & Cremer \$3,708.07; Clark Engineering \$1,859.54; Dallas Co. Sheriff \$4.32; Dohrer Law Office \$293.20; GBR Interpreting & Translation \$120.00; Gellhaus & Gellhaus \$80.00; Haar Law Firm \$147.20; Kuck Law Office \$236.60; McClure & Hardy, Prof LLC \$159.10; Ashley Ramirez \$40.00; Sanford Pathology Clinic \$1,750.00; Christy Griffin-Serr Law Office \$2,373.50; Tammy Stolle Court Reporting \$130.00; Jodi Sudweeks \$23.80; Taliaferro Law Firm \$1,701.40; WSP \$2,456.90. Publishing: Aberdeen American News \$379.17; Bismarck Tribune \$24.30.

Repairs & Maintenance: Centennial Village \$1,270.00; Dakota Doors \$107.14; Ecolab \$113.54; House of Glass \$395.53; Hoven Auto Repair \$145.52; Lang’s \$93.00; NorthStar Safety \$13.97; Olson’s Pest Techs \$225.00; Pierson-Ford \$69.23; PowerPlan \$1,938.60; Vosika Fencing \$110.00; Western States Fire Co. \$355.00; Woodman Refrigeration \$160.20. Supplies: AgTegra \$1,284.39; American Solutions for Business \$83.91; AmeriPride \$76.28; Dakota Electronics \$85.00; DSS Image Apparel \$361.50; Geffdog \$48.50; GovConnection \$557.88; Heartland Paper \$311.54; Mac’s \$22.99; Midstates Printing \$47.75; NorthStar Safety \$52.99; Pantorium Cleaners \$21.00; Premier Biotech \$31.44; Running’s \$1,689.39.

Travel & Conference: Assoc. of SD Weed & Pest \$1,140.00; Mark Milbrandt \$112.00. Utilities: AT&T Mobility \$176.61; BDM Rural Water \$36.00; CenturyLink \$499.48; Midcontinent \$629.43; NWPS \$12,025.93. Other: SD Attorney General’s Office \$366.00.

All members present voting aye. Motion carried.

HR REPORT:

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

- Approve temporary hiring of Jaclyn Nagel as full-time Brown County Jail shift sergeant, at \$23.38 per hour, effective February 9, 2020.
- Approve hiring Brandon Mills as full-time Brown County Sheriff’s Deputy at \$22.83 per hour, tentative effective date February 24, 2020
- Approve hiring of Courtney Paul as full-time Brown County Sheriff’s Deputy at \$24.22 per hour tentative effective date February 10, 2020.

All members present voting aye. Motion carried.

AUTO BUDGET SUPPLEMENT:

Moved by Sutton, seconded by Wiese to auto supplement maintenance budget supplies and materials from Court Security State Grant award in the amount of \$10,568.68 to cover the cost of intercom system upgrade. All members present voting aye. Motion carried.

SET BID DATE WOOD WASTE GRINDING:

Moved by Wiese, seconded by Sutton to set public hearing and authorize advertising for public hearing to open, read and consider sealed bids for Wood Waste Grinding. Hearing date set for February 25, 2020 at 8:47 a.m. in the Brown County Courthouse Commission Chambers. All members present voting aye. Motion Carried.

SET BID DATE MILLING AND RECLAIMING:

Moved by Wiese, seconded by Sutton to set public hearing and authorize advertising for public hearing to open, read and consider sealed bids for milling and reclaiming. Hearing date set for February 25, 2020 at 8:55 a.m. in the Brown County Courthouse Commission Chambers. All members present voting aye. Motion Carried.

ASSIGNMENT OF PAYMENT:

Commissioner Sutton offered the following Resolution:

RESOLUTION #07-20

WHEREAS, Diamond Five Feeders, LLC has been approved for a South Dakota Jobs Grant for equipment upgrades less than \$2,000,000.

WHEREAS, Brown County Planning and Zoning Commission approved Special Exception/Conditional Use for an expansion of the existing CAFO.

WHEREAS, Brown County Planning and Zoning Commission approved Special Exception/Condition Use at the following location: Special Exception/Conditional Use in an Agriculture Preservation District (AG-P) for a property described as NW1/4 of Section 28-T127N-R63W of the 5th P.M., Brown County, South Dakota (39010 110th St.)

WHEREAS, assignment of payment is required to be signed by Brown County, South Dakota.

THEREFORE, BE IT RESOLVED, that the Brown County Commission authorizes the County Auditor, Cathy McNickle to sign assignment of payment for South Dakota Jobs Program Grant Agreement No: SD Jobs 19-05.

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

ABATEMENTS:

Moved by Wiese, seconded by Sutton to approve the following abatements: Diane Conn @ \$1,399.51 (double assessed), Ronald Glugla @ \$384.25 (building assessed on 2 parcels), Norman Gengerke @ \$177.19 (fire), Brown County @ \$4,566.81 (tax deed sale). All members present voting aye. Motion carried.

COURT APPOINTED ATTORNEY FEE:

Moved by Sutton, seconded by Wiese to acknowledge the fee increase for court-appointed attorney fees to \$97 per hour pursuant to UJS policy which provides that fees increase in an amount equal to any cost of living increase approved for state employees by the Legislature. Mileage for court-appointed attorneys will be paid at the rate of \$1 per mile. All members present voting aye. Motion carried.

LEASES:

Moved by Wiese, seconded by Sutton to approve the following lease agreement: Aberdeen Home Builders Association for lease of Holum Expo Building March 6-8, 2020. All member present voting aye. Motion Carried.

SET HEARING DATE – MALT BEVERAGE LICENSE:

Moved by Sutton, seconded by Feickert to set public hearing and authorize advertising for public hearing on Malt Beverage and SD Farm Wine License Application. Retail (on-off sale) Malt Beverage and SD Farm Wine License: Trish Arment DBA Motor Sports, LLC- Brown County Speedway- Brown County Fairgrounds SE1/4, Sec1, T123N-R64W, Brown County, SD (map of specific building on file with application) Public hearing is set for 8:50 a.m. February 25, 2020 in the Brown County Courthouse Commission Chambers. All members present voting aye. Motion Carried.

LOTTERY APPLICATION:

Moved by Sutton, seconded by Feickert to approve the following lottery application: Farm Rescue Foundation for lottery drawing at the Brown County Fair August 15, 2020 3:30pm. All members present voting aye. Motion carried.

LEASE OPTION ADDENDUM – FAIRGROUNDS HAYLAND

Moved by Sutton, seconded by Wiese to approve and authorize the Chair sign 2020 renewal option for lease of approximately 22 acres of county hay land located at the Fairgrounds, located in Lot 1 First Replat of Dahme Northview Addition SE1/4 Sec1-T123N-R64W of the 5th P.M., Brown County, SD. All members present voting aye. Motion carried.

AUDITOR'S REPORT OF ACCOUNT:

Moved by Feickert, seconded by Wiese to approve the following December 2019 Auditor's report of account: Total Cash and Checks on Hand 7700 Total Checking Account Balances: 5104373.73 Total Savings Account Balances: 1780447.42 Total Certificates of Deposit: 5523127.01 Grand Total Cash and Balances: 12415648.16 General Fund Cash and Investment Balances by Funds: General Fund 4419802.44 Road & Bridge Fund 1396805.09 Road & Bridge Fund - restricted 423243.27 911 Service 243168.11 Emergency & Disaster 69235.66 Domestic Abuse 1010 Teen Court 41463.35 Grant 2490.15 JDAI -8198.24 Richmond Youth 21916.96 24/7 Sobriety 14520.46 ROD M&P 122963.93 Tif Debt Service 9413.74 Landfill + cash change 2770751.51 Landfill - restricted 1364284 Trust and Agency Funds 1522777.73 GRAND TOTAL GENERAL FUND CASH AND INVESTMENTS 12415648.16. All members present voting aye. Motion Carried.

REPLACEMENT ORDER DECLARING TOWN INCORPORATED:

Moved by Sutton, seconded by Kippley to authorize chair sign declaration acknowledging and verifying the incorporation of the City of Frederick. All members present voting aye. Motion Carried.

FIREWORKS DISPLAY PERMIT:

Moved by Wiese, seconded by Sutton to approve the following fireworks display permit: MotorSports, LLC for display at Brown County Speedway July 3, 2020. All members present voting aye. Motion Carried.

BROWN COUNTY COMMUNITY HEALTH QUARTERLY REPORT:

DeAnna Harber with Brown County Community Health met to give quarterly report.

BID AWARD – RENTAL EQUIPMENT:

Moved by Wiese, seconded by Sutton to award all bids on Rental 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.

ABATEMENT:

Moved by Feickert, seconded by Sutton to approve the following abatement: David and Debra Heyd @ 547.80 (change of classification). Roll call vote: Commissioners Feickert- aye, Sutton-aye, Wiese-aye, Kippley-nay, Fjeldheim-absent. Motion carried.

EMPLOYEE CLASSIFICATION POLICY:

Moved by Sutton, seconded by Wiese to approve change to Brown County Employee handbook employee classification policy. Handbook is on file with 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.

WEATHER CLOSING POLICY:

Moved by Feickert, seconded by Wiese to approve change to Brown County Employee handbook weather closing policy. Handbook is on file with 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.

LANDFILL SLEDDING:

Moved by Feickert, seconded by Sutton to approve sledding at the landfill at the discretion of the Landfill Manager. All members present voting aye. Motion Carried.

HOLIDAY PAY DISCUSSION:

Sheriff's office employees met to discuss concerns about holiday pay. No action taken.

EXECUTIVE SESSION:

Moved by Sutton, seconded by Wiese to go into executive session to discuss contract and legal per SDCL 1-25-2(3,4). All members present voting aye. Motion carried. The Chair declared the executive session closed with no action taken.

ADJOURNMENT:

Moved by Sutton, 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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