

JANUARY 5, 1999 - REORGANIZATION MEETING

This being the reorganization meeting of the Brown County Commission for year 1999, said Board convened at 8:45 A.M. in the Commissioner's Chambers, Courthouse Annex, Brown County, South Dakota. Present were Commissioners Fischbach, Knecht, Feickert, Hansen and Wiese. Pastor Joel Winckler, First United Methodist Church opened with Prayer and the Pledge of Allegiance.

Maxine Taylor, Brown County Auditor, called for nominations for Brown County Commission Chairman for year 1999, pursuant to SDCL 7-8-15.

Commissioner Feickert nominated Nancy Hansen. Moved by Feickert, seconded by Wiese that nominations cease and a unanimous ballot be cast. All members present voting aye. Motion carried.

Commissioner Fischbach nominated Deb Knecht for Vice Chairman. Moved by Fischbach, seconded by Wiese that nominations cease and a unanimous ballot be cast. All members present voting aye. Motion carried.

MINUTES:

Moved by Wiese, seconded by Knecht to approve the Joint City/County Meeting minutes and the General Meeting minutes of December 29, 1998. All members present voting aye. Motion carried.

CLAIMS:

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

Payroll: Commissioners..\$2,019.25; Data Processing..\$1,076.92; Auditor..\$5,485.17; Treasurer..\$6,235.97, OVERTIME: Dorene Borchard..\$13.28; State's Attorney..\$7,695.37; Victims Asst..\$740.39; Maintenance..\$4,109.14; Assessor..\$6,616.12; Planning & Zoning..\$809.60, OVERTIME: Mick Waller..\$15.18; Register of Deeds..\$2,461.60, OVERTIME: Cindy Schwan..\$22.35; Veterans Service..\$1,794.40, OVERTIME: Kathy Schlecht..\$29.80; Sheriff..\$34,894.65, OVERTIME: Craig Anderson..\$105.27, John Heine..\$18.78, Scott Kolb..\$225.36, Michael Casjens..\$225.75, David Hanson..\$52.02, Dala Mandel..\$125.76, John Weaver..\$109.92, Cristi Wilcox..\$107.04, Mark Jastram..\$104.16, Jason Hebner..\$104.16, Barry Allbee..\$104.16, Amy Mathiason..\$182.28, Gary Bunt..\$101.28, Jennifer Hudson..\$101.28, Diane Mielke..\$150.53, Ann Bierman..\$126.90, Tony Ingemansen..\$54.96, Kevin Johnson..\$123.69, Amy Lake..\$113.94, Kristal Schumack..\$101.28, Michael Waldrop..\$65.10; Communications..\$9,908.58, OVERTIME: Mary Browning..\$124.32, Linda Chappell..\$29.64, Betty Haar..\$118.56, Darcy Simmons..\$109.92, Sheila Anderson..\$118.56, Michelle Strom..\$80.28, Traci Wickenheiser..\$112.96; Health..\$2,083.20; Museum..\$2,442.34; IMS Grant..\$674.40, Welfare..\$2,117.11; E&D..\$1,667.02; Foster Grandparent Program..\$2,156.87; Parks..\$2,181.56; Fairboard..\$557.70; Extension..\$1,261.28; Road and Bridge..\$25,558.38, OVERTIME: David Bruckner..\$8.19, Brian Dargatz..\$53.27, Joel Guderjohn..\$28.84, Tom Lammon..\$3.81, Daryl Lloyd..\$48.15, Alfred Malsam..\$20.46, Donald Maunu..\$130.73, Dave Okroi..\$14.12, Bryan Owens..\$27.88, Kendell Titze..\$28.48, Leon Vickers..\$31.66, Michael Wagner..\$28.48; Solid Waste..\$4,485.63, OVERTIME: Carl Wright..\$132.50, Roxanne Varns..\$129.15, Nyle Jenson..\$14.70, Dennis Van Heerde..\$110.48:

Supplies & Material: Frontier Mfg..\$2475.00, SDDMV..\$6.00:

Insurance: SD Public Assurance..\$68,266.17, SDML..\$85,717.00. All members present voting aye. Motion carried.

EXPENSES:

Moved by Wiese, seconded by Fischbach to approve the following travel expenses: Janice Moore to attend the NIBRS Advisory Committee Meeting in Pierre on January 11; Mark Mills to discuss 911/Public Safety Communications with the Marshall County Commissioners in Britton on January 5, 1999. All members present voting aye. Motion carried.

ABATEMENTS:

Moved by Wiese, seconded by Fischbach to approve the following Abatelements: Mary Brobjorg, tax deed (Lot 16 Blk 9 OP Frederick) for year 1998 in amount of \$5.55; Mary Brobjorg, tax deed (Lot 15 Blk 9 OP Frederick) for year 1998 in amount of \$5.55; Mary Brobjorg, tax deed (Lots 13 & 14 Blk 9 OP Frederick) for year 1998 in amount of \$40.86; Darwin Ives, tax deed (Lots 1 & 2 Blk 4 Dinsmore's 1st Addn to Claremont) for year 1998 in amount of \$7.40; Dorothy Karlen, tax deed (Lots 2 & 3 Blk 6 OP Columbia) for year 1998 in amount of \$61.37; Larson & Judy Prehn, tax deed (Lot 10 Blk 3 Prairiewood) for year 1998 in amount of \$8.43. All members present voting aye. Motion carried.

SET HEARING DATE ORDINANCE NO. 99-01-01/172:

Moved by Wiese, seconded by Knecht to set hearing to consider petition (Hassebroek) to rezone Meyers 1st Addn, NE 1/4 10-T123N-R63W aka 13145 392nd Ave (Ordinance No. 99-01-01/172) from (A-1) Agricultural District to (M-Ag) Mini-Agricultural District, to be held in the City Commission Chambers, 123 S Lincoln at 6:30 P.M. on January 25, 1999. All members present voting aye. Motion carried.

INCREASE SPENDING AUTHORITY:

Moved by Wiese, seconded by Fischbach to increase 1999 spending authority (Fund #234-151-422) and increase estimated revenue (Fund #234-334.07), as per SDCL 7-21-20.1, for the Stop Violence Against Women Act Grant in amount of \$11,252.57, to be administered through the States Attorney's Office. All members present voting aye. Motion carried.

LANDFILL REPORT:

Mike Scott, Landfill Manager presented the 1998 Revenue Report, Material Summary Report and Rural Site-Cost Comparison Report. Also discussed Y2K modifications and status of water truck.

FEDERAL PRISONER AGREEMENT:

Moved by Wiese, seconded by Feickert to approve and authorize the Chairman sign Intergovernmental Service Agreement - Housing of Federal Prisoners in the Adult Jail and JDC. All members present voting aye. Motion carried.

EQUIPMENT PURCHASE:

Moved by Wiese, seconded by Feickert to authorize the Highway Department purchase a 7'x16' flatbed trailer in amount of \$2,475.00. All members present voting aye. Motion carried.

1999 - SALARY SCHEDULE

Moved by Feickert, seconded by Wiese to approve the following salaries, effective December 27, 1999: (Annually) States Attorney Harvey Oliver \$47000; Deputy States Attorney Ken Varns \$42300; Deputy States Attorney Vic Fischbach \$38000; Sheriff Mark Milbrandt \$42000; Chief Deputy Sheriff Thomas Schmitt \$37800; Auditor Maxine Taylor, Treasurer Sheila Enderson \$34000; Register of Deeds Carol Sherman \$24983; Building Superintendent Mick Palmer, EMS Director Jesse Luce \$23750; Museum Director Sue

Gates \$25750; Veterans Service Officer Tom Gohn \$26750; FGP Director Linda Dillavou \$27750, Fairgrounds/Parks Manager Randy Bonn \$28750; Welfare Director Charlene Millim, Public Works Assistant Richard Burns \$31750; Computer Programmer William Meink \$31750; Highway Superintendent Russell Podoll \$39750; Director of Equalization Richard Rieck \$35750; Communications Director Mark Mills, Landfill Manager Michael Scott \$34750; Commissioners Tom Fischbach, Dennis Feickert, Nancy Hansen, Mike Wiese, Deb Knecht \$11000; Fair Board Manager Larry Gerlach \$15000; Victims Assistance Coordinator Vicky Wicks \$20000; Deputy Director of Equalization Leo Leshner \$28000; Deputy States Attorney Summer Intern Kim Dorsett \$440 per week; (Per hour) Weed Supervisor Robert Retzer 10.50; Planner/Zoner Mick Waller 10.37, Fieldman Bimende Malik 9.41; Senior Fieldman Leo Leshner 13.23; Chief Office Deputies Mavis Kempf 11.91, Dorene Borchard, Penny Hart, Janice Moore 12.15, Judy Dosch 12.63, Carol Misfeldt, Jeanette Nietert \$13.08; States Attorney's Office Secretaries Darci Lloyd 8.68, Jane Jensen 9.28, Lucinda Schuck 9.73; Office Deputies/Clerks: Wende Holzkamm, Jodi McQuillen, Lynn Meyer, Michele Porter, Michelle Sitter, Kathy Fischer, Deb Dugger \$8.68; Catherine Lindemann, Sandra Green 9.08; Jolene Forsting, Melissa Hammer 9.28; Patty Van Meter, Pat Dahlerup, Mike Kenneally, Pat Caldwell 9.43; Sherri Rawstern 9.58; Dawn Barton 9.88; Jan Malsom, Ginger Walker, Ione Shilman, Jan Erickson 10.03, Karla Hallstrom, Kathy Schlecht, Geri Sillman, Cindy Schwan 10.18; Clerk, Secretary & Maintenance: Leo Schmidt 8.67, Richard Day 9.67, Ron Adler 9.82; Sheriff Department Clerical & Cooks: Tina Erickson 8.69; Diane Mielke 9.17; Carol Wolf, Joyce DesCamps 10.13, Kathy Neitzel 10.37; Dispatchers: Michele Strom, Susan Grenz 9.17; Darcy Simmons 9.41, Lisa Wipf, Traci Wickenheiser 9.61; Kathy Thooft 9.89; Linda Chappell, Betty Haar, Sheila Anderson 10.13; Mary Browning 10.61; Public Works Seasonal: Nick Wanna 6.45, Jeff Seiler 6.68; Public Works (Labor Grade 3): Alfred Malsom, Jeff Seiler 9.34; Bryan Owens, Joseph Malsom 9.54; Kendall Titze, Todd Odenbach, Michael Wagner 9.74; Rob Streeter 9.94; Larry Hardy, Roxanne Varns 10.09; Vernon Bitz 10.24; Brian Dargatz, Tom Lammon 10.39; Richard Schaible 10.54; Roger Schaible, John Weig 10.69; Robert Binfet, Janet Weismantel, Ken Goette 10.84; Public Works (Labor Grade 4): Dennis VanHeerde 9.45; Nyle Jenson 10.05; Cordell Rudolph 10.20; Don Maunu 10.50; Leon Vickers, Marcus Selzler 10.80; Daryl Lloyd, Carl Wright 10.95; Public Works (Labor Grade 5): David Okroi 9.66; Joel Guderjohn 9.86; David Bruckner, Terry Backous, Jerry Luce 11.16; Chief Dispatcher Nancy Radke 12.05; Part time employees- \$5.90 per hour: Delores Hall, Daryl Webb, Dick Voeller, Jackie Thompson; \$6.05 per hour- Kay Albrecht, John Egan, Eric Toft, Kristen Krueger, Linda Battest, Dean Sinclair, Jason Hoffman, Jessica Frerichs; \$6.15 per hour- Robert Heintzman; \$6.30 per hour- Richard Schooley, Vernon Eberhart, Connie Howard, Lavonne Wolf, Susan Frey, Ruth Casanova; \$6.90 per hour- Don Fischer, Jim Crouch, Connie Jung, Michael Stoman; \$7.40 per hour- Earl Ruden, Irene Gese, Jerry Dempsey; \$7.65 per hour- Phyllis Voeller; \$7.90 per hour- Harold Pleinis, Holly Jangula, Melvin Ernst; \$8.59 per hour- Juanita Herold, Kenneth Thompson, Bruce Tveit, Jvonne Heard; \$9.15 per hour- Melissa Koester; \$10.40 per hour- Earl Backous; Sheriff Field Deputies: Steve Cogley 11.33; David Hanson 11.81; Michael Casjens, David Fair 12.29; Scott Kolb 12.77; Bryan Locke, John Heine 13.01; Craig Anderson, John McQuillen 13.25; Jail Deputy Dala Mandel 10.73; Jailers (Adult and JDC), Home Detention Supervisor: Amy Lake, Gary Bunt, Kristal Schumack, Jennifer Hudson 8.69; Michael Waldrop, Kevin Johnson, Dallas Vallery, Patrick Rickerl, Barry Allbee, Jason Hebner, Mark Jastram, Amy Mathiason 8.93; Craig Nelson, Charlene McAfee, Cristi Wilcox 9.17; Tony Ingemansen, Roxanne Schumacher 9.41; John Weaver 9.65; Ethan Palluck, Ann Bierman 9.89; Chief Jailer, Juvenile Detention Supervisor: Barbara Johnson 11.81, John VanderHoek 13.01.

Differential Pay: Dispatchers, Adult Jailers, JDC Officers, Deputy Sheriffs

Shift	Pay
4:00 P.M. to Midnight	\$0.30 per hour

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Midnight to 8:00 A.M.                      \$0.40 per hour

NOTE: All overtime calculated on base pay.

GUARDS: Flat rate of \$50.00 per day for each trip - Jodi McQuillen, Brenda Schmitt, Deb Heine, Sharon Casjens, Carla Milbrandt, Doug Sorensen, Jeff Carlson, Fred Schmidt, Michael Flanigan, Brad Erhardt, Brad Gardner, Sheila Anderson, Grant Schnabel, Allen Kringstad, David McNeil, Gary Bunt, Tony Ingenmansen, Neil Bittner, Cristi Wilcox, Amy Mathiason, Lonnie Mandel, Lynn Hovel. All members present voting aye. Motion carried.

#### EMPLOYEE STEP INCREASES:

Moved by Wiese, seconded by Fischbach to approve the following employee step increases, effective January 10, 1999: Richard Burns and Charlene Millim pro-rated annual salary of \$32,750; Tom Gohn pro-rated annual salary of \$27,750; Kathy Neitzel @ \$10.61 per hour; Leo Schmidt @ \$8.67 per hour; Craig Nelson @ 9.41 per hour. All members present voting aye. Motion carried.

#### DESIGNATION OF DEPUTIES:

Commissioner Fischbach offered the following Resolution:

#### RESOLUTION NO. 1-99

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 Deputies, 4 Deputies, 1 part-time Clerk; Treasurer - 1 Chief Deputy, 6 Deputies, 1 part-time Clerk; Register of Deeds - 1 Chief Deputy, 1 Deputy, 1 part-time Clerk. All extra help hired by County Officials must first be approved by the County Commission.

Seconded by Commissioner Wiese. Roll call vote: Commissioners Knecht-aye, Feickert-aye, Fischbach-aye, Wiese-aye, Hansen-aye. Resolution adopted.

#### OFFICIAL NEWSPAPERS:

Moved by Knecht, seconded by Wiese to designate the following newspapers as the 1999 official newspapers for Brown County (SDCL 7-18-3): Aberdeen American News, Aberdeen, SD; Frederick/Hecla Northstar, Groton, SD; Dakota Press, Groton, SD. All members present voting aye. Motion carried.

#### DEPOSITORIES:

Moved by Feickert, seconded by Wiese to designate the following as official depositories for Brown County public funds for year 1999 (SDCL 7-2-13), with funds deposited in the name of Sheila Enderson, Brown County Treasurer: Dacotah Bank; First Bank of Aberdeen, Norwest Bank of Aberdeen; Norwest Capital of Aberdeen; Norwest East Branch of Aberdeen; Norwest Groton Branch of Groton; First Savings of Beresford, Hecla Branch of Hecla; First State Bank of Warner; First State Bank of Claremont; First State Bank of Claremont, Columbia Branch of Columbia; First National Bank of Frederick; People's Bank of Aberdeen; Home Federal Savings & Loan of Aberdeen; American Federal Savings & Loan of Aberdeen, First Savings & Loan Association, Inc. of Aberdeen; FIT, Sioux Falls, SD; DCB Super Bank, Aberdeen; First State Bank of Warner, Lakewood Mall Branch of Aberdeen. All members present voting aye. Motion carried.



INVESTMENT POLICY:

Commissioner Wiese offered the following Resolution:

RESOLUTION NO. 2-99

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 Feickert. Roll call vote: Commissioners Knecht-aye, Feickert-aye, Fischbach-aye, Wiese-aye, Hansen-aye. Resolution adopted.

EXPENSE POLICY:

Moved by Wiese, seconded by Knecht to set the following expense rates for Brown County employees for year 1999:

Meal reimbursement made only for out of County travel

	In-State	Out-of-State
Breakfast	\$ 4.00	\$ 6.00
Lunch	\$ 5.50	\$ 8.00
Dinner	<u>\$ 8.50</u>	<u>\$13.50</u>
	\$18.00	\$27.50

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.

Mileage Rate: \$0.24 per mile, beginning and ending odometer readings are required to qualify for mileage reimbursement. Lodging reimbursed at actual cost, receipt required. All members present voting aye. Motion carried.

TAX DEED NOTICES:

Commissioner Feickert offered the following Resolution:

RESOLUTION NO. 3-99

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, Sheila Enderson to request Harvey Oliver and States Attorney Office personnel to act as agents to process said tax deeds and notices.

Seconded by Commissioner Fischbach. Roll call vote: Commissioners Knecht-aye, Feickert-aye, Fischbach-aye, Wiese-aye, Hansen-aye. Resolution adopted.

## COMMISSION APPOINTMENTS:

Moved by Wiese, seconded by Knecht to approve the following Commission Committee appointment for 1999: Tom Fischbach - LEPC, Communications Center Council, City Net, Dakota Interconnect, Range Fire Suppression; Deb Knecht - NECOG, Disaster, Rationing Board, Risk Management Committee, Liaison to Community Health Center, Union Negotiator; Nancy Hansen - Museum, Disaster, FGP Representative, Resource Management Advisory Board, NE Mental Health, Communications Center Council, Fair, SD Assurance Alliance; Mike Wiese - Planning & Zoning, Liaison to Welfare, Union Negotiator, NADRIC, NECOG, Airport; Dennis Feickert - County Buildings, Weed, SDACC Catastrophic Legal Board, Fair, Legislative Contact, Extension, SDACC Executive Board (James River Valley District Representative). All members present voting aye. Motion carried.

## ACCOUNTS PAYABLE:

Moved by Wiese, seconded by Knecht to approve the following 1998 Accounts Payable List: Commission \$2684.48; Elections \$780.00; Auditor \$2471.58; Treasurer \$2786.00; Data Processing \$1325.26; States Attorney \$3467.55; Victims Assistant \$548.04; Maintenance \$8060.72; Assessor \$3051.32; Deeds \$8219.84; Veterans Service \$808.54; Sheriff \$12841.80; Board of Prisoners \$9419.69; Coroner \$2100.00; Juvenile Detention \$6002.84; Communications \$825.00; Highway \$11673.93; Welfare \$68447.12; Nurses \$938.68; Museum \$1162.35; Parks \$983.02; Fair Board \$251.29; Extension \$697.19; Zoning \$364.81; EDS \$751.24; E911 \$8833.72; IMS Grant \$303.89; FGP \$971.90; Landfill \$29096.53. All members present voting aye. Motion carried.

## ACCOUNTS RECEIVABLE:

Moved by Wiese, seconded by Fischbach to approve the following 1997 Accounts Receivable List: Fund #101 \$40,521.70; #207 \$61,000.00; #226 \$6,600.00; #229 \$450.00; #234 \$19,906.50; #504 \$81,476.50; #704 \$664.00. All members present voting aye. Motion carried.

## RECESS:

Moved by Wiese, seconded by Knecht to recess until January 12, 1998. All members present voting aye. Motion carried.

Maxine Taylor - Brown County Auditor

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JANUARY 12, 1999 - GENERAL MEETING

Meeting called to order by Chairman Hansen at 8:45 A.M. in the Commissioner's Chambers, Courthouse Annex, Brown County, South Dakota. Present were Commissioners Feickert, Fischbach and Wiese. Absent Commissioner Knecht.

MINUTES:

Moved by Wiese, seconded by Fischbach to approve the General Meeting minutes of January 5, 1999. All members present voting aye. Motion carried.

CLAIMS:

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

Supplies & Materials: Lang's..\$63.00, Janitor Supply..\$120.00, Schwan Welding..\$31.80, Hub City Iron..\$7.16, Ecolab..\$134.00, Pheasantland Ind..\$845.16, Photos Now..\$105.82, Monarch Photo Inc..\$149.50, RE Huffman..\$87.04, K-Mart..\$54.68, Menards..\$17.12, Computer Specialists..\$6.00, St Lukes..\$4268.86, Radio Shack..\$5.82, Dakota Office..\$45.85, Aberdeen Family Physicians..\$28.70, Kustom Signals..\$6040.00, Dakota Electronics..\$90.00, SD Federal Property..\$15925.00, S&A Stump Removal..\$49.50, SD Assoc of Co Highway Supt..\$175.00, Office Equipment..\$325.00, Meyer Auto..\$250.00, Graham Tire..\$65.00, Evergreen Supply..\$84.83, Creative Sign..\$30.00, Clark Engineering..\$1360.06, Chris & Don's Tarp..\$8.00, A&M Radio..\$43.00, Mardian..\$280.00, Taylor Laundry..\$18.36, Frey's Electronics..\$195.00, SD Dept of Revenue..\$2707.80, Sheehans..\$312.48, Brown County Treasurer..\$72.51, US Post Office..\$209.50, Quality Quick Print..\$62.09, City Net Inc..\$400.00, AmeriTech..\$10,000.00, Nordica..\$7.84, Hoggs..\$35.00, Aberdeen Lock & Key..\$7.50, Bob Barker..\$725.96, Walmart..\$26.43, Sodak..\$23.99, Bonnie Bitz..\$96.00, Ameripride..\$30.09, Xerox..\$170.09, Quint City Coin-Op..\$42.00, Jordre Photo..\$22.32, Presentation College..\$54.40, Dick's Westside..\$22.00, Lang's..\$28.00, SD Fleet..\$775.36, Mark Milbrandt..\$79.24, Thompson Pub..\$339.00, Aberdeen Development Corp..\$40,000.00, Glacial Lakes..\$1000.00, Mary Brobjorg..\$10.00:

Transcriptions: Richard Neal..\$86.40, Calleen Misterek..\$224.40, Betsy Johnson..\$18.90:

Publications: American News..\$279.00, Frederick/Hecla Northstar..\$290.13:

Professional Fees: Eide Bailly..\$228.25, Witness Fees..\$40.00, Kevin Spitzer..\$155.44, Robert Chavis..\$80.00, NADRIC..\$2083.33:

Mileage & Travel: Bruce Tveit..\$30.00, Jvonne Heard..\$20.88, Juanita Herold..\$6.24, Mike Waldrop..\$28.80, Mark Milbrandt..\$618.64:

Utilities: City of Aberdeen..\$575.61, NWPS..\$6730.69, Midco Communications..\$153.00, US West..\$468.96, James Valley..\$643.01, Accent Communications..\$439.42, WEB..\$54.86, Dependable Sanitation..\$12,371.96, Alterna Cell..\$9.95, Midcontinent Cable..\$26.53:

Care of Poor: Dr/Hospital..5 recipients..St Lukes..\$21,139.55, United Clinic..\$1050.30, Dr James Weekly..\$999.07; Drugs..1 recipient..Kessler Pharmacy..\$24.99; Rent..7 recipients..BelAire Apts..\$230.00, JoAnn DeSart..\$230.00, Tom Appletoft..\$210.00, SD Housing Authority..\$169.00, Rental Mgmt..\$170.00; Insurance..1 recipient..Meyers Auto..\$246.04. All members present voting aye. Motion carried.

BID - 1999 Yard Waste Collection/Hauling:

Moved by Wiese, seconded by Fischbach to authorize advertising public hearing to open, read and consider bids for Yard Waste Hauling Service from the Brown County Yard Waste Drop-Off Points for year 1999, to be held at 8:45 A.M. on January 26, 1999 in the Commissioner's Chambers, Courthouse Annex, Brown County, South Dakota. All members present voting aye. Motion carried.

INCREASE SPENDING AUTHORITY:

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Moved by Fischbach, seconded by Feickert to increase spending authority (101-311-426.30) and estimated revenue (101-331.03) for the following CDBG Projects (25% FEMA Match): Bath Twp @ \$806.00, Bates Twp @ \$599.00, Lansing Twp @ \$2230.80, Savo Twp @ 1605.00. All members present voting aye. Motion carried.

EXPENSES:

Moved by Feickert, seconded by Fischbach to approve the following travel expenses: County personnel to attend the Upper Missouri Commission Association District Meeting in Long Lake on January 21; County personnel to attend County Day at the Legislature in Pierre on February 4; Mike Scott and employee to inspect equipment in LuVerne MN on January 13; Deb Dugger to attend a Health Department Meeting in Pierre on January 19; Russ Podoll to attend the State of the State Address and Chamber Coalition Meeting in Pierre on January 13. All members present voting aye. Motion carried.

WORK STUDY HOURS:

Moved by Wiese, seconded by Fischbach to approve the following work study hours at the Museum for Sept - Dec, 1998 for Rachel L Kercher @ 124.45 hours. All members present voting aye. Motion carried.

AUDITORS REPORT OF ACCOUNT:

Moved by Wiese, seconded by Feickert to approve the following December, 1998 Auditors Report of Account:

AUDITOR'S REPORT OF ACCOUNT WITH THE COUNTY TREASURER:

Total amount of actual cash - - - - -	\$	3,415.00
Norwest Bank- - - - -	\$	92,063.89
US Bank - - - - -	\$	13,643.43
Dacotah Bank- - - - -	\$	40,397.97
Petty Cash (Sheriff,Welfare,Museum) - -	\$	1,400.00
Landfill Change Fund- - - - -	\$	100.00
Fund Investments- - - - -	\$	8,590,612.64
Outstanding Checks- - - - -	\$	85.00
Total - - - - -	\$	8,741,717.93

All members present voting aye. Motion carried.

VACATE RIGHT-OF-WAY:

Commissioner Wiese offered the following Resolution:

RESOLUTION NO. 4-99  
VACATE RIGHT-OF-WAY

WHEREAS, as advertised, a public hearing was held on this date to consider petition, submitted by Juletta M Smith to vacate certain public right-of-way; and

WHEREAS, the purpose of this vacation is to straighten the right-of-way on the northwest side of Melgaard road so that it is a uniform right-of-way line along Outlot 2 - 40' from the centerline of the road; and

WHEREAS, no one appeared to protest the petition to vacate said right-of-way.

NOW, THEREFORE BE IT RESOLVED to vacate the public right-of-way as follows: That part of Lot H-3 located in Outlot 2 of plat entitled Bud Smith Outlots in the SE 1/4 of the SE 1/4 of Section 20, T123N, R63W of the 5th P.M., Brown County, South Dakota, more particularly described as that part of Lot H-3 located in the SE corner of the SE 1/4 of the SE 1/4 of Sec. 20-T123N-R63W of the 5th P.M., Brown County, SD that is north and west of the normal 66' Melgaard Road highway right-of-way, a portion of the plat which is attached. That plat is filed on Page 236 of Plat Book

No. 3 in the Register of Deeds' Office. This parcel contains approximately 0.04 acres.

Seconded by Commissioner Fischbach. Roll call vote: Commissioner Knecht-absent, Feickert-aye, Fischbach-aye, Wiese-aye, Hansen-aye. Resolution adopted.

**SALARY ADJUSTMENT:**

Moved by Feickert, seconded by Wiese to increase Register of Deeds annual salary from \$24983 to \$26983, to be consistent with raise other elected officials received, effective December 27, 1998. Roll call vote: Commissioners Feickert-aye, Fischbach-aye, Wiese-aye, Hansen-aye, Knecht-absent. Motion carried.

**OFFICE SPACE UTILIZATION:**

Mick Palmer and Judy Dosch explained proposals to alleviate over crowding in the States Attorneys Office, by remodeling probation conference area to provide additional office space for Victims Assistance Program at approximate cost of \$10,000.00, and installing a partition in main probation office at approximate cost of \$3000.00. Board concurred.

**FAIRGROUNDS DISCUSSION:**

Randy Bonn, Fairgrounds Superintendent met to discuss rental rates and future projects to be considered when budgeting.

**EXECUTIVE SESSION:**

Moved by Wiese, seconded by Feickert to go into executive session for personnel discussion with Randy Bonn in attendance. All members present voting aye. Motion carried.

Moved by Fischbach, seconded by Wiese to adjourn executive session. All members present voting aye. Motion carried.

**FAIRGROUNDS/YOUTH CAMP RENTAL RATES:**

Moved by Wiese, seconded by Fischbach to establish the following rental rates:

FAIRGROUNDS RENTAL RATES - EFFECTIVE JANUARY 1, 1999

Storage Space Rental: October 1 to March 31 - **PREPAID LEASE - NO REFUNDS**

8' x 20' one space.....\$ 60.00 plus 4% State Sales Tax  
over 20' one space.....\$100.00 plus 4% State Sales Tax

Swine Barns: 5 barns, each has 20 stalls (8'x12')

Per barn per day.....\$ 35.00 - Clean-up additional.....\$ 45.00

**Entire Grandstand:**

Per day.....\$500.00, plus Electricity

Per day for days over two.....\$250.00, plus Electricity

Clean-up additional...\$150.00. Renter responsible for Snow removal

Race Track - additional.....\$500.00 per day

Under Grandstand: Per day.....\$ 75.00. Clean-up additional...\$100.00

Open Class Sheep Barn: 24 - 11'x12' stalls

Per day.....\$ 50.00 - Per day for days over two.....\$ 25.00

Clean-up additional.....\$ 45.00

Poultry Barn: 23 - 10'x10' stalls

Per day.....\$ 50.00 - Per day for days over two.....\$ 25.00

Clean-up additional.....\$ 45.00

Dairy Barn: 30 - 9'x 9 1/2' stalls  
 Per day.....\$ 60.00 - Per day for days over two.....\$ 30.00  
 Clean-up additional.....\$ 70.00

Hog & Sheep Barn: 24 - 9'x 9' stalls on dirt floor  
 Per day for dirt.....\$ 50.00 - Per day for days over two.....\$ 25.00  
 Per day total barn...\$100.00 - Per day for days over two.....\$ 50.00  
 Clean-up additional.....\$ 60.00

Hog & Sheep Barn Addition: 12 - 9'x 9' stalls on dirt floor  
 Per day for dirt.....\$ 25.00 - Per day for days over two.....\$ 15.00  
 Per day total barn...\$ 50.00 - Per day for days over two.....\$ 25.00  
 Clean-up additional.....\$ 50.00

Beef Barn: 120 stalls; 64 - 9'x 10' stalls; inside arena 50'x 180'  
 Per day.....\$100.00 - Per day for days over two.....\$ 50.00  
 Clean-up/horse shows...\$300.00 - Clean-up/other activities...\$150.00

Club House: 120' x 80'  
 Per day.....\$200.00 - Per day for days over two.....\$150.00  
 Clean-up additional...\$ 45.00. Activities obtaining a Special Malt Beverage License - \$35.00 per keg (or equivalent), with proof from wholesaler, excluding Fair Activities, Race Track and Horse Racing.

Expo Addition: 90' x 240'  
 Per day.....\$150.00 - Per day for days over two.....\$ 75.00  
 Clean-up/horse shows....\$300.00 - Clean-up/other activities..\$150.00

Holum Expo: 120' x 240'  
 Per day.....\$350.00 - Per day for days over two.....\$175.00  
 Clean-up/horse shows....\$300.00 - Clean-up/other Activities..\$150.00  
 Propane Heat responsibility of renter.

Horse Stalls:  
 Set up fee - per stall.....\$ 5.00

Orange Corral Panels - per day.....\$ 20.00

Horse Arena: 174' x 240' .....\$1.00 per person per day

Dirt moved into and out of Holum Expo: Per inch.....\$400.00

Secretary's Building: Per day...\$ 50.00/Clean-up additional...\$ 15.00

Portable Stage: Not to go out of County - except for Govt'l Agency  
 Per day....\$ 75.00 - Per day for days over one.....\$ 50.00

People Movers - as per request

Bleachers - as per request

Campgrounds: Per day per pad.....\$ 10.00 plus 5% State Sales Tax

**NOTE: EFFECTIVE JANUARY 1, 1999 - STRAW IS PROHIBITED - SAWDUST ONLY**

**RICHMOND YOUTH CAMP RENTAL RATES - EFFECTIVE JANUARY 1, 1999**

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Booking fee in amount of \$75.00 and proof of insurance must be submitted at least 30 days prior to date of occupancy.

One Dorm - One Night - 20 people or Less..\$ 60.00  
More than 20 people - per person.....\$ 3.00

\$5.00 per person per day: 4-H, Boy Scouts, Girl Scouts, Church groups, Youth groups  
Age cut-off - 19 years old

\$7.00 per day for Adult groups

Lodge only: \$100.00 per day

Clean-up: Lodge only - \$50.00 Dormitories only - \$100.00  
Lodge and Dormitories - \$150.00

County House per month.....To be established after renovation  
All members present voting aye. Motion carried.

#### EXECUTIVE SESSION:

Moved by Fischbach, seconded by Feickert to go into executive session for personnel discussion with Mark Milbrandt, Tom Schmitt and John McQuillen in attendance. All members present voting aye. Motion carried.

Moved by Fischbach, seconded by Wiese to adjourn executive session. All members present voting aye. Motion carried.

#### LANDFILL DISCUSSION:

Mike Scott discussed the need for new floor covering in the scale house and shop office, computer hardware and software upgrades; and status of water tank.

#### LIBRARY CONTRACT:

Sue Johnston, Pat Klabo, Pam Lingor, Brenda Moore, Rose DesCamps and Karl Alberts met to discuss the joint powers agreement for library services for Brown County residents living outside of Aberdeen City. After discussion the following action ensued:

Moved by Fischbach, seconded by Feickert to approve and authorize the Chairman to sign Joint Powers Agreement for library services for Brown County residents living outside of Aberdeen City in total amount of \$28,122 for year 1999. All members present voting aye. Motion carried.

#### ILLEGAL DUMPING:

Ted Lerew met to discuss possibility of posting penalties for illegal dumping with special note in regard to provision for twenty percent of fine being paid to person providing information that leads to the conviction for offense subject to provisions of 34A-7-17.

#### CANCEL PARTIAL PAYMENT CONTRACT:

Moved by Wiese, seconded by Fischbach to authorize Sheila Enderson, Brown County Treasurer to terminate contract for partial payment of taxes for non-payment on Lots 1 - 5 Blk 51 Hayes Addition to Groton and begin process to obtain tax deed. All members present voting aye. Motion carried.

#### PARTIAL PAYMENTS:

Moved by Feickert, seconded by Wiese to authorize Sheila Enderson, County Treasurer to accept partial payments for taxes (as authorized by SDCL 1-21-7), as follows

\$3000.00 down and 90 days to pay balance in full on the SW 1/4 of S/W 1/4 of Lot 4 in SW 1/4 19-125-63. All members present voting aye. Motion carried.

Moved by Fischbach, seconded by Feickert to authorize Sheila Enderson, County Treasurer to accept partial payments for taxes (as authorized by SDCL 1-21-7) in amount of \$100.00 per month on Lot 843 & N 1/2 of Lot 844 Morning Heights Extended Addition to Aberdeen. All members present voting aye. Motion carried.

Moved by Fischbach, seconded by Wiese to authorize Sheila Enderson, County Treasurer to accept partial payments for taxes (as authorized by SDCL 1-21-7) in amount of \$200.00 per month, effective January 7, 1999 on Lot 3 of Benfits Replat of Lots 6-7 Blk 28 Hagerty & Lloyds Addition to Aberdeen. All members present voting aye. Motion carried.

EXECUTIVE SESSION:

Moved by Feickert, seconded by Fischbach to go into executive session for personnel discussion with Sheila Enderson in attendance. All members present voting aye. Motion carried.

Moved by Feickert, seconded by Wiese to adjourn executive session. All members present voting aye. Motion carried.

SALARY INCREASE:

Moved by Wiese, seconded by Fischbach to increase salary of Doreen Borchard to \$13.08 per hour, effective December 27, 1998. All members present voting aye. Motion carried.

P.W. DISCUSSION:

Russ Podoll met to discuss the following: purchase of belly dump gravel trailer, blanket weight permit for Randy Hettich, water levels at Putney Slough, purchase of pickup and availability of two Semi's at Federal Surplus.

APPLICATION FOR OCCUPANCY:

Moved by Fischbach, seconded by Feickert to approve and authorize the Chairman sign application, submitted by McLeod USA Telecommunications for occupancy of County Road #17 (from Road #17 east of Road #19 only) in Section 16-T123-R63. Roll call vote: Commissioners Feickert-aye, Fischbach-aye, Wiese-abstain, Hansen-aye. Knecht-absent. Motion carried.

SALARY DISCUSSION:

Sheriff Department personnel met with the Commission to request that the step plan be revamped for clerical personnel. No action taken.

RECESS:

Moved by Feickert, seconded by Fischbach to recess until January 19, 1999. All members present voting aye. Motion carried.

Maxine Taylor - Brown County Auditor



## JANUARY 19, 1999 - GENERAL MEETING

Meeting called to order by Chairman Hansen at 8:45 A.M. in the Commissioner's Chambers, Courthouse Annex, Brown County, South Dakota. Present were Commissioners Knecht, Feickert, Fischbach and Wiese.

## MINUTES:

Moved by Wiese, seconded by Knecht to approve the General Meeting minutes of January 12, 1999. All members present voting aye. Motion carried.

## CLAIMS:

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

Payroll: Commissioners..\$2,115.40; Data Processing..\$1,221.16; Auditor..\$5,807.70, OVERTIME: Carol Misfeldt..\$14.72; Treasurer..\$6,622.74; State's Attorney..\$8,083.37, OVERTIME: Jane Jensen..\$83.52; Victims Asst..\$769.24; Maintenance..\$4,326.18; Assessor..\$6,655.44; Planning & Zoning..\$829.60; Register of Deeds..\$6,484.86, OVERTIME: Cindy Schwan..\$15.27; Veterans Service..\$1,843.26, OVERTIME: Kathy Schlecht..\$68.71; Sheriff..\$36,971.83, OVERTIME: Craig Anderson..\$59.64, John McQuillen..\$159.04, John Heine..\$156.16, Scott Kolb..\$153.28, Michael Casjens..\$110.64, David Fair..\$36.88, David Hanson..\$159.48, Steven Cogley..\$136.00, Ethan Palluck..\$118.72, John Weaver..\$137.56, Cristi Wilcox..\$144.48, Mark Jastram..\$107.20, Patrick Rickerl..\$53.60, Dallas Vallery..\$214.40, Barry Allbee..\$107.20, Amy Mathiason..\$26.80, Gary Bunt..\$241.24, Jennifer Hudson..\$208.64, Diane Mielke..\$99.76, Ann Bierman..\$118.72, Amy Lake..\$104.32, Kristal Schumack..\$104.32; Communications..\$10,291.96, OVERTIME: Mary Browning..\$127.36, Linda Chappell..\$121.60, Nancy Radke..\$153.68, Darcy Simmons..\$112.96, Michelle Strom..\$110.08, Kathy Thoof..\$118.72, Traci Wickenheiser..\$115.36, Lisa Wipf..\$115.36; Health..\$2,143.20; Museum..\$3,205.59; Welfare..\$2,173.96; E&D..\$1,715.87; Foster Grandparent Program..\$2,220.71; Parks..\$2,238.41; Fairboard..\$576.93; Extension..\$1,040.84; Weed..\$47.25; Road and Bridge..\$26,193.26, OVERTIME: Terry Backous..\$75.33, Robert Binfet..\$146.34, Vernon Bitz..\$203.52, David Bruckner..\$125.55, Brian Dargatz..\$101.34, Joel Guderjohn..\$96.13, Larry Hardy..\$98.41, Tom Lammon..\$93.54, Daryl Lloyd..\$131.44, Alfred Malsam..\$224.16, Joseph Malsam..\$78.71, Donald Maunu..\$133.88, Todd Odenbach..\$146.10, Bryan Owens..\$93.02, Jeff Seiler..\$220.22, Richard Schaible..\$142.29, Roger Schaible..\$128.32, Markcus Selzler..\$348.30, Rob Streeter..\$89.46, Kendell Titze..\$292.20, Leon Vickers..\$97.20, Earl Backous..\$75.00; Solid Waste..\$4,628.22, OVERTIME: Roxanne Varns..\$155.08, Nyle Jensen..\$113.03, Dennis Van Heerde..\$124.08:

Supplies & Materials: Best Business..\$1878.57, ZD Journals..\$99.00, Computer Specialists..\$840.00, William Meink..\$142.60, Harvey Oliver..\$503.00, Quality Quick Print..\$1.00, Debby Douchie..\$114.75, Office Equipment..\$127.11, Computer Specialists..\$146.00, New Trends..\$43.74, Best Business..\$271.00, Langs..\$150.60, Prairieland..\$169.95, Walmart..\$87.23, Office Equipment..\$45.79, McFarland Supply..\$85.03, American Linen..\$19.50, Taylor Laundry..\$67.06, UBC..\$4.34, Plainsco..\$303.92, Nelson Auto..\$56.76, Parcel-Erickson..\$50.00, Dick's Westside..\$2.25, Office Equipment..\$54.50, Sec/State..\$7.00, UPS..\$6.79, Xerox..\$161.77, Ameripride..\$18.90, St Lukes..\$102.00, Service Signs..\$36.00, Texaco..\$29.79, K-Mart..\$18.53, Gardner Locksmith..\$51.25, Joyce DesCamps..\$26.50, Brick Propane..\$209.00, Brick Propane/Britton..\$475.00, Butler..\$159,926.00, Casper Hwd..\$20.55, Dependable Sanitation..\$153.00, Robert Dinger..\$756.42, Double X Inc..\$112.20, Farmers Union..\$55.63, Inman & McDowell..\$111.30, Paul Mardian..\$28.57, Office Max..\$73.44, Share Corp..\$359.00, Snap On Tools..\$314.95, Alan Winburn..\$158.50, Office Equipment..\$3.98, Office Max..\$22.95,

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Prairieland..\$103.88, SD Wheat Growers..\$360.95, McFarland..\$37.72, Brick Propane..\$27.00, Heartland Heating..\$79.37, House of Glass..\$19.20, Richmond San Dist..\$36.00, Dakota Electronics..\$25.00, SD Federal Property..\$14,925.00, Dakota Electronics..\$30.00, RE Huffman..\$148.99, Nasco..\$18.23, Shopko..\$79.99, US Post Office..\$2.36, PC-LAN..\$49.00, Praxair..\$14.30, Earth Tech..\$7252.90, New Deal Tire..\$427.50, Mike Scott..\$22.75, New Waste Concept..\$21,151.20, Paul Mardian..\$39.30, Office Max..\$115.92:

**Transcriptions:** Slowey Court Reporting..\$140.00:

**Publications:** American News..\$402.50, Frederick/Hecla Northstar..\$274.47:

**Professional Fees:** SD Dept of Health..\$7.00, Witness Fees..\$184.94, Northern Plains Psychological..\$400.00, St Lukes..\$170.42, NE Mental Health..\$321.82, Alexander Mitchell Library..\$14,061.00, Lewis & Clark..\$100.00, Don Carlson..\$15.00, Joan Kittelson..\$15.00, Donna Dietrich..\$95.05, Yankton County Sheriff..\$16.75,

**Mileage & Travel:** Leo Leshner..\$111.12:

**Court Appointed Attorney:** Light Law Office..\$135.93, David Hosmer..\$114.80, Wanda Howey-Fox..\$160.00:

**Utilities:** Alterna-Cell..\$20.00, NWPS..\$696.93, Commnet Cellular..\$47.48, City of Aberdeen..\$43.00, City of Hecla..\$86.84, Town of Frederick..\$25.48, Northern Electric..\$14.20, US West..\$19.00, Midcontinent Cable..\$79.67, US West..\$121.60, City of Aberdeen..\$396.20, Commnet Cellular..\$8.80, NWPS..\$75.24, Midcontinent Cable..\$26.67, Midcontinent Cable..\$13.33, Commnet Cellular..\$39.70, Bureau of Adm..\$40.29, DTG..\$8.95, Northern Electric..\$564.45:

**Care of Poor:** Dr/Hospital..1 recipient..Avera St Lukes..\$6567.13; Transportation..1 recipient..Emergency Poor Fund..\$20.00; Drugs..1 recipient..Medical Center Pharmacy..\$252.96; Rent..4 recipients..John Dalager..\$125.00, Darrel Haskell..\$230.00, Lynn Schock..\$170.00, Sandy Jakober..\$230.00. All members present voting aye. Motion carried.

RESCIND RESOLUTION NO. 108-98:

Moved by Wiese, seconded by Fischbach to rescind Resolution No. 108-98, due to incorrect legal description. All members present voting aye. Motion carried.

ABATEMENTS:

Moved by Wiese, seconded by Fischbach to approve the following AbateMENTS: Louis Campton, house gone (NW 1/4 9-124-64) SW + tax for year 1999 in amount of \$62.40; Ellen Henley, house vacant (SE of RR in SE 1/4 17-124-61) SW + tax for year 1999 in amount of \$62.40; City of Aberdeen, tax exempt (Lot 1 of Boyd's First Subdivision of Lots 1, 2 & 3 Block 5 Original Plat of Aberdeen) for year 1995 in amount of \$290.85, for year 1996 in amount of \$570.10, for year 1997 in amount of \$138.68; Tim & Jeanette Weisz, owner/occupied (Lot 17 Blk 1 Northridge First Subdivision) for year 1998 in amount of \$615.55; Valaris G Carlson, owner/occupied (Lot 9 Blk 14 Simmons First Addition) for year 1998 in amount of \$317.03; Jerry & Joan Johnson, owner/occupied (Lot 7 Blk 2 Krause's 3rd Addition) for year 1997 in amount of \$597.00, for year 1998 in amount of \$702.32; Irene M Bruse, tax exempt (Lots 14 & 15 Block A (West part of Blk 77 H&L) 1st Addition) refund for year 1997 in amount of \$669.59, for year 1998 in amount of \$671.19; Madelyn R Marko, owner/occupied (W 100' of Lots 1 & 2 & W 75' of Lot 3 and all Lot 26 Blk 9 of Replat of Blks 9 & 10 Draeger & Yeager's Addition) for year 1998 in amount of \$412.62; Janis Kay Poirier, owner/occupied (Lot 4 Blk 28 Thomas Addition) for year 1998 in amount of \$485.01; Sunset Memorial Gardens Inc, tax exempt (Garden of Gethsemane Subdivision of Lot 1 First Addition to Sunset Memorial Gardens SE 1/4 15-123-63) for year 1998 in amount of \$507.82. All members present voting aye. Motion carried.

SUPPLEMENT NO. 1 - BROWN COUNTY EMPLOYEE POLICY MANUAL:

Moved by Wiese, seconded by Feickert to approve and authorize distribution of Supplement No. 1 - Brown County Policy Manual, effective January 19, 1999. All members present voting aye. Motion carried.

DRUG CONSORTIUM:

Moved by Wiese, seconded by Knecht to approve and authorize the Chairman sign agreement with Avera United Clinic Workplace Health Services for Drug Consortium Services in compliance with Federal drug and alcohol testing laws applicable to employees with a Commercial Drivers License. All members present voting aye. Motion carried.

EXPENSES:

Moved by Feickert, seconded by Knecht to approve the following expenses: Bob Retzer, Earl Ruden and Jerry Dempsey to attend Weed Spray Applicator Re-certification Program in Aberdeen on January 28; Russ Podoll to travel to Doland to inspect equipment on January 20; Larry Gerlach to travel to Huron for meeting with State Fair Officials on January 28. All members present voting aye. Motion carried.

FAIR CONTRACT:

Moved by Wiese, seconded by Feickert to authorize approval of Rodeo contract for the 1999 Brown County Fair. All members present voting aye. Motion carried.

SALARY DISCUSSION:

Mark Milbrandt and Barb Johnson met to discuss salary adjustments for personnel. The following action ensued: Moved by Knecht, seconded by Wiese to adjust salary of Home Detention Officer Mike Waldrop from \$8.93 per hour to \$10.01 per hour, effective January 17, 1999. All members present voting aye. Motion carried.

P.W. DISCUSSION:

Russ Podoll met to discuss SD LTAP Workshop schedule; motor grader lease status; Bridge #177; water levels.

INVENTORY TRANSFER:

Moved by Feickert, seconded by Wiese to approve transfer of trailer title from Brown-Marshall Conservation District to Brown County and authorize Chairman to sign letter of agreement. All members present voting aye. Motion carried.

RECESS:

Moved by Feickert, seconded by Knecht to recess until January 26, 1999. All members present voting aye. Motion carried.

Maxine Taylor - Brown County Auditor

JANUARY 25, 1999 - JOINT CITY/COUNTY MEETING

The Brown County Commission and the Aberdeen City Commission met in joint session at 6:30 P.M. in the City Commission Chambers, 123 S Lincoln, Aberdeen, South Dakota. Present from City were Commissioners Hopper, Klabo, Pfeifer, Hurlbert and Mayor Rich. Present from County were Commissioners Wiese, Feickert and Hansen. Absent Commissioners Knecht and Fischbach.

ORDINANCE NO. 99-01-01/172:

On motion by Hurlbert and seconded by Klabo, the City Commission unanimously voted to approve First Reading of Ordinance No. 99-01-01/172.

Moved by Wiese, seconded by Feickert to approve First Reading of Ordinance No. 99-01-01/172, An Ordinance Amending Ordinance No. 1164 to rezone certain described property from Section 701 (A-1) Agricultural District to Section 714 (M-Ag) Mini-Agricultural District, described as Meyers First Addition, Northeast Quarter (NE 1/4) of Section 10-T123N-R63W of the 5th P.M., Brown County, South Dakota, aka 13145 392nd Ave. All members present voting aye. Motion carried.

Moved by Wiese, seconded by Feickert to adjourn the Brown County Commission.

Maxine Taylor - Brown County Auditor

JANUARY 26, 1999 - GENERAL MEETING

Meeting called to order by Chairman Hansen at 8:45 A.M. in the Commissioner's Chambers, Courthouse Annex, Brown County, South Dakota. Present were Commissioners Knecht, Feickert and Wiese. Absent Commissioner Fischbach.

**MINUTES:**

Moved by Wiese, seconded by Feickert to approve the General Meeting minutes of January 19, 1999. All members present voting aye. Motion carried.

**CLAIMS:**

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

**Supplies & Materials:** Insurance Plus..\$22266.19, SD Counties..\$200.00, RE Huffman..\$531.40, Shepards..\$7910.70, Walmart..\$91.68, Brown & Saenger..\$359.05, Jordre Photo..\$257.95, Western Printing..\$4.50, Debby Bouchie..\$25.88, Office Max..\$889.98, Lar-Jos..\$407.00, NESDCAP..\$1000.00, Schwaab..\$154.70, Lang's..\$31.00, New Trends..\$7.98, Lystad's Janitorial Products..\$46.46, Zastrow Conoco..\$81.20, Stitches & Sew On..\$50.00, Tuxall..\$73.90, Sirchie..\$87.54, Computer Specialists..\$330.00, Medical Center Pharmacy..\$1412.26, Lust Chev..\$60.88, Grafix Shop..\$666.00, SD Federal Property..\$274.50, Computer Doctor..\$9.99, Gary Schlosser..\$200.00, John Schinkel..\$200.00, Safety Kleen..\$259.25, Nu-Metrics..\$127.50, Paul Mardian..\$31.23, Kar Products..\$221.40, Darla Jung..\$200.00, Heartland Paper..\$185.88, Flack Signs..\$83.00, Creative Sign..\$120.00, Ameripride..\$16.78, Hogg Restaurant..\$17.70, Western Printing..\$19.80, Taylor Laundry..\$67.42, Lexis..\$223.69, State Property Mgmt..\$35.25, West Group..\$3197.72, Phyllis Voeller..\$16.00, Dept of Motor Vehicles..\$6.00, House of Glass..\$28.80, Heartland Paper..\$393.44, Dependable Sanitation..\$215.00, Plainsco..\$404.88, Meade County Auditor..\$182.75, City of Frederick..\$1000.00, City of Groton..\$4000.00:

**Publications:** American News..\$398.75, Dakota Press..\$724.37:

**Professional Fees:** Avera St Lukes..\$1902.91, Witness Fees..\$178.60, EMSA..\$7.91, Lewis & Clark Mental Health Center..\$400.00, NE Mental Health Center..\$585.14:

**Mileage & Travel:** Bruce Tviet..\$32.16, City of Groton..\$85.68:

**Court Appointed Attorney:** Christy Serr..\$110.00, Gosch, Hirsch & Klimisch..\$128.55:

**Utilities:** NWPS..\$3292.82, Cellular One..\$222.79, Alterna-Cell..\$1200.00, US West..\$69.33, US West..\$1250.37, Bureau of Adm..\$527.84:

**Care of Poor:** Dr/Hospital..3 recipients..Avera United Clinic..\$98.00, Avera St Lukes..\$5335.69; Rent..5 recipients..Norman Brown..\$66.00, Dakota Square..\$121.00, BelAire..\$312.00, Campus Village Property..\$230.00; Utilities..1 recipient..US West..\$58.01. All members present voting aye. Motion carried.

**PERSONNEL:**

Moved by Feickert, seconded by Knecht to approve hiring Janet Dosch as part-time JDC Officer, effective December 27, 1998 @ \$6.05 per hour. All members present voting aye. Motion carried.

Moved by Wiese, seconded by Feickert to amend minutes of January 5, 1999 to correct employee step increase wage for Leo Schmidt to \$8.87 per hour. All members present voting aye. Motion carried.

Moved by Feickert, seconded by Wiese to approve the following employee step increase, effective January 24, 1999: Jesse Luce @ prorated annual salary of \$24,750. All members present voting aye. Motion carried.

Moved by Feickert, seconded by Wiese to acknowledge resignation of Michael Waldrop, effective February 6, 1999. All members present voting aye. Motion carried.

INVENTORY:

Moved by Wiese, seconded by Feickert to declare Decal #2633 (Laser Printer) surplus from the States Attorneys Office and transfer Decal #2634 (4MB/420 Desktop) from the States Attorneys Office to Data Processing. All members present voting aye. Motion carried.

PARALLEL CAFETERIA PLAN:

Moved by Knecht, seconded by Wiese to approve and authorize the Chairman sign authorization to add benefits mid plan year, creating a parallel cafeteria plan by adding AFLAC benefits. All members present voting aye. Motion carried.

LOTTERY APPLICATION:

Moved by Feickert, seconded by Knecht to approve and authorize the Chairman to sign application, submitted by the Northeast South Dakota Rabbit Club to hold a raffle on April 24, 1999. All members present voting aye. Motion carried.

EXPENSES:

Moved by Knecht, seconded by Feickert to approve the following expenses: John McQuillen to attend a Child Passenger Safety Technician Course in Sioux Falls on April 21-24; Tom Schmitt to attend Civil Process Training in Pierre on February 2; Tom Gohn to attend the SD Veterans Service Officer Association Executive Committee meeting in Pierre on February 1; Mike Scott to attend the 16th Annual Minnesota Solid Waste Seminar in Minneapolis, MN on February 24-25 and to travel to Huron to inspect equipment on January 28; Russ Podoll to travel to Sioux Falls to inspect equipment on January 28; Mike Wiese to attend a Legislative Committee Hearing in Pierre on January 20. All members present voting aye. Motion carried.

ABATEMENTS:

Moved by Feickert, seconded by Knecht to approve the following Abatements: BNSFRR, tax credit (refer to abatement for property listing) for year 1998 in amount of \$49,486.05; Sunset Memorial Gardens Inc, tax exempt (Lots 2-5 First Addition to Sunset Memorial Gardens 15-123-63) for year 1996 in amount of \$1,195.28 and 1997 in amount of \$1,190.99; Ernest L & Marian L Phillips, incorrect lot size (Lot 4 Blk 1 Green Acres 18-123-62) for year 1998 in amount of \$125.18 and (Lot 5 Blk 1 Green Acres 18-123-62) for year 1998 in amount of \$125.19; Adjustment Training Center, tax exempt (E 540' of N 403.33' NE 28-123-64) for year 1998 in amount of \$2.40 and (E 77' of L 1 & 2 Blk 19 Thomas Addition) for year 1998 in amount of \$.40 and (Lots 849, 850, 851, 852 Morning Heights Extended Addition) for year 1998 in amount of \$.40; BNRR, centrally assessed (refer to abatement for property listing) for year 1997 in amount of \$6,857.90; Aberdeen School District, tax exempt (Lots 12 & 13 Blk A First Addition) for year 1998 in amount of \$.40; John Freeland, vacant parcel (SE 1/4 34-126-61) for year 1998 in amount of \$62.40. All members present voting aye. Motion carried.

PLAT:

Commissioner Wiese offered the following Resolution:

RESOLUTION NO. 5-99

BE IT RESOLVED by the Board of County Commissioners of Brown County, South Dakota, that the plat showing "Wigdahl Lot 1 in the SE 1/4 of Section 25-T125N-R60W 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 Knecht. Roll call vote: Commissioners Knecht-aye, Feickert-aye, Wiese-aye, Hansen-aye, Fischbach-absent. Resolution adopted.

BID - 1999 YARD WASTE HAULING SERVICE:

Time and place, as advertised to open, read and consider bids for Yard Waste Hauling from the designated Brown County Yard Waste Drop-off Points. Bids were received from A-1 Sanitation and Dependable Sanitation.

Moved by Feickert, seconded by Wiese to refer all bids to Mike Scott for review and recommendation. All members present voting aye. Motion carried.

Moved by Feickert, seconded by Knecht to award low bid, submitted by A-1 Sanitation in amount of \$49.75 per load for 1999 Yard Waste Collection; rejecting bid, submitted by Dependable Sanitation in amount of \$61.89 per load. All members present voting aye. Motion carried.

Moved by Knecht, seconded by Wiese to approve and authorize the Chairman sign 1999 Yard Waste Hauling Agreement with A-1 Sanitation. All members present voting aye. Motion carried.

BCCHC REPORT:

Merri Nelson presented the Brown County Community Health Services Report for October - December 1998.

FGP REPORT:

Linda Dillavou discussed increase in Federal Grant for the Foster Grandparent Program, explained computer upgrade needs and discussed salary request.

EXECUTIVE SESSION:

Moved by Wiese, seconded by Knecht to go into executive session for personnel discussion with Mark Milbrandt and Tom Schmitt in attendance. All members present voting aye. Motion carried.

Moved by Wiese, seconded by Feickert to adjourn executive session. All members present voting aye. Motion carried.

PAVEMENT MARKING AGREEMENT:

Moved by Wiese, seconded by Knecht to approve and authorize the Chairman sign agreement with SDDOT for striping approximately 143 miles of road in Brown County during 1999. All members present voting aye. Motion carried.

EQUIPMENT PURCHASE:

Moved by Wiese, seconded by Feickert to approve purchase of a 1992 Dodge 4x4 Pickup with utility box in amount of \$10,725.00 for use at the Highway Department. All members present voting aye. Motion carried.

RECESS:

Moved by Wiese, seconded by Feickert to recess until February 2, 1999. All members present voting aye. Motion carried.

Maxine Taylor - Brown County Auditor

FEBRUARY 1, 1999 - JOINT CITY/COUNTY MEETING

The Brown County Commission and the Aberdeen City Commission met in joint session at 6:30 P.M. in the City Commission Chambers, 123 S Lincoln, Aberdeen, South Dakota. Present from City were Commissioners Hopper, Klabo, Pfeifer and Hurlbert. Absent Mayor Rich. Present from County were Commissioners Wiese, Fischbach and Hansen. Absent Commissioners Knecht and Feickert.

ORDINANCE NO. 99-01-01/172:

On motion by Pfeifer and seconded by Hurlbert, the City Commission unanimously voted to approve Second Reading of Ordinance No. 99-01-01/172.

On motion by Klabo and seconded by Pfeifer, the City Commission unanimously voted to adopt Ordinance No. 99-01-01/172.

Moved by Wiese, seconded by Fischbach to approve Second Reading of Ordinance No. 99-01-01/172. All members present voting aye. Motion carried.

Moved by Fischbach, seconded by Wiese to adopt Ordinance No. 99-01-01/172, An Ordinance Amending Ordinance No. 1164 to rezone certain described property from Section 701 (A-1) Agricultural District to Section 714 (M-Ag) Mini-Agricultural District, described as Meyers First Addition, Northeast Quarter (NE 1/4) of Section 10-T123N-R63W of the 5th P.M., Brown County, South Dakota, aka 13145 392nd Ave. All members present voting aye. Motion carried.

SET HEARING DATES:

On motion by Hurlbert and seconded by Klabo, the City Commission unanimously voted to set hearing to consider petition to rezone: Ordinance No. 99-02/01/173 (Ingemunson) and Ordinance No. 99-02-02/174 (Dahme) to be held in the City Commission Chambers, 123 S Lincoln, Aberdeen, South Dakota at 6:30 P.M. on February 22, 1999.

Moved by Fischbach, seconded by Wiese to set hearing to consider petition to rezone: Ordinance No. 99-02/01/173 (Ingemunson) and Ordinance No. 99-02-02/174 (Dahme) to be held in the City Commission Chambers, 123 S Lincoln, Aberdeen, South Dakota at 6:30 P.M. on February 22, 1999. All members present voting aye. Motion carried.

Moved by Wiese, seconded by Fischbach to adjourn the Brown County Commission.

Maxine Taylor - Brown County Auditor



FEBRUARY 2, 1999 - GENERAL MEETING

Meeting called to order by Chairman Hansen at 8:45 A.M. in the Commissioner's Chambers, Courthouse Annex, Brown County, South Dakota. Present were Commissioners Knecht, Feickert, Fischbach and Wiese.

MINUTES:

Moved by Knecht, seconded by Feickert to approve the Joint City/County Meeting minutes of January 25, 1999 and the General Meeting minutes of January 26, 1999. All members present voting aye. Motion carried.

CLAIMS:

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

Payroll: Commissioners..\$2,115.40; Data Processing..\$1,221.16; Auditor..\$5,807.70, OVERTIME: Carol Misfeldt..\$19.62; Treasurer..\$6,923.05; State's Attorney..\$8,083.37, OVERTIME: Penny Hart..\$9.12, Jane Jensen..\$132.24, Darci Lloyd..\$6.51; Victims Asst..\$769.24; Maintenance..\$4,563.72, OVERTIME: Judy Dosch..\$56.85; Assessor..\$6,482.86; Planning & Zoning..\$829.60; Register of Deeds..\$2,578.61; Veterans Service..\$1,881.71, OVERTIME: Kathy Schlecht..\$61.08; Sheriff..\$37,234.29, OVERTIME: Craig Anderson..\$178.92, John McQuillen..\$79.52, John Heine..\$48.80, Scott Kolb..\$229.92, Michael Casjens..\$239.72, David Fair..\$221.28, David Hanson..\$35.44, Steven Cogley..\$25.50, Dala Mandel..\$56.35, Ethan Palluck..\$118.72, Roxanne Schumacher..\$112.96, Cristi Wilcox..\$130.72, Mark Jastram..\$164.15, Jason Hebner..\$107.20, Patrick Rickerl..\$13.40, Dallas Vallery..\$107.20, Amy Mathiason..\$80.40, Jennifer Hudson..\$104.32, Diane Mielke..\$113.52, Ann Bierman..\$148.40, Tony Ingemansen..\$204.74, Kevin Johnson..\$107.20, Amy Lake..\$52.16, Kristal Schumack..\$26.08; Communications..\$10,152.14, OVERTIME: Sheila Anderson..\$182.40, Mary Browning..\$127.36, Linda Chappell..\$87.40, Nancy Radke..\$63.28, Darcy Simmons..\$144.73, Michelle Strom..\$82.56, Traci Wickenheiser..\$28.98, Lisa Wipf..\$57.96; Health..\$2,143.20; Museum..\$3,205.59; Welfare..\$2,212.42; E&D..\$1,715.87; Foster Grandparent Program..\$2,220.71; Parks..\$2,138.37; Fairboard..\$576.93; Extension..\$1,448.80; Road and Bridge..\$26,066.43, OVERTIME: Terry Backous..\$8.37, Robert Binfet..\$48.78, Vernon Bitz..\$111.36, David Bruckner..\$8.37, Brian Dargatz..\$15.59, Daryl Lloyd..\$49.29, Alfred Malsam..\$21.02, Joseph Malsam..\$28.62, Donald Maunu..\$47.25, Todd Odenbach..\$51.14, Markcus Selzler..\$8.10, Michael Wagner..\$40.18; Solid Waste..\$4,759.14, OVERTIME: Carl Wright..\$119.05, Roxanne Varns..\$18.91, Nyle Jenson..\$131.86, Dennis VanHeerde..\$152.33;

Supplies & Materials: Quality Quick Print..\$2450.60, Dakota Office..\$22.81, Jordre Photo..\$15.50, Mathison Co..\$217.00, Consolidated Business Prod..\$105.90, Schwaab..\$87.46, State Radio Communications..\$3600.00, RE Huffman..\$254.10, Dakota Electronics..\$443.45, SD Dept of Rev..\$375.00, Land 'o Lakes..\$170.39, Hoven Auto..\$22.50, K-Mart..\$54.90, Walmart..\$110.50, Computer Specialists..\$54.00, MOCIC..\$150.00, Respond Systems..\$115.30, Farm Power..\$251.69, HC Clark..\$30.93, Frey's Electronics..\$419.60, Keeleys..\$181.96, Klein Survey System..\$599.06, Newman Signs..\$291.00, Aberdeen Chrysler..\$1961.68, Ameripride..\$10.59, Parcel-Erickson..\$39.77, Ralph's Heating..\$63.26, New Trends..\$65.89, SWANA..\$100.00, SW Seminar..\$135.00, Shopko..\$67.55, Farm Power..\$2311.68, Safelite Glass..\$405.90, House of Glass..\$72.26, Plainsco..\$31.82, New Deal Tire..\$26.25, Prairieland..\$124.54, Butler..\$509.24, Creative Forecasting..\$36.00, SD Division of Motor Vehicles..\$12.00, US Post Office..\$200.00;

Transcriptions: Betsy Johnson..\$14.70;

Publications: American News..\$505.75;

Professional Fees: Witness Fee..\$20.00, LCM Pathologists..\$1076.32,

NADRIC..\$2083.33:

Mileage & Travel: Dennis Feickert..\$16.80, Deb Knecht..\$67.20, Mike Wiese..\$108.00, APCO..\$105.00, Juanita Herold..\$18.24, SD Fleet..\$1182.00, Ken Thompson..\$8.16, Jvonne Heard..\$23.52, Mike Waldrop..\$35.52, Deb Dugger..\$5.50, Larry Gerlach..\$57.82, Carl Wright..\$5.50, Mike Scott..\$5.50, Tom Gohn..\$382.12:

Utilities: US West..\$3365.19, Cellular One..\$18.45, Montana-Dakota..\$61.15, NWPS..\$356.56, Northern Elec..\$185.81, WEB..\$52.21:

Care of Poor: Dr/Hospital..1 recipient..St Lukes..\$1511.08; Rent..7 recipients..Lynn Schock..\$170.00, Kent Hyde..\$210.00, Belaire..\$110.00, Narrigang Holding..\$170.00, Schatz Rental..\$170.00, Scott Sinkkink..\$210.00; Utilities..3 recipients..NWPS..\$290.00, Northern Elec..\$140.49; Insurance..1 recipient..Meyers Auto..\$222.39. All members present voting aye. Motion carried.

PERSONNEL:

Moved by Wiese, seconded by Knecht to approve the following employee step increase, effective February 7, 1999: Catherine Lindemann @ \$9.28 per hour, Mark Jastram @ \$9.17 per hour. All members present voting aye. Motion carried.

Moved by Knecht, seconded by Feickert to approve hiring Christopher Myers as part-time JDC Officer, effective February 2, 1999 @ \$6.05 per hour. All members present voting aye. Motion carried.

Moved by Feickert, seconded by Wiese to approve the following employee step increases, effective February 7, 1999: Janice Moore @ \$12.63 per hour, Joyce DesCamps @ \$10.37 per hour, Kathy Neitzel @ \$11.09 per hour. All members present voting aye. Motion carried.

CDBG:

Moved by Knecht, seconded by Fischbach to authorize advertising notice of public comment period for CDBG funding for the James River Tree Removal Project. All members present voting aye. Motion carried.

Moved by Wiese, seconded by Fischbach to approve and authorize the Chairman sign CDBG Grant No. 9797-609 Interim Financial Statement. All members present voting aye. Motion carried.

PLATS:

Commissioner Wiese offered the following Resolution:

RESOLUTION NO. 6-99

BE IT RESOLVED by the Board of County Commissioners of Brown County, South Dakota, that the plat showing "Ingemunson Lot 1 in the NW 1/4 of Sec 33-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 Feickert. Roll call vote: Commissioners Knecht-aye, Feickert-aye, Fischbach-aye, Wiese-aye, Hansen-aye. Resolution adopted.

Commissioner Fischbach offered the following Resolution:

RESOLUTION NO. 7-99

BE IT RESOLVED by the Board of Commissioners of Brown County, South Dakota, that the

plat showing "Bitz First Subdivision in the NW 1/4 of Sec 25-T123N-R64W of the 5th P.M. Brown County, South Dakota", having been examined, is hereby approved in accordance with the provisions of SDCL of 1867, Chapter 11-3, and any amendments thereof.

Seconded by Commissioner Feickert. Roll call vote: Commissioners Knecht-aye, Feickert-aye, Fischbach-aye, Wiese-aye, Hansen-aye. Resolution adopted.

CONTRACT:

Moved by Feickert, seconded by Wiese to approve and authorize Chairman to sign agreement with The Fantastic Convertibles for Club House fund raising event to be held on May 21, 1999. All members present voting aye. Motion carried.

ABATEMENTS:

Moved by Feickert, seconded by Knecht to approve the following Abatements: Hollis Treeby, vacant house (NW 1/4 10-128-60) for year 1998 refund in amount of \$60.00 and for year 1999 abatement in amount of \$62.40. All members present voting aye. Motion carried.

EXPENSES:

Moved by Knecht, seconded by Wiese to approve the following expenses: Mark Mills to attend SD Dispatch Training Committee Meeting in Pierre on March 10; Cordell Rudolph to attend Signing and Temporary Traffic Control Workshop in Fargo, ND on April 20-21; Richard Burns and Kendell Titze to attend Culvert Selection and Installation Workshop in Mitchell on February 17; Mike Scott to inspect and pick up equipment in Huron on February 3; Mark Milbrandt to attend Sheriff's orientation training and attend the Legislature in Pierre on February 3-4. All members present voting aye. Motion carried.

MUSEUM ANNUAL REPORT:

Sue Gates presented the 1998 Annual Museum Report.

BID - PW MATERIALS & SUPPLIES:

Moved by Wiese, seconded by Feickert to authorize advertising the following dates/times for public hearings to open, read and consider bids for the following items: March 9, 1999: Asphalt Road Oils @ 8:45 am, Bituminous Plant Mix @ 9:00 am, Cutting Edges @ 9:15 am; March 16, 1999: Culverts @ 8:45 am, Gravel Materials @ 9:00 am, Services of Road Machinery @ 9:15 am, all hearings to be held in the Brown County Commissioner's Chambers, Courthouse Annex, Brown County, South Dakota. All members present voting aye. Motion carried.

OFFICE SPACE:

Mick Palmer and Judy Dosch reviewed plan to remodel office space utilized by Probation.

RECESS:

Moved by Wiese, seconded by Feickert to recess until February 9, 1999. All members present voting aye. Motion carried.

Maxine Taylor - Brown County Auditor

FEBRUARY 9, 1999 - GENERAL MEETING

Meeting called to order by Vice Chairman Knecht at 8:45 A.M. in the Commissioner's Chambers, Courthouse Annex, Brown County, South Dakota. Present were Commissioners Feickert and Wiese. Absent Commissioners Fischbach and Hansen.

**MINUTES:**

Moved by Wiese, seconded by Feickert to approve the Joint City/County Meeting minutes of February 1, 1999 and the General Meeting minutes of February 2, 1999. All members present voting aye. Motion carried.

**CLAIMS:**

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

**Supplies & Materials:** Pitney-Bowes..\$62.92, McLeod's..\$139.20, Office Equipment..\$164.54, Sanders..\$63.86, Prairieland..\$18.58, Mac's..\$42.25, UBC..\$8.61, Finishing Touch..\$75.73, Heartland Paper..\$172.02, Taylor Laundry..\$70.66, Plainsco..\$210.41, Photos Now..\$82.76, New Trends..\$49.47, SDAAO..\$220.00, Xerox..\$170.09, Bob Barker..\$535.49, SD Dept of Revenue..\$136.34, Sewing Shoppe..\$132.50, Parcel-Erickson..\$72.42, Quality Quick Print..\$278.94, Hoven Auto..\$258.10, Farmers Union..\$25.57, Dakota Electronics..\$309.71, Hoggs..\$3184.36, Dick's Westside..\$45.00, Bonnie Bitz..\$96.00, OK Tire..\$9.50, Kesslers..\$288.35, Gardner Locksmith..\$10.00, Warner Co-Op..\$16.00, Hub City Iron Store..\$898.73, Great Western Tire..\$5367.40, Graham Tire..\$2055.28, Gilland Ent..\$73.40, Farmers Union..\$15.41, Evergreen Supply..\$474.32, Robert Dinger..\$18630.22, Diesel Machinery..\$146.90, Dakota Oil..\$2302.20, Cunningham Elec..\$267.24, Crawford Trucks..\$5639.94, Clark Engineering..\$293.18, CarQuest..\$970.01, Butler..\$2656.14, Bridgestone..\$3166.00, Brick Propane..\$925.77, Zastrow Conoco..\$28.00, Western Printing..\$329.60, Tractor Salvage..\$1102.40, SD Wheat Growers..\$7670.86, SD Federal Property..\$10875.00, Power Equip..\$2401.00, Overhead Door..\$75.00, Northern Truck..\$604.00, Nelson Auto Electric..\$479.89, Menards..\$169.37, Mattern's Diesel..\$3793.56, Lawson Products..\$930.94, RE Huffman..\$223.48, A&M Radio..\$43.00, Walmart..\$108.13, Pelouze Scale..\$64.95, Schwaab..\$29.20, Shopko..\$179.99, Jerry Dempsey..\$20.00, Earl Ruden..\$20.00, Robert Retzer..\$20.00, Weed & Pest Conference..\$70.00, Spink County Transit..\$234.00, Watertown Area Transit..\$241.00, SD Dept of Revenue..\$2138.85, SD Fed Property..\$16220.00, Dept of Commerce..\$75.00, US Post Office..\$114.00, Dependable..\$11679.56, SD Wheat Growers..\$2121.37, Hedahls..\$67.18, Taylor Laundry..\$112.28, Aberdeen Chrysler..\$232.22, Division of Motor Vehicles..\$12.00, SDEMA..\$210.00, RE Huffman..\$20.70, Sherri Rawstern..\$6.36, Kelsey Welding..\$999.70, Bricks..\$209.00, Dakota Electronics..\$25.00, Plainsco..\$36.86, Gateway..\$1261.00:

**Transcriptions:** Betsy Johnson..\$75.60:

**Publications:** American News..\$132.50:

**Professional Fees:** NADRIC..\$50.00, Northern Plains Oral Surgery..\$56.55, Cheryl Hairgrove..\$416.00, St Lukes..\$72.00, stipends..\$12520.50, Eide Bailey..\$208.25, Witness fee..\$41.00:

**Mileage & Travel:** State Motel..\$179.70, Gene Loeschke..\$109.68, Mark Milbrandt..\$124.29, Russ Podoll..\$42.50, Mavis Kempf..\$5.50, Charlene Millim..\$92.38, Marge Crawford..\$19.20, Maxine Taylor..\$88.24, Best Western Ramkota..\$63.00:

**Court Appointed Attorney:** Michael Thompson..\$588.10, McNeary & Anderson..\$221.25:

**Utilities:** City of Aberdeen..\$456.93, NWPS..\$9153.48, US West..\$182.38, Midcontinent Cable..\$93.08, Town of Frederick..\$18.25, Accent Communications..\$419.52, City of Aberdeen..\$197.45, James Valley Co-Op..\$665.21, WEB..\$179.92, AlternaCell..\$9.95, Bureau of Adm..\$65.56:

**Care of Poor:** Dr/Hospital..2 recipients..Dr John Adams..\$462.30, McKennan Hosp..\$7657.36; Transportation..1 recipient..Emergency Poor Fund..\$20.00; Drugs..2 recipients..Medical Center Pharmacy..\$1011.18; Rent..6 recipients..Albert

Hoffman..\$90.00, Dakota Square Operations..\$180.00, Gary Fiala..\$250.00, Belaire..\$330.00; Insurance..1 recipient..Anza Cobra..\$279.48. All members present voting aye. Motion carried.

SHERIFFS REPORTS:

Moved by Feickert, seconded by Wiese to approve the following December, 1998 Sheriffs Reports: Incidents & Offenses, Prisoner Care, JDC, Money deposited with the County Treasurer and Monthly activities. All members present voting aye. Motion carried.

EXPENSES:

Moved by Feickert, seconded by Wiese to approve the following expenses: Mark Milbrandt and two employees to attend a livescan fingerprint system demonstration in Pierre on February 18; Bob Retzer, Gary Erickson and Dennis Feickert to attend the 1999 Weed & Pest Conference in Huron on February 25 & 26; Mike Weise to attend legislative hearings in Pierre on February 10. All members present voting aye. Motion carried.

PERSONNEL:

Moved by Wiese, seconded by Feickert to acknowledge resignation of Linda Battest from Maintenance Department and further to authorize filling vacancy. All members present voting aye. Motion carried.  
 Moved by Wiese, seconded by Feickert to approve hiring Terrance S Evans as full-time employee at the Highway Department, effective February 15, 1999 at \$9.34 per hour. All members present voting aye. Motion carried.

PLAT:

Commissioner Wiese offered the following Resolution:

RESOLUTION NO. 8-99

BE IT RESOLVED by the Board of County Commissioners of Brown County, South Dakota, that the plat showing "Bruns Lot 1 in the NE 1/4 of Sec 2-T126N-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 Feickert. Roll call vote: Commissioners Knecht-aye, Feickert-aye, Wiese-aye, Fischbach-absent, Hansen-absent. Resolution adopted.

BID - CHEMICALS:

Moved by Wiese, seconded by Feickert to authorize advertising public hearing to open, read and consider bids for furnishing chemical for the Brown County Weed and Pest 1999 Spraying Season, to be held at 9:00 A.M. on February 23, 1999 in the Commissioner's Chambers, Courthouse Annex, Brown County, South Dakota. All members present voting aye. Motion carried.

ABATEMENT:

Moved by Feickert, seconded by Wiese to approve the following Abatement: David J & Dan J Hagre, weed removal (Lots 11 & 12 Blk 6 Shelby Township) for year 1998 in amount of \$150.00. All members present voting aye. Motion carried.

AUDITOR'S REPORT OF ACCOUNT:

Moved by Wiese, seconded by Feickert to approve the January, 1999 Auditor's Report of Account:

AUDITOR'S REPORT OF ACCOUNT WITH THE COUNTY TREASURER:

Total amount of actual cash - - - - -	\$	3,057.00
Norwest Bank- - - - -	\$	10,147.60

US Bank - - - - -	\$	12,333.50
Dacotah Bank- - - - -	\$	21,554.10
Petty Cash (Sheriff, Welfare, Museum) -	\$	1,400.00
Landfill Change Fund- - - - -	\$	100.00
Fund Investments- - - - -	\$	8,773,969.25
Outstanding Checks- - - - -	\$	<u>443.00</u>
Total - - - - -	\$	\$8,823,004.45

All members present voting aye. Motion carried.

#### HOSPITAL BILL:

Moved by Feickert, seconded by Wiese to deny payment of a hospital bill, submitted by St. Lukes Midland Regional Hospital in amount of \$7,453.76, as sufficient information to determine indigency has not been furnished. All members present voting aye. Motion carried.

#### CDBG FUNDING:

Wendy Henning met to answer questions in regard to the application for CDBG Funding for the Lower Crow Creek Project. Russ Podoll and Harvey Oliver were also in attendance. John Ries and Bob Pray will be contacted for further clarification.

Moved by Feickert, seconded by Wiese to approve and authorize the Chairman to sign application documents and resolution for CDBG Funding in amount of \$1,235,150 for the James River Disaster Tree Removal and Planting Program. All members present voting aye. Motion carried.

#### JDC ANNUAL REPORT/UPDATE:

Barb Johnson presented the 1998 JDC Annual Report and also furnished operational cost estimates for the new JDC. Mark Milbrandt was also in attendance.

#### APPLICATION FOR OCCUPANCY:

Moved by Feickert, seconded by Knecht to approve and authorize the Chairman sign application, submitted by US West Communications for occupancy of County Highway No. 14E in Sec 22-T123N-R63W Brown County, South Dakota for telephone service. Roll call vote: Commissioners Knecht-aye, Feickert-aye, Wiese-abstain, Fischbach-absent, Hansen-absent. Motion carried.

#### BRIDGE #351:

Moved by Wiese, seconded by Feickert to approve and authorize the Chairman sign Maintenance Agreement, Utilities Certificate, Letting Authorization and Right-of-way Certificate for County Bridge #351 BRF 6525(1), 1.0 miles north and 1.4 miles east of Richmond over the Richmond Lake Spillway, Structure 07-064-277 on County Road #6. All members present voting aye. Motion carried.

#### RECESS:

Moved by Wiese, seconded by Feickert to recess until February 16, 1999. All members present voting aye. Motion carried.

Maxine Taylor - Brown County Auditor

## FEBRUARY 16, 1999 - GENERAL MEETING

Meeting called to order by Chairman Hansen at 8:45 A.M. in the Commissioner's Chambers, Courthouse Annex, Brown County, South Dakota. Present were Commissioners Knecht, Feickert, Fischbach and Wiese.

## MINUTES:

Moved by Feickert, seconded by Wiese to approve the General Meeting minutes of February 9, 1999. All members present voting aye. Motion carried.

## CLAIMS:

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

Payroll: Commissioners..\$2,115.40; Data Processing..\$1,221.16; Auditor..\$5,807.70, OVERTIME: Jan Erickson..\$15.05; Treasurer..\$6,889.97; State's Attorney..\$7,538.70, OVERTIME: Jane Jensen..\$13.92; Victims Asst..\$769.24; Maintenance..\$4,667.98, OVERTIME: Judy Dosch..\$56.85; Assessor..\$6,575.01; Planning & Zoning..\$829.60; Register of Deeds..\$2,578.61; Veterans Service..\$1,881.71, OVERTIME: Kathy Schlecht..\$76.35; Sheriff..\$38,720.67, OVERTIME: Craig Anderson..\$39.76, John McQuillen..\$9.94, John Heine..\$97.60, Scott Kolb..\$191.60, Michael Casjens..\$92.20, David Fair..\$129.08, David Hanson..\$124.04, Cristi Wilcox..\$55.04, Mark Jastram..\$53.60, Dallas Vallery..\$26.80, Gary Bunt..\$52.16, Ann Bierman..\$14.84, Kevin Johnson..\$53.60, Michael Waldrop..\$15.01; Communications..\$9,309.18, OVERTIME: Mary Browning..\$159.20, Linda Chappell..\$30.40, Kathy Thooft..\$89.04; Health..\$2,143.20; Museum..\$3,205.59; Welfare..\$2,271.62; E&D..\$1,754.32; Foster Grandparent Program..\$2,220.71; Parks..\$1,960.97; Fairboard..\$576.93; Extension..\$1,448.80; Weed..\$523.60; Road and Bridge..\$25,932.79, OVERTIME: Terry Backous..\$25.11, Robert Binfet..\$24.39, Vernon Bitz..\$261.12, Brian Dargatz..\$38.98, Joel Guderjohn..\$14.79, Larry Hardy..\$11.36, Tom Lammon..\$15.59, Daryl Lloyd..\$32.86, Alfred Malsam..\$84.06, Donald Maunu..\$149.63, Todd Odenbach..\$73.05, Bryan Owens..\$21.47, Cordell Rudolph..\$15.30, Richard Schaible..\$23.72, Roger Schaible..\$20.05, Jeff Seiler..\$7.01, Markcus Selzler..\$133.65, Kendell Titze..\$21.92, Leon Vickers..\$16.20, Michael Wagner..\$14.61; Solid Waste..\$4,679.80, OVERTIME: Carl Wright..\$114.94, Roxanne Varns..\$41.61, Nyle Jenson..\$26.37, Dennis Van Heerde..\$113.36;

Supplies & Materials: US Post Office..\$5000.00, Brown & Saenger..\$180.00, Computer Specialists..\$129.00, Office Equipment..\$109.90, Matthew Bender..\$103.44, Debbie Bouchie..\$168.21, New Trends..\$7.59, Ameripride..\$19.50, Plainsco..\$122.97, Judy Dosch..\$31.79, Dependable..\$203.00, Taylor Laundry..\$422.57, Tri-State Water..\$10.60, Artz Camera..\$38.75, Dakota Silk Screen..\$1146.50, Country General..\$99.99, John McQuillen..\$15.89, Dick's..\$22.00, K-Mart..\$15.95, Metz Baking..\$507.66, Jordre Photo..\$12.35, SD Sheriff Assn..\$20.00, Xerox..\$152.42, US West Direct..\$9.58, Avera St Lukes..\$34.00, Royal Chemical..\$264.78, Hoven Auto..\$106.45, Interstate Telecommunications Corp..\$1.57, Medical Center Pharm..\$1280.91, Walmart..\$9.67, WW Wallwork..\$141.65, Tractor Salvage..\$2756.00, SD Dept of Transportation..\$989.57, SD Division of Motor Vehicles..\$6.00, Share Corp..\$215.00, Reuer's Auto..\$169.00, RDO Financial Services..\$179.76, Praxair..\$125.50, New Deal Tire..\$120.75, Lust Chev..\$200.48, Lien Trans..\$5505.00, Insurance Plus..\$358.00, Huron Culvert..\$20714.00, Hedahls..\$16.80, J Gross Equip..\$75.24, Dakota Fluid Power..\$309.76, Country General..\$625.22, Brick Propane..\$436.35, Trout Bros..\$106.00, Galls..\$80.98, Area IV Nutrition..\$4000.00, Paper Warehouse..\$12.19, K-Mart..\$14.28, Shopko..\$125.48, Aberdeen Area Sr Citizens..\$637.50, Office Max..\$248.51, Hollis Treeby..\$60.00, Tom's Flooring..\$918.00, Paul Mardian..\$45.70, Haug Plumbing..\$157.30, Parcel-Erickson..\$10.00, Cole Papers..\$439.75, Hub City Iron..\$47.43, Farm

Power..\$1462.56:

**Publications:** American News..\$623.09, Frederick/Hecla Northstar..\$233.93:

**Professional Fees:** Healthcomp Evaluations..\$62.00, Witness fees..\$40.00, Mark McNeary..\$1500.00, Campbell County Sheriff..\$15.00, Dr John Carrels..\$78.61:

**Mileage & Travel:** Janice Moore..\$79.68:

**Utilities:** NWPS..\$4010.33, City of Aberdeen..\$30.00, Midco Communications..\$153.00, Commnet Cellular..\$157.58, US West..\$471.57, City of Hecla..\$77.77, Dependable Sanitation..\$153.00, Cellular One..\$23.88, DTG..\$14.77:

**Care of Poor:** Dr/Hospital..5 recipients..Medical Social Services..\$1083.24, Aberdeen Living Center..\$3115.22, Anesthesia Care..\$240.00, Avera St Luke..\$229.70; Transportation..1 recipient..Aberdeen Advanced Care..\$1017.90; Drugs..3 recipients..Kessler Pharm..\$97.06, Medical Center Pharmacy..\$165.69; Rent..4 recipients..Carson Murdy..\$140.00, Haar Rentals..\$170.00, Dakota Square..\$161.00, Belaire..\$192.00; Burial..1 recipient..City of Aberdeen..\$300.00, Miller-Huebl..\$937.62. All members present voting aye. Motion carried.

#### ABATEMENT:

Moved by Wiese, seconded by Fischbach to approve the following Abatement: Gary Nielsen, owner occupied (N 137' of the E 318' of NE 1/4 SE 1/4 20-123-63) for year 1998 in amount of \$571.02. All members present voting aye. Motion carried.

#### EMPLOYEE STEP INCREASE:

Moved by Wiese, seconded by Knecht to approve the following employee step increases, effective February 21, 1999: Michael Wagner @ \$9.94, Jodi McQuillen @ \$8.88. All members present voting aye. Motion carried.

#### LEASE AGREEMENT:

Moved by Feickert, seconded by Wiese to approve and authorize the Chairman sign Agreement with Brown County 4-H Safety Camp for lease of Fairgrounds facilities on July 13, 1999. All members present voting aye. Motion carried.

#### FAIR CONTRACT:

Moved by Feickert, seconded by Knecht to approve Entertainment Contract for August 19, 1999 at the Brown County Fair. All members present voting aye. Motion carried.

#### WEED BOARD:

Moved by Wiese, seconded by Knecht to appoint Dennis Wiedebush to fill unexpired term of Eugene Wiedebush (March 31, 2001) and reappoint Berwyn Bain and Mark Hoven to an additional three year term to expire March 31, 2002. All members present voting aye. Motion carried.

#### EXPENSES:

Moved by Knecht, seconded by Wiese to approve the following expenses: Mike Scott to inspect equipment at Huron on February 17; Randy Bonn and Larry Gerlach to review Fairgrounds Master Plan at Prairie Partners Office in Brookings on February 24; Mark Mills to attend a Legislative hearing in Pierre on February 16; Russ Podoll to attend the 22nd Annual Highway Superintendent's Short Course in Huron on March 9 - 11; Two public works employees to attend a Flagger Workshop in Aberdeen on April 28. All members present voting aye. Motion carried.

#### GRANT APPLICATION:

Moved by Knecht, seconded by Wiese to approve and authorize Chairman sign Application for Grant in amount of \$1,496.25 from SD Office of Highway Safety for Breath Testing Equipment. All members present voting aye. Motion carried.



RURAL SW COLLECTION AGREEMENT:

Commissioner Fischbach offered the following Resolution:

RESOLUTION NO. 9-99

BE IT RESOLVED by the Brown County Commission that Brown County, by passage of this resolution, does hereby elect to exercise its right under a Rural Solid Waste Collection Agreement executed March 2, 1993, between Brown County and Dependable Sanitation, Inc., to extend such contract for an additional three (3) year period beginning March 1, 1999. Dated this 16th day of February, 1999.

Seconded by Commissioner Wiese. Roll call vote: Commissioners Knecht-aye, Feickert-aye, Fischbach-aye, Wiese-aye, Hansen-aye. Resolution adopted.

CONTRACT:

Moved by Feickert, seconded by Knecht to approve and authorize Chairman sign Contract with Helms & Associates in total amount of \$10,395.00 for engineering services for 1) Site Topographic Survey and Drainage Evaluation; 2) Facility Master Plan; 3) Source Reduction and Recycling Plan Update for the Brown County Landfill. All members present voting aye. Motion carried.

SW REPORT:

Mike Scott discussed converting water truck into a trailer, computer software purchase and employee schedule adjustment. Board concurred with all recommendations.

SHERIFF REPORT:

Mark Milbrandt and John VanderHoek discussed proposal from SD Urban Indian Health, Inc. to provide medical services to inmates in the Brown County Jail and JDC. Will return with recommendation after further research has been completed.

AUDIT ENTRANCE CONFERENCE:

Kay Fredrick, SD Department of Legislative Audits met with the Commission to conduct Entrance Conference for the Audit being conducted for fiscal year 1998.

CDBG GRANT APPLICATION:

Moved by Feickert, seconded by Knecht to approve and authorize Chairman sign Application for CDBG funding in amount of \$100,000.00 for Lower Crow Creek Project. All members present voting aye. Motion carried.

BRIDGE #44:

Moved by Feickert, seconded by Wiese to approve and authorize the Chairman sign Work Order LGA-05-99, Agreement No. 41082 for Clark Engineering to complete the Drainage Data Sheet and Contour Map for Bridge #44 BRO 8007(4), PCEMS 4624, Structure No. 07-180-387, 6.3 miles south and 1.5 miles west of Bath. All members present voting aye. Motion carried.

FAS ROUTE 6254 - ROAD #13:

Commissioner Wiese offered the following Resolution:

RESOLUTION NO. 10-99

WHEREAS, the Brown County Board of Commissioners desire the construction and

improvement of County Road #13 (Prairiewood Road) starting at the junction of US Highway #281 and Road #13 - thence east 5.0 miles to County road #14 - 5.0 miles, and

WHEREAS, Brown County is obligated and hereby agrees to satisfactorily maintain the project after construction is completed; and to regulate or cause to be regulated the installation of utility facilities within the limits of the right-of-way of the proposed project in accordance with State and Federal requirements, and

WHEREAS, Brown County is obligated and hereby agrees to reimburse the State for all costs not reimbursable with Surface Transportation Program (STP) Funds.

NOW THEREFORE BE IT RESOLVED, that the South Dakota Department of Transportation be and hereby is authorized and requested to program for construction, in accordance with the approved Secondary & Off-System road Plan Agreement and the State's Standard Specifications for Roads and Bridges the project hereinafter described. Major Collector Route Number 6254. Type of Construction - resurfacing. Consultant Services without Federal Aid.

Seconded by Commissioner Knecht. Roll call vote: Commissioners Knecht-aye, Feickert-aye, Fischbach-aye, Wiese-aye, Hansen-aye. Resolution adopted.

APPLICATION FOR OCCUPANCY:

Moved by Fischbach, seconded by Feickert to approve and authorize the Chairman to sign application, submitted by US West Communications for occupancy of County Hwy #6A in Section 23-T124N-R65W in Brown County, South Dakota, for telephone service. Roll call vote: Commissioners Knecht-aye, Feickert-aye, Fischbach-aye, Wiese-abstain, Hansen-aye. Motion carried.

AGREEMENT:

Moved by Weise, seconded by Feickert to approve and authorize the Chairman sign agreement with Environmental Technologies, Inc. to conduct tank purging, field screening and soil sampling activities at the Brown county Highway Department. All members present voting aye. Motion carried.

BID - RE-ROOFING CLUB HOUSE:

Moved by Wiese, seconded by Feickert to authorize advertising public hearing to open, read and consider bids for labor and material for re-roofing the Club House at the Fairgrounds, to be held at 8:45 A.M. on March 2, 1999 in the Commissioner's Chambers, Courthouse Annex, Brown County, South Dakota. All members present voting aye. Motion carried.

RECESS:

Moved by Knecht, seconded by Fischbach to recess until February 23, 1999. All members present voting aye. Motion carried.

Maxine Taylor - Brown County Auditor

## FEBRUARY 22, 1999 - JOINT CITY/COUNTY MEETING

The Brown County Commission and the Aberdeen City Commission met in joint session at 6:30 P.M. in the City Commission Chambers, 123 S Lincoln, Aberdeen, South Dakota. Present from City were Commissioners Hopper, Klabo, Pfeifer and Mayor Rich. Absent Commissioner Hurlbert. Present from County were Commissioners Wiese, Fischbach and Hansen. Absent Commissioners Knecht and Feickert.

## ORDINANCE NO. 99-02-01/173:

On motion by Pfeifer and seconded by Hopper, the City Commission unanimously voted to approve First Reading of Ordinance No. 99-02-01/173.

Moved by Fischbach, seconded by Wiese to approve First Reading of Ordinance No. 99-02-01/173, An Ordinance Amending Ordinance No. 1164 to rezone certain described property from Section 701 (A-1) Agricultural District to Section 714 (M-Ag) Mini-Agricultural District, described as Ingemunson Lot 1 in the NW 1/4 of Section 33-T124N-R64W of the 5th P.M., Brown County, South Dakota, aka 38409 129th Street, Aberdeen, South Dakota. All members present voting aye. Motion carried.

## ORDINANCE NO. 99-02-02/174:

On motion by Klabo and seconded by Hopper, the City Commission unanimously voted to approve First Reading of Ordinance No. 99-02-02/174.

Moved by Wiese, seconded by Fischbach to approve First Reading of Ordinance No. 99-02-02/174, An Ordinance Amending Ordinance No. 1164 to rezone certain described property from Section 701 (A-1) Agricultural District to Section 714 (M-Ag) Mini-Agricultural District, described as Lot 2 of Dahme Northview Addition in the SE 1/4 of Section 1-T123N-R64W of the 5th P.M., Brown County, South Dakota. All members present voting aye. Motion carried.

Moved by Fischbach, seconded by Wiese to adjourn the Brown County Commission.

Maxine Taylor - Brown County Auditor

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FEBRUARY 23, 1999 - GENERAL MEETING

Meeting called to order by Chairman Hansen at 8:45 A.M. in the Commissioner's Chambers, Courthouse Annex, Brown County, South Dakota. Present were Commissioners Knecht, Feickert, Fischbach and Wiese.

MINUTES:

Moved by Wiese, seconded by Knecht to approve the General Meeting minutes of February 16, 1999. All members present voting aye. Motion carried.

CLAIMS:

Moved by Knecht, seconded by Fischbach to approve the following claims:

**Supplies & Materials:** Brown & Saenger..\$4.32, Elections Systems..\$1109.95, State Property Mgmt..\$13.05, Walmart..\$160.64, West Group..\$1539.35, Computer Specialists..\$595.00, Office Max..\$403.90, Heartland Paper..\$352.80, Penny Hart..\$17.01, RE Huffman..\$72.07, Gateway..\$2432.00, Respond..\$187.35, JC Penney..\$205.98, Parcel-Erickson..\$50.00, Ameripride..\$29.27, Safety Service..\$39.37, Amoco..\$26.57, New Trends..\$222.54, Brown County Treasurer..\$16.00, Avera St Lukes..\$372.46, Aberdeen Family Physicians..\$28.70, Orthopedic Surgery..\$117.60, Country General..\$54.86, Langs..\$147.99, Schwan Welding..\$35.00, Southern Steel..\$5671.44, Phillips 66..\$24.46, Roberts County Telephone..\$6.50, Prairieland..\$76.56, Northwind Machine..\$181.40, SDACHS..\$50.00, Safelite Auto Glass..\$436.17, Robideau Trucking..\$10000.00, North Wind Machine..\$212.55, Little Falls Machine..\$276.38, Lien Transportation..\$10260.00, Kar Products..\$121.67, Dakota Air..\$7.25, SD Wheat Growers..\$1266.30, Plainsco..\$17.63, Lust Chev..\$1202.03, Robert Dinger..\$1653.70, SD Wheat Growers..\$308.97, Dover..\$2.32, Menards..\$371.97, UBC..\$23.90, Academy..\$5.00, Plainsco..\$577.33, Conlins..\$599.00, Aberdeen Sandblasting..\$250.00, JB Center..\$1620.00, Taylor Laundry..\$51.10, Ken's Bear Alignment..\$185.00, Gateway..\$4182.00, Eugene Mitchell..\$50.00, Jodi McQuillen..\$12.50, Kesslers..\$26.50, Drake Motor Inn..\$80.85, Artz Camera..\$8.75, Ramada..\$460.00, Nat'l Assoc of FGP Directors..\$75.00, S&H Uniforms..\$384.60, Quality Quick Print..\$29.48, Saddles & Such..\$30.00, SD Assoc of Counties..\$45.00:

**Transcriptions:** Betsy Johnson..\$23.70:

**Publications:** American News..\$111.25, Frederick/Hecla Northstar..\$331.82:

**Professional Fees:** NE Mental Health Center..\$409.58, Lewis & Clark..\$100.00, Dawn Aman..\$2300.00:

**Mileage & Travel:** Best Western Ramkota..\$63.00, Mike Wiese..\$298.26, Juanita Herold..\$24.96, Jvonne Heard..\$35.76, Ken Thompson..\$3.60, Bruce Tveit..\$32.16, Gladstone Select Hotel..\$98.00, Traci Wickenheiser..\$125.40, Nancy Radke..\$125.40, Kendell Titze..\$9.50, Richard Burns..\$9.50:

**Court Appointed Attorney:** Brad Borge..\$3406.82, Gary Gellhaus..\$3406.82:

**Utilities:** Lucent Tech..\$8.92, Northern Electric..\$904.08, Cellular One..\$129.11, NWPS..\$497.71, Richmond Lake Sanitary Dist..\$48.00, US West..\$78.83:

**Care of Poor:** Transportation..1 recipient..Brown County Highway..\$8.40; Drugs..1 recipient..Medical Center Pharmacy..\$73.56; Rent..2 recipients..BelAire Apts..\$192.00; Burial..1 recipient..Dahlstrom Funeral Home..\$1883.15. All members present voting aye. Motion carried.

EXPENSES:

Moved by Feickert, seconded by Knecht to approve expenses for County personnel to attend the James River Valley Commission District Association Meeting in Redfield on March 11; Carol Sherman to attend the New Officials Workshop in Pierre on March 24 & 25; Larry Gerlach, Curt Erickson, Norma Dennert and Lynn Weismantel to attend the International Association of Fairs & Expositions Zone 4 Annual Spring Meeting in

Grand Forks on March 23 - 25; Nancy Radke and Kathy Thooft to attend officer safety training in Yankton on June 3 & 4; Mark Mills to attend the APCO Regional Conference in San Diego, CA on March 12 - 17. All members present voting aye. Motion carried.

LEPC APPOINTMENTS:

Moved by Wiese, seconded by Fischbach to appoint the following to the Local Emergency Planning Committee: Tony Jones, Al Aden, Sean Johnson and Jason Dewar; and further to acknowledge resignation of Dave Dohman and Bud Morris. All members present voting aye. Motion carried.

LEASE AGREEMENT:

Moved by Wiese, seconded by Knecht to approve and authorize the Chairman to sign agreement with Liebelts for lease of Expo Building from March 19 - March 28, 1999. All members present voting aye. Motion carried.

FAIR CONTRACT:

Moved by Wiese, seconded by Knecht to approve the Entertainment Contract for August 20 at the 1999 Brown County Fair. All members present voting aye. Motion carried.

QCD:

Moved by Wiese, seconded by Feickert to approve and authorize the Chairman sign Quit Claim Deed conveying the following tax deed property to Cathy Hanson: Lots 5, 6 & 7, Block 33 First Addition to Frederick City in amount of \$54.00. All members present voting aye. Motion carried.

EMPLOYEE STATUS CHANGE:

Moved by Knecht, seconded by Feickert to approve employee status change for Tony Ingemansen from full-time JDC Officer to Home Detention Supervisor, effective February 21, 1999 at \$10.01 per hour. All members present voting aye. Motion carried.

BID - WEED BOARD CHEMICAL:

Time and place, as advertised to open, read and consider bids for furnishing chemical for the Brown County Weed and Pest Board 1999 spraying season. Bids were received from VanDiest Supply Company, Sioux Falls and Ostlund Chemical Company, Huron. Moved by Fischbach, seconded by Wiese to refer all bids to Robert Retzer for review and recommendation. All members present voting aye. Motion carried.

BID - GRAVEL PUP TRAILER:

Moved by Wiese, seconded by Feickert to authorize advertising public hearing to open, read and consider bids for furnishing and delivery of one new 1999 Gravel Pup Trailer, to be held at 9:30 A.M. on March 16, 1999 in the Commissioner's Chambers, Courthouse Annex, Brown County, South Dakota. All members present voting aye. Motion carried.

SEASONAL LOAD RESTRICTIONS:

Moved by Feickert, seconded by Wiese to approve the following seasonal load restrictions for 1999: The Brown County Highway Department seasonal load restrictions will go into effect Monday, March 1, 1999, or when the load limit signs are installed and displayed, on all Brown County Oil Roads, except the Belt Loop around Aberdeen and other specified roads that are listed below. All Oil Roads will be posted to a 6-ton per axle weight limit and 40 MPH for trucks during the March/April spring thaw and breakup or until roads become stable. No overweight or overwidth permits will be issued except in extreme cases of emergency.

**BELT-LOOP - ABERDEEN AREA**

Road #10 from Road #13 (Prairiewood Road) south 1.0 miles to Road #15  
Road #10 from Road #19 (Melgaard Road) south 0.5 miles to the Livestock Sale Barn  
Road #12 from Road #17 (8th Ave NE) north 2.0 miles to Road #13  
Road #12W from US Highway #12 West 4.5 miles to Road #12WA (landfill road)  
Road #12W from Road #12W north 1.0 miles  
Road #13 from Road #14 west 5.0 miles to US Highway #281  
Road #15 from US Highway #281 east 1.7 miles to Dakota Street, starting again from  
0.5 miles east of Dakota Street, thence east 1.5 miles to Road #19  
Road #15 from the West end of Wylie Park - west 0.5 miles  
Road #17 (8th Ave NE) from Road #19 east 1.0 miles to Road #14  
Road #19 starting 0.3 miles east of US Hwy #281, thence east 0.7 miles to Road #10  
Road #19 from Road #17 (8th Ave NE) north 1.0 miles to Road #15

**OTHER OIL ROADS - NOT POSTED**

Frederick Main Street from US Highway #281 east 0.5 miles to Frederick City Limits  
Road #7 from US Highway #281 east 1.0 miles to Barnard and Road #10  
Road #9 from US Highway #281 east 1.0 to Westport and Road #10  
Road #9 from State Highway #37 east 4.0 miles to Road #20  
Road #20 from Road #9 south 0.2 miles to railroad tracks  
Road #16 from the town of Columbia south 0.5 miles to Road #11  
Road #11 from Road #16 west 10.0 miles to US Highway #281  
Road #14 from Road #11 south 10.0 miles to US Highway #12  
Road #23 from US Highway #281 east 1.0 miles to Warner and Road #10  
Road #16C from the town of Stratford north 1.0 miles to Road #23  
Road #23 from Road #16C east 10.0 miles to State Highway #37 and the town of Ferney  
to State Highway #37  
Road #27 from US Highway #281 west 2.0 miles to the town of Mansfield

**GRAVEL ROADS POSTED AT 6 TON PER AXLE AND 40 MPH TRUCK SPEED**

Road #11 from State Highway #37 west 5.0 miles to Road #18  
Road #9 from Brown/Marshall County Line west 1.0 mile

All members present voting aye. Motion carried.

Commissioner Wiese offered the following Resolution:

**RESOLUTION NO. 11-99**

WHEREAS: Enforce Annual Seasonal Load Restrictions on over weight 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 10.0 miles to Brown County Road #9 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 March/April spring thaw and breakup period that the roads are posted.

THEREFORE BE IT RESOLVED: That the Brown County Board of Commissioners authorize

the Brown County Public Works 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 Feickert. Roll call vote: Commissioners Knecht-aye, Feickert-aye, Fischbach-aye, Wiese-aye and Hansen-aye. Resolution adopted.

RECESS:

Moved by Fischbach, seconded by Knecht to recess until March 2, 1999. All members present voting aye. Motion carried.

Maxine Taylor - Brown County Auditor

MARCH 1, 1999 - JOINT CITY/COUNTY MEETING

The Brown County Commission and the Aberdeen City Commission met in joint session at 6:30 P.M. in the City Commission Chambers, 123 S Lincoln, Aberdeen, South Dakota. Present from City were Commissioners Hopper, Hurlbert, Klabo, Pfeifer and Mayor Rich. Present from County were Commissioners Wiese, Fischbach and Hansen. Absent Commissioners Knecht and Feickert.

ORDINANCE NO. 99-02-01/173:

On motion by Hurlbert and seconded by Klabo, the City Commission unanimously voted to approve Second Reading of Ordinance No. 99-02-01/173.

On motion by Pfeifer and seconded by Hopper, the City Commission unanimously voted to adopt Ordinance No. 99-02-01/173.

Moved by Wiese, seconded by Fischbach to approve Second Reading of Ordinance No. 99-02-01/173. All members present voting aye. Motion carried.

Moved by Fischbach, seconded by Wiese to adopt Ordinance No. 99-02-01/173, An Ordinance Amending Ordinance No. 1164 to rezone certain described property from Section 701 (A-1) Agricultural District to Section 714 (M-Ag) Mini-Agricultural District, described as Ingemunson Lot 1 in the NW 1/4 of Section 33-T124N-R64W of the 5th P.M., Brown County, South Dakota, aka 38409 129th Street, Aberdeen, South Dakota. All members present voting aye. Motion carried.

ORDINANCE NO. 99-02-02/174:

On motion by Hopper and seconded by Hurlbert, the City Commission unanimously voted to approve Second Reading of Ordinance No. 99-02-02/174.

On motion by Klabo and seconded by Pfeifer, the City Commission unanimously voted to adopt Ordinance No. 99-02-02/174.

Moved by Wiese, seconded by Fischbach to approve Second Reading of Ordinance No. 99-02-02/174. All members present voting aye. Motion carried.

Moved by Fischbach, seconded by Wiese to adopt Ordinance No. 99-02-02/174, An Ordinance Amending Ordinance No. 1164 to rezone certain described property from Section 701 (A-1) Agricultural District to Section 714 (M-Ag) Mini-Agricultural District, described as Lot 2 of Dahme Northview Addition in the SE 1/4 of Section 1-T123N-R64W of the 5th P.M., Brown County, South Dakota. All members present voting aye. Motion carried.

Moved by Wiese, seconded by Fischbach to adjourn the Brown County Commission.

Maxine Taylor - Brown County Auditor



MARCH 2, 1999 - GENERAL MEETING

Meeting called to order by Chairman Hansen at 8:45 A.M. in the Commissioner's Chambers, Courthouse Annex, Brown County, South Dakota. Present were Commissioners Knecht, Feickert, Fischbach and Wiese.

**MINUTES:**

Moved by Wiese, seconded by Hansen to approve the Joint City/County Meeting minutes of February 22, 1999 and the General Meeting minutes of February 23, 1999. All members present voting aye. Motion carried.

**CLAIMS:**

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

Payroll: Commissioners..\$2,115.40; Data Processing..\$1,221.16; Auditor..\$5,807.70, OVERTIME: Carol Misfeldt..\$49.05; Treasurer..\$6,928.14; State's Attorney..\$7,388.97; Victims Asst..\$769.24; Maintenance..\$4,534.07; Assessor..\$6,698.53, OVERTIME: Dawn Barton..\$200.07, Bimende Malik..\$3.53, Kathy Fischer..\$156.24, Gene Loeschke..\$114.14, Michelle Sitter..\$240.87; Planning & Zoning..\$772.57; Register of Deeds..\$2,594.61; Veterans Service..\$1,881.71, OVERTIME: Kathy Schlecht..\$30.54; Sheriff..\$36,660.42, OVERTIME: Craig Anderson..\$198.80, John Heine..\$175.68, Michael Casjens..\$9.22, David Fair..\$110.64, David Hanson..\$177.20, Steven Cogley..\$42.50, Ethan Palluck..\$118.72, John Weaver..\$21.72, Roxanne Schumacher..\$127.08, Craig Nelson..\$112.96, Cristi Wilcox..\$110.08, Mark Jastram..\$55.00, Jason Hebner..\$134.00, Jennifer Hudson..\$104.32, Diane Mielke..\$110.08, Ann Bierman..\$118.72, Tony Ingemansen..\$112.96, Amy Lake..\$13.04; Communications..\$9,409.90, OVERTIME: Sheila Anderson..\$60.80, Mary Browning..\$254.72, Linda Chappell..\$60.80; Health..\$2,143.20; Museum..\$3,205.59; Welfare..\$2,212.42; E&D..\$1,754.32; Foster Grandparent Program..\$2,232.51; Parks..\$1,985.12; Fairboard..\$576.93; Extension..\$1,147.04; Weed..\$267.75; Road and Bridge..\$25,848.92, OVERTIME: Vernon Bitz..\$257.28, David Bruckner..\$8.37, Brian Dargatz..\$27.28, Joel Guderjohn..\$7.40, Daryl Lloyd..\$65.72, Alfred Malsam..\$21.02, Donald Maunu..\$417.38, Todd Odenbach..\$29.22, Bryan Owens..\$10.73, Cordell Rudolph..\$34.43, Richard Schaible..\$7.91, Roger Schaible..\$12.03, Jeff Seiler..\$77.05, Marcus Selzler..\$81.00, Kendell Titze..\$116.88, Leon Vickers..\$48.60, Michael Wagner..\$10.96; Solid Waste..\$4,628.04, OVERTIME: Roxanne Varns..\$113.48, Nyle Jenson..\$116.79, Dennis Van Heerde..\$106.28:

Supplies & Materials: Midwest Rubber Stamp..\$27.30, US Post Office..\$1144.09, Office Equipment..\$204.00, Quality Quick Print..\$179.72, ZD Journal..\$49.00, Office Max..\$366.59, Ramada Inn..\$37.80, Jane Jensen..\$10.15, New Trends..\$84.89, Anoka County Sheriff..\$35.50, Kesslers..\$422.28, Lang's..\$17.88, Menards..\$43.12, House of Glass..\$31.00, Taylor Laundry..\$54.82, Hub City Iron..\$14.76, Plainsco..\$83.93, Sanders..\$4.00, Ecolab..\$91.00, Fordham Signs..\$49.00, LCM Pathologists..\$2126.32, SD Dept of Revenue..\$34.00, Pheasantland Ind..\$356.32, McLeods..\$155.37, Respond..\$28.00, Helen Sumption..\$114.55, George Sumption..\$200.00, John Peldo..\$33.78, Raymond Mikkonen..\$397.18, William Gustafson..\$20.00, Bruce Durheim..\$83.21, Robert Dinger..\$1448.80, Don Gunther..\$263.70, Nick & Joe Berbos..\$27.53, Marshall Truck & Trailer..\$207.00, Lyle Signs..\$1865.00, Light & Siren..\$240.59, Lawson Products..\$353.30, Larson Blacksmith..\$139.10, Gratech Co..\$2969.40, Farnams Genuine Parts..\$506.01, Farm Power..\$338.49, CarQuest..\$965.63, Larry Carson/Mac Tools..\$66.00, Kleins..\$16.29, Ameripride..\$24.08, Haar Plumbing..\$79.91, Menards..\$343.15, Tri-State Livestock..\$36.40, Walmart..\$10.17, Phyllis Voeller..\$16.00, Newman Signs..\$695.75, Warner Fire Dept..\$8438.50, Columbia Twp..\$1811.00, Hecla Twp..\$7101.00, Claremont Fire Dept..\$4190.00, Caron Compactor..\$477.00, House of Glass..\$24.52, Paul Mardian..\$6.52, Frey's Electronics..\$154.50, RDO Financial..\$75.19, Prairieland..\$239.08, Pro Ag Supply..\$52.30, Farm Power..\$718.00, McLeods..\$630.25:

Publications: American News..\$408.00, Frederick/Hecla Northstar..\$226.52, Dakota Press..\$538.11:

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**Professional Fees:** Witness Fee..\$20.00, Aberdeen Advanced Care..\$248.00:

**Mileage & Travel:** Dennis Feickert..\$100.70, Deb Knecht..\$198.72, Mike Waldrop..\$63.84, Jodi McQuillen..\$18.00, Linda Dillavou..\$136.80, Mike Scott..\$281.50, Leo Leshner..\$156.72, Gene Loeschke..\$36.24:

**Utilities:** US West..\$110.47, Cellular One..\$285.87, NWPS..\$348.05, Montana-Dakota Util..\$44.17, WEB..\$93.54, Midcontinent Cable..\$66.54, City of Aberdeen..\$423.57:

**Care of Poor:** Dr/Hospital..1 recipient..Central Plains Clinic..\$465.19; Transportation..1 recipient..Medical Social Services..\$18.40; Drugs..4 recipients..Walmart Pharmacy..\$25.95, Kessler Pharmacy..\$190.30; Rent..5 recipients..Jim Huntsinger..\$165.00, Tom Appletoft..\$70.00, BelAire..\$142.00, Jack Ganje..\$190.00; Insurance..1 recipient..Meyers Auto..\$222.39. All members present voting aye. Motion carried.

**EMPLOYEE STEP INCREASE:**

Moved by Feickert, seconded by Wiese to approve the following employee step increase, effective March 7, 1999: Dala Mandel @ \$10.97 per hour. All members present voting aye. Motion carried.

**PERSONNEL:**

Moved by Wiese, seconded by Knecht to authorize the Sheriff to hire a part-time research/processor at \$6.05 per hour. All members present voting aye. Motion carried.

**LOTTERY APPLICATION:**

Moved by Fischbach, seconded by Wiese to approve and authorize the Chairman sign application, submitted by Granary Memorial Gallery, Inc. for raffle to be held on July 17, 1999. All members present voting aye. Motion carried.

**INCREASE SPENDING AUTHORITY:**

Moved by Feickert, seconded by Fischbach to increase spending authority (101-311-426.30) and estimated revenue (101-331.03) in total amount of \$13,554.00 (Hecla Township @ \$7101.00, Columbia Township @ \$1,811.00, Verdon @ \$789.00 and Lincoln Township @ \$3,853.00) for CDBG Funding of the 25% FEMA match. All members present voting aye. Motion carried.

**PLAT:**

Commissioner Feickert offered the following Resolution:

**RESOLUTION NO. 12-99**

BE IT RESOLVED by the County Commission of Brown County, South Dakota, that the plat showing "Gunderson Outlot A in the SW 1/4 Sec. 19-T125N-R63W of 5th P.M., Brown County, SD" 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 Fischbach. Roll call vote: Commissioners Knecht-aye, Feickert-aye, Fischbach-aye, Wiese-aye, Hansen-aye. Resolution adopted.

**AGREEMENTS:**

Moved by Wiese, seconded by Knecht to approve the following agreements: AHHA (Pearl Holt) for lease of the horse arena on June 6, July 4, August 1 and September 12, 1999 (rain date September 19); Homier Tool for lease of the Expo Building on May 6 - 9, 1999. All members present voting aye. Motion carried.

**EXPENSES:**

Moved by Feickert, seconded by Wiese to approve the following expenses: Jesse Luce to

attend a Y2K Conference in Denver, CO on March 25 - 26; Highway personnel to pick up equipment from Federal Surplus Property in Huron on February 26, 1999. All members present voting aye. Motion carried.

**BID - RE-ROOF CLUB HOUSE BUILDING:**

Time and place, as advertised to open, read and consider bids for labor and material for re-roofing the Club House Building. No bids received.

**CELLULAR PHONE PROPOSALS:**

Representatives from CommNet Cellular and Cellular One met with the Commission to present proposals for pooling airtime for current cellular phone accounts. Cellular One was instructed to contact each user for additional information.

**INTERNET ACCESS:**

Sheila Enderson, County Treasurer explained need for computer/printer update and the need the internet access within the office. Board approved purchase and internet access.

**CHEMICAL BID AWARD:**

Moved by Feickert, seconded by Wiese to award 1999 Chemical Bid to Van Diest Supply Company, in total amount \$30,950.15; rejecting bid from Ostlund Chemical Company in amount of \$29,174.90 (three items not bid as per specifications). All members present voting aye. Motion carried.

**SURPLUS PROPERTY:**

Moved by Wiese, seconded by Fischbach to declare the following property surplus from the Weed Department: 1977 Chev Pickup Decal #403; Uniden Mobile Phone Decal #428. All members present voting aye. Motion carried.

**AWARD BID:**

Moved by Wiese, seconded by Feickert to purchase one new 1998 Trail King Bottom Dump Trailer from JD Evans Inc off Davison County bid awarded June 2, 1998 in amount of \$27,900.00; rejecting the following bids; N Tech, Watertown @ \$25,175.00 (did not meet specs); Sheehan Mack, Sioux Falls @ \$31,900.00; Diesel Machinery Inc, Sioux Falls @ \$28,750.00. All members present voting aye. Motion carried.

**EQUIPMENT PURCHASE:**

Moved by Wiese, seconded by Fischbach to authorize purchase of a 1985 Volvo Semi from Federal Surplus Property in amount of \$9,850.00. All members present voting aye. Motion carried.

**LIEN DISCUSSION:**

Moved by Wiese, seconded by Fischbach to exempt property from effect of lien. Motion withdrew until proper title search complete.

**RECESS:**

Moved by Knecht, seconded by Feickert to recess until March 9, 1999. All members present voting aye. Motion carried.

Maxine Taylor - Brown County Auditor

MARCH 9, 1999- GENERAL MEETING

Meeting called to order by Chairman Hansen at 8:45 A.M. in the Commissioner's Chambers, Courthouse Annex, Brown County, South Dakota. Present were Commissioners Knecht, Feickert, Fischbach and Wiese.

MINUTES:

Moved by Wiese, seconded by Fischbach to approve the Joint City/County Meeting minutes of March 1, 1999 and the General Meeting minutes of March 2, 1999. All members present voting aye. Motion carried.

CLAIMS:

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

**Supplies & Materials:** Robbie's..\$63.20, Office Equip..\$176.46, Quill..\$44.43, Hoggs..\$3351.74, Kesslers..\$286.29, Hoven Auto..\$261.58, Dick's Westside..\$180.45, Lust Chev..\$234.78, OK Tire..\$157.40, Warner Co-Op..\$16.00, Menards..\$68.06, Office Max..\$349.95, Bonnie Bitz..\$192.00, Velvet Uniform..\$44.55, Xerox..\$292.53, Parcel-Erickson..\$193.90, Dak Elec..\$975.45, K-Mart..\$10.26, SD Dept of Revenue..\$273.00, Quality Quick Print..\$155.91, Respond..\$18.00, Mercury Cleaners..\$29.20, JD Evans..\$4284.64, Bruce Durheim..\$60.95, Robert Dinger..\$875.50, Crawford Trucks..\$2192.19, Bridgestone..\$77.33, Nick & Joe Berbos..\$5.50, Helen Sumption..\$14.95, SD Dept of Motor Vehicle..\$18.00, SD Dept of Trans..\$15445.19, Share Corp..\$114.00, Quality Welding..\$14.00, Pierson Ford..\$26.73, Office Equip..\$15.00, OK Tire..\$105.00, Newman Signs..\$1206.16, Nelson Auto..\$232.97, Ray Mikkonen..\$5.23, Menards..\$103.28, Mattern Diesel..\$32.00, Mac's..\$41.85, Jesse Luce..\$160.00, Lien..\$8085.00, Hub City Iron..\$822.57, Great Western Tire..\$1813.70, Frey's Electronics..\$318.35, A&M Radio..\$43.00, AAM..\$75.00, Warne Chemicals..\$962.51, Farm Power..\$188.00, SD Weed Supervisors Assoc..\$50.00, US Post Office..\$20.00, Kleins..\$1.89, RE Huffman..\$157.91, 4-H Foundation..\$15.00, Blaine Bergan..\$23.64, Computer Specialists..\$3215.00, Spink Co Public Transit..\$220.00, Watertown Public Transit..\$229.00, Gateway..\$1710.00, Onguard..\$852.84, UBC..\$23.90, Newman Sign..\$684.50, Heartland Paper..\$181.82, SD Dept of Revenue..\$2117.39, Midwest Pump & Tank..\$54.07, Aberdeen Chrysler..\$188.00, Brick Propane..\$225.63, Respond..\$43.75, Town & Country..\$14.16, Safety Service..\$247.10, Dependable Sanitation..\$11067.72, Taylor Laundry..\$67.24, Malchows..\$1773.00, Butler Cat..\$312.49, Dakota Fluid Power..\$49.34, SD Wheat Growers..\$1491.12, Cole Papers..\$34.86, Heartland Papers..\$1674.31, Plainsco..\$211.02, Woodman Refrig..\$53.57, Keeleys..\$24.60, Hub Iron City..\$17.02, Prairieland..\$3.01, Sanders..\$14.56, Lang's..\$42.25, Doug's Handy Man..\$147.33, Janitor Supply..\$40.35, Ecolab..\$63.00, Walmart..\$99.47, Menards..\$111.60, UBC..\$40.74, Cunningham Elec..\$467.84, Office of Financial Aid..\$151.28, Dacotah Prairie Museum..\$3.90, OK Tire..\$57.00, CarQuest..\$25.19, SD Wheat Growers..\$176.87, Ag Comm..\$7.22:

**Transcriptions:** Jeanne Haug..\$156.60:

**Publications:** American News..\$342.50, News-Record..\$50.00:

**Professional Fees:** Witness Fee..\$194.50, Eide Bailey..\$208.25; Avera St Lukes..\$1260.00, Avera United Clinic..\$250.00, Dr Tom Lechner..\$95.00, Cheryl Hairgrove..\$320.00, Donna Dietrich..\$48.00, Yankton County Sheriff..\$16.75, stipends..\$12097.20:

**Mileage & Travel:** Robert Retzer..\$96.42, Marj Kolb..\$109.90, Gary Erickson..\$221.69, Marg Crawford..\$63.12, Julia Opitz..\$27.84:

**Court Appointed Attorney:** Christy Serr..\$123.75, Scott Kuck..\$1171.07:

**Utilities:** Midco Communications..\$232.67, US West..\$3436.89, Lucent Tech..\$5.35, Cellular One..\$34.99, Midcontinent Cable..\$26.54, Accent Comm..\$95.01, City of Aberdeen..\$498.57, James Valley Co-Op..\$83.59, Town of Frederick..\$18.25, NWPS..\$6835.88:

**Care of Poor:** Dr/Hospital..2 recipients..Avera St Lukes..\$1593.39; Transportation..1 recipient..Brown Co Hwy..\$8.69; Utilities..1 recipient..NWPS..\$70.13, US

West..\$10.41; Drugs..1 recipients..Kessler Pharmacy..\$90.10; Rent..7 recipients..Marg Zahn..\$170.00, Belaire..\$70.00, Sheree Futch..\$230.00, Albert Hoffman..\$90.00, Lynn Schock..\$170.00, Darrell Haskell..\$230.00, Norman Brown..\$44.00; Burial..1 recipient..Schrivers Mortuary..\$1490.70. All members present voting aye. Motion carried.

ABATEMENTS:

Moved by Feickert, seconded by Wiese to approve the following Abatelements: XL Homes, taxed in error (1971 Northernaire MH) for year 1999 in amount of \$152.37; Albert & Rose Geffre, vacant lot (Lot 1 Blk 6 Ashwood Heights) SW for year 1999 in amount of \$10.40; David Peldo, owner occupied (SW 1/4 of SW 1/4 of Lot 4 in SW 1/4 19-125-63) for 1998 in amount of \$329.54; William Kriesel, owner occupied (That portion of the W 40' of Lot 45 and Lot 46 lying N of the S 65' of said Lot Blk 53 2nd Addition to Aberdeen) for year 1998 in amount of \$263.10; Levi Howard, Trustee, incorrect value (Unit #6, garage and undivided interest in common land McDowell Subd Lots 1 - 5) for year 1998 in amount of \$306.00; Debra Kay Merkel, owner occupied (Lot 12 Blk 5 Green Meadows, Warner) for year 1998 in amount of \$356.63; Eric Hofer, partial tax exempt (Lot 10 Blk 3 Thomas Addition) for year 1998 in amount of \$239.56. All members present voting aye. Motion carried.

PERSONNEL:

Moved by Fischbach, seconded by Wiese to approve hiring Laurie Wells as full time Corrections Officer in the Jail, effective March 8, 1999 at \$8.69 per hour. All members present voting aye. Motion carried.

Moved by Feickert, seconded by Wiese to approve hiring Sonda Perry in the States Attorney's Office, effective February 22, 1999 at \$8.68 per hour. All members present voting aye. Motion carried.

Moved by Fischbach, seconded by Wiese to approve hiring Valerie Schafer as part-time JDC Officer, effective March 9, 1999 at \$6.05 per hour. All members present voting aye. Motion carried.

Moved by Feickert, seconded by Wiese to approve hiring Benji Locke as guard for purpose of prisoner transport. All members present voting aye. Motion carried.

SURPLUS PROPERTY:

Moved by Feickert, seconded by Wiese to declare the following property surplus from the Sheriff's Department: #3002 Citizen MSP-20 Printer, #3013 American 286AC Computer, #3014 American 286AC Computer, #3015 American 286AC Computer, #3018 American 286AC Computer, #3077 Powerhouse 486 Computer. All members present voting aye. Motion carried.

INVENTORY TRANSFER:

Moved by Fischbach, seconded by Wiese to approve transferring Oak Work Station Decal #2614 from Auditor to the Register of Deeds Inventory. All members present voting aye. Motion carried.

AUDITOR'S REPORT OF ACCOUNT:

Moved by Fischbach, seconded by Wiese to approve the following February, 1999 Auditor's Report of Account:

AUDITOR'S REPORT OF ACCOUNT WITH THE COUNTY TREASURER:

Total amount of actual cash - - - - -	\$ 3,376.97
Norwest Bank - - - - -	\$ 8,605.33
US Bank - - - - -	\$ 5,326.37
Dacotah Bank - - - - -	\$ 54,432.42
Petty Cash (Sheriff, Welfare, Museum) -	\$ 1,400.00

Landfill Change Fund-	- - - - -	\$	100.00
Fund Investments-	- - - - -	\$	7,865,557.96
Outstanding Checks-	- - - - -	\$	623.03
	Total - - - - -	\$	7,939,422.08

All members present voting aye. Motion carried.

EXPENSES:

Moved by Wiese, seconded by Feickert to approve the following expenses: County Officials to attend the Lake Region District Commissioners Association Meeting in Webster on March 17; Mike Scott to attend the SDSWMA Annual Recycling Conference in Pierre on April 22 - 23; Michele Porter to attend Care of Photograph Collections Workshop at Cultural Heritage Center in Pierre on April 21 - 22; Barb Johnson to attend the 1999 National Juvenile Corrections and Detention Forum in Long Beach, CA on May 15 - 18, 1999. All members present voting aye. Motion carried.

CDBG DOCUMENTS:

Moved by Wiese, seconded by Feickert to approve and authorize the Chairman sign (CDBG) OM&R Statement for James River Tree Removal Project and Community Development Block Grant Agreement for the Brown County/Putney Slough Project. All members present voting aye. Motion carried.

1998 FINANCIAL REPORT:

Moved by Feickert, seconded by Wiese to approve the Brown County Financial Report for fiscal year 1998 and authorize publication of same. All members present voting aye. Motion carried.

HEARING NOTICE/VACATE PLAT:

Moved by Wiese, seconded by Feickert to authorize advertising public hearing to receive testimony pertaining to a petition to vacate portion of plat, described as Weismantel's Outlots D & E in the NE 1/4 of Sec. 19, Section 19, T123N, R62W, Brown County, South Dakota, being part of plat entitled Weismantel's Outlots C, D and E, in the NE 1/4 of Section 19, T123N, R62W, Brown County, South Dakota, to be held in the Commissioner's Chambers, Courthouse Annex, Brown County, South Dakota at 8:45 A.M., March 23, 1999. All members present voting aye. Motion carried.

FAIR CONTRACT:

Moved by Feickert, seconded by Wiese to approve the August 18 & 21 Entertainment Contracts for the 1999 Brown County Fair. All members present voting aye. Motion carried.

LOTTERY APPLICATION:

Moved by Fischbach, seconded by Feickert to approve and authorize the Chairman sign application, submitted by Stratford Community Theatre for raffles to be held on February 28, March 6, March 20 and March 28, 1999. All members present voting aye. Motion carried.

LEASE AGREEMENT:

Moved by Feickert, seconded by Wiese to approve and authorize Chairman sign application, submitted by Rabbit Club for lease of the Club House on April 24, 1999. All members present voting aye. Motion carried.

INCREASE SPENDING AUTHORITY:

Moved by Wiese, seconded by Fischbach to increase spending authority Fund #234-512-429.02 and estimated revenue Fund #234-331.30 in amount of \$2,863.63 for IMS Grant. All members present voting aye. Motion carried.

PLAT:

Commissioner Wiese offered the following Resolution:

RESOLUTION NO. 13-99

BE IT RESOLVED by the Board of County Commissioners of Brown County, South Dakota, that the plat showing "Dahme Northview Addition in the SE 1/4 of Sec 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 Fischbach. Roll call vote: Commissioners Knecht-aye, Feickert-aye, Fischbach-aye, Wiese-aye, Hansen-aye. Resolution adopted.

BID - ASPHALT ROAD OIL:

Time and place, as advertised to open, read and consider bids for furnishing and delivery of Asphalt Road Oil and Soil Binder Materials. Bids were received from KL Oil & Asphalt Co, Inc, Rapid City; Jebro, Inc, Sioux City, Iowa; Koch Materials Company, Marshall, MN; Z&S Dust Control, Rapid City; Share Corporation (LeRoy Adam), Milwaukee, WI; Scotwood Industries, Inc, Overland Pass, Kansas. Moved by Feickert, seconded by Wiese to refer all bids to Russ Podoll, Highway Superintendent for review and recommendation. All members present voting aye. Motion carried.

BID - BITUMINOUS PLANT MIX:

Time and place, as advertised to open, read and consider bids for furnishing and delivery of Asphalt Concrete Plant Mix Materials. Bids were received from Lien Transportation Company, Aberdeen; Aberdeen Asphalt Inc, Aberdeen; Mahrer Construction Inc, Rutland, ND. Moved by Feickert, seconded by Wiese to refer all bids to Russ Podoll, Highway Superintendent for review and recommendation. All members present voting aye. Motion carried.

BID - CUTTING EDGES:

Time and place, as advertised to open, read and consider bids for furnishing and delivery of Motor Grader Cutting Edges and Snow Plow Cutting Edges. Bids were received from Tractor Salvage & Welding, Sioux Falls; Huron Culvert & Tank Company, Huron; RDO Equipment Company, Aberdeen. Moved by Feickert, seconded by Wiese to refer all bids to Russ Podoll, Highway Superintendent for review and recommendation. All members present voting aye. Motion carried.

EXECUTIVE SESSION:

Moved by Feickert, seconded by Wiese to go into executive session for volunteer personnel discussion with Larry Gerlach in attendance. All members present voting aye. Motion carried.

Moved by Feickert, seconded by Wiese to adjourn executive session. All members present voting aye. Motion carried.

RECESS:

Moved by Fischbach, seconded by Feickert to recess until March 16, 1999. All members present voting aye. Motion carried.

Maxine Taylor - Brown County Auditor

MARCH 16, 1999 - GENERAL MEETING

Meeting called to order by Chairman Hansen at 8:45 A.M. in the Commissioner's Chambers, Courthouse Annex, Brown County, South Dakota. Present were Commissioner's Knecht, Feickert, Fischbach and Wiese.

MINUTES:

Moved by Wiese, seconded by Knecht to approve the General Meeting minutes of March 9, 1999. All members present voting aye. Motion carried.

CLAIMS:

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

Payroll: Commissioners..\$2,115.40; Data Processing..\$1,221.16; Auditor..\$5,807.70, OVERTIME: Jan Erickson..\$30.10, Jan Malsom..\$30.10, Carol Misfeldt..\$68.67, Ione Shilman..\$30.10; Treasurer..\$6,948.50; State's Attorney..\$8,083.37; Victims Asst..\$769.24; Maintenance..\$4,644.38, OVERTIME: Richard Day..\$3.63; Assessor..\$6,585.79, OVERTIME: Dawn Barton..\$55.58, Kathy Fischer..\$45.57, Gene Loeschke..\$3.33, Michelle Sitter..\$42.32; Planning & Zoning..\$886.64; Register of Deeds..\$2,594.61, OVERTIME: Cindy Schwan..\$7.64, Cathy Lindemann..\$3.48; Veterans Service..\$1,881.71, OVERTIME: Kathy Schlecht..\$15.27; Communications..\$9,314.66; Sheriff..\$37,318.01, OVERTIME: Craig Anderson..\$59.64, John McQuillen..\$159.04, John Heine..\$29.28, Scott Kolb..\$86.22, Michael Casjens..\$46.10, David Fair..\$239.72, Steven Cogley..\$17.00, Dala Mandel..\$161.00, John Weaver..\$28.96, Roxanne Schumacher..\$28.24, Craig Nelson..\$28.24, Charlene McAfee..\$27.52, Mark Jastram..\$27.50, Patrick Rickerl..\$241.20, Dallas Vallery..\$26.80, Barry Allbee..\$26.80, Amy Mathiason..\$26.80, Gary Bunt..\$182.56, Cindy Baumgartner..\$26.08, Ann Bierman..\$29.68, Kevin Johnson..\$33.50, Amy Lake..\$104.32, Kristal Schumack..\$104.32; Health..\$2,143.20; Museum..\$3,205.59; Welfare..\$2,212.42; E&D..\$1,754.32; Foster Grandparent Program..\$2,236.71; Parks..\$1,960.97; Fairboard..\$576.93; Extension..\$1,448.80; Weed..\$425.25; Road and Bridge..\$26,695.99, OVERTIME: Terry Backous..\$58.59, Robert Binfet..\$24.39, Vernon Bitz..\$115.20, Brian Dargatz..\$58.46, Terry Evans..\$7.01, Joel Guderjohn..\$14.79, Larry Hardy..\$22.71, Tom Lammon..\$23.39, Daryl Lloyd..\$65.72, Alfred Malsam..\$28.02, Donald Maunu..\$385.88, Todd Odenbach..\$87.66, Bryan Owens..\$28.62, Cordell Rudolph..\$38.25, Richard Schaible..\$31.62, Roger Schaible..\$32.08, Jeff Seiler..\$42.03, Marcus Selzler..\$81.00, Kendell Titze..\$43.83; Solid Waste..\$4,678.07, OVERTIME: Carl Wright..\$114.94, Roxanne Varns..\$15.13, Nyle Jensen..\$105.49:

Supplies & Materials: ES&S..\$645.00, Brown & Saenger..\$542.69, Office Equipment..\$13.29, Walmart..\$126.48, Office Max..\$1321.13, Prairieland..\$4.57, Gardner Locksmith..\$12.00, Hub City Iron..\$10.85, McFarland..\$451.74, Dependable..\$203.00, Rux Bros..\$32.80, Plainsco..\$216.35, Ameripride..\$68.71, RE Huffman..\$251.91, McLeods..\$155.75, Photos Now..\$35.90, Dakota Office..\$3.40, Hitch 'N Post..\$69.98, Artz Camera..\$5.30, Bob Barker..\$68.79, SD Dept of Revenue..\$306.00, Metz Baking..\$554.22, A&M Radio..\$180.00, SD Fleet..\$782.40, Fisher Cleaning..\$50.00, Resource Center for Women..\$250.00, Rockhurst College..\$29.99, Zastrow Conoco..\$2.75, Taylor Laundry..\$229.94, SD Wheat Growers..\$7463.49, SD Fed Property..\$9885.00, Sheehan Mack Sales..\$177.33, Mark Selzler..\$63.59, RDO Financial Services..\$145.04, Lust Chevrolet..\$89.12, Lien Trans..\$6495.00, Hedahls..\$100.98, Hecla Impl..\$11.92, Don Gunther..\$344.90, Graham Tire..\$811.06, Flack Signs..\$120.00, Farmers Union..\$49.62, Evergreen Supply..\$467.46, Dakota Trails..\$1699.50, Dakota Oil..\$968.80, Dakota Fluid..\$287.70, Country General..\$381.16, Cartney Bearing..\$39.84, Butler..\$1892.36, Brick Propane..\$888.58, NADRIC..\$2083.33, US Post Office..\$200.00, Yankton County



Sheriff..\$16.75, NE Mental Health Center..\$540.13, Pitney-Bowes..\$88.75, Boys & Girls Club..\$10,000.00, Parsons Tech..\$24.95, Aberdeen Sr Citizens..\$607.50, New Deal Tire..\$303.75, Cole Papers..\$92.34, Leggette..\$4544.29, Paul Mardian..\$26.40, Hub City Iron..\$9.04, Praxair..\$14.71, DTG..\$28.35, K-Mart..\$14.28, Resource Center for Women..\$655.00, Country General..\$122.12, Hecla Fire Dept..\$35.95, Aberdeen Rural Fire Dept..\$13785.50, Lincoln Twp..\$3853.00, Verdon Village..\$789.00, Lutheran Social Services..\$110.00, Sandve Tarps..\$153.20, Quality Quick Print..\$3.20, SD Wheat Growers..\$1154.63:

**Publications:** American News..\$198.75:

**Professional Fees:** Witness Fee..\$279.96, Avera St Lukes..\$2794.39, Abdn Adv Care..\$270.25, Mark McNeary..\$1500.00:

**Mileage & Travel:** Tom Gohn..\$195.08, Melissa Koester..\$25.44, Sheila Enderson..\$5.50:

**Utilities:** US West..\$19.00, Northern Elec..\$590.49, City of Hecla..\$78.26, Cellular One..\$19.99, NWPS..\$100.29, Alterna-Cell..\$9.95, Bureau of Adm..\$51.97, Commnet Cellular..\$51.85:

**Care of Poor:** Transportation..1 recipient..Brown County Hwy..\$6.02; Utilities..1 recipient..NWPS..\$56.10; Drugs..3 recipients..Econofoods..\$254.48, Medical Center Pharm..\$536.90; Rent..4 recipients..Belaire..\$262.00, Abdn Clinical Bldg..\$140.00; Burial..2 recipients..Paetznick-Garness..\$1300.00, City of Aberdeen..\$300.00. All members present voting aye. Motion carried.

#### EXPENSES:

Moved by Feickert, seconded by Wiese to approve the following expenses: Barb Johnson and John VanderHoek to attend the First Annual Jail Administrator's Conference in Pierre on May 6 & 7; Linda Dillavou to attend the North Central Conference/Corporation for National Service in Minneapolis, MN on May 17 - 20; Tom Gohn to attend the SD Veterans Service Officer Advisory Committee meeting in Rapid City on March 25; Tom Gohn and Kathy Schlecht to attend the SD Veterans Service Office Mini-Conference in Hot Springs on April 6 - 8; Deb Knecht and Tom Fischbach to attend the James River Water Development Meeting with the Corps of Engineers in Huron on March 16; Craig Anderson to attend a Shaken Baby Investigations Course in Sioux Falls on April 6; Laurie Wells to attend jail schooling in Yankton on March 22 - 26. All members present voting aye. Motion carried.

#### EMPLOYEE STEP INCREASE:

Moved by Wiese, seconded by Fischbach to approve the following employee step increase, effective March 21, 1999: Gary Bunt @ \$8.93 per hour. All members present voting aye. Motion carried.

#### PEDDLERS LICENSE:

Moved by Feickert, seconded by Wiese to approve and authorize the Chairman sign Peddlers License No. 34, to Homier Distributing Company, effective May 6 - 9, 1999. All members present voting aye. Motion carried.

#### ABATEMENTS:

Moved by Fischbach, seconded by Knecht to approve the following AbateMENTS: Cleone Pekelder, owner occupied (1978 Medallion MH) for year 1999 in amount of \$89.45; Fred Retzlaff, empty lot (Volks Subd. Lots 8 & 8A NE 1/4 4-123-64) for year 1999 in amount of \$62.40; Jesse or Alice Martell, real estate (1996 Fairmont MH) for year 1999 in amount of \$750.77. All members present voting aye. Motion carried.

#### QUOTE AWARD - RE-ROOF CLUB HOUSE:

Moved by Fischbach, seconded by Feickert to accept quote of North Central Steel Systems, Inc. in amount of \$27,535.00 (no bids received at time of letting held

March 2, 1999); rejecting quote from K & C Construction in amount of \$27,708.09, Bieglers Construction and Gese Construction declined to submit quotes. All members present voting aye. Motion carried.

#### SURPLUS PROPERTY:

Moved by Knecht, seconded by Feickert to declare Decal #2650 Computer and monitor surplus property (sold at surplus sale). All members present voting aye. Motion carried.

#### TAX DEED SALE:

Moved by Feickert, seconded by Wiese to declare the following property surplus for purpose of sale by public auction and approve appraised value: Lansing Township: S 2/3 of W 1/2 & W 20' of E 1/2 of Lot 2, Block 9, Town of Houghton (Lansing Twp) \$250.00; Oneota Township: North 66 Feet of Outlot 1 and the South 249.22 Feet of Outlot 1 and the West 124 Feet of the 99.71 Feet adjacent to and north of the South 249.22 Feet of Outlot 1; and the West 82 Feet of the North 265.41 Feet of Outlot 1; all in Barnard Cooperative Association's Addition in the Northeast Quarter of Section 14, Township 126, Range 64, West of the Fifth P.M. \$250.00; Aberdeen Township: N 495' of the 327' lying next W of E 333' of the SE 1/4 of NE 1/4 22-123-64 \$50.00; Frederick City: Original Plat Lots 1-2-3 & 4, Block 1 \$25.00; Lot 15, Block 4, Original Plat to Frederick \$25.00; Lincoln Township: N 900' of W 500' SE 1/4 24-124-64 \$50.00; Prairiewood Village: Lot 10, Block 4 \$25.00; Lot 11, Block 4 \$25.00; Lot 10, Block 5 \$25.00; Lot 8, Block 5 \$25.00; Lot 9, Block 6 \$25.00; Lot 7, Block 7 \$25.00; and further to authorize advertising public auction to be held in the Community Room, Brown County Courthouse Annex, Aberdeen, South Dakota on April 12, 1999 at 10:00 A.M. All members present voting aye. Motion carried.

#### BOARD APPOINTMENTS:

Moved by Knecht, seconded by Feickert to appoint Ray Miller to serve the remainder of Myron Retzer's term on the Fair Board; Tim Berndt to a 2nd term on the Extension Board; Berwyn Bain and Mark Hoven for a three year term on the Weed Board. All members present voting aye. Motion carried.

#### SHERIFF REPORTS:

Moved by Feickert, seconded by Fischbach to approve the following January, 1999 Sheriff Reports: Incidents & Offenses, Prisoner Care, JDC, Money deposited with the County Treasurer and Monthly activities. All members present voting aye. Motion carried.

#### LEASE AGREEMENT:

Moved by Knecht, seconded by Feickert to approve and authorize the Chairman sign agreement, submitted by Northeast Area Horsemen for lease of the open class sheep barn from March 20 - May 1, 1999. All members present voting aye. Motion carried.

#### BID - CULVERTS:

Time and place, as advertised to open, read and consider bids for furnishing and delivery of: a.) Reinforced Concrete Culverts; b.) Precast Concrete Bridge Deck Units; c.) Prestressed Concrete Bridge Deck Units; d.) Corrugated Spiral and Riveted Metal Culverts; e.) Structural Steel Plate Bridge Flooring; f.) Structural Plate Pipe Arch; g.) Structural Plate Pipe Round; h.) Galvanized Guard Railing. Bids were received from Huron Culvert & Tank Company, Huron; Contech Construction Products Inc, Sioux Falls; SD Concrete Products Inc, Pierre. Moved by Wiese, seconded by Feickert to refer all bids to Russ Podoll, Highway Superintendent for review and recommendation. All members present voting aye. Motion carried.

BID - GRAVEL:

Time and place, as advertised to open, read and consider bids for furnishing and delivery of one years supply of road construction and maintenance gravel materials. Bids were received from Lien Transportation Company, Aberdeen; Bernard Mahrer Construction, Rutland, ND; H.F. Jacobs & Son Construction, Aberdeen; Hanlon Brothers, Verdon; Trins Construction Inc, Aberdeen; Robert L Dinger, Hecla; Concrete Materials, Sioux Falls; Brownlee Construction, Watertown; Lake Sand & Gravel, Lidgerwood, ND. Moved by Wiese, seconded by Knecht to refer all bids to Russ Podoll, Highway Superintendent for review and recommendation. All members present voting aye. Motion carried.

BID - SERVICES OF ROAD MACHINERY:

Time and place, as advertised to open, read and consider bids for furnishing and Full Operation and Bare Operation Rental Services of Gravel Trucks and road Machinery. Bids were received from Pies Blade & Dozer, Summit; Volzke Construction, Aberdeen; Spitzer Construction, Aberdeen; B&B Contracting, Aberdeen; Engel Trucking, Aberdeen; Martin Construction, Ellendale, ND; Dabbert Trucking, Aberdeen; Kevin Bourdon, Aberdeen; Alan Winburn, Houghton; Harold Winburn, Houghton; Ranger Trucking, Aberdeen; Howell Trucking, Aberdeen; Delbert Schrum Trucking, Eureka; B.W. Morrison Construction, Aberdeen; Knight Construction, Aberdeen; Dave Gunther Trucking, Mina; Bawek, Conde; H.F. Jacobs & Son Construction Inc, Aberdeen; Hagen Trucking, Stratford; Marvin N Lout, Aberdeen; Hanlon Brothers, Conde; Donald S Maunu, Frederick; MCS Construction, Roslyn; Sperry Tree Service, Groton; DMI, Sioux Falls; Aberdeen Asphalt Inc, Aberdeen; J.D. Evans Inc, Sioux Falls; Butler Machinery Company, Aberdeen; Lien Transportation & Construction, Aberdeen; Sheehan Mack Sales & Equipment, Aberdeen; Piorier Equipment Company, Sioux Falls. Moved by Feickert, seconded by Wiese to refer all bids to Russ Podoll, Highway Superintendent for review and recommendation. All members present voting aye. Motion carried.

BID - GRAVEL PUP TRAILER:

Time and place, as advertised to open, read and consider bids for one new 1999 Gravel Pup Trailer. Bids were received from Northern Truck Equipment Corporation, Sioux Falls; Drake Equipment, Sioux Falls. Moved by Wiese, seconded by Feickert to refer all bids to Russ Podoll, Highway Superintendent for review and recommendation. All members present voting aye. Motion carried.

SPRING CLEANUP:

Mike Scott, Landfill Manager met to discuss handout on the costs of illegally dumping garbage and spring cleanup. Moved by Knecht, seconded by Wiese to waive landfill fees (except tires) for County wide Spring Cleanup, to be held April 23 & 24, 1999; and further approve coupon - dump 1 free load from April 26 - May 31, 1999 (no contractors or commercial loads) Landfill only. The Paint drop will also be held during this time period. All members present voting aye. Motion carried.

BID AWARD - ROAD OIL:

Moved by Fischbach, seconded by Wiese to award bids on Road Oil to low bidders 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 - BITUMINOUS PLANT MIX:

Moved by Feickert, seconded by Wiese to award bids on Bituminous Plant Mix to low bidders as per tabulation sheet on file in the Auditor's Office (available for

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public inspection Monday - Friday, 8:00 A.M. to 5:00 P.M.). All members present voting aye. Motion carried.

**BID AWARD - CUTTING EDGES:**

Moved by Wiese, seconded by Feickert to award bids on Cutting Edges to low bidders 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.

**PART-TIME EMPLOYEE:**

Moved by Feickert, seconded by Knecht to authorize Carol Sherman, Register of Deeds to hire a part-time employee at \$6.30 per hour. All members present voting aye. Motion carried.

**EMS REPORT:**

Jesse Luce, EMS Director met to discuss cellular phones, contribution to Driftbusters Snowmobile Club and tower north of Aberdeen.

**RIDE LINE/SENIOR CITIZENS:**

Dave Osborne, Ride Line Director met to explain split in management of the Ride Line and the Senior Center and the need for land and/or building donations for the buses.

**RECESS:**

Moved by Feickert, seconded by Wiese to recess until March 23, 1999. All members present voting aye. Motion carried.

Maxine Taylor - Brown County Auditor

MARCH 23, 1999 - GENERAL MEETING

Meeting called to order by Chairman Hansen at 8:45 A.M. in the Commissioner's Chambers, Courthouse Annex, Brown County, South Dakota. Present were Commissioners Knecht, Feickert and Fischbach. Absent Commissioner Wiese.

MINUTES:

Moved by Knecht, seconded by Fischbach to approve the General Meeting minutes of March 16, 1999. All members present voting aye. Motion carried.

CLAIMS:

Moved by Fischbach, seconded by Knecht to approve the following claims:

**Supplies & Materials:** Pitney Bowes..\$543.64, SD Continuing Education..\$135.00, Aberdak Travel..\$726.94, Superior..\$221.08, Herges, Kirkgasler..\$31698.75, Prairieland..\$32.49, Janitor Supply..\$95.76, UBC..\$32.17, Heartland Paper..\$346.99, Rux Bros..\$61.31, Taylor Laundry..\$145.92, Tuxall..\$20.95, Office Max..\$691.16, Sewing Shoppe..\$6.00, Farmers Union Britton..\$25.07, Sec of State..\$7.00, Western Printing..\$10.00, Bob Barker..\$127.78, Hoven Auto..\$168.25, Amoco..\$11.80, Oakstone..\$264.95, Rockhurst College..\$139.00, Walmart..\$10.33, Country Inn..\$500.31, Michael Todd..\$545.64, Rob Streeter..\$350.00, Snap-On Tools..\$85.55, Share Corp..\$105.00, Overhead Door..\$86.73, Newman Signs..\$301.71, Reuer Auto..\$185.03, Don Gunther..\$1649.02, Lien Transportation..\$2000.00, Kar Products..\$127.55, J Gross..\$360.71, Doyle Equipment..\$50.70, Robert Dinger..\$1096.80, Midwest Rubber Stamp..\$6.60, Ameripride..\$7.30, Profile Evaluations Inc..\$335.00, Leggette, Brashears..\$234.25, Frontier Precision..\$93.93, City of Aberdeen..\$110.28, SDSWMA..\$45.00, Pro-Link Communications..\$459.20, Artz Camera..\$3.60, Cunningham Elec..\$210.11, Nat'l Register Publisher..\$166.63, Lust Chevrolet..\$68.21, Columbia Fire Dept..\$4530.00, South Detroit Twp..\$1267.00, Prairieland..\$502.85, Hedahls..\$12.87, Nelson Auto..\$122.90, Crawford Trucks..\$8.63, Crady's..\$88.20, Schmidt Const..\$750.00, Floor Max..\$737.72, Holm Co..\$728.02, Nick Rayman..\$315.88, RDO..\$68.53, Plainsco..\$98.87:

**Publications:** American News..\$484.83, Dakota Press..\$941.41:

**Professional Fees:** Witness Fee..161.05, Bon Homme County Sheriff..\$23.70, Milwaukee Sheriff Dept..\$40.00, Joan Kittelson..\$15.00, Don Carlson..\$15.00, Donna Dietrich..\$95.06:

**Mileage & Travel:** Carol Sherman..\$25.18, Bruce Tveit..\$22.32, Juanita Herold..\$17.28, Tony Ingemansen..\$28.32, Russ Podoll..\$22.00, Crossroads..\$70.00:

**Court Appointed Attorney:** James & Assoc..\$154.00:

**Utilities:** Commnet Cellular..\$80.51, NWPS..\$2760.51, Midcontinent Cable..\$97.67, US West..\$1967.69, Dependable Sanitation..\$153.00, Cellular One..\$63.24, Accent Communications..\$321.24, James Valley Co-Op..\$574.27, Bureau of Adm..\$614.03, Northern Electric..\$191.22:

**Care of Poor:** Dr/Hospital..2 recipients..McKenna Hosp..\$21665.65, Avera St Lukes..\$5094.43; Transportation..1 recipient..Aberdeen Ambulance..\$870.30; Utilities..1 recipient..Montana-Dakota..\$210.00; Drugs..1 recipient..Medical Center Pharmacy..\$77.55; Rent..1 recipient..Belaire..\$72.00. All members present voting aye. Motion carried.

PERSONNEL:

Moved by Knecht, seconded by Feickert to approve the following employee step increases, effective March 21, 1999: Traci Wickenheiser @ \$9.89 per hour; Michele Strom @ \$9.41 per hour. All members present voting aye. Motion carried.

Moved by Knecht, seconded by Feickert to approve hiring Kirsten Krueger as guard for purpose of prisoner transport. All members present voting aye. Motion carried.

ABATEMENTS:

Moved by Feickert, seconded by Fischbach to approve the following Abatements:

Paulette Driver, owned by dealer (1990 Friendship MH) for year 1999 in amount of \$445.15; Merle Freeman, owned occupied (1971 MH) for year 1999 in amount of \$41.51; Venus or Kit Donley, owner occupied (1973 Movilla MH) for year 1999 in amount of \$56.27; Ken Engel, incorrect value (1983 Pine MH) for year 1999 in amount of \$207.68. All members present voting aye. Motion carried.

P&Z BOARD APPOINTMENT:

Moved by Fischbach, seconded by Feickert to appoint Harley Gage and Jerry Streckfuss to a second term on the Planning & Zoning Board. All members present voting aye. Motion carried.

EXPENSES:

moved by Fischbach, seconded by Knecht to approve expenses for County Commission to attend Economic Development Meeting with Tim Johnson on March 21, 1999 at the Smart Connection Center. All members present voting aye. Motion carried.

INCREASE SPENDING AUTHORITY/ESTIMATED REVENUE:

Moved by Fischbach, seconded by Knecht to increase spending authority (#101-311-426.30) and estimated revenue (101-331.03) in amount of \$6,705.00 for CDBG Funding (South Detroit Township @ \$1267.00, Riverside Township @ \$5438.00). All members present voting aye. Motion carried.

LIEN COLLECTION PROPOSALS:

Moved by Feickert, seconded by Fischbach to authorize advertising public hearing to open, read and consider Requests for Proposals for County Aid Lien Notification and Collection Services, to be held in the Commissioner's Chambers, Courthouse Annex, Brown County, South Dakota at 8:45 A.M. on April 6, 1999. All members present voting aye. Motion carried.

SHERIFF REPORTS:

Moved by Feickert, seconded by Fischbach to approve the following February, 1999 Sheriff Reports: Incidents & Offenses, Prisoner Care, JDC, Money deposited with the County Treasurer and Monthly activities. All members present voting aye. Motion carried.

VACATE PLAT:

Commissioner Feickert offered the following Resolution:

RESOLUTION NO. 14-99

WHEREAS, Eunice Weismantel, pursuant to SDCL 11-3-20.1, presented an Application for Vacation of Plat legally identified as:

Weismantel's Outlots D & E in the NE 1/4 of Section 19-T123N-R62W, Brown County, South Dakota, being part of plat entitled Weismantel's Outlots C, D and E, in the NE 1/4 of Section 19-T123N-R62W, Brown County, South Dakota

and,

WHEREAS, the granting of the request will not authorize the closing or obstruction of any public highway laid out according to law, and all property taxes on such plat are paid.

NOW, THEREFORE, BE IT RESOLVED, that the portion of plat legally identified as:

Weismantel's Outlots D & E in the NE 1/4 of Section 19-T123N-R62W, Brown County, South Dakota, being part of plat entitled Weismantel's Outlots C, D and E, in the NE 1/4 of Section 19-T123N-R62W, Brown County, South Dakota

is hereby vacated.

Seconded by Commissioner Fischbach. Roll call vote: Commissioners Knecht-aye, Feickert-aye, Fischbach-aye, Hansen-aye, Wiese-absent. Resolution adopted.

RECONVEYANCE OF TAX DEED PROPERTY:

Commissioner Feickert offered the following Resolution:

RESOLUTION NO. 15-99

WHEREAS, it appearing to the satisfaction of the Commissioners of Brown County that a Tax Deed was taken on the following described real estate:

N 900' of W 500' SE 1/4 24-124-64, Brown County, SD, duling recorded in the Register of Deeds Office in Book 270 Page 59 on June 29, 1998

It further appearing to the satisfaction of the Brown County Commission that taxes, penalty, interest and attorney fees have been deposited with the Brown county Treasurer.

NOW, THEREFORE BE IT RESOLVED that the Brown county Commission hereby reconveys the above listed property and authorizes the Chairman of the Brown County Commission to execute a Quit Claim Deed transferring the interest of Brown County, South Dakota, back to the record owners of said property.

Seconded by Commissioner Knecht. Roll call vote: Commissioners Knecht-aye, Feickert-aye, Fischbach-aye, Hansen-aye, Wiese-absent. Resolution adopted.

PLATS:

Commissioner Knecht offered the following Resolution:

RESOLUTION NO. 16-99

BE IT RESOLVED by the County Commission of Brown County, South Dakota, that the plat showing, "Luce First Subdivision in SW 1/4 Sec. 10-T123N-R65W of 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 Feickert. Roll call vote: Commissioners Knecht-aye, Feickert-aye, Fischbach-aye, Hansen-aye, Wiese-absent. Resolution adopted.

Commissioner Feickert offered the following Resolution:

RESOLUTION NO. 17-99

BE IT RESOLVED by the County Commission of Brown County, South Dakota, that the plat showing, "Gubin Outlot A in the SW 1/4 Sec. 5-T121N-R62W of 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 Fischbach. Roll call vote: Commissioners Knecht-aye, Feickert-aye, Fischbach-aye, Hansen-aye, Wiese-absent. Resolution adopted.

VETERANS SERVICE OFFICE:

Tom Gohn and Kathy Schlecht met with the Commission to explain need for overtime in the Veterans Service Office.

BID AWARD - CULVERTS:

Moved by Feickert, seconded by Knecht to award bids on Culverts and Bridge Decking to low bidders 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 - GRAVEL:

Moved by Knecht, seconded by Feickert to award bids on Gravel and Fill Materials to low bidders 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 - RENTAL OF MACHINERY:

Moved by Fischbach, seconded by Knecht to award bids for Rental of Gravel Trucks and Road Machinery to low bidders 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 - GRAVEL PUP TRAILER:

Moved by Knecht, seconded by Feickert to award low bid, submitted by Northern Truck Equipment Corporation, Sioux Falls in amount of \$17,814.00 for one 1999 Gravel Pup Trailer with no trade; rejecting bid submitted by Drake Equipment Company, Sioux Falls in amount of \$20,683.00. All members present voting aye. Motion carried.

AMEND SEASONAL LOAD RESTRICTIONS:

Moved by Fischbach, seconded by Feickert to amend Seasonal Load Restrictions motion in minutes of February 23, 1999 to add the following section of road to OTHER OIL ROADS - NOT POSTED: Road #9 from Marshall County line west 2.0 miles to County Road #20 (1.0 mile of oil and 1.0 mile of gravel). All members present voting aye. Motion carried.

CONTRACTS:

Moved by Feickert, seconded by Fischbach to authorize the Chairman to sign Contracts for supplies and materials as awarded for 1999. All members present voting aye. Motion carried.

SURPLUS PROPERTY:

Moved by Knecht, seconded by Fischbach to declare a 1998 Fiatallis Motor Grader with Falls Snow Wing surplus property to be sold at Clark County auction on April 28, 1999. All members present voting aye. Motion carried.

Moved by Feickert, seconded by Fischbach to declare the following items surplus to sell to the public and/or recycling companies: 1) used steel culverts; 2) used cutting edges; 3) used steel and plastic barrels; 4) old steel and iron in general; 5) used aluminum signs. All members present voting aye. Motion carried.

APPLICATION FOR OCCUPANCY:

Moved by Fischbach, seconded by Knecht to approve and authorize Chairman sign application, submitted by Dahme Construction Company for occupancy of Brown County Highway No. 12 in Sec 8-T123-R63W, Brown County, South Dakota to install sewer line for Ashwood Heights Subdivision (date of road closing to be determined by Highway Superintendent). All members present voting aye. Motion carried.

RECESS:

Moved by Knecht, seconded by Feickert to recess until March 30, 1999. All members present voting aye. Motion carried.

Maxine Taylor - Brown County Auditor



MARCH 30, 1999 - GENERAL MEETING

Meeting called to order by Chairman Hansen at 8:45 A.M. in the Commissioner's Chambers, Courthouse Annex, Brown County, South Dakota. Present were Commissioners Knecht, Feickert, Fischbach and Wiese.

**MINUTES:**

Moved by Knecht, seconded by Wiese to approve the General Meeting minutes of March 23, 1999. All members present voting aye. Motion carried.

**CLAIMS:**

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

Payroll: Commissioners..\$2,115.40; Data Processing..\$1,221.16; Auditor..\$5,807.70; Treasurer..\$6,948.50; State's Attorney..\$8,083.37; Victims Asst..\$769.24; Maintenance..\$4,627.64; Assessor..\$6,501.42, OVERTIME: Kathy Fischer..\$3.26, Michelle Sitter..\$6.51; Planning & Zoning..\$829.60; Register of Deeds..\$2,594.61, OVERTIME: Cindy Schwan..\$7.64; Veterans Service..\$1,881.71, OVERTIME: Kathy Schlecht..\$61.08; Communications..\$9,218.67, Mary Browning..\$55.72, Darcy Simmons..\$56.48, Traci Wickenheiser..\$25.36; Sheriff..\$36,729.69, OVERTIME: Craig Anderson..\$188.86, Bryan Locke..\$351.36, John McQuillen..\$218.68, John Heine..\$9.76, Scott Kolb..\$134.12, Michael Casjens..\$46.10, David Hanson..\$35.44, Steven Cogley..\$85.00, Gary Bunt..\$117.36, Cindy Baumgartner..\$13.04, Kevin Johnson..\$107.20, Tony Ingemansen..\$7.51; Health..\$2,143.20; Museum..\$3,205.59; Welfare..\$2,212.42; E&D..\$1,754.32, OVERTIME: Ginger Walker..\$37.63; Foster Grandparent Program..\$2,236.71; Parks..\$2,288.62; Fairboard..\$576.93; Extension..\$1,448.80; Weed..\$501.38; Road and Bridge..\$27,981.75, OVERTIME: Terry Backous..\$108.81, Robert Binfet..\$16.26, Vernon Bitz..\$49.92, Brian Dargatz..\$101.34, Larry Hardy..\$30.28, Tom Lammon..\$11.69, Alfred Malsam..\$3.50, Donald Maunu..\$157.50, Todd Odenbach..\$29.22, Bryan Owens..\$17.89, Cordell Rudolph..\$7.65, Richard Schaible..\$19.76, Roger Schaible..\$12.03, Jeff Seiler..\$14.01, Markcus Selzler..\$28.35, Michael Wagner..\$52.19, Solid Waste..\$4,748.80, OVERTIME: Carl Wright..\$69.79, Roxanne Varns..\$37.83, Nyle Jensen..\$113.03, Dennis VanHeerde..\$109.82:

Supplies & Materials: Nat'l Dist Attny Assoc..\$155.00, NCRAAO..\$540.00, Nat'l Child Safety Council..\$1098.50, Office Equip..\$57.98, Ecolab..\$74.00, Med Center Pharmacy..\$2105.44, Hoven Auto..\$22.50, K-Mart..\$66.96, Texaco..\$12.17, Parcel Erickson..\$66.95, Dick's Westside..\$23.00, EGADS..\$48.00, Respond..\$229.60, Phillips 66..\$46.90, Walmart..\$199.74, Sec of State..\$14.00, SD Dept of Revenue..\$409.00, Avera St Lukes..\$34.00, Office Max..\$41.28, Herbergers..\$76.50, 3-D Spec..\$27.48, Jeff Seiler..\$60.00, Safety Service..\$90.33, Prairieland..\$413.53, New Pig Corp..\$101.52, Lyle Signs..\$1128.75, Lawson Prod..\$567.49, Gary's Engine..\$21.50, Frey's Electronics..\$204.00, Robert Dinger..\$432.00, Dakota Brush..\$95.75, Larry Carson Tools..\$2.90, Catastrophic Fund..\$186951.33, Sherri Rawstern..\$10.50, Phyllis Voeller..\$16.00, US Post Office..\$88.00, Artz Camera..\$32.30, Cobblestone Pub..\$43.95, Swanson Elec..\$234.56, Service Signs..\$875.00, Chrysler Center..\$259.77, Taylor Laundry..\$55.30, Great Events..\$354.64, New Deal Tire..\$115.00, Thompson Pub..\$149.00, Best Business..\$822.12, Riddles..\$33.00:

Transcriptions: Johnson, Betsy..\$259.00:

Publications: American News..\$377.00:

Professional Fees: Witness Fee..\$140.80, Kevin Spitzer..\$537.54, Donna Dietrich..\$96.00, Dawn Aman..\$2300.00:

Mileage & Travel: Leo Leshner..\$141.12, Gene Loeschke..\$56.88, Mark Milbrandt..\$269.79, Carol Sherman..\$104.08, Norma Dennert..\$110.40, Larry Gerlach..\$132.96, Ramada Inn..\$348.00:

Court Appointed Attorney: Brad Borge..\$3406.82, Gary Gellhaus..\$3406.82, Wanda Howey-Fox..\$80.00, Kabeiseman & Pollard..\$114.80:

Utilities: Cellular One..\$289.28, Norcom..\$208.24, US West..\$41.21, NWPS..\$83.05, Montana Dakota..\$46.89, WEB..\$52.21:

Care of Poor: Dr/Hospital..4 recipients..Dr Mark Fox..\$2673.38, Dr Joe Chang..\$91.00, Anesthesia Care..\$128.00, Avera St Lukes..\$2372.51; Utilities..2 recipients..US West..\$20.41, NWPS..\$230.00; Drugs..1 recipient..Econofoods..\$95.24; Rent..1 recipient..Dan Martin..\$125.00; Burial..2 recipients..City of Aberdeen..\$300.00, Thelen's Inc..\$1550.00. All members present voting aye. Motion carried.

All members present voting aye. Motion carried.

#### HEARING NOTICE/VACATE PLAT:

Moved by Wiese, seconded by Feickert to authorize advertising public hearing to receive testimony pertaining to a petition to vacate a plat, described as Fuhrman's Outlot 1 in the NW 1/4 of Section 35, T121N, R64W, Brown County, South Dakota, to be held in the Commissioner's Chambers, Courthouse Annex, Brown County, South Dakota at 8:45 A.M., April 13, 1999. All members present voting aye. Motion carried.

#### PERSONNEL:

Moved by Feickert, seconded by Wiese to approve the following employee step increases, effective April 4, 1999: Charlene McAfee @ \$9.41 per hour; Michael Casjens @ \$12.53 per hour. All members present voting aye. Motion carried.

Moved by Fischbach, seconded by Knecht to acknowledge resignation of maintenance employee Vernon Eberhart, effective April 2, 1999. All members present voting aye. Motion carried.

Moved by Feickert, seconded by Wiese to approve hiring Tom Rux, effective April 5, 1999 as part-time maintenance employee at \$6.05 per hour. All members present voting aye. Motion carried.

Moved by Feickert, seconded by Wiese to approve hiring Vickie Hansford, effective April 6, 1999 as dispatcher at \$9.17 per hour. All members present voting aye. Motion carried.

Moved by Feickert, seconded by Fischbach to approve hiring Dion Dargatz as part-time highway employee, effective March 29, 1999 at \$9.15 per hour. All members present voting aye. Motion carried.

#### EXPENSES:

Moved by Wiese, seconded by Feickert to approve the following expenses: Employees to attend the 21st Annual Northern State University Working Women's Day in Aberdeen on April 21; Jan Weismantel to attend a Dware Computer Program Workshop in Spearfish on June 7 & 8; Ken Thompson, Bruce Tveit, Tony Ingemansen, Jvonne Heard and Barb Johnson to attend John Rosemond sessions entitled "Discipline that really works" and "Working with parents of at-risk students" in Aberdeen on April 13 & 14. All members present voting aye. Motion carried.

#### PLATS:

Commissioner Wiese offered the following Resolution:

RESOLUTION NO. 18-99

BE IT RESOLVED BY the County Commission of Brown County, South Dakota, that the plat showing "Gross's Outlot 4 in the NE 1/4 of Section 33-T124N-R64W 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 Knecht. Roll call vote: Commissioners Knecht-aye, Feickert-aye, Fischbach-aye, Wiese-aye, Hansen-aye. Resolution adopted.

Commissioner Feickert offered the following Resolution:

RESOLUTION NO. 19-99

BE IT RESOLVED BY the Brown of Commissions of Brown County, South Dakota, that the plat showing "Golz First Addition in the S 1/2 of Section 25-T124N-R64W 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. Roll call vote: Commissioners Knecht-aye, Feickert-aye, Fischbach-aye, Wiese-aye, Hansen-aye. Resolution adopted.

BID - RE-ROOF PW BUILDING:

Moved by Fischbach, seconded by Feickert to authorize advertising public hearing to open, read and consider bids for labor and material to Re-Roof the Brown County Public Works Building, located at 3133 NE 8th Ave, Aberdeen, SD, to be held in the Commissioner's Chambers, Courthouse Annex, Brown County, South Dakota at 9:00 A.M., on April 13, 1999. All members present voting aye. Motion carried.

BID - ADA REMODELING IN COURTHOUSE:

Moved by Knecht, seconded by Feickert to authorize advertising public hearing to open, read and consider bids for labor and material required for the construction of ADA Remodeling of Brown County Courthouse, Aberdeen, SD, to be held in the Commissioner's Chambers, Courthouse Annex, Brown County, South Dakota at 9:00 A.M., on April 20, 1999. All members present voting aye. Motion carried.

SURPLUS PROPERTY:

Moved by Knecht, seconded by Feickert to declare Decal #3076 (orange chair group) surplus for disposal (poor condition). All members present voting aye. Motion carried.

Moved by Wiese, seconded by Fischbach to declare 1989 Kountry Star Bookmobile (83,372 miles) surplus for purpose of sale at Aberdeen City Auction to be held on May 7, 1999. All members present voting aye. Motion carried.

CONTRACT:

Moved by Wiese, seconded by Fischbach to approve and authorize the Chairman sign contract with Van Diest Supply Company for furnishing chemical for the 1999 Weed Spraying Season. All members present voting aye. Motion carried.

ABATEMENTS:

Moved by Wiese, seconded by Feickert to approve and authorize the Chairman sign the following Abatements: Tim Hettick, tax exempt (1974 Twin Lakes MH) for year 1999 in amount of \$234.71; Derik Eberle, moved out of County (1973 Marshfield MH) for year 1999 in amount of \$146.96. All members present voting aye.

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Motion carried.

INCREASE SPENDING AUTHORITY/ESTIMATED REVENUE:

Moved by Fischbach, seconded by Wiese to increase spending authority (Fund #101-913-426.15) and estimated revenue (Fund #101-366) in amount of \$173,951.33 for refund of prior expenditure and refund to Catastrophic Poor Fund. All members present voting aye. Motion carried.

LEASE AGREEMENTS:

Moved by Feickert, seconded by Knecht to approve and authorize the Chairman sign agreement with Jim River Riders for lease of the horse arena on June 20, July 11 and August 15, 1999 (rain date - September 5). All members present voting aye. Motion carried.

Moved by Knecht, seconded by Wiese to approve and authorize the Chairman sign agreement with Northeast Area Horse Racing Inc for lease of Fairgrounds facilities for the 1999 Horse Racing Season. All members present voting aye. Motion carried.

ADDENDUM NO. 1:

Moved by Wiese, seconded by Feickert to approve Addendum No. 1 to specifications for Request for Proposals for County Lien Collections. All members present voting aye. Motion carried.

OVER WEIGHT PERMIT:

Scott Hier and Dick Siefkes, SD Wheat Growers met with the Commission to discuss load limit permits for use when transporting Terra Gators. Commission will discuss with Highway Superintendent and he will advise SD Wheat Growers.

CENTENNIAL VILLAGE:

Centennial Village Board Members Don Gisi, Karen Goodall and Bernie Jacobs met with the Commission to discuss history of Centennial Village Board, income/expense sheets for 1990 through 1998, expressed need for functions held during the Brown County Fair remain the same as in prior years. Randy Bonn and Larry Gerlach were also in attendance.

CLOSING AUDIT CONFERENCE:

Kay Fredrick, Department of Legislative Audits met with the Commission for closing conference for audit of fiscal year 1998.

BC HIGHWAY NO. 5 DISCUSSION:

Allen Siefkes and nine area residents met with the Commission to discuss condition of Brown County Highway No. 5 east and west of Hecla, and requested that this road be upgraded for heavier traffic. Russ Podoll, Highway Superintendent gave cost estimates for major upgrades to roads and the Commission explained that most of the roads in Brown County need upgraded to accommodate more traffic and heavier loads, but maintaining breakups on existing roads and budget constraints pushes major upgrade scheduling into the future.

GRASSLAND PROPOSAL:

Scott Glup and John Koerner met with the Commission to explain new Grassland Easement Program with the public comment period for environmental assessment ending at public meeting to be held April 7; discussed water levels at Sand Lake Refuge and flow of water from North Dakota; reported 1300 individuals attended Eagle Day; and presented invitations for the Wetland of International Importance Dedication to be

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held on May 8, 1999.

MOBILE HOME TAX:

Moved by Wiese, seconded by Fischbach to declare 1997 Tax Bill No. 24131, in amount of \$481.58 uncollectible, in accordance with SDCL 10-22-30, on a 1991 Friendship Mobile Home. All members present voting aye. Motion carried.

JDC REPORT:

Barb Johnson, JDC Supervisor presented a copy of the minutes for Juvenile Crime Enforcement Coalition Meeting held March 25, 1999. The Coalition is a stipulation of the Juvenile Accountability Incentive Block Grant Award for Brown County (\$36,032) and Aberdeen City (\$31,388).

BRIDGE #34A:

Moved by Wiese, seconded by Knecht to approve and authorize the Chairman sign Work Order LGA-30-99 requesting Banner Engineering to complete the hydraulic analysis for Bridge #34A (07-094-329) on Brown County road #12W (below west overhead). All members present voting aye. Motion carried.

ADJOURNMENT:

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

Maxine Taylor - Brown County Auditor

APRIL 6, 1999 - GENERAL MEETING

The Brown County Commission convened at 8:45 A.M. in the Commissioner's Chambers, Courthouse Annex, Brown County, South Dakota. Present were Commissioners Knecht, Feickert, Fischbach, Wiese and Hansen.

**MINUTES:**

Moved by Wiese, seconded by Feickert to approve the General Meeting minutes of March 30, 1999. All members present voting aye. Motion carried.

**CLAIMS:**

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

**Supplies & Materials:** Central Supply..\$10.39, Town of Claremont..\$800.00, Office Equipment..\$37.27, US Post Office..\$5000.00, NECOG..\$18,432.00, Vicky Wicks..\$6.99, Knowles Publications..\$41.25, Fed Ex..\$12.75, Norcom..\$272.25, Langs..\$302.55, Wal-Mart..\$47.34, Sanders..\$76.60, Prairieland..\$5.23, Hub City Iron..\$14.76, Plainsco..\$424.40, Cole Papers..\$21.13, Rux Brothers..\$13.96, UBC..\$11.63, Heartland..\$262.65, Matz..\$6.00, Menards..\$125.19, New Trends..\$27.69, Shopko..\$5.98, Bob Barker..\$63.68, Lucent..\$5.35, K-Mart..\$53.33, SD Dept of Rev..\$273.00, Target..\$51.92, Avera St Lukes..\$34.00, SD Fleet..\$1069.44, Pierson..\$20.00, Norcom..\$8.99, QQP..\$23.28, 911 Magazine..\$16.95, US Identification Manual..\$72.50, APCO..\$135.00, QQP..\$23.94, Newman..\$414.50, Central Supply..\$10.39, RE Huffman..\$24.00, Pitney Bowes..\$34.50, Huffman's..\$140.74, QQP..\$9.90, Wal-Mart..\$40.92, Paper Warehouse..\$4.00, Boston Fern..\$27.50, Best Business..\$159.75, Ameripride..\$7.30, QQP..\$40.46, DPM Merchandise..\$15.90, West Group..\$2385.10, OK Tire..\$6.00, SD Dept Rev..\$2614.85, QQP..\$112.39, Sheehan Mack..\$76.29, Butler..\$273.39, Dependable Sanitation..\$11756.64, A-1 Sanitation..\$895.50, Mike Scott..\$105.99:

**Publications:** American News..\$251.00, Frederick/Hecla Northstar..\$919.15, American News..\$28.75:

**Professional Fees:** Witness Fee..\$135.70, SDACC..\$32,053.90:

**Mileage & Travel:** Tom Fischbach..\$246.00, Dennis Feickert..\$62.64, Ramkota Inn-Pierre..\$118.00, John Rosemond Workshops..\$40.00, Rosemond Workshop..\$15.00, MN State Bar Assoc..\$395.00, Pat Caldwell..\$13.92, Marjorie Crawford..\$69.12, Linda Dillavou..\$63.12, Spink Co Public Transit..\$306.00:

**Utilities:** NWPS..\$5710.04, James Valley Coop..\$580.27, Accent Comm..\$321.64, US West..\$3282.54, NWPS..\$19.21, Midcontinent Cable..\$25.75, NWPS..\$190.00, A&M Radio..\$43.00, NWPS..\$37.43:

**Care of Poor:** Dr/Hospital..4 recipients..Ab Advanced Care..\$206.85, Ab Family Physicians..\$364.98, Northern Plains Oral Surgery..\$630.12, Avera St Lukes..\$661.90; Rent..3 recipients..Golden West Inc..\$149.00, Tom Appletoft..\$210.00, Donald Peck..\$170.00. All members present voting aye. Motion carried.

**SET HEARING DATES:**

Moved by Wiese, seconded by Knecht to set hearing to consider petitions to rezone: Ordinance No. 99-04-01/175 (Nielsen) and Ordinance No. 99-04-02/176 (Hart) to be held in the City Commission Chambers, 123 S Lincoln, Aberdeen, South Dakota at 6:30 P.M. on April 26, 1999. All members present voting aye. Motion carried.

**EXPENSES:**

Moved by Knecht, seconded by Wiese to approve expenses for the following: Personnel to attend the Upper Missouri Valley Commission Association Meeting in Long Lake on April 15; Deb Dugger to attend the Annual Children's Special Health Services Training Workshop in Sioux Falls on April 29-30; Tony Ingemansen, Juanita Herold,

Kevin Johnson and Ann Bierman to attend the SD Corrections Spring Conference in Mitchell on April 27-29; Harvey Oliver to attend the 16th Annual Upper Midwest Employment Law Institute Conference in St Paul, MN on May 23-26; Jesse Luce to attend Emergency Management Meeting in Pierre on April 9, 1999. All members present voting aye. Motion carried.

CONTRACT:

Moved by Fischbach, seconded by Feickert to waive performance bond requirement on contract with VanDiest Supply Company. All members present voting aye. Motion carried.

AGREEMENT:

Moved by Fischbach, seconded by Knecht to approve and authorize the Chairman sign agreement with NYODA Girl Scout Council for mutual use of the Richmond Youth Camp facilities. All members present voting aye. Motion carried.

ABATEMENTS:

Moved by Feickert to approve Abatement for Elden & Delores Winther, owner/occupied status (L 3 Blk 7 Mehlhoff's 2nd Addition NW 1/4 7-123-63) for year 1998 in amount of \$699.63. Motion died for lack of second.

Moved by Knecht, seconded by Fischbach to approve Abatement for Sherilyne R or Norman W Scott, condition (1978 Moduline MH) for year 1999 in amount of \$46.75. All members present voting aye. Motion carried.

WORK STUDY HOURS:

Moved by Fischbach, seconded by Knecht to approve the following work study hours for January - March, 1999 for work comp purposes: Rachel L Kercher - 88.25 hours, Leah Veland - 47.25 hours. All members present voting aye. Motion carried.

LEASE AGREEMENT:

Moved by Wiese, seconded by Knecht to approve and authorize the Chairman sign agreement with Aberdeen Humane Society for lease of the Club House from April 5 - 18, 1999. All members present voting aye. Motion carried.

PERSONNEL:

Moved by Wiese, seconded by Fischbach to approve hiring Jeffrey Kirnan as full time JDC Officer, effective April 4, 1999 at \$8.69 per hour. All members present voting aye. Motion carried.

COUNTY LIEN COLLECTION SERVICE:

Time and place, as advertised to open, read and consider proposals for County Lien Collection Service. Proposals were received from Noll Collection Service, Sioux City, Iowa; Hauge Associates, Inc, Sioux Falls, SD; Credit Bureau of Watertown, Inc, Watertown, SD. Moved by Feickert, seconded by Wiese to refer all proposals to Committee (Harvey Oliver, Charlene Millim, Carol Sherman, Maxine Taylor, Nancy Hansen and Deb Knecht) for review and recommendation. All members present voting aye. Motion carried.

TB TESTS:

Mark Milbrandt explained need for TB testing for all employees in his department and arrangement with County Health Department to perform test in house at a cost of \$20.00 per hour (approximately 3 hours). Board concurred.

## ANNEXATION APPROVAL:

## RESOLUTION NO. 20-99

The City of Groton, Brown County, South Dakota, a municipality, has resolved to annex certain territory contiguous to the city limits and within the property annexed there is unplatted land thus the county commission must approve of the Annexation Resolution pursuant to SDCL 9-4-5,

NOW, THEREFORE BE IT RESOLVED by the Brown County Commission on the date subscribed below on the motion made by Commissioner Feickert approved the adoption of the Resolution of Annexation to which this document is attached which resolution included unplatted land within the confines of the annexed territory to include the legal description as follows:

That portion of the north 600 feet of the NE 1/4 of Section 25, Township 123 North, Range 61 West except Inman Outlots 1 and 2, McDonald's Outlot, and land deeded lying West of the present Groton City limits (an area bounded on the west by the 1/4 section line, on the north by Inman Outlot 2 southern boundary, on the east by the current City limits, and on the south by a line 27 feet from the southern boundary of Inman Outlot 2, NE 1/4, Section 25, Township 123 North, Range 61 West).

Hearing date: April 6, 1999

Seconded by Commissioner Wiese. Roll call vote: Commissioners Knecht-aye, Feickert-aye, Fischbach-aye, Wiese-aye, Hansen-aye. Resolution adopted.

## LIEN COMPROMISE PROPOSAL:

Dennis Maloney met with the Commission to request lien compromise for an individual. Moved by Wiese, seconded by Knecht to refer request to Harvey Oliver for recommendation. All members present voting aye. Motion carried.

## BRIDGE REPLACEMENT:

Commissioner Wiese offered the following Resolution:

## RESOLUTION NO. 21-99

## COUNTY FEDERAL AID BRIDGE REPLACEMENT PROGRAM RESOLUTION

WHEREAS, the Brown County Board of Commissioners desire the replacement of the bridges as hereinafter described:

## LOCATION AND LENGTH:

Bridge #12 07-077-477 - 0.3 miles north of Mansfield - steel stringer structure (1 span) 30' long - 39.9 sufficiency rating. Bridge #31 07-110-356 - 2.4 miles south and 1.2 miles west of Aberdeen - steel stringer structure (2 span) 68' long - County Road #10 over Foote Creek - 40.9 sufficiency rating. Bridge #82 07-260-427 - 0.7 miles south and 4.0 miles west of Ferney - 3-panel pony truss structure (1 span) 41' long - 27.3 sufficiency rating. Bridge #172 07-125-220 - 2.0 miles south and 1.5 miles east of Westport - steel stringer structure (3 span) 121' long - 26.8 sufficiency rating. Bridge #174 07-075-160 - 2.0 miles south and 3.5 miles west of Barnard - steel stringer structure (3 span) 100' long - 37.9 sufficiency rating,

AND WHEREAS, Brown County is obligated and hereby agrees to satisfactorily maintain the project after construction is completed; and to regulate or cause to be regulated the installation of utility facilities within the limits of the right-of-way of the proposed project in accordance with State and Federal



requirements.

AND WHEREAS, Brown County is obligated and hereby agrees to reimburse the State for all costs not reimbursable with Special Bridge Replacement Funds.

AND WHEREAS, the bridges are in need of replacement for one or more of the following reasons: sufficiency rating, minimum maintenance road, federal aid route, school bus route, mail route, a field to farm to market route, the load carrying capacity of the existing bridge cannot be improved by rehabilitation.

NOW THEREFORE BE IT RESOLVED: That the South Dakota Department of Transportation be and hereby is authorized and requested to program for construction, in accordance with the approved Secondary and Off System Road Plan Agreement and the State's "Standard Specifications For Roads and Bridges" the bridge replacement projects at the above described locations. Consultant services are to be with Federal Aid. Preliminary Engineering Services by State forces with Federal Aid are Hydraulic and Foundation (if necessary) Recommendations. Construction administration is to be handled by State Forces with Federal Aid.

Brown County will have sufficient funds available to match Special Bridge Replacement Funds.

Seconded by Commissioner Feickert. Roll call vote: Commissioners Knecht-aye, Feickert-aye, Fischbach-aye, Wiese-aye, Hansen-aye. Resolution adopted.

APPLICATION FOR OCCUPANCY:

Moved by Fischbach, seconded by Feickert to approve and authorize the Chairman sign application, submitted by US West Communications, for occupancy of Brown County Hwy #6 in Section 19-T124N-R64W in Brown County, for telephone service. Roll call vote: Commissioners Knecht-aye, Feickert-aye, Fischbach-aye, Wiese-abstain, Hansen-aye. Motion carried.

RECESS:

Moved by Fischbach, seconded by Wiese to recess until April 13, 1999. All members present voting aye. Motion carried.

Maxine Taylor - Brown County Auditor

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APRIL 13, 1999 - GENERAL MEETING

Meeting called to order by Chairman Hansen at 8:45 A.M. in the Commissioner's Chambers, Courthouse Annex, Brown County, South Dakota. Present were Commissioners Knecht, Feickert, Fischbach and Wiese.

MINUTES:

Moved by Wiese, seconded by Fischbach to approve the General Meeting Minutes of April 6, 1999. All members present voting aye. Motion carried.

CLAIMS:

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

Payroll: Commissioners..\$2,115.40; Data Processing..\$1,221.16; Auditor..\$5,807.70, OVERTIME: Janis Erickson..\$30.10, Jan Malsom..\$18.81, Jeanette Nietert..\$78.48, Ione Shilman..\$45.15; Treasurer..\$6,948.50; State's Attorney..\$8,083.37; Victims Asst..\$769.24; Maintenance..\$4,334.68; Assessor..\$6,459.07; Planning & Zoning..\$829.60; Register of Deeds..\$2,594.61, OVERTIME: Cindy Schwan..\$15.27, Cathy Lindemann..\$3.48; Veterans Service..\$1,881.71, OVERTIME: Kathy Schlecht..\$38.18; Communications..\$9,759.59, OVERTIME: Sheila Anderson..\$235.60, Mary Browning..\$214.92, Linda Chappell..\$91.20, Betty Haar..\$152.00, Darcy Simmons..\$28.24, Michele Strom..\$141.20, Kathy Thooft..\$44.52, Traci Wickenheiser..\$274.54; Sheriff..\$36,756.98, OVERTIME: Craig Anderson..\$198.80, Bryan Locke..\$185.44, John McQuillen..\$39.76, John Heine..\$165.92, Scott Kolb..\$57.48, Michael Casjens..\$82.98, David Fair..\$36.88, Dala Mandel..\$32.92, John Weaver..\$14.48, Roxanne Schumacher..\$14.12, Craig Nelson..\$28.24, Charlene McAfee..\$55.04, Mark Jastram..\$27.50, Dallas Vallery..\$53.60, Amy Mathiason..\$80.40, Gary Bunt..\$294.80, Cindy Baumgartner..\$326.00, Laurie Wells..\$97.80, Tony Ingemansen..\$45.03, Ann Bierman..\$29.68, Kevin Johnson..\$26.80, Amy Lake..\$26.08, Kristal Schumack..\$52.16; Health..\$2,143.20; Museum..\$3,205.59; Welfare..\$2,212.42; E&D..\$1,754.32; Foster Grandparent Program..\$2,236.71; Fairgrounds..\$2,872.42; Fairboard..\$576.93; Extension..\$1,448.80; Weed..\$162.75; Road and Bridge..\$25,837.39, OVERTIME: Terry Backous..\$502.20, Robert Binfet..\$105.69, Vernon Bitz..\$222.72, David Bruckner..\$267.84, Brian Dargatz..\$120.82, Terry Evans..\$112.08, Larry Hardy..\$98.41, Daryl Lloyd..\$386.11, Jerry Luce..\$41.85, Joseph Malsam..\$107.33, Donald Maunu..\$378.00, Todd Odenbach..\$226.46, Bryan Owens..\$53.66, Cordell Rudolph..\$130.05, Richard Schaible..\$86.96, Roger Schaible..\$88.22, Jeff Seiler..\$28.02, Markcus Selzler..\$121.50, Kendell Titze..\$131.49, Leon Vickers..\$48.60, Michael Wagner..\$246.02, Dion Dargatz..\$65.22; Solid Waste..\$4,828.15, OVERTIME: Carl Wright..\$435.13, Roxanne Varns..\$30.26, Nyle Jenson..\$22.61, Dennis VanHeerde..\$361.34;

Supplies & Materials: SD Dept of Health..\$7.00, Robbie's..\$54.83, Sheriff of Lawrence County..\$36.90, Office Equip..\$145.47, New Trends..\$29.24, Quality Quick Print..\$330.81, Mark Milbrandt..\$59.74, Exhaust Pros..\$111.90, Norcom..\$25.00, UPS..\$14.00, Bonnie Bitz..\$120.00, Quint City Coin-Ops..\$39.00, SD Sec of State..\$7.00, Xerox..\$170.09, Arlys Kluess..\$40.00, Dick's Westside..\$22.00, K-Mart..\$67.30, Parcel-Erickson..\$50.00, Zastrow Conoco..\$19.00, Kessler Pharmacy..\$72.57, Fred Schmidt..\$22.00, OK Tire..\$10.00, Walmart..\$25.95, Kesslers..\$393.68, Warner Co-Op..\$16.00, Identicator..\$283.75, Pak Systems..\$106.71, Dakota Electronics..\$431.00, Hoggs..\$4450.73, Farm & Home Pub..\$105.60, Galls..\$17.97, Cartney Bearing..\$54.48, Clark Engineering..\$2986.00, Dakota Air..\$31.90, Hedahls..\$177.10, Dakota Fluid..\$327.41, Diesel Machinery..\$30.02, Evergreen Supply..\$247.78, J Gross..\$77.53, Meyer Auto..\$975.00, Olson Motor Co..\$63.85, Prairie Tool..\$120.00, Share Corp..\$184.00, SD Wheat Growers..\$24620.04, Sperry Tree Service..\$1150.00, Taylor Laundry..\$227.48, 3-D Specialties..\$108.74, Tire Muffler Auto..\$15.00, Zastrow Conoco..\$9.95, Aberdeen Chrysler Center..\$51.03, Brick Propane..\$845.52, Butler Machinery..\$1747.48, Cunningham Elec..\$684.58, Dakota Oil..\$455.40, Robert Dinger..\$2535.60, Doyle Equip..\$376.90, Environmental Tech..\$4532.50, JD Evans..\$28774.46, Farmers Union..\$42.04, Keeleys..\$14.50, Kleins..\$2.99, Lyle Signs..\$111.50, Macs..\$141.34, Marshall Truck & Trailer..\$196.50, Menards..\$681.36, Dware..\$50.00, Nelson Auto..\$151.18, Praxair..\$36.23, Roto Rooter..\$165.00, Safety-Kleen..\$114.00, Country General..\$61.43, Quality Welding..\$12.50, James

Morrow..\$50.00, Burdette Elec..\$60.00, Keeleys..\$767.14, Plainsco..\$39.00, Prairieland..\$40.73, Dahme Construction..\$1431.87, Graham Tire..\$21.00, Office Max..\$4.99, Ameripride..\$28.06, Farm Power..\$8.00, Don's Welding..\$210.00, ProAg Supply..\$507.45, Assoc of County Weed Board..\$100.00, RE Huffman..\$187.89, Brown County Tres..\$117.54, Crawford MS&F..\$4887.14, Town & Country..\$47.94, Comet..\$250.00, Western Printing..\$4.00, Watertown Area Transit..\$242.00, CIMA Co..\$275.00, Brown County FCE..\$174.00, House of Glass..\$25.44, Superior..\$38.12, Aberdeen Lock & Key..\$7.80, Heartland Paper..\$37.61, Cunningham Elec..\$33.10, Taylor Laundry..\$99.56, Ecolab..\$65.00:

**Publications:** American News..\$272.50:

**Professional Fees:** Cheryl Hairgrove..\$480.00, Aberdeen Adv Care..\$208.75, Aberdeen Family Physicians..\$40.10, Avera St Lukes..\$1639.92, Yankton County Sheriff..\$16.75, NADRIC..\$2083.33, stipends..\$13517.55, EideBailley..\$228.25, Mark McNeary..\$1500.00:

**Jury:** Diana Banker..\$182.88, Pamela Banley..\$182.00, Bryon Bauer..\$201.20, Lois Beckler..\$10.48, Terry Bertsch..\$31.44, Richard Biegler..\$41.92, Charles Blotske..\$31.44, Craig Bostian..\$15.76, Miles Bretsch..\$26.80, Susan Brick..\$31.44, Sandra Brink..\$31.44, Judy Burgard..\$31.44, Jon Carey..\$59.20, Tricia Harber..\$182.88, Benita Coughlin..\$31.44, Annette Craft..\$161.52, Edwin Demery..\$22.88, Carol Ellerbusch..\$31.44, Cora Fielder..\$31.44, Alicia Maynard..\$41.92, Lynn Fix..\$31.44, Dianne Ford..\$194.40, Marvine Fredrickson..\$31.44, Kelly Gederos..\$31.44, Gordon Geffre..\$11.92, Andrea Giedt..\$34.32, Betty Goetz..\$31.44, Richard Grandpre..\$20.96, Mary Gravelle..\$20.96, Linda Gross..\$182.88, Douglas Haak..\$172.40, Susan Haaland..\$47.28, Loretta Hartze..\$31.44, Jerrine Hausken..\$31.44, Kim Huber..\$48.72, Jeannie Huettl..\$159.20, David Jakes..\$31.44, Brian Kendall..\$168.80, Laura Kessler..\$37.20, Troy Kleffman..\$31.44, Shirlain Kramlich..\$159.20, Curtis Krueger..\$168.40, Howard Kuebler..\$142.40, Terry Kumpf..\$31.44, John Lawrence..\$31.44, Rita Lenling..\$182.88, Brandon Leslie..\$31.44, Dave Lipp..\$20.96, Kathy Long..\$31.44, Wanda Lowitz..\$31.44, Allan Luke..\$34.32, Daniel Mathiason..\$31.44, Verne McCullough..\$58.80, Steve McKiver..\$55.92, Billy Meidinger..\$10.48, Grace Mormorstein..\$182.88, Paulette Morse..\$142.40, Kay Nikolas..\$10.48, Edward Oliver..\$66.00, Dawn Oster..\$293.84, Marian Phillips..\$29.60, Colleen Ringgenberg..\$41.52, Melvin Schaunaman..\$61.12, Joan Solberg..\$20.96, Mike Sommers Jr..\$31.44, Myrna Stange..\$58.80, George Sullivan..\$31.44, Galen Swanson..\$20.96, Amy Teply..\$182.88, Donald Thayer..\$142.40, Jacob Unzen..\$215.60, Pius Vetter..\$142.40, Brian Weismantel..\$10.48, Rollie White..\$142.40, Leland Zacher..\$149.60, Nancy Zenk..\$182.88, Mark Zerr..\$142.40, Judith Zimmerman..\$31.44:

**Mileage & Travel:** Deb Knecht..\$192.22, Mark Milbrandt..\$452.00, Robert Retzer..\$21.20, Lynn Meyer..\$29.28:

**Utilities:** Midco Communication..\$153.00, Midcontinent Cable..\$65.75, US West..\$589.03, City of Aberdeen..\$585.36, Accent Comm..\$95.46, James Valley Co-Op..\$64.26, NWPS..\$843.85, Cellular One..\$139.38:

**Care of Poor:** Dr/Hospital..3 recipients..McGreevy Clinic..\$499.60, Avera St Luke..\$8815.63; Utilities..2 recipients..NWPS..\$274.44; Drugs..1 recipient..Medical Center Pharmacy..\$169.41; Rent..4 recipients..Dr Joe Chang..\$190.00, Harlan Pease..\$190.00, Belaire..\$120.00, Albert Hoffman..\$90.00. All members present voting aye. Motion carried.

# AUDITORS REPORT OF ACCOUNT:

Moved by Wiese, seconded by Fischbach to approve the March, 1999 Auditor's Report of Account:

## AUDITOR'S REPORT OF ACCOUNT WITH THE COUNTY TREASURER:

Total amount of actual cash - - - - -	\$ 3,349.75
Norwest Bank- - - - -	\$ 8,725.33
US Bank - - - - -	\$ 9,279.10
Dacotah Bank- - - - -	\$ 21,525.07
Petty Cash (Sheriff, Welfare, Museum) -	\$ 1,400.00
Landfill Change Fund- - - - -	\$ 100.00
Fund Investments- - - - -	\$8,055,540.61
Outstanding Checks- - - - -	\$ 150.25
Total - - - - -	\$8,100,070.11

All members present voting aye. Motion carried.

#### PERSONNEL:

Moved by Feickert, seconded by Wiese to approve the following employee step increases, effective April 18, 1999: Pat Dahlerup @ \$9.58 per hour, Diane Mielke @ \$9.41 per hour, David Fair @ \$12.53 per hour. All members present voting aye. Motion carried.

*Amended  
4-20  
p. 69*  
Moved by Wiese, seconded by Feickert approve full time status for Melvin Ernst and adjust salary from \$7.90 per hour to \$9.15 per hour, effective April 5, 1999 (Fairgrounds). All members present voting aye. Motion carried.

Moved by Fischbach, seconded by Feickert to acknowledge resignation of Melissa Hammer, effective June 3, 1999 and authorize Sheila Enderson to advertise for replacement. All members present voting aye. Motion carried.

Moved by Wiese, seconded by Feickert to approve hiring Ted Brockel as seasonal highway employee, effective April 14, 1999 at \$7.64 per hour. All members present voting aye. Motion carried.

Moved by Wiese, seconded by Feickert to approve hiring Sally Swanson as part-time Maintenance employee, effective April 14, 1999 at \$6.05 per hour. All members present voting aye. Motion carried.

#### ABATEMENTS:

Moved by Feickert, seconded by Knecht to approve the following Abatements: Jesse Nierman or Rebecca Heinz, double assessment (1981 Bonnavilla MH) for year 1999 in amount of \$207.04; Ivan James, house on land deeded (NE 1/4 33-126-61 ex Haaland Subd) Solid Waste for year 1998 in amount of \$60.00 and Solid Waste for year 1999 in amount of \$62.40. All members present voting aye. Motion carried.

#### SPECIAL MALT BEVERAGE LICENSE HEARING:

Moved by Feickert, seconded by Wiese to authorize advertising public hearing to consider the following Special Malt Beverage License Applications: Northeast Area Horse Racing, Inc. - Brown County Fairgrounds (Clubhouse) SW 1/4 Sec. 1-T123N-R64W, effective May 15, 16, 21, 22 & 23; Northeast Area Horse Racing, Inc. - Brown County Fairgrounds (Grandstand) SW 1/4 Sec. 1-T-123N-R64W, effective May 15, 16, 22 & 23; Northeast Area Horse Racing, Inc. - Brown County Fairgrounds (Clubhouse) SW 1/4 Sec. 1-T123N-R64W, effective May 28, 29, 30 & 31; Northeast Area Horse Racing, Inc. - Brown County Fairgrounds (Grandstand) SW 1/4 Sec. 1-T123N-R64W, effective May 29, 30 & 31; Aberdeen Hockey Assoc. - Brown County Fairgrounds (Holum Expo Building) SW 1/4 Sec. 1-T123N-R64W, effective April 30 & May 1, 1999, to be held at 8:45 A.M. on April 27, 1999 in the Commissioner's Chambers, Courthouse Annex, Brown County, South Dakota. All members present voting aye. Motion carried.

#### EXPENSES:

Moved by Feickert, seconded by Wiese to approve the following expenses: Sheila Enderson to attend a Game, Fish & Parks Meeting in Pierre on April 16; County personnel to attend the SD Counties Spring/Summer Workshop in Pierre on May 13 & 14; Mike Scott to inspect equipment at Federal Surplus in Huron on April 16; Deb Knecht to tour Frederick, Westport and Stratford with congressional personnel on April 14, 1999. All members present voting aye. Motion carried.

#### TAX DEED SALE:

Moved by Fischbach, seconded by Wiese to approve Tax Deed Sale held at 10:00 A.M. on April 12, 1999 and authorize the Chairman sign the following Quit Claim Deeds: N 495' of the 327' lying next W of E 333' of SE 1/4 of NE 1/4 22-123-64 (Aberdeen Township) to Allan Wellman for \$45.00; Lots 1, 2, 3 & 4 Blk 1 OP Frederick to Tim or Dorene Sheldon for \$22.50; Lot 9 Blk 6 Prairiewood Village to Violet Wellman for \$22.50; Lot 7 Blk 7 Prairiewood Village to Violet Wellman for \$22.50. All members present voting aye. Motion

carried.

TOWNSHIP BONDS:

Moved by Feickert, seconded by Wiese to approve the following Township Bonds:

TOWNSHIP	TREASURER	CLERK
PORTAGE #1	Susan Gerdes	Howard Donovan
GREENFIELD #2	Carol Luttrell	Karen Lunzman
FREDERICK #3	Daniel Rahja	Stacey Sumption
ALLISON #4	Dillon Cutler	Robert Hixon
LANSING #5	Sharon Lehr	Dixie Clark
ONEOTA #6	Karla Engelhart	Neil Schaunaman
BRAINARD #7	Charles Dennert	Diane K. Bruns
SHELBY #8	Karen Mettler	Joel Wilson
NORTH DETROIT #9	Sandra L. Dinger	Scott Christenson
CLAREMONT #10	Donald J Wegleitner	Terry Cutler
COLUMBIA #11	Martin D. Weismanter	Roger Zastrow
WESTPORT #12	Guyna Dehne	Henry Schaunaman
CARLISLE #13	Sally A. Waltman	Alfred A. Waltman
ORDWAY #14	Kerry Howell	Mike McHugh
CAMBRIA #15	Monte McNickle	Ronald Ringgenberg
RIVERSIDE #16	Art Gengerke	Bruce H Sippel
GROTON #17	Jerry Locken	Jeff Howard
HENRY #18	Jerroll Erdmann	Stanley Knudsen
BATH #19		Scott Sperry
ABERDEEN #20	Tom Eilers	Darlys Jensen
MERCIER #21	Jerry T Streckfuss	Randy Bauer
NEW HOPE #22	Alan Borchard	Milton Haselhorst
WARNER #23	Beverly Graham	Bette Graham
GEM #24	Loel C. Schott	Mary Jane Schott
EAST HANSON #25	Dennis Pigors	Dick Strom
GARDEN PRAIRIE #26	Steve Dunker	Todd Osterman
EAST RONDELL #27	Marilyn Stange	Lloyd Jark
PALMYRA #28	Sarah Monroe	Wordie Winburn
OSCEOLA #29	John Peldo	Chris Sumption
SAVO #30	Calvin Raisanen	Archie Anderson
LIBERTY #31	Ben K Willhaus	Rollin W Stearns
RAVINIA #34	Curtis Haaland	Vernald Preszler
HIGHLAND #35	Dan Misslitz	Alan A Dahme
FRANKLYN #36	Sharon Bain	Jeff Stein
RICHLAND #37	Margaret Sumption	Debra Heine
LINCOLN #39	Loren Keith Harms	Casey R Black
BATES #44	Doug Sombke	Roger Ball
GARLAND #46	Lloyd Buntrock	Dwain Buntrock
PUTNEY #48	Robert Schuelke	Kevin Pharis
WEST HANSON #49	Tom Paepke	Arnold Bahr
HECLA #50	Alma Bagley	Daryl D Lloyd
PRAIRIEWOOD #53		
WEST RONDELL #57	Inel Ryckman	Larry Ihde
SOUTH DETROIT #59	Mark Perkins	Mark Hoines

All members present voting aye. Motion carried.

VACATE PLAT:

Commissioner Wiese offered the following Resolution:

66

WHEREAS, William H. Fuhrman, pursuant to SDCL 11-3-20.1, presented an Application for Vacation of Plat legally identified as:

Fuhrman's Outlot 1 in the NW 1/4 of Sec 35-T121N-R64W Brown County, South Dakota and,

WHEREAS, the granting of the request will not authorize the closing or obstruction of any public highway laid out according to law, and all property taxes on such plat are paid.

NOW, THEREFORE, BE IT RESOLVED, that the portion of plat legally identified as:

Fuhrman's Outlot 1 in the NW 1/4 of Sec 35-T121N-R64W Brown County, South Dakota is hereby vacated.

Seconded by Commissioner Fischbach. Roll call vote: Commissioners Knecht-aye, Feickert-aye, Fischbach-aye, Wiese-aye, Hansen-aye. Resolution adopted.

PLATS:

Commissioner Wiese offered the following Resolution:

RESOLUTION NO. 23-99

BE IT RESOLVED by the Board of Commissioners of Brown County, South Dakota, that the plat showing "Fliehs Outlot 1 in the SW 1/4 of Sec. 35-T127N-R61W 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 Knecht. Roll call vote: Commissioners Knecht-aye, Feickert-aye, Fischbach-aye, Wiese-aye, Hansen-aye. Resolution adopted.

Commissioner Feickert offered the following Resolution:

RESOLUTION NO. 24-99

BE IT RESOLVED by the Board of Commissioners of Brown County, South Dakota, that the plat showing "Ingerson Outlot 1 in the SW 1/4 of Sec. 19-T124N-R64W 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. Roll call vote: Commissioners Knecht-aye, Feickert-aye, Fischbach-aye, Wiese-aye, Hansen-aye. Resolution adopted.

Commissioner Wiese offered the following Resolution:

RESOLUTION NO. 25-99

BE IT RESOLVED by the Board of County Commissioners of Brown County, South Dakota, that the plat showing "Paepke Conservation Easement Tract 1 in the SW 1/4 of Sec. 27-T122N-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 Knecht. Roll call vote: Commissioners Knecht-aye, Feickert-aye, Fischbach-aye, Wiese-aye, Hansen-aye. Resolution adopted.

Commissioner Feickert offered the following Resolution:

67

RESOLUTION NO. 26-99

BE IT RESOLVED by the Board of County Commissioners of Brown County, South Dakota, that the plat showing "Paepke Conservation Easement Tract 2 in the SE 1/4 of Sec. 27-T122N-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. Roll call vote: Commissioners Knecht-aye, Feickert-aye, Fischbach-aye, Wiese-aye, Hansen-aye. Resolution adopted.

BID - TUCKPOINT HIGHWAY BUILDING:

Moved by Knecht, seconded by Wiese to authorize advertising public hearing to open, read and consider bids for labor and material to Tuckpoint/Block Seal the Brown County Public Works Building located at 3133 NE 8th Ave, to be held in the Commissioner's Chambers, Courthouse Annex, Brown County, South Dakota at 8:45 A.M. on May 4, 1999. All members present voting aye. Motion carried.

BID - REROOF PUBLIC WORKS BUILDING:

Time and place, as advertised to open, read and consider bids for labor and material to Re-Roof the Brown County Public Works Building located at 3133 8th Ave NE. Bids were received from Grote Roofing, Aberdeen; Twin City Roofing, Aberdeen; Pro-Tec Roofing Inc, Watertown. Moved by Feickert, seconded by Wiese to refer all bids to Mick Palmer and Judy Dosch for review and recommendation. All members present voting aye. Motion carried.

Moved by Feickert, seconded by Knecht to award low bid, submitted by Twin City Roofing in amount of \$44,000.00 for labor and material to Re-Roof the Brown County Public Works Building located at 3133 8th Ave NE; rejecting Grote Roofing in amount of \$49,800.00 and Pro-Tec Roofing Inc in amount of \$57,814.00. All members present voting aye. Motion carried.

RIGHT-OF-WAY OCCUPANCY DISCUSSED:

Bleau LaFave, NWPS; Rod Hinman and Elvis VanDyke, Dist. Construction Company met with the Commission to discuss damage to road and right-of-way when installing buried utility cables/pipes and assured the Commission all repairs would be made when weather and ground water conditions allowed. Russ Podoll was also in attendance.

APPLICATION FOR OCCUPANCY:

Moved by Feickert, seconded by Knecht to approve and authorize the Chairman sign application, submitted by Northern Electric Cooperative, Inc for occupancy of 387th Avenue in Section 2-T122-R64, Brown County, South Dakota for installation of underground cable crossing. Roll call vote: Commissioners Knecht-aye, Feickert-aye, Fischbach-aye, Wiese-abstain, Hansen-aye. Motion carried.

JDC COMPUTER SOFTWARE:

Barb Johnson and Mark Milbrandt met with the Commission to discuss need for upgraded software for the Juvenile Detention Center and a proposal from Custom Micro, Inc for SuperCLEM Software, which would be compatible with the Sheriff and Aberdeen Police Departments. Bill Meink was also in attendance. No action taken at this time.

RECESS:

Moved by Feickert, seconded by Wiese to recess until April 20, 1999. All members present voting aye. Motion carried.

Maxine Taylor - Brown County Auditor

APRIL 13, 1999 - BROWN COUNTY BOARD OF EQUALIZATION

This being the second Tuesday, April 13, 1999, the Brown County Commission organized themselves as the Brown County Board of Equalization, in accordance with SDCL 10-11-25, at 10:00 A.M. in the Commissioner's Chambers, Courthouse Annex, Brown County, South Dakota. Oaths of office were taken by Commissioners Hansen, Knecht, Feickert, Fischbach and Wiese. Auditor Taylor called the meeting to order.

Moved by Feickert, seconded by Wiese to appoint Nancy Hansen as Chairman for the 1999 Brown County Board of Equalization. All members present voting aye. Motion carried.

Moved by Fischbach, seconded by Feickert to appoint Deb Knecht as Vice Chairman for the 1999 Brown County Board of Equalization. All members present voting aye. Motion carried.

REVIEW BOARD MINUTES:

Richard Rieck, Director of Equalization, presented minutes from the following local review boards of equalization: Portage, Greenfield, Frederick, Allison, Lansing, Oneota, Brainard, Shelby, North Detroit, Claremont, Columbia, Westport, Carlisle, Ordway, Cambria, Riverside, Groton, Henry, Bath, Aberdeen, Mercier, New Hope, Warner, Gem, East Hanson, Garden Prairie, East Rondell, Palmyra, Osceola, Savo, Liberty, Groton City, Ravinia, Highland, Franklyn, Richland, Frederick City, Lincoln, Hecla City, Verdon Village, Claremont City, Bates, Stratford Town, Garland, Putney, West Hanson, Hecla, Westport Town, Warner City, Prairiewood, West Rondell and South Detroit.

Moved by Wiese, seconded by Knecht to authorize the Director of Equalization to correct all errors and omissions. All members present voting aye. Motion carried.

CANCEL TAX EXEMPT STATUS:

Moved by Feickert, seconded by Wiese to cancel tax exempt status on Lot 17 Blk 1 Northridge First Addition to Aberdeen (New Hope Church - Parsonage), property no longer qualifies as tax exempt. All members present voting aye. Motion carried.

Moved by Feickert, seconded by Wiese to cancel tax exempt status on Lot 1 Replat of Blk 1 Huffman's Second Addition to Aberdeen (The S.D. Annual Conference of the United Methodist Church - Parsonage), property no longer qualifies as tax exempt. All members present voting aye. Motion carried.

Moved by Feickert, seconded by Wiese to cancel tax exempt status on Lots 13-15 and the N 30' of Lot 16 Blk 18 East Park Addition a Replat of Pierson's Subd of part of S 1/2 18-123-63 (Lutheran Social Services), property no longer qualifies as tax exempt. All members present voting aye. Motion carried.

Moved by Feickert, seconded by Wiese to cancel tax exempt status on Lots 7 & 8 Blk 9 Original Plat to Frederick (American Legion Post #273), property no longer qualifies as tax exempt. All members present voting aye. Motion carried.

APPROVE TAX EXEMPT STATUS:

Moved by Feickert, seconded by Wiese to approve 25% tax exempt status on Lot 10 Blk 3 Thomas Addition to Aberdeen, owned by Kreative Kids Montessori Inc. All members present voting aye. Motion carried.



Moved by Feickert, seconded by Wiese to approve 50% tax exempt status on Lots 22-23 & N 3' of Lot 24 & S 22' of Lot 24 & all of Lot 25 Blk 11 Original Plat to Groton, owned by American Legion Post #39. All members present voting aye. Motion carried.

Moved by Feickert, seconded by Wiese to approve 80% tax exempt status on Lots 1-8 & all of vac alley Blk 54 Second Addition to Aberdeen, owned by Loyal Order of Moose #590. All members present voting aye. Motion carried.

Moved by Feickert, seconded by Wiese to approve 98.304% tax exempt status on All of Blk 87 Hagerty & Lloyds Addn & vac 4th Ave SE & Lots 1-8 & 17-24 Blk 96 Hagerty & Lloyds Addn to Aberdeen, owned by Avera St. Luke's. All members present voting aye. Motion carried.

Moved by Feickert, seconded by Wiese to approve 66% tax exempt status on Lots 1 & 2 Blk 29 First Addition to Aberdeen, owned by First United Methodist Church. All members present voting aye. Motion carried.

Moved by Feickert, seconded by Wiese to approve 100% tax exempt status on Lot 3A & 3B of Feinstein's First Subd of Blk 29 First Addition to Aberdeen, owned by First United Methodist Church. All members present voting aye. Motion carried.

Moved by Feickert, seconded by Wiese to approve 100% tax exempt status on Lot 11 Blk 29 Subd of First Addition Lot 11 Blk 29 Second Addition to Aberdeen, owned by First United Methodist Church. All members present voting aye. Motion carried.

Moved by Feickert, seconded by Wiese to approve 100% tax exempt status on Lot 19 Replat of Blk 1 Gederos Subd of the NW 1/4 of Section 35-T124N-R64W of the 5th P.M., Brown County, owned by St. Mark's Episcopal Church. All members present voting aye. Motion carried.

Moved by Feickert, seconded by Wiese to approve 100% tax exempt status on Lots 1 to 7 Blk 3 First Addition to Highlands Aberdeen, owned by North Highland United Methodist Church. All members present voting aye. Motion carried.

Moved by Feickert, seconded by Wiese to approve 100% tax exempt status on the Garden of Gethsemane Subd of Lot 1 First Addn to Sunset Memorial Gardens SE 1/4 15-123-63, owned by Sunset Memorial Gardens. All members present voting aye. Motion carried.

DENY TAX EXEMPT STATUS:

Moved by Feickert, seconded by Wiese to deny tax exempt status on the N 50' of Lots 4, 5 & 9 Blk 29 First Addition to Aberdeen (First United Methodist Church), property does not qualify as tax exempt. All members present voting aye. Motion carried.

RECESS:

Moved by Wiese, seconded by Feickert to recess the Brown County Board of Equalization until 1:00 P.M. April 20, 1999. All members present voting aye. Motion carried.

Maxine Taylor - Brown County Auditor

## APRIL 13, 1999 - CONSOLIDATED BOARD OF EQUALIZATION

This being the second Tuesday, April 13, 1999, members of the Brown County Commission, Aberdeen City Commission and Aberdeen School Board organized themselves as the Consolidated Board of Equalization, in accordance with SDCL 10-11-71 at 1:00 P.M. in the Commissioner's Chambers, Courthouse Annex, Brown County, South Dakota. Oaths of office were taken by Nancy Hansen, Dennis Feickert, Tom Fischbach, David Bunsness and Pat Klabo.

Commissioner Fischbach nominated Commissioner Hansen as Chairman for the 1999 Consolidated Board of Equalization. Moved by Fischbach, seconded by Feickert nominations cease and a unanimous ballot be cast. All members present voting aye. Motion carried. Commissioner Feickert nominated Commissioner Fischbach as Vice Chairman for the 1999 Consolidated Board of Equalization. Moved by Feickert, seconded by Hansen nominations cease and a unanimous ballot be cast. All members present voting aye. Motion carried.

#1. Moved by Fischbach, seconded by Klabo to uphold assessor value 241,105 (structure @ 200,880, land @ 40,225) on Lot 8 Block 2 Cedar Heights Subdivision NW 1/4 8-123-63, owned by Drew C & Marsha J Johnson, market in area justifies value. All members present voting aye. Motion carried.

#2. Moved by Bunsness, seconded by Feickert to lower structure value (basement condition) from 105,390 to 83,200 (total value 96,810) on Lot 16 Block 4 Mel Ros 2nd Addition of Mel Ros Estates, owned by Virgil & Marjorie A Locken. All members present voting aye. Motion carried.

#3. Moved by Bunsness, seconded by Feickert to uphold assessor value 139,680 (structure @ 128,155, land @ 11,525) on Lot 4 Block 1 Mel Ros Estates 6th Addition, owned by Dana E & Rebecca A Randall, market in area justifies value. All members present voting aye. Motion carried.

#4. Moved by Feickert, seconded by Klabo to uphold assessor value 68,610 (structure @ 64,085, land @ 4,525) on Unit #1 & Garage, Dakota Park West Condominium 310' lying next W. of the E. 310' of Outlot B Block 13 Tenth Addition to Highland North, owned by Ruth M Frerichs, market in area justifies value. All members present voting aye. Motion carried.

#5. Moved by Bunsness, seconded by Klabo to lower structure value (market adjustment) from 202,420 to 187,855 (total value 206,335) on Lots 5 & 6 Block 7 Mehlhoff's 2nd Addition NW 1/4 7-123-63, owned by Bruce A & Vilma F Nelson. All members present voting aye. Motion carried.

#6. Moved by Feickert, seconded by Bunsness to lower land value (market adjustment) from 83,115 to 63,760 (total value 392,580) on B & J Lot 1 of Melody Lane Addition (Replat of Lots 11A & 11B Melody Lane), owned by William E Clark Trustee. All members present voting aye. Motion carried.

#7. Moved by Bunsness, seconded by Feickert to uphold assessor value 378,665 (structure @ 360,915, land @ 17,750) on Lots 1 & 2 Block 11 Original Plat, owned by Richardson-Orr Trust, market in area justifies value. All members present voting aye. Motion carried.

#8. Moved by Feickert, seconded by Klabo to uphold assessor total value of 546,300,

changing classification from NADC to AGDC (meets two of three requirements) on Hyman OL "A" ex Replat & except Lots 1 & 2 Hyman OL A NE 1/4 18-123-63, owned by Michael & Ruth Evans. All members present voting aye. Motion carried.

#9. Moved by Bunsness, seconded by Feickert to lower structure value (condition) from 46,510 to 33,110 (total value 38,110) on Lot 23 Block 10 Nicollet Park Addition, owned by Julie Stuhr. All members present voting aye. Motion carried.

#10. Moved by Feickert, seconded by Bunsness to lower structure value (age and depreciation) from 85,605 to 78,795 (total value 91,660) on Lot 12 Block 13 Second Addition of Highland North Addition, owned by R. Brian & Marcy A. Schumacher. All members present voting aye. Motion carried.

#11. Moved by Fischbach, seconded by Klabo to uphold assessor value 34,235 (structure @ 25,485, land @ 8,750) on Lot 11 Block 22 First Addition to Highlands, owned by Deon L Moser, market in area justifies value. All members present voting aye. Motion carried.

Moved by Feickert, seconded by Bunsness to recess until 1:00 P.M. on April 27, 1999. All members present voting aye. Motion carried.

Maxine Taylor - Brown County Auditor

APRIL 20, 1999 - GENERAL MEETING

Meeting called to order by Chairman Hansen at 8:45 A.M. in the Commissioner's Chambers, Courthouse Annex, Brown County, South Dakota. Present were Commissioners Knecht, Feickert, Fischbach and Wiese.

**MINUTES:**

Moved by Wiese, seconded by Knecht to approve the General Meeting minutes of April 13, 1999. All members present voting aye. Motion carried.

**CLAIMS:**

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

**Supplies & Materials:** Election Systems..\$315.46, Aberdeen Glass..\$8494.73, OK Tire..\$15.00, Prairieland..\$13.16, McFarland..\$2.00, House of Glass..\$28.32, Dakota Electric..\$30.29, Dependable Sanitation..\$356.00, SD Dept of Revenue..\$240.00, Photos Now..\$18.52, Office Equipment..\$120.03, RE Huffman..\$47.91, Exhaust Pros..\$210.80, Safety Service..\$50.00, Amoco..\$130.73, Xerox..\$193.03, Aberdeen Lock & Key..\$2.50, Pioneer Ford..\$257.12, 1st State Bank..\$34.88, JC Penney..\$90.23, Target..\$114.97, Bob Barker..\$185.34, Tuxall..\$42.95, Metz Baking..\$631.38, Ameripride..\$73.83, Respond..\$289.55, Sander's Sew 'N Vac..\$85.98, Specialty Mfg..\$27.14, SD Dept of Trans..\$16759.44, Snap-On Tools..\$48.50, Shelton Motors..\$16.00, Safety-Kleen..\$259.25, Safelite Auto Glass..\$325.87, Quill Corp..\$120.78, Progress Ent..\$208.50, Newman Traffic Signs..\$64.44, Little Falls Machine..\$352.97, Lust Chev..\$239.90, Graham Tire..\$822.50, Farnam's Genuine Parts..\$375.42, Farm Power..\$2274.57, Robert Dinger..\$2895.20, Crawford Trucks..\$716.07, Aberdeen Chrysler..\$80.38, Gordon Schuchhardt..\$420.00, North Central Steel..\$28846.99, Dakota Electronics..\$25.00, Academy..\$5.00, Menards..\$159.08, Paul Mardian..\$22.80, Earth Tech..\$1069.95, Taylor Laundry..\$134.68, Newman Traffic Sign..\$156.00, Aberdeen Area Sr Citizens..\$717.00, Farnam's Genuine Parts..\$95.94:

**Transcriptions:** Betsy Johnson..\$18.00, Slowey Court Reporting..\$60.00:

**Publications:** American News..\$163.75:

**Professional Fees:** Witness Fees..\$75.28, Yankton County Sheriff..\$33.50, Donna Dietrich..\$157.62, Meade County Auditor..\$94.38, Don Carlson..\$30.00, Joan Kittelson..\$30.00, Gary Mikelson..\$30.00:

**Mileage & Travel:** Maxine Taylor..\$51.21, Kathy Schlecht..\$120.10, Tom Gohn..\$715.84, Gary Erickson..\$222.78, Sheila Enderson..\$82.56:

**Court Appointed Attorney:** Goetz, Hirsch & Klimisch..\$99.25, Wanda Howey-Fox..\$160.00:

**Utilities:** Norcom..\$26.04, Commnet Cellular..\$129.03, US West..\$88.33, NWPS..\$2111.18, Northern Elec..\$621.53, City of Hecla..\$52.07, Town of Frederick..\$89.65, City of Aberdeen..\$110.60, Cellular One..\$50.18, Midcontinent Cable..\$82.67, Bureau of Adm..\$48.73, Alterna-Cell..\$9.95, DTG..\$21.27:

**Care of Poor:** Dr/Hospital..1 recipient..Medical X-Ray Tech..\$4171.83; Utilities..3 recipients..NWPS..\$610.00; Rent..3 recipients..Rieger Assoc..\$80.00, Jewel Husby..\$170.00, Abdn Clinical Bldg..\$140.00; Insurance..1 recipient..Anza..\$99.74. All members present voting aye. Motion carried.

**EXPENSES:**

Moved by Wiese, seconded by Fischbach to approve expenses for Mike Scott to attend the 1999 SD Landfill Continuing Education and MOLO Conference in Watertown on May 11 - 13, 1999. All members present voting aye. Motion carried.

**INCREASE SPENDING AUTHORITY:**

Moved by Knecht, seconded by Feickert to increase spending authority (101-311-426.30) and estimated revenue (101-331.03) in amount of \$5,438.00 for CDBG Funds and increase spending authority (234-151-422) and estimated revenue (234-334.01) in amount of \$7,730.00 for SVAWA Grant. All members present voting aye. Motion carried.

AMEND SALARY MOTION:

Moved by Wiese, seconded by Fischbach to amend motion from General Meeting minutes dated April 13, 1999 to correct salary of Melvin Ernst from \$9.15 per hour to \$9.34 per hour. All members present voting aye. Motion carried.

ABATEMENT:

Moved by Feickert, seconded by Wiese to approve the following Abatement: Ethel Lilla, building gone (L 1 & 2 ex N 45' of E 25' of W 75' of Lot 2 Blk 35 Hecla) for year 1998 in amount of \$579.32. All members present voting aye. Motion carried.

MENTAL ILLNESS BOARD:

Moved by Wiese, seconded by Fischbach to appoint Heather Larson and Dale Wein as alternates to serve on the Mental Illness Board. All members present voting aye. Motion carried.

LEASE AGREEMENTS:

Moved by Wiese, seconded by Knecht to approve and authorize the Chairman to sign the following agreements: Brown County 4-H Rodeo for lease of the horse arena, beef barn and centennial village restrooms, nurses station trailer, gate house, bleachers and camping area on July 20 - 25, 1999; Northern Plains Livestock Show for lease of the Expo Addition on June 5, 1999; Wally Mosbrucker for lease of the Expo Building and Expo Addition on April 29 - May 1, 1999; SD Good Sam for lease of the campgrounds, club house and 4-H headquarters on June 15 - 20, 1999. All members present voting aye. Motion carried.

BID - JDC CONSTRUCTION:

Moved by Knecht, seconded by Wiese to authorize advertising public hearing to accept bids for labor and material required for the construction of the Juvenile Detention Center, to be held in the Commissioner's Chambers, Courthouse Annex, Brown County, South Dakota at 9:00 A.M. on May 25, 1999. All members present voting aye. Motion carried.

SHERIFF REPORTS:

Moved by Feickert, seconded by Wiese to approve the following March, 1999 Sheriff Reports: Incident and Offenses; Prisoner Care, JDC, Money deposited with the County Treasurer and Monthly activities. All members present voting aye. Motion carried.

EXTENSION QUARTERLY REPORT:

The three Brown County Extension Agents presented a brief recap of all activities conducted by the Brown County Extension Office during January - March, 1999.

ADDENDUM NO. G-1:

Moved by Wiese, seconded by Fischbach to approve Addendum No. G-1 to general, mechanical and electrical plans and specifications for ADA remodeling in the Brown County Courthouse.

BID - ADA REMODELING IN COURTHOUSE:

Time and place, as advertised to open read and consider bids for labor and material

required for the construction of ADA remodeling of Brown County Courthouse. Bids were received from Kyburz-Carlson Construction, Aberdeen and Nordling Construction, Aberdeen. Moved by Feickert, seconded by Knecht to refer all bids to Mick Waller, Judy Dosch and HKG & Associates for review and recommendation. All members present voting aye. Motion carried.

CDBG TREE REMOVAL UPDATE:

Tim Wilson and Doug Farrand (NRCS), Bob Knickrehm, Judy Skogland (North Brown Soil Conservation District), Robert Schuelke (South Brown Soil Conservation District), Amy Krueger and Ted Dickey (NECOG) met to discuss the status of the James River Tree Removal/Planting CDBG Project. Sample contracts are being reviewed and the environmental assessment for the planting segment is almost complete.

EXECUTIVE SESSION:

Moved by Wiese, seconded by Feickert to go into executive session for personnel discussion with Sheila Enderson in attendance. All members present voting aye. Motion carried.

Moved by Feickert, seconded by Wiese to adjourn executive session. All members present voting aye. Motion carried.

DISASTER DECLARATION:

Commissioner Wiese offered the following Resolution:

RESOLUTION NO. 27-99

WHEREAS Brown County, South Dakota has suffered severe damage, brought on by extended flooding in the northeast section of Brown County from March 1, 1999 caused by the thawing of 12 inches of precipitation, heavy snow and rain in North Dakota affecting our watershed, and increased flows from Jamestown and Pipestem dams continuing;

WHEREAS, this flooding has made may county and township roads impassable on a daily basis for school buses and emergency vehicles, and has caused inundation of a sewage lagoon serving the Hecla area and contaminated individual wells in disaster area;

WHEREAS, Brown County has committed all available resources and taken all possible actions within the jurisdictional boundaries to combat and to alleviate the emergency/disaster, local resources are not adequate to cope with the situation.

NOW, THEREFORE, BE IT RESOLVED by the Brown County Commission at a regular meeting held on April 20, 1999, it is hereby requested that the Governor declare an emergency/disaster to exist in the County of Brown.

Seconded by Commissioner Feickert. Roll call vote: Commissioners Knecht-aye, Feickert-aye, Fischbach-aye, Wiese-aye, Hansen-aye. Resolution adopted.

LOWER CROW CREEK:

Lower Crow Creek Watershed representative Roger Schuller met with the Commission requesting support of action taken at the Watershed's Annual Meeting: calling for a public meeting with NRCS to discuss the operational plan for Putney Slough in the future; and requesting support proving legal status for the Lower Crow Creek. Subjects will be taken under consideration.

APPLICATIONS FOR OCCUPANCY:

Moved by Feickert, seconded by Knecht to approve application, submitted by Accent Communications Inc for occupancy of Brown County Highway No. 5 in Section 5-T127N-R62W, Brown County, South Dakota to install communications cable. Roll call vote: Commissioners Knecht-aye, Feickert-aye, Fischbach-aye, Wiese-abstain, Hansen-aye. Motion carried.

Moved by Wiese, seconded by Fischbach to approve application, submitted by H.F. Jacobs & Son Construction (Robert L Jacobs) for occupancy of Brown County Highway No. 19 (West Melgaard Road) in the NE 1/4 of Section 26-T123N-R64W, Brown County, South Dakota to install storm water pipe. All members present voting aye. Motion carried.

AMEND EMPLOYEE STEP PLAN:

Moved by Feickert, seconded by Wiese to amend Employee Step Plan by adding the following categories:

Maintenance Mechanic	Master Mechanic/Shop Foreman
Step 1: 10.50 per hour	Step 1: 11:00 per hour
Step 2: 10.70 per hour	Step 2: 11:20 per hour
Step 3: 10.90 per hour	Step 3: 11:40 per hour
Step 4: 11.10 per hour	Step 4: 11:60 per hour
Step 5: 11.25 per hour	Step 5: 11:75 per hour
Step 6: 11.40 per hour	Step 6: 11:90 per hour
Step 7: 11.55 per hour	Step 7: 12:05 per hour
Step 8: 11.70 per hour	Step 8: 12:20 per hour
Step 9: 11.85 per hour	Step 9: 12:35 per hour
Step 10: 12.00 per hour	Step 10: 12:50 per hour

All members present voting aye. Motion carried.

RECESS:

Moved by Knecht, seconded by Wiese to recess until April 27, 1999. All members present voting aye. Motion carried.

Maxine Taylor - Brown County Auditor

## APRIL 20, 1999 - BROWN COUNTY BOARD OF EQUALIZATION

Meeting called to order by Chairman Hansen at 1:00 P.M. in the Commissioner's Chambers, Courthouse Annex, Brown County, South Dakota. Present were Commissioners Knecht, Feickert, Fischbach and Wiese.

Moved by Wiese, seconded by Feickert to approve the Brown County Board of Equalization Meeting minutes of April 13, 1999 and the Consolidated Board of Equalization Meeting minutes of April 13, 1999. All members present voting aye. Motion carried.

#1. Moved by Fischbach, seconded by Knecht to uphold assessor total value of 172,000 on Lot 1 Thares Subd SE 1/4 35-124-64, owned by James L & Traci L Thares, NAZ Land Classification. All members present voting aye. Motion carried.

#2. Moved by Fischbach, seconded by Knecht to uphold assessor total value of 7,440 on Lot 2 Thares Subd SE 1/4 35-124-64, owned by James L & Traci L Thares, NAZ Land Classification. All members present voting aye. Motion carried.

#3. Moved by Fischbach, seconded by Knecht to uphold assessor total value of 3,720 on Lot 3 Thares Subd SE 1/4 35-124-64, owned by James L & Traci L Thares, NAZ Land Classification. All members present voting aye. Motion carried.

#4. Moved by Feickert, seconded by Wiese to raise local board value from 61,050 to 128,580 on the SW 1/4 32-122-62, owned by Larry & Jean Lowe, water factor no longer applies to property. All members present voting aye. Motion carried.

#5. Moved by Feickert, seconded by Wiese to raise local board value from 39,500 to 44,845 on the NW 1/4 25-124-64 ex RR & Land deeded, owned by S.B. Altman Trustee, correct water factor applied to property. All members present voting aye. Motion carried.

#6. Moved by Fischbach, seconded by Knecht to raise local board structure value from 116,822 to 140,585 (total value of 157,175) on the W 400' of E 950' of N 500' NW 1/4 25-124-64, owned by Stanley B. Altman Trustee, comparable market value. All members present voting aye. Motion carried.

#7. Moved by Knecht, seconded by Wiese to raise local board structure value from 20,000 to 853,830 (total value of 975,540) on Graves OL's A-B-C SW 1/4 34-124-64, owned by ARC SPEI I LLC, comparable market value. All members present voting aye. Motion carried.

#8. Moved by Wiese, seconded by Knecht to raise local board structure value from 88,620 to 99,215 (total value of 112,195) on Lot 1 Blk 1 Richmond Heights Subd E 1/2 32-124-64 ex land deeded, owned by Paul C & Rebecca J Henschel, comparable market value. All members present voting aye. Motion carried.

#9. Moved by Feickert, seconded by Fischbach to raise local board land value from 2,220 to 4,440 on Lot 18 Evelo's Outlots in NE 1/4 2-122-64, owned by Eugene Jr. & Stacey Pence, comparable market value. All members present voting aye. Motion carried.

#10. Moved by Feickert, seconded by Fischbach to raise local board land value from 2,220 to 4,440 on Lot 21 Evelo's Outlots in NE 1/4 2-122-64, owned by Eugene Jr. &



Stacey Pence, comparable market value. All members present voting aye. Motion carried.

#11. Moved by Feickert, seconded by Fischbach to raise local board land value from 4,000 to 8,000 on Lot 22 Evelo's Outlots in NE 1/4 2-122-64, owned by Eugene Jr. & Stacey Pence, comparable market value. All members present voting aye. Motion carried.

#12. Moved by Knecht, seconded by Hansen to raise local board structure value from 133,325 to 233,325 (total value of 255,825) on Meyer's OL 1 SW 1/4 21-124-63, owned by Paul & Wendy Meyers, comparable market value. All members present voting aye. Motion carried.

#13. Moved by Fischbach, seconded by Wiese to raise local board structure value from 80,500 to 127,900 (total value of 147,400) on the W 200' of E 1400' of N 670.16' of NW 1/4 23-123-63 ex hwy, owned by DFP Properties LLP, comparable market value. All members present voting aye. Motion carried.

#14. Deferred to April 27th (Swisher) Snyders OL's A & B in SW 1/4 31-125-60.

#15. Moved by Feickert, seconded by Wiese to make no change in local board value of 141,300 on the NE 1/4 18-122-62, owned by Gregg & Kristie Erickson, comparable to surrounding property. All members present voting aye. Motion carried.

#16. Moved by Feickert, seconded by Wiese to make no change in local board total value of 170,990 on the SE 1/4 18-122-62, owned by Gregg & Kristie Erickson, comparable to surrounding property. All members present voting aye. Motion carried.

#17. Moved by Feickert, seconded by Wiese to raise local board land value from 43,955 to 72,055 (total value of 109,265) on the SE 1/4 4-127-61, owned by Robert G Kenny, water factor corrected. All members present voting aye. Motion carried.

#18. Moved by Fischbach, seconded by Feickert to raise local board value from 60,630 to 68,090 on the NE 1/4 10-127-61 ex 4.02 acres for hwy, owned by Robert G Kenny, water factor corrected. All members present voting aye. Motion carried.

#19. Moved by Knecht, seconded by Wiese to uphold assessor value of 7,900 on the W 1/2 of NE 1/4 34-123-62, owned by KO Lee Company Inc, water factor. All members present voting aye. Motion carried.

#20. Moved by Knecht, seconded by Wiese to uphold assessor value of 127,120 on the NE 1/4 28-123-62, owned by KO Lee Company Inc, water factor. All members present voting aye. Motion carried.

#21. Moved by Knecht, seconded by Wiese to uphold assessor value of 67,675 on the S 1/2 of NE 1/4 22-123-62 ex hwy, owned by KO Lee Company Inc, water factor. All members present voting aye. Motion carried.

#22. Moved by Knecht, seconded by Wiese to uphold assessor value of 91,840 on the N 1/2 of N 1/2 26-123-62, owned by KO Lee Company Inc, water factor. All members present voting aye. Motion carried.

#23. Moved by Knecht, seconded by Wiese to uphold assessor value of 57,395 on the W

118 Acres of NW 1/4 23-123-62, owned by KO Lee Company Inc, water factor. All members present voting aye. Motion carried.

#24. Moved by Knecht, seconded by Wiese to uphold assessor value of 63,125 on the SE 1/4 23-123-62, owned by KO Lee Company Inc, water factor. All members present voting aye. Motion carried.

#25. Moved by Knecht, seconded by Wiese to uphold assessor value of 15,800 on the SW 1/4 23-123-62, owned by KO Lee Company Inc, water factor. All members present voting aye. Motion carried.

#26. Moved by Knecht, seconded by Wiese to uphold assessor value of 48,965 on the NE 1/4 23-123-62 ex Lot H-2, owned by KO Lee Company Inc, water factor. All members present voting aye. Motion carried.

#27. Moved by Fischbach, seconded by Hansen to uphold assessor total value of 98,160 on Lot B Weismantel's First Subd of Lot 1 ex N 12' Jenkins Subd E 1/2 of SE 1/4 18-123-62, owned by Alan L & Brenda J Lanphere, comparable market value. All members present voting aye. Motion carried.

#28. Moved by Feickert, seconded by Knecht to uphold assessor value of 49,415 on the E 1/2 of NW 1/4 25-124-62, owned by James G Sieh Attn: Patricia Sieh, water factor no longer applicable. All members present voting aye. Motion carried.

Moved by Feickert, seconded by Wiese to recess until April 27, 1999. All members present voting aye. Motion carried.

Maxine Taylor - Brown County Auditor

APRIL 26, 1999 - JOINT CITY/COUNTY MEETING

The Brown County Commission and the Aberdeen City Commission met in joint session at 6:30 P.M. in the City Commission Chambers, 123 S Lincoln, Aberdeen, South Dakota. Present from City were Commissioners Hopper, Hurlbert, Klabo, Pfeifer and Mayor Rich. Present from County were Commissioners Feickert, Fischbach and Wiese. Absent Commissioners Knecht and Hansen.

ORDINANCE NO. 99-04-01/175:

On motion by Hurlbert and seconded by Klabo, the City Commission unanimously voted to approve First Reading of Ordinance No. 99-04-01/175.

Moved by Feickert, seconded by Wiese to approve First Reading of Ordinance No. 99-04-01/175, An Ordinance Amending Ordinance No. 1164 to rezone certain property from its present zoning designation of Section 701 (A-1) Agricultural District to Section 704 (R-2) Medium Density Residential District, described as follows: The North 137' of the East 318' of the NE 1/4 of the SE 1/4 of Section 20-T123N-R63W of the 5th P.M, Brown County, South Dakota (also known as 1314 S Melgaard Road). All members present voting aye. Motion carried.

ORDINANCE NO. 99-04-02/176:

On motion by Pfeifer and seconded by Hopper, the City Commission unanimously voted to approve First Reading of Ordinance No. 99-04-02/176.

Moved by Feickert, seconded by Wiese to approve First Reading of Ordinance No. 99-04-02/176, An Ordinance Amending Ordinance No. 1164 to rezone certain property from its present zoning designation of Section 701 (A-1) Agricultural District to Section 714 (M-Ag) Mini-Agricultural District, described as follows: Hart's First Subdivision in the SE 1/4 of Section 17-T123N-R64W of the 5th P.M, Brown County, South Dakota (also known as 13287 384th Avenue and 38390 133rd Street). All members present voting aye. Motion carried.

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

Maxine Taylor - Brown County Auditor

APRIL 27, 1999 - GENERAL MEETING

Meeting called to order by Chairman Hansen at 8:45 A.M. in the Commissioner's Chambers, Courthouse Annex, Brown County, South Dakota. Present were Commissioners Knecht, Feickert, Fischbach and Wiese.

MINUTES:

Moved by Wiese, seconded by Knecht to approve the General Meeting minutes of April 20, 1999. All members present voting aye. Motion carried.

CLAIMS:

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

Payroll: Commissioners..\$2,115.40; Data Processing..\$1,221.16; Auditor..\$5,807.70; Treasurer..\$6,907.78; State's Attorney..\$8,083.37, OVERTIME: Jane Jensen..\$55.68; Victims Asst..\$769.24; Maintenance..\$3,984.12, OVERTIME: Ron Adler..\$44.19; Assessor..\$6,507.50, OVERTIME: Gene Leoschke..\$9.93; Planning & Zoning..\$829.60, OVERTIME: Mick Waller..\$15.56; Register of Deeds..\$2,594.61; Veterans Service..\$1,881.71, OVERTIME: Kathy Schlecht..\$45.81; Communications..\$10,164.81, OVERTIME: Mary Browning..\$63.68, Betty Haar..\$30.40, Nancy Radke..\$212.44, Darcy Simmons..\$141.20; Sheriff..\$37,182.02, OVERTIME: Craig Anderson..\$228.62, Scott Kolb..\$47.90, David Fair..\$18.44, David Hanson..\$124.04, Steven Cogley..\$51.00, Dala Mandel..\$49.38, Ethan Palluck..\$59.36, Roxanne Schumacher..\$98.84, Craig Nelson..\$84.72, Charlene McAfee..\$91.78, Mark Jastram..\$27.50, Barry Allbee..\$13.40, Amy Mathiason..\$107.20, Gary Bunt..\$294.80, Amy Lake..\$26.08, Kristal Schumack..\$6.52, Jeffrey Kirnan..\$6.52; Health..\$2,143.20; Museum..\$3,205.59; Welfare..\$2,212.42; E&D..\$1,754.32, OVERTIME: Ginger Walker..\$30.10; Foster Grandparent Program..\$2,254.41; Fairgrounds..\$2,984.17; Fairboard..\$576.93; Extension..\$754.40; Weed..\$1,890.50; Road and Bridge..\$25,749.98, OVERTIME: Terry Backous..\$351.54, Robert Binfet..\$215.45, Vernon Bitz..\$330.24, David Bruckner..\$292.95, Brian Dargatz..\$323.49, Terry Evans..\$115.58, Joel Guderjohn..\$281.01, Larry Hardy..\$204.39, Tom Lammon..\$7.80, Daryl Lloyd..\$386.11, Jerry Luce..\$92.07, Joseph Malsam..\$350.60, Donald Maunu..\$685.13, Todd Odenbach..\$241.07, Dave Okroi..\$166.64, Bryan Owens..\$189.61, Cordell Rudolph..\$130.05, Richard Schaible..\$55.34, Roger Schaible..\$196.49, Jeff Seiler..\$192.64, Markus Selzler..\$526.50, Kendell Titze..\$197.24, Leon Vickers..\$72.90, Michael Wagner..\$265.21, Dion Dargatz..\$394.74; Solid Waste..\$4,850.57, OVERTIME: Carl Wright..\$164.20, Roxanne Varns..\$18.91, Nyle Jensen..\$180.84, Dennis VanHeerde..\$7.09;

Supplies & Materials: SDACO..\$105.00, SDACC..\$210.00, Brown County Tres..\$35.45, McKusick Law Library..\$32.50, Aspen Pub..\$236.53, West Pub..\$2456.25, Walmart..\$26.76, Lexis Law Pub..\$44.52, Office Max..\$114.92, RE Huffman..\$100.00, Reg/Deeds..\$21.60, Medical Center Pharmacy..\$1409.03, Respond..\$188.90, SD Sec of State..\$7.00, UBC..\$42.97, Safety Service..\$239.79, Mac's..\$15.57, Phillips..\$38.11, Lang's..\$28.00, EMSA..\$14.34, Dakota Electronics..\$58.50, Western Printing..\$27.00, Country General..\$49.96, Alan Winburn..\$2296.00, SD Division of Motor Vehicles..\$12.00, Share Corp..\$110.00, Cordell Rudolph..\$35.00, Sewer Duck..\$75.00, Midwest Pump & Tank..\$73496.36, Inman & McDowell..\$30.20, Hub City Iron Store..\$917.86, Robert Dinger..\$5363.40, Al Dabbert Trucking..\$6127.50, Cunningham Elec..\$273.36, CarQuest..\$585.53, Boncote Corp..\$409.13, City of Aberdeen..\$275.00, Menards..\$61.54, Specialty Mfg..\$2927.36, Prairieland..\$400.40, Keeleys..\$2073.75, Burdette Electric..\$807.29, OK Tire Store..\$5.00, HC Clark..\$177.78, CarQuest..\$28.22, Country General..\$7.38, Herc-U-Lift..\$641.98, Hub City Iron..\$48.02, Hedahls..\$1486.99, New Deal Tire..\$292.50, Shopko..\$28.98, Diesel Machinery..\$100.36, North Wind Machine..\$97.00, SDSWMA..\$55.00, Jordre Photo

Lab..\$55.60, Ramada Inn..\$463.45, Kesslers..\$36.57, Phyllis Voeller..\$16.00, Abbott Travel..\$606.24, Aberdeen Chrysler..\$146.30, Pitney-Bowes..\$118.39, Hub City Iron..\$3.68, Gardner Locksmith..\$5.00, Superior..\$35.57, Plainsco..\$113.58, Taylor Laundry..\$49.78, Ecolab..\$69.00, Hoggs..\$13.95, CPI..\$25.00, Eddie's Northside..\$26.20, Amoco..\$24.00, North Central Steel..\$1548.98, Plainsco..\$254.87, Kelsey Welding..\$305.12, Janitor Supply..\$16.40, Light & Siren..\$333.10, Farnam's Parts..\$44.34, Hedahls..\$147.86, Country General..\$111.44:

**Transcriptions:** Betsy Johnson..\$160.20:

**Publications:** American News..\$566.75, Dakota Press..\$850.17:

**Professional Fees:** Witness Fees..\$922.20, NE Mental Health..\$305.80, NE Mental Health..\$365.71, Lewis & Clark Mental Illness Center..\$200.00, Dawn Aman..\$2300.00:

**Mileage & Travel:** Bruce Tveit..\$48.24, City of Groton..\$80.40, Ken Thompson..\$18.72, Juanita Herold..\$27.36, Jvonne Heard..\$46.32, Tony Ingemansen..\$125.52:

**Court Appointed Attorney:** Marilyn Maloney..\$260.00, Brad Borge..\$3685.79, Gary Gellhaus..\$3406.82, Christy Serr..\$2378.75, Hosmer & Kettering..\$114.80:

**Utilities:** US West..\$1567.62, Bureau of Admin..\$580.50, Commnet Cellular..\$56.24, Cellular One..\$376.62, NWPS..\$687.25, Northern Electric..\$137.13:

**Care of Poor:** Dr/Hospital..3 recipients..Northern Plains Oral Surgery..\$29.25, Avera St Lukes..\$5160.84; Utilities..2 recipients..NWPS..\$230.00, City of Aberdeen..\$230.00; Drugs..1 recipient..Medical Center Pharmacy..\$55.67; Rent..3 recipients..Schatz Rental..\$170.00, Settle Inn..\$100.00, Country Village..\$143.91. All members present voting aye. Motion carried.

#### PERSONNEL:

Moved by Wiese, seconded by Feickert to approve the following employee step increases, effective May 2, 1999: John Weig @ \$10.84 per hour, Wende Holzkamm @ \$8.88 per hour, Carol Wolf @ \$10.37 per hour. All members present voting aye. Motion carried.

Moved by Feickert, seconded by Wiese to approve hiring Becky Daly as part-time employee in the Register of Deeds Office, effective May 3, 1999 at \$6.30 per hour. All members present voting aye. Motion carried.

Moved by Knecht, seconded by Wiese to approve hiring Ralph Wakely and Scott Erdmann as part-time employees at the Fairgrounds, effective April 22, 1999 at \$6.05 per hour. All members present voting aye. Motion carried.

Moved by Fischbach, seconded by Feickert to acknowledge resignation of Linda Chappel (Dispatch Center), effective May 12, 1999. All members present voting aye. Motion carried.

Moved by Feickert, seconded by Wiese to approve hiring Mark A Ketterling and David A Kolb as full-time Highway employees, effective May 10, 1999 at \$9.34 per hour. All members present voting aye. Motion carried.

Moved by Fischbach, seconded by Wiese to approve employee status change for Highway employee Jerry Luce, effective May 10, 1999 at \$10.84 per hour. All members present voting aye. Motion carried.

#### CONTRACT AGREEMENT:

Moved by Feickert, seconded by Knecht to approve and authorize the Chairman sign Contract Agreement with Twin City Roofing for Re-Roofing Project of the Brown County Public Works Building. All members present voting aye. Motion carried.

## EXPENSES:

Moved by Wiese, seconded by Knecht to approve expenses for Mike Egan to attend the SD Corrections Spring Conference in Mitchell on April 28; John Heine to attend Intermediate Accident Investigation Training in Pierre on May 10-14; Tom Schmitt and Craig Anderson to attend the Mid-States Organized Crime Information Center (MOCIC) Annual Conference in Duluth, MN on September 21-23; Vickie Hansford to attend Dispatch Training in Pierre on June 15-17; Mark Mills, Nancy Radke and Lisa Wipf to attend the SD 911 Conference in Pierre on March 25-29. All members present voting aye. Motion carried.

## CANCEL OUTSTANDING CHECKS:

Moved by Wiese, seconded by Feickert to approve and authorize Register of Deeds Carol Sherman cancel the following outstanding checks: Wayne Rexinger Estate - \$10.00, Lyle Zerbel - \$10.00, Dennis Wylie - \$10.00, Vicki D Thornson - \$10.00, Monte Sippel - \$10.00, Charles Salwei - \$10.00, Robert R Rivers - \$10.00, Sheree Moench - \$10.00, John Summers - \$10.00, Midland Lease - \$10.00, Marilyn Lee - \$10.00. All members present voting aye. Motion carried.

## REGISTER OF DEEDS CHANGE FUND:

Moved by Fischbach, seconded by Knecht to approve and authorize a change fund be established for the Register of Deeds Office in amount of \$100.00. All members present voting aye. Motion carried.

## ABATEMENTS:

Moved by Feickert, seconded by Wiese to approve the following Abatements: Harold or Bonnie Sanderson, incorrect value (1980 Holly Park MN) for year 1999 in amount of \$107.71; David Didreckson, vacant land (SE 1/4 18-126-65 ex Bunke's Inventory Addition) solid waste for year 1999 in amount of \$62.40; Larry Jr or Sharon or Brad Schmit, local board change (1984 Moduline MH) for year 1999 in amount of \$155.83. All members present voting aye. Motion carried.

## USE OF FACILITY:

Moved by Knecht, seconded by Wiese to approve use of Courthouse front lawn area for Aberdeen Area March for Jesus Rally to be held May 22, 1999. All members present voting aye. Motion carried.

## FAIR CONTRACTS:

Moved by Feickert, seconded by Wiese to approve the following contracts for the 1999 Fair: Boys & Girls Club for Concessions at the Grandstand; Aberdeen Hockey Association to operate a beer garden in the Club House; entertainment for August 21, 1999. All members present voting aye. Motion carried.

## TOWNSHIP BONDS:

Moved by Feickert, seconded by Wiese to approve the following Prairiewood Township Bonds - Jeffery Helminski, Clerk and Richard Niebuhr, Treasurer. All members present voting aye. Motion carried.

## RESTRICTED USE PERMIT:

Commissioner Wiese offered the following Resolution:

## RESOLUTION NO. 28-99

Authorizing the renewal of a Restricted Use Solid

Waste Disposal Facility Permit for the City of Hecla

WHEREAS, the City of Hecla desires to renew permit for a Restricted Use Solid Waste Disposal Facility for the purpose of Solid Waste Management; and

WHEREAS, the use of this facility is not in conflict with any established zoning laws or ordinances; and

WHEREAS, the City will file a Solid Waste application for renewal with the South Dakota Department of Environment and Natural Resources (DENR); and

WHEREAS, the DENR will review the application for renewal to determine that the facility can be operated within the South Dakota laws and regulations; and

WHEREAS, the DENR may recommend the approval of the permit renewal with conditions adequate to safeguard the environment; and

WHEREAS, the Board of Minerals and Environment will review, modify, approve or deny the permit if the tentative recommendations and/or conditions of the permit are contested by any interested party; and

WHEREAS, the County Commission of Brown County is required to acknowledge application for renewal of a solid waste facility permit prior to the issuance of a solid waste permit.

NOW, IT IS THEREFORE RESOLVED, that the County Commission of Brown County hereby approves application for renewal of the facility permit to be operated under the terms of a solid waste permit to be issued by the Board of Minerals and Environment.

Approved this 27th day of April, 1999 by the Brown County Commission.

Seconded by Commissioner Fischbach. Roll call vote: Commissioners Knecht-aye, Feickert-aye, Fischbach-aye, Wiese-aye, Hansen-aye. Resolution adopted.

RELIEF LIEN

Commissioner Wiese offered the following Resolution:

RESOLUTION NO. 29-99

WHEREAS, Brown County has filed a Poor Relief Lien in total amount of \$4,141.54 dated October 20, 1992 through March 9, 1993, 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 liens, upon payment of \$100.00 and on condition balance of liens will stay filed against individual.

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

The Southwest Quarter of the Northeast Quarter (SW 1/4 NE 1/4) of Section Eight (8), Township One Hundred Twenty-four (124), Range Sixty-five (65), West of the Fifth Principal Meridian, and easement rights for the purposes of ingress and egress across the Southeast Quarter of the Northeast Quarter (SE 1/4 NE 1/4) of

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Section Eight (8), Township One Hundred Twenty-four (124), Range Sixty-five (65), West of the Fifth Principal Meridian.

is hereby released from the effect and force of said lien, upon payment of \$100.00.

Dated this 27th day of April, 1999.

Seconded by Commissioner Fischbach. Roll call vote: Commissioners Feickert-aye, Fischbach-aye, Wiese-aye, Hansen-aye, Knecht-aye. Resolution adopted.

PLAT:

Commissioner Wiese offered the following Resolution:

RESOLUTION NO. 30-99

BE IT RESOLVED by the Board of Commissioners of Brown County, South Dakota, that the plat showing "Hart's First Subdivision in the SE 1/4 of Sec. 17-T123N-R64W 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 Fischbach. Roll call vote: Commissioners Knecht-aye, Feickert-aye, Fischbach-aye, Wiese-aye, Hansen-aye. Resolution adopted.

MALT BEVERAGE LICENSE HEARING:

Time and place, as advertised to consider application for Special Malt Beverage Licenses. Moved by Feickert, seconded by Wiese to approve the following Special Malt Beverage License applications: Northeast Area Horse Racing, Inc, Brown County Fairgrounds (Clubhouse), effective May 15, 16, 21, 22 & 23; Northeast Area Horse Racing, Inc, Brown County Fairgrounds (Grandstand), effective May 15, 16, 22 & 23; Northeast Area Horse Racing, Inc, Brown County Fairgrounds (Clubhouse), effective May 28, 29, 30 & 31; Northeast Area Horse Racing, Inc, Brown County Fairgrounds (Grandstand), effective May 29, 30 & 31; Aberdeen Hockey Assoc, Brown County Fairgrounds (Holum Expo Building), effective April 30 & May 1, 1999. All members present voting aye. Motion carried.

EMPLOYEE HEALTH INSURANCE:

The Commission met with Grant Oleson, Jeanette Nietert, Geri Sillman, Jerry Luce and Tom Lammon to discuss options available for the employee health insurance package provided by Wellmark Blue Cross & Blue Shield of South Dakota. Mr. Oleson also discussed proposal to change life insurance provider. After discussion the following action ensued:

Moved by Wiese, seconded by Feickert to approve and authorize Grant Oleson provide enrollment forms needed for Brown County employees to be covered by the Blue Select/Blue Card PPO Program. All members present voting aye. Motion carried.

Moved by Wiese, seconded by Feickert to approve and authorize Brown County employees enroll in program provided by Medical Life Insurance Company for term life insurance. All members present voting aye. Motion carried.

DIFFERENTIAL PAY:

Mark Mills and Nancy Radke met with the Commission to discuss differential pay as computed in the Dispatch Center. No action taken at this time.



MUSEUM PUBLIC SERVICE ANNOUNCEMENT AD:

Sue Gates made arrangements for the Commission to view a 60 second public service announcement advertisement about the Dacotah Prairie Museum that is being shown locally on the Midcontinent Cable Systems major network affiliates.

APPLICATION FOR OCCUPANCY:

Moved by Knecht, seconded by Fischbach to approve and authorize the Chairman sign application, submitted by Schmidt Construction for occupancy of Brown County Highway No. 12 (Roosevelt Road) in Sections 7 & 8-T123N-R63W, Brown County, South Dakota, for installation of a water and sewer line. All members present voting aye. Motion carried.

LOAD LIMITS:

Moved by Fischbach, seconded by Wiese to remove load restrictions from Brown County roads on May 3, 1999. All members present voting aye. Motion carried.

EQUIPMENT PURCHASE:

Moved by Feickert, seconded by Wiese to approve purchase of a 1985 Freightliner Semi from Don Mitzel in amount of \$14,900.00 for the Brown County Sanitary Landfill. All members present voting aye. Motion carried.

MONITORING SERVICE AGREEMENT:

Moved by Wiese, seconded by Fischbach to approve and authorize the Chairman sign Monitoring Agreement with Earth Tech, Inc. All members present voting aye. Motion carried.

SPRING CLEAN UP REPORT:

Mike Scott reported that 868 free loads (484.73 ton @ \$7,755.68) were received at the Landfill during the Spring Clean Up Weekend held April 23 & 24, 1999.

CAMPGROUND EXPANSION:

Randy Bonn and Larry Gerlach discussed a campground area planned at the south end of the Fairgrounds. The Commission recommended additional quotes be obtained.

LIEN COLLECTION SERVICE:

Moved by Wiese, seconded by Knecht to accept proposal submitted by Noll Collection Service for County Lien Collections at rate of 30%; rejecting proposals from Hauge & Associates at 35% and Watertown Credit Bureau at 33.33%. All members present voting aye. Motion carried.

RECESS:

Moved by Wiese, seconded by Fischbach to recess until May 4, 1999. All members present voting aye. Motion carried.

Maxine Taylor - Brown County Auditor

APRIL 27, 1999 - BROWN COUNTY BOARD OF EQUALIZATION

Meeting called to order by Chairman Hansen at 11:00 A.M. in the Commissioner's Chambers, Courthouse Annex, Brown County, South Dakota. Present were Commissioners Knecht, Feickert, Fischbach and Wiese.

MINUTES:

Moved by Wiese, seconded by Feickert to approve the Brown County Board of Equalization Meeting minutes of April 20, 1999. All members present voting aye. Motion carried.

#14. Moved by Wiese, seconded by Knecht to raise local board structure value from 800 to 11,100 and raise local board land value from 2,000 to 4,800 (total from 2,800 to 15,900) on Snyder's Outlots A & B in SW 1/4 31-125-60, owned by Jay Swisher, field review. All members present voting aye. Motion carried.

ADJOURN:

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

Maxine Taylor - Brown County Auditor

APRIL 27, 1999 - CONSOLIDATED BOARD OF EQUALIZATION

Meeting called to order by Chairman Hansen at 1:00 P.M. in the Commissioner's Chambers, Courthouse Annex, Brown County, South Dakota. Present were City Commissioner Pfeifer, Aberdeen School Board Member Hilgemann, County Commissioners Feickert and Fischbach. Oaths of Office completed by Julie Pfeifer and Laura Hilgemann.

#12. Moved by Feickert, seconded by Pfeifer to lower assessor structure value (market value) from 544,260 to 471,500 (total value of 486,650) on Unit E105B Physicians Plaza Blk 83 Hagerty & Lloyds Addn to Aberdeen, owned by Michael Kuglitsch MD & Paul Eckrich MD. All members present voting aye. Motion carried.

#13. Moved by Fischbach, seconded by Hilgemann to uphold assessor value of 45,170 on Lot 4, Block 1 Cedar Heights Subdivision NW 1/4 8-123-63, owned by Lonnie G & Judith J Anderson, comparable to surrounding property. All members present voting aye. Motion carried.

#14. Moved by Feickert, seconded by Hansen to uphold assessor value of 331,880 on Harm's Oil First Subdivision in Thomas Addition to Aberdeen, owned by Harms Oil Company, market verifies value. All members present voting aye. Motion carried.

#15. Moved by Fischbach, seconded by Feickert to lower assessor structure value (condition) from 332,810 to 216,925 (total value of 258,625) on the S 650' of Elk's Lodge 1046 Outlot 1 of Lot D of Lowe's Subdivision of Lot H-2, except the E 100' thereof SW 1/4 11-123-64, owned by B.P.O.E. Elks Lodge #1046 Inc. All members present voting aye. Motion carried.

Moved by Pfeifer, seconded by Feickert to adjourn the Consolidated Board of Equalization. All members present voting aye. Motion carried.

Maxine Taylor - Brown County Auditor

## MAY 4, 1999 - GENERAL MEETING

Meeting called to order by Chairman Hansen at 8:45 A.M. in the Commissioner's Chambers, Courthouse Annex, Brown County, South Dakota. Present were Commissioners Knecht, Feickert, Fischbach and Wiese.

Due to lack of County quorum at City Hall on May 3, 1999, the Joint City/County Meeting was not held. The City Commission passed Second Reading and Adopted Ordinance No. 99-04-01/175 and Ordinance No. 99-04-02/176 during their regularly scheduled meeting on May 3, 1999. The following action was taken by the County Commission during their General Meeting on May 4, 1999:

## ORDINANCE NO. 99-04-01/175:

Moved by Fischbach, seconded by Knecht to approve Second Reading of Ordinance No. 99-04-01/175. All members present voting aye. Motion carried.

Moved by Feickert, seconded by Fischbach to adopt Ordinance No. 99-04-01/175, An Ordinance Amending Ordinance No. 1164 to rezone certain property from its present zoning designation of Section 701 (A-1) Agricultural District to Section 704 (R-2) Medium Density Residential District, described as follows: The North 137' of the East 318' of the NE 1/4 of the SE 1/4 of Section 20-T123N-R63W of the 5th P.M, Brown County, South Dakota (also known as 1314 S Melgaard Road). All members present voting aye. Motion carried.

## ORDINANCE NO. 99-04-02/176:

Moved by Feickert, seconded by Knecht to approve Second Reading of Ordinance No. 99-04-02/176. All members present voting aye. Motion carried.

Moved by Feickert, seconded by Knecht to adopt Ordinance No. 99-04-02/176, An Ordinance Amending Ordinance No. 1164 to rezone certain property from its present zoning designation of Section 701 (A-1) Agricultural District to Section 714 (M-Ag) Mini-Agricultural District, described as follows: Hart's First Subdivision in the SE 1/4 of Section 17-T123N-R64W of the 5th P.M, Brown County, South Dakota (also known as 13287 384th Avenue and 38390 133rd Street). All members present voting aye. Motion carried.

Moved by Knecht, seconded by Feickert to set hearing date to consider petition to rezone the following: Ordinance No. 99-05-01/177 - Lots 1-9, Braun Subdivision located in the NW 1/4 of Section 29-T123N-R63W of the 5th P.M., Brown County, South Dakota, also known as (at corner of S Roosevelt and E Melgaard Rd), from Section 701 (A-1) Agricultural District to Section 714 (M-Ag) Mini-Agricultural District; Ordinance No. 99-05-02/178 - Bertsch Addition in the SW 1/4 of Section 28-T124N-R64W of the 5th P.M., Brown County, South Dakota, also known as 38414 129th Street a/k/a Richmond Road, from Section 701 (A-1) Agricultural District to Section 714 (M-Ag) Mini-Agricultural District; Ordinance No. 99-05-03/179 - Karlen's First Addition in the SE 1/4 of Section 2-T122N-R64W of the 5th P.M., Brown County, South Dakota, also known as 13697 387th Avenue, from Section 701 (A-1) Agricultural District to Section 714 (M-Ag) Mini-Agricultural District; Ordinance No. 99-05-04/180 - Beginning at the SE corner of the SE 1/4 of Section 26-T123N-R64W of the 5th P.M., Brown County, South Dakota, thence N 89 degrees 59'08" West, 878.17', thence North 00 degrees 11'13" West, 1,319.53', thence North 89 degrees 59'00" East, 882.48' and thence South 00 degrees 00'00" West, 1,320' to point of beginning, from Section 701 (A-1) Agricultural District to Section 714 (M-Ag) Mini-Agricultural District; Ordinance No. 99-05-05/181 - Starting at the SW corner of the SW 1/4 of

Section 14-123N-R63W of the 5th P.M., Brown County, South Dakota, thence North 00 degrees 00'00" East, 1,321' to point of beginning, thence South 89 degrees 52'50" East, 1,033', thence South 00 degrees 00'00" West, 1,271', thence North 89 degrees 52'50" West, 400', thence North 00 degrees 00'00" East, 726', thence North 89 degrees 52'50" West, 338', thence North 00 degrees 00'00" East 356', thence North 89 degrees 52'50" West, 295' and thence North 00 degrees 00'00" East 189' to point of beginning (also known as 6155 East Highway 12), from Section 701 (A-1) Agricultural District to Section 714 (M-Ag) Mini-Agricultural District, to be held on May 24, 1999 at 6:30 P.M. in the Aberdeen City Commission Chambers, 123 S Lincoln, Aberdeen, South Dakota. All members present voting aye. Motion carried.

#### MINUTES:

Moved by Wiese, seconded by Feickert to approve the Joint City/County Meeting Minutes of April 26, 1999; the General Meeting Minutes, Brown County Board of Equalization Meeting Minutes and Consolidated Board of Equalization Meeting Minutes of April 27, 1999. All members present voting aye. Motion carried.

#### CLAIMS:

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

Supplies & Materials: NPC International..\$46.73, Robbies..\$64.84, Penny Hart..\$18.62, New Trends..\$99.89, Bill Meink..\$59.11, Lar-Jo's..\$36.00, Cartney Bearing..\$15.84, Hub City Iron..\$3.57, North Wind Machine..\$17.63, Ecolab..\$91.00, Office Equipment..\$53.19, Pierson Ford..\$37,700.00, Tuxall..\$76.90, Civic Research Institute..\$98.95, Menards..\$38.67, Safety Service..\$86.49, Lucent Technologies..\$5.35, Dakota Silk Screen..\$441.00, QQP..\$38.03, Office Max..\$565.90, Dakota Electronics..\$116.15, Alan Winburn..\$2926.00, Western Printing..\$345.00, Snap-On-Tools..\$4.27, Reuer's Auto Service..\$67.15, Overhead Door-Br Co..\$489.79, Todd Odenbach..\$150.00, Traffic Signs..\$66.40, B W Morrison Const..\$3190.00, M-R Sign Co Inc..\$18.28, Marvin Lout Const..\$3969.00, Larson Blacksmith Shop..\$351.22, Lake Sand & Gravel..\$21000.00, Keeley's..\$61.10, KAR Products..\$109.81, Johnson Motor Co..\$7.98, Hagan Trucking..\$2916.00, Gary's Engine..\$35.88, Farm Power Mfg..\$93.76, Engel Trucking..\$2475.00, W E Doyle Equip..\$75.05, Robert Dinger..\$6639.50, Al Dabbert Trucking..\$8179.50, Crawford Trucks..\$656.74, Carquest Automotive..\$678.86, Butler Machinery..\$5352.18, Baldridge..\$15.02, Walmart..\$99.42, Ameripride..\$10.01, Ag Comm..\$53.63, RE Huffman..\$215.57, Insurance Plus..\$60.00, Pitney Bowes..\$46.20, QQP..\$79.50, Lien Trans..\$1090.27, Office Max..\$125.95, RE Huffman..\$24.00, QQP..\$5.45, Sherwin Williams..\$33.98, DPM Merchantile..\$45.00, Hogg..\$51.45, Butler Machinery..\$784.66, Farm Power..\$2817.00, Aberdeen Chrysler..\$30.75, Lab Safety..\$215.75, Keeley's..\$6.81, UBC..\$23.95, Gemplers..\$103.30, Swanson Electric..\$41.86, New Deal Tire..\$245.00, Service Signs..\$700.00, Taylor Laundry..\$62.24, RDO..\$21.20, Rick Bjorklund..\$50.00, New Trends..\$47.77:

Transcriptions: Betsy Johnson..\$59.40:

Publications: American News..\$227.50, Northstar..\$873.74:

Professional Fees: Witness Fees..\$20.00, Brad Randall M.D..\$780.00, Pipestone Co. Sheriff..\$28.96, Dept of Revenue..\$314.00, Ab Advanced Care..\$99.00, No State University..\$144.20, Sue Gates..\$6.00, Laura Fliehs..\$24.48:

Mileage & Travel: Dennis Feickert..\$18.90, Melissa Koester..\$68.40, Richard Reick..\$170.68, Leo Leshner..\$104.16, Gene Loeschke..\$166.70, Kelly Inn..\$210.00, SD Div. of Emergency Mgmt..\$105.00, Michele Porter..\$21.60, Pat Caldwell..\$5.52, Jerry Mills..\$69.41, Mike Scott..\$76.22:

Court Appointed Attorney: Brad Borge..\$272.85:

Utilities: NWPS..\$4559.58, Midcontinent Cable..\$18.04, US West..\$3.60, A&M Radio..\$43.00, US West..\$41.21, Montana Dakota Utilities..\$38.19, Midcontinent

Cable..\$18.67, US West..\$3282.54, James Valley Coop..\$585.47, Accent Comm..\$328.04, Midcontinent Cable..\$18.04, NWPS..\$16.84, Midcontinent Cable..\$9.33, Web..\$49.24: Care of Poor: Dr/Hospital..5 recipients..Ab Family Physicians..\$53.30, Dr Bunker..\$207.75, Avera St Lukes..\$1081.64, Avera St Lukes..\$325.04, Central Plains Clinic..\$342.40; Utilities..2 recipients..NWPS..\$190.00, City of Aberdeen..\$460.00; Rent..1 recipient..Rieger Assoc..\$190.00. All members present voting aye. Motion carried.

#### PUBLIC HEARING - MALT BEVERAGE LICENSE APPLICATION:

Moved by Knecht, seconded by Wiese to authorize advertising public hearing to consider the following application for RETAIL (ON-OFF SALE) MALT BEVERAGE LICENSE: Al Green, DBA Blind Big Entertainment, 421 S. 13th St., Aberdeen, S.D. 57401, Brown County Fairgrounds, (Expo Building) SW 1/4 Sec.1, T123N, R64W, Brown County, South Dakota, to be held at 8:45 A.M. on May 18, 1999, in the Commissioners Chambers, Courthouse Annex, Brown County, South Dakota. All members present voting aye. Motion carried.

#### ABATEMENTS:

Moved by Knecht, seconded by Wiese to approve the following Abatements: Larry or Marie Kuebler, real estate (1996 Highland MH) for year 1999 in amount of \$1,131.58; Ervin L & Shirley Bonnet, out of state (1978 Marshfield MH) for year 1999 in amount of \$90.63; Jacquelyn J Hansen, out of state (1996 Chief MH) for year 1999 in amount of \$375.98; Elmer J & Diane M Zahn, incorrect value (Lots 653-654 Morning Heights Addn to Aberdeen) for year 1998 in amount of \$104.67; Anthony L & Constance B Geier, incorrect value (Lot 15 Blk 18 Fourteenth Addn to Highland North Addn to Aberdeen) for year 1998 in amount of \$141.65. All members present voting aye. Motion carried.

#### FIXED ASSET LIMIT:

Moved by Wiese, seconded by Fischbach to raise the fixed asset limit from \$300.00 to \$750.00, effective May 1, 1999. All members present voting aye. Motion carried.

#### PERSONNEL:

Moved by Wiese, seconded by Fischbach to approve hiring Jeff James as part-time JDC Officer, effective May 4, 1999 at \$6.05 per hour. All members present voting aye. Motion carried.

Moved by Fischbach, seconded by Feickert to approve hiring Rebecca R Poitra as Dispatcher, effective May 17, 1999 at \$9.17 per hour. All members present voting aye. Motion carried.

Moved by Feickert, seconded by Wiese to approve hiring Jeff Ringgenberg as seasonal highway employee, effective May 10, 1999 at \$6.68 per hour. All members present voting aye. Motion carried.

#### EXPENSES:

Moved by Feickert, seconded by Knecht to approve expenses for Russ Podoll and Cordell Rudolph to tour Lyle Sign Inc. in conjunction with their Customer Appreciation Day in DeSmet, SD on May 27, 1999. All members present voting aye. Motion carried.

#### CDBG GRANT AGREEMENT:

Moved by Feickert, seconded by Wiese to approve and authorize the Chairman sign Community Development Block Grant (CDBG) Agreement for Brown County/James River Tree

Removal and Planting Project in amount of \$1,106,650. All members present voting aye. Motion carried.

AMEND DISASTER DECLARATION:

Commissioner Wiese offered the following Resolution:

RESOLUTION NO. 31-99  
AMENDMENT TO RESOLUTION NO. 27-99  
DECLARATION OF EMERGENCY/DISASTER

WHEREAS Brown County, South Dakota has suffered severe damage, brought on by extended flooding in the northeast section of Brown County from January 1, 1999 caused by the thawing of 12 inches of precipitation, heavy snow and rain in North Dakota affecting our watershed, and increased flows from Jamestown and Pipestem dams continuing;

WHEREAS, this flooding has made many county and township roads impassable on a daily basis for school buses and emergency vehicles, and has caused inundation of a sewage lagoon serving the Hecla area and contaminated individual wells in the disaster area;

WHEREAS, Brown County has committed all available resources and taken all possible actions within the jurisdictional boundaries to combat and to alleviate the emergency/disaster, local resources are not adequate to cope with the situation.

NOW, THEREFORE, BE IT RESOLVED by the Brown County Commission at a regular meeting held on May 4, 1999, it is hereby requested that the Governor declare an emergency/disaster to exist in the County of Brown.

Seconded by Commissioner Feickert. Roll call vote: Commissioners Knecht-aye, Feickert-aye, Fischbach-aye, Wiese-aye, Hansen-aye. Resolution adopted.

BID - HEATING AND MOTOR VEHICLE FUELS:

Moved by Feickert, seconded by Wiese to authorize advertising public hearing to open, read and consider heating and motor vehicle fuel bids by joint boards of the City of Aberdeen, School District and Brown County, to be held at 2:00 P.M. on May 26, 1999 in the City Finance Office, 123 S Lincoln, Aberdeen, South Dakota. All members present voting aye. Motion carried.

PLATS:

Commissioner Wiese offered the following Resolution:

RESOLUTION NO. 32-99

BE IT RESOLVED by the Board of County Commissioners of Brown County, South Dakota, that the plat showing "Cutler Lot 1 in the NE 1/4 of Section 27-T125N-R60W 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 Fischbach. Roll call vote: Commissioners Knecht-aye, Feickert-aye, Fischbach-aye, Wiese-aye, Hansen-aye. Resolution adopted.

Commissioner Fischbach offered the following Resolution:

## RESOLUTION NO. 33-99

BE IT RESOLVED by the Board of Commissioners of Brown County, South Dakota, that the plat showing "Cooper's First Subdivision in the SW 1/4 of Section 14-T123N-R63W 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. Roll call vote: Commissioners Knecht-aye, Feickert-aye, Fischbach-aye, Wiese-aye, Hansen-aye. Resolution adopted.

## LEPC:

Moved by Wiese, seconded by Knecht to acknowledge resignation of Gary Myhre from the Local Emergency Planning Committee. All members present voting aye. Motion carried.

## PEDDLERS LICENSE:

Moved by Feickert, seconded by Knecht to approve and authorize the Chairman sign Peddlers License No. 35 - Jack Privett DBA Amer. W. Community Promo, effective May 3, 1999 through June 3, 1999. All members present voting aye. Motion carried.

## QUIT CLAIM DEED:

Moved by Fischbach, seconded by Wiese to approve and authorize Chairman sign Quit Claim Deed conveying Brown County tax deed interest in Lot 15, Blk 4 OP Frederick to Lester L Larson, Jr. in amount of \$25.00. All members present voting aye. Motion carried.

## BID - TUCKPOINT HIGHWAY BUILDING:

Time and place, as advertised to open, read and consider bids for labor and material to Tuckpoint/Block Seal the Brown County Public Works Building at 3133 NE 8th Ave. One bid received from Jack Riley & Son Masonry.

Moved by Feickert, seconded by Wiese to award bid, submitted by Jack Riley & Son Masonry in amount of \$54,800.00 for labor and material to Tuckpoint/Block Seal the Brown County Public Works Building. All members present voting aye. Motion carried.

## BID AWARD - ADA REMODELING:

Moved by Feickert, seconded by Knecht to award low bid, submitted by Nordling Construction Company (Base Bid, Alternate No's. 2 & 3) in amount of \$125,277.00; rejecting Alternate No. 1 in amount of \$14,450.00 and rejecting bid submitted by Kyburz-Carlson Construction in total amount of \$201,500.00. All members present voting aye. Motion carried.

## BCCHC REPORT:

Merri Nelson presented the Brown County Community Health Center's 1999 First Quarterly Report.

## EXECUTIVE SESSION:

Moved by Wiese, seconded by Feickert to go into executive session for personnel/equipment discussion with Bob Retzer, John Weig and Randy Bonn in attendance. All members present voting aye. Motion carried.

Moved by Knecht, seconded by Wiese to adjourn executive session. All members



present voting aye. Motion carried.

MAPLE RIVER DISCUSSION:

Carl Meyer met with the Commission for an update on his complaint that the Maple River Flow was blocked with fill and small culverts. Mick Waller distributed information gathered by Jesse Luce and Mr. Waller in September, 1998, and informed the Commission that the culverts have been removed from the channel, but are still laying on the river bank. The Commission instructed Mr. Waller to advise the land owner of responsibility to haul culverts away and remove any remaining fill from the channel.

CAMPGROUND QUOTES:

Randy Bonn and Larry Gerlach recommended quote from Swanson Electric in amount of \$12,364.00 for installing 20 pedestals on the south end of the Fairgrounds for a Campground be accepted. The Commission concurred. The following quotes for 10 pedestals were rejected: Swanson Electric @ \$7,364.00; Cunningham Electric @ \$7,600.00; Mattern Electric @ \$8,026.00; The Electric Company @ \$10,690.00; Burdette Electric @ \$11,542.00; NWPS @ \$14,945.50.

P.W. REPORT:

Russ Podoll discussed road conditions, equipment, personnel and water levels.

JDC COMPUTER SOFTWARE:

Tom Muschamp, Custom Micro, Inc met with the Commission to answer questions in regard to the SuprJIMS proposal for the JDC in amount of \$46,100.00, which is a companion software program to SuprCLEM - the Sheriff Department software. Mark Milbrandt and Janice Moore were also in attendance.

RECESS:

Moved by Wiese, seconded by Knecht to recess until May 11, 1999. All members present voting aye. Motion carried.

Maxine Taylor - Brown County Auditor

MAY 11, 1999 - GENERAL MEETING

Meeting called to order by Chairman Hansen at 8:45 A.M. in the Commissioner's Chambers, Courthouse Annex, Brown County, South Dakota. Present were Commissioners Knecht, Feickert, Fischbach and Wiese.

MINUTES:

Moved by Wiese, seconded by Feickert to approve the General Meeting minutes of May 4, 1999. All members present voting aye. Motion carried.

CLAIMS:

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

Payroll: Commissioners..\$2,115.40; Data Processing..\$1,221.16; Auditor..\$5,807.70; Treasurer..\$6,889.97; State's Attorney..\$8,083.37; Victims Asst..\$769.24; Maintenance..\$3,503.83; Assessor..\$6,549.21, OVERTIME: Kathy Fischer..\$3.26, Michelle Sitter..\$13.02; Planning & Zoning..\$829.60; Register of Deeds..\$2,594.61, OVERTIME: Cindy Schwan..\$15.27, Cathy Lindemann..\$3.48; Veterans Service..\$2,004.71; Communications..\$10,195.18; Sheriff..\$36,708.06, OVERTIME: John McQuillen..\$39.76, John Heine..\$253.76, Michael Casjens..\$28.20, David Fair..\$94.00, David Hanson..\$265.80, Dala Mandel..\$49.38, Ethan Palluck..\$37.10, John Weaver..\$28.96, Roxanne Schumacher..\$56.48, Jason Hebner..\$53.60, Patrick Rickerl..\$53.60, Barry Allbee..\$26.80, Amy Mathiason..\$160.80, Gary Bunt..\$53.60, Laurie Wells..\$52.16, Barbara Johnson..\$115.18, Amy Lake..\$65.20, Kristal Schumack..\$26.08, Jeffrey Kirnan..\$26.08; Health..\$2,155.20; Museum..\$3,205.59; Welfare..\$2,212.42; E&D..\$1,754.32, OVERTIME: Ginger Walker..\$30.10; Foster Grandparent Program..\$2,236.71; Fairgrounds..\$3,376.35; Fairboard..\$576.93; Extension..\$1,900.15; Weed..\$2,345.80; Road and Bridge..\$26,607.37, OVERTIME: Terry Backous..\$301.32, Robert Binfet..\$235.77, Vernon Bitz..\$314.88, David Bruckner..\$96.26, Brian Dargatz..\$311.80, Terry Evans..\$136.60, Joel Guderjohn..\$288.41, Larry Hardy..\$200.61, Tom Lammon..\$214.36, Daryl Lloyd..\$345.03, Jerry Luce..\$46.04, Joseph Malsam..\$354.17, Donald Maunu..\$299.25, Todd Odenbach..\$379.86, Dave Okroi..\$210.11, Bryan Owens..\$171.72, Richard Schaible..\$185.77, Roger Schaible..\$224.56, Jeff Seiler..\$168.12, Markcus Selzler..\$575.10, Kendell Titze..\$138.80, Leon Vickers..\$210.60, Michael Wagner..\$220.44, Theodore Brockel..\$38.54, Dion Dargatz..\$356.98; Solid Waste..\$4,695.32, OVERTIME: Carl Wright..\$205.25, Roxanne Varns..\$189.13, Nyle Jenson..\$150.70, Dennis Vanheerde..\$201.92;

Supplies & Materials: Office of Attorney General..\$15.00, Office Equipment..\$251.22, Ameripride..\$33.57, Taylor Laundry..\$58.70, House of Glass..\$3400.00, Cunningham Elec..\$311.78, Western Printing..\$555.26, Kesslers..\$13.28, SD Dept of Revenue..\$34.00, Safety Service..\$220.68, Respond..\$212.10, Langs..\$18.00, SD Fleet..\$879.68, Avera St Lukes..\$34.00, Hogg Restaurant Service..\$4280.07, SD Dept of Health..\$156.00, Quill..\$324.42, K-Mart..\$132.31, Cheryl Hairgrove..\$352.00, Tuxall..\$450.85, Xerox..\$170.09, Comet/Roundup..\$25.00, David Hanson..\$1.57, Walmart..\$63.42, Zastrow Conoco..\$18.00, Velvet Uniforms..\$149.83, SD Dept of Revenue..\$178.00, Holiday Inn..\$240.00, Farmers Union..\$25.57, Bonnie Bitz..\$168.00, OK Tire..\$353.49, Dakota Electronics..\$221.50, Country General..\$50.76, Dick's Westside..\$68.98, Super 8..\$94.00, Midwest Pump & Tank..\$367.14, Alan Winburn..\$1008.00, Quality Quick Print..\$6.00, Nelson Auto Electric..\$140.37, Menards..\$106.25, Marvin Lout Construction..\$810.00, Lien Transportation..\$6820.26, Lawson Products..\$458.14, Huron Culvert..\$119.32, J Gross..\$45.00, Great Western Tire..\$75.00, Graham Tire..\$2290.32, Environmental Tech..\$1080.00, Robert Dinger..\$82.70, Dakota Oil..\$961.08, HC Clark..\$12.42, Clark Engineering..\$2423.00, Caterpillar..\$28638.00, Farm Power..\$62.00, ProAg Supply..\$135.31, Prairieland..\$291.35, Farnam's Parts..\$29.52, C&R Supply..\$493.23, CarQuest..\$7.98, Mac's..\$45.18, HC Clark..\$22.88, Pheasant Country Broadcasting..\$325.00, Advanced Weighing Systems..\$7690.00, SD Dept of Revenue..\$2610.19, KKAA/KQAA Radio..\$342.00,

KBFO Radio..\$171.00, Dakota Air & Tool..\$21.40, Lab Safety..\$414.00, SD Wheat Growers..\$2006.22, Brick Propane..\$122.90, Computer Specialists..\$68.28, Nelson Auto..\$397.65, Cole Papers..\$184.68, Hub City Iron..\$41.33, Dependable Sanitation..\$11675.18, Town & Country..\$14.34, Aberdeen Flying Service..\$50.00, Drake Motor Inn..\$72.40, Watertown Area Transit..\$275.00, Spink County Transit..\$140.00, Computer Spec..\$645.00, William Meink..\$8.75, Top Speed Corp..\$20.00:

Publications: American News..\$830.70:

Professional Fees: Witness Fees..\$269.04, Avera United Clinic..\$150.00, Eide Bailey..\$208.25, Olson Investigation..\$1323.84, Mark McNeary..\$1500.00, Herges, Kirchgasler..\$33852.25, Parcel-Erickson..\$10.00, stipends..\$12188.80:

Mileage & Travel: Mike Wiese..\$6.72, Tony Ingemansen..\$54.00, Juanita Herald..\$54.00, Kevin Johnson..\$54.00, Ann Bierman..\$145.20, Ron VanMeter..\$53.46, Marjorie Crawford..\$63.12, Eileen Hoffart..\$23.76:

Utilities: NWPS..\$790.49, City of Aberdeen..\$492.64, Midco Comm..\$153.00, James Valley Co-Op..\$62.52, Town of Frederick..\$18.25, Accent Comm..\$113.44, City of Aberdeen..\$40.05, US West..\$19.00, Alterna-Cell..\$9.95, Bureau of Admin..\$50.21:

Care of Poor: Dr/Hospital..2 recipients..Avera St Lukes..\$2609.83, Anesthesiology Assoc..\$877.60; Utilities..1 recipient..US West..\$18.38, NWPS..\$44.39; Drugs..1 recipient..Medical Center Pharmacy..\$144.76; Rent..3 recipients..Harlan Pease..\$190.00, Donald Peck..\$210.00, Bel Aire Apts..\$120.00; Burial..2 recipients..Carlson Holte Funeral Home..\$1909.50, Roemmich Const..\$250.00. All members present voting aye. Motion carried.

#### AUDITORS REPORT OF ACCOUNT:

Moved by Feickert, seconded by Wiese to approve the April, 1999 Auditor's Report of Account:

#### AUDITOR'S REPORT OF ACCOUNT WITH THE COUNTY TREASURER:

Total amount of actual cash- - - - -	\$ 3,365.84
Norwest Bank - - - - -	\$ 11,207.58
US Bank- - - - -	\$ 16,263.79
Dacotah Bank - - - - -	\$ 28,436.01
Petty Cash (Sheriff, Welfare, Museum)-	\$ 1,400.00
Landfill Change Fund - - - - -	\$ 100.00
Fund Investments - - - - -	\$15,929,720.73
Outstanding Checks - - - - -	\$ 134.16
Total - - - - -	\$15,990,628.11

All members present voting aye. Motion carried.

#### PERSONNEL:

Moved by Wiese, seconded by Fischbach to approve the following employee step increases, effective May 16, 1999: Vernon Bitz @ \$10.39 per hour, Cordell Rudolph @ \$10.35 per hour, Joseph Malsom @ \$9.74 per hour, Jason Hebner @ \$9.17 per hour. All members present voting aye. Motion carried.

Moved by Wiese, seconded by Fischbach to approve 34 1/2 work study hours for Leah Veland for April and May for work comp purposes. All members present voting aye. Motion carried.

Moved by Wiese, seconded by Feickert to approve hiring Cynthia Meyer in the Treasurers Office, effective June 7, 1999 at \$8.68 per hour. All members present voting aye. Motion carried.

Moved by Feickert, seconded by Wiese to approve hiring the following seasonal employees at the Highway Department: Nick Wanna, effective May 12, 1999 at \$6.93 per hour and Steven M Novotny, effective May 17, 1999 at \$6.68 per hour. All members present voting aye. Motion carried.

PLAT:

Commissioner Wiese offered the following Resolution:

RESOLUTION NO. 34-99

BE IT RESOLVED by the Board of Commissioners of Brown County, South Dakota, that the plat showing "Herseth Outlot 1 in the NE 1/4 of Sec 7-T126N-R61W 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 Knecht. Roll call vote: Commissioners Knecht-aye, Feickert-aye, Fischbach-aye, Wiese-aye, Hansen-aye. Resolution adopted.

ABATEMENT:

Moved by Feickert, seconded by Wiese to approve the following Abatement: Eunice Herrbach, tax freeze (1967 New Moon MH) for year 1999 in amount of \$56.67. All members present voting aye. Motion carried.

AGREEMENT:

Moved by Wiese, seconded by Knecht to approve and authorize the Chairman sign agreement with Nordling Construction Company for completion of ADA Remodel Project in the Brown County Courthouse. All members present voting aye. Motion carried.

CHANGE ORDER:

Moved by Wiese, seconded by Knecht to approve and authorize the Chairman sign Change Order No. 1 for ADA Remodeling Project in the Courthouse, decreasing bid award amount from \$125,227.00 to \$116,992.15 (decrease of \$8,234.85) (sound system wiring added; carpet, woodwork, paint etc. deleted). All members present voting aye. Motion carried.

EXPENSES:

Moved by Wiese, seconded by Feickert to approve travel expenses for Kathy Schlecht to attend the County Veterans Service Office mini-conference in Watertown on May 20, 1999. All members present voting aye. Motion carried.

CONTRACT AGREEMENT:

Moved by Feickert, seconded by Wiese to approve and authorize the Chairman sign contract agreement with Jack Riley & Son Masonry for completion of the tuckpoint/waterproof project at the Brown County Highway Department. All members present voting aye. Motion carried.

QUIT CLAIM DEED:

Moved by Fischbach, seconded by Wiese to approve and authorize the Chairman sign Quit Claim Deed conveying Brown County tax deed interest in the North 66' of Outlot 1 and the South 249.22' of Outlot 1 and the West 124' of the 99.71' adjacent to and north of the South 249.22' of Outlot 1; and the West 82' of the North 265.41' of Outlot 1; all in Barnard Cooperative Association's Addition in the NE 1/4 of Sec 14-T126-R64W of the Fifth P.M., Brown County, South Dakota (Oneota Township) to Lester L Larson, Jr. in amount of \$250.00. All members present voting aye. Motion carried.

NORTHEASTERN MENTAL HEALTH CENTER:

Edward Wise, Executive Director for the Northeastern Mental Health Center presented the Center's 1998 Annual Report.

FAIR SCHEDULE:

Larry Gerlach, Fair Board Manager met with the Commission to discuss options available for having car races on Monday, August 23, as promoter has chosen not to schedule a race for that day.

#### DRAINAGE DISCUSSION:

Shawn Gengerke requested an emergency permit to pump the water in the ditch in front of his homestead in the NW 1/4 19-124-60 across SD Hwy 37 west into NE 1/4 24-124-61. Moved by Feickert, seconded by Wiese to approve emergency permit and further authorize the Chairman and Mick Waller sign a letter to the SDDOT in regard to Shawn Gengerke pumping water across Hwy #37. All members present voting aye. Motion carried.

#### APPLICATION FOR OCCUPANCY:

Moved by Knecht, seconded by Feickert to approve and authorize the Chairman sign application, submitted by James Valley Telephone for occupancy of Brown County Hwy #11, in Section 28-T125N-R62W, Brown County, SD for installation of CATV Service. Roll call vote: Commissioners Knecht-aye, Feickert-aye, Fischbach-aye, Wiese-abstain, Hansen-aye. Motion carried.

#### LANDFILL DISCUSSION:

Mike Scott, Landfill Manager and Sheriff Mark Milbrandt met with the Commission to discuss procedure and penalty involved when loads are not covered when arriving at the Landfill. Individuals shall receive a warning for their first offense and shall receive citations for subsequent offenses.

Gary Lenling, Claremont Mayor met with the Commission and Mr. Scott to discuss responsibility for charges for hauling waste from the dumpsters located at Claremont. Mr. Scott informed Mr. Lenling that the site is included in the County Landfill contract with Dependable Sanitation. Mr. Lenling explained a billing error exists, as Claremont is paying for the part of the same service.

Copies of the Annual Inspection of the Brown County Landfill were distributed. The operation and maintenance of the facility is in compliance with South Dakota solid waste laws, rules and the permit conditions.

#### INVENTORY:

Moved by Wiese, seconded by Knecht to declare Decal #177 Sweepster w/hopper surplus property for purpose of trade-in; and further amend record on Decal #176 Tractor w/rotary broom by separating the rotary broom (\$3,000.00) from the tractor and declare broom surplus for purpose of trade-in (new broom will receive separate decal number). All members present voting aye. Motion carried.

#### RECESS:

Moved by Fischbach, seconded by Knecht to recess until May 18, 1999. All members present voting aye. Motion carried.

Maxine Taylor - Brown County Auditor

MAY 18, 1999 - GENERAL MEETING

Meeting called to order by Chairman Hansen at 8:45 A.M. in the Commissioner's Chambers, Courthouse Annex, Brown County, South Dakota. Present were Commissioner's Knecht, Feickert, Fischbach, Wiese and Hansen.

MINUTES:

Moved by Knecht, seconded by Wiese to approve the General Meeting minutes of May 11, 1999. All members present voting aye. Motion carried.

CLAIMS:

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

Supplies & Materials: Computer Specialists..\$72.00, Quality Quick Print..\$267.13, Brent Gromer..\$10.59, Office Equipment..\$99.78, Mick Palmer..\$21.19, Heartland Paper..\$648.87, Dependable..\$356.00, Sanders Sew 'N Vac..\$860.31, Aberdeen Lock & Key..\$3.90, Sioux Falls Safe Kids Coalition..\$35.00, Shopko..\$10.00, Mac's..\$15.57, Office Max..\$357.95, Bob Barker..\$417.17, Kesslers..\$346.14, Xerox..\$193.98, Dakota Office..\$13.90, Metz Baking..\$669.52, Schwan Welding..\$10.50, Hoven Auto..\$345.14, Dick's Westside..\$22.00, Trins..\$1964.46, Trail King..\$826.00, Taylor Laundry..\$206.02, SD Wheat Growers..\$10786.87, SD Dept of Transportation..\$746.10, Sheehan Mack Sales..\$16.54, Share Corp..\$128.70, Quality Welding..\$13.30, Newman Traffic..\$11.33, Lust Chev..\$61.12, Lien Trans..\$3650.71, HF Jacobs..\$6022.50, Inman & McDowell..\$42.40, Hub City Iron..\$878.07, Hedahls..\$44.64, Hecla Impl..\$8.40, Farmers Union..\$2.80, Farm Plan..\$44.20, Evergreen Supply..\$180.12, Robert Dinger..\$23.80, Diesel Machinery..\$371.16, Dakota Fluid..\$591.28, Caspers Hwd..\$4.49, Cartney Bearing..\$411.22, Brick Propane..\$261.25, Nova Star Corp..\$204.00, Dakota Silk Screen..\$158.30, Amy Engelhart..\$35.00, Pitney Bowes..\$10.43, US Post Office..\$121.00, Prairieland..\$62.35, Country General..\$26.91, Don's Welding..\$286.75, Plainsco..\$48.79, SD Geological Survey..\$12.00, SD Dept of Health..\$7.00, Aberdeen Area Sr Citizens..\$549.00, New Deal Tire..\$328.75, Farm Power..\$2817.00, Taylor Laundry..\$40.10, Praxair..\$15.33, Safelite Auto..\$25.00, A-1 Sanitation..\$1940.25, EarthTech..\$365.19, Webster Scale..\$2326.55, House of Glass..\$930.68, Sheehan Mack Sales..\$10.75, HF Jacobs..\$450.18, Menards..\$243.35, Shopko..\$22.99:

Publications: American News..\$531.77:

Professional Fees: Witness Fees..\$146.62, Presentation College..\$105.58, Sheriff of Jefferson County..\$68.58, Sheriff of Lyon County..\$23.20, Avera St Lukes..\$3208.38, NE Mental Health Center..\$661.56, Lewis & Clark..\$100.00, NADRIC..\$2083.33, Joan Kittelson..\$15.00, Yankton County Sheriff..\$16.75, Nelva Kooistra..\$15.00, Donna Dietrich..\$143.05, The Convertibles..\$2000.00:

Mileage & Travel: Comfort Inn..\$522.00, Sheila Enderson..\$106.36, Maxine Taylor..\$106.12, Ramada Inn..\$37.80, Oakstone..\$145.00, Charlene Millim..\$93.82, Mavis Kempf..\$5.50, Mike Scott..\$50.76:

Court Appointed Attorney: Christy Serr..\$703.75, Wanda Howey-Fox..\$80.00:

Utilities: Commnet Cellular..\$141.40, NWPS..\$5103.99, US West..\$19.00, Northern Elec..\$398.39, City of Hecla..\$49.90, Cellular One..\$20.17, NorCom..\$2.68, DTG..\$13.15, City of Aberdeen..\$187.34:

Care of Poor: Dr/Hospital..1 recipient..Neurosurgical Assoc..\$1186.16; Transportation..1 recipient..Brown County Hwy..\$7.13; Rent..2 recipients..John Dalager..\$67.87, Jan Poirier..\$170.00. All members present voting aye. Motion carried.

LEASE AGREEMENT:

Moved by Knecht, seconded by Wiese to approve application, submitted by Blind Pig

Entertainment for lease of the Expo Building on June 2, 1999. All members present voting aye. Motion carried.

#### CANCEL WARRANTS:

Moved by Feickert, seconded by Wiese to cancel the following outstanding checks due to date of issue being over two years: #11069 @ \$9.08 - Merrill Klein; #11404 @ \$1.63 - Claremont Sportsmans Club; #2016 @ \$4.62 - Lisa Lemnus; #2257 @ \$2.30 - Shirley Schwab; #11664 @ \$2.50 - Wayne or Brenda Miller; #11706 @ \$36.20 - Ronayne & Wein or Eugene Young; #11890 @ \$2.05 - Wm or Deborah College; #11897 @ \$1.00 - Judy Bretsch; #87008 @ \$8.50 - Kota Crest; #87575 @ \$20.00 - Nichole Peterson; #5293 @ \$12.00 - Londa Sinness Wagner; #89492 @ \$2.12 - Ronald Muth Estate; #89498 @ \$20.00 - Stephanie Rossow. All members present voting aye. Motion carried.

#### ABATEMENT:

Moved by Wiese, seconded by Fischbach to approve the following Abatement: Melinda Bray, double assessment (1980 Friendship MH) for year 1999 in amount of \$217.98; Melinda Bray, owner/occupied (1980 Friendship MH) for year 1999 in amount of \$141.29. All members present voting aye. Motion carried.

#### MALT BEVERAGE LICENSE:

Time and place, as advertised for public hearing to consider application for RETAIL (ON-OFF SALE) MALT BEVERAGE. Moved by Fischbach, seconded by Wiese to approve the following application for RETAIL (ON-OFF SALE) MALT BEVERAGE LICENSE: Al Green, DBA Blind Pig Entertainment, 421 S. 13th St., Aberdeen, S.D. 57401, Brown County Fairgrounds, (Expo Building) SW 1/4 Sec.1, T123N, R64W, Brown County, South Dakota. All members present voting aye. Motion carried.

#### EXECUTIVE SESSION:

Moved by Wiese, seconded by Feickert to go into executive session for personnel discussion with Harvey Oliver in attendance. All members present voting aye. Motion carried.

Moved by Wiese, seconded by Feickert to adjourn executive session. All members present voting aye. Motion carried.

#### TAX EXEMPT STATUS:

Anita Lowary, United Methodist Church of Groton met with the Commission to inquire if tax exempt status could be applied to parsonage after July 1, 1999, as property will no longer be used as a rental unit but for church purposes at that time. The Director of Equalization will research and prepare an abatement for approval, if allowable by law.

#### PROBATION/VICTIM ASSISTANCE PROJECT:

Moved by Feickert, seconded by Wiese to approve quote submitted by James Dosch in amount of \$5,365.73 for labor and material for the Probation/Victim Assistance Remodel Project; rejecting quote submitted by Nichols Construction in amount of \$8,650.00. All members present voting aye. Motion carried.

#### BRIDGE #34A:

Moved by Wiese, seconded by Fischbach to approve and authorize the Chairman sign Work Order LGA-12-99 with the SDDOT and Clark Engineering Company to perform design engineering for Project P BRF 6576(02), Bridge #34A, Structure #07-094-329, 1.9 miles west of Aberdeen over Foote Creek. All members present voting aye. Motion carried.

BRIDGE REINSPECTIONS:

Commissioner Wiese offered the following Resolution:

RESOLUTION NO. 35-99  
BRIDGE REINSPECTION PROGRAM  
FOR USE WITH SDDOT RETAINER CONTRACTS

WHEREAS, Paragraph 144 of Title 23, United States Code (USC), requires initial inspection of all bridges and reinspection at intervals not to exceed two years.

THEREFORE, Brown County is desirous of participating in the Bridge Inspection Program using Bridge Replacement funds. Brown County request the SDDOT to hire Hofland Engineering Company for the reinspection work. The SDDOT will secure federal approvals, make payments to Hofland Engineering Company for inspection services rendered, and bill the county for 20% of the cost. Brown County will be responsible for the required 20% matching funds.

There are a total of 44 bridges in Brown County that require reinspection.

Seconded by Commissioner Knecht. Roll call vote: Commissioners Knecht-aye, Feickert-aye, Fischbach-aye, Wiese-aye, Hansen-aye. Resolution adopted.

PERSONNEL:

Moved by Wiese, seconded by Fischbach to approve hiring the following Seasonal Employees for the Highway Department at \$6.68 per hour: Carl Weismantel effective May 24, 1999; Brent Cantalope effective May 24, 1999; Randy Dobberpuhl effective June 1, 1999. All members present voting aye. Motion carried,

BID - 385TH AVENUE PROJECT:

Moved by Feickert, seconded by Wiese to authorize advertising public hearing to consider bids for labor and material to rebuild Brown County 385th Avenue (between US Highway 12 and Brown County Highway #12W), to be held in the Commissioner's Chambers, Courthouse Annex, Brown County, South Dakota at 8:45 A.M. on June 15, 1999. All members present voting aye. Motion carried.

RECESS:

Moved by Wiese, seconded by Feickert to recess until May 25, 1999. All members present voting aye. Motion carried.

Maxine Taylor - Brown County Auditor



MAY 24, 1999 - JOINT CITY/COUNTY MEETING

The Brown County Commission and the Aberdeen City Commission met in joint session at 6:30 P.M. in the City Commission Chambers, 123 S Lincoln, Aberdeen, South Dakota. Present from City were Commissioners Hopper, Hurlbert, Klabo, Pfeifer and Mayor Rich. Present from County were Commissioners Feickert, Fischbach, Wiese and Hansen. Absent Commissioner Knecht.

ORDINANCE NO. 99-05-01/177:

On motion by Hurlbert and seconded by Klabo, the City Commission unanimously voted to approve First Reading of Ordinance No. 99-05-01/177.

Moved by Wiese, seconded by Fischbach to approve First Reading of Ordinance No. 99-05-01/177, An Ordinance Amending Ordinance No. 1164 to rezone certain described property from Section 701 (A-1) Agricultural District to Section 714 (M-Ag) Mini-Agricultural District, described as Lots 1-9, Braun Subdivision located in the NW 1/4 of Section 29-T123N-R63W of the 5th P.M., Brown County, South Dakota, also known as (at corner of S Roosevelt and E Melgaard Rd). All members present voting aye. Motion carried.

ORDINANCE NO. 99-05-02/178:

On motion by Hopper and seconded by Pfeifer, the City Commission unanimously voted to approve First Reading of Ordinance No. 99-05-02/178.

Moved by Feickert, seconded by Wiese to approve First Reading of Ordinance No. 99-05-02/178, An Ordinance Amending Ordinance No. 1164 to rezone certain described property from Section 701 (A-1) Agricultural District to Section 714 (M-Ag) Mini-Agricultural District, described as Bertsch Addition in the SW 1/4 of Section 28-T124N-R64W of the 5th P.M., Brown County, South Dakota, also known as 38414 129th Street a/k/a Richmond Road. All members present voting aye. Motion carried.

ORDINANCE NO. 99-05-03/179:

On motion by Klabo and seconded by Pfeifer, the City Commission unanimously voted to continue hearing on Ordinance No. 99-05-03/179.

Moved by Fischbach, seconded by Wiese to continue hearing on Ordinance No. 99-05-03/179, An Ordinance Amending Ordinance No. 1164 to rezone certain described property from Section 701 (A-1) Agricultural District to Section 714 (M-Ag) Mini-Agricultural District, described as Karlen's First Addition in the SE 1/4 of Section 2-T122N-R64W of the 5th P.M., Brown County, South Dakota, also known as 13697 387th Avenue. All members present voting aye. Motion carried.

ORDINANCE NO. 99-05-04/180:

On motion by Pfeifer and seconded by Hurlbert, the City Commission unanimously voted to approve First Reading of Ordinance No. 99-05-04/180.

Moved by Feickert, seconded by Wiese to approve First Reading of Ordinance No. 99-05-04/180, An Ordinance Amending Ordinance No. 1164 to rezone certain described property from Section 701 (A-1) Agricultural District to Section 714 (M-Ag) Mini-Agricultural District, described as Beginning at the SE corner of the SE 1/4 of Section 26-T123N-R64W of the 5th P.M., Brown County, South Dakota, thence N 89 degrees 59'08" West, 878.17', thence North 00 degrees 11'13" West, 1,319.53', thence North 89 degrees 59'00" East, 882.48' and thence South 00 degrees 00'00" West, 1,320' to point of beginning. All members present voting aye. Motion carried.

ORDINANCE NO. 99-05-05/181:

On motion by Klabo and seconded by Hopper, the City Commission unanimously voted to approve First Reading of Ordinance No. 99-05-05/181.

Moved by Wiese, seconded by Feickert to approve First Reading of Ordinance No. 99-05-05/181, An Ordinance Amending Ordinance No. 1164 to rezone certain described property from Section 701 (A-1) Agricultural District to Section 714 (M-Ag) Mini-Agricultural District, described as Starting at the SW corner of the SW 1/4 of Section 14-123N-R63W of the 5th P.M., Brown County, South Dakota, thence North 00 degrees 00'00" East, 1,321' to point of beginning, thence South 89 degrees 52'50" East, 1,033', thence South 00 degrees 00'00" West, 1,271', thence North 89 degrees 52'50" West, 400', thence North 00 degrees 00'00" East, 726', thence North 89 degrees 52'50" West, 338', thence North 00 degrees 00'00" East 356', thence North 89 degrees 52'50" West, 295' and thence North 00 degrees 00'00" East 189' to point of beginning (also known as 6155 East Highway 12). All members present voting aye. Motion carried.

Moved by Fischbach, seconded by Wiese to adjourn the Joint City/County Meeting. All members present voting aye. Motion carried.

Maxine Taylor - Brown County Auditor

MAY 25, 1999 - GENERAL MEETING

Meeting called to order by Chairman Hansen at 8:45 A.M. in the Commissioner's Chambers, Courthouse Annex, Brown County, South Dakota. Present were Commissioner's Knecht, Feickert, Fischbach and Wiese.

MINUTES:

Moved by Feickert, seconded by Knecht to approve the General Meeting minutes of May 18, 1999. All members present voting aye. Motion carried.

CLAIMS:

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

Payroll: Commissioners..\$2,115.40; Data Processing..\$1,221.16; Auditor..\$5,807.70; Treasurer..\$6,948.50, OVERTIME: Geri Sillman..\$15.27; State's Attorney..\$9,735.04; Victims Asst..\$769.24; Maintenance..\$3,725.10, OVERTIME: Judy Dosch..\$137.39; Assessor..\$6,506.38; Planning & Zoning..\$829.60, OVERTIME: Mick Waller..\$15.56; Register of Deeds..\$2,767.86; Veterans Service..\$2,023.16; Communications..\$11,398.13, OVERTIME: Mary Browning..\$254.72, Nancy Radke..\$18.08, Darcy Simmons..\$141.20, Traci Wickenheiser..\$29.68; Sheriff..\$37,510.74, OVERTIME: Craig Anderson..\$367.78, John Heine..\$39.04, Scott Kolb..\$47.90, Michael Casjens..\$37.60, David Fair..\$37.60, Steven Cogley..\$34.00, Ethan Palluck..\$59.36, John Weaver..\$166.52, Craig Nelson..\$14.12, Charlene McAfee..\$112.96, Mark Jastram..\$103.13, Jason Hebner..\$40.20, Barry Allbee..\$53.60, Gary Bunt..\$160.80, Cindy Baumgartner..\$208.64, Laurie Wells..\$65.20, Tony Ingemansen..\$7.51, Health..\$2,080.06; Museum..\$3,205.59; Welfare..\$2,271.62; E&D..\$1,754.32; Foster Grandparent Program..\$2,236.71; Fairgrounds..\$3,240.42, OVERTIME: Melvin Ernst..\$10.51; Fairboard..\$576.93; Weed..\$1,310.88; Road and Bridge..\$26,923.40, OVERTIME: Terry Backous..\$234.36, Robert Binfet..\$166.67, Vernon Bitz..\$441.60, David Bruckner..\$25.11, Brian Dargatz..\$342.98, Terry Evans..\$56.04, Joel Guderjohn..\$310.59, Larry Hardy..\$155.19, Tom Lammon..\$15.59, Joseph Malsam..\$214.65, Todd Odenbach..\$208.19, Dave Okroi..\$130.41, Bryan Owens..\$153.83, Cordell Rudolph..\$172.13, Richard Schaible..\$150.20, Roger Schaible..\$156.39, Jeff Seiler..\$147.11, Marcus Selzler..\$137.70, Leon Vickers..\$48.60, Michael Wagner..\$156.56, Theodore Brockel..\$11.46; Solid Waste..\$4,693.59, OVERTIME: Carl Wright..\$20.53, Roxanne Varns..\$87.00, Nyle Jenson..\$192.14, Dennis Vanherde..\$184.21;

Supplies & Materials: SD Health Dept..\$35.00, Robbie's..\$65.17, Symantec Corp..\$130.85, Digi-Key Corp..\$50.70, Photos Now..\$65.99, Lar-Jo's..\$31.00, Best Business..\$345.04, Amoco..\$24.30, Texaco..\$20.43, K-Mart..\$18.48, Dakota Office..\$5.00, Presentation College..\$37.66, Ameripride..\$55.26, US West Direct..\$25.58, Streichers..\$62.85, Warner Co-Op..\$16.00, Walmart..\$27.61, Fordham Signs..\$274.00, Rux Bros..\$313.25, Gateway..\$4436.00, Prairieland..\$72.27, Knight Construction..\$6426.00, House of Glass..\$398.00, J Gross Equip..\$100.00, Drake Equip..\$25.00, Larry Carson/Mac Tools..\$94.25, Biersbach Equip..\$161.73, American Traffic Safety..\$90.00, Aberdeen Asphalt..\$98313.99, Lien Trans..\$26822.33, SD Wheat Growers..\$1058.64, City of Hecla..\$1900.00, SDSU Ag Communications..\$56.19, Newman Signs..\$812.55, Quality Quick Print..\$838.06, HF Jacobs..\$1505.52, Comet..\$56.00, Don Fischer..\$1984.14, Cunningham Elec..\$107.91, Nat'l Rifle Assoc..\$90.00;

Publications: American News..\$160.50, Dakota Press..\$14.80;

Professional Fees: Witness Fees..\$603.36, Avera St Lukes..\$322.95, Dawn Aman..\$2300.00;

Mileage & Travel: Dennis Feickert..\$38.50, Deb Knecht..\$227.54, Ramkota Inn..\$52.00, Richard Rieck..\$76.08, Carol Sherman..\$98.10, Tony Ingemansen..\$98.64, Jvonne Heard..\$31.92, Bruce Tveit..\$39.36, Gary Erickson..\$229.13, Linda Dillavou..\$480.61,

Jodi McQuillen..\$26.64:

Court Appointed Attorney: Hosmer & Kettering..\$114.80, Gary Gellhaus..\$3406.82, Brad Borge..\$3406.82:

Utilities: US West..\$1884.73, Cellular One..\$246.69, Commnet Cellular..\$47.48, NWPS..\$1395.39, Norcom..\$157.00, Bureau of Admin..\$857.86:

Care of Poor: Dr/Hospital..1 recipient..Avera St Lukes..\$3151.14; Utilities..3 recipient..City of Aberdeen..\$153.12, NWPS..\$420.00; Rent..1

recipient..BelAire..\$70.00; Insurance..1 recipient..Anza Inc..\$139.74. All members present voting aye. Motion carried.

#### PERSONNEL:

Moved by Feickert, seconded by Wiese to approve the following employee step increases, effective May 30, 1999: Bryan Locke @ \$13.25 per hour; Todd Odenbach @ \$9.94 per hour; Kendall Titze @ \$9.94 per hour. All members present voting aye. Motion carried.

Moved by Feickert, seconded by Wiese to approve hiring Rachel Kerscher as part-time Museum employee, effective June 1, 1999 at \$5.15 per hour. All members present voting aye. Motion carried.

Moved by Knecht, seconded by Wiese to approve hiring Amanda Mollman as seasonal highway employee, effective May 24, 1999 at \$6.68 per hour. All members present voting aye. Motion carried.

#### COLLECTION SERVICE AGREEMENT:

Moved by Wiese, seconded by Feickert to approve and authorize the Chairman sign agreement with Noll Collection Service to investigate, communicate, and take any and all reasonable collection steps to recover County funds. All members present voting aye. Motion carried.

#### ABATEMENTS:

Moved by Knecht, seconded by Feickert to approve the following Abatements: Raylene D Pressler, Deceased, double assessment (1969 Liberty MH) for year 1999 in amount of \$149.91; Betty Freudenthal, house vacant (E 1/2 of NW 1/4 & Lots 7 & 8 9-128-61) solid waste for year 1999 in amount of \$61.20. All members present voting aye. Motion carried.

#### EXPENSES:

Moved by Knecht, seconded by Feickert to approve travel expenses for Larry Gerlach to attend a Forklift Instructor Training Seminar in Sioux Falls on June 3, 1999. All members present voting aye. Motion carried.

#### BID - CONCOVER MATERIAL:

Moved by Wiese, seconded by Knecht to purchase alternate daily cover materials for the Brown County Landfill in amount of \$63.50 per unit for Concover SW and \$42.00 per unit for Proguard from New Waste Concepts, Erie, MI; as bid and awarded by the City of Brookings on February 9, 1999 (only bid received). All members present voting aye. Motion carried.

#### SURPLUS PROPERTY:

Moved by Wiese, seconded by Knecht to transfer Decal #305, Flatbed Scanner from EDS to Central Surplus Property Room. All members present voting aye. Motion carried.

#### SHERIFF REPORTS:

Moved by Wiese, seconded by Knecht to approve the following April, 1999 Sheriff Reports: Incidents & Offenses, Prisoner Care, JDC, Money deposited with the County Treasurer and Monthly activities. All members present voting aye. Motion carried.

PLATS:

Commissioner Knecht offered the following Resolution:

RESOLUTION NO. 36-99

BE IT RESOLVED by the County Commission of Brown County, South Dakota, that the plat showing "Hinz 2nd Addition to the City of Westport, 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. Roll call vote: Commissioners Knecht-aye, Feickert-aye, Fischbach-absent, Wiese-aye, Hansen-aye. Resolution adopted.

Commissioner Knecht offered the following Resolution:

RESOLUTION NO. 37-99

BE IT RESOLVED by the Board of Commissioners of Brown County, South Dakota, that the plat showing "TAC First Addition in the NW 1/4 of Sec. 9-T123N-R63W 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. Roll call vote: Commissioners Knecht-aye, Feickert-aye, Fischbach-absent, Wiese-aye, Hansen-aye. Resolution adopted.

Commissioner Knecht offered the following Resolution:

RESOLUTION NO. 38-99

BE IT RESOLVED by the County Commission of Brown County, South Dakota, that the plat showing "Young's Subdivision in the SE 1/4 of Sec. 26-T123N-R64W 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. Roll call vote: Commissioners Knecht-aye, Feickert-aye, Fischbach-absent, Wiese-aye, Hansen-aye. Resolution adopted.

Commissioner Knecht offered the following Resolution:

RESOLUTION NO. 39-99

BE IT RESOLVED by the Board of County Commissioners of Brown County, South Dakota, that the plat showing "Nielsen Lot 1 in the SE 1/4 of Sec. 20-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. Roll call vote: Commissioners Knecht-aye, Feickert-aye, Fischbach-absent, Wiese-aye, Hansen-aye. Resolution adopted.

Commissioner Knecht offered the following Resolution:

## RESOLUTION NO. 40-99

BE IT RESOLVED by the County Commission of Brown County, South Dakota, that the plat showing "Spencer Conservation Easement Tracts in the SW 1/4 of Sec. 19-T126N-R60W 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. Roll call vote: Commissioners Knecht-aye, Feickert-aye, Fischbach-absent, Wiese-aye, Hansen-aye. Resolution adopted.

Commissioner Knecht offered the following Resolution:

## RESOLUTION NO. 41-99

BE IT RESOLVED by the Board of County Commissioners of Brown County, South Dakota, that the plat showing "Schaeffer Richmond Lake Subdivision in the NW 1/4 of Sec. 25-T124N-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. Roll call vote: Commissioners Knecht-aye, Feickert-aye, Fischbach-absent, Wiese-aye, Hansen-aye. Resolution adopted.

## RELIEF LIEN:

Commissioner Feickert offered the following Resolution:

## RESOLUTION NO. 42-99

WHEREAS, Brown County has filed Relief Liens against an individual in amount of \$112.50 covering time frame of March 2, 1959 through August 11, 1961, and

WHEREAS, said individual was not eighteen years of age at the time of filing, and

WHEREAS, said liens were never filed against the individuals parents, and

WHEREAS, both parents of the individual are now deceased.

NOW, THEREFORE BE IT RESOLVED that the Poor Relief Liens in amount of \$112.50 be deemed uncollectible, as should have been filed against the parents who are now deceased.

Seconded by Commissioner Wiese. Roll call vote: Commissioners Knecht-aye, Feickert-aye, Fischbach-absent, Wiese-aye, Hansen-aye. Resolution adopted.

## POOR RELIEF:

Commissioner Wiese offered the following Resolution:

## RESOLUTION NO. 43-99

WHEREAS, Brown County has filed a Poor Relief Lien in total amount of \$2,451.00, dated September 26, 1975 through January 16, 1976, and

WHEREAS, Brown County has filed a Poor Relief Lien in total amount of \$848.13, dated July 16, 1969 through May 31, 1977, 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 liens, as title secured through Tax Deed Certificate (Book 267 Page 89) on condition entire amount of liens stay filed against individual.

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

Lot 3, Block 29 of the Plat Entitled "N 1/2 of Blk 11, S 1/2 of Blks 17, 18, 19 & 20, Blks 27 to 34, inclusive, OLS "F" to "I" inclusive to the Town of Hecla, Brown County, South Dakota

is hereby released from the effect and force of said liens.

Dated this 25th day of May, 1999.

Seconded by Commissioner Feickert. Roll call vote: Commissioners Knecht-aye, Feickert-aye, Fischbach-absent, Wiese-aye, Hansen-aye. Resolution adopted.

STP FUNDS:

Commissioner Fischbach offered the following Resolution:

RESOLUTION NO. 44-99  
COUNTY FEDERAL AID (STP)  
SURFACE TRANSPORTATION PROGRAM RESOLUTION

WHEREAS, the Brown County Board of Commissioners desire the construction and improvement of the road as hereinafter described:

LOCATION AND LENGTH: BROWN COUNTY ROAD #12WB - from US Highway #12 north to Brown County Road #12W - .25 miles.

AND WHEREAS, Brown County is obligated and hereby agrees to satisfactorily maintain the project after construction is completed, and to regulate or cause to be regulated the installation of utility facilities within the limits of the right-of-way of the proposed project in accordance with State and Federal requirements.

AND WHEREAS, Brown County is obligated and hereby agrees to reimburse the State for all costs not reimbursable with Surface Transportation Program (STP) Funds.

NOW THEREFORE BE IT RESOLVED:

That the South Dakota Department of Transportation be and hereby is authorized and requested to program for construction, in accordance with the approved Secondary and Off-System Road Plan Agreement and the State's Standard Specifications for Roads and Bridges the project hereinafter described.

Full road reconstruction of Brown County Road #12WB.

Brown County will have sufficient funds available in 1999 to match STP Funds.

Seconded by Commissioner Feickert. Roll call vote: Commissioners Knecht-aye, Feickert-aye, Fischbach-aye, Wiese-aye, Hansen-aye. Resolution adopted.

AMEND HIGHWAY SYSTEM:

Commissioner Wiese offered the following Resolution:

RESOLUTION NO. 45-99

WHEREAS, it is deemed advisable, necessary and in the best interest of the people of Brown County that changes be made to the Brown County Highway System.

WHEREAS, adding one quarter of a mile (.25) of Aberdeen Township Road would better serve the general public, the citizens of Aberdeen Township to more properly spend the Brown County tax dollar, would accommodate the heavy traffic from the north, south, east and west coming to and from the City of Aberdeen, South Dakota. This Aberdeen Township road is a mail route, school bus route, connects two (2) heavily traveled roads (State Highway #12 and Brown County Road #12W). Also, this Aberdeen Township Road (385th Avenue) coincides with the west by-pass project.

WHEREAS, the changes in the Brown County Highway System are in accordance with SDCL 31-12-2 and the "Procedures for County Highway System Revisions" adopted September 14, 1984.

THEREFORE BE IT RESOLVED by the Brown County Board of Commissioners that the following described road, be, and the same is, hereby added to the Brown County Highway System:

Commencing at the Northwest Corner of Section Twenty-Two, Township One Hundred Twenty-Three North, Range Sixty-Four West (Aberdeen Township), Brown County, thence south .25 miles to US Highway #12.

Dated this 25th day of May, 1999.

Seconded by Commissioner Knecht. Roll call vote: Commissioners Knecht-aye, Feickert-aye, Fischbach-aye, Wiese-aye, Hansen-aye. Resolution adopted.

APPLICATION FOR OCCUPANCY:

Moved by Feickert, seconded by Knecht to approve the following application, submitted by Accent Communications Inc. for occupancy of County Highway No. 5 in Sections 32 & 33-T128N-R62W, Brown County, South Dakota for installation of cable. Roll call vote: Commissioner's Knecht-aye, Feickert-aye, Fischbach-aye, Weise-abstain, Hansen-aye. Motion carried.

BID - JDC:

Time and place, as advertised to open, read and consider bids for labor and material required for the construction of the Juvenile Detention Center. Bids were received for the following divisions of work: 1) General Construction - Kyburz-Carlson Construction, Aberdeen; Tellinghuisen Construction Company, Willow Lake; Watertown Builders Inc, Watertown. 2) Mechanical Construction - Mitchell Plumbing & Heating, Mitchell; Risager Plumbing & Heating, Aberdeen; Tessier Sheet Metal, Mitchell. 3) Electrical Construction - Engelstad Electric, Watertown; Mattern Electric, Aberdeen; Schwan Electric, Aberdeen.



Moved by Wiese, seconded by Feickert to refer all bids to Terry Geisler, Mick Palmer and Judy Dosch for review and recommendation. All members present voting aye. Motion carried.

The Commission requested further research be completed as to cost, if location changed.

EXECUTIVE SESSION:

Moved by Fischbach, seconded by Wiese to go into executive session for personnel discussion. All members present voting aye. Motion carried.

Moved by Fischbach, seconded by Feickert to adjourn executive session. All members present voting aye. Motion carried.

EMS UPDATE:

Jesse Luce, EMS Director presented an update on area flooding; the Westport Dike; and progress of the disaster declaration.

LETTER OF SUPPORT:

Shirley Schwab, CASA requested a letter of support for grant funding that may be available for the area. Board agreed.

RECESS:

Moved by Knecht, seconded by Wiese to recess until June 1, 1999. All members present voting aye. Motion carried.

Maxine Taylor - Brown County Auditor

JUNE 1, 1999 - JOINT CITY/COUNTY MEETING

The Brown County Commission and the Aberdeen City Commission met in joint session at 8:45 A.M. in the County Commission Chambers, Courthouse Annex, Brown County, South Dakota. Present from City were Commissioners Hopper, Hurlbert, Klabo, Pfeifer and Mayor Rich. Present from County were Commissioners Feickert, Fischbach, Wiese and Hansen. Absent Commissioner Knecht.

ORDINANCE NO. 99-05-01/177:

On motion by Klabo and seconded by Pfeifer, the City Commission unanimously voted to approve Second Reading of Ordinance No. 99-05-01/177.

On motion by Hurlbert and seconded by Pfeifer, the City Commission unanimously voted to adopt Ordinance No. 99-05-01/177.

Moved by Feickert, seconded by Wiese to approve Second Reading of Ordinance No. 99-05-01/177. All members present voting aye. Motion carried.

Moved by Wiese, seconded by Fischbach to adopt Ordinance No. 99-05-01/177, An Ordinance Amending Ordinance No. 1164 to rezone certain described property from Section 701 (A-1) Agricultural District to Section 714 (M-Ag) Mini-Agricultural District, described as Lots 1-9, Braun Subdivision located in the NW 1/4 of Section 29-T123N-R63W of the 5th P.M., Brown County, South Dakota, also known as (at corner of S Roosevelt and E Melgaard Rd). All members present voting aye. Motion carried.

ORDINANCE NO. 99-05-02/178:

On motion by Hopper and seconded by Hurlbert, the City Commission unanimously voted to approve Second Reading of Ordinance No. 99-05-02/178.

On motion by Klabo and seconded by Pfeifer, the City Commission unanimously voted to adopt Ordinance No. 99-05-02/178.

Moved by Fischbach, seconded by Feickert to approve Second Reading of Ordinance No. 99-05-02/178. All members present voting aye. Motion carried.

Moved by Wiese, seconded by Feickert to adopt Ordinance No. 99-05-02/178, An Ordinance Amending Ordinance No. 1164 to rezone certain described property from Section 701 (A-1) Agricultural District to Section 714 (M-Ag) Mini-Agricultural District, described as Bertsch Addition in the SW 1/4 of Section 28-T124N-R64W of the 5th P.M., Brown County, South Dakota, also known as 38414 129th Street a/k/a Richmond Road. All members present voting aye. Motion carried.

ORDINANCE NO. 99-05-04/180:

On motion by Klabo and seconded by Hopper, the City Commission unanimously voted to approve Second Reading of Ordinance No. 99-05-04/180.

On motion by Pfeifer and seconded by Hurlbert, the City Commission unanimously voted to adopt Ordinance No. 99-05-04/180.

Moved by Wiese, seconded by Fischbach to approve Second Reading of Ordinance No. 99-05-04/180. All members present voting aye. Motion carried.

Moved by Feickert, seconded by Wiese to adopt Ordinance No. 99-05-04/180, An Ordinance Amending Ordinance No. 1164 to rezone certain described property from

Section 701 (A-1) Agricultural District to Section 714 (M-Ag) Mini-Agricultural District, described as Beginning at the SE corner of the SE 1/4 of Section 26-T123N-R64W of the 5th P.M., Brown County, South Dakota, thence N 89 degrees 59'08" West, 878.17', thence North 00 degrees 11'13" West, 1,319.53', thence North 89 degrees 59'00" East, 882.48' and thence South 00 degrees 00'00" West, 1,320' to point of beginning. All members present voting aye. Motion carried.

ORDINANCE NO. 99-05-05/181:

On motion by Klabo and seconded by Hurlbert, the City Commission unanimously voted to approve Second Reading of Ordinance No. 99-05-05/181.

On motion by Pfeifer and seconded by Hopper, the City Commission unanimously voted to adopt Ordinance No. 99-05-05/181.

Moved by Fischbach, seconded by Wiese to approve Second Reading of Ordinance No. 99-05-05/181. All members present voting aye. Motion carried.

Moved by Wiese, seconded by Feickert to adopt Ordinance No. 99-05-05/181, An Ordinance Amending Ordinance No. 1164 to rezone certain described property from Section 701 (A-1) Agricultural District to Section 714 (M-Ag) Mini-Agricultural District, described as Starting at the SW corner of the SW 1/4 of Section 14-123N-R63W of the 5th P.M., Brown County, South Dakota, thence North 00 degrees 00'00" East, 1,321' to point of beginning, thence South 89 degrees 52'50" East, 1,033', thence South 00 degrees 00'00" West, 1,271', thence North 89 degrees 52'50" West, 400', thence North 00 degrees 00'00" East, 726', thence North 89 degrees 52'50" West, 338', thence North 00 degrees 00'00" East 356', thence North 89 degrees 52'50" West, 295' and thence North 00 degrees 00'00" East 189' to point of beginning (also known as 6155 East Highway 12). All members present voting aye. Motion carried.

SET HEARING DATE:

On motion by Hurlbert and seconded by Pfeifer, the City Commission unanimously voted to set hearing date to consider petition to rezone: Ordinance No. 99-06-02/182 (Eldevik) and Ordinance No. 99-06-03/183 (Keefe) to be held in the City Commission Chambers, 123 S Lincoln, Aberdeen, South Dakota at 6:30 P.M. on June 21, 1999.

Moved by Feickert, seconded by Wiese to set hearing date to consider petition to rezone the following: Ordinance No. 99-06-02-182 - To be platted and known as Lot 1 of "Eldevik's First Addition" in the SE 1/4 of Sec 2-T122N-R64W of the 5th P.M., currently platted and known as Lots 7 & 8 of Block 3 of Moulton's First Subdivision in the SE 1/4 of Sec 2-T122N-R64W of the 5th P.M., also known as 13699 387th Avenue from Section 701 (A-1) Agricultural District to 714 (M-Ag) Mini-Agricultural District; and Ordinance No. 99-06-03-183 - Kratochwill Addition in the SW 1/4 of Sec 21-T123N-R63W of the 5th P.M., Brown County, South Dakota, also known as 1423 S Melgaard Road from Section 701 (A-1) Agricultural District to 714 (M-Ag) Mini-Agricultural District, to be held in the City Commission Chambers, 123 S Lincoln, Aberdeen, South Dakota at 6:30 P.M. on June 21, 1999. All members present voting aye. Motion carried.

Moved by Fischbach, seconded by Wiese to adjourn the Joint City/County Meeting. All members present voting aye. Motion carried.

Maxine Taylor - Brown County Auditor

JUNE 1, 1999 - GENERAL MEETING

Meeting called to order by Chairman Hansen at 8:45 A.M. in the Commissioner's Chambers, Courthouse Annex, Brown County, South Dakota. Present were Commissioners Feickert, Fischbach and Wiese. Absent Commissioner Knecht.

MINUTES:

Moved by Wiese, seconded by Feickert to approve the Joint City/County Meeting minutes of May 24, 1999 and the General Meeting minutes of May 25, 1999. All members present voting aye. Motion carried.

CLAIMS:

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

Supplies & Materials: Aspen Pub..\$236.53, Lexis..\$89.04, West Group..\$2132.00, Coastal Business Machines..\$253.00, Aberdeen Insurance Agency..\$120.00, New Trends..\$16.97, Avera St Lukes..\$246.53, Menards..\$75.30, Gary's Engine..\$5.00, Fire Safety First..\$263.18, UBC..\$44.10, Lang's..\$11.88, Respond..\$207.45, Nordling Const..\$5263.00, Taylor Laundry..\$81.92, Otis Elevator..\$234.70, Heartland Paper..\$312.52, SDAAO..\$300.00, RE Huffman..\$141.98, Western Printing..\$73.79, Carol Wolf..\$29.68, McLeods..\$22.93, Charles Fabert..\$115.53, Parcel-Erickson..\$21.95, Galls..\$95.96, Phillips 66..\$20.79, Streichers..\$120.00, Office Equipment..\$7.90, SD Dept of Revenue..\$280.00, Medical Center Pharmacy..\$1673.99, Aberdeen Family Physicians..\$133.42, Walmart..\$173.53, Lake Sand & Gravel..\$5250.00, Aberdeen Lawn Care..\$30.00, Lexis/Michie..\$34.13, Sherwin-Williams..\$69.90, Office of Financial Aid..\$159.66, Artz Camera..\$33.45, Ken's..\$5.18, Brown-Marshall Cons Dist..\$3000.00, Betty Freudenthal..\$30.00, Shopko..\$68.97, Steam Bros..\$158.95, Dakota Dirt Work..\$1061.50, James Dosch..\$291.61, Paul Mardian..\$113.60, Mitzel & Son..\$14900.00, Farm Power..\$1062.00, Union Pen..\$210.73, Walmart..\$67.94, Brucelli Adv Co..\$70.00, Best Western Ramkota..\$67.63, Respond..\$28.00, CALEA..\$23.50:

Transcriptions: Cheryl Hook..\$13.50, Betsy Johnson..\$18.60:

Publications: Dakota Press..\$788.77:

Professional Fees: Witness Fees..\$80.00, SD Human Service Center..\$52.60, Investigative Law Office..\$700.00, Aberdeen Ins Agency..\$60.00, Kevin Spitzer..\$458.64:

Mileage & Travel: Dennis Feickert..\$59.20, Kathy Schlecht..\$56.62, Marjorie Crawford..\$57.60, Best Western Ramkota..\$120.00, Lisa Wipf..\$142.68:

Court Appointed Attorney: Michael Thompson..\$587.04:

Utilities: US West..\$3389.48, Midcontinent Cable..\$162.27, Lucent Tech..\$5.35, NWPS..\$85.00, Montana-Dakota..\$35.55, WEB Water..\$53.04, Cellular One..\$28.48, James Valley Co-Op..\$571.87, Accent Comm..\$321.24:

Care of Poor: Transportation..1 recipient..Brown County Public Works..\$10.98; Rent..1 recipient..Double D Body Shop..\$190.00; Burial..1 recipient..Miller Huebl Funeral Home..\$1580.00; Insurance..1 recipient..Anza Inc..\$139.74. All members present voting aye. Motion carried.

RELIEF LIENS:

Commissioner Wiese offered the following Resolution:

RESOLUTION NO. 46-99

WHEREAS, Brown County has filed a County Relief Lien in amount of \$100.00, dated June 9, 1987 against individuals, and

WHEREAS, Brown County has filed Indigent Counsel Liens in amount of \$746.40, from

September 28, 1981 through January 27, 1982, against said individuals, and

WHEREAS, said individuals possess an equitable title by Contract for Deed on a certain parcel of real property, and

WHEREAS, legal title to the real property has continued to be vested in the original owners, and

WHEREAS, the legal owners are in the process of retaking possession of the real property due to default by the individuals, and

WHEREAS, Brown County has agreed to release certain real property from the effect of said liens in that the individuals never acquired legal title to the real property.

NOW, THEREFORE, the following real property, which is described as follows:

Lot 10, Block 12, Lawson's Second Replat of Woolverton's Addition to Aberdeen, according to the plat thereof of record, Brown County, South Dakota

is hereby released from the effect and force of said liens, on condition that the liens will stay filed, and remain in full force and effect against the individuals.

Dated this 1st day of June, 1999.

Seconded by Commissioner Fischbach. Roll call vote: Commissioners Knecht-absent, Feickert-aye, Fischbach-aye, Wiese-aye, Hansen-aye. Resolution adopted.

Commissioner Wiese offered the following Resolution:

RESOLUTION NO. 47-99

WHEREAS, Brown County has filed a Poor Relief Lien in total amount of \$2,225.73, dated September 5, 1951 through October 12, 1953, and

WHEREAS, Brown County has filed a Poor Relief Lien in total amount of \$2,639.33, dated August 7, 1985 through January 10, 1994, and

WHEREAS, Brown County has filed a Poor Relief Lien in total amount of \$3,647.02, dated February 5, 1990 through December 10, 1996, 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 liens on condition entire amount of liens stay filed against individuals.

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

Lot 10, Block 35 Hagerty & Lloyd's Addition to Aberdeen, according to the plat thereof of record, Brown County, South Dakota

is hereby released from the effect and force of said liens.

Dated this 1st day of June, 1999.

Seconded by Commissioner Fischbach. Roll call vote: Commissioners Knecht-absent, Feickert-aye, Fischbach-aye, Wiese-aye, Hansen-aye. Resolution adopted.

PERMIT:

Moved by Feickert, seconded by Wiese to approve and authorize the Chairman sign permit approving consumption of alcoholic beverages on County property in conjunction with the Hub City Good Sam Meeting to be held at Centennial Village. All members present voting aye. Motion carried.

LANDFILL EQUIPMENT:

Mike Scott, Landfill Manager presented an equipment update, requesting purchase of a semi tractor. Board concurred.

REGISTER OF DEEDS FEES:

Moved by Wiese, seconded by Feickert to authorize the Register of Deeds Office waive filing fees for the City of Aberdeen. All members present voting aye. Motion carried.

OFFICES CLOSED:

Moved by Feickert, seconded by Wiese to close all County Offices on Friday, June 3, 1999 from 12:30 P.M. to 2:30 P.M. to allow employees to attend funeral services for Ken Goette. All members present voting aye. Motion carried.

RECESS:

Moved by Wiese, seconded by Fischbach to recess until June 8, 1999. All members present voting aye. Motion carried.

Maxine Taylor - Brown County Auditor

JUNE 8, 1999 - GENERAL MEETING

Meeting called to order by Chairman Hansen at 8:45 A.M. in the Commissioner's Chambers, Courthouse Annex, Brown County, South Dakota. Present were Commissioners Feickert, Fischbach and Wiese. Absent Commissioner Knecht.

MINUTES:

Moved by Wiese, seconded by Fischbach to approve the Joint City/County Meeting minutes and the General Meeting minutes of June 1, 1999. All members present voting aye. Motion carried.

CLAIMS:

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

Payroll: Commissioners..\$2,115.40; Data Processing..\$1,221.16; Auditor..\$5,807.70; Treasurer..\$6,948.50; State's Attorney..\$7,304.97; Victims Asst..\$769.24; Maintenance..\$3,293.29, OVERTIME: Ron Adler..\$3.68, Judy Dosch..\$118.44; Assessor..\$6,588.73; Planning & Zoning..\$829.60, OVERTIME: Mick Waller..\$15.56; Register of Deeds..\$2,811.96; Veterans Service..\$2,004.71; Communications..\$9,291.54, OVERTIME: Sheila Anderson..\$121.60, Darcy Simmons..\$56.48, Kathy Thooft..\$207.76, Traci Wickenheiser..\$178.08, Lisa Wipf..\$289.80; Sheriff..\$37,427.76, OVERTIME: Craig Anderson..\$89.46, John McQuillen..\$59.64, John Heine..\$9.76, Scott Kolb..\$19.16, Michael Casjens..\$75.20, David Fair..\$131.60, David Hanson..\$168.34, Steven Cogley..\$34.00, Dala Mandel..\$49.38, Ethan Palluck..\$29.68, John Weaver..\$14.48, Mark Jastram..\$247.50, Gary Bunt..\$107.20, Cindy Baumgartner..\$241.24, Laurie Wells..\$104.32, Ann Bierman..\$126.14, Kevin Johnson..\$6.70, Amy Lake..\$39.12, Kristal Schumack..\$32.60, Jeffrey Kirnan..\$16.30, Tony Ingemansen..\$127.59; Health..\$2,149.50; Museum..\$3,205.59; Welfare..\$2,212.42; E&D..\$1,754.32, OVERTIME: Ginger Walker..\$82.78; Foster Grandparent Program..\$2,236.71; Fairgrounds..\$3,392.07, OVERTIME: John Weig..\$243.90, Melvin Ernst..\$189.14; Fairboard..\$576.93; Extension..\$191.75, Weed..\$2,093.63; Road and Bridge..\$33,966.56, OVERTIME: Terry Backous..\$418.50, Robert Binfet..\$341.46, David Bruckner..\$439.43, Brian Dargatz..\$354.67, Terry Evans..\$287.21, Joel Guderjohn..\$325.38, Larry Hardy..\$314.16, Dave Kolb..\$17.51, Tom Lammon..\$346.88, Daryl Lloyd..\$164.30, Jerry Luce..\$16.26, Todd Odenbach..\$295.85, Dave Okroi..\$275.31, Bryan Owens..\$343.44, Cordell Rudolph..\$194.13, Richard Schaible..\$363.63, Roger Schaible..\$392.98, Jeff Seiler..\$297.71, Marcus Selzler..\$226.80, Kendall Titze..\$197.24, Leon Vickers..\$299.70, Michael Wagner..\$379.96, Theodore Brockel..\$257.85, Brent Cantalope..\$5.01, Steven Novotny..\$2.51, Nicholas Wanna..\$182.00; Solid Waste..\$4,807.44, OVERTIME: Carl Wright..\$164.20, Roxanne Varns..\$41.61, Nyle Jenson..\$263.73, Dennis Vanheerde..\$24.80:

Supplies & Materials: Quality Quick Print..\$1646.43, Office Equipment..\$151.98, Shafer & Feld..\$209.00, Best Business..\$345.38, Eilers..\$6.63, Aberdeen Lock & Key..\$3.90, McFarland Supply..\$22.74, Aberdeen Glass..\$855.12, Cole Papers..\$79.95, Prairieland..\$3.50, UBC..\$54.93, Plainsco..\$60.22, Ameripride..\$32.99, Woodman Refrigeration..\$1470.05, Dakota Electric..\$44.10, Lexis..\$692.18, Photos Now..\$24.33, New Trends..\$53.09, Velvet Uniforms..\$8.70, OK Tire..\$22.50, Dakota Electronics..\$2047.55, Wabash Valley Mfg..\$409.00, Xerox..\$170.09, Dick's Westside..\$46.00, Computer Specialists..\$281.00, Nat'l Sheriff Assoc..\$50.00, Lang's..\$620.00, Cheryl Hairgrove..\$480.00, SD Dept of Revenue..\$525.00, Walmart..\$380.38, SD Federal Property..\$36.75, Hoggs..\$4007.24, Bonnie Bitz..\$134.00, Crawford Trucks..\$1235.70, SD Wheat Growers..\$12,770.32, Share Corp..\$75.00, Schwan Welding..\$65.00, Schaeffer's Mfg..\$334.20, Respond..\$30.15, Pierson Ford..\$5.52, Office Max..\$193.61, Lien Transportation..\$38,323.33, Lawson

Products..\$480.17, Koch Materials..\$7780.18, Klein Survey System..\$576.19, Keeleys..\$57.54, Inman & McDowell..\$131.72, Huron Culvert..\$7033.76, Howell Trucking..\$551.00, Frey's Electronics..\$68.00, Fire Safety First..\$234.74, Evergreen Supply..\$256.39, Cunningham Electric..\$937.86, Clark Engineering..\$3531.85, Larry Carson/Mac Tools..\$26.00, Butler Machinery..\$5002.67, Biersbach Equip..\$133.20, Beadle Ford..\$90.00, B&B Contracting..\$675.00, Aberdeen Garage Door..\$57.14, Aberdeen Chrysler..\$262.91, Parcel-Erickson..\$10.00, Ernest Schwenke..\$175.00, Crown Plastics..\$712.00, D&D Paint..\$102.57, A&M Radio..\$43.00, Sherwin-Williams..\$36.28, Menards..\$595.07, Leggette..\$69.00, Pheasant Country..\$195.00, Cabinet Dakotah..\$79.83, Pro Ag Supply..\$966.25, Graham Tire..\$131.70, Beadle Floral..\$279.72, Dependable..\$12,236.02, A-1 Sanitation..\$3830.75, Sheehan Mack..\$1669.90, HF Jacobs..\$2558.46, Taylor Laundry..\$167.98, Hedahls..\$50.46, RE Huffman..\$24.00, Koehn..\$119.33, Aberdeen Awards..\$13.00, Aberdeen Ride Line..\$531.00, Phyllis Voeller..\$16.00, Spink County Public Transit..\$184.00, Watertown Area Transit..\$238.00:

Publications: American News..\$369.50:

Professional Fees: Witness Fees..\$80.00, Avera St Lukes..\$150.00, Yankton County Sheriff..\$33.50, Robert Chavis..\$160.00, Joan Kittelson..\$15.00, Don Carlson..\$15.00, Donna Dietrich..\$95.05, stipends..\$11,222.75:

Mileage & Travel: Larry Gerlach..\$189.72, Harvey Oliver..\$730.11, Gene Loeschke..\$71.76, Richard Rieck..\$237.10, Leo Leshner..\$106.78, Mark Milbrandt..\$995.57:

Utilities: City of Aberdeen..\$831.69, NWPS..\$5289.65, James Valley Coop..\$64.85, Town of Frederick..\$18.25, Accent Comm..\$102.98, Alterna-Cell..\$9.95, Bureau of Admin..\$68.38:

Care of Poor: Dr/Hospital..1 recipient..Plastic Surgery Assoc..\$3891.65; Transportation..1 recipient..Brown County Public Works..\$4.07; Utilities..2 recipients..NWPS..\$610.00, Northern Elec..\$170.00; Drugs..1 recipient..Medical Center Pharm..\$120.37; Rent..3 recipients..Jan Poirier..\$170.00, Albert Hoffman..\$150.00, Belaire..\$70.00; Burial..1 recipient..Schrivers..\$1555.00. All members present voting aye. Motion carried.

#### PERSONNEL:

Moved by Feickert, seconded by Wiese to approve the following employee step increases, effective June 13, 1999: Kathy Thoofst @ \$10.13 per hour; Darci Simmons @ \$9.66 per hour; Patrick Rickerl @ \$9.17 per hour; David Okroi @ \$9.86 per hour. All members present voting aye. Motion carried.

Moved by Wiese, seconded by Fischbach to approve hiring Stacy Anderson as part-time scale operator at the Landfill, effective June 7, 1999 at \$6.90 per hour. All members present voting aye. Motion carried.

Moved by Wiese, seconded by Feickert to approve the following Brown County Volunteer Dive Team Members, effective June 8, 1999 for work comp purposes: Tom Tarnowski, David Hanson, Richard Adema, Trent Anderson, Roger Beaty, Steven Hairgrove, Lynn Hovel, Tim Medenwald, Mike Miller, Scott Norby, Christopher Sanderson, Dan Satterlee, Jason Volk, Brad Waage. All members present voting aye. Motion carried.

Moved by Feickert, seconded by Wiese to approve hiring Lori Erickson at the Extension Office, effective June 21, 1999 at \$8.68 per hour. All members present voting aye. Motion carried.

Moved by Feickert, seconded by Wiese to approve hiring Casey Thorstenson as full-time highway employee, effective June 14, 1999 at \$9.34 per hour. All members



present voting aye. Motion carried.

Moved by Feickert, seconded by Fischbach to change wage classification for David Okroi and Joel Guderjohn, effective June 13, 1999 to \$10.70 per hour. All members present voting aye. Motion carried.

AUDITOR'S REPORT OF ACCOUNT:

Moved by Fischbach, seconded by Wiese to approve the June, 1999 Auditor's Report of Account with the County Treasurer:

AUDITOR'S REPORT OF ACCOUNT WITH THE COUNTY TREASURER:

Total amount of actual cash-	\$	3,012.46
Norwest Bank - - - - -	\$	7,698.96
US Bank- - - - -	\$	9,285.78
Dacotah Bank - - - - -	\$	82,778.48
Petty Cash (Sheriff,Welfare,Museum,Register/Deeds)	\$	1,500.00
Landfill Change Fund - - - - -	\$	100.00
Fund Investments - - - - -	\$	12,794,722.80
Outstanding Checks - - - - -	\$	1,487.54
Total - - - - -	\$	12,900,586.02

All members present voting aye. Motion carried.

ABATEMENT:

Moved by Fischbach, seconded by Wiese to approve the following Abatement: Audrey Martinson, moved out of state (1990 Medallion MH) for year 1999 in amount of \$159.60. All members present voting aye. Motion carried.

ESTABLISH TAX CERTIFICATE REDEMPTION FEE:

Commissioner Wiese offered the following Resolution:

RESOLUTION NO. 48-99  
FOR THE ESTABLISHMENT OF A FEE TO BE CHARGED UPON  
REDEMPTION OF A TAX CERTIFICATE

WHEREAS, upon redemption of a certificate that has been sold or assigned to a purchaser other than the county, a fee shall be deducted from the proceeds paid to the holder of the certificate and the fee shall not exceed fifty dollars.

BE IT RESOLVED by the Board of Brown County Commissioners:

SECTION ONE - ESTABLISHMENT

Pursuant to SDCL 10-23-8, the Board of Brown County Commissioners hereby establishes a fee to be charged upon the redemption of a tax certificate. The fee shall be Fifty Dollars (\$50.00) and shall be deducted from the amount redeemed.

SECTION TWO - IMPLEMENTATION:

The Brown County Treasurer shall begin charging this fee upon the redemption of all certificates redeemed after July 1, 1999 as set forth in SDCL 10-23-8.

Seconded by Commissioner Fischbach. Roll call vote: Commissioners Feickert-aye, Fischbach-aye, Wiese-aye, Hansen-aye, Knecht-absent. Resolution adopted.

ESTABLISH FEE REMITTANCE FOR REGISTER OF DEEDS OFFICE:

Commissioner Feickert offered the following Resolution:

RESOLUTION NO. 49-99  
FOR THE ESTABLISHMENT OF FEE REMITTANCE FOR THE  
OFFICE OF REGISTER OF DEEDS

BE IT RESOLVED by the Board of Brown County Commissioners:

SECTION ONE - ESTABLISHMENT:

Pursuant to SDCL 7-9-17, the Board of Brown County Commissioners hereby directs that the office of the Register of Deeds shall deposit with the County Treasurer the total amount of fees and other collections received within fifteen days after the expiration of each calendar month, unless otherwise directed by law.

SECTION TWO - IMPLEMENTATION:

The Brown County Register of Deeds shall begin this fee remittance effective July 1, 1999 as set forth in SDCL 7-9-17.

Seconded by Commissioner Wiese. Roll call vote: Commissioners Feickert-aye, Fischbach-aye, Wiese-aye, Hansen-aye, Knecht-absent. Resolution adopted.

REGISTER OF DEEDS CREDIT POLICY:

Moved by Feickert, seconded by Wiese to authorize Carol Sherman, Brown County Register of Deeds to implement the following Credit Policy, effective July 1, 1999.

It is the policy of the Brown County Register of Deeds that all recording and filing fees, charges for copies and services, real estate transfer fees and charges for all other transactions, shall be paid by cash at the time of presentation for filing, recording, or other service. On a limited basis and pursuant to SDCL 7-9-17, the Brown County Register of Deeds will advance credit for filing, recording, copying and other charges, but **not real estate transfer fees, birth certificates and marriage licenses**, to the account of persons or corporations who have made **arrangements with the Register of Deeds Office in advance for this credit service** and by meeting one of the following requirements:

1. Licensed Land Surveyors maintaining an office in Brown County.
2. Real Estate Title Companies and Abstractors maintaining an office in Brown County.
3. Licensed Attorneys at Law maintaining an office in Brown County.
4. Banks, Savings Banks, Credit Unions, Land Bank Associations, and Savings or Building and Loan Associations maintaining an office in Brown County.
5. County, State and Federal Directors in Brown County.
6. Licensed Funeral Directors in Brown County.
7. Other persons or corporations maintaining a non-personal business office in Brown County and regularly using the services of the Office of the Register of Deeds and who, in the absolute discretion of the Register of Deeds, have demonstrated appropriate creditworthiness.

All accounts are due and payable on the tenth day of the month following service. If an account is not paid in full by the tenth of the month following service, no further credit shall be extended. After an unpaid or late paid account has been satisfied, further credit may, in the absolute discretion of the Register of Deeds, be advanced or the Register of Deeds may decline to advance any further credit.

All members present voting aye. Motion carried.

INVENTORY TRANSFER:

Moved by Fischbach, seconded by Wiese to transfer Decal #3275 (TI Microwriter P523 Laser Printer) from the Foster Grandparent Program Inventory to the Treasurers Office Inventory. All members present voting aye. Motion carried.

PEDDLERS LICENSE NO. 35 RENEWAL:

Moved by Feickert, seconded by Wiese to renew Peddler's License No. 35 (Jack Privett DBA Amer. W. Community Promo), effective from June 4, 1999 to July 4, 1999. All members present voting aye. Motion carried.

PLATS:

Commissioner Wiese offered the following Resolution:

RESOLUTION NO. 50-99

BE IT RESOLVED by the Board of County Commissioners of Brown County, South Dakota, that the plat showing "Clocksene Lot 1 in the SE 1/4 of Section 6-T122N-R60W 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 Feickert. Roll call vote: Commissioners Feickert-aye, Fischbach-aye, Wiese-aye, Hansen-aye, Knecht-absent. Resolution adopted.

Commissioner Fischbach offered the following Resolution:

RESOLUTION NO. 51-99

BE IT RESOLVED by the County Commission of Brown County, South Dakota, that the plat showing "Stange Outlot A in the SE 1/4 Sec. 23-T122N-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 Feickert. Roll call vote: Commissioners Feickert-aye, Fischbach-aye, Wiese-aye, Hansen-aye, Knecht-absent. Resolution adopted.

CDBG FUNDING COMMENT PERIOD:

Moved by Wiese, seconded by Fischbach to authorize advertising combined notice of finding of no significant impact and notice of intent to request funds for the Brown County James River Tree Planting Project in amount of \$147,150.00 from the Governors Office of Economic Development (Community Development Block Grant Funds). All members present voting aye. Motion carried.

MALT BEVERAGE LICENSE HEARING:

Time and place, as advertised for public hearing to consider applications for renewal of annual Malt Beverage Licenses.

Moved by Fischbach, seconded by Feickert to approve the following Malt Beverage License Applications: RETAIL (ON-OFF SALE) MALT BEVERAGE James R. Schumacher DBA Westside Bait & Tackle; Marge Frohling DBA The Connection; Terry Voeltz DBA T's Promotions Inc; Alan Lanphere DBA Bath Quick Stop; Elm Lake Resort Inc; Moccasin Creek Country Club, Inc. All members present voting aye. Motion carried.

Moved by Fischbach, seconded by Feickert to continue hearing on the following Malt Beverage License Application until June 15, 1999: PACKAGE (OFF-SALE) MALT BEVERAGE William G. Welk, Welk Investments, DBA Lighthouse Pub & Brewery. All members

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present voting aye. Motion carried.

JUVENILE ACCOUNTABILITY GRANT:

Moved by Feickert, seconded by Wiese to approve and authorize Chairman sign application and letter of commitment for match money for the Juvenile Accountability Grant. All members present voting aye. Motion carried.

FAIRGROUNDS DISCUSSION:

Randy Bonn, Fairgrounds Superintendent met with the Commission to discuss recent concert and application he has received for leasing the grandstand for another concert. The Commission suggested a meeting be set up with the promoter and Terry Voeltz.

JDC UPDATE:

Mark Milbrandt, Tom Schmitt, Mick Palmer, Judy Dosch, Barb Johnson and Amy Krueger (JDC intern) met with the Commission to discuss JDC. The Commission will meet with the Aberdeen City Commission to discuss feasibility of a joint building.

NADRIC:

Jim Fox, NADRIC explained the plan for starting a halfway house/long term treatment facility in the Aberdeen area for adult individuals experiencing problems with an addictive disease and requested verbal support and potential commitments to the project. The Commission extends verbal support for the project.

APPLICATION FOR OCCUPANCY:

Moved by Feickert, seconded by Fischbach to approve application, submitted by Northwestern Public Service for occupancy of Highway No. 12 in Sec 8-T123N-R63W, Brown County, SD for gas main extension. Roll call vote: Commissioners Feickert-aye, Fischbach-aye, Hansen-aye, Wiese-abstain, Knecht-absent. Motion carried.

Moved by Fischbach, seconded by Feickert to approve application, submitted by Northern Electric Cooperative, Inc. for occupancy of the following for an underground telephone line: Highway No. 15 (24th Ave NW) in Sec 11 & 2-T123R64, Brown County, SD; Highway No. 15 (24th Ave NE) in Sec 8 & 5-T123R63, Brown County, SD; Highway No. 15 (24th Ave NW) in Sec 12 & 1-T123R64, Brown County, SD; Highway No. 12 (Roosevelt Street) in Sec 6 & 5-T123-R63, Brown County, SD. Roll call vote: Commissioners Feickert-aye, Fischbach-aye, Hansen-aye, Wiese-abstain, Knecht-absent. Motion carried.

AWARD BRIDGE PROJECT:

Moved by Wiese, seconded by Feickert to award low bid, submitted by Graves Construction Company, Inc, Sioux Falls, SD for Project No. BRF 6525(01) - Brown County Federal Aid Secondary County Road over Outlet at Richmond Lake Structure and Approach Grading in amount 292,384.50; rejecting the following bids: Industrial Builders Inc, Fargo, ND in amount of \$299,991.60; Swingen Construction Company, Grand Forks, ND in amount of \$338,641.50. All members present voting aye. Motion carried.

AWARD FUEL BIDS:

Moved by Feickert, seconded by Wiese to award fuel bids opened jointly with Aberdeen City and Aberdeen School District on May 26; awarding firm low bid submitted by South Dakota Wheat Growers, Aberdeen on all items; rejecting firm high bids submitted by Erdmann Oil, Aberdeen (complete tabulation sheet available for public

inspection in the Auditor's Office Monday - Friday 8:00 A.M. to 5:00 P.M.). All members present voting aye. Motion carried.

EMS REPORT/LEASE AGREEMENT:

Jesse Luce, EMS Director presented video and maps illustrating effects of current rains in the Hecla area, and presented agreement for lease of land for tower and building.

Moved by Wiese, seconded by Fischbach to approve and authorize the Chairman sign agreement with William O Edwards for lease of an area 200 feet East and West by 200 feet North and South located in the SE 1/4 of SW 1/4 Sec 26-T125-R63, Brown County, SD for use by the Brown County Civil Defense Radio System for the erection of a 130' transmission tower and an 8' x 10' block building with concrete base and floor in amount of \$400.00 per year, effective June 8, 1999 to June 8, 2001. All members present voting aye. Motion carried.

FORKLIFT TRAINING:

Larry Gerlach presented information he received recently when completing a course to become a certified Instructor for Forklift Operators for the County.

RECESS:

Moved by Feickert, seconded by Fischbach to recess until June 15, 1999. All members present voting aye. Motion carried.

Maxine Taylor - Brown County Auditor

JUNE 15, 1999 - GENERAL MEETING

Meeting called to order by Chairman Hansen at 8:45 A.M. in the Commissioner's Chambers, Courthouse Annex, Brown County, South Dakota. Present were Commissioners Knecht, Feickert, Fischbach and Wiese.

MINUTES:

Moved by Wiese, seconded by Feickert to approve the General Meeting minutes of June 8, 1999. All members present voting aye. Motion carried.

CLAIMS:

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

Supplies & Materials: Quality Quick Print..\$5700.65, Office Equipment..\$154.40, New Trends..\$10.68, West Group..\$1969.25, Fire Safety First..\$86.92, Prairieland..\$125.67, Grote Roofing..\$757.20, James Dosch..\$5365.73, Plainsco..\$877.54, Dependable Sanitation..\$389.25, Heartland Paper..\$863.24, Janitor Supply..\$70.00, Walmart..\$46.39, US Post Office..\$32.00, Best Business..\$581.05, Lexis..\$39.26, K-Mart..\$92.22, Tuxall..\$26.36, Ripp Restraints..\$150.00, Metz Baking..\$685.67, Zastrow Conoco..\$18.00, Avera St Lukes..\$69.00, Xerox..\$111.69, Ameripride..\$53.12, Jordre Photo..\$5.32, Custom Micro..\$23,050.00, Onguard..\$2997.00, Hearing Care Professionals..\$25.00, Micro 2000 Inc..\$74.95, Graham Tire..\$1768.37, Farmers Union..\$15.29, Farm Power Mfg..\$86.35, Farm Plan..\$390.62, Robert Dinger..\$617.65, Diesel Machinery..\$110.78, Dakota Oil..\$1123.97, Dakota Fluid Power..\$238.82, Dakota Filter Service..\$61.00, Dakota Air & Tool..\$5.95, HC Clark..\$75.12, Cartney Bearing..\$631.17, Bridgestone Firestone..\$196.39, Brick Propane..\$456.00, Batteries Plus..\$40.99, Aberdeen Asphalt..\$67,287.66, Zee's Collision Center..\$198.00, Zastrow Conoco..\$108.95, SD Division of Motor Vehicles..\$7.00, Utility Equip..\$193.90, Taylor Laundry..\$271.46, SDDOT..\$44,429.52, Quality Welding..\$37.89, Praxair..\$126.84, Nelson Auto Electric..\$192.66, Midwest Pump & Tank..\$78.12, Menards..\$278.30, Mattern's Diesel..\$146.01, Lien Transportation..\$1767.31, Hall GMC Inc..\$5.00, HF Jacobs..\$4266.25, IWI Lighting..\$93.16, Paper Warehouse..\$36.90, Creative Sign..\$195.75, Trout Bros..\$499.80, SD Assoc of Fairs..\$70.00, Ken's Superfair Foods..\$28.28, Vicki Wilson..\$1.54, SD Wheat Growers..\$1105.83, Swanson Electric..\$12,364.00, ABC Siding..\$1026.00, Kesslers..\$7.56, Dakota Electronics..\$50.00, Auto-Owners Ins..\$155.00, OK Tire..\$28.00, Mac's..\$25.40, Carpet Max..\$12.99, Dakota Boring..\$600.00, RDO Equip..\$620.24, Office Max..\$989.59, Dahme Const..\$100.00, NE Area Horse Racing..\$300.00, Evergreen Supply..\$607.45, Keeleys..\$182.40, Schmidt Const..\$1337.29, Pitney-Bowes..\$42.60, ND State University..\$100.71, Target..\$13.75, RE Huffman..\$183.28, Don's Welding..\$157.50, Van Diest..\$9837.81, Pro Ag Supply..\$500.49, Hedahls..\$9.21, Country General..\$76.68, Hub City Iron..\$38.33, Dakota Electronics..\$30.00, C&R Supply..\$161.23, Computer Spec..\$645.00, Bottom Line Books..\$23.90, Brucelli Advertising..\$78.00, Diesel Machinery..\$125.47, Sheehan..\$90.04, Earth Tech..\$491.79, Eddie's Northside..\$47.00:

Publications: American News..\$683.98, Frederick Northstar..\$736.85, Groton Indep..\$13.60:

Professional Fees: Witness Fees..\$60.00, Mark McNeary..\$1500.00, NE Mental Health Center..\$234.00, Donna Dietrich..\$95.05, Joan Kittelson..\$15.00, Don Carlson..\$15.00, City of Groton..\$10,000.00:

Mileage & Travel: Holiday Inn..\$427.68, Kathy Thooft..\$161.32, Vickie Hansford..\$152.32:

Court Appointed Attorney: Scott Kuck..\$606.75, Mark Anderson..\$178.75:

Utilities: NWPS..\$1443.54, Midcontinent Cable..\$153.00, US West..\$579.40, City of

Hecla..\$64.69, Norcom..\$2.98, Cellular One..\$186.91, WEB..\$88.40, City of Aberdeen..\$1671.00, Northern Elec..\$403.19, Milbank Comm..\$471.00, DTG..\$14.12: Care of Poor: Dr/Hospital..4 recipients..Avera St Lukes..\$2687.04, Dr John Adams..\$19.60; Utilities..3 recipients..NWPS..\$560.91; Rent..6 recipients..Foxridge Apt..\$78.00, Gary Fiala..\$125.00, Belaire..\$190.00, Chase Manhattan..\$230.00. All members present voting aye. Motion carried.

**EXPENSE REIMBURSEMENT RATES:**

Moved by Feickert, seconded by Wiese to approve the following Expense Policy, effective July 1, 1999:

**Mileage** - \$.29 per mile, beginning and ending odometer readings must be documented to qualify.

Meals -	In-State	Out-of-State
Breakfast	\$ 5.00	\$ 7.00
Lunch	\$ 7.00	\$10.00
Dinner	<u>\$11.00</u>	<u>\$16.00</u>
	\$23.00	\$33.00

To qualify for meal reimbursement departure and arrival times must be documented, using following guidelines:

- Breakfast - if leaving before 5:31 am or returning after 7:59 am
- Lunch - if leaving before 11:31 am or returning after 12:59 am
- Dinner - if leaving before 5:31 pm or returning after 7:59 pm

**Motel** - actual receipts are required.

All members present voting aye. Motion carried.

**ORDINANCE NO. 010 - LASER BEAMS:**

Moved by Wiese, seconded by Feickert to authorize advertising public hearing to consider first reading of Ordinance No. 010, An Ordinance amending Second Revision Brown County Ordinances, adding Title 17 prohibiting the misuse of laser beams as well as their possession by minors in public places, to be held at 8:45 A.M. on June 29, 1999 in the Commissioner's Chambers, Courthouse Annex, Brown County, South Dakota. All members present voting aye. Motion carried.

**ORDINANCE NO. 011 - WHEEL TAX:**

Moved by Knecht, seconded by Wiese to authorize advertising public hearing to consider first reading of Ordinance No. 011, An Ordinance amending Second Revision Brown County Ordinances, amending Title 13 to impose a Wheel Tax (October 1, 1999 - September 30, 2003), to be held at 9:00 A.M. on June 29, 1999 in the Commissioner's Chambers, Courthouse Annex, Brown County, South Dakota. All members present voting aye. Motion carried.

**EXPENSES:**

Moved by Knecht, seconded by Wiese to approve the following travel expenses: Ethan Palluck to attend a SCDS Instructor Training Course in Bismarck on June 7; Dorene Borchard, Geri Sillman, Sandy Green and Jo Forsting to attend DMV Treasurer's Workshop in Huron on June 16; Richard Rieck to attend State Taxation Committee Meeting in Pierre on June 14; Richard Rieck to attend OHE appointment on July 7; Jeff Kirnan to attend Nonviolent Crisis Intervention Recertification Training in St. Paul on July 27, 28 & 29, 1999. All members present voting aye. Motion carried.

PERSONNEL:

Moved by Feickert, seconded by Wiese to acknowledge resignation of Laurie Wells, effective June 7, 1999. All members present voting aye. Motion carried.

Moved by Wiese, seconded by Knecht to approve hiring Michelle Smith as correction officer at the Jail, effective June 14, 1999 at \$8.69 per hour and approve hiring Daniel Klinger as part-time correction officer at the Jail, effective June 7, 1999 at \$6.05 per hour. All members present voting aye. Motion carried.

Moved by Feickert, seconded by Wiese to acknowledge the resignation of Richard Rieck, effective July 30, 1999. All members present voting aye. Motion carried.

Moved by Feickert, seconded by Knecht to approve hiring Ken Thornton, Jeremy Young and Larry Likness as part-time Fairgrounds employees, effective May 30, 1999 at \$6.05 per hour. All members present voting aye. Motion carried.

PLATS:

Commissioner Wiese offered the following Resolution:

RESOLUTION NO. 52-99

BE IT RESOLVED by the Board of County Commissioners of Brown County, South Dakota, that the plat showing "Miller Conservation Easement Tracts 1, 2, 3 and 4 in the NW 1/4 and SW 1/4 of Section 15-T125N-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 Knecht. Roll call vote: Commissioners Knecht-aye, Feickert-aye, Fischbach-aye, Wiese-aye, Hansen-aye. Resolution adopted.

Commissioner Feickert offered the following Resolution:

RESOLUTION NO. 53-99

BE IT RESOLVED by the County Commission of Brown County, South Dakota, that the plat showing "Spencer Conservation Easement Tracts Section 18-T126N-R60W 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. Roll call vote: Commissioners Knecht-aye, Feickert-aye, Fischbach-aye, Wiese-aye, Hansen-aye. Resolution adopted.

MALT BEVERAGE LICENSE HEARING CONTINUED:

Moved by Wiese, seconded by Fischbach to approve the following application, action continued from June 8, 1999: **PACKAGE (OFF-SALE) MALT BEVERAGE** William G. Welk, Welk Investments, DBA Lighthouse Pub & Brewery. All members present voting aye. Motion carried.

TOWNSHIP BOND:

Moved by Wiese, seconded by Feickert to approve the Bath Township Treasurers Bond for Dale Boynton. All members present voting aye. Motion carried.

GRANT AGREEMENT #3-95 AMENDMENT:

Moved by Fischbach, seconded by Feickert to approve and authorize the Chairman sign



Amendment to Grant Agreement #3-95 between James River Water Development District and Brown County, extending termination date to June 30, 2000. All members present voting aye. Motion carried.

POOR RELIEF/YANKTON LIEN:

Commissioner Wiese offered the following Resolution:

RESOLUTION NO. 54-99

WHEREAS, Brown County has filed a Care of Poor Lien against an individual in amount of \$10.70 dated 5/15/1972, and

WHEREAS, Brown County has filed a Yankton Lien against an individual in amount of \$167.80 dated 4/25/1972 through 10/3/1972, and

WHEREAS, another individual has the same first and last name as the recipient, and

WHEREAS, sufficient evidence has been presented to confirm that the second individual only shares the same first and last name and not responsibility for the liens.

NOW, THEREFORE BE IT RESOLVED that the liens in question are not against the individual born in 1932 with middle initial D., but liens are and shall remain filed against individual born in 1934 with middle initial J.

Seconded by Commissioner Knecht. Roll call vote: Commissioners Knecht-aye, Feickert-aye, Fischbach-aye, Wiese-aye, Hansen-aye. Resolution adopted.

LEASE AGREEMENT:

Moved by Knecht, seconded by Wiese to approve and authorize the Chairman sign agreement with SD Miniature Equine Club for lease of the Beef Barn and Arena on June 17, 18 & 19, 1999. All members present voting aye. Motion carried.

BID - 385 AVE PROJECT:

Time and place, as advertised for public hearing to open, read and consider bids for the 385th Ave Project. Bids were received from Lien Transportation, Aberdeen and H.F. Jacobs & Son Construction, Aberdeen.

Moved by Wiese, seconded by Fischbach to refer all bids to Russ Podoll and Lonnie Anderson, Clark Engineering for review and recommendation. All members present voting aye. Motion carried.

Moved by Wiese, seconded by Feickert to award low bid, submitted by Lien Transportation in amount of \$193,081.00 for grading, drainage improvements, bituminous surfacing, topsoil, seeding, fertilizing and mulching on approximately one-quarter mile of 385th Ave from US Hwy 12 to Brown County 12W; rejecting bid, submitted by H.F. Jacobs & Son Construction in amount of \$335,915.90. All members present voting aye. Motion carried.

NESDCAP/NESDEC UPDATE:

Marion Skarnagel and Colleen Sagehorn summarized all programs for NESDCAP and NESDEC and presented an informational packet about the programs.

**COMPUTER DISCUSSION:**

Carol Sherman, Cindy Schwan, Bill Meink and Richard Rieck discussed the feasibility of computerizing the process for recording name changes on property transactions. More research will be done before process changed.

**ELKS BUILDING:**

Howard Johnson informed the Commission that the Elks Building is available for sale and asked the County to consider it as an option for the Juvenile Detention Center.

**LANDFILL REPORT:**

Mike Scott, Landfill Manager discussed a tractor at Aberdeen Equipment; the need to purchase a Leachate Collection Pump; land probes; and major expenditures that will be part of the 2000 budget (Dozer and Closure of Cells 1 & 2).

**APPLICATIONS FOR OCCUPANCY:**

Moved by Fischbach, seconded by Feickert to approve and authorize the Chairman sign application, submitted by James Valley Co-op Telephone Company for occupancy of Brown County Highway 18 (401st Ave - South of Houghton by Cemetery) in Section 7-T126N-R61W, Brown County, SD for improved telephone service. Roll call vote: Commissioners Knecht-aye, Feickert-aye, Fischbach-aye, Wiese-abstain, Hansen-aye. Motion carried.

Moved by Feickert, seconded by Knecht to approve and authorize the Chairman sign application, submitted by Northern Electric Cooperative, Inc. for occupancy of Brown County Highway 14E (392nd Ave) in Sections 23 & 22-T123-R63, Brown County, SD for underground telephone line. Roll call vote: Commissioners Knecht-aye, Feickert-aye, Fischbach-aye, Wiese-abstain, Hansen-aye. Motion carried.

Moved by Fischbach, seconded by Feickert to approve and authorize the Chairman sign application, submitted by Northern Valley Communications for occupancy of Brown County Highway 14 in Sections 21 & 22-T123-R64, Brown County, SD for underground telephone line. Roll call vote: Commissioners Knecht-aye, Feickert-aye, Fischbach-aye, Wiese-abstain, Hansen-aye. Motion carried.

**WORK ORDER BRIDGE #44:**

Moved by Wiese, seconded by Knecht to approve and authorize the Chairman sign Work Order LGA-45-99 for Banner Associates, Brookings to perform the hydraulic analysis services for Project 8007(41), PCEMS 4624 - Bridge #44 Structure No. 07-180-387, 6.3 miles south and 1.5 miles west of Bath over Moccasin Creek. All members present voting aye. Motion carried.

**POOR RELIEF LIEN:**

Commissioner Wiese offered the following Resolution:

**RESOLUTION NO. 55-99**

WHEREAS, Brown County has filed a Poor Relief Lien in total amount of \$6,728.17 dated April 3, 1996 through February 16, 1998, and

WHEREAS, Brown County has filed an Indigent Council Lien in amount of \$315.00 dated February 7, 1996, 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 liens, upon payment of \$3,000.00

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and on condition balance of liens will stay filed against individual.

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

Lot 27, Fischer Estates in the West Half of Southwest Quarter of Section 26, Township 124 North, Range 64, West of the Fifth P.M., according to the plat thereof of record, Brown County, South Dakota

is hereby released from the effect and force of said lien, upon payment of \$3,000.00.

Dated this 15th day of June, 1999.

Seconded by Commissioner Knecht. Roll call vote: Commissioners Knecht-aye, Feickert-aye, Fischbach-aye, Wiese-aye, Hansen-aye. Resolution adopted.

RECESS:

Moved by Wiese, seconded by Fischbach to recess until June 22, 1999. All members present voting aye. Motion carried.

Maxine Taylor - Brown County Auditor

JUNE 22, 1999 - GENERAL MEETING

Meeting called to order by Chairman Hansen at 8:45 A.M. in the Commissioner's Chambers, Courthouse Annex, Brown County, South Dakota. Present were Commissioners Knecht, Feickert, Fischbach and Wiese.

MINUTES:

Moved by Wiese, seconded by Feickert to approve the General Meeting minutes of June 15, 1999. All members present voting aye. Motion carried.

CLAIMS:

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

Payroll: Commissioners..\$2,115.40; Data Processing..\$1,221.16; Auditor..\$5,005.30, OVERTIME: Jan Erickson..\$30.10, Jeanette Nietert..\$68.67; Treasurer..\$7,741.14; State's Attorney..\$7,304.97; Victims Asst..\$769.24; Maintenance..\$3,896.26; Assessor..\$5,835.93; Planning & Zoning..\$829.60; Register of Deeds..\$2,834.01; Veterans Service..\$2,004.71; Communications..\$9,540.26, OVERTIME: Sheila Anderson..\$121.60, Mary Browning..\$31.84, Betty Haar..\$152.00, Nancy Radke..\$27.12, Darcy Simmons..\$254.16, Kathy Thooft..\$163.24, Traci Wickenheiser..\$192.92, Lisa Wipf..\$144.90; Sheriff..\$37,228.36, OVERTIME: John Heine..\$39.04, Scott Kolb..\$153.28, David Fair..\$272.60, David Hanson..\$177.20, Steven Cogley..\$102.00, Dala Mandel..\$131.68, Ethan Palluck..\$118.72, Craig Nelson..\$197.68, Charlene McAfee..\$84.72, Mark Jastram..\$268.13, Dallas Vallery..\$107.20, Barry Allbee..\$281.40, Gary Bunt..\$241.20, Cindy Baumgartner..\$104.32, Tina Erickson..\$91.28, Kevin Johnson..\$6.70, Amy Lake..\$104.32, Jeffrey Kirnan..\$136.92; Health..\$2,171.20; Museum..\$3,205.59; IMS..\$157.08; Welfare..\$2,212.42; E&D..\$1,754.32, OVERTIME: Ginger Walker..\$45.15; Foster Grandparent Program..\$2,236.71; Fairgrounds..\$3,827.41, OVERTIME: John Weig..\$227.64, Melvin Ernst..\$196.14; Fairboard..\$1,379.33, OVERTIME: Jan Malsom..\$15.05; Extension..\$1,114.77; Weed..\$1,850.40, OVERTIME: Robert Retzer..\$94.50, Earl Ruden..\$2.78; Road and Bridge..\$29,512.02, OVERTIME: Terry Backous..\$167.40, Robert Binfet..\$170.73, David Bruckner..\$167.40, Brian Dargatz..\$163.70, Joel Guderjohn..\$162.69, Larry Hardy..\$147.62, Dave Kolb..\$77.05, Tom Lammon..\$148.11, Daryl Lloyd..\$164.30, Jerry Luce..\$8.13, Joseph Malsam..\$160.71, Donald Maunu..\$31.50, Todd Odenbach..\$149.10, Bryan Owens..\$135.95, Cordell Rudolph..\$124.24, Richard Schaible..\$166.01, Roger Schaible..\$164.41, Jeff Seiler..\$154.11, Leon Vickers..\$162.00, Michael Wagner..\$143.09, Jan Weismantel..\$292.68, Theodore Brockel..\$111.74, Brent Cantalope..\$100.20, Amanda Mollman..\$100.20, Jeff Ringgenberg..\$100.20, Nicholas Wanna..\$98.80; Solid Waste..\$4,910.94, OVERTIME: Carl Wright..\$254.51, Roxanne Varns..\$15.13, Nyle Jenson..\$120.56, Dennis Vanheerde..\$152.33, Donald Fischer..\$82.80, Stacy Anderson..\$15.53:

Supplies & Materials: US Post Office..\$5000.00, NADA..\$52.00, Knowles Pub..\$73.97, CCH Inc..\$414.46, Hughes County Sheriff..\$24.50, Sherwin-Williams..\$89.68, Walmart..\$172.34, OK Tire..\$40.00, Taylor Laundry..\$123.76, Plainsco..\$10.74, New Trends..\$38.48, Best Business..\$2802.75, Lar-Jo's..\$76.00, Avera St Luke's..\$2179.63, SD Fleet..\$2925.44, Medical Center Pharm..\$2285.04, Gateway..\$1852.00, K-Mart..\$133.73, Lewis Drug..\$89.56, Mike Treftz..\$169.99, Herbergers..\$76.00, Lexis..\$39.03, Northern Plains OMS..\$69.91, US Post Office..\$57.00, Van Diest..\$1422.40, Trins..\$468.47, Share Corp..\$287.00, Safelite Auto Glass..\$259.23, Respond..\$423.40, Prairieland..\$151.97, Jesse Luce..\$334.36, Lien Transportation..\$652.31, Larson Blacksmith..\$111.00, Lacal Equip..\$200.70, Huron Culvert..\$105.60, Hub City Iron..\$1027.46, Hedahls..\$545.33, Great Western Tire..\$1998.60, Fastenal..\$37.96, WE Doyle Equip..\$60.80, Robert Dinger..\$1485.05,

Dependable Sanitation..\$153.00, Herb Dabbert Trucking..\$331.50, Caspers Hwd..\$15.10, Carquest..\$396.45, Aberdeen Glass..\$8.00, Quality Quick Print..\$1040.11, Sherri Rawstern..\$10.00, UBC..\$15.24, Menards..\$99.28, Creative Sign..\$28.00, Aberdeen Glass..\$34.56, Office Max..\$39.96, Crown Plastics..\$55.60, Pro Ag Supply..\$121.05, Fire Safety First..\$4.95, Country General..\$5.98, Mayo Clinic Health Letter..\$44.00, Pitney Bowes..\$103.50, William Edwards..\$400.00, Luedeke Trucking..\$110.00, New Deal Tire..\$407.50, Julie Drafahl..\$337.00, Newman Sign..\$21.30, Myron Mfg..\$295.73, Pitney Bowes..\$543.64:

Publications: American News..\$444.75:

Professional Fees: Witness Fees..\$20.00, Northeast Mental Health..\$2033.15, Lewis & Clark..\$400.00:

Mileage & Travel: Sandy Green..\$5.50, Geri Sillman..\$5.50, Karla Hallstrom..\$5.50, Dorene Borchard..\$49.90, Vickie Hansford..\$115.44, Bruce Tveit..\$31.92, Tony Ingemansen..\$88.56, Days Inn..\$42.00, Crisis Prevention..\$295.00, Gary Erickson..\$135.12, Brown County Treasurer..\$31.00:

Court Appointed Attorney: Christy Serr..\$315.00:

Jury: Kathryn Andersen..\$485.76, Virginia Biegler..\$404.80, Richard Comes..\$283.36, Glen Delzer..\$10.48, Tom Gross..\$10.48, Joseph Huber..\$364.32, Jane Jangula..\$537.60, Patrick Kellar..\$404.80, Jonathan Locken..\$519.20, Randy McKittrick..\$10.48, William Mount..\$428.80, Frances Rutschke..\$485.76, Kay Van Dover..\$445.28:

Utilities: Commnet Cellular..\$15.74, US West..\$1460.85, NWPS..\$1046.17, Northern Electric..\$14.20, Commnet Cellular..\$142.30, Cellular One..\$69.95, Bureau of Adm..\$791.89:

Care of Poor: Utilities..1 recipients..NWPS..\$190.00; Drugs..1 recipient..Econofood Pharmacy..\$97.65; Rent..3 recipients..Belair..\$70.00, Schatz Rentals..\$160.00, Terry Backous..\$210.00; Burial..1 recipient..Spitzer-Osthus Funeral Home..\$1430.00; Insurance..1 recipient..Anza Inc..\$59.74. All members present voting aye. Motion carried.

#### EXPENSES:

Moved by Feickert, seconded by Wiese to approve the following travel expenses: Larry Gerlach, Joe Malsom and Nyle Jenson to transport personal property to Huron on June 23 & 24; Mike Scott to inspect equipment at Federal Property in Huron on June 23; Russ Podoll to attend the Highway Superintendents Annual Summer Meeting in Pierre on July 14 & 15; John VanderHoek and Barb Johnson to attend a Managers & Supervisors Conference in Sioux Falls on August 24. All members present voting aye. Motion carried.

#### PERSONNEL:

Moved by Wiese, seconded by Knecht to approve the following employee step increase, effective June 27, 1999: Roxanne Schumacher @ \$9.65 per hour. All members present voting aye. Motion carried.

Moved by Wiese, seconded by Knecht to rescind motion in General Meeting minutes of June 8 changing wage classification and salary for David Okroi and Joel Guderjohn; and further to set salary at \$9.86 per hour for David Okroi and Joel Guderjohn, effective June 13, 1999. All members present voting aye. Motion carried.

Moved by Wiese, seconded by Knecht to amend salary of part-time adult corrections officer Daniel Klinger to \$7.65 per hour, effective June 7, 1999. All members present voting aye. Motion carried.

#### INVENTORY TRANSFER:

Moved by Wiese, seconded by Knecht to transfer the Decal #294 and Decal #295 (Wedge 33 MHZ System) from Library Inventory to Central Storage Inventory. All members present voting aye. Motion carried.

#### ABATEMENTS:

Moved by Wiese, seconded by Feickert to approve the following abatements: Hunstad J Rentals Inc., destroyed by fire (1965 Detroit MH) for year 1999 in amount of \$44.73; Glenn or Joan Kingsley, destroyed (1965 New Moon MH) for year 1999 in amount of \$27.89. All members present voting aye. Motion carried.

#### BID - JDC:

Moved by Fischbach, seconded by Feickert to reject all of the following bids opened May 25, 1999 for the Juvenile Detention Center Project, as Contractors estimate at approximately \$1,600,000.00, lowest possible bid at approximately 2,444,640.00: 1) General Construction - Kyburz-Carlson Construction \$1,706,000.00, Tellinghuisen Construction Company \$1,700,000.00, Watertown Builders Inc \$1,709,500.00; 2) Mechanical Construction - Mitchell Plumbing & Heating \$547,650.00, Risager Plumbing & Heating \$509,640.00, Tessier Sheet Metal \$563,500.00; 3) Electrical Construction - Engelstad Electric \$281,225.00, Mattern Electric \$235,000.00, Schwan Electric \$304,825.00. All members present voting aye. Motion carried.

#### MALT BEVERAGE LICENSE HEARING SET:

Moved by Wiese, seconded by Fischbach to authorize advertising public hearing to consider the following application: RETAIL (ON-OFF SALE) MALT BEVERAGE: Dave Swain & Mark Taruna, DBA Blind Pig Entertainment, 2203 N State St., Aberdeen, S.D. 57401, Brown County Fairgrounds, (Grandstand) SW 1/4 Sec.1, T123N, R64W, Brown County, South Dakota, to be held at 8:45 A.M. on July 13, 1999, in the Commissioner's Chambers, Courthouse Annex, Brown County, South Dakota. All members present voting aye. Motion carried.

#### JDC DISCUSSION:

Barb Johnson introduced six employees from JDC: Amy Lake, Kristal Schumack, Chris Myers, Jason Hoffman, Kirsten Krueger, Jessica Frerichs and Valerie Schafer. Each employee spoke about different job responsibilities and conditions they face as part-time JDC Officers and questioned if the wage of \$6.05 per hour for this type of intense, specialized work was sufficient. The Commission thanked the group for the presentation and on a job well done.

Moved by Feickert, seconded by Wiese to increase the following part-time wage for JDC Officers to \$7.90 per hour, effective June 27, 1999: Kay Albrecht, John Egan, Kirsten Krueger, Jeff James, Jason Hoffman, Jessica Frerichs, Janet Dosch, Christopher Myers and Valerie Schafer. All members present voting aye. Motion carried.

#### CULVERTS:

Mick Waller and Al Winburn met to discuss culverts Mr. Winburn installed in the Maple River. Mr. Winburn was advised to contact Steve Naylor in Pierre for a temporary permit for culverts.

#### FAIR BOARD - CAMPER:

Larry Gerlach requested permission to purchase a camper from Federal Surplus, if it met the needs of the Fair Board for use by the entertainers behind the stage. Board concurred.

WEED BOARD EQUIPMENT:

Bob Retzer advised the Board that the engine in the ATV used by the Weed Board had blown. The Commission authorized Mr. Retzer to look for a replacement.

APPLICATIONS FOR OCCUPANCY:

Moved by Fischbach, seconded by Knecht to approve and authorize the Chairman sign application, submitted by Accent Communications Inc for occupancy of Brown County Hwy No. 5 in Sec 2-T127N-R63W, Brown County, SD to repair existing cable. Roll call vote: Commissioners Knecht-aye, Feickert-aye, Fischbach-aye, Wiese-abstain, Hansen-aye. Motion carried.

Moved by Knecht, seconded by Fischbach to approve and authorize the Chairman sign application, submitted by James Valley Telephone Company for occupancy of Brown County Hwy No. 21 in Sec 13-T122N-R61W, Brown County, SD to repair existing cable. Roll call vote: Commissioners Knecht-aye, Feickert-aye, Fischbach-aye, Wiese-abstain, Hansen-aye. Motion carried.

CONTRACT:

Moved by Fischbach, seconded by Wiese to approve and authorize the Chairman sign Contract Agreement with South Dakota Wheat Growers for furnishing gasoline and diesel fuel to Brown County. All members present voting aye. Motion carried.

BID - TRUCK:

Moved by Feickert, seconded by Knecht to authorize advertising public hearing to open, read and consider bids for furnishing and delivery of one 1999 Tandem Truck for the Highway Department, to be held at 9:00 A.M. on July 13, 1999 in the Commissioner's Chambers, Courthouse Annex, Brown County, South Dakota. All members present voting aye. Motion carried.

AGREEMENT:

Moved by Wiese, seconded by Feickert to approve and authorize the Chairman sign agreement with Clark Engineering Corporation for Field Survey, R/O/W, Design, Plans, Specs & Contract Documents for project approximately 4.0 miles long when the exception across Richmond Lake Dam is excluded from the work on Brown County 6 from Brown County 13 North 4.34 Miles, in amount of \$19,200.00. All members present voting aye. Motion carried.

EXECUTIVE SESSION:

Moved by Feickert, seconded by Fischbach to go into executive session for personnel discussion with Russ Podoll in attendance. All members present voting aye. Motion carried.

Moved by Feickert, seconded by Wiese to adjourn executive session. All members present voting aye. Motion carried.

RECESS:

Moved by Knecht, seconded by Wiese to recess until June 29, 1999. All members present voting aye. Motion carried.

Maxine Taylor - Brown County Auditor

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JUNE 21, 1999 - JOINT CITY/COUNTY MEETING

The Brown County Commission and the Aberdeen City Commission met in joint session at 6:30 P.M. in the City Commission Chambers, 123 S Lincoln, Aberdeen, South Dakota. Present from City were Commissioners Hurlbert, Klabo, Pfeifer and Mayor Rich. Absent Commissioner Hopper. Present from County were Commissioners Feickert, Fischbach, Wiese and Hansen. Absent Commissioner Knecht.

ORDINANCE NO. 99-05-03/179:

On motion by Hurlbert and seconded by Pfeifer, the City Commission unanimously voted to approve First Reading of Ordinance No. 99-05-03/179.

Moved by Wiese, seconded by Fischbach to approve First Reading of Ordinance No. 99-05-03/179, An Ordinance Amending Ordinance No. 1164 to rezone certain described property from Section 701 (A-1) Agricultural District to Section 714 (M-Ag) Mini-Agricultural District, described as Karlen's First Addition in the SE 1/4 of Section 2-T122N-R64W of the 5th P.M., Brown County, South Dakota. All members present voting aye. Motion carried.

ORDINANCE NO. 99-06-02/182:

On motion by Klabo and seconded by Hurlbert, the City Commission unanimously voted to approve First Reading of Ordinance No. 99-06-02/182.

Moved by Feickert, seconded by Wiese to approve First Reading of Ordinance No. 99-06-02/182, An Ordinance Amending Ordinance No. 1164 to rezone certain described property from Section 701 (A-1) Agricultural District to Section 714 (M-Ag) Mini-Agricultural District, described as follows, To be platted and known as Lot 1 of "Eldevik's First Addition" in the SE 1/4 of Section 2-T122N-R64W of the 5th P.M., currently platted and known as Lots 7 and 8, of Block 3 of Moulton's First Subdivision in the SE 1/4 of Section 2-T122N-R64W of the 5th P.M., also known as 13699 387th Avenue. All members present voting aye. Motion carried.

ORDINANCE NO. 99-06-03/183:

On motion by Hurlbert and seconded by Pfeifer, the City Commission unanimously voted to approve First Reading of Ordinance No. 99-06-03/183.

Moved by Fischbach, seconded by Wiese to approve First Reading of Ordinance No. 99-06-03/183, An Ordinance Amending Ordinance No. 1164 to rezone certain described property from Section 701 (A-1) Agricultural District to Section 714 (M-Ag) Mini-Agricultural District, described as Kratochwil Addition in the SW 1/4 of Section 21-T123N-R63W of the 5th P.M., Brown County, South Dakota, also known as 1423 S. Melgaard Rd. All members present voting aye. Motion carried.

Moved by Wiese, seconded by Feickert to adjourn the Joint City/County Meeting. All members present voting aye. Motion carried.

Maxine Taylor - Brown County Auditor



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JUNE 28, 1999 - JOINT CITY/COUNTY MEETING

The Brown County Commission and the Aberdeen City Commission met in joint session at 6:30 P.M. in the City Commission Chambers, 123 S Lincoln, Aberdeen, South Dakota. Present from City were Commissioners Hopper, Hurlbert, Klabo, Pfeifer and Mayor Rich. Present from County were Commissioners Feickert, Fischbach, Wiese and Hansen. Absent Commissioner Knecht.

ORDINANCE NO. 99-05-03/179:

On motion by Hurlbert and seconded by Klabo, the City Commission unanimously voted to approve Second Reading of Ordinance No. 99-05-03/179.

On motion by Hopper and seconded by Pfeifer, the City Commission unanimously voted to adopt Ordinance No. 99-05-03/179.

Moved by Feickert, seconded by Wiese to approve Second Reading of Ordinance No. 99-05-03/179. All members present voting aye. Motion carried.

Moved by Wiese, seconded by Fischbach to adopt Ordinance No. 99-05-03/179, An Ordinance Amending Ordinance No. 1164 to rezone certain described property from Section 701 (A-1) Agricultural District to Section 714 (M-Ag) Mini-Agricultural District, described as Karlen's First Addition in the SE 1/4 of Section 2-T122N-R64W of the 5th P.M., Brown County, South Dakota. All members present voting aye. Motion carried.

ORDINANCE NO. 99-06-02/182:

On motion by Hopper and seconded by Hurlbert, the City Commission unanimously voted to approve Second Reading of Ordinance No. 99-06-02/182.

On motion by Klabo and seconded by Pfeifer, the City Commission unanimously voted to adopt Ordinance No. 99-06-02/182.

Moved by Fischbach, seconded by Feickert to approve Second Reading of Ordinance No. 99-06-02/182. All members present voting aye. Motion carried.

Moved by Wiese, seconded by Feickert to adopt Ordinance No. 99-06-02/182, An Ordinance Amending Ordinance No. 1164 to rezone certain described property from Section 701 (A-1) Agricultural District to Section 714 (M-Ag) Mini-Agricultural District, described as follows, To be platted and known as Lot 1 of "Eldevik's First Addition" in the SE 1/4 of Section 2-T122N-R64W of the 5th P.M., currently platted and known as Lots 7 and 8, of Block 3 of Moulton's First Subdivision in the SE 1/4 of Section 2-T122N-R64W of the 5th P.M., also known as 13699 387th Avenue. All members present voting aye. Motion carried.

ORDINANCE NO. 99-06-03/183:

On motion by Hurlbert and seconded by Pfeifer, the City Commission unanimously voted to approve Second Reading of Ordinance No. 99-06-03/183.

On motion by Klabo and seconded by Hopper, the City Commission unanimously voted to adopt Ordinance No. 99-06-03/183.

Moved by Wiese, seconded by Fischbach to approve Second Reading of Ordinance No. 99-06-03/183. All members present voting aye. Motion carried.

Moved by Feickert, seconded by Wiese to adopt Ordinance No. 99-06-03/183, An Ordinance Amending Ordinance No. 1164 to rezone certain described property from Section 701 (A-1) Agricultural District to Section 714 (M-Ag) Mini-Agricultural District, described as Kratochwil Addition in the SW 1/4 of Section 21-T123N-R63W of the 5th P.M., Brown County, South Dakota, also known as 1423 S. Melgaard Rd. All members present voting aye. Motion carried.

Moved by Wiese, seconded by Feickert to adjourn the Joint City/County Meeting. All members present voting aye. Motion carried.

Maxine Taylor - Brown County Auditor

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## JUNE 29, 1999 - GENERAL MEETING

Meeting called to order by Chairman Hansen at 8:45 A.M. in the Commissioner's Chambers, Courthouse Annex, Brown County, South Dakota. Present were Commissioners Knecht, Feickert, Fischbach and Wiese.

## MINUTES:

Moved by Wiese, seconded by Knecht to approve the Joint City/County Meeting minutes of June 21, 1999 and the General Meeting minutes of June 22, 1999. All members present voting aye. Motion carried.

## CLAIMS:

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

Supplies & Materials: SD Safety Council..\$59.40, Plainsco..\$4.62, Heartland Paper..\$658.84, Ecolab..\$104.80, Menards..\$84.01, Prairieland..\$26.65, Gardner Locksmith..\$56.25, Keeleys..\$11.25, Kesslers..\$52.36, Sherwin-Williams..\$45.90, Artz Equipment..\$1835.00, Floor to Ceiling..\$71.70, Office Equip..\$43.00, Amoco..\$12.30, Aberdeen Credit Bureau..\$72.00, K-Mart..\$23.88, Tuxall..\$55.29, Radio Shack..\$23.95, Newman Sign..\$132.00, Call One Inc..\$735.35, Alan Winburn..\$608.00, Safety Service..\$221.02, Respond..\$91.00, Lien Transportation..\$1314.09, Lawson Products..\$477.47, WE Doyle Equip..\$144.95, Dakota Air..\$51.00, Herb Dabbert Trucking..\$1287.00, Cunningham Elec..\$128.52, Country General..\$81.35, Aberdeen Glass..\$412.40, Texaco..\$44.99, D&D Paint..\$18.00, Mike Kenneally..\$5.84, UBC..\$28.78, William DeLine..\$82.00, Menards..\$35.98, 3-D Spec..\$102.27, Walmart..\$3.95, Northern States Conservation Center..\$15.00, Ameripride..\$14.65, Rohl Beverages..\$254.10, Peg Schumack..\$30.71, Hogg's..\$8.63, Don Hanks..\$118.20, RE Huffman..\$341.44, SDSU..\$20.99, Gene Carr..\$135.00, Maxine Taylor..\$19.55, Office Max..\$59.99, Mill Spec..\$27.94, SD Dept of Revenue..\$2759.09, RDO Financial..\$264.55, Leggette..\$1699.05, Frey's Electronics..\$48.20, Shopko..\$68.03, Taylor Laundry..\$49.56, Dakota Electronics..\$750.00, SDACHS..\$30.00, Nat'l College of Dist Attorney..\$415.00:

Transcriptions: Richard Neal..\$27.00:

Publications: American News..\$265.50:

Professional Fees: Witness Fees..\$20.00, Avera St Lukes..\$282.99, Aberdeen Family Physicians..\$165.10, Sioux Vocational Services..\$480.00, Dawn Aman..\$4600.00:

Court Appointed Attorney: HI King..\$1022.06, Brad Borge..\$3406.82, Gary Gellhaus..\$2384.76:

Utilities: US West..\$2105.36, Midcontinent Cable..\$275.65, Cellular One..\$186.12, NWPS..\$75.66, Montana-Dakota..\$27.63, US West..\$41.21:

Care of Poor: Utilities..2 recipients..NWPS..\$380.00; Rent..3 recipients..Michael Crady..\$170.00, Apartment Plus..\$190.00, Bo-Bo Inc..\$190.00; Insurance..1 recipient..1st Dakota Indemnity Co..\$144.26. All members present voting aye.

Motion carried.

## AGREEMENT ASSIGNMENT:

Moved by Knecht, seconded by Feickert to approve and authorize the Chairman sign agreement with the law firm of Tonner, Tobin & King to fulfill all of the terms and conditions of the Agreement between Gary Gellhaus and the County to provide indigent counsel services in Brown County, due to Mr. Gellhaus' untimely death. All members present voting aye. Motion carried.

## PLATS:

Commissioner Wiese offered the following Resolution:

## RESOLUTION NO. 56-99

BE IT RESOLVED by the Board of County Commissioners of Brown County, South Dakota,

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that the plat showing "Lots 3A and 3B of Lot 3 of Mohr's Outlots in the S 1/2 of Section 36-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 Fischbach. Roll call vote: Commissioners Knecht-aye, Feickert-aye, Fischbach-aye, Wiese-aye, Hansen-aye. Resolution adopted.

Commissioner Wiese offered the following Resolution:

RESOLUTION NO. 57-99

BE IT RESOLVED by the County Commission of Brown County, South Dakota, that the plat showing "Teigen First Addition in the NW 1/4 of Section 29-T123N-R63W of 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 Fischbach. Roll call vote: Commissioners Knecht-aye, Feickert-aye, Fischbach-aye, Wiese-aye, Hansen-aye. Resolution adopted.

Commissioner Wiese offered the following Resolution:

RESOLUTION NO. 58-99

BE IT RESOLVED by the Board of County Commissioners of Brown County, South Dakota, that the plat showing "Bretsch Conservation Easement Tract 1 in the NW 1/4 of Section 16-T128N-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 Feickert. Roll call vote: Commissioners Knecht-aye, Feickert-aye, Fischbach-aye, Wiese-aye, Hansen-aye. Resolution adopted.

Commissioner Wiese offered the following Resolution:

RESOLUTION NO. 59-99

BE IT RESOLVED by the Board of County Commissioners of Brown County, South Dakota, that the plat showing "Zoellner Conservation Easement Tracts 1, 2, 3, 4 and 5 in the S 1/2 of the NW 1/4 and N 1/2 of the SW 1/4 of Section 22-T123N-R60W 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 Feickert. Roll call vote: Commissioners Knecht-aye, Feickert-aye, Fischbach-aye, Wiese-aye, Hansen-aye. Resolution adopted.

Commissioner Feickert offered the following Resolution:

RESOLUTION NO. 60-99

BE IT RESOLVED by the Board of County Commissioners of Brown County, South Dakota, that the plat showing "Daly Conservation Easement Tract 1 in the SW 1/4 of Section 18-T125N-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. Roll call vote: Commissioners Knecht-aye,

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Feickert-aye, Fischbach-aye, Wiese-aye, Hansen-aye. Resolution adopted.

PERSONNEL:

Moved by Fischbach, seconded by Wiese to acknowledge resignation of Dispatcher Darcy Simmons, effective July 24, 1999. All members present voting aye. Motion carried.

Moved by Wiese, seconded by Feickert to approve hiring Jvonne Heard as a part-time JDC Officer, effective June 29, 1999 at \$7.90 per hour. All members present voting aye. Motion carried.

Moved by Wiese, seconded by Knecht to approve hiring Sara Frankenstein as summer intern in the States Attorney's Office, effective June 21, 1999 at \$320.00 per week. All members present voting aye. Motion carried.

DOC AGREEMENT:

Moved by Wiese, seconded by Fischbach to approve and authorize the Chairman sign agreement with SD Department of Corrections for housing juveniles in the Brown County JDC, effective July 1, 1999 through June 30, 2000 at \$90/day for detention services and \$20/day for home detention services. All members present voting aye. Motion carried.

EXPENSES:

Moved by Wiese, seconded by Knecht to approve expenses for Bryan Locke to attend a Drug Investigator's Meeting in Deadwood on June 29 & 30, 1999. All members present voting aye. Motion carried.

LEASE AGREEMENT:

Moved by Wiese, seconded by Knecht to approve and authorize the Chairman sign agreement with Blind Pig Entertainment for lease of the Grandstand on July 31, 1999. All members present voting aye. Motion carried.

PERMIT:

Moved by Wiese, seconded by Knecht to approve and authorize the Chairman sign permit approving consumption of alcoholic beverages on County property in conjunction with the Gibbs Reunion to be held at Centennial Village. All members present voting aye. Motion carried.

CONTRACT/NOTICE TO PROCEED:

Moved by Wiese, seconded by Feickert to approve and authorize the Chairman sign Contract and Notice to Proceed document with Lien Transportation Company for Grading and Bituminous Surfacing Project - 385th Ave from US Hwy 12 to Brown County 12W. All members present voting aye. Motion carried.

QCD:

Moved by Fischbach, seconded by Knecht to approve and authorize the Chairman sign Quit Claim Deed, conveying Brown County tax deed interest in the S 2/3 of W 1/2 & W 20' of E 1/2 of Lot 2, Block 9, Town of Houghton to Lester L Larson, Jr, in amount of \$250.00. All members present voting aye. Motion carried.

ORDINANCE 010:

Time and place, as advertised for first reading of Ordinance No. 010 - Adding Title 17 - Laser Beams. Moved by Wiese, seconded by Feickert to approve First Reading of Ordinance No. 010, An Ordinance amending Second Revision Brown County Ordinances, effective March 12, 1997, by adding Title 17 - Laser Beams. All members present voting aye. Motion carried.

ORDINANCE 011:

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Time and place, as advertised for first reading of Ordinance No. 011 - Amend Title 13 - Wheel Tax. Moved by Wiese, seconded by Feickert to approve First Reading of Ordinance No. 011, An Ordinance to Amend Title 13 Second Revision Brown County Ordinances - Wheel Tax. All members present voting aye. Motion carried.

#### FREDERICK COMMUNITY LOUNGE:

Ruth Sabol discussed the proposed Frederick Community Lounge and asked the Commission for ideas for raising the needed funds. The Commission referred Mrs. Sabol to personnel at NECOG for information on grants.

#### PROPERTY DISCUSSION:

Jason Kuntz and Jim Lawler met to discuss owner/occupied status on a home Mr. Lawler sold to Mr. Kuntz. The owner/occupied status was removed between the November 1997 assessment date and final abstract date, as the owner prior to Mr. Lawler had another home with owner/occupied status. No action taken.

#### SURPLUS PROPERTY:

Mike Scott made arrangements for the Commission to inspect a 1983 Case 209A tractor and requested permission to purchase it with trade-in; also discussed estimated costs involved in completing land test borings in the Landfill area.

Moved by Feickert, seconded by Wiese to declare Decal #4019 (1975 IHC 966 Tractor) surplus property for purpose of trade-in on a 1983 Case 209A Tractor in amount of \$10,900 (cost without trade-in at \$14,900). All members present voting aye. Motion carried.

#### APPLICATIONS FOR OCCUPANCY:

Moved by Fischbach, seconded by Feickert to approve and authorize the Chairman sign application, submitted by US West Communications for occupancy of County Hwy #10 in Section 36-T123N-R64W, Brown County, South Dakota for improved telephone service. Roll call vote: Commissioners Knecht-aye, Feickert-aye, Fischbach-aye, Wiese-abstain, Hansen-aye. Motion carried.

Moved by Knecht, seconded by Feickert to approve and authorize the Chairman sign application, submitted by US West Communications for occupancy of County Hwy #12WA1 in Section 14-T123N-R65W, Brown County, South Dakota for improved telephone service. Roll call vote: Commissioners Knecht-aye, Feickert-aye, Fischbach-aye, Wiese-abstain, Hansen-aye. Motion carried.

#### BRIDGE RE-INSPECTIONS:

Moved by Wiese, seconded by Feickert to approve and authorize the Chairman sign Work Order BI-99-07, BR NBIS(14) with Hofland Engineering and SDDOT to perform 44 bridge re-inspections in Brown County (SDDOT 80% of cost, Brown County 20% of cost). All members present voting aye. Motion carried.

#### FIREWORKS PERMIT:

Moved by Wiese, seconded by Knecht to acknowledge Fireworks Public Display Permit issued by Aberdeen City to Terry Voeltz (Brown County Speedway) with display being held Friday, June 2, 1999 at the Fairgrounds. All members present voting aye. Motion carried.

#### ADJOURN:

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

Maxine Taylor - Brown County Auditor

JULY 6, 1999 - GENERAL

JULY 6, 1999 - GENERAL MEETING

The Brown County Commission convened at 8:45 A.M. in the Commissioner's Chambers, Courthouse Annex, Brown County, South Dakota. Present were Commissioners Knecht, Feickert, Fischbach, Wiese and Hansen.

MINUTES:

Moved by Wiese, seconded by Fischbach to approve the Joint City/County Meeting minutes of June 28, 1999 and the General Meeting minutes of June 29, 1999. All members present voting aye. Motion carried.

CLAIMS:

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

Payroll: Commissioners..\$2,115.40; Data Processing..\$1,221.16; Auditor..\$5,005.30, OVERTIME: Ione Shilman..\$30.10, Carol Misfeldt..\$9.81; Treasurer..\$6,900.50; State's Attorney..\$7,624.97; Victims Asst..\$769.24; Maintenance..\$3,528.52; Assessor..\$5,827.03; Planning & Zoning..\$829.60, OVERTIME: Ralph Waller..\$15.56; Register of Deeds..\$2,834.01; Veterans Service..\$1,903.24; Communications..\$9,368.02, OVERTIME: Mary Browning..\$31.84, Darcy Simmons..\$28.98, Kathy Thooft..\$30.40; Sheriff..\$37,200.04, OVERTIME: Craig Anderson..\$39.76, Bryan Locke..\$19.88, John McQuillen..\$109.34, John Heine..\$78.08, Scott Kolb..\$38.32, Michael Casjens..\$150.40, David Fair..\$37.60, David Hanson..\$194.92, Steven Cogley..\$34.00, Ethan Palluck..\$44.52, John Weaver..\$57.92, Craig Nelson..\$63.54, Charlene McAfee..\$35.30, Mark Jastram..\$27.50, Patrick Rickerl..\$34.40, Dallas Vallery..\$33.50, Barry Allbee..\$33.50, Amy Mathiason..\$60.30, Gary Bunt..\$33.50, Cindy Baumgartner..\$65.20, Kevin Johnson..\$40.20, Amy Lake..\$78.24, Kristal Schumack..\$84.76, Jeffrey Kirnan..\$58.68; Health..\$2,171.20; Museum..\$3,205.59; IMS..\$158.36, Welfare..\$2,212.42; E&D..\$1,754.32; Foster Grandparent Program..\$2,236.71; Fairgrounds..\$3,379.42, OVERTIME: John Weig..\$105.69, Melvin Ernst..\$84.06; Fairboard..\$1,540.13, OVERTIME: Nyle Jensen..\$67.82; Extension..\$1,507.53; Weed..\$1,994.40, OVERTIME: Robert Retzer..\$181.13, Earl Ruden..\$69.38, Jerry Dempsey..\$66.60; Road and Bridge..\$29,570.91, OVERTIME: Terry Backous..\$150.66, Robert Binfet..\$178.86, David Bruckner..\$451.98, Brian Dargatz..\$249.44, Joel Guderjohn..\$414.12, Larry Hardy..\$143.83, Dave Kolb..\$112.08, Tom Lammon..\$342.98, Daryl Lloyd..\$164.30, Jerry Luce..\$12.20, Joseph Malsam..\$153.41, Donald Maunu..\$7.88, Todd Odenbach..\$298.20, Dave Okroi..\$244.04, Bryan Owens..\$289.78, Cordell Rudolph..\$209.66, Richard Schaible..\$158.10, Roger Schaible..\$425.06, Jeff Seiler..\$346.75, Markcus Selzler..\$287.55, Casey Thorstenson..\$63.05, Leon Vickers..\$226.80, Michael Wagner..\$218.52, Jan Weismantel..\$325.20, Theodore Brockel..\$111.74, Nicholas Wanna..\$104.00; Solid Waste..\$4,981.30, OVERTIME: Carl Wright..\$32.84, Roxanne Varns..\$15.13, Nyle Jensen..\$226.05, Dennis Vanheerde..\$180.67, Stacy Anderson..\$5.18; Supplies & Materials: Lexis..\$165.98, Quality Quick Print..\$1027.54, William Meink..\$105.94, ZD Journals..\$39.00, Office Equipment..\$164.50, Sheriff of Minnehaha County..\$16.50, Ramkota Inn..\$35.00, Computer Specialists..\$674.00, Shafer & Feld..\$10.00, Nordling Const..\$36,840.00, Sanders..\$40.12, Woodman Refrig..\$948.97, Herges, Kirkgasler..\$2657.00, Plainsco..\$171.28, OK Tire..\$40.00, Taylor Laundry..\$114.46, Ameripride..\$19.50, RE Huffman..\$255.89, Hoven Auto..\$305.50, Langs..\$38.00, Phillips 66..\$18.10, Ecolab..\$76.60, SD Dept of Revenue..\$3635.74, Oakstone..\$119.95, Galls..\$119.98, Bob Barker..\$121.77, Walmart..\$122.22, Herbergers..\$25.50, Great North American Co..\$106.92, Avera St Lukes..\$2581.65, Respond..\$140.00, Harold Winburn..\$275.50, Alan Winburn..\$1307.20, SDDOT..\$14241.09, Share Corp..\$105.00, Reuer's Auto..\$52.00, Plainsco..\$9.82, Meyer's Auto..\$150.00, Marshall Truck & Trailer..\$93.70, Lien..\$21204.17, Keeleys..\$83.50, Great Western Tire..\$1286.18, Frey's Electronics..\$21.00, Farm Power..\$5.00, Downie's Piano Tuning..\$25.00, Herb Dabbert Trucking..\$1482.00, Creative Signs..\$121.00, HC Clark..\$495.65, Butler Machinery..\$436.55, Bridgestone/Firestone..\$47.00, Aberdeen Asphalt..\$68,502.21, Best Business..\$56.24, Office Max..\$23.48, D&d Paint..\$6.90,

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UBC..\$5.94, Sue Gates..\$37.02, Ken's Superfair Foods..\$52.34, NSU Office of Financial Aid..\$48.94, A&M Radio..\$43.00, Kesslers..\$7.49, Aberdeen Chrysler..\$171.95, Watertown Area Transit..\$129.00, Phyllis Voeller..\$16.00, Praxair..\$15.33, Earth Tech..\$702.65, Respond..\$140.00, Butler..\$64.36, New Deal Tire..\$450.00:

Transcriptions: Betsy Johnson..\$91.80:

Publications: American News..\$302.20, Frederick/Hecla Northstar..\$747.44:

Professional Fees: stipends..\$8575.65:

Mileage & Travel: Tom Fischbach..\$171.36, Dennis Feickert..\$19.20, Deb Knecht..\$117.60, Gene Loeschke..\$156.96, Leo Leshar..\$67.20, Jodi McQuillen..\$11.52, Linda Dillavou..\$90.24:

Utilities: City of Aberdeen..\$544.01, NWPS..\$5752.97, Midcontinent Cable..\$25.75, Lucent..\$5.35, US West..\$41.21, WEB..\$52.38:

Jury: Brenda Becker..\$10.48, Ralph Bierman..\$207.60, Charles Blumhardt..\$309.82, Lisa Bokelheide..\$182.88, Cynthia Bosma..\$385.28, Tamera Jo Bower..\$31.44, Roger Brick..\$50.16, Erin Brown..\$31.44, Adam Brunes..\$430.70, Donna Burgard..\$263.84, Michael Cardella..\$31.44, Patricia Carlson..\$31.44, Kristin Cutler..\$53.60, Gerald Davis..\$31.44, Rodney Dobberpuhl..\$20.96, Milton Ehresmann..\$20.96, Gary Erickson..\$168.80, Barry Eske..\$263.84, Irene Fenske..\$142.40, Judy Feser..\$78.40, Dorothy Fettig..\$47.68, Richard Fettig..\$31.44, Rhonda Sommers..\$263.84, Jane Guthmiller..\$31.44, Tammie Hanson..\$185.60, Don Hayenga..\$10.48, Janice Hoffmann..\$31.44, Elaine Huff..\$305.36, Cynthia Igl..\$31.44, Judith Jahnig..\$275.36, Derrick Johnson..\$263.84, Charles Keller..\$20.96, Kelli Kirkpatrick..\$41.92, Jennifer Klapperich..\$71.92, Karen Klein..\$10.48, Dwight Kvasnicka..\$40.08, Sharon Lee..\$347.60, Melissa Lehr..\$154.40, Sharon Lehr..\$313.20, Teresa Lewis..\$237.60, Ronald Lindner..\$41.92, Kari Martell..\$31.44, Vivian Murphy..\$31.44, Sonia Otten..\$41.92, Lloyd Pigors..\$142.40, Gary Renner..\$274.32, Teresa Galbraith..\$31.44, Rick Rozell..\$55.92, Troy Schanzenbach..\$253.36, Jerry Schley..\$118.00, Mike Severson..\$152.88, Brenda Simon..\$41.92, Brian Smidt..\$35.76, John Smith..\$49.60, Neal Smith..\$20.96, Kari Stenvig..\$31.44, Marcia Sveen..\$41.92, Erick Swanson..\$41.92, Lonni Sweet..\$50.96, Nylene Thorton..\$78.72, Marlene Tisher..\$25.76, Karen Trierweiler..\$20.96, Marjorie Vance..\$31.44, Brian Verslays..\$71.92, Betty Wandry..\$197.28, Percy Washenberger..\$41.92, Aubrey Wolff..\$142.40, Cynthia Zoellner..\$136.00, Dean Zumbaum..\$47.28, David Arneson..\$10.48, Courtney Seelhorst..\$20.96, Margaret Artz..\$10.48, Damian Bahr..\$39.20, Dale Boschee..\$20.96, Elroy Boschee..\$27.68, Dorothy Christenson..\$58.40, Carmen Craig..\$39.20, Emma Delzer..\$20.96, Catherine Diede..\$20.96, Sylvia Durheim..\$48.80, Mark Engelhart..\$20.96, Marjorie Finley..\$68.00, Julie Goehring..\$10.48, Cindy Grote..\$26.72, Dorothy Hagadone..\$20.96, Irene Herman..\$10.48, Lynn Hodny..\$29.60, Adam Jorgensen..\$15.76, Chad Lang..\$20.96, Ruby Luce..\$19.60, Peggy Lunzman..\$20.96, Gordon Malsom..\$20.96, Kevin Moser..\$14.80, Gloria Mullner..\$20.96, Philip Nikolas..\$20.96, Esther Ottenbacher..\$20.96, Dawn Perkins..\$29.20, Kevin Plummer..\$253.36, Tonya Senger..\$10.48, Arlyn Salfrank..\$20.96, Pamela Schumack..\$29.20, Joy Walter..\$39.20, William Weishaar..\$20.96, Clyde Wells..\$29.60, Erin Zephier..\$10.48, Colleen Zerr..\$10.48, Dorothy Lahr..\$25.84:

Care of Poor: Transportation..1 recipient..Emergency Poor Fund..\$20.00; Utilities..1 recipient..NWPS..\$170.00;

Drugs..1 recipient..Kessler Pharmacy..\$8.99; Rent..5 recipients..Tom

Appletoft..\$210.00, JoAnn DeSart..\$190.00, BelAire..\$40.00, Peter Buttarro..\$340.00, Jan Poirier..\$170.00; Burial..1 recipient..Miller Funeral Home..\$1555.00. All members present voting aye. Motion carried.

#### EXPENSES:

Moved by Knecht, seconded by Feickert to approve expenses for county personnel to attend the Lake Region District Commissioners Association Meeting on July 14, 1999 in Britton, the Upper Missouri Valley Commissioners Association Meeting on July 15, 1999 in Mobridge, and to attend tour of joint use facility in Sioux Falls on July

8; Mark Mills to attend meeting with the SD 911 Task Force on July 15 in Pierre. All members present voting aye. Motion carried.

PERSONNEL:

Moved by Wiese, seconded by Fischbach to approve the following step increases, effective July 11, 1999: Sandy Green @ \$9.28 per hour, Joel Guderjohn @ \$10.06 per hour and Lynn Meyer @ \$8.88 per hour. All members present voting aye. Motion carried.

Moved by Feickert, seconded by Wiese to approve hiring Daryl Thomas as Part-time janitor at the County Highway Department @ 6.05 per hour effective July 12, 1999. All members present voting aye. Motion carried.

INCREASE SPENDING AUTHORITY:

Moved by Wiese, seconded by Fischbach to increase spending authority (234-151-422) and estimated revenue (234-334.01) in amount of \$7,730.00 for SVAWA Grant. All members present voting aye. Motion carried.

HEALTH SERVICES CONTRACT:

Moved by Wiese, seconded by Feickert to authorize Commission Chairman to sign contract with South Dakota Department of Health for Health Department Secretary Salary Reimbursement. All members present voting aye. Motion carried.

NORTHEAST LEVY PROJECT:

Moved by Wiese, seconded by Knecht to approve \$10,000 contribution for cost share of the Aberdeen Flood Protection Project. All members present voting aye. Motion carried.

AUDITOR'S REPORT OF ACCOUNT WITH THE COUNTY TREASURER:

Moved by Feickert, seconded by Wiese to approve the June, 1999 Auditor's Report of Account with the County Treasurer:

AUDITOR'S REPORT OF ACCOUNT WITH THE COUNTY TREASURER:

Total amount of actual cash-----	\$ 3,086.04
Norwest Bank-----	\$ 7,708.04
U.S. Bank-----	\$ 17,882.05
Dacotah Bank-----	\$ 102,124.51
Petty Cash (Sheriff, Welfare, Museum, Reg/Deeds) \$	1,500.00
Landfill Cash Fund-----	\$ 100.00
Fund Investments-----	\$ 9,161.503.47
Outstanding Checks-----	\$ 413.96
Total-----	\$ 9,294,318.07

All members present voting aye. Motion carried.

ORDINANCE NO. 010 - LASER BEAMS

Moved by Wiese, seconded by Feickert to approve second reading of Ordinance No. 010, An Ordinance amending Second Revision Brown County Ordinances, adding Title 17 prohibiting the misuse of laser beams as well as their possession by minors in public places. All members present voting aye. Motion carried.

Moved by Wiese, seconded by Knecht to approve adoption of Ordinance No. 010, An Ordinance amending Second Revision Brown County Ordinances, adding Title 17 prohibiting the misuse of laser beams as well as their possession by minors in public places. All members present voting aye. Motion carried.

ORDINANCE NO. 011 - WHEEL TAX:

Moved by Knecht, seconded by Wiese to approve second reading on Ordinance No. 011, An Ordinance amending Second Revision Brown County Ordinances, amending Title 13 to impose a Wheel Tax (October 1, 1999 - September 30, 2003). All members present



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voting aye. Motion carried.

Moved by Wiese, seconded by Knecht to approve adoption of Ordinance No. 011, An Ordinance amending Second Revision Brown County Ordinances, amending Title 13 to impose a Wheel Tax (October 1, 1999 - September 30, 2003). All members present voting aye. Motion carried.

ABERDEEN AMERICAN NEWS SUBSCRIPTION:

Moved by Fischbach, seconded by Knecht to not subscribe to the Aberdeen American News. All members present voting aye. Motion carried.

APPLICATIONS FOR OCCUPANCY:

Moved by Feickert, seconded by Knecht to approve and authorize the Chairman sign application, submitted by Northwestern Public Service for occupancy of Brown County Highway Number 379745 North Shore Drive in Sec 18-T121N-R65W, Brown County, SD to install gas service for heat. Roll call vote: Commissioners Knecht-aye, Feickert-aye, Fischbach-aye, Wiese-abstain, Hansen-aye. Motion carried.

Moved by Fischbach, seconded by Feickert to approve and authorize the Chairman sign application, submitted by James Valley Telephone Company for occupancy of Brown County Highway 12E (134th St) in Sec 23 & 26-T123N-R60W, Brown County, SD for cable installation. Roll call vote: Commissioners Knecht-aye, Feickert-aye, Fischbach-aye, Wiese-abstain, Hansen-aye. Motion carried.

Moved by Feickert, seconded by Knecht to approve and authorize the Chairman sign application, submitted by James Valley Telephone Company for occupancy of Brown County Highway 9 (119th St) in Sec. 7-T125N-R60W, Brown County, SD for cable installation. Roll call vote: Commissioners Knecht-aye, Feickert-aye, Fischbach-aye, Wiese-abstain, Hansen-aye. All members present voting aye. Motion carried.

BID - LOW BOY TRAILER:

Moved by Wiese, seconded by Knecht to authorize advertising public hearing to consider bids for new or used 3-axle Low Boy Trailer, to be held in the Commissioner's Chambers, Courthouse Annex, Brown County, South Dakota at 8:45 A.M. on July 27, 1999. All members present voting aye. Motion carried.

SHERIFF EQUIPMENT:

Tom Schmitt, Chief Deputy Sheriff reported on equipment recently purchased by the Sheriff's Department and invited the Commission to view same.

WEED EQUIPMENT:

Bob Retzer, Weed Supervisor and a representative from C&S Sports explained options on purchase of an ATV for the Weed Department. Moved by Wiese, seconded by Feickert to approve purchase of a 2000 ATV with extended warranty. All members present voting aye. Motion carried.

E-911 SALARY SURVEY:

Mark Mills discussed a bill for salary survey which was questioned by the Commission. Harvey Oliver was also in attendance.

RECESS:

Moved by Knecht, seconded by Feickert to recess until July 13, 1999. All members present voting aye. Motion carried.

Carol Misfeldt - Deputy County Auditor

## JULY 13, 1999 - GENERAL MEETING

Meeting called to order by Acting Chairman Feickert at 8:45 A.M. in the Commissioner's Chambers, Courthouse Annex, Brown County, South Dakota. Present were Commissioners Fischbach and Wiese. Absent Commissioners Knecht and Hansen.

## MINUTES:

Moved by Wiese, seconded by Fischbach to approve the General Meeting minutes of July 6, 1999. All members present voting aye. Motion carried.

## CLAIMS:

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

Supplies & Materials: Lexis..\$223.78, State Bar of SD..\$45.00, G Neil..\$71.99, Aberdeen Insurance Agency..\$60.00, Walmart..\$344.04, Sherwin-Williams..\$122.14, Prairieland..\$6.99, Ecolab..\$67.30, Plainsco..\$627.07, Matthew Bender..\$60.68, Cunningham Elec..\$1273.25, Photos Now..\$74.86, RE Huffman..\$160.49, Best Business..\$52.26, Western Printing..\$50.00, Lar-Jo's..\$129.80, Brown County Reg/Deeds..\$476.94, Pierson Ford..\$92.53, Schwan Welding..\$104.00, Hoggs..\$4014.73, Northern Plains..\$16.00, Aberdeen Advanced Care..\$204.95, Kesslers..\$26.98, Ameripride..\$58.64, Bonnie Bitz..\$168.00, Metz Baking..\$483.02, Aberdeen Lock & Key..\$10.00, Cheryl Hairgrove..\$416.00, Respond..\$47.70, Velvet Uniform..\$1915.20, Zastrow Conoco..\$32.00, Dick's Westside..\$22.00, D'Luxe Car Wash..\$10.94, Dakota Electronics..\$1085.15, Rux Bros..\$101.75, Newman Signs..\$533.00, Office Max..\$4141.72, Mercury Cleaners..\$36.60, NAEMD..\$90.00, Crawford..\$8720.47, JD Evans..\$1026.44, Flack Signs..\$15.00, Alan Winburn..\$1368.00, Trins..\$2289.20, Sheehan Mack..\$131.32, SD Wheat Growers..\$11,888.56, SD Federal Property..\$9850.00, SD Division of Motor Vehicles..\$12.00, Safety-Kleen..\$259.25, Reuer's Auto..\$68.90, New Deal Tire..\$82.35, Menards..\$99.50, Mac's..\$40.91, J Gross..\$100.00, Lien Transportation..\$29,519.72, Larson Blacksmith..\$455.06, Graham Tire..\$810.90, Farmers Union..\$29.53, Farm Plan..\$231.47, Evergreen Supply..\$352.15, WE Doyle..\$173.24, Robert Dinger..\$219.00, Diesel Machinery..\$22.28, Dakota Oil..\$1174.80, Dakota Fluid Power..\$126.37, Herb Dabbert..\$877.50, Cunningham Elec..\$209.10, Al Dabbert..\$1254.00, Clark Engineering..\$626.83, Carquest..\$319.95, Cartney Bearing..\$182.74, Artz Equipment..\$1833.44, US Post Office..\$200.00, Best Business..\$221.99, Quality Quick Print..\$378.56, Dacotah Prairie Museum..\$20.00, D&D Paint..\$76.00, Brown County Clerk of Courts..\$3.31, Amoco..\$12.00, Dakota Pump & Control..\$777.56, McFarland..\$51.60, Weismantel..\$106.25, Kelsey Welding..\$17.50, Janitor Supply..\$25.05, Prairie Partners..\$1612.00, Gary's Engine..\$26.16, Haar Plumbing..\$1771.49, Dakota School & Office..\$150.00, Heartland Paper..\$103.80, Western States Fire..\$180.00, Lust Chevrolet..\$32.68, Bob Barker..\$4991.48, SD Wheat Growers..\$2733.63, Office Equipment..\$6.59, Farm Power..\$30.00, U of Calif..\$28.00, C&S Motor Sports..\$6428.75, Reuer's Auto..\$57.12, Pro Ag Supply..\$21.50, Farm Power..\$3.50, K-Mart..\$38.96, Spink County Transit..\$168.00, Aberdeen Area Sr Citizens..\$307.50, US Post Office..\$209.50, County Treas..\$103.49, Frey's Electronics..\$70.00, Aberdeen Equip..\$359.50, Country General..\$179.99, Hedahls..\$10.13, Dependable..\$11,710.94, A-1 Sanitation..\$1940.25, Sheehan Mack Sales..\$2198.72, Town & Country..\$77.66, SD Emergency Mgmt..\$821.24, RL Polk..\$1360.00, USAED Omaha Dist..\$10,000.00, Target..\$27.99:

Publications: American News..\$797.91, Dakota Press..\$1201.92:

Professional Fees: SDACC..\$22,113.33, Avera St Lukes..\$1473.64:

Mileage & Travel: Richard Rieck..\$272.30, Lori Erickson..\$2.64, Lynn Meyer..\$37.20, Jerry Mills..\$369.00, Marg Kolb..\$314.49:

Court Appointed Attorney: Hosmer & Kettering..\$114.80, Goetz & Klimisch..\$101.05:

Utilities: NWPS..\$1246.88, City of Aberdeen..\$119.19, Midcontinent Cable..\$153.00,

US West..\$3891.56, Accent Communication..\$424.76, James Valley Co-Op..\$636.17, Cellular One..\$134.35, Northern Electric..\$170.25, WEB..\$41.83, Bureau of Admin..\$42.71, DTG..\$26.35:

Care of Poor: Dr/Hospital..1 recipient..Avera McKennan..\$6214.27; Drugs..1 recipient..Medical Center Pharmacy..\$226.79; Rent..5 recipients..BelAire..\$120.00, Joyce Wood..\$170.00, Virgil Pochop..\$150.00, Circle S Properties..\$200.00. All members present voting aye. Motion carried.

EXPENSES:

Moved by Wiese, seconded by Fischbach to approve expenses for the following: Gary Erickson to attend an Extension Meeting in Webster on July 12; Pat Dahlerup, Deb Dugger and Wende Holzkamm to attend a Department of Health Region 3 staff meeting in Aberdeen on July 26; Jerry Mills to attend a State 4-H Meeting in Huron on July 14 - 16. All members present voting aye. Motion carried.

FLEX BENEFIT PLAN:

Moved by Fischbach, seconded by Wiese to allow Roger Schaible to claim \$2,400.00 in medical reimbursement portion of Flex Benefit Plan. All members present voting aye. Motion carried.

JOINT POWERS AGREEMENT:

Moved by Fischbach, seconded by Wiese to approve and authorize the Acting Chairman sign Joint Powers Agreement with the City of Aberdeen, in which the City provides assistance to the Brown County Sheriff's Office in the area of animal control. All members present voting aye. Motion carried.

INCREASE SPENDING AUTHORITY:

Moved by Wiese, seconded by Fischbach to increase spending authority (101-311-426.30) and estimated revenue (101-331.03) in amount of \$2,819.58 for Community Development Block Grant funding to reimburse 25% FEMA matching funds for Lansing and Hecla Townships. All members present voting aye. Motion carried.

Moved by Wiese, seconded by Fischbach to increase spending authority (101-215-426.08) and estimated revenue (101-331.99) in amount of \$36,032.00 for Juvenile Accountability Incentive Grant/Department of Corrections. All members present voting aye. Motion carried.

CHANGE ORDER #2:

Moved by Fischbach, seconded by Wiese to approve and authorize Acting Chairman sign Change Order #2 - ADA Remodeling Project for increase in amount of \$5,347.56 (total adjusted contract in amount of \$122,339.71) and further to allow a 14 day extension. All members present voting aye. Motion carried.

PLATS:

Commissioner Wiese offered the following Resolution:

RESOLUTION NO. 61-99

BE IT RESOLVED by the County Commission of Brown County, South Dakota, that the plat showing, "Henley Outlot A in the SW 1/4 Sec 20-T124N-R61W of 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 Fischbach. Roll call vote: Commissioners Knecht-absent,

Feickert-aye, Fischbach-aye, Wiese-aye, Hansen-absent. Resolution adopted.

Commissioner Wiese offered the following Resolution:

RESOLUTION NO. 62-99

BE IT RESOLVED by the Board of County Commissioners of Brown County, South Dakota, that the plat showing, "Maunu Subdivision in the SW 1/4 of the NW 1/4 of Sec 11-T128N-R63W of 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 Fischbach. Roll call vote: Commissioners Knecht-absent, Feickert-aye, Fischbach-aye, Wiese-aye, Hansen-absent. Resolution adopted.

PEDDLERS LICENSE NO. 36:

Moved by Fischbach, seconded by Wiese to approve and authorize the Acting Chairman sign Peddlers License #36, Jennifer Stuckard DBA Tradewinds Advertising, effective July 12 - July 17, 1999 to sell Aberdeen Golf Promo. All members present voting aye. Motion carried.

PERSONNEL:

Moved by Wiese, seconded by Fischbach to approve hiring Amy Krueger as part-time JDC Officer, effective July 13, 1999 at \$7.90 per hour. All members present voting aye. Motion carried.

Moved by Wiese, seconded by Fischbach to adjust part-time salary of Daniel Klinger, part-time Jail Officer from \$7.65 to \$7.90, effective June 27, 1999. All members present voting aye. Motion carried.

Moved by Wiese, seconded by Fischbach to approve hiring Bonnie Holmquist as Highway Office Clerk, effective July 19, 1999 at \$9.34 per hour. All members present voting aye. Motion carried.

Moved by Wiese, seconded by Fischbach to adjust salary of Randy Dobberpuhl, seasonal highway employee with CDL to \$7.64 per hour, effective July 12, 1999. All members present voting aye. Motion carried.

MALT BEVERAGE LICENSE:

Time and place, as advertised for public hearing to consider Retail (on-off sale) Malt Beverage application, submitted by Blind Pig Entertainment. Moved by Fischbach, seconded by Wiese to approve Retail (on-off sale) Malt Beverage License, submitted by Dave Swain and Mark Taruna DBA Blind Pig Entertainment (SW 1/4 Section 1-T123N-R64W) Fairgrounds Grandstand, subject to terms of property lease. All members present voting aye. Motion carried.

BID - TANDEM TRUCK:

Time and place, as advertised to open, read and consider bids for one new current 1999 model, in production, twin screw, tandem axle dump truck cab and chassis. Moved by Wiese, seconded by Fischbach to award bid to Crawford Trucks and Equipment, Aberdeen, SD (only bid received) in amount of \$59,210.00 for a 1999 International F2574 Tandem Truck. All members present voting aye. Motion carried.

DRAINAGE DISCUSSED:

Donald Clocksene discussed a drainage issue on Road 21 in East Hanson Township between Sections 10 & 15. Russ Podoll and Mick Waller, also in attendance will tour the area with Mr. Clocksene and Township Officials.

BRIDGE #202:

Moved by Wiese, seconded by Fischbach to approve and authorize the Acting Chairman sign Maintenance Agreement, Utilities Certificate, Letting Authorization, Right-of-way Certificate, and Right-of-way Donation Form for Bridge #202 - BRO 8007(36) PCEMS 416H, Structure #07-042-110 3 miles north and 6.8 miles west of Barnard over the Elm River (Turnquist Bridge). All members present voting aye. Motion carried.

RAILROAD CROSSING AGREEMENTS:

Moved by Fischbach, seconded by Wiese to approve and authorize the Acting Chairman sign Force Account Agreements with the SDDOT for the County to provide 10% match for the installation of highway-rail grade crossing signals with gates at the following locations: PP 6525(02) PCEMS 5844, Brown County Road #6, 4 miles west of Aberdeen AAR/DOT 393-780L, MP 712.50, LS 2005; PP 6467(02) PCEMS 5845, Brown County Road #18, 6 miles west of SD37 at Groton AAR/DOT 393-754W, MP 694.20, LS 2005. All members present voting aye. Motion carried.

EXECUTIVE SESSION:

Moved by Wiese, seconded by Fischbach to go into executive session for personnel discussion with Russ Podoll in attendance. All members present voting aye. Motion carried.

Moved by Fischbach, seconded by Wiese to adjourn executive session. All members present voting aye. Motion carried.

RECESS:

Moved by Wiese, seconded by Fischbach to recess until July 20, 1999. All members present voting aye. Motion carried.

Maxine Taylor - Brown County Auditor

JULY 20, 1999 - GENERAL MEETING

Meeting called to order by Chairman Hansen at 8:45 A.M. in the Commissioner's Chambers, Courthouse Annex, Brown County, South Dakota. Present were Commissioners Knecht, Fischbach and Wiese. Absent Commissioner Feickert.

MINUTES:

Moved by Wiese, seconded by Fischbach to approve the General Meeting minutes of July 13, 1999. All members present voting aye. Motion carried.

CLAIMS:

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

Payroll: Commissioners..\$2,115.40; Data Processing..\$1,221.16; Auditor..\$5,005.30; Treasurer..\$6,900.50, OVERTIME: Dorene Borchard..\$4.91, Geri Sillman..\$3.82; State's Attorney..\$7,944.97; Victims Asst..\$769.24; Maintenance..\$3,865.98, OVERTIME: Judy Dosch..\$61.59; Assessor..\$5,824.49; Planning & Zoning..\$829.60, OVERTIME: Ralph Waller..\$15.56; Register of Deeds..\$2,834.01 OVERTIME: Cindy Schwan..\$15.27, Cathy Lindemann..\$13.92; Veterans Service..\$1,881.71; Health..\$2,171.20; Communications..\$9,881.75, OVERTIME: Mary Browning..\$191.04, Vickie Hansford..\$220.16, Nancy Radke..\$144.64, Darcy Simmons..\$115.92, Michele Strom..\$84.72, Kathy Thooft..\$152.00, Traci Wickenheiser..\$29.68, Lisa Wipf..\$217.35; Sheriff..\$38,430.09, OVERTIME: Craig Anderson..\$178.92, Bryan Locke..\$139.16, John McQuillen..\$19.88, Scott Kolb..\$19.16, Michael Casjens..\$188.00, David Fair..\$300.80, David Hanson..\$177.20, Steven Cogley..\$178.50, John Weaver..\$14.48, Roxanne Schumacher..\$14.48, Charlene McAfee..\$56.48, Mark Jastram..\$110.00, Jason Hebner..\$144.48, Patrick Rickerl..\$110.08, Amy Mathiason..\$107.20, Gary Bunt..\$107.20, Cindy Baumgartner..\$104.32, Michelle Smith..\$104.32, Diane Mielke..\$17.65, Tina Erickson..\$91.28, Ann Bierman..\$118.72, Kevin Johnson..\$107.20, Kristal Schumack..\$117.36, Jeffrey Kirnan..\$123.88; Museum..\$3,205.59; IMS..\$131.33, Welfare..\$2,212.42; E&D..\$1,754.32, OVERTIME: Ginger Walker..\$56.44; Foster Grandparent Program..\$2,236.71; Fairgrounds..\$3,221.37, OVERTIME: John Weig..\$97.56; Fairboard..\$1,379.33; Extension..\$1,812.13; Weed..\$1,957.40, OVERTIME: Robert Retzer..\$78.75; Road and Bridge..\$28,944.43, OVERTIME: Terry Backous..\$284.58, Robert Binfet..\$199.19, Vernon Bitz..\$15.59, David Bruckner..\$531.50, Brian Dargatz..\$327.39, Joel Guderjohn..\$599.00, Larry Hardy..\$185.47, Tom Lammon..\$346.88, Daryl Lloyd..\$49.29, Jerry Luce..\$170.73, Joseph Malsam..\$292.20, Donald Maunu..\$425.25, Todd Odenbach..\$350.39, Dave Okroi..\$103.53, Bryan Owens..\$321.98, Richard Schaible..\$316.20, Roger Schaible..\$168.42, Jeff Seiler..\$339.74, Marcus Selzler..\$255.15, Casey Thorstenson..\$87.56, Leon Vickers..\$121.50, Michael Wagner..\$433.67, Jan Weismantel..\$325.20, Theodore Brockel..\$257.85, Brent Cantalope..\$75.15, Steven Novotny..\$75.15, Jeff Ringgenberg..\$100.20, Nicholas Wanna..\$101.40, Carl Weismantel..\$30.06; Solid Waste..\$5,010.99, OVERTIME: Carl Wright..\$221.67, Roxanne Varns..\$64.30, Nyle Jensen..\$150.70, Dennis Vanheerde..\$205.47, Stacy Anderson..\$90.56:  
Supplies & Materials: Lexis..\$67.25, West Group..\$2738.48, Computer Specialists..\$246.00, State Bar of SD..\$20.00, Office Equipment..\$86.03, New Trends..\$18.84, House of Glass..\$110.13, Prairieland..\$930.08, D&D Paint..\$227.12, Reuer's Auto..\$371.66, Menards..\$20.96, Dependable..\$356.00, Taylor Laundry..\$283.58, Respond..\$168.15, Skill Path Seminar..\$390.00, Amoco..\$40.43, Tuxall..\$169.90, Fred Schmidt..\$16.00, JC Penney..\$76.00, Quality Quick Print..\$96.75, Quint City Coin-Ops..\$39.00, Avera St Lukes..\$37.71, City of Aberdeen..\$98.10, Gardner Locksmith..\$30.00, Nat'l Target..\$106.69, Schwaab..\$29.80, Walmart..\$74.09, Parcel Erickson..\$143.05, K-Mart..\$525.14, Gateway..\$4464.00,

Xerox..\$170.09, Kesslers..\$567.10, Dakota Air..\$28.90, Medical Center Pharmacy..\$1202.74, Harold Winburn..\$342.00, Vander Haag's Inc..\$6085.00, Alan Winburn..\$1073.50, Speciality Mfg..\$59.00, Schaeffer's Mfg..\$221.40, RDO..\$49.57, Nelson Auto..\$143.23, Newman Signs..\$132.00, Lien Transportation..\$33,988.07, Kar Products..\$84.70, Hub City Iron..\$1145.00, Dakota Filter..\$65.25, Herb Dabbert..\$1482.00, Country General..\$158.27, Aberdeen Asphalt..\$68,553.71, NE Mental Health..\$570.55, Adjustment Training Center..\$5000.00, SD Wheat Growers..\$1290.85, Kleins..\$33.30, Farnam's Parts..\$59.41, Hub City Iron..\$14.58, Van Diest..\$11,033.28, Larry Gerlach..\$27.50, Western Printing..\$2070.20, Bob Haak..\$10.14, Scotty's Drive Inn..\$100.86, Quality Quick Print..\$153.19, Econofoods..\$45.59, Trout Bros..\$192.00, Artz Camera..\$37.95, Ag Communications..\$218.49, Brown County..\$11,127.77, Union Pen..\$217.89, Weather Affects..\$1097.41:

Publications: American News..\$3925.98, Argus Leader..\$47.32, Watertown Public Opinion..\$1126.71, Redfield Press..\$150.00, Jamestown Sun..\$120.00, Pay-Day..\$160.00:

Professional Fees: SD Dept of Health..\$7.00, Witness Fees..\$40.00:

Mileage & Travel: Sheila Enderson..\$64.38, Carol Sherman..\$101.83, Jvonne Heard..\$27.45, Ken Thompson..\$22.83, Tony Ingemansen..\$145.81, Mark Milbrandt..\$5.00, Charlene Millim..\$12.00, Gary Erickson..\$96.94:

Utilities: Commnet Cellular..\$411.73, City of Hecla..\$45.29, Town of Frederick..\$49.85, Cellular One..\$38.04, Norcom..\$1.66, Northern Elec..\$218.19, US West..\$69.99, Alterna-Cell..\$9.95:

Care of Poor: Dr/Hospital..1 recipient..Avera St Lukes..\$1671.00; Transportation..2 recipients..Brown County Public Works..\$8.40; Utilities..2 recipients..NWPS..\$419.16; Rent..5 recipients..Narregang Hold Corp..\$170.00, Jack Ganje..\$65.00, Harold Sorknes..\$170.00, Virgil Eisenbeisz..\$25.00, Donald Peck..\$170.00; Insurance..2 recipients..Anza Ins..\$99.74, Fortis Ins..\$200.00. All members present voting aye. Motion carried.

#### PERSONNEL:

Moved by Wiese, seconded by Knecht to approve the following employee step increase, effective July 25 1999: Kathy Fischer @ \$8.88 per hour. All members present voting aye. Motion carried.

Moved by Wiese, seconded by Knecht to acknowledge resignation of Barry Allbee, effective July 14, 1999. All members present voting aye. Motion carried.

Moved by Wiese, seconded by Knecht to approve hiring Mike Waldrop as part-time Home Detention Officer, effective July 20, 1999 at \$8.59 per hour. All members present voting aye. Motion carried.

#### SHERIFF REPORTS:

Moved by Wiese, seconded by Knecht to approve the following May, 1999 Sheriff Reports: Incidents & Offenses, Prisoner Care, JDC, Money deposited with the County Treasurer and Monthly activities. All members present voting aye. Motion carried.

#### INCREASE SPENDING AUTHORITY:

Moved by Knecht, seconded by Wiese to increase spending authority in Fund #101-311-425 @ \$5,842.20; #101-311-426 @ 7,780.18; #101-311-426.16 @ \$135,570.54; #101-311-434.02 @ \$450.00 (total amount of \$149,642.92) and increase estimated revenue in Fund #101-331.03 in amount of \$149,642.92. All members present voting aye. Motion carried.

Moved by Wiese, seconded by Knecht to increase spending authority in Fund #234-512-429.02 in amount of \$2,863.63 and increase estimated revenue in Fund #234-331.30 in amount of \$2,863.63. All members present voting aye. Motion carried.

BID - TREE GRINDING:

Moved by Knecht, seconded by Wiese to authorize advertising public hearing to open, read and consider bids for Tree Grinding at the Brown County Landfill to be held in the Commissioner's Chambers, Courthouse Annex, Brown County, South Dakota at 8:45 A.M. on August 3, 1999. All members present voting aye. Motion carried.

INVENTORY TRANSFER/SURPLUS PROPERTY:

Moved by Wiese, seconded by Knecht to declare the following surplus property and transfer Decal #3566 286 Powerhouse Computer from Museum Inventory to Museum Collection and transfer Decal #4118 Notebook Computer from Museum Inventory to Central Storage Inventory. All members present voting aye. Motion carried.

APPLICATION FOR OCCUPANCY:

Moved by Knecht, seconded by Fischbach to approve and authorize the Chairman sign application, submitted by US West Communications for occupancy of County Hwy #16 in Section 17-T123N-R62W, Brown County for telephone service installation. Roll call vote: Commissioners Knecht-aye, Feickert-absent, Fischbach-aye, Wiese-abstain, Hansen-aye. Motion carried.

Moved by Fischbach, seconded by Wiese to approve and authorize the Chairman sign application, submitted by St. John's Lutheran Church for occupancy of County Hwy #9 in Section 5-T125-R62, Brown County to occupy right of way for cleaning parking area at the cemetery and install 4' sidewalk and 2' curb and gutter. All members present voting aye. Motion carried.

EXPENSES:

Moved by Wiese, seconded by Fischbach to approve expenses for Russ Podoll to travel to Sioux Falls to inspect dump body at Northern Truck Equipment and purchase same if satisfactory. All members present voting aye. Motion carried.

RECESS:

Moved by Knecht, seconded by Wiese to recess until July 27, 1999. All members present voting aye. Motion carried.

Maxine Taylor - Brown County Auditor



JULY 27, 1999 - GENERAL MEETING

Meeting called to order by Chairman Hansen at 8:45 A.M. in the Commissioner's Chambers, Courthouse Annex, Brown County, South Dakota. Present were Commissioners Knecht, Fischbach, Feickert & Wiese.

MINUTES:

Moved by Knecht, seconded by Fischbach to approve the General Meeting minutes of July 20, 1999. All members present voting aye. Motion carried.

CLAIMS:

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

Supplies & Materials: Crawford & Co..\$500.00, Office Max..\$159.98, Target..\$39.99, Lust Chevrolet..\$15.48, Parcel-Erickson..\$41.90, Walmart..\$542.81, Glock..\$35.00, Intoximeter..\$593.00, Tuxall..\$120.85, Texaco..\$12.88, Xerox..\$37.73, JC Penney..\$241.17, Artz Camera..\$17.95, Phillips 66..\$24.21, Safety Service..\$123.77, Diane Mielke..\$26.45, Egads..\$28.00, Newman Signs..\$201.00, Profile Evaluations..\$160.00, Janitor's Closet..\$111.95, Alan Winburn..\$589.00, 3-D Specialists..\$311.62, Division of Motor Vehicles..\$6.00, Lyle Sign..\$273.00, Lien Transportation..\$1043.83, Lawson Products..\$422.13, Koch Materials..\$3764.81, Hub City Signs..\$97.50, WE Doyle..\$1471.42, Herb Dabbert Trucking..\$624.00, Crawford Trucks..\$59,210.00, UBC..\$2.97, Great Events..\$135.80, RE Huffman..\$743.05, Ameripride..\$19.87, Dacotah Prairie Museum..\$18.94, Prairieland..\$14.97, Country General..\$14.85, Transport Data..\$18.75, ProAg Supply..\$123.20, Van Diest..\$4339.43, Office Max..\$42.97, K-Mart..\$8.67, SD Wheat Growers..\$138.90, Phyllis Voeller..\$16.00, Eide Bailly..\$214.00, Fire Safety First..\$8.55, Leggette..\$4921.50, Service Signs..\$700.00, Computer Specialists..\$164.00, Taylor Laundry..\$75.80, Cunningham Elec..\$76.08, Inman & McDowell..\$115.00, Publications: American News..\$362.25, Argus Leader..\$313.48, Professional Fees: Witness Fees..\$141.20, Ophthalmology Assoc..\$19.60, Avera St Lukes..\$92.63, NADRIC..\$4166.66, NE Mental Health..\$87.78, Yankton County Sheriff..\$16.75, Donna Dietrich..\$48.00, Mileage & Travel: Richard Rieck..\$92.59, Russ Podoll..\$17.00, Court Appointed Attorney: HI King..\$3406.82, Brad Borge..\$3406.82, Utilities: US West..\$1542.31, Midcontinent Cable..\$82.67, NWPS..\$1011.22, Northern Electric..\$14.20, Cellular One..\$1031.51, Commnet Cellular..\$148.16, Bureau of Adm..\$676.99, Care of Poor: Dr/Hospital..2 recipients..Avera St Lukes..\$17,840.65, Transportation..1 recipients..Aberdeen Advanced Care..\$342.40, Utilities..1 recipient..City of Aberdeen..\$40.84,

EXECUTIVE SESSION:

Moved by Fischbach, seconded by Knecht to go into Executive Session to discuss personnel. All members present voting aye. Motion carried.

Moved by Wiese, seconded by Fischbach to adjourn Executive Session. All members present voting aye. Motion carried.

ABERDEEN RURAL FIRE PROTECTION DISTRICT:

Moved by Knecht, seconded by Fischbach to authorize advertising for public hearing for purpose of testimony in regard to the formation of the Aberdeen Rural Fire Protection District. All members present voting aye. Motion carried.

PLATS:

Commissioner Wiese offered the following Resolution:

RESOLUTION 63-99

BE IT RESOLVED by the County Commission of Brown County, South Dakota, that the plat showing, "Eldevik's Plat in the SE 1/4 of Section 2-T122N-R64 in the 5th P.M., Brown County, South Dakota" having been examined is hereby approved in accordance with the provisions of SDCL of 1967, Chapter 1103, and any amendments thereof.

Seconded by Commissioner Knecht. Roll call vote: Commissioners Knecht-aye, Feickert-aye, Fischbach-aye, Wiese-aye, Hansen-aye. Resolution adopted.

Commissioner Wiese offered the following Resolution:

RESOLUTION 64-99

BE IT RESOLVED by the County Commission of Brown County, South Dakota, that the plat showing, "Feickert's Replat of Lot 1 of Nelson's First Addition in the SE 1/4 of Sec. 20, T124N-R64W 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 11-2, and any amendments thereof.

Seconded by Commissioner Knecht. Roll call vote: Commissioners Knecht-aye, Feickert-abstain, Fischbach-aye, Wiese-aye, Hansen-aye. Resolution adopted.

Commissioner Wiese offered the following Resolution:

RESOLUTION 65-99

BE IT RESOLVED by the County Commission of Brown County, South Dakota, that the plat showing, "Ulrich Outlot A in the SW 1/4 Sec. 8-T128N-R63W of 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 Fischbach. Roll call vote: Knecht-aye, Feickert-aye, Fischbach-aye, Wiese-aye, Hansen-aye. Resolution adopted.

Commissioner Wiese offered the following Resolution:

RESOLUTION 66-99

BE IT RESOLVED by the County Commission of Brown County, South Dakota, that the plat showing "Jones First Subdivision in the SE 1/4 Sec. 16-T123N-R63W 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 Fischbach. Roll call vote: Knecht-aye, Feickert-aye, Fischbach-aye, Wiese-aye, Hansen-aye. Resolution adopted.

ABATEMENTS:

Moved by Feickert, seconded by Wiese to approve the following abatements: Mary Kane, mobile home title never transferred (1968 Marshfield MH) for year 1999 in amount of \$67.27; Severien West, granary sold at auction (BOLS SE 1/4 15-125-60) for

year 1998 in amount of \$11.96 and \$4.94; for year 1997 in amount of \$12.41 and \$4.71. All members present voting aye. Motion carried.

#### SPECIAL MALT BEVERAGE HEARING SET:

Moved by Wiese, seconded by Feickert to authorize advertising public hearing to consider the following applications: Aberdeen Hockey Association, PO Box 515, Aberdeen, SD, Brown County Fairgrounds (The Clubhouse) SW 1/4 Sec 1, T123N, R64W; Boys & Girls Club, 1111 1st Ave SE, Aberdeen, SD, Brown County Fairgrounds (The Grandstand) SW 1/4 Sec 1, T123N, R64W; Centennial Village Inc., 621 S Main, Aberdeen, SD, Brown County Fairgrounds (Centennial Village) SW 1/4 Sec. 1, T123N, R64W; to be held at 9:00 A.M. on the 10th Day of August, 1999 in the Commissioners Chambers, Courthouse Annex, Brown County, South Dakota. All members present voting aye. Motion carried.

#### INVENTORY TRANSFER:

Moved by Wiese, seconded by Knecht to approve transfer of Leading Edge Computer, Decal #3274 from the Foster Grandparent Program to Computer Department inventory. All members present voting aye. Motion carried.

#### PERSONNEL:

Moved by Feickert, seconded by Wiese to approve hiring Pam Kopecky as secretary for the States Attorney's Office effective July 12, 1999 at \$8.68 per hour. All members present voting aye. Motion carried.

#### JDC AGREEMENT:

Moved by Wiese, seconded by Knecht to authorize Chairman to sign cooperative agreement with the Aberdeen School District to establish an educational program for youth who are placed in the Juvenile Detention Center. All members present voting aye. Motion carried.

#### EXPENSES:

Moved by Wiese, seconded by Feickert to approve expenses for Ken Varns and Mark McNeary, States Attorney's Office, to attend the Advanced Homicide Investigation Seminar in Minneapolis, MN on September 12, 1999 through September 17, 1999.

#### BID - LOW BOY TRAILER:

Time and place, as advertised to open, read and consider bids for one new or used 1999 Low Boy Trailer. Moved by Wiese, seconded by Knecht to refer all bids to Russ Podoll for review. All members present voting aye. Motion carried.

#### APPLICATIONS FOR RIGHT OF WAY:

Moved by Feickert, seconded by Knecht to approve and authorize the Chairman sign application submitted by U.S. West Communications for occupancy of County Highway #17 in Section 10, 11 and 15 T123N, R63W to install wire for telephone service. Roll call vote: Knecht-aye, Feickert-aye, Fischbach-aye, Wiese-abstain, Hansen-aye. Motion carried.

Moved by Feickert, seconded by Knecht to approve and authorize the Chairman sign application submitted by Northwestern Public Service for occupancy of right of way County Road 148th Street in Section 31-T121,R63 to install natural gas service to farm. Roll call vote: Knecht-aye, Feickert-aye, Fischbach-aye, Wiese-abstain, Hansen-aye. Motion carried.

Moved by Fischbach, seconded by Feickert to approve and authorize the Chairman sign application submitted by Northwestern Public Service for occupancy on Road #6, Section 25-T124N-R65W to retire gas service pipe. Roll call vote: Knecht-aye, Feickert-aye, Fischbach-aye, Wiese-abstain, Hansen-aye. Motion carried.

PUBLIC WORKS DISCUSSION:

Russ Podoll, Highway Superintendent discussed the following with the Commission: Adopt a Highway Program, Permit to construct access approach in the Richmond Lake area, CDBG Funds, Experience Works for seasonal/parttime employment, Assist City of Warner in upgrading culverts and drainage, stream gauging stations and water levels.

HEALTH DEPARTMENT REPORT:

Merri Nelson, Public Health Regional Manager, presented the quarterly report for the Brown County Health Department.

EXECUTIVE SESSION:

Moved by Wiese, seconded by Knecht to go into Executive Session for personnel discussion. All members present voting aye. Motion carried.

Moved by Feickert, seconded by Knecht to adjourn Executive Session. All members present voting aye. Motion carried.

BUDGET DISCUSSIONS:

Brown County Extension, Brown County Sheriff, Landmark Commission, and Fairgrounds discussed their budget requests with the Commission.

RECESS:

Moved by Wiese, seconded by Knecht to recess until August 3, 1999. All members present voting aye. Motion carried.

Carol Misfeldt - Deputy County Auditor

## AUGUST 3, 1999 - JOINT CITY/COUNTY MEETING

The Brown County Commission and the Aberdeen City Commission met in joint session at 8:45 A.M. in the Brown County Commission Chambers, 25 Market Street, Aberdeen, South Dakota. Present from City were Commissioners Klabo, Meyer, Pfeifer and Hurlbert. Absent Mayor Hopper. Present from County were Commissioners Knecht, Fischbach, and Hansen. Absent were Commissioners Wiese and Feickert.

## SET HEARING DATES:

On motion by Pfeifer and seconded by Meyer the City Commission unanimously voted to set hearing to consider petitions to rezone: Ordinance No. 99-08-01/184 (Jones), Ordinance No. 99-08-02/185 (Johnsen) and Ordinance No. 99-08-03/186 (Scott) to be held in the Brown County Commission Chambers, 25 Market Street, Aberdeen, South Dakota at 8:45 A.M. on August 24, 1999.

Moved by Fischbach, seconded by Knecht to set hearing to consider petitions to rezone: Ordinance No. 99-08-01/184 (Jones), Ordinance No. 99-08-02/185 (Johnsen) and Ordinance No. 99-08-03/186 (Scott) to be held in the Brown County Commission Chambers, 25 Market Street, Aberdeen, South Dakota at 8:45 A.M. on August 24, 1999. All members present voting aye. Motion carried.

Moved by Knecht, seconded by Fischbach to adjourn the Joint City/County Meeting. All members present voting aye. Motion carried.

Carol Misfeldt, Deputy - Brown County Auditor

## AUGUST 3, 1999 - GENERAL MEETING

Meeting called to order by Chairman Hansen at 8:45 A.M. in the Commissioner's Chambers, Courthouse Annex, Brown County, South Dakota. Present were Commissioners Knecht, Fischbach, Feickert & Wiese.

## MINUTES:

Moved by Knecht, seconded by Wiese to approve the General Meeting minutes of July 27, 1999. All members present voting aye. Motion carried.

## CLAIMS:

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

Supplies & Materials: Farm & Home Directory..\$815.00, US Post Office..\$200.00, Office Equipment..\$51.14, Lexis..\$420.97, Advanced Homicide..\$1000.00, Central Supply..\$5.03, US Attorney Office..\$25.00, Janitor Supply..\$172.20, House of Glass..\$47.00, Wooden Mallet..\$162.50, Sherwin-Williams..\$37.94, Fordham Signs..\$150.00, UBC..\$20.30, Prairieland..\$309.02, Taylor Laundry..\$57.16, Nordling Const..\$62,664.75, Ameripride..\$30.30, Ecolab..\$71.50, Dakota Electric..\$350.95, Pro-Clean..\$90.00, Plainsco..\$1071.92, Custom Sheet Metal..\$265.55, Walmart..\$111.56, RE Huffman..\$441.15, Office Max..\$110.95, Lang's..\$169.00, New Trends..\$366.72, Panitorium..\$10.30, Schwaab..\$51.25, Dick's..\$111.00, Dakota School..\$13.90, Dakota Office..\$53.57, Lucent..\$5.35, Lar-Jos..\$52.00, SD Fleet..\$1392.64, SD Dept of Revenue..\$630.00, Midwest Rubber Stamp..\$19.39, K-Mart..\$92.53, Nat'l Juv Det Assoc..\$21.75, Respond..\$39.90, Quality Quick Print..\$321.79, Mercury Cleaners..\$37.00, Best Business..\$109.69, SDDOT..\$1562.59, Lien Transportation..\$55,989.90, Koch..\$25,136.76, Keeleys..\$179.00, Frey's Electronics..\$7645.00, Robert Dinger..\$300.50, Farm Power..\$30.00, Herb Dabbert..\$799.50, Crawford Trucking..\$5775.84, HC Clark..\$549.53, Aberdeen Asphalt..\$1369.90, Burdette Elec..\$107.49, Country General..\$156.37, Evergreen Supply..\$43.70, SD Wheat Growers..\$21.74, Firestone..\$5.35, Gage Bros..\$106.00, OK Tire..\$145.00, Bob Barker..\$571.04, Gary's Engine..\$22.50, Cunningham Elec..\$42.84, A-1 Sanitation..\$158.30, Menards..\$445.64, Dakota Electronics..\$25.00, Ciavarella Design..\$775.00, A&M Radio..\$43.00, DPM Merchandise..\$24.85, Marg Kolb..\$6.00, Oriental Trading..\$33.45, Kleins..\$11.43, New Waste Concept..\$25,405.00, Waste Recovery..\$1223.40, Frey's Electronics..\$2988.00, Butler..\$612.80, Earth Tech..\$333.94, New Deal Tire..\$263.75, Keeleys..\$873.45, Shopko..\$38.32, Sherwin-Williams..\$986.55, Huron Culvert..\$677.90, Langs..\$419.00, Aberdeen Equipment..\$.98, Burdette Elec..\$83.81, Country General..\$53.22, Graham Tire..\$57.60, Nelson Auto..\$8.18, Pro Ag Supply..\$554.01, A-1 Sanitation..\$86.85, Transcriptions: Jeanne Haug..\$1641.00, Publications: American News..\$419.30, Dakota Press..\$479.78, Frederick/Hecla Northstar..\$649.85, Professional Fees: Witness Fees..\$370.00, Avera St Lukes..\$1777.24, Aberdeen Advanced Care..\$413.70, LCM Pathologists..\$1341.83, Kevin Spitzer..\$372.10, Sioux Vocational Services..\$120.00, Marv Ekeren..\$36.00, Gary Mikelson..\$30.00, Don Carlson..\$36.00, Donna Dietrich..\$170.60, Yankton County Sheriff..\$33.50, Mileage & Travel: Dennis Feickert..\$11.60, Mike Wiese..\$11.56, Gene Loeschke..\$102.37, Court Appointed Attorney: Wanda Howey-Fox..\$160.00, Utilities: Commnet Cellular..\$18.73, US West..\$3456.26, Midcontinent Cable..\$93.23, NWPS..\$2610.23, Montana Dakota..\$28.89, Cellular One..\$118.11, Northern Electric..\$291.76, City of Aberdeen..\$2178.61, WEB..\$74.82, Care of Poor: Dr/Hospital..1 recipient..Internal Medicine..\$2254.10, Transportation..3 recipients..Brown County Public Works..\$12.60,

Utilities...1 recipient..NWPS..\$80.85,  
 Drugs...3 recipient..Shopko..\$61.29, Kesslers..\$62.74, K-Mart..\$6.92,  
 Rent...2 recipients..Rockford Apts..\$190.00, John Dalager..\$185.00,  
 Burial...4 recipient..City of Aberdeen..\$1200.00,  
 Insurance...1 recipient..1st Dakota Indemnity..\$144.26, Payroll:  
 Commissioners..\$2,115.40; Data Processing..\$1,221.16; Auditor..\$5,005.30, OVERTIME:  
 Jeanette Nietert..\$53.96; Treasurer..\$6,916.50; State's Attorney..\$8,639.37; Victims  
 Asst..\$769.24; Maintenance..\$3,400.73; Assessor..\$5,698.63; Planning &  
 Zoning..\$829.60, OVERTIME: Ralph Waller..\$15.56; Register of Deeds..\$2,834.01;  
 Veterans Service..\$1,881.71; Health..\$2,171.20; Communications..\$10,802.91,  
 OVERTIME: Sheila Anderson..\$22.80, Mary Browning..\$63.68, Vickie Hansford..\$20.64,  
 Betty Haar..\$15.20, Darcy Simmons..\$28.98, Michele Strom..\$49.42, Traci  
 Wickenheiser..\$51.94, Lisa Wipf..\$21.74; Sheriff..\$39,318.83, OVERTIME: Bryan  
 Locke..\$308.14, John McQuillen..\$19.88, John Heine..\$39.04, Scott Kolb..\$162.86,  
 Michael Casjens..\$18.80, David Fair..\$37.60, David Hanson..\$70.88, Dala  
 Mandel..\$90.53,  
 Charlene McAfee..\$197.68, Patrick Rickerl..\$68.80, Dallas Vallery..\$180.90, Gary  
 Bunt..\$234.50, Ann Bierman..\$29.68, Kevin Johnson..\$40.20, Kristal Schumack..\$26.08,  
 Jeffrey Kirnan..\$13.04; Museum..\$3,205.59; IMS..\$169.95, Welfare..\$2,212.42;  
 E&D..\$1,754.32, OVERTIME: Ginger Walker..\$30.10; Foster Grandparent  
 Program..\$2,236.71; Fairgrounds..\$3,304.17, OVERTIME: Melvin Ernst..\$42.03;  
 Fairboard..\$1,379.33, OVERTIME: Jan Malsom..\$3.76; Extension..\$1,819.28;  
 Weed..\$1,468.36, OVERTIME: Robert Retzer..\$63.00, Earl Ruden..\$41.62; Road and  
 Bridge..\$30,339.57, OVERTIME: Robert Binfet..\$284.55, Vernon Bitz..\$19.49, David  
 Bruckner..\$477.09, Brian Dargatz..\$311.80, Joel Guderjohn..\$467.79, Larry  
 Hardy..\$287.66, Dave Kolb..\$14.01, Tom Lammon..\$350.78, Daryl Lloyd..\$328.60, Jerry  
 Luce..\$16.26, Joseph Malsam..\$131.49, Donald Maunu..\$196.88, Todd Odenbach..\$283.29,  
 Dave Okroi..\$199.67, Bryan Owens..\$336.29, Cordell Rudolph..\$201.89, Richard  
 Schaible..\$332.01, Roger Schaible..\$196.49, Jeff Seiler..\$395.78, Markcus  
 Selzler..\$133.65, Casey Thorstenson..\$91.07, Kendell Titze..\$350.39, Leon  
 Vickers..\$251.10, Michael Wagner..\$405.61, Jan Weismantel..\$325.20, Theodore  
 Brockel..\$157.58, Brent Cantalope..\$30.06, Randy Dobberpuhl..\$114.60, Steven  
 Novotny..\$240.48, Nicholas Wanna..\$23.40; Solid Waste..\$5,026.53, OVERTIME: Carl  
 Wright..\$221.67, Roxanne Varns..\$18.91, Dennis Vanherde..\$209.01. All members  
 present voting aye. Motion carried.

#### PERSONNEL:

Moved by Knecht, seconded by Feickert to approve the following step increases  
 effective August 8, 1999: Linda Dillavou @ prorated annual salary of \$28,750,  
 Sherri Rawstern @ \$9.73 per hour, Lloyd Palmer @ prorated annual salary of \$24,750,  
 Dennis VanHeerde @ \$9.65 per hour and Scott Kolb @ \$13.01 per hour. All members  
 present voting aye. Motion carried.

Moved by Wiese, seconded by Feickert to hire Mary Worlie as Brown County Director of  
 Equalization at a prorated annual salary of \$33,750 effective August 30, 1999. All  
 members present voting aye. Motion carried.

Moved by Feickert, seconded by Knecht to hire Bimende Malik as a fieldman in the  
 Director of Equalization Office @ \$9.41 per hour effective August 2, 1999. All  
 members present voting aye. Motion carried.

Moved by Feickert, seconded by Wiese to hire Daniel Glover as a mechanic for the  
 Highway Department @ \$9.66 per hour effective August 9, 1999. All members present  
 voting aye. Motion carried.

Moved by Feickert, seconded by Fischbach to transfer Dave Okroi from Labor Grade 5 Mechanic to Labor Grade 3 Driver/Operator @ \$9.54 per hour effective August 9, 1999. All members present voting aye. Motion carried.

ABATEMENT:

Moved by Feickert, seconded by Wiese to approve an abatement for Aberdeen Water Special Assessment on S 20' of Lot 6 and N 20' of Lot 7, Block 5, Thomas Addition (applied to wrong legal) owned by Dan Witte in the amount of \$405.46. All members present voting aye. Motion carried.

EXPENSES:

Moved by Wiese, seconded by Knecht to approve the following expenses: Vicky Wicks, Victim's Assistance to attend conference in Rapid City, SD on August 24, 25 & 26, 1999; Mike Scott, Landfill to attend the 1999 Annual Conference of the SD Solid Waste Management Association on September 14-17, 1999; Tom Gohn and Kathy Schlecht, Veterans Service to attend the annual County Veterans Service Officers Training Conference on August 16-18, 1999 in Pierre, SD. All members present voting aye. Motion carried.

BID-TREE GRINDING:

Time and place, as advertised to open, read and consider bids for Tree Grinding at the Brown County Landfill. Moved by Knecht, seconded by Feickert to refer all bids to Mike Scott for review. all members present voting aye. Motion carried.

EXECUTIVE SESSION:

Moved by Wiese, seconded by Feickert to go into Executive Session for personnel discussion. All members present voting aye. Motion carried.

Moved by Feickert, seconded by Wiese to adjourn Executive Session. All members present voting aye. Motion carried.

MAPLE RIVER DISCUSSION:

Carl Meyer appeared before the Commission to discuss culverts which have been installed near his property without the proper permits. The Commission directed Mick Waller to turn the matter over to the States Attorneys Office.

HECLA CITY DUMP SITE:

Mike Scott reported on items which are being dumped by Hecla residents at the Brown County Highway Shop in Hecla. The Commission directed him to meet with Hecla City officials to find options for the dumping of such items.

IMPROVEMENTS TO EXPO ADDITION:

Randy Bonn, Fairgrounds, Supt. met with the Commission to discuss request made by the Hockey Assoc. to add a concrete floor to the Expo Addition. The Board concurred and agreed that Mr. Bonn be allowed to assist the Hockey Association as his time and budget will allow.

APPLICATION FOR OCCUPANCY:

Moved by Feickert, seconded by Knecht to approve application for occupancy submitted by US West Communications for cable occupancy of Hwy #14 in Section 34, Township 122N, Range 63W. Roll call vote: Feickert-aye, Fischbach-aye, Knecht-aye, Hansen-aye, Wiese-abstain. Motion carried.



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REMOVAL OF BRIDGES:

Commissioner Wiese offered the following Resolution:

RESOLUTION #67-99

WHEREAS, the Brown County Board of Commissioners desire the withdrawal from the construction program of the project hereinafter described: 3.0 N and 7.8 W of Mansfield, SD Steel Stringer Structure (2 span) 47' - 0" long,

NOW THEREFORE BE IT RESOLVED, that the South Dakota Department of Transportation be and hereby is authorized and requested to withdraw from the construction program that project described above.

Seconded by Commissioner Knecht. Roll call vote: Fischbach-aye, Feickert-aye, Knecht-aye, Wiese-aye, Hansen-aye. Resolution adopted.

Commissioner Wiese offered the following Resolution:

RESOLUTION #68-99

WHEREAS, the Brown County Board of Commissioners desire the withdrawal from the construction program of the project hereinafter described: 0.5 N and 0.7 W of Columbia, SD 4 Panel Pony Truss Structure (1 span) 62' - 0" long,

NOW THEREFORE BE IT RESOLVED, that the South Dakota Department of Transportation be and hereby is authorized and requested to withdraw from the construction program that project described above.

Seconded by Commissioner Knecht. Roll call vote: Fischbach-aye, Feickert-aye, Knecht-aye, Wiese-aye, Hansen-aye. Resolution adopted.

Commissioner Wiese offered the following Resolution:

RESOLUTION #69-99

WHEREAS, the Brown County Board of Commissioners desire the withdrawal from the construction program of the project hereinafter described: 2.5 S and 6.5 W of Columbia, SD five (5) Panel Pony Truss Structure (1 span) 81' - 0" long.

NOW THEREFORE BE IT RESOLVED, that the South Dakota Department of Transportation be and hereby is authorized and requested to withdraw from the construction program that project described above.

Seconded by Commissioner Knecht. Roll call vote: Fischbach-aye, Feickert-aye, Knecht-aye, Wiese-aye, Hansen-aye. Resolution adopted.

BID AWARD - LOW BOY TRAILER:

Moved by Wiese, seconded by Knecht to award bid to J.D. Evans Equipment Co in the amount of \$45,412.00 for 1999 Low Boy Trailer; rejecting the following bids: RDO Equipment @ \$50,495.00, Sheehan Mack Equipment @ \$36,716.00 (used), @ \$51,689.00 (new) and Trail -Eze @ \$47,862.00,. All members present voting aye. Motion carried.

EQUIPMENT PURCHASE:

Moved by Wiese to authorize Russ Podoll to purchase 20-ton Tandem Axle Tilt Bed Trailer with Pintel Hitch for the Highway Department. Motion died for lack of a second.

PUBLIC WORKS DISCUSSION:

Russ Podoll, Highway Superintendent discussed the following: permit to construct access approach in Richmond Lake area, request for widening of farm approach and water levels.

PUTNEY SLOUGH SPILLWAY OUTLET:

Representatives from Game, Fish & Parks, Soil Conservation, James River Water Development and landowners from the Putney Slough area met with the Commission to discuss a proposed control device at the outlet of Putney Slough.

SALARY PROPOSALS:

Tom Gohn and Linda Dillavou met with the Commission to propose possible step plans for non-union, management positions at Brown County.

RECESS:

Moved by Wiese, seconded by Knecht to recess until August 10, 1999. All members present voting aye. Motion carried.

Carol Misfeldt - Deputy County Auditor

AUGUST 10, 1999 - GENERAL MEETING

Meeting called to order by Chairman Hansen at 8:45 A.M. in the Commissioner's Chambers, Courthouse Annex, Brown County, South Dakota. Present were Commissioners Knecht, Feickert, Fischbach and Wiese.

MINUTES:

Moved by Wiese, seconded by Knecht to approve the Joint City/County Meeting minutes and the General Meeting minutes of August 3, 1999. All members present voting aye. Motion carried.

CLAIMS:

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

Supplies & Materials: Computer Specialists..\$1420.00, New Trends..\$130.95, Office Equipment..\$10.79, US Post Office..\$5006.00, Lexis..\$60.33, Best Business..\$866.29, House of Glass..\$173.00, Cole Papers..\$46.87, McFarland..\$947.05, Dakota Electric..\$4.38, Heartland Paper..\$1032.21, Plainsco..\$147.42, Comet..\$19.99, Dicks Westside..\$46.00, Quality Quick Print..\$269.13, Dakota School..\$53.54, Xerox..\$170.09, Radio Shack..\$49.99, Walmart..\$61.29, City of Aberdeen..\$160.00, Lust Chev..\$84.94, Farmers Union..\$27.82, Jordre Photo..\$9.81, Office Max..\$280.83, OK Tire..\$517.57, Kesslers..\$250.14, Metz Baking..\$558.19, Ameripride..\$51.56, Hoven Auto..\$1130.24, Pierson Ford..\$266.37, Sewing Shoppe..\$115.00, Dakota Electronics..\$5839.20, Cheryl Hairgrove..\$224.00, Hoggs..\$3775.78, Menards..\$268.59, Alan Winburn..\$997.50, WW Wallwork..\$721.83, Taylor Laundry..\$213.14, Sheehan Mack Sales..\$1035.55, Northern Truck Equipment..\$24,202.00, Newman Traffic Sign..\$132.00, Nelson Auto..\$153.30, Midwest Pump..\$14.09, Meyers Auto..\$50.00, Koch Material..\$33,885.68, Huron Culvert..\$1542.55, Hedahls..\$24.34, Heartland Heating..\$95.51, Great Western Tire..\$6767.36, Graham Tire..\$1028.28, Farm Plan..\$581.62, Evergreen Supply..\$572.32, Dakota Oil..\$1334.85, Dakota Fluid..\$186.00, Dakota Air..\$39.95, Herb Dabbert..\$273.00, Crady's Radiator..\$270.00, Clark Engineering..\$4409.32, Cartney Bearing..\$51.37, Carquest..\$571.43, Butler Machine..\$1172.84, Brick Propane..\$8.00, Artz Equipment..\$124.38, Aberdeen Equipment..\$18.40, Aberdeen Chrysler..\$55.58, Aberdeen Asphalt..\$1252.48, Dacotah Bank..\$87,000.00, Angel Hill Ministries..\$750.00, Hoff's Homes..\$375.00, Korkow Rodeo..\$17,000.00, Paper Warehouse..\$113.17, Prairieland..\$3.14, Target..\$185.03, Hub City Iron..\$4.49, Kleins..\$102.87, Airport Cafe..\$162.00, Chris & Don's..\$42.00, Phyllis Donat..\$30.00, Marcia Erickson..\$59.00, Char Bachman..\$30.00, Arlene Naasz..\$30.00, Ramkota Inn..\$49.00, Frederick Community Club..\$5500.00, Romeo Agency..\$9000.00, Theatrical Media Service..\$13,250.00, Amy Engelhart..\$500.00, Shopko..\$19.96, Aberdeen Advanced Care..\$2090.00, Weismantel Rent-All..\$2145.00, Boys Scouts..\$2300.00, Larry Gerlach..\$35.99, Lab Safety Supply..\$56.50, Jan Malsom..\$150.00, Jane Hommel..\$125.00, Cole Papers..\$36.98, Dakota Team Penners..\$450.00, Darryl Toneman..\$300.00, Country General..\$520.00, Red Cross..\$300.00, Aberdeen Area Horseman's Assoc..\$400.00, Schwan Welding..\$620.00, Roto Rooter..\$5500.00, Jim River Riders..\$1200.00, Aberdeen JCs..\$2397.00, Bethlehem Lutheran Church..\$1800.00, Midwest Golf Cars..\$4900.00, SDNA Dist 13..\$800.00, Evergreen Supply..\$201.60, RDO..\$75.00, Westport Little League..\$50.00, Briggs Tent Rental..\$5332.00, BOTMA..\$25.00, Gib Richards Productions..\$800.00, UffDa Brudders..\$750.00, Pals..\$500.00, Mogen's Heroes..\$500.00, Chicken Pluckers..\$120.00, Stratford Community Theatre..\$50.00, Dr James Brodigan..\$350.00, Midland Security..\$5688.00, Proclean..\$2341.14, K-Mart..\$81.38, Ken's SuperFair Foods..\$14.97, Dakota Miniature Horse Show..\$500.00, Randy Baker..\$375.00, Dacotah Prairie Merchantile..\$19.80, SD Wheat Growers..\$1145.36, Spink County Public Transit..\$178.00, Watertown Area

Transit..\$52.00, Heinman Fire Equip..\$784.13, Exhaust Pros..\$329.00, Inman & McDowell..\$51.50, Pheasant Country..\$260.00, Dependable..\$12,129.68, A-1 Sanitation..\$1890.50, Nelson Auto..\$123.21, Artz Camera..\$21.13, Taylor Laundry..\$79.74, Hecla Implement..\$89.05, Brick Skelgas..\$102.75, Mac's..\$118.95, Respond..\$71.00, SD Dept of Revenue..\$2885.02, New Deal Tire..\$179.25:  
Transcriptions: Betsy Johnson..\$831.00:  
Publications: American News..\$643.03, Groton Independent..\$100.00:  
Professional Fees: Witness Fees..\$182.10, Mark McNeary..\$1500.00, Eide Bailey..\$208.25, Dept of Leg Audit..\$7691.02, St Lukes..\$1526.57, Aberdeen Family Physicians..\$146.30, stipends..\$8568.00:  
Mileage & Travel: Tom Gohn..\$424.45, Gary Erickson..\$344.21, SWASWA..\$240.00, SDLECC..\$25.00:  
Court Appointed Attorney: Kelly Marnette..\$1567.50:  
Utilities: NWPS..\$6865.42, City of Aberdeen..\$588.28, Midcontinent Cable..\$153.00, James Valley Co-Op..\$632.04, Accent Communications..\$413.45, Town of Frederick..\$18.25, Cellular One..\$57.77, Bureau of Adm..\$40.48:  
Care of Poor: Dr/Hospital..1 recipient..Avera St Lukes..\$12,696.41; Transportation..1 recipient..\$129.00; Utilities..2 recipients..Northern Electric..\$72.61, WEB..\$157.39; Drugs..4 recipients..Kessler Pharmacy..\$50.53, Mersco Medical..\$93.25, Medical Center Pharmacy..\$202.99, Elmer Sayler..\$200.00; Rent..5 recipients..Marge Zahn..\$50.00, Glenn Brockel..\$230.00, Aberdeen Living Center..\$1155.00, Jamestown PLG..\$141.00, BelAire..\$120.00; Burial..2 recipients..Miller-Huebl..\$3110.00. All members present voting aye. Motion carried.

AUDITOR'S REPORT OF ACCOUNT:

Moved by Wiese, seconded by Feickert to approve the following Auditor's Report of Account:

AUDITOR'S REPORT OF ACCOUNT WITH THE COUNTY TREASURER:

Total amount of actual cash - - - - -	\$ 3,439.20
Norwest Bank- - - - -	\$ 7,708.04
US Bank - - - - -	\$ 14,873.12
Dacotah Bank- - - - -	\$ 38,144.75
Petty Cash (Sheriff,Welfare,Museum,Reg/Deeds) -	\$ 1,500.00
Landfill Change Fund- - - - -	\$ 100.00
Fund Investments- - - - -	\$8,760,900.66
Outstanding Checks- - - - -	\$ 60.80
Total - - - - -	\$8,826,726.57

All members present voting aye. Motion carried.

TOWNSHIP BOND:

Moved by Feickert, seconded by Wiese to approve the Prairiewood Township Bond for Richard Niebuhr, Treasurer. All members present voting aye. Motion carried.

PLAT:

Commissioner Wiese offered the following Resolution:

RESOLUTION NO. 70-99

BE IT RESOLVED by the County Commission of Brown County, South Dakota, that the plat showing "Daniels' Tract 1 in the E 1/2 of Sec 4-T128N-R61W 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 Knecht. Roll call vote: Commissioners Knecht-aye, Feickert-aye, Fischbach-aye, Wiese-aye, Hansen-aye. Resolution adopted.

AWARD BID - TREE GRINDING:

Moved by Feickert, seconded by Knecht to award low bid, submitted by CERES, Brooklyn Park, MN in amount of \$345.00 per hour for 1999 Tree Grinding at the Landfill; rejecting bid, submitted by SMC, Rosemount, MN in amount of \$350.00 per hour. All members present voting aye. Motion carried.

CONTRACT:

Moved by Feickert, seconded by Knecht to approve and authorize the Chairman sign 1999 Tree Grinding Agreement with CERES Environmental Services, Inc. All members present voting aye. Motion carried.

EXPENSES:

Moved by Wiese, seconded by Feickert to approve the following expenses: Mike Scott to inspect equipment at Federal Surplus Property Agency in Huron on August 11; Ken Varns to attend the Family Violence Seminar in Rapid City on August 23-26. All members present voting aye. Motion carried.

STUDIO EQUIPMENT USE POLICY:

Moved by Feickert, seconded by Wiese to approve policy and rental rates for use of studio equipment as free standing portable equipment. All members present voting aye. Motion carried.

PERSONNEL:

Moved by Knecht, seconded by Wiese to approve hiring Janet Dosch and Alicia Dohn as Dispatchers, effective August 23, 1999 at \$9.17 per hour. All members present voting aye. Motion carried.

SHERIFF REPORTS:

Moved by Wiese, seconded by Knecht to approve the following June 1999 Sheriff Reports: Incidents & Offenses, Prisoner Care, JDC, Money deposited with the County Treasurer and Monthly activities. All members present voting aye. Motion carried.

EXTENSION REPORT:

Extension Agents Marj Kolb, Gary Erickson and Jerry Mills presented the quarterly report for the Extension Department.

SPECIAL MALT BEVERAGE LICENSE HEARING:

Time and place, as advertised for public hearing to consider applications for Special Malt Beverage Licenses for use during the Brown County Fair. Moved by Wiese, seconded by Feickert to approve the following applications for Special Malt Beverage Licenses: Aberdeen Hockey Association, Brown County Fairgrounds (The Clubhouse) SW 1/4 Sec. 1-T123N-R64W, effective August 16, 17, 18, 19, 20, 21, & 22, 1999. Boys & Girls Club, Brown County Fairgrounds (The Grandstand) SW 1/4 Sec.1-T123N-R64W, effective August 16, 17, 18, 19, 20, 21, & 22, 1999. Centennial Village Inc., Brown County Fairgrounds (Centennial Village) SW 1/4 Sec. 1-T123N-R64W, effective August 19, 20, 21, & 22, 1999. All members present voting aye. Motion carried.

HECLA WHITE GOODS DUMPING DISCUSSED:

Mike Scott and Deb Knecht discussed meeting they attended with Hecla officials in regard to stockpiling white goods at the County Shop in Hecla. No action taken at

this time.

JDC DISCUSSION:

Mark Milbrandt, Barb Johnson, Mick Palmer and Judy Dosch met with the Commission to discuss next steps to be taken in regard to a new JDC. Barb Johnson will schedule a meeting for early next week.

FENCE APPROVED:

Moved by Fischbach, seconded by Wiese to approve construction of a fence on County property east of the Boys & Girls Club along First Avenue, at no cost to the County. All members present voting aye. Motion carried.

SALARY PROPOSALS:

Tom Gohn met with the Commission with further information about the salary plan for non-union, management positions previously submitted to the Commission.

PUBLIC HEARING - ABERDEEN RURAL FIRE PROTECTION DISTRICT:

Time and place, as advertised for public hearing to receive testimony in regard to the organization and formation of the Aberdeen Rural Fire Protection District. Three persons appeared in favor of organizing and forming said district. The following action ensued:

Commissioner Wiese offered the following Resolution:

RESOLUTION NO. 71-99

WHEREAS, the Board of County Commissioners of Brown County, South Dakota, at its regular meeting, this 10th day of August, 1999 had presented to it in due form Petitions signed by qualified voters in the area herein described for the Organization and Formation of the Aberdeen Rural Fire Protection District which includes the following organized Brown County Townships: Carlisle, Ravinia, Mercier, Lincoln, Prairiewood and Aberdeen (excluding that portion of Aberdeen Township which is incorporated into the City of Aberdeen), and all persons residing in or owning taxable property within the proposed district had an opportunity to be heard respecting the formation of such district within the specified boundaries.

NOW THEREFORE IT IS HEREBY ORDERED BY THE BOARD OF COUNTY COMMISSIONERS OF BROWN COUNTY, SOUTH DAKOTA, that the proposed district is suited to the general fire protection policy of the county, and

BE IT FURTHER ORDERED, that such boundaries of the Aberdeen Rural Fire Protection District shall be the following organized Brown County Townships: Carlisle, Ravinia, Mercier, Lincoln, Prairiewood and Aberdeen (excluding that portion of Aberdeen Township which is incorporated into the City of Aberdeen).

Dated at Aberdeen, Brown County, South Dakota, this 10th day of August, 1999.

Seconded by Commissioner Feickert. Roll call vote: Commissioners Knecht-aye, Feickert-aye, Fischbach-aye, Wiese-aye, Hansen-aye. Resolution adopted.

PROPOSED CONSTITUTIONAL AMENDMENT:

Representative Al Waltman explained the Initiated Constitutional Amendment Petition to be circulated throughout South Dakota for purpose of property tax relief.

APPLICATION FOR OCCUPANCY:

Moved by Knecht, seconded by Feickert to approve and authorize the Chairman to sign application, submitted by Northwestern Public Service for occupancy of Brown County Highway #15 (24th Ave NW) in Sec 11-T123-R64, Brown County, SD to provide natural gas service to Presentation College. Roll call vote: Commissioners Knecht-aye, Feickert-aye, Fischbach-aye, Wiese-abstain, Hansen-aye. Motion carried.

Moved by Knecht, seconded by Feickert to approve and authorize the Chairman to sign application, submitted by Northwestern Public Service for occupancy of Brown County Highway #15 in Sec 12 & 1-T123-R64, Brown County, SD to provide natural gas service to Expo Building on Fairgrounds. Roll call vote: Commissioners Knecht-aye, Feickert-aye, Fischbach-aye, Wiese-abstain, Hansen-aye. Motion carried.

Moved by Fischbach, seconded by Wiese to approve and authorize the Chairman to sign application, submitted by United States Geological Survey for occupancy of Brown County Highway #5 in Sec 8-T127-R65, Brown County, SD to install gauging station. All members present voting aye. Motion carried.

Moved by Fischbach, seconded by Wiese to approve and authorize the Chairman to sign application, submitted by United States Geological Survey for occupancy of Brown County Highway #14 in Sec 9-T124-R63, Brown County, SD to install gauging station. All members present voting aye. Motion carried.

EXECUTIVE SESSION:

Moved by Wiese, seconded by Knecht to go into executive session for personnel discussion with Russ Podoll in attendance. All members present voting aye. Motion carried.

Moved by Fischbach, seconded by Wiese to adjourn executive session. All members present voting aye. Motion carried.

LIEN DISCUSSION:

An individual met with the Commission requesting compromise of lien upon partial payment. No action taken at this time.

RECESS:

Moved by Knecht, seconded by Feickert to recess until August 17, 1999. All members present voting aye. Motion carried.

Maxine Taylor - Brown County Auditor

## AUGUST 17, 1999 - GENERAL MEETING

Meeting called to order by Chairman Hansen at 8:45 A.M. in the Commissioner's Chambers, Courthouse Annex, Brown County, South Dakota. Present were Commissioners Knecht, Feickert, Fischbach and Wiese.

## MINUTES:

Moved by Knecht, seconded by Wiese to approve the General Meeting minutes of August 10, 1999. All members present voting aye. Motion carried.

## CLAIMS:

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

Payroll: Commissioners..\$2,115.40; Data Processing..\$1,221.16; Auditor..\$5,005.30, OVERTIME: Carol Misfeldt..\$4.91; Treasurer..\$6,916.50; State's Attorney..\$8,639.37; Victims Asst..\$769.24; Maintenance..\$4,763.70, OVERTIME: Judy Dosch..\$203.71; Planning & Zoning..\$829.60; Register of Deeds..\$2,919.06; Veterans Service..\$1,881.71; Health..\$2,171.20; Communications..\$8,677.15, OVERTIME: Sheila Anderson..\$30.40, Mary Browning..\$31.84, Nancy Radke..\$54.24, Michele Strom..\$112.96; Sheriff..\$38,124.47, OVERTIME: Craig Anderson..\$318.08, Bryan Locke..\$168.98, John McQuillen..\$208.74, Scott Kolb..\$95.80, David Fair..\$47.00, David Hanson..\$70.88, Steven Cogley..\$85.00, Dala Mandel..\$90.53, Craig Nelson..\$28.24, Mark Jastram..\$6.88, Kevin Johnson..\$13.40, Amy Lake..\$19.56, Jeffrey Kirnan..\$13.04, Jvonne Heard..\$17.78, Amy Krueger..\$56.29; Museum..\$1,756.79; IMS..\$1,598.15, Welfare..\$2,212.42; Foster Grandparent Program..\$2,384.21; Fairgrounds..\$3,307.62, OVERTIME: John Weig..\$146.34, Melvin Ernst..\$42.03; Fairboard..\$1,379.33; Extension..\$1,820.75, OVERTIME: Lori Erickson..\$6.51; Weed..\$1,551.13, OVERTIME: Jerry Dempsey..\$11.10, Earl Ruden..\$22.20; Emergency Management..\$1,754.32; Road and Bridge..\$29,110.29, OVERTIME: Terry Backous..\$8.37, Robert Binfet..\$353.66, Vernon Bitz..\$35.08, David Bruckner..\$364.10, Brian Dargatz..\$335.19, Joel Guderjohn..\$241.44, Larry Hardy..\$378.50, Dave Kolb..\$21.02, Tom Lammon..\$342.98, Daryl Lloyd..\$164.30, Jerry Luce..\$44.72, Joseph Malsam..\$387.17, Donald Maunu..\$118.13, Todd Odenbach..\$387.66, Dave Okroi..\$173.78, Bryan Owens..\$336.45, Richard Schaible..\$371.54, Roger Schaible..\$160.40, Jeff Seiler..\$308.22, Marcus Selzler..\$32.40, Casey Thorstenson..\$45.53, Kendell Titze..\$208.74, Leon Vickers..\$324.00, Michael Wagner..\$375.79, Jan Weismantel..\$382.11, Theodore Brockel..\$34.38, Randy Dobberpuhl..\$5.73, Nicholas Wana..\$28.60, Carl Weismantel..\$27.56; Solid Waste..\$4,693.59, OVERTIME: Carl Wright..\$82.10, Roxanne Varns..\$56.74, Nyle Jensen..\$7.54,

Dennis Vanheerde..\$333.00:

Supplies & Materials: Dept of Health..\$7.00, Robbie's..\$59.88, State Property Mgmt..\$66.39, Lexis..\$166.96, West Group..\$2315.98, Walmart..\$54.13, Computer Specialists..\$150.00, Quality Quick Print..\$288.55, Office Equipment..\$661.96, Photos Now..\$77.90, US Gov't Bookstore..\$56.00, Pheasantland Industries..\$356.64, Attorney General..\$131.25, Nat'l Sheriff Assn..\$110.00, Amoco..\$38.08, Bonnie Bitz..\$240.00, Xerox..\$373.44, ATD American Co..\$134.85, Menards..\$27.36, Graham Tire..\$12.00, Hub City Iron..\$25.60, Pro Ag Supply..\$18.50, Prairieland..\$168.25, Dakota Electronics..\$30.00, SD Dept of Revenue..\$1385.54, Van Diest..\$9653.33, Aberdeen Awards..\$4.00, UBC..\$24.70, SD Wheat Growers..\$1878.47, Praxair..\$14.90, Mardians..\$32.60, Heartland Heating..\$186.39, Frontier Mfg..\$404.00, Open Class Livestock..\$595.00, VISA..\$212.55:

Transcriptions: Calleen Misterek..\$4554.95, Harry & Locke Elec..\$2111.91:

Publications: American News..\$171.00, Dakota Press..\$155.38, McLaughlin Messenger..\$19.14, Rapid City Journal..\$33.50:



Professional Fees: Witness Fees..\$20.00, Avera St Lukes..\$50.00, Sheriff of Minnehaha County..\$25.50, Clerk US Bankruptcy Court..\$20.00, Sioux Vocational Services..\$120.00:

Mileage & Travel: Deb Knecht..\$153.70, Bruce Tveit..\$63.13, Mark Milbrandt..\$500.00:

Court Appointed Attorney: Christy Serr..\$2007.04:

Utilities: Commnet Cellular..\$126.56, US West..\$468.45, NWPS..\$7.47, DTG..\$17.95, Northern Electric..\$241.50, Cellular One..\$189.00:

Care of Poor: Dr/Hospital..4 recipient..North Central Heart..\$383.46, Orthopedic Surgery..\$49.00, Mayo Clinic..\$1503.32, Great Plains Rehab..\$59.40, Avera St Lukes..\$3677.40, Harlow Orthopedics..\$1837.38; Utilities..2 recipients..City of Aberdeen..\$392.16; Drugs..2 recipients..Walmart Pharmacy..\$80.23, Kessler Pharmacy..\$92.48; Rent..10 recipients..Melrose Village..\$113.00, Bud Kumpf..\$125.00, Tree House Properties..\$170.00, Barb Hertz..\$190.00, Donald Peck..\$210.00, BelAire Apts..\$320.00. All members present voting aye. Motion carried.

**TEMPORARY CHANGE FUND:**

Moved by Wiese, seconded by Knecht to authorize temporary change fund be established for Fair Week in amount of \$10,000.00. All members present voting aye. Motion carried.

**CDGB PUBLISHING:**

Moved by Wiese, seconded by Fischbach to authorize advertising the following CDBG documents for the Richmond Lake Dam Spillway Project: Notice of Intent to Undertake a CDBG Project in a 100-year Floodplain; Combined Notice of Finding of No Significant Impact and Notice of Intent to Request Funds in amount of \$112,500.00. All members present voting aye. Motion carried.

**EMPLOYEE STEP INCREASES:**

Moved by Knecht, seconded by Feickert to approve the following employee step increases, effective August 22, 1999: Randy Bonn @ pro-rated annual salary of \$29,750, Dallas Vallery @ \$9.17 per hour, Kevin Johnson @ \$9.17 per hour. All members present voting aye. Motion carried.

**ASKBOB:**

Kathy Boschee, Dan Jerke, Kyle Rott, Joel Rott and Paula Jerke presented information about ASKBOB - Aberdeen Skatepark Kommittee Boarders Or Bladers, who have a common goal of building a skatepark facility for skate boarders and rollerbladers in the area. The Commission agreed to send letter of support for the project to the City of Aberdeen.

**APPLICATION FOR OCCUPANCY:**

Moved by Feickert, seconded by Fischbach to approve and authorize the Chairman sign application, submitted by US West Communications for occupancy of County Hwy #23 in Sec 31-T122N-R63W and Sec 1-T121N-R64W for improved telephone service. Roll call vote: Commissioners Knecht-aye, Feickert-aye, Fischbach-aye, Wiese-abstain, Hansen-aye. Motion carried.

Moved by Fischbach, seconded by Feickert to approve and authorize the Chairman sign application, submitted by Accent Communications Inc for occupancy of County Hwy #20 in Sec 17 & 18-T128N-R60W for new telephone service. Roll call vote: Commissioners Knecht-aye, Feickert-aye, Fischbach-aye, Wiese-abstain, Hansen-aye. Motion carried.

**ADDENDUM #2 - BRIDGE #34A:**

Moved by Wiese, seconded by Feickert to approve and authorize the Chairman sign

Addendum #2 - Work Order LGA-30-99 to increase the maximum limiting fee to \$5,100.00 (an increase of \$1,255.00) for the hydraulic analysis on Project PBRF 6576(02) PCEMS 5697 - Bridge #34A - 1.9 miles west of Aberdeen over Foot Creek. All members present voting aye. Motion carried.

EXECUTIVE SESSION:

Moved by Hansen, seconded by Knecht to go into executive session for personnel discussion with Maxine Taylor in attendance. All members present voting aye. Motion carried.

Moved by Fischbach, seconded by Feickert to adjourn executive session. All members present voting aye. Motion carried.

VISA CARD/POLICY:

Moved by Fischbach, seconded by Feickert to approve application for VISA credit card, submitted by Sheriff Mark Milbrandt with the following guidelines: 1) cards held by Mark Milbrandt, Tom Schmitt, Byran Locke; 2) Mark Milbrandt oversee use of cards; 3) Sheriff Office personnel reconcile each month. All members present voting aye. Motion carried.

PROVISIONAL BUDGET:

Commissioner Knecht offered the following Resolution:

RESOLUTION NO. 72-99  
ADOPTION OF PROVISIONAL BUDGET FOR  
BROWN COUNTY, SOUTH DAKOTA

NOTICE IS HEREBY GIVEN: That the Board of County Commissioners of Brown County, will meet in the Courthouse at Aberdeen, South Dakota on Tuesday, September 7, 1999 at 10:00 A.M. for the purpose of considering the Provisional Budget for the year 2000 and the various items, schedules, amounts and appropriations set forth therein and as many days thereafter as is deemed necessary until the final adoption of the budget on the 28th day of September, 1999. At such time any interested person may appear either in person or by a representative, and will be given an opportunity for a full and complete discussion of all purposes, objectives, items, schedules, appropriations, estimates, amounts and matter set forth and contained in the Provisional Budget.

Seconded by Commissioner Wiese. Roll call vote: Commissioners Knecht-aye, Feickert-aye, Fischbach-aye, Wiese-aye, Hansen-aye. Resolution adopted.

RECESS:

Moved by Wiese, seconded by Knecht to recess until August 24, 1999. All members present voting aye. Motion carried.

Maxine Taylor - Brown County Auditor

AUGUST 24, 1999 - JOINT CITY/COUNTY MEETING

The Brown County Commission and the Aberdeen City Commission met in joint session at 8:45 A.M. in the County Commission Chambers, Courthouse Annex, Brown County, South Dakota. Present from City were Commissioners Hurlbert, Klabo, Pfeifer, Meyer and Mayor Hopper. Present from County were Commissioners Knecht, Feickert, Fischbach, Wiese and Hansen.

ORDINANCE NO. 99-08-01/184:

On motion by Hurlbert and seconded by Klabo, the City Commission unanimously voted to approve First Reading of Ordinance No. 99-08-01/184.

Moved by Wiese, seconded by Knecht to approve First Reading of Ordinance No. 99-08-01/184, An Ordinance Amending Ordinance No. 1164 to rezone certain property from Section 710 (I-2) Unrestricted Industrial District to Section 707 (C-2) Highway Commercial District, described as Lots 1 and 2 of Jones First Subdivision in the SE 1/4 of Section 16-T123N-R63W of the 5th P.M., Brown County, South Dakota. All members present voting aye. Motion carried.

ORDINANCE NO. 99-08-02/185:

On motion by Pfeifer and seconded by Hurlbert, the City Commission unanimously voted to approve First Reading of Ordinance No. 99-08-02/185.

Moved by Feickert, seconded by Fischbach to approve First Reading of Ordinance No. 99-08-02/185, An Ordinance Amending Ordinance No. 1164 to rezone certain property from Section 701 (A-1) Agricultural District to Section 714 (M-Ag) Mini-Agricultural District, described as the South 4.5 Acres of E 1/2 of E 1/2 of W 1/2 of SE 1/4 except road of Section 28-T124N-R64W of the 5th P.M., Brown County, South Dakota (38474 129th Street, Aberdeen). All members present voting aye. Motion carried.

ORDINANCE NO. 99-08-03/186:

On motion by Meyer and seconded by Hurlbert, the City Commission unanimously voted to approve First Reading of Ordinance No. 99-08-03/186.

Moved by Wiese, seconded by Fischbach to approve First Reading of Ordinance No. 99-08-03/186, An Ordinance Amending Ordinance No. 1164 to rezone certain property from Section 701 (A-1) Agricultural District to Section 714 (M-Ag) Mini-Agricultural District, described as Scott First Subdivision in the SW 1/4 of Section 20-T123N-R63W of the 5th P.M., Brown County, South Dakota (3123 E Melgaard Road). All members present voting aye. Motion carried.

The City Commission adjourned and the County Commission resumed their regular meeting.

Maxine Taylor - Brown County Auditor

AUGUST 24, 1999 - GENERAL MEETING

Meeting called to order by Chairman Hansen at 8:45 A.M. in the Commissioner's Chambers, Courthouse Annex, Brown County, South Dakota. Present were Commissioners Knecht, Feickert, Fischbach and Wiese.

MINUTES:

Moved by Wiese, seconded by Fischbach to approve the General Meeting minutes of August 17, 1999. All members present voting aye. Motion carried.

CLAIMS:

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

Supplies & Materials: Brown & Saenger..\$190.00, NADA..\$210.00, Lexis..\$111.03, Proclean..\$90.00, Dan Lingor..\$248.00, Heartland Paper..\$340.07, Dependable..\$356.00, Ecolab..\$94.20, Menards..\$30.95, Taylor Laundry..\$64.54, UBC..\$17.34, Walmart..\$102.68, Plainsco..\$191.63, Galls..\$29.95, Hub City Iron..\$1671.65, Trins..\$582.84, Spitzer..\$2488.50, SD Division of Motor Vehicles..\$12.00, SD Wheat Growers..\$7560.26, Share Corp..\$482.00, Prairieland..\$131.39, Power Equip..\$10.00, Palmer Dist..\$94.25, BW Morrison Const..\$615.00, Newman Traffic..\$176.50, Mac's..\$193.53, Lien Trans..\$1572.51, Koch Materials..\$66,486.77, Gary's Engine..\$23.60, Country General..\$13.02, Bridgestone Firestone..\$48.35, Aberdeen Glass..\$8.00, A&M Radio..\$180.00, Lar-Jos..\$119.00, Kesslers..\$334.47, Am Assoc of State/Local History..\$75.00, Ameripride..\$9.30, Artz Camera..\$9.60, Watertown Area Transit..\$163.45, Aberdeen Area Sr Citizens..\$232.50:

Transcriptions: American News..\$294.00:

Professional Fees: City Net..\$652.40, Minnehaha County Sheriff..\$16.50, NADRIC..\$2083.33, Theatrical Media Services..\$3891.00:

Mileage & Travel: Jean Hurst..\$27.26, Mike Scott..\$7.00:

Utilities: US West..\$1625.93, Bureau of Admin..\$649.37, NWPS..\$1976.44, Northern Electric..\$14.20, City of Hecla..\$44.62, Cellular One..\$28.24:

Care of Poor: Dr/Hospital..3 recipients..Dr John Adams..\$353.41, Dr John Carrels..\$53.11, Avera St Lukes..\$1860.81; Utilities..3 recipients..City of Aberdeen..\$116.00, NWPS..\$189.13; Drugs..1 recipient..Walmart Pharmacy..\$39.26; Rent..3 recipients..Breeze Inn Motel..\$29.95, BelAire..\$200.00; Insurance..1 recipient..Anza Ins..\$99.74. All members present voting aye. Motion carried.

EXPENSES:

Moved by Knecht, seconded by Fischbach to approve the following expenses: Janet Dosch and Alicia Dohn to attend Emergency Dispatch Training in Rapid City on September 8 - 11; Amy Lake, Kristal Schumack and Barb Johnson to attend SDDOC Juvenile and Adult Violence Conference in Spearfish on September 21 - 23; Tom Gohn to attend the SD State Fair in Huron to work in the Veterans Booth on September 3; Mark Mills to attend a Dispatcher Training Meeting and a 911 Task Force Meeting in Pierre on August 25 - 26; County personnel to travel to Sioux Falls to tour JDC facility at a later date; Mary Worlie, Leo Leshner, Gene Loeschke and Melissa Koester to attend the Annual Assessor's School in Pierre on August 30 - September 3, 1999. All members present voting aye. Motion carried.

TEMPORARY CHANGE FUND:

Moved by Wiese, seconded by Fischbach to close the temporary change fund in amount of \$10,000.00 established for the 1999 Brown County Fair. All members present voting aye. Motion carried.

ABATEMENT:

Moved by Wiese, seconded by Knecht to approve the following Abatement: Susan Loebs, roof collapsed (1973 Great Lakes MH) for year 1999 in amount of \$82.24. All members present voting aye. Motion carried.

PERSONNEL:

Moved by Wiese, seconded by Fischbach to approve hiring Holly Hanley and Jeremy Bronelle as part-time Fairgrounds employees, effective August 16 - 20, 1999 at \$6.05 per hour. All members present voting aye. Motion carried.

PLATS:

Commissioner Wiese offered the following Resolution:

RESOLUTION NO. 73-99

BE IT RESOLVED by the County Commission of Brown County, South Dakota, that the plat showing "Berry-Davis Addition, a Replat of Lots 34 & 35, Lutgen and Davis Richmond Lake Development, 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 Knecht. Roll call vote: Commissioners Knecht-aye, Feickert-aye, Fischbach-aye, Wiese-aye, Hansen-aye. Resolution adopted.

Commissioner Wiese offered the following Resolution:

RESOLUTION NO. 74-99

BE IT RESOLVED by the County Commission of Brown County, South Dakota, that the plat showing "Lewis Conservation Easement Tracts in the NE 1/4 of Section 9-T128N-R60W 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 Fischbach. Roll call vote: Commissioners Knecht-aye, Feickert-aye, Fischbach-aye, Wiese-aye, Hansen-aye. Resolution adopted.

Commissioner Wiese offered the following Resolution:

RESOLUTION NO. 75-99

BE IT RESOLVED by the County Commission of Brown County, South Dakota, that the plat showing "Lewis Conservation Easement Tract in the W 1/2 of the W 1/2 of the SW 1/4 of Section 9-T128N-R60W 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 Fischbach. Roll call vote: Commissioners Knecht-aye, Feickert-aye, Fischbach-aye, Wiese-aye, Hansen-aye. Resolution adopted.

Commissioner Wiese offered the following Resolution:

RESOLUTION NO. 76-99

BE IT RESOLVED by the Board of County Commissioners of Brown County, South Dakota,

that the plat showing "Jones Lot 1 in the NE 1/4 of Section 5-T123N-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 Knecht. Roll call vote: Commissioners Knecht-aye, Feickert-aye, Fischbach-aye, Wiese-aye, Hansen-aye. Resolution adopted.

Commissioner Wiese offered the following Resolution:

RESOLUTION NO. 77-99

BE IT RESOLVED by the Board of Commissioners of Brown County, South Dakota, that the plat showing "Johnsen Addition in the SE 1/4 of Section 28-T124N-R64W 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 Fischbach. Roll call vote: Commissioners Knecht-aye, Feickert-aye, Fischbach-aye, Wiese-aye, Hansen-aye. Resolution adopted.

Commissioner Knecht offered the following Resolution:

RESOLUTION NO. 78-99

BE IT RESOLVED by the County Commission of Brown County, South Dakota, that the plat showing "Scott First Subdivision in SW 1/4 Section 20-T123N-R63W 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 Fischbach. Roll call vote: Commissioners Knecht-aye, Feickert-aye, Fischbach-aye, Wiese-aye, Hansen-aye. Resolution adopted.

INTERNET REPORT:

Bill Meink presented a report on the review of internet logs on County computer equipment, as requested by the Commission. Several programs were added to the system without proper verbal approval. The Commission requested the Internet Use Policy be amended to include wording that software/hardware additions be requested in writing in the future. Also discussed Y2K compliance and the need to update the server.

EXECUTIVE SESSION:

Moved by Wiese, seconded by Knecht to go into executive session for personnel discussion with Bill Meink in attendance. All members present voting aye. Motion carried.

Moved by Fischbach, seconded by Feickert to adjourn executive session. All members present voting aye. Motion carried.

MAINTENANCE BUDGET:

Mick Palmer and Judy Dosch discussed the 1999 Maintenance Budget and requested permission to do several projects that may cause a contingency transfer. Board concurred.

LANDFILL REPORT:

Mike Scott discussed condition of forklift; commercial truck rollover accident; and Highway Patrol siting several commercial trucks for overweight violations.

**SURPLUS PROPERTY:**

Moved by Feickert, seconded by Knecht to declare the forklift used by the Landfill surplus property for purpose of sale. All members present voting aye. Motion carried.

**P.W. REPORT:**

Russ Podoll discussed items for upcoming surplus sale; fall road repair schedule; Richmond Spillway Project and water levels.

**HOSPITAL CLAIMS DENIED:**

Cheryl Majeske, Avera St. Lukes met with the Commission to discuss two medical bills. Charlene Millim was also in attendance. The following action ensued:

Moved by Feickert, seconded by Wiese to deny payment of a hospital bill, submitted by Avera St. Lukes in amount of \$11,413.96 for a 20 year old female, as individual is indigent by design. All members present voting aye. Motion carried.

Moved by Wiese, seconded by Fischbach to deny payment of a hospital bill, submitted by Avera St. Lukes in amount of \$6,036.53 for a 45 year old male, as individual has not provided sufficient information to determine indigency. All members present voting aye. Motion carried.

**SUBORDINATION AGREEMENT:**

Moved by Wiese, seconded by Knecht to approve and authorize Chairman sign agreement, whereby the County shall subordinate a county relief lien to the banks mortgage, upon payment of \$6,500.00 down and monthly payments on balance of lien in amount of \$50.00 commencing in September. All members present voting aye. Motion carried.

**DRAINAGE ISSUE:**

Mick Waller advised the Commission that Al Winburn has submitted an application to the State for a permit to install culverts.

**AFSCME CONTRACT:**

Moved by Fischbach, seconded by Wiese to approve and authorize the Chairman sign agreement with AFSCME Local 162 consistent with provisions mutually agreed upon by Local 162 and the Commission. All members present voting aye. Motion carried.

**RECESS:**

Moved by Knecht, seconded by Feickert to recess until August 31, 1999. All members present voting aye. Motion carried.

Maxine Taylor - Brown County Auditor

AUGUST 31, 1999 - JOINT CITY/COUNTY MEETING

The Brown County Commission and the Aberdeen City Commission met in joint session at 8:45 A.M. in the County Commission Chambers, Courthouse Annex, Brown County, South Dakota. Present from City were Commissioners Pfeifer, Meyer and Mayor Hopper. Absent Commissioners Hurlbert and Klabo. Present from County were Commissioners Knecht, Feickert, Fischbach, Wiese and Hansen.

ORDINANCE NO. 99-08-01/184:

On motion by Pfeifer and seconded by Meyer, the City Commission unanimously voted to approve Second Reading of Ordinance No. 99-08-01/184.

On motion by Meyer and seconded by Pfeifer, the City Commission unanimously voted to adopt Ordinance No. 99-08-01/184.

Moved by Feickert, seconded by Knecht to approve Second Reading of Ordinance No. 99-08-01/184. All members present voting aye. Motion carried.

Moved by Fischbach, seconded by Feickert to adopt Ordinance No. 99-08-01/184, An Ordinance Amending Ordinance No. 1164 to rezone certain property from Section 710 (I-2) Unrestricted Industrial District to Section 707 (C-2) Highway Commercial District, described as Lots 1 and 2 of Jones First Subdivision in the SE 1/4 of Section 16-T123N-R63W of the 5th P.M., Brown County, South Dakota. All members present voting aye. Motion carried.

ORDINANCE NO. 99-08-02/185:

On motion by Meyer and seconded by Pfeifer, the City Commission unanimously voted to approve Second Reading of Ordinance No. 99-08-02/185.

On motion by Pfeifer and seconded by Meyer, the City Commission unanimously voted to adopt Ordinance No. 99-08-02/185.

Moved by Knecht, seconded by Fischbach to approve Second Reading of Ordinance No. 99-08-02/185. All members present voting aye. Motion carried.

Moved by Feickert, seconded by Knecht to adopt Ordinance No. 99-08-02/185, An Ordinance Amending Ordinance No. 1164 to rezone certain property from Section 701 (A-1) Agricultural District to Section 714 (M-Ag) Mini-Agricultural District, described as the South 4.5 Acres of E 1/2 of E 1/2 of W 1/2 of SE 1/4 except road of Section 28-T124N-R64W of the 5th P.M., Brown County, South Dakota (38474 129th Street, Aberdeen). All members present voting aye. Motion carried.

ORDINANCE NO. 99-08-03/186:

On motion by Pfeifer and seconded by Meyer, the City Commission unanimously voted to approve Second Reading of Ordinance No. 99-08-03/186.

On motion by Meyer and seconded by Pfeifer, the City Commission unanimously voted to adopt Ordinance No. 99-08-03/186.

Moved by Fischbach, seconded by Feickert to approve Second Reading of Ordinance No. 99-08-03/186. All members present voting aye. Motion carried.

Moved by Feickert, seconded by Knecht to adopt Ordinance No. 99-08-03/186, An Ordinance Amending Ordinance No. 1164 to rezone certain property from Section 701 (A-1) Agricultural District to Section 714 (M-Ag) Mini-Agricultural District, described as Scott First Subdivision in the SW 1/4 of Section 20-T123N-R63W of the 5th P.M., Brown County, South Dakota (3123 E Melgaard Road). All members present voting aye. Motion carried.

The City Commission adjourned and the County Commission resumed their regular meeting.

Maxine Taylor - Brown County Auditor



AUGUST 31, 1999 - GENERAL MEETING

Meeting called to order by Chairman Hansen at 8:45 A.M. in the Commissioner's Chambers, Courthouse Annex, Brown County, South Dakota. Present were Commissioners Knecht, Feickert, Fischbach and Wiese.

MINUTES:

Moved by Knecht, seconded by Fischbach to approve the Joint City/County Meeting minutes and the General Meeting minutes of August 24, 1999. All members present voting aye. Motion carried.

CLAIMS:

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

Payroll: Commissioners..\$2,115.40; Data Processing..\$1,221.16; Auditor..\$5,005.30, OVERTIME: Jeanette Nietert..\$4.91; Treasurer..\$6,916.50, OVERTIME: Dorene Borchard..\$4.91, Jolene Forsting..\$3.48; State's Attorney..\$8,639.37; Victims Asst..\$769.24; Maintenance..\$4,434.28; Assessor..\$5,211.43; Planning & Zoning..\$829.60, OVERTIME: Mick Waller..\$15.56; Register of Deeds..\$2,941.11; Veterans Service..\$2,038.54; Health..\$2,171.20; Communications..\$8,400.86, OVERTIME: Mary Browning..\$31.84, Vickie Hansford..\$275.20, Nancy Radke..\$45.20, Michele Strom..\$112.96, Kathy Thoof..\$30.40, Traci Wickenheiser..\$118.72; Sheriff..\$37,828.89, OVERTIME: Craig Anderson..\$318.08, Bryan Locke..\$506.94, John McQuillen..\$89.46, John Heine..\$78.08, David Fair..\$75.20, Mark Jastram..\$96.25, Patrick Rickerl..\$13.76, Amy Mathiason..\$46.90, Cindy Baumgartner..\$110.84, Michelle Smith..\$39.12, Kevin Johnson..\$13.40, Jeffrey Kirnan..\$19.56; Museum..\$2,523.19; IMS..\$890.10, Welfare..\$2,212.42; Foster Grandparent Program..\$2,629.17; Fairgrounds..\$3,747.25, OVERTIME: John Weig..\$361.79, Melvin Ernst..\$325.73, James Crouch..\$147.49, Ralph Wakely..\$120.31; Fairboard..\$2,270.78, OVERTIME: Jan Malsom..\$3.76, Lavonne Wolf..\$47.25, Craig Anderson..\$397.60, Bryan Locke..\$337.96, John McQuillen..\$397.60, John Heine..\$195.20, Scott Kolb..\$234.24, Mike Casjens..\$376.00, Dave Fair..\$338.40, Dave Hanson..\$283.52, Steve Cogley..\$221.00, John VanderHoek..\$312.32, Dala Mandel..\$263.36, Ethan Palluck..\$29.68; Extension..\$1,680.40, OVERTIME: Lynn Meyer..\$326.34, Lori Erickson..\$286.44, Jackie Thompson..\$185.85; Weed..\$805.03; Emergency Management..\$1,754.32, OVERTIME: Ginger Walker..\$45.15; Road and Bridge..\$29,810.78, OVERTIME: Terry Backous..\$167.40, Robert Binfet..\$349.59, Vernon Bitz..\$31.18, David Bruckner..\$422.68, Brian Dargatz..\$304.01, Joel Guderjohn..\$399.89, Larry Hardy..\$223.32, Daniel Glover..\$108.68, Bonnie Holmquist..\$112.08, Dave Kolb..\$7.01, Tom Lammon..\$339.08, Daryl Lloyd..\$328.60, Joseph Malsam..\$357.95, Todd Odenbach..\$424.94, Dave Okroi..\$114.48, Bryan Owens..\$368.71, Richard Schaible..\$359.68, Roger Schaible..\$368.92, Jeff Seiler..\$322.23, Markcus Selzler..\$206.55, Casey Thorstenson..\$21.02, Kendell Titze..\$354.11, Leon Vickers..\$275.40, Michael Wagner..\$186.78, Theodore Brockel..\$11.46, Brent Cantalope..\$5.01, Steven Novotny..\$10.02, Nicholas Wanna..\$176.80, Carl Weismantel..\$5.01; Solid Waste..\$4,695.32, OVERTIME: Carl Wright..\$295.56, Roxanne Varns..\$56.74, Nyle Jensen..\$3.77, Dennis VanHeerde..\$115.84;

Supplies & Materials: Brown County Treasurer..\$21.20, RE Huffman..\$636.66, Office Max..\$125.94, ZD Journals..\$59.00, William Meink..\$7.80, Menards..\$44.58, Cartney Bearing..\$7.96, Taylor Laundry..\$46.54, Plainsco..\$112.40, Mick Palmer..\$3.17, Jack Riley..\$27,400.00, Sherwin-Williams..\$56.68, Ameripride..\$30.90, Lar-Jo..\$530.00, Office Equipment..\$11.80, Nor-Com..\$144.00, SD Counties..\$1350.00, Veterans Information Service..\$35.00, Aberdeen Credit Bureau..\$90.00, Pact Inc..\$229.95, Respond..\$205.40, Parcel-Erickson..\$19.95, Medicine Shop..\$32.31, NEMHC..\$277.93, Farmers Union..\$25.57, Walmart..\$26.44, Mitchell Clinic..\$51.10, Avera United

Clinic..\$20.70, Bob Barker..\$333.07, Avera St Lukes..\$635.66, Streichers..\$21.90, Medical Center Pharmacy..\$950.65, Medical Priority Consultants..\$275.00, Van Diest..\$1422.40, Keeleys..\$14.63, 3-D Specialists..\$57.00, SDDOT..\$9140.00, Share Corp..\$231.00, Safety Service..\$6116.74, Reuer's Auto..\$31.30, Cliff & Gina Marohl..\$100.00, Light & Siren..\$123.39, Lien Transportation..\$39,396.82, Lawson Products..\$582.23, Koch Materials..\$8298.40, Howell Trucking..\$627.00, J Gross..\$5.72, Don Gisi..\$50.00, Dave Gardner Trucking..\$390.00, Frey's Electronics..\$637.49, Farm Power Mfg..\$56.73, JD Evans..\$1038.23, Herb Dabbert Trucking..\$780.00, Al Dabbert Trucking..\$799.50, Lisa Cornelius..\$125.00, HC Clark..\$142.65, Kevin Bourdon Trucking..\$390.00, Joann Bollwerk..\$50.00, Gary's Engine..\$3.00, UBC..\$2446.52, Dependable Sanitation..\$142.80, NE Area Horse Racing..\$306.00, Parcel-Erickson..\$10.00, Aberdeen Lock & Key..\$4.50, Nat'l 4-H Council..\$55.00, Extension Service..\$101.81, New Trends..\$54.90, Health & Nutrition Letter..\$54.00, Dakota School..\$9.84, Livestock Spec..\$15.25, U of MN Ext Service..\$26.50, Office Equip..\$90.00, Abdn Awards..\$8.00, Abdn Lawn Care..\$760.00, RDO..\$95.51, Leggette..\$294.00, Taylor Laundry..\$92.50, Butler..\$33,914.00, Ryland Ind..\$570.00, Dakota Electronics..\$640.00, Heiman Fire Equip..\$246.63, Dakota Fire Extinguishers..\$44.50:

Publications: American News..\$253.75:

Professional Fees: Witness fees..\$40.00:

Mileage & Travel: Gene Loeschke..\$102.95, Kathy Schlecht..\$128.60, Gary Erickson..\$267.00, Ginger Walker..\$38.86:

Court Appointed Attorney: HI King..\$3406.82, Brad Borge..\$3406.82, Kelly Marnette..\$1017.50:

Utilities: US West..\$3356.34, Midcontinent Cable..\$175.17, Cellular One..\$276.09, NWPS..\$43.53, Montana-Dakota..\$28.13, Northern Elec..\$440.59, WEB..\$224.64, Alterna-Cell..\$9.95:

Care of Poor: Dr/Hospital..4 recipients..Dr Bryce Iwerks..\$220.05, EMSA Primary Care..\$431.90, Avera St Lukes..\$7632.62; Transportation..1 recipient..Brown County Public Works..\$4.20; Utilities..1 recipient..NWPS..\$230.00; Drugs..1 recipient..Shopko Pharmacy..\$15.59; Rent..2 recipients..Schatz Rental Mgmt..\$65.00, BelAire Apts..\$40.00; Insurance..1 recipient..1st Dakota Indemnity..\$144.26. All members present voting aye. Motion carried.

#### SURPLUS PROPERTY:

Moved by Knecht, seconded by Fischbach to declare Decal #2002 Reader/Printer and Decal #2003 Dupli Printer surplus for disposal as parts. All members present voting aye. Motion carried.

#### INVENTORY TRANSFER:

Moved by Feickert, seconded by Knecht to approve transferring Decal #2626 Computer, Decal #2627 Computer and Decal #2631 Lap Top Computer from the States Attorney's Office to Data Processing. All members present voting aye. Motion carried.

#### CDBG PUBLICATION:

Moved by Wiese, seconded by Feickert to authorize advertising Early Public Review Publication for the Tree Removal CDBG Project. All members present voting aye. Motion carried.

#### EXPENSES:

Moved by Feickert, seconded by Wiese to approve expenses for Extension personnel to transport exhibits to and from the State Fair August 30 - September 7, 1999. All members present voting aye. Motion carried.

PERSONNEL:

Moved by Fischbach, seconded by Knecht to approve the following Employee Step Increases, effective September 5, 1999: Amy Lake @ \$8.93 per hour; Deb Dugger @ \$8.88 per hour. All members present voting aye. Motion carried.

Moved by Feickert, seconded by Wiese to approve hiring Ben Z Hofer at the Highway Department, effective September 7, 1999 at \$9.34 per hour. All members present voting aye. Motion carried.

Moved by Wiese, seconded by Knecht to approve hiring J Ryan Arlt at the Highway Department, effective September 13, 1999 at \$9.34 per hour. All members present voting aye. Motion carried.

PLATS:

Commissioner Knecht offered the following Resolution:

RESOLUTION NO. 79-99

BE IT RESOLVED by the Board of Commissioners of Brown County, South Dakota that the plat showing "Dayton Outlot 1 in the NW 1/4 of Sec. 29-T126N-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. Roll call vote: Commissioners Knecht-aye, Feickert-aye, Fischbach-aye, Wiese-aye, Hansen-aye. Resolution adopted.

Commissioner Wiese offered the following Resolution:

RESOLUTION NO. 80-99

BE IT RESOLVED by the County Commission of Brown County, South Dakota that the plat showing "Cottrell Outlot A in the NW 1/4 of Sec. 29-T123N-R64W 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 Fischbach. Roll call vote: Commissioners Knecht-aye, Feickert-aye, Fischbach-aye, Wiese-aye, Hansen-aye. Resolution adopted.

Commissioner Knecht offered the following Resolution:

RESOLUTION NO. 81-99

BE IT RESOLVED by the County Commission of Brown County, South Dakota that the plat showing "Bertsch Addition in the SW 1/4 of Sec. 28-T124N-R64W 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. Roll call vote: Commissioners Knecht-aye, Feickert-aye, Fischbach-aye, Wiese-aye, Hansen-aye. Resolution adopted.

INCREASE SPENDING AUTHORITY/ESTIMATED REVENUE:

Moved by Wiese, seconded by Knecht to increase spending authority in Fund #101-311-426.30 in total amount of \$1,194.00 CDBG Funding for Henry Township (\$532.00) and Groton City (\$662.00), Fund #101-311-425 @ \$7,155.50, #101-311-426.16

@ \$101,438.26, #101-311-426 @ 28,901.57 (Brown County total of \$137,495.33) and increase estimated revenue in Fund #101-331.03 in amount of \$138,689.33; and further to increase spending authority in Fund #234-512-429.02 Museum IMS Grant in amount of \$2,863.63 and increase estimated revenue in Fund #234-331.30 in amount of \$2,863.63. All members present voting aye. Motion carried.

LEASE AGREEMENT:

Moved by Wiese, seconded by Fischbach to approve and authorize the Chairman sign agreement with Dakota Prairie Paint Breeders Sale for lease of the Expo Addition on September 10-12, 1999. All members present voting aye. Motion carried.

EQUIPMENT PURCHASE:

Moved by Feickert, seconded by Fischbach to approve Forklift purchase in amount of \$7,800.00 for use at the Brown County Landfill. All members present voting aye. Motion carried.

TEMPORARY EASEMENTS:

Moved by Wiese, seconded by Feickert to approve and authorize the Chairman sign the following temporary easements for the 385th Ave Construction Project: Harms Oil Company for the next 10' immediately West of the East 17' of Lien's Outlot 1 in the NE 1/4 of Section 21-T123N-R64W of the 5th P.M., Brown County, South Dakota, containing 0.19 acres more or less; Brian & Patricia Bourdon as shown on plans for construction of 385th Ave from US Hwy 12 to Brown County 12W, containing 0.04 acres more or less. All members present voting aye. Motion carried.

Moved by Fischbach, seconded by Knecht to approve and authorize the Chairman sign the following temporary easements for Bridge #202 BRO 8007(36) Project: Dean & Merle Turnquist, 0.856 acres more or less in the NW 1/4 of Sec 35-T127N-R65W; Daniel L & Diane K Cutler, 0.823 acres more or less in the SW 1/4 of Sec 26-T127N-R65W. All members present voting aye. Motion carried.

APPLICATION FOR OCCUPANCY:

Moved by Feickert, seconded by Wiese to approve and authorize the Chairman sign application, submitted by J & M Gravel & Construction for occupancy of Brown County Highway #6 in Sec 19-T124-R64, Brown County, South Dakota to install water control siphon. All members present voting aye. Motion carried.

ADDENDUM NO. 1 - 385TH AVE PROJECT:

Moved by Wiese, seconded by Feickert to approve and authorize the Chairman sign Addendum No. 1 - reconstruction of Township Road - 385th Ave from US Hwy 12 to Brown County 12W for Right-of-Way, Survey and Design from \$8,600.00 to \$13,600.00. All members present voting aye. Motion carried.

RECESS:

Moved by Weise, seconded by Feickert to recess until September 7, 1999. All members present voting aye. Motion carried.

Maxine Taylor - Brown County Auditor

SEPTEMBER 7, 1999 - JOINT CITY/COUNTY MEETING

The Brown County Commission and the Aberdeen City Commission met in joint session at 8:45 A.M. in the Brown County Commission Chambers, 25 Market Street, Aberdeen, South Dakota. Present from City were Commissioners Klabo, Meyer, Pfeifer, Hurlbert and Mayor Hopper. Present from County were Commissioners Knecht, Feickert, Fischbach, Wiese and Hansen.

SET HEARING DATES:

On motion by Klabo and seconded by Pfeifer the City Commission unanimously voted to set hearing to consider petition to rezone: Ordinance No. 99-09-02/187 (Dykema) to be held in the Brown County Commission Chambers, 25 Market Street, Aberdeen, South Dakota at 8:45 A.M. on September 28, 1999.

Moved by Wiese, seconded by Feickert to set hearing to consider petition filed by Roger and Rebecca Dykema, Wilbert and Glennice Walth to rezone Lots 15 & 16, Auditor's Subdivision of SE 1/4 of Sec 27-T123N-R64W and Lot 17, Auditor's Subdivision of SE 1/4 of Sec 27-T123N-R64W of the 5th P.M., Brown County, South Dakota from Section 701 (A-1) Agricultural District to Section 714 (M-AG) Mini-Agricultural District, to be held in the Brown County Commission Chambers, 25 Market Street, Aberdeen, South Dakota at 8:45 A.M. on September 28, 1999. All members present voting aye. Motion carried.

The City Commission adjourned and the County Commission continued into their regularly scheduled meeting.

Maxine Taylor - Brown County Auditor

## SEPTEMBER 7, 1999 - GENERAL MEETING

Meeting called to order by Chairman Hansen at 8:45 A.M. in the Commissioner's Chambers, Courthouse Annex, Brown County, South Dakota. Present were Commissioners Knecht, Feickert, Fischbach and Wiese.

## MINUTES:

Moved by Wiese, seconded by Feickert to approve the Joint City/County Meeting minutes and the General Meeting minutes of August 31, 1999. All members present voting aye. Motion carried.

## CLAIMS:

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

Supplies & Materials: Quality Quick Print..\$951.89, Office Equipment..\$203.03, Cass County Sheriff..\$20.50, New Trends..\$21.60, Harvey Oliver..\$344.50, Penny Hart..\$25.71, Gardner Locksmith..\$118.75, McFarland..\$25.92, Woodman Refrigeration..\$359.18, Custom Sheet Metal..\$71.02, Nordling Const..\$14,922.51, Montgomery Kone..\$286.96, House of Glass..\$244.84, Coastal Business Machines..\$226.00, Avera United Clinic..\$124.00, SDDOT..\$43,201.33, Respond..\$30.65, Newman Signs..\$206.40, Adam Malsam..\$60.00, Marshall Truck..\$93.70, Lien Transportation..\$517.94, Hecla Impl..\$5.10, Great Western Tire..\$5026.31, Dave Gardner Trucking..\$1189.50, Robert Dinger..\$197.40, Crawford Trucks..\$1679.43, Crady's Radiator..\$40.50, Carquest..\$367.12, Butler Machinery..\$233.04, Bridgestone Firestone..\$160.42, Kevin Bourdon Trucking..\$1189.50, Aberdeen Asphalt..\$75,452.35, Keeleys..\$193.60, Swanson Elec..\$475.32, Prairie Tool..\$120.00, OK Tire..\$615.00, Dakota Electronics..\$309.00, S&A Stump Removal..\$187.50, Sherwin-Williams..\$404.96, Riley's Bobcat Service..\$1385.00, UBC..\$242.30, Gelling Auto..\$507.62, Graham Tire..\$104.36, Prairieland..\$19.09, C&R Supply..\$104.83, ProAg Supply..\$37.71, Don's Welding..\$30.00, U of MN Extension..\$212.22, SD Dept of Revenue..\$2982.36, New Deal Tire..\$232.50, Dependable..\$12,048.58, Butler Cat..\$1720.43, Hedahls..\$139.11, Aberdeen Equip..\$10,900.00, A-1 Sanitation..\$1293.50, Office Max..\$8.69, Phyllis Voeller..\$16.00, Myron Mfg..\$265.78, Spink County Public Transit..\$154.00, Watertown Area Transit..\$30.00, Northstar Amusement..\$9626.12, Koehn..\$127.93, Academy..\$20.00, Brown County Reg/Deeds..\$10.00, Dawn Aman..\$2,300.00:

Transcriptions: Slowey Court Reporting..\$125.00, Cheryl Hook..\$45.90:

Publications: American News..\$196.25, Frederick/Hecla Northstar..\$786.04, Rapid City Journal..\$20.00, Argus Leader..\$30.30:

Professional Fees: Dr Tom Lechner..\$75.00, Eide Bailly..\$222.50, Marv Ekeren..\$15.00, Robert Chavis..\$160.00, Don Carlson..\$30.00, Yankton County Sheriff..\$67.00, Donna Dietrich..\$238.10, NEMHC..\$43.89, Lewis & Clark MHC..\$220.00, Minnehaha County Auditor..\$168.75, stipends..\$8728.65:

Mileage & Travel: Dennis Feickert..\$20.30, Deb Knecht..\$81.20, Ken Varns..\$547.89, Vicky Wicks..\$492.43, Jodi McQuillen..\$26.10, Linda Dillavou..\$179.51:

Court Appointed Attorney: Goetz & Klimisch..\$99.45, Doyle & Kennedy..\$97.60:

Utilities: City of Aberdeen..\$682.26, NWPS..\$8353.38, James Valley Co-Op..\$654.95, Accent Communications..\$420.98, Town of Frederick..\$18.25, US West..\$9.50, WEB..\$174.36, Cellular One..\$137.78, Alternacell..\$9.95:

Care of Poor: Dr/Hospital..2 recipients..Dr Bryce Iwerks..\$396.00, Avera St Lukes..\$3907.14; Transportation..1 recipient..Jackrabbit Lines..\$73.20; Utilities..1 recipient..City of Aberdeen..\$166.49; Drugs..3 recipient..K-Mart Pharmacy..\$6.92, Kessler Pharmacy..\$317.94; Rent..4 recipients..Tom Appletoft..\$190.00, Belaire..\$83.00, Rest Inn..\$100.00. All members present voting aye. Motion carried.

PLAT:

Commissioner Feickert offered the following Resolution:

RESOLUTION NO. 82-99

BE IT RESOLVED by the Board of County Commissioners of Brown County, South Dakota, that the plat showing "Nietert Conservation Easement Tract 1 of Hinrichs Outlot A in the NW 1/4 of Sec 10-T125N-R60W of 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. Roll call vote: Commissioners Knecht-aye, Feickert-aye, Fischbach-aye, Wiese-aye, Hansen-aye. Resolution adopted.

INCREASE SPENDING AUTHORITY/ESTIMATED REVENUE:

Moved by Wiese, seconded by Knecht to increase spending authority for CDBG Funds in Fund #101-311-426.16 in amount of \$9,754.60, Fund #101-311-425 in amount of \$4,257.00, Fund #101-311-426 in amount of \$108,670.85 and increase estimated revenue in Fund #101-331.03 in amount of \$122,682.45. All members present voting aye. Motion carried.

EXPENSES:

Moved by Wiese, seconded by Knecht to approve expenses for Roxie Varns to attend the SDSWMA 1999 Annual Conference in Spearfish on September 14-17, 1999; and for County personnel to attend the SD Counties Convention in Rapid City on September 20-22, 1999. All members present voting aye. Motion carried.

AUDITOR'S REPORT OF ACCOUNT:

Moved by Feickert, seconded by Wiese to approve the following August, 1999 Auditor's Report of Account:

AUDITOR'S REPORT OF ACCOUNT WITH THE COUNTY TREASURER:

Total amount of actual cash - - - - -	-\$	3,390.70
Norwest Bank- - - - -	-\$	3,749.80
US Bank - - - - -	-\$	27,182.15
Dacotah Bank- - - - -	-\$	2,193.38
Petty Cash (Sheriff,Reg/Deed,Museum,Welfare) \$		1,500.00
Landfill Change Fund- - - - -	-\$	100.00
Fund Investments- - - - -	-\$	8,453,659.60
Outstanding checks- - - - -	-\$	109.30
Total - - - - -	-\$	8,491,884.93

All members present voting aye. Motion carried.

LEASE AGREEMENT:

Moved by Wiese, seconded by Feickert to approve and authorize the Chairman sign agreement with Jark Auction for lease of the Sheep Barn on September 4 & 5, 1999. All members present voting aye. Motion carried.

COPIER QUOTES:

Moved by Feickert, seconded by Knecht to accept low quote, submitted by Best Business Products in amount of \$12,890.00 for Canon 6551 Copier; rejecting quotes submitted by Office Equipment in amount of \$14,919.00 and Century Business Products in amount of \$14,355.00. All members present voting aye. Motion carried.

**EQUALIZATION DIRECTOR REPORT:**

Mary Worlie met with the Commission to report immediate and long range plans for the Director of Equalization Office and questioned steps for Y2K compliance. The Commission referred Y2K questions to Bill Meink.

**GRANT APPLICATION:**

Barb Johnson requested authority to submit application for a Grant, sponsored by NIC for a team of six (Mark Milbrandt, Barb Johnson, Mike Wiese, Deb Knecht, Judy Dosch, Terry Geisler) to attend a training session entitled "Planning for New Institutions for Juveniles" to be held in Longmont, CO on December 6-10, 1999. Board concurred.

**PERSONNEL:**

Moved by Fischbach, seconded by Feickert to approve hiring Jason Heagley as Highway Department Employee, effective September 8, 1999 at \$7.64 per hour. All members present voting aye. Motion carried.

**WORK ORDER - BRIDGE #202:**

Moved by Wiese, seconded by Fischbach to approve and authorize the Chairman sign Work Order No. LGA-73-99 with Hofland Engineering to perform the shop drawing services for Project BRO 8007(36), PCEMS 416H, Structure #07-042-110, Bridge #202. All members present voting aye. Motion carried.

**PARKING LOT DISCUSSION:**

Harvey Oliver discussed his meeting held earlier with the Aberdeen City Commission in regard to the parking lot north of City Hall. No action taken by the City Commission.

**EXECUTIVE SESSION:**

Moved by Wiese, seconded by Knecht to go into executive session for personnel discussion with Russ Podoll and possible litigation discussion with Harvey Oliver, Mick Palmer and Judy Dosch were also in attendance. All members present voting aye. Motion carried.

Moved by Wiese, seconded by Knecht to adjourn executive session. All members present voting aye. Motion carried.

**PROVISIONAL BUDGET HEARING:**

Time and place, as advertised to hold public hearing on the 2000 Provisional Budget. No one appeared.

**RECESS:**

Moved by Knecht, seconded by Wiese to recess until September 14, 1999. All members present voting aye. Motion carried.

Maxine Taylor - Brown County Auditor



## SEPTEMBER 14, 1999 - GENERAL MEETING

Meeting called to order by Chairman Hansen at 8:45 A.M. in the Commissioner's Chambers, Courthouse Annex, Brown County, South Dakota. Present were Commissioners Knecht, Feickert, Fischbach and Wiese.

## MINUTES:

Moved by Wiese, seconded by Feickert to approve the Joint City/County Meeting minutes and the General Meeting minutes of September 7, 1999. All members present voting aye. Motion carried.

## CLAIMS:

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

Payroll: Commissioners..\$2,115.40; Data Processing..\$1,221.16; Auditor..\$5,005.30; Treasurer..\$6,916.50; State's Attorney..\$7,999.37; Victims Asst..\$769.24; Maintenance..\$4,008.46, OVERTIME: Ron Adler..\$3.69, Judy Dosch..\$208.45; Assessor..\$6,155.56; Planning & Zoning..\$829.60; Register of Deeds..\$2,881.26; Veterans Service..\$1,881.71; Health..\$2,171.20; Communications..\$10,173.84, OVERTIME: Sheila Anderson..\$182.40, Mary Browning..\$254.72, Vickie Hansford..\$55.04, Betty Haar..\$167.20, Michele Strom..\$28.24, Kathy Thooft..\$152.00, Traci Wickenheiser..\$29.68, Lisa Wipf..\$115.92; Sheriff..\$37,930.01, OVERTIME: Bryan Locke..\$129.22, John McQuillen..\$19.88, John Heine..\$19.52, Scott Kolb..\$19.52, Michael Casjens..\$28.20, David Fair..\$28.20, David Hanson..\$159.48, Dala Mandel..\$32.92, Ethan Palluck..\$37.10, Charlene McAfee..\$56.48, Patrick Rickerl..\$75.68, Gary Bunt..\$26.80, Cindy Baumgartner..\$110.84, Kevin Johnson..\$6.88, Jeffrey Kirnan..\$26.08; Museum..\$3,299.99; Welfare..\$2,212.42; Foster Grandparent Program..\$2,629.17; Fairgrounds..\$3,686.43, OVERTIME: John Weig..\$138.21, Melvin Ernst..\$140.10, Ralph Wakely..\$72.64; Fairboard..\$1,379.33, OVERTIME: John Heine..\$156.16, Scott Kolb..\$156.16; Extension..\$1,505.10; Weed..\$978.08; Emergency Management..\$1,754.32, OVERTIME: Ginger Walker..\$75.25; Road and Bridge..\$27,924.43, OVERTIME: Terry Backous..\$125.55, Robert Binfet..\$4.07, Vernon Bitz..\$15.59, David Bruckner..\$225.99, Brian Dargatz..\$148.11, Joel Guderjohn..\$248.99, Larry Hardy..\$143.83, Daniel Glover..\$275.31, Dave Kolb..\$154.11, Tom Lammon..\$198.77, Daryl Lloyd..\$279.31, Joseph Malsam..\$219.15, Todd Odenbach..\$339.20, Dave Okroi..\$7.16, Bryan Owens..\$180.80, Roger Schaible..\$220.55, Jeff Seiler..\$35.03, Marcus Selzler..\$40.50, Casey Thorstenson..\$7.01, Kendell Titze..\$7.46, Leon Vickers..\$178.20, Michael Wagner..\$201.29, Jan Weismantel..\$162.60, Theodore Brockel..\$11.46; Solid Waste..\$4,640.12, OVERTIME: Carl Wright..\$336.61, Roxanne Varns..\$7.57, Nyle Jensen..\$97.96, Dennis VanHeerde..\$65.16;

Supplies & Materials: Lexis..\$44.52, West Group..\$2689.52, Office Equipment..\$23.50, Heartland Paper..\$316.89, Computer Specialists..\$220.00, Walmart..\$128.54, William Meink..\$47.68, ZD Journals..\$99.00, Spink County..\$75.00, Photos Now..\$94.61, RE Huffman..\$29.56, SDAAO..\$260.00, Office Max..\$194.94, SD Fleet..\$1182.40, Langs..\$36.00, Xerox..\$170.09, Kesslers..\$304.73, Zastrow Conoco..\$19.00, Bob Barker..\$49.62, Sirchie..\$217.78, Aberdeen Ins. Agency..\$60.00, Heartland Paper..\$900.00, Uniform Center..\$276.25, Hoven Auto..\$150.00, Pierson Ford..\$21.95, Metz Baking..\$565.31, Dakota Electronics..\$145.30, Dick's Westside..\$48.30, S&S Communications..\$27.45, State Radio..\$4200.00, Sewing Shoppe..\$9.50, Avera St Lukes..\$4006.12, Gardner Locksmith..\$28.31, Safety Service..\$85.54, Aberdeen Family Physicians..\$48.30, Aberdeen Advanced Care..\$189.35, City of Groton..\$126.00, Hoggs..\$4367.54, Medical Center Pharmacy..\$316.42, SD Corrections Assoc..\$195.00, Rux Bros..\$111.47, Herbergers..\$102.00, Quality Quick Print..\$102.92, SD Dept of Revenue..\$575.00, Respond..\$157.15, Aberdeen TV & Appl..\$39.95, Cheryl Hairgrove..\$544.00, Bonnie Bitz..\$216.00, Zastrow Conoco..\$45.00, Warner Co-Op..\$3.00, Vetch Auto..\$990.00, Van Diest Supply..\$1422.40, Taylor Laundry..\$234.04, SD Wheat Growers..\$18,959.53, Sheehan Mack Sales..\$873.32,

Safety-Kleen..\$134.00, RDO Financial Services..\$47.63, Pro Ag Supply..\$56.95, Praxair..\$72.84, Prairie Tool..\$240.00, Nelson Auto..\$392.68, Midwest Pump & Tank..\$208.13, Menards..\$384.11, Lien Transportation..\$1779.56, Larson Blacksmith..\$67.00, Huron Culvert..\$324.59, Hedahls..\$29.96, Graham Tire..\$1805.37, Sid Gonsor..\$70.00, Farnams Genuine Parts..\$27.28, Farm Plan..\$222.04, Evergreen Supply..\$211.33, WE Doyle..\$268.15, Diesel Machinery..\$72.11, Dakota Oil..\$1564.75, Dakota Fluid Power..\$130.70, Dakota Air..\$686.73, Clark Engineering..\$5626.01, Casper Hwd..\$11.04, Larry Carson/Mac Tools..\$19.95, Aberdeen TV & Appl..\$10.00, Aberdeen Equipment..\$70.27, Chrysler Center..\$170.55, City of Aberdeen..\$14,594.65, Langs TV..\$259.00, Ameripride..\$7.43, A&M Radio..\$43.00, Great Events..\$8.14, ABC Seamless..\$500.00, House of Glass..\$18.42, Country General..\$396.51, Dakota Electronics..\$25.00, Exhaust Pros..\$316.55, HF Jacobs..\$1833.85, UBC..\$565.18, RSVP..\$12,000.00, Dakota School..\$316.00, Artz Camera..\$9.00, Aberdeen Area Sr Citizens..\$267.00, US Post Office..\$66.00, Ken's Alignment..\$1300.50, Cunningham..\$1672.62, Overhead Door..\$282.96, OK Tire..\$6.00, Prairieland..\$511.04, Custodian Engineers Assoc..\$10.00, Langs..\$479.00, Moccasin Creek Golf Shop..\$284.60, Land 'O Lakes..\$143.52, Nasco..\$48.15, Linda Hanson..\$140.66, Kesslers..\$165.32, BC Landfill..\$399.70, Lynda Wiedebush..\$149.61, Abdn Awards..\$191.20, Curt Erickson..\$39.76, Skeet Smith..\$55.00, Tim Larson..\$25.00, Bob Tong..\$55.00, Paul Geray..\$150.00, James Parmely..\$125.00, Bill King..\$150.00, Dale Campbell..\$45.00, Bill Campbell..\$150.00, Tom Binstock..\$225.00, Scott Parmely..\$225.00, Clark Parmely..\$435.00, Diane Tong..\$60.00, Andy Erickson..\$16.66, Jaci Kvernevig..\$16.66, Matt Anderson..\$16.66, Erica Sperry..\$16.66, Ginger Borchard..\$16.66, Tracy Elsen..\$16.66, Stan Beckler..\$107.00, Hedahls..\$12.57, A-1 Locksmith..\$67.25, Prairieland..\$104.66, Academy..\$66.00, Tri State Water..\$22.50, Trout Brothers..\$141.50, Farm Power..\$320.00, K-Mart..\$5.98, Kleins..\$27.00, Evergreen Supply..\$22.80, Aberdeen Soccer Assn..\$97.50, Don's Welding..\$65.00, Menards..\$56.28, Shopko..\$118.35, Paper Warehouse..\$128.92, Dak Silk Screen..\$65.05, Rohl Beverage Inc..\$238.00, Service Signs..\$700.00, Ken's Super Fair Foods..\$341.42, Walmart..\$182.03, Country General..\$289.77, OK Tire..\$11.50, QQP..\$512.35, Schwan Welding..\$27.00:

Publications: American News..\$285.25, Frederick/Hecla Northstar..\$154.30, Dakota Press..\$568.79, Comet..\$508.80, Pheasant Country..\$185.00, KDLO FM..\$95.00, Plainsman..\$200.00:

Professional Fees: Avera United Clinic..\$320.00, Mark McNeary..\$1500.00, Witness fees..\$40.00, NADRIC..\$2083.33, NEMHC..\$286.58, Fred DeRouchey..\$176.50, Marv Post..\$170.70, Dick Fadgen..\$82.78, Kelly Bruns..\$226.50, Mike Bertram..\$96.00, Jennie Kottke..\$100.00, Sheri Mack..\$57.84, Adam Wirt..\$203.76, Jim Krantz..\$212.00, Roger Gerdes..\$133.00, Ramkota..\$5087.33, Kathy Novstrup..\$30.00, Janene Harry..\$73.50, Dana Locken..\$39.16, Vicki Forkel..\$57.84, Florence Kraus..\$60.00, Matt Sleep..\$30.00, Eric Kriech..\$30.00, Judy Gulleeson..\$30.00, LaNae Steen..\$69.61, Ron Stotz..\$30.00, Kyra Mangold..\$30.00, Susan Frey..\$30.00, Char Bachman..\$30.00, Carrie Lashley..\$30.00, Alice Bartell..\$118.00, Pearl Wilson..\$89.00, Norma Miller..\$64.80, Arlene Naasz..\$30.00, Barb Jansen..\$30.00, Elsie Wells..\$60.00, Phyllis Donat..\$30.00, Marie Schlosser..\$97.35, Marie Schumacher..\$30.00, Pat Dennert..\$47.40, Lois Davis..\$37.54, Susan Gerlach..\$36.96, Carol Storley..\$30.00, Ruth Casanova..\$30.00, Joan Anderson..\$73.50, Blane Bergan..\$90.00, Judy Nichols..\$60.00, Janelle Klapperich..\$30.00, Karen Wolter..\$43.92, Joyce Dahme..\$30.00, Earl Ruden..\$41.60, Linda Schroder..\$61.32, Norma Dennert..\$7.41, Darla Knox..\$123.80, Randy Woehl..\$282.00, Don Gegalka..\$207.36, Brian or Gary Sharp..\$27.74, Marilee Maher..\$64.80, Reynold Loecker..\$186.30, Lynn Weismantel..\$56.25, American News..\$2593.55, Pro-Clean..\$45.00, Swanson Electric..\$7,566.36, Hub City Transit..\$1059.50, Dakota Rose Riding Club..\$250.00, Marcia Erickson..\$59.00, Kim Carson..\$54.36, Judy Thompson..\$42.18, Jennifer Bergan..\$103.66, Dorothy Hjellming..\$60.16, Jeanette Lunders..\$61.90, Vicki Phillips..\$45.08, Dale Washnok..\$41.60, Kara Dayton..\$86.68:

Mileage & Travel: Melissa Koester..\$108.00, Best Western Ramkota..\$820.00, Leo

Leshner..\$398.87, Mary Worlie..\$226.90, Gene Loeschke..\$161.07, Linda Dillavou..\$31.32:

Utilities: US West..\$504.14, Midcontinent Cable..\$153.00, Lucent..\$5.35, City of Hecla..\$52.12, A-1 Sanitation..\$656.00, Dependable..\$142.80, Bureau of Administration..\$50.52, City of Aberdeen..\$2933.42, DTG..\$17.95, Cellular One..\$105.69, NWPS..\$4502.20, NorCom..\$72.57:

Care of Poor: Utilities..1 recipient..NWPS..\$189.00; Drugs..1 recipient..Medical Center Pharmacy..\$170.51;

Rent..5 recipients..Michael Crady..\$170.00, Patrick Sieh..\$230.00, Schatz

Rental..\$170.00, Donald Peck..\$230.00, BelAire..\$120.00; Insurance..1

recipient..Anza Ins..\$99.74. All members present voting aye. Motion carried.

#### EXPENSES:

Moved by Wiese, seconded by Knecht to approve the following travel expenses: Linda Dillavou and Jodi McQuillen to attend the SDAVL Annual Conference in Sioux Falls on October 13 - 15; Mark Mills to attend 911 Task Force and Dispatcher Training Setup Meetings in Pierre on September 23, 27 and October 8; Mick Palmer to attend a Custodian Training Workshop, sponsored by Honeywell in Aberdeen on October 7; Nancy Hansen, Mike Wiese and Mick Waller to attend the 6th Annual Workshop on Planning & Zoning Issues in Mitchell on October 21; Larry Gerlach, Jan Malsom, 25 Fair Board Members, Dennis Feickert, Nancy Hansen and three Extension Agents to attend the SD/ND Association of Fairs & Celebrations Annual Convention in Spearfish on November 18 - 20; Larry Gerlach and Lynn Weismantel to attend the National Association of Fairs & Celebrations Annual Convention in Las Vegas on November 28 - December 2; Russ Podoll to attend Koch Materials Company Nova Chip Seminar in Sioux Falls on September 16; Russ Podoll to attend the County Road Advisors Conference in Rapid City on October 20 & 21, 1999. All members present voting aye. Motion carried.

#### PERSONNEL:

Moved by Feickert, seconded by Wiese to approve hiring Brandon Smith as full time Corrections Officer for the adult jail, effective September 1, 1999 at \$8.69 per hour. All members present voting aye. Motion carried.

Moved by Wiese, seconded by Feickert to acknowledge resignation of Kathy Thooft as Dispatcher, effective September 18, 1999. All members present voting aye. Motion carried.

#### CONTINGENCY TRANSFERS:

Moved by Wiese, seconded by Fischbach to approve the following transfers from Contingency Fund #101-112-422.99 to Fund #101-511-422.99 in amount of \$13,122.00 and Fund #101-523.01-422.99 in amount of \$9,905.04. All members present voting aye. Motion carried.

#### SURPLUS PROPERTY:

Moved by Wiese, seconded by Feickert to declare the following surplus for sale - Decal #'s: 2659 AT&T 486 Computer, 2665 Intel Netport Express print server, 106 Citizen dot-matrix printer, 113 AT&T 486 computer, CSS 286 computer, IBM 486 computer, 4266 Magitronic computer, 4293 Magitronic monitor, 2626 Leading Edge 486 computer, 2627 Leading Edge 486 computer, 2631 Toshiba 486 Laptop computer, 3274 Leading Edge 486 computer, 4006 IBM 386 computer, Leading Edge 386 Laptop computer, 2633 Texas Instrument microWriter Laser Printer, 3291 Mountain External tape drive, 3294 Leading Edge 386 computer, PC Express 486 computer (2), Epson dot-matrix printer, 3303 Leading Edge Mini Tower, 4004 Epson dot-matrix printer, 3290 DTK 386 computer, Okidata dot-matrix printer, NCR 386 computer, Samsung SyncMaster monitor, 4275 Magitronic monitor, 2173 citizens notebook printer (previously disposed of), 423 1991 Suzuki 4WDM, 1437 1982 Chev Pickup, 1673 1985 Dodge Pickup, 1676 1985 Dodge Cab & Chasis, 1560 1984 GMC Pickup, 1719 1952 FWD Snow Blower, 1705 1983 Ford

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Sander, 1695 1977 International Truck, 1193 1978 Low Boy Trailer, 1690 1981 Sliding Axle Trailer, 1336 1972 Compactor roller, 4266 Magitronic computer, 4278 IMB computer, 4118 Notebook Computer, 294 Wedge system, 295 Wedge system, 305 Epsom Scanner, 1669 Canon Fax Machine. All members present voting aye. Motion carried.

LEASE AGREEMENTS:

Moved by Wiese, seconded by Knecht to approve and authorize the Chairman sign agreement with Vicki Loterbauer for lease of the Club House on September 18 - 19, 1999; and further approve and authorize Chairman sign permission to serve alcoholic beverages on county property in conjunction with wedding dance. All members present voting aye. Motion carried.

Moved by Wiese, seconded by Feickert to approve and authorize the Chairman sign agreement with Terry Voeltz DBA T's Promotions for lease of a county owned Motor Grader from September 14 - 19, 1999. All members present voting aye. Motion carried.

PLATS:

Commissioner Wiese offered the following Resolution:

RESOLUTION NO. 83-99

BE IT RESOLVED by the County Commission of Brown County, South Dakota, that the plat showing "Storley Outlot A in the SW 1/4 Sec. 4-T124N-R64W of 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 Fischbach. Roll call vote: Commissioners Knecht-aye, Feickert-aye, Fischbach-aye, Wiese-aye, Hansen-aye. Resolution adopted.

Commissioner Feickert offered the following Resolution:

RESOLUTION NO. 84-99

BE IT RESOLVED by the County Commission of Brown County, South Dakota, that the plat showing "Dinger Tract 1 in the NE 1/4 of Sec. 34-T128N-R61W of 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 Knecht. Roll call vote: Commissioners Knecht-aye, Feickert-aye, Fischbach-aye, Wiese-aye, Hansen-aye. Resolution adopted.

SHERIFF REPORTS:

Moved by Knecht, seconded by Fischbach to approve the following July and August, 1999 Sheriff Reports: Incidents & Offenses, Prisoner Care, JDC, Money deposited with the County Treasurer and Monthly activities. All members present voting aye. Motion carried.

SOLID WASTE SPECIAL ASSESSMENT FEES - 2000:

Commissioner Fischbach offered the following Resolution:

RESOLUTION NO. 85-99

WHEREAS, Title 3, Solid Waste Management System, Chapter 3.07011 of the Second Revision Brown County Ordinances, effective March 12, 1997, as amended, requires the Board of County Commissioners to establish the Solid Waste Special Assessment fee schedule for the following year, prior to the second Tuesday in September.

NOW, THEREFORE BE IT RESOLVED, that the following Solid Waste Special Assessment fees shall be effective January 1, 2000 through December 31, 2000, for the Brown County Sanitary Landfill:

**SOLID WASTE SPECIAL ASSESSMENT FEE SCHEDULE**  
(Billed with the Real Estate Tax Notice)

<u>TYPE</u>	<u>FEE</u>
1. Households within Incorporated Cities or Civil Townships that require curb service	\$10.00 per year
2. Households within Incorporated Cities or Civil Townships that do not require curb service	\$60.00 per year
3. Condominiums taxed as single units within Incorporated Cities or Civil Townships that require curb service	\$10.00 per year
4. Condominiums taxed as single units within Incorporated Cities or Civil Townships that do not require curb service	\$60.00 per year
5. Apartment Units within incorporated Cities that require curb service	\$ 5.00 per unit per year
6. Seasonal Lake Cabins	\$20.00 per year
7. Mobile Home parks, outside incorporated municipalities, which provide or require lot side waste pickup during the entire assessment period, for deposit into a permitted landfill solid waste facility	\$10.00 per unit per year
8. Mobile Home parks, outside incorporated municipalities, which do not provide or require lot side waste pickup during the entire assessment period, for deposit into a permitted landfill solid waste facility	\$60.00 per unit per year

Dated this 14th day of September, 1999.

Seconded by Commissioner Feickert. Roll call vote: Commissioners Knecht-aye, Feickert-aye, Fischbach-aye, Wiese-aye, Hansen-aye. Resolution adopted.

**ROAD DISCUSSION:**

Marv Heidenreich and Mike Eisenbeisz met with the Commission to discuss who is responsible for maintaining the portion of road known as Mansfield Main Street. The Commission will review current maintenance obligations and status of road with the Highway Superintendent.

**EXECUTIVE SESSION:**

Moved by Feickert, seconded by Wiese to go into executive session for discussion of possible litigation with Harvey Oliver, Mark Milbrandt, Barb Johnson, Judy Dosch and Mick Palmer in attendance. All members present voting aye. Motion carried.

Moved by Feickert, seconded by Wiese to adjourn executive session. All members present voting aye. Motion carried.

**JDC:**

Moved by Wiese, seconded by Knecht to authorize Harvey Oliver draft purchase option agreement for property for JDC. All members present voting aye. Motion carried.

**CDBG PUBLISHING:**

Moved by Feickert, seconded by Fischbach to authorize advertising the following CDBG documents for the James River Tree Removal Project: Notice of Intent to Use Community Development Block Grant Assistance In and Adjacent to Floodplains and Wetlands; Combined Notice of Finding of No Significant Impact and Notice of Intent

to Request Funds in amount of \$959.,500.00. All members present voting aye. Motion carried.

APPLICATION FOR OCCUPANCY:

Moved by Fischbach, seconded by Feickert to approve and authorize the Chairman sign the following applications, submitted by Northwestern Public Service for occupancy of 379563 N Shore Drive 24-124N-65W, 379799 N Shore Drive 24-124N-65W, 126319 E Shore Drive 13-124N-65W, 126019 E Shore Drive 13-124N-65W, 126790 W Shore Drive 14-124N-65W for installation of natural gas service. Roll call vote: Commissioners Knecht-aye, Feickert-aye, Fischbach-aye, Wiese-abstain, Hansen-aye. Motion carried.

EQUIPMENT PURCHASE:

Moved by Wiese, seconded by Knecht to authorize the purchase of a Boom Mower in amount of \$14,000.00 for the Highway Department. All members present voting aye. Motion carried.

LCC IMPROVEMENT ASSOCIATION:

Attorney Terry Bartling, John Ries, Gene Ries, Bob Pray and John Sieh discussed the status of the Lower Crow Creek Improvement Association, in regard to being a District with taxing authority. Historically the LCC Improvement Association has taxed landowners, but no documentation establishing a District has been found. A letter explaining this will be sent to FEMA Officials.

APPROACH LOCATION DISCUSSED:

Attorney Drew Johnson and Jim and Barb Latterell met with the Commission to request a change in the location of the approach previously approved to their property. Moved by Knecht, seconded by Feickert to table decision until the Commission has an opportunity to view the area, but to approve a temporary permit so as not to delay construction. All members present voting aye. Motion carried.

JOINT POWERS AGREEMENT:

Moved by Wiese, seconded by Feickert to approve and authorize the Chairman to sign Joint Powers Agreement with the Office of School and Public Lands for repair of the Richmond Lake Dam Spillway, effective September 14 - September 30, 1999. All members present voting aye. Motion carried.

ROAD DISCUSSION:

Cliff Schroeder, Dean Pulfrey, Eugene Dinger, John Frohling, Dave Dinger and Morris Scott met with the Commission to discuss the condition of the roads in the northeast corner of the County. Depending on resources available, efforts to keep major routes passable would be taken. Russ Podoll was also in attendance.

FAIR BOARD:

Larry Gerlach and Lynn Weismantel distributed statistics in regard to the revenue and attendance at the 1999 Brown County Fair.

SALARY DISCUSSION:

Mark Milbrandt, Tom Schmitt and Barb Johnson met with the Commission to discuss salaries.

RECESS:

Moved by Feickert, seconded by Wiese to recess until September 28, 1999. All members present voting aye. Motion carried.

Maxine Taylor - Brown County Auditor

## SEPTEMBER 28, 1999 - JOINT CITY/COUNTY MEETING

The Brown County Commission and the Aberdeen City Commission met in joint session at 8:45 A.M. in the Brown County Commission Chambers, 25 Market Street, Aberdeen, South Dakota. Present from City were Commissioners Klabo, Meyer, Pfeifer, Hurlbert and Mayor Hopper. Present from County were Commissioners Knecht, Feickert, Fischbach, Wiese and Hansen.

## ORDINANCE NO. 99-09-02/187:

On motion by Hurlbert and seconded by Klabo the City Commission unanimously voted to approve First Reading of Ordinance No. 99-09-02/187 (Dykema).

Moved by Wiese, seconded by Feickert to approve First Reading of Ordinance No. 99-09-02/187, An Ordinance Amending Ordinance No. 1164 to rezone certain property from Section 701 (A-1) Agricultural District to Section 714 (M-Ag) Mini-Agricultural District, described as Lots 15 & 16, Auditor's Subdivision of SE 1/4 of Sec 27-T123N-R64W and Lot 17, Auditor's Subdivision of SE 1/4 of Sec 27-T123N-R64W of the 5th P.M., Brown County, South Dakota. All members present voting aye. Motion carried.

The City Commission adjourned and the County Commission continued into their regularly scheduled meeting.

Maxine Taylor - Brown County Auditor

SEPTEMBER 28, 1999 - GENERAL MEETING

Meeting called to order by Chairman Hansen at 8:45 A.M. in the Commissioner's Chambers, Courthouse Annex, Brown County, South Dakota. Present were Commissioners Knecht, Feickert, Fischbach, Wiese and Hansen.

MINUTES:

Moved by Wiese, seconded by Feickert to approve the General Meeting minutes of September 14, 1999. All members present voting aye. Motion carried.

CLAIMS:

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

Payroll: Commissioners..\$2,115.40; Data Processing..\$1,221.16; Auditor..\$5,005.30; Treasurer..\$6,916.50, OVERTIME: Karla Hallstrom..\$3.82; State's Attorney..\$7,999.37; Victims Asst..\$769.24; Maintenance..\$4,197.82, OVERTIME: Ron Adler..\$3.69, Judy Dosch..\$14.21; Assessor..\$6,442.83; Planning & Zoning..\$829.60, OVERTIME: Mick Waller..\$15.56; Register of Deeds..\$2,802.51; Veterans Service..\$1,881.71; Health..\$2,187.20; Communications..\$11,848.81, OVERTIME: Mary Browning..\$222.88, Vickie Hansford..\$275.20, Betty Haar..\$152.00, Nancy Radke..\$244.08, Alicia Dohn..\$55.04, Michele Strom..\$282.40, Kathy Thooft..\$212.80, Traci Wickenheiser..\$178.08, Lisa Wipf..\$289.80; Sheriff..\$38,088.43, OVERTIME: Craig Anderson..\$159.04, John McQuillen..\$159.04, John Heine..\$78.08, Scott Kolb..\$409.92, Michael Casjens..\$103.40, David Fair..\$131.60, David Hanson..\$124.04, Steven Cogley..\$34.00, Dala Mandel..\$164.60, John Weaver..\$144.80, Roxanne Schumacher..\$57.92, Mark Jastram..\$171.88, Dallas Vallery..\$110.08, Amy Mathiason..\$348.40, Gary Bunt..\$26.80, Cindy Baumgartner..\$130.40, Michele Smith..\$26.08, Brandon Smith..\$130.40, Tina Erickson..\$84.76, Ann Bierman..\$118.72, Kevin Johnson..\$17.20, Amy Lake..\$40.20, Jeffrey Kirnan..\$26.08; Museum..\$3,217.59; Welfare..\$2,212.42; Foster Grandparent Program..\$2,629.17; Fairgrounds..\$3,447.88, OVERTIME: John Weig..\$24.39, Melvin Ernst..\$42.03; Fairboard..\$1,379.33; Extension..\$1,404.80; Weed..\$1,195.35; Emergency Management..\$1,754.32, OVERTIME: Ginger Walker..\$22.58; Road and Bridge..\$27,877.88, OVERTIME: Terry Backous..\$267.84, Robert Binfet..\$182.93, Vernon Bitz..\$335.19, David Bruckner..\$431.06, Brian Dargatz..\$187.08, Joel Guderjohn..\$158.45, Larry Hardy..\$370.93, Daniel Glover..\$231.84, Ben Z Hofer..\$213.65, Dave Kolb..\$31.52, Tom Lammon..\$342.98, Daryl Lloyd..\$262.88, Joseph Malsam..\$306.81, Donald Maunu..\$244.13, Todd Odenbach..\$305.66, Bryan Owens..\$401.46, Cordell Rudolph..\$147.54, Richard Schaible..\$335.96, Roger Schaible..\$417.04, Jeff Seiler..\$367.76, Markcus Selzler..\$429.30, Casey Thorstenson..\$52.54, Kendell Titze..\$361.57, Leon Vickers..\$324.00, Michael Wagner..\$410.58, Jan Weismantel..\$325.20, J Ryan Arlt..\$133.10, Theodore Brockel..\$163.31, Nicholas Wanna..\$ 260.00; Solid Waste..\$4,709.59, OVERTIME: Carl Wright..\$640.38, Roxanne Varns..\$52.96, Nyle Jenson..\$218.52, Dennis VanHeerde..\$767.44, Don Fischer..\$93.15;

Supplies & Materials: Walmart..\$77.71, City Net Inc..\$14.93, Fire Safety First..\$79.50, SD Planners Assoc..\$90.00, Pitney-Bowes..\$543.64, Midwest Rubber Stamp..\$21.78, New Trends..\$95.23, McFarland..\$15.51, Office Equipment..\$54.54, Menards..\$146.32, Kesslers..\$191.16, Jack Riley..\$27,400.00, Finishing Touch..\$229.80, Cole Papers..\$357.75, Prairieland..\$4.22, UBC..\$16.14, Sherwin Williams..\$282.41, Sanders Sew 'N Vac..\$158.30, Sam's Sound..\$3000.00, Dependable..\$356.00, Plainsco..\$26.99, Cunningham Elec..\$128.52, Honeywell..\$92.24, Ameripride..\$87.49, Taylor Laundry..\$182.20, Best Business..\$317.82, Lar-Jos..\$120.00, A-1 Locksmith..\$5.00, Shopko..\$119.16, Pierson Ford..\$5.00, Medical Center Pharmacy..\$139.17, Langs..\$219.44, Xerox..\$172.71, Fordham Signs..\$34.00, K-Mart..\$99.36, Opticolor Film..\$154.13, City of Aberdeen..\$100.00, Lexis/Michie..\$213.83, Tuxall..\$174.90, Hub City Iron..\$40.00, Dakota Electronics..\$1233.75, TFT Inc..\$4749.84, Aberdeen Fire Dept..\$542.43, Superior Signals..\$66.90, Share Corp..\$320.00, Mac's..\$34.90, Lyle Signs..\$164.22, Lien Transportation..\$609.96, Larson Blacksmith..\$185.46, Koch Materials..\$25,547.29, Hub



City Iron..\$690.26, Habeck's Radiator..\$53.00, Don Gunther..\$8680.98, County Road Advisors Conf..\$50.00, Country General..\$127.42, Cole Papers..\$302.80, Harold Winburn..\$1273.00, Alan Winburn..\$1339.50, Michael Todd..\$444.00, SDDOT..\$14,567.57, Lawson Products..\$468.60, Koch Materials..\$51,385.10, RE Huffman..\$110.58, Howell Trucking..\$1463.00, Robert Dinger..\$438.00, Aberdeen Asphalt..\$4421.23, Aberdeen Chrysler..\$57.50, Ken's Superfair Foods..\$27.39, SD Wheat Growers..\$1363.39, Pitney Bowes..\$100.65, Extension Service..\$104.61, Barmann Software..\$23.00, Light & Siren..\$113.59, Newman Signs..\$318.75, SD Emergency Mgmt..\$842.24, Heiman Fire Equip..\$360.75, S&S Communication..\$697.50, Ginger Walker..\$19.40, Office Max..\$19.99, Butler Cat..\$7800.00, Shopko..\$81.64, O'Brian..\$37.48, Earth Tech..\$327.86, Fastenal..\$65.28, Academy..\$48.00, US Post Office..\$66.00, S&H Uniforms..\$372.60, Aberdeen Parks & Rec..\$24.00, Broderbund..\$24.95, Dacotah Bank..\$44.64:

Transcriptions: Betsy Johnson..\$168.00:

Publications: American News..\$525.50, Dakota Press..\$890.75:

Professional Fees: Witness Fee..\$24.93, Carlsen Funeral Home..\$48.72, Avera St Lukes..\$356.37, Kevin Spitzer..\$685.43, John Billings..\$80.00, Sioux Vocational..\$120.00, NE Mental Health..\$146.30, Donna Dietrich..\$143.05, Lewis & Clark Mental Health..\$220.00, Yankton County Sheriff..\$33.50, Don Carlson..\$15.00, Marv Ekeren..\$15.00, Dawn Aman..\$2300.00:

Mileage & Travel: Sheila Enderson..\$254.78, Carol Sherman..\$235.21, Mark Milbrandt..\$813.46, Juanita Herold..\$13.34, Tony Ingemansen..\$182.41, Jvonne Heard..\$54.23, Ken Thompson..\$31.03, Bruce Tveit..\$44.66, Vickie Hansford..\$87.00, Lamplighter Inn..\$117.00, Alicia Dohn..\$381.59, Russ Podoll..\$17.00, Jerry Mills..\$881.72, Gary Erickson..\$263.17, Darrell Berreth..\$46.00, Roxanne Varns..\$480.99, Mike Scott..\$240.72, Nancy Hansen..\$222.14, Deb Knecht..\$331.00, Mike Wiese..\$318.94, Dennis Feickert..\$237.38:

Court Appointed Attorney: HI King..\$3406.82, Brad Borge..\$3406.82, Doyle & Kennedy..\$85.70:

Utilities: US West..\$7031.29, Bureau of Admin..\$475.68, Commnet Cellular..\$107.56, NWPS..\$1538.054, Midcontinent Cable..\$149.42, Northern Elec..\$286.48, Cellular One..\$131.04:

Care of Poor: Dr/Hospital..2 recipients..Dr Jeffery Parker..\$1111.33, McKennan Hosp..\$5324.17; Transportation..1 recipient..Brown County Public Works..\$3.25; Utilities..1 recipient..NWPS..\$80.31; Drugs..2 recipient..Walmart..\$86.09, City Drug..\$86.77; Rent..4 recipients..BelAire..\$300.00, Larry Dingman..\$210.00; Insurance..1 recipient..1st Dakota Indemnity Co..\$144.26. All members present voting aye. Motion carried.

#### CONTINUE MINING OPERATION:

Moved by Wiese, seconded by Fischbach to authorize advertising Notice of Intent to Continue Mining Operation conducted by the Brown County Public Works Department until December 31, 2003, for purpose of gravel production in the NE 1/4 of 16-T128N-R64W, Brown County, South Dakota. All members present voting aye. Motion carried.

#### GRANT ACKNOWLEDGEMENT/APPLICATION:

Moved by Feickert, seconded by Wiese to acknowledge Grant application/award for Emergency Alert System (EAS) encoder/decoder for Communications Center and television/stand for Emergency Management, sponsored by Division of Emergency Management in maximum amount of \$6,800.00 (50% Federal share 50% County share). All members present voting aye. Motion carried.

Moved by Feickert, seconded by Wiese to approve and authorize the Chairman sign letter of application for Court Security Grant Funds, sponsored by the Unified Judicial System in total amount of \$15,468.94, with the County providing 50% matching funds. All members present voting aye. Motion carried.

#### PERSONNEL:

Moved by Wiese, seconded by Feickert to approve the following employee step increase, effective September 28, 1999: Lisa Wipf @ \$9.89 per hour. All members present voting aye. Motion carried.

Moved by Wiese, seconded by Knecht to approve hiring Chris Gross as guard for purpose of prisoner transport. All members present voting aye. Motion carried.

Moved by Knecht, seconded by Wiese to acknowledge resignation of Vickie Hansford, effective September 30, 1999 and Traci Wickenheiser, effective October 21, 1999. All members present voting aye. Motion carried.

#### INCREASE SPENDING AUTHORITY/ESTIMATED REVENUE:

Moved by Wiese, seconded by Knecht to increase spending authority for CDBG Funds in Fund #101-311-426.30 in amount of \$5,683.00 (Portage Twp), #101-311-425 in amount of \$2,379.00, #101-311-426.16 in amount of \$73,453.12 (Brown County); and increase estimated revenue for CDBG Funds in Fund #101-331.03 in total amount of \$81,515.12. All members present voting aye. Motion carried.

#### BID AWARD BRIDGE #202:

Moved by Wiese, seconded by Knecht to award low bid, submitted by Swingen Construction Company, Grand Forks, ND in amount of \$322,296.00 (\$64,459.20 County share; \$257,836.80 Federal share) for Bridge #202 (Turnquist Bridge) 07-042-110 - BRO 8007(36) 3.0 miles north and 6.8 miles west of Barnard, SD over the Elm River - Allison Township (structure and approach grading); rejecting bids submitted by Wanzek Construction Inc in amount of \$338,142.70, Industrial Builders Inc in amount of \$342,814.45 and Graves Construction Co Inc in amount of \$398,079.90. All members present voting aye. Motion carried.

#### SDPAA REPRESENTATIVES:

Commissioner Feickert offered the following Resolution:

#### RESOLUTION NO. 86-99

BE IT RESOLVED by the County of Brown, that the undersigned representative (Nancy Hansen) of the Governmental Sub-Division (hereinafter referred to as MEMBER) hereby nominates and appoints Deb Knecht (individual) and Maxine Taylor (alternate) to represent the MEMBER with the South Dakota Public Assurance Alliance (hereinafter referred to as ALLIANCE). The individual and alternate shall act as liaison between the MEMBER and the ALLIANCE for the purposes of relating risk reduction and loss control information, and any other information or instructions concerning the obligation of the MEMBER imposed by signing of the Intergovernmental Contract and the rules and regulations established thereunder, to the same extent and with like affect as the undersigned could do if personally present and the undersigned does hereby ratify and confirm and adopt all action done or taken by the individual or alternate. The individual or alternate shall cast on behalf of the MEMBER any vote which the MEMBER is required or permitted to cast.

Seconded by Commissioner Wiese. Roll call vote: Commissioners Knecht-aye, Feickert-aye, Fischbach-aye, Wiese-aye, Hansen-aye. Resolution adopted.

#### BLEM AUCTION:

Moved by Wiese, seconded by Fischbach to approve and authorize the Chairman sign agreement with Mary Brobjorg, personally and as Power of Attorney for Jerome Blem, and Brown County to permit auction to proceed as previously scheduled, with proceeds (less cost of Auction) held until negotiated settlement reached or interpleaded by the Court. All members present voting aye. Motion carried.

#### INVENTORY TRANSFER:

Moved by Wiese, seconded by Fischbach to authorize the transfer of Decal #2658 #2660

& #2661 (computers) from Auditor's Office to Data Processing; Decal #313 (laptop computer) from Data Processing to Museum; #4286 to Veterans Service Office. All members present voting aye. Motion carried.

**PLATS:**

Commissioner Wiese offered the following Resolution:

**RESOLUTION NO. 87-99**

BE IT RESOLVED by the Board of Commissioners of Brown County, South Dakota, that the plat showing "Dykema Addition in the SE 1/4 of Sec 27-T123N-R64W 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 Fischbach. Roll call vote: Commissioners Knecht-aye, Feickert-aye, Fischbach-aye, Wiese-aye, Hansen-aye. Resolution adopted.

Commissioner Feickert offered the following Resolution:

**RESOLUTION NO. 88-99**

BE IT RESOLVED by the County Commission of Brown County, South Dakota, that the plat showing "Lackman First Subdivision in the NE 1/4 of Sec 2-T121N-R63W of the 5th P.M., Brown County, SD", 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. Roll call vote: Commissioners Knecht-aye, Feickert-aye, Fischbach-aye, Wiese-aye, Hansen-aye. Resolution adopted.

**ABERDEEN RURAL FIRE PROTECTION DISTRICT:**

Commissioner Wiese offered the following Resolution:

**RESOLUTION NO. 89-99**

**ABERDEEN RURAL FIRE PROTECTION DISTRICT**

WHEREAS, the election on the question of the formation of the Aberdeen Rural Fire Protection District with powers to operate a fire district pursuant to SDCL 34-31A, was held on September 14, 1999; and

WHEREAS, it appears that the Notice of Meeting and Election was duly and timely published in the Aberdeen American News, Dakota Press and the Frederick/Hecla Northstar on September 2 & 9, 1999; and

WHEREAS, it appears from the Official Election Canvass filed with the Brown County Auditor that a total of thirty-two (32) votes were cast at said election with a total of thirty-one (31) votes being in favor of formation of the Aberdeen Rural Fire Protection District and one (1) vote being against the formation so that the majority vote was in favor of formation of the Aberdeen Rural Fire Protection District; and

WHEREAS, this Commission is satisfied with the legality of said election;

NOW, THEREFORE THE BOARD OF COUNTY COMMISSIONERS OF BROWN COUNTY, SOUTH DAKOTA, HEREBY recognizes the formation of the Aberdeen Rural Fire Protection District, consisting of the following organized Brown County Townships:

Carlisle, Ravinia, Mercier, Lincoln, Prairiewood,  
Aberdeen (excluding that portion of Aberdeen Township

which is incorporated into the City of Aberdeen).

Dated this 28th day of September, 1999.

Seconded by Commissioner Feickert. Roll call vote: Commissioners Knecht-aye, Feickert-aye, Fischbach-aye, Wiese-aye, Hansen-aye. Resolution adopted.

#### INDIGENT COUNCIL CONTRACT PROPOSALS:

Time and place, as requested for Indigent Council Contract Proposals. One proposal submitted. Moved by Knecht, seconded by Wiese to accept proposal, submitted by Bradley T Borge Law Office and Tonner, Tobin & King in amount of \$231,000.00 for a 24 month period (January 1, 2000 through December 31, 2001). All members present voting aye. Motion carried.

#### LANDFILL REPORT:

Mike Scott informed the Commission that the Tree Grinding project has been completed at a cost of \$20,182.50; a new system of stockpiling leaves east and south of the Fairground Container Site is planned for the fall season (should reduce hauling costs and make easier for residents to unload); recycling task force to meet every other Tuesday.

Mike Scott was congratulated by the Commission for being named the SD Landfill Manager of the Year at the 1999 Annual Solid Waste Conference held recently.

#### APPLICATIONS FOR OCCUPANCY:

Moved by Fischbach, seconded by Knecht to approve and authorize the Chairman sign application, submitted by Northwestern Public Service for occupancy of County Hwy #12W in Sec 17-123N-R64W, Brown County, South Dakota to provide natural gas service; County Hwy #19 in Sec 28-123N-R63W, Brown County, South Dakota to provide natural gas service; County Hwy #10 in Sec 35-124N-R64W, Brown County, South Dakota to provide natural gas service; County Hwy #19 in Sec 21-123N-R63W, Brown County, South Dakota to provide natural gas service; County Hwy #6F in Sec 24-124N-R65W, Brown County, South Dakota to provide natural gas service; County Hwy #19 in Sec 9-123N-R63W, Brown County, South Dakota to provide natural gas service. Roll call vote: Commissioners Knecht-aye, Feickert-aye, Fischbach-aye, Wiese-abstain, Hansen-aye. Motion carried.

#### 385TH AVE PROJECT - PAYMENT REQUEST #2:

Moved by Wiese, seconded by Fischbach to approve and authorize the Chairman sign Payment Request #2 for the 385th Ave Surfacing Project in amount of \$18,979.20, submitted by Lien Transportation. All members present voting aye. Motion carried.

#### EQUIPMENT PURCHASES:

Moved by Wiese, seconded by Knecht to authorize Russ Podoll purchase a 1993 4X4 Dodge D250 Pickup in amount of \$10,700; 1992 4X2 Dodge D250 Pickup in amount of \$7,350.00 from Federal Property Surplus in Huron, SD. All members present voting aye. Motion carried.

Moved by Wiese, seconded by Feickert to authorize Russ Podoll purchase a tilt bed trailer from Trial-EZE in amount of \$12,732. All members present voting aye. Motion carried.

#### RELIEF LIEN:

Commissioner Fischbach offered the following Resolution:

#### RESOLUTION NO. 90-99

WHEREAS, Brown County has filed Relief Liens in amount of \$4,858.33 dated December 28, 1984 and \$3,626.99 dated April 9, 1985 (total amount of \$8,485.32), and

WHEREAS, individual filed Chapter 7 Bankruptcy on February 26, 1998, and

WHEREAS, the Relief Liens in total amount of \$8,485.32 were not listed on the Bankruptcy, and

WHEREAS, said individual is purchasing property at this time, and

WHEREAS, the Bankruptcy file has never been amended to include the Relief Liens, and

WHEREAS, it appears to be in the best interest of Brown County to accept \$4,247.66 as a compromise to release said liens in lieu of amending the Bankruptcy File.

NOW, THEREFORE BE IT RESOLVED that the liens in question will be satisfied upon payment of \$4,242.66, in lieu of amending Bankruptcy or filing motion to remove liens with the Bankruptcy Court.

Seconded by Commissioner Feickert. Roll call vote: Commissioners Knecht-aye, Feickert-aye, Fischbach-aye, Wiese-aye, Hansen-aye. Resolution adopted.

#### HOSPITAL CLAIM DENIED:

Cheryl Majeske, Avera St. Lukes met with the Commission to discuss a medical bill. Charlene Millim was also in attendance. The following action ensued:

Moved by Knecht, seconded by Feickert to deny payment of a hospital bill, submitted by Avera St. Lukes in amount of \$21,735.28 for a 50 year old female, as individual has not provided sufficient information to determine indigency. All members present voting aye. Motion carried.

#### WAIVE PENALTY & INTEREST:

Moved by Fischbach, seconded by Wiese to authorize Sheila Enderson, Brown County Treasurer accept tax payment and waive penalty and interest on the following abandoned railroad right-of-way parcels: Abandoned RR R/O/W in the NW 1/4 19-121-60; Abandoned RR R/O/W in the SW 1/4 19-121-60; Abandoned RR R/O/W in the NW 1/4 18-121-60. All members present voting aye. Motion carried.

#### EXECUTIVE SESSION:

Moved by Wiese, seconded by Feickert to go into executive session with Mick Palmer, Judy Dosch and Barb Johnson in attendance to discuss possible litigation. All members present voting aye. Motion carried.

Moved by Feickert, seconded by Weise to adjourn executive session. All members present voting aye. Motion carried.

#### 2000 BUDGET:

Commissioner Wiese offered the following Resolution:

#### RESOLUTION NO. 91-99

#### 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, 2000 and ending December 31, 2000 and the same is hereby approved and adopted by the Board of County Commissioners of Brown County, South Dakota, this 28th day of September, 1999. 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, 2000 through December 31, 2000.

	Dollars	Tax Levy In \$'S/1,000
COUNTY TAX LEVIES WITHIN LIMITED LEVY		
*General County Purposes (10-12-9)	\$6,010,920	4.38
Fire	<u>14,946</u>	<u>.02</u>
TOTAL TAXES LEVIED BY COUNTY	6,025,866	4.40

\*These amounts include the 25% to be distributed to cities.

Seconded by Commissioner Fischbach. Roll call vote: Knecht-aye, Feickert-aye, Fischbach-aye, Wiese-aye, Hansen-aye. Resolution adopted.

# ADJOURNMENT:

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

Maxine Taylor - Brown County Auditor

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OCTOBER 5, 1999 - JOINT CITY/COUNTY MEETING

The Brown County Commission and the Aberdeen City Commission met in joint session at 8:45 A.M. in the County Commission Chambers, Courthouse Annex, Brown County, South Dakota. Present from City were Commissioners Pfeifer, Klabo and Hurlbert. Absent Commissioner Meyer and Mayor Hopper. Present from County were Commissioners Knecht, Feickert, Fischbach and Hansen. Absent Commissioner Wiese.

ORDINANCE NO. 99-09-02/187:

On motion by Pfeifer and seconded by Klabo the City Commission unanimously voted to approve Second Reading of Ordinance No. 99-09-02/187.

On motion by Klabo and seconded by Pfeifer the City Commission unanimously voted to adopt Ordinance No. 99-09-02/187.

Moved by Knecht, seconded by Fischbach to approve Second Reading of Ordinance No. 99-09-02/187. All members voting aye. Motion carried.

Moved by Feickert, seconded by Knecht to adopt Ordinance No. 99-09-02/187, An Ordinance Amending Ordinance No. 1164 to rezone certain property from Section 701 (A-1) Agricultural District to Section 714 (M-Ag) Mini-Agricultural District, described as Lots 15 & 16, Auditor's Subdivision of SE 1/4 of Sec 27-T123N-R64W and Lot 17, Auditor's Subdivision of SE 1/4 of Sec 27-T123N-R64W of the 5th P.M., Brown County, South Dakota. All members present voting aye. Motion carried.

SET HEARING DATES:

On motion by Pfeifer and seconded by Klabo the City Commission unanimously voted to set hearing to consider petition to rezone: Ordinance No. 99-10-01/188 (Rich), Ordinance No. 99-10-02/189 (Rich) and Ordinance No. 99-10-03/190 (Rea) to be held in the Brown County Commission Chambers, 25 Market Street, Aberdeen, South Dakota at 8:45 A.M. on October 26, 1999.

Moved by Fischbach, seconded by Feickert to set hearing to consider petition filed by Michael Rich to rezone the W 200' of E 1200' of the N 670.16' of the NW 1/4 of Sec 23-T123N-R63W of the 5th P.M., Brown County, South Dakota (to be replatted as Rich Brother's Outlots - Outlot 1) from Section 701 (A-1) Agricultural District to Section 707 (C-2) Highway Commercial District; petition filed by Michael Rich to rezone the W 100' of E 1500' of the N 670.16' of the NW 1/4 of Sec 23-T123N-R63W of the 5th P.M., Brown County, South Dakota (to be replatted as Rich Brother's Outlots - Outlot 2) from Section 701 (A-1) Agricultural District to Section 707 (C-2) Highway Commercial District and petition filed by Wendell Rea to rezone Rea Outlot 1 in the NW 1/4 of Sec 23-T123N-R63W and the S 495' of the N 1,165.16' and the E 100' of the N 670.16' of the NW 1/4 of Sec 23-T123N-R63W, except lands deeded & Highway R/O/W (to be replatted and known as Lots 1 - 3 of Rea First Addition in the NW 1/4 of Sec 23-T123N-R63W of the 5th P.M. Brown County, South Dakota) from Section 701 (A-1) Agricultural District to Section 714 (M-Ag) Mini-Agricultural District, to be held in the Brown County Commission Chambers, 25 Market Street, Aberdeen, South Dakota at 8:45 A.M. on October 26, 1999. All members present voting aye. Motion carried.

The City Commission adjourned and the County Commission continued into their regularly scheduled meeting.

Maxine Taylor - Brown County Auditor

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OCTOBER 5, 1999 - GENERAL MEETING

The Brown County Commission convened at 8:45 A.M. in the Commissioner's Chambers, Courthouse Annex, Brown County, South Dakota. Present were Commissioners Knecht, Feickert, Fischbach, Wiese and Hansen.

MINUTES:

Moved by Wiese, seconded by Knecht to approve the Joint City/County Meeting minutes and the General Meeting minutes of September 28, 1999. All members present voting aye. Motion carried.

CLAIMS:

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

Supplies & Materials: Best Business..\$12,758.50, Office Equipment..\$57.86, Ecolab..\$141.90, Rux Bros..\$184.21, Heartland Paper..\$950.57, McFarland Supply..\$175.39, Dan Lingor..\$178.00, Sherwin-Williams..\$37.92, Prairieland..\$1090.50, UBC..\$17.81, Office Max..\$137.14, RE Huffman..\$305.55, SD Dept of Revenue..\$805.00, Walmart..\$157.62, Pierson Ford..\$335.54, Aberdeen Chrysler..\$39.40, Respond..\$199.80, Deluxe Business Forms..\$87.40, Parcel-Erickson..\$18.95, Mersco Medical..\$46.00, Aberdeen TV..\$59.95, Hitch 'N Post..\$69.98, Ken's Alignment..\$32.50, OK Tire Store..\$23.75, SD Fleet..\$1094.40, Identicator..\$124.58, Farmers Union..\$26.07, Tri-State Water..\$10.00, US West Direct..\$9.58, Profile Evaluations..\$300.00, Newman Signs..\$220.50, Quality Quick Print..\$351.69, Dakota Electronics..\$482.35, Mark Mills..\$107.98, SD Division of Motor Vehicles..\$11.00, SDDOT..\$6244.46, Share Corp..\$122.40, Safety-Kleen..\$362.10, Prairie Tool..\$320.00, Old Dominion Brush..\$359.15, North Country Trucks..\$830.00, Nichols Co..\$61.32, Marshall Truck..\$155.35, Laclede Equip..\$109.92, Koch Materials..\$17,605.53, Insurance Plus..\$12.00, Huron Culvert..\$327.88, Farm Power..\$3.00, JD Evans..\$156.74, WE Doyle..\$316.85, Robert Dinger..\$591.90, Diesel Machinery..\$80.45, Herb Dabbert..\$1371.00, Al Dabbert..\$370.50, Cross Country Courier..\$38.50, HC Clark..\$63.74, Carquest..\$212.34, Plainsco..\$145.39, RDO..\$220.35, McFarland..\$198.52, SD Wheat Growers..\$193.01, Menards..\$171.06, Fordham Signs..\$380.00, Weismantel Rent-All..\$240.45, Schwan Welding..\$400.00, Richmond Lake Sanitary Dist..\$60.09, Brown County Tres..\$100.84, Hub City Iron..\$114.97, Shopko..\$9.67, Bad River Artworks..\$260.40, Hub City Signs..\$246.75, Ameripride..\$9.00, Carol Sombke..\$247.51, Van Diest..\$21.34, Nat'l Assoc of FGP Directors..\$48.52, Spink County Public Transit..\$130.00, Phyllis Voeller..\$16.00, Drake Motor Inn..\$98.05, Aberdeen TV & Appl..\$579.00, Danko..\$700.00, Risager Plumbing..\$165.87, Ceres Environmental Services..\$20,182.50, ARCOA Ind..\$64.85, Siebrecht Agency..\$1000.00, Webb Shoes..\$135.15, Fire Safety First..\$4.28, SD Dept of Revenue..\$2951.93, Praxair..\$15.33, Plainsco..\$21.96, Aberdeen Flying Service..\$70.00, Sheehan Sales..\$711.95, K-Mart..\$24.93, Butler..\$770.07, Photos Now..\$13.95, Pheasant Country..\$450.00, Inman & McDowell..\$310.61, Dependable..\$11,913.54, Lien Transportation..\$22,513.49:  
Transcriptions: Betsy Johnson..\$234.00, Penny Hart..\$11.92, Aspen Pub..\$97.65, Gibson Pub..\$20.58:  
Publications: American News..\$261.00, McLaughlin Messenger..\$8.61:  
Professional Fees: Witness Fee..\$108.70, Avera United Clinic..\$100.00, Aberdeen Area Career Planning..\$665.00, Sheriff of Carson County..\$16.50, Sheriff of Eau Claire County..\$26.50, Carlson Funeral Home..\$48.72, Avera United Clinic..\$90.89, Avera St Lukes..\$1577.00, Oahe Inc..\$500.00, John Billings..\$80.00:  
Mileage & Travel: Ramkota..\$743.50, Mark McNeary..\$1096.45, Ken Varns..\$191.00, Leo Leshner..\$91.06, Gene Loeschke..\$166.17, Russell Podoll..\$70.00:  
Jury: Karl Alberts..\$465.80, Kent Alm..\$46.96, Renee Andersen-Ryan..\$111.74, Tammy



Bauer..\$21.16, Shannon Beckler..\$38.70, Matthew Berheim..\$10.58, Pat Bierne..\$21.16, Scott Boone..\$192.48, Karen Brotzel..\$443.98, Bob Carrico..\$172.90, Howard Dahme..\$130.88, Donald Dix..\$21.16, Sandy Dosch..\$364.64, Lisa Ducheneaux..\$21.16, Douglas Duncan..\$31.60, Dana Edwards..\$31.74, Greg Eszlinger..\$111.74, Doris Evenson..\$21.16, Earl Ferguson..\$10.58, Kim Fischer..\$126.96, Janine Fritz..\$31.74, Jerome Geffre..\$31.74, Marie Gehring..\$21.16, Gloria Haar..\$162.32, Leo Haar..\$26.96, Myron Haar..\$21.16, Amanda Hansen..\$31.74, Donald Harry..\$21.16, Lydia Hauff..\$314.06, Scott Healy..\$21.16, Deanna Helms..\$36.96, Jane Hettinger..\$31.74, Albert Heupel..\$132.90, Leslie Hoff..\$21.16, Brad Karsky..\$303.48, Kimberly Kienow..\$10.58, Clara Kimball..\$117.00, Teresa Knoll..\$129.14, Florence Lehr..\$172.90, Gwen Malsam..\$446.54, Joe Malson..\$126.96, Waneta Malsom..\$322.18, Sarah Mehlhaff..\$21.16, Linda Miles..\$162.32, Bernadette Moran..\$324.64, Darcy Morrison..\$314.06, Richard Osborn..\$23.48, Susan Patton..\$411.50, Judith Porter..\$10.58, Robert Pray Sr..\$88.72, Timothy Price..\$162.32, Theresa Randolph..\$43.20, Dean Rasmussen..\$162.32, Hollie Rath..\$10.58, Sue Rath..\$21.16, Kim Rausch..\$31.74, Lois Ristau..\$576.00, Sylvia Salwei..\$21.16, Dorothy Schaunaman..\$35.22, Ben Schroeder..\$172.90, Rhonda Sigaty..\$626.56, Terrance Stevens..\$324.64, Gene Storly..\$132.90, Sandra Sutton..\$330.30, Kevin Thomas..\$31.74, Thomas Vergeldt..\$31.74, Amy Beth Warne-Dougherty..\$10.58, Rebecca Watson..\$172.90, Geraldine Winchester..\$38.70, John Burgard..\$21.16:

Court Appointed Attorney: Bantz, Gosch, Cremer, Peterson..\$398.88:

Utilities: NWPS..\$5825.93, Midcontinent Cable..\$25.75, Lucent..\$5.35, US West..\$153.78, Cellular One..\$158.82, Montana-Dakota..\$33.86, Northern Electric..\$260.70, WEB..\$206.65:

Care of Poor: Dr/Hospital..4 recipients..Tom Appletoft..\$210.00, Schatz Rentals..\$210.00, Michael Crady..\$170.00, Melros Village..\$150.00; Utilities..2 recipients..NWPS..\$301.22; Drugs..5 recipient..Kessler Pharmacy..\$218.11, K-Mart Pharmacy..\$6.92, Medical Center Pharmacy..\$545.10, Walmart Pharmacy..\$43.54. All members present voting aye. Motion carried.

#### TAX DEED SALE:

Moved by Fischbach, seconded by Feickert to declare the following described property surplus for purpose of sale; and further to authorize advertising Tax Deed Sale to be held at 2:00 P.M. on October 25, 1999 in the Community Room, Brown County Courthouse Annex, Aberdeen, South Dakota to sell said property at public auction for at least appraised value: Warner Township: Lot 5, Remde's Addition, (Warner Twp) Brown County, SD @ \$7,000.00; Aberdeen City: S 71' of Lots 1 and 2, Block 29, Hagerty and Lloyds Addition, Aberdeen, Brown County, SD @ \$1,000.00; Claremont City: Original Plat Lot 5, Block 7 (Claremont City), Brown County, SD @ \$50.00; Original Plat Lot 6, Block 7 (Claremont City), Brown County, SD @ \$3,000.00; Original Plat, Lots 15 & 16, Block 12 (Claremont City) Brown County, SD @ \$100.00; Prairiewood Village: Lot 10, Block 4 @ \$25.00; Lot 11, Block 4 @ \$25.00; Lot 18, Block 4 @ \$25.00; Lot 10, Block 5 @ \$25.00; Lot 8, Block 5 @ \$25.00. All members present voting aye. Motion carried.

#### INCREASE SPENDING AUTHORITY/ESTIMATED REVENUE:

Moved by Feickert, seconded by Wiese to increase spending authority for CDBG Funds in Fund #101-311-426 in amount of \$76,932.39, #101-311-425 in amount of \$5,055.50 (Brown County); and increase estimated revenue for CDBG Funds in Fund #101-331.03 in total amount of \$81,987.89. All members present voting aye. Motion carried.

#### COMMNET SETTLEMENT:

Moved by Fischbach, seconded by Feickert to approve and authorize the States Attorney accept settlement offer in the sum of \$25,622.23 for the CommNet Cellular,

Inc. Property Tax Appeal. All members present voting aye. Motion carried.

AUDITORS REPORT OF ACCOUNT:

Moved by Knecht, seconded by Wiese to approve the September, 1999 Auditor's Report of Account:

AUDITOR'S REPORT OF ACCOUNT WITH THE COUNTY TREASURER:

Total amount of actual cash- - - - -	\$ 3,187.42
Norwest Bank - - - - -	\$ 10,811.39
US Bank- - - - -	\$ 49,030.82
Dacotah Bank - - - - -	\$ 7,386.76
Petty Cash(Sheriff,Reg/Deed,Museum,Welfare)-	\$ 1,500.00
Landfill Change Fund - - - - -	\$ 100.00
Fund Investments - - - - -	\$8,734,480.34
Outstanding Checks - - - - -	\$ 312.58
Total - - - - -	\$8,806,809.31

All members present voting aye. Motion carried.

LEASE AGREEMENT:

Moved by Feickert, seconded by Fischbach to approve and authorize the Chairman sign agreement with Aberdeen Humane Society for lease of the Club House on October 9, 1999 (plus 12 days for set-up). All members present voting aye. Motion carried.

FAIRGROUNDS DISCUSSION:

Randy Bonn, Russ Podoll, Larry Gerlach, Terry Voeltz, Jim Thares, Roger Munger and Curt Erickson met with the Commission to discuss alternatives for protecting the horse track, as the State has allocated \$30,000.00 for new sand for year 2000. It has been determined that blading the sand to the edge contaminates it and the best way to protect from blowing is to plant rye grass. It was agreed that other than a 50' entrance/exit for race cars on the back stretch and the multi use area in front of the Grandstands the horse track will be barricaded to protect the new surface. Also discussed was involvement by the Highway Department at the Fairgrounds. Other than specific projects for the Fairgrounds jointly decided by Randy Bonn and Russ Podoll and setup/teardown for the Fair all groups leasing the facilities will be responsible for contracting all heavy equipment. The major concern at present for all groups is drainage, which the County will address.

CAR RACE/HOCKEY CONTRACTS:

Randy Bonn and Terry Voeltz discussed items to be included in addendum when exercising last two-year option on contract. Randy Bonn also discussed items to be included in addendum when Aberdeen Hockey Association exercises last five-year option on their contract. Draft copies of both addendums will be reviewed by all parties.

BRIDGE #44:

Moved by Feickert, seconded by Wiese to approve and authorize Chairman sign Work Order LGA-94-99, Agreement No. 410182 with Clark Engineering to perform design engineering for project BRO 8007(41) - PCEMS 4624 - Brown County Structure No. 07-180-387, Bridge #44, 6.3 miles South and 1.5 miles west of Bath over Moccasin Creek. All members present voting aye. Motion carried.

CONTRACT:

Moved by Wiese, seconded by Fischbach to approve and authorize the Chairman sign contract with Environmental Technologies Inc, Pierre, SD for purpose of Tier II site assessment at the Brown County Highway Department for five to eight soil borings and

installation of three to six monitor wells, total cost estimate between \$11,510 to \$17,927. All members present voting aye. Motion carried.

BID AWARD - PICKUP FOR YEAR 2000:

Moved by Feickert, seconded by Knecht to award bid, submitted by Lust Chevrolet for one new 2000 Chevrolet 3/4 ton Pickup in amount of \$23,684.00 with delivery to be in January 2000, as bid by Aberdeen City on September 7, 1999; rejecting bid submitted by Pierson Ford (did not meet specifications). All members present voting aye. Motion carried.

INVENTORY TRANSFER:

Moved by Wiese, seconded by Feickert to transfer Decal #1641 (Truck #31) from the Highway Department to the Landfill and transfer Decal #1500 (Truck #41) from the Landfill to the Highway Department. All members present voting aye. Motion carried.

SDSR:

Commissioner Feickert offered the following Resolution:

RESOLUTION NO. 92-99

WHEREAS Senate Bill 11 of the 1999 Legislative Session Allows a county or a municipality to transfer its jailers from Class A status to Class B Public Safety status within the South Dakota Retirement System, subject to approval by the Board of Trustees of the South Dakota Retirement System; and

WHEREAS, jailers in the employ of Brown County have expressed a desire to transfer from Class A status to Class B Public Safety status within the South Dakota Retirement System; and

WHEREAS this governing body employs jailers who have been appointed as such pursuant to SDCL 7-12-9 and 7-12-10; and

WHEREAS, this governing body believes that its jailers fulfill the requirements and objectives for Class B Public Safety status within the South Dakota Retirement System.

NOW, THEREFORE, BE IT RESOLVED, that this governing body hereby grants its approval to such transfer of its jailers from Class A status to Class B Public Safety status within the South Dakota Retirement System; and

BE IT FURTHER RESOLVED, that this governing body requests that the Board of Trustees of the South Dakota Retirement System approve such transfer.

Dated this 5th day of October, 1999.

Seconded by Commissioner Wiese. Roll call vote: Commissioners Knecht-aye, Feickert-aye, Fischbach-aye, Wiese-aye, Hansen-aye. Resolution adopted.

RECESS:

Moved by Knecht, seconded by Wiese to recess until October 12, 1999. All members present voting aye. Motion carried.

Maxine Taylor - Brown County Auditor

OCTOBER 12, 1999 - GENERAL MEETING

Meeting called to order by Chairman Hansen at 8:45 A.M. in the Commissioner's Chambers, Courthouse Annex, Brown County, South Dakota. Present were Commissioners Knecht, Feickert, Fischbach and Wiese.

MINUTES:

Moved by Wiese, seconded by Feickert to approve the Joint City/County Meeting minutes and the General Meeting minutes of October 5, 1999. All members present voting aye. Motion carried.

CLAIMS:

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

Payroll: Commissioners..\$2,115.40; Data Processing..\$1,221.16; Auditor..\$5,005.30; Treasurer..\$6,916.50; State's Attorney..\$7,999.37; Victims Asst..\$769.24; Maintenance..\$4,032.00; Assessor..\$6,530.10; Planning & Zoning..\$829.60, OVERTIME: Mick Waller..\$15.56; Register of Deeds..\$2,821.41, OVERTIME: Cindy Schwan..\$7.64, Cathy Lindemann..\$6.96; Veterans Service..\$1,881.71; Health..\$2,187.20; Communications..\$9,946.76, OVERTIME: Sheila Anderson..\$121.60, Mary Browning..\$159.20, Nancy Radke..\$470.08, Lisa Wipf..\$115.92; Sheriff..\$38,072.53, OVERTIME: Craig Anderson..\$79.52, Bryan Locke..\$39.76, John McQuillen..\$168.98, Scott Kolb..\$87.84, Michael Casjens..\$75.20, David Fair..\$178.60, Dala Mandel..\$16.46, Roxanne Schumacher..\$50.68, Mark Jastram..\$55.00, Patrick Rickerl..\$13.76, Dallas Vallery..\$6.88, Cindy Baumgartner..\$52.16, Michele Smith..\$104.32, Brandon Smith..\$208.64, Diane Mielke..\$42.36, Kevin Johnson..\$48.13, Amy Lake..\$26.80, Jeffrey Kirnan..\$13.04, Tony Ingemansen..\$22.52; Museum..\$3,217.59; Welfare..\$2,212.42; Foster Grandparent Program..\$2,629.17; Fairgrounds..\$3,573.84, OVERTIME: John Weig..\$48.78; Fairboard..\$1,379.33; Extension..\$1,404.80, OVERTIME: Lynn Meyer..\$6.66, Lori Erickson..\$3.26; Weed..\$1,028.35; Emergency Management..\$1,754.32; Road and Bridge..\$27,913.66, OVERTIME: Terry Backous..\$142.29, Vernon Bitz..\$214.36, David Bruckner..\$234.36, Brian Dargatz..\$354.67, Daniel Glover..\$275.31, Joel Guderjohn..\$158.45, Larry Hardy..\$295.23, Ben Z Hofer..\$311.72, Dave Kolb..\$259.19, Tom Lammon..\$265.03, Daryl Lloyd..\$377.89, Jerry Luce..\$85.37, Joseph Malsam..\$226.46, Donald Maunu..\$173.25, Todd Odenbach..\$294.47, Bryan Owens..\$155.47, Cordell Rudolph..\$139.77, Richard Schaible..\$316.20, Roger Schaible..\$304.76, Jeff Seiler..\$266.19, Markcus Selzler..\$210.60, Casey Thorstenson..\$7.01, Kendell Titze..\$149.10, Leon Vickers..\$332.10, Michael Wagner..\$299.84, Theodore Brockel..\$194.82, Nicholas Wanna..\$197.60; Solid Waste..\$4,707.87, OVERTIME: Carl Wright..\$164.20, Roxanne Varns..\$15.13, Nyle Jenson..\$173.31;

Supplies & Materials: US Post Office..\$5000.00, Thompson Publishing..\$254.00, Office Equip..\$117.67, Academy..\$24.00, Menards..\$85.10, Sherwin-Williams..\$101.03, Prairieland..\$22.00, House of Glass..\$89.72, Janitor Supply..\$85.50, Plainsco..\$12.50, Taylor Laundry..\$127.44, Woodman Refrigeration..\$495.92, Ecolab..\$67.30, Photos Now..\$170.85, Heartland Paper..\$531.45, Visa..\$129.05, Office Max..\$168.55, Kesslers..\$426.20, RE Huffman..\$179.00, LS Services..\$95.21, Dakota Electronics..\$163.81, Amoco..\$22.79, US West Direct..\$17.12, Bonnie Bitz..\$240.00, Dick's Westside..\$23.00, Quint City Coin-Ops..\$39.00, Avera St Lukes..\$239.07, Sewing Shoppe..\$3.50, Hoggs..\$3956.20, Kessler Pharmacy..\$9.99, SD Dept of Revenue..\$70.00, Xerox..\$248.96, Bob Barker..\$466.55, K-Mart..\$79.60, Brick Propane..\$54.05, Motorola..\$28,020.00, Trins Construction Inc..\$332.77, 3-D Specialties..\$615.82, Spitzer Construction..\$2982.50, SD Wheat Growers..\$8298.55, SD Federal Property..\$10,700.00, SD Division of Motor Vehicles..\$6.00, Sheehan Mack Sales..\$110.16, Safelite Auto Glass..\$74.86, Prairieland..\$66.46, Olson Motor..\$64.65, Office Max..\$164.98, Newman Traffic Sign..\$98.16, Nelson Auto Elec..\$87.70, Midwest Pump & Tank..\$8.34, Menards..\$348.91, Lyle Signs..\$260.32,

Lien Trans..\$564.59, Huron Culvert..\$75.15, Howell Trucking..\$266.00, Hedahls..\$297.35, Graham Tire..\$421.17, Evergreen Supply..\$884.89, Dakota Oil..\$961.39, Dakota Fluid Power..\$81.79, Crawford Trucks..\$3664.11, Clark Engineering..\$2937.84, Cartney Bearing..\$165.83, Butler Machinery..\$256.82, Bridgestone/Firestone..\$112.97, Brick Propane..\$9.00, Artz Equip..\$60.57, Ameripride..\$17.77, Quality Quick Print..\$43.15, A&M Radio..\$43.00, CarQuest..\$10.99, Pro Ag Supply..\$90.05, Watertown Area Transit..\$283.00, Aberdeen Area Sr Citizens..\$790.50, SDEMA..\$10.00, SDSWMA..\$450.00, Ketterling Photo..\$192.00, Service Signs..\$200.00, A-1 Sanitation..\$1890.50, Cunningham Elec..\$841.50, Graham Tire..\$2975.26, Brown County Tres..\$131.78, Country General..\$53.04, Computer Spec..\$85.00, Aberdeen Glass..\$86.78:

Publications: Frederick/Hecla Northstar..\$400.80:

Professional Fees: Witness Fee..\$100.00, St Louis County Sheriff..\$16.00, Hughes Co Sheriff..\$19.50, LCM Pathologists..\$98.00, Mark McNeary..\$1500.00, Yankton County Sheriff..\$16.75, stipends..\$13,634.85, Eide Bailley..\$241.00:

Mileage & Travel: Tom Fischbach..\$291.16, Tom Gohn..\$417.00, Barb Johnson..\$118.40:

Court Appointed Attorney: Scott Kuck..\$550.00, James & Assoc..\$134.01:

Utilities: James Valley Co-Op..\$657.01, Accent Comm..\$419.00, City of Aberdeen..\$847.06, Midcontinent Cable..\$153.00, US West..\$475.37, NWPS..\$21.74, Bureau of Admin..\$39.98:

Care of Poor: Utilities..3 recipients..Northern Electric..\$146.92, NWPS..\$400.00; Drugs..3 recipient..Econofood Pharmacy..\$169.47, Kessler Pharmacy..\$384.60, Medical Center Pharmacy..\$150.94; Rent..6 recipients..Melrose Village..\$179.00, Mayo Clinic..\$41.80, Aberdeen Living Center..\$4269.34, Ward Hotel..\$230.00, BelAire..\$120.00, Jerry Miller..\$230.00. All members present voting aye. Motion carried.

#### EXPENSES:

Moved by Feickert, seconded by Wiese to approve travel expenses for Mary Worlie, Leo Leshner, Gene Loeschke and Melissa Koester to attend the Assessor's Conference in Sioux Falls on October 20-22, 1999. All members present voting aye. Motion carried.

#### PERSONNEL:

Moved by Knecht, seconded by Wiese to approve the following employee step increases, effective October 17, 1999: Michael Kenneally @ \$9.58 per hour, Bryan Owens @ \$9.74 per hour, Kristal Schumack @ \$8.93 per hour, Michelle Sitter @ \$8.88 per hour. All members present voting aye. Motion carried.

Moved by Wiese, seconded by Feickert to approve hiring John Schalde and Jeremiah Higgins as part-time JDC Officers, effective October 12, 1999 at \$7.90 per hour; and further approve hiring current part-time JDC Officers Jeff James and Jessica Frerichs as part-time Home Detention Officers, effective October 12, 1999 at 8.59 per hour. All members present voting aye. Motion carried.

Moved by Knecht, seconded by Wiese to approve hiring Ray Mundt as part-time with CDL at the Highway Department, effective October 12, 1999 at \$8.14 per hour. All members present voting aye. Motion carried.

#### PLATS:

Commissioner Knecht offered the following Resolution:

#### RESOLUTION NO. 93-99

BE IT RESOLVED by the County Commission of Brown County, South Dakota, that the plat showing "J.T. Hanson's Tract 1 in the SE 1/4 of Sec 9-T126N-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 Feickert. Roll call vote: Commissioners Knecht-aye, Feickert-aye, Fischbach-aye, Wiese-aye, Hansen-aye. Resolution adopted.

Commissioner Knecht offered the following Resolution:

RESOLUTION NO. 94-99

BE IT RESOLVED by the Board of Commissioners of Brown County, South Dakota, that the plat showing "Lowary Addition in the NE 1/4 of Sec 25-T125N-R61W 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 Fischbach. Roll call vote: Commissioners Knecht-aye, Feickert-aye, Fischbach-aye, Wiese-aye, Hansen-aye. Resolution adopted.

Commissioner Wiese offered the following Resolution:

RESOLUTION NO. 95-99

BE IT RESOLVED by the Board of Commissioners of Brown County, South Dakota, that the plat showing "Mohr's First Subdivision of Lot 5 of Mohr's Outlots in the S 1/2 of Sec 36-T124N-R64W 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 Feickert. Roll call vote: Commissioners Knecht-aye, Feickert-aye, Fischbach-aye, Wiese-aye, Hansen-aye. Resolution adopted.

EXECUTIVE SESSION:

Moved by Wiese, seconded by Fischbach to go into executive session for possible litigation discussion with Harvey Oliver, Mike Scott and Jay Koch in attendance. All members present voting aye. Motion carried.

Moved by Wiese, seconded by Feickert to adjourn executive session. All members present voting aye. Motion carried.

ASSESSOR OFFICE SPACE:

Mary Worlie, Mick Palmer and Judy Dosch discussed options for expanding the office space utilized by the Director of Equalization Office.

JDC LAND OFFER:

Victor Schumacher met with the Commission to discuss Railroad Avenue property he offered the County for \$220,000.00 for JDC purposes. Mr. Schumacher rejected the County's counter offer of \$200,000.00. The County will research other options.

ABANDONED RR R/O/W:

Mr. Dallas Sombke met with the Commission to discuss delinquent taxes on Abandoned RR R/O/W going through two sections of his land.

Moved by Wiese to waive penalty and interest and issue Quit Claim Deed to Mr. Sombke upon payment of delinquent taxes. Motion died for lack of a second.

Moved by Wiese, seconded by Knecht to waive penalty and interest and approve and authorize Chairman sign Quit Claim Deed conveying County claim on properties to Mr. Sombke upon payment of delinquent taxes in amount of \$117.32 on Abandoned RR R/O/W

in the SW 1/4 7-121-60 and \$89.31 on Abandoned RR R/O/W in the SW 1/4 18-121-60. All members present voting aye. Motion carried.

QUIT CLAIM DEEDS:

Moved by Wiese, seconded by Fischbach to approve and authorize the Chairman sign the following Quit Claim Deeds conveying county claim on property: Abandoned RR R/O/W SW 1/4 19-121-60 to Lyle and Lois Krueger, Abandoned RR R/O/W NW 1/4 19-121-60 to Lyle and Lois Krueger, Abandoned RR R/O/W NW 1/4 18-121-60 to Marjorie A. Krueger. All members present voting aye. Motion carried.

RECONVEYANCE OF TAX DEED PROPERTY:

Commissioner Wiese offered the following Resolution:

RESOLUTION NO. 96-99

WHEREAS, it appearing to the satisfaction of the Commissioners of Brown County that a Tax Deed was taken on the following described real estate:

Lot 5, Block 7 Original Plat to the town of Claremont, Brown County, South Dakota  
Lot 6, Block 7 Original Plat to the town of Claremont, Brown County, South Dakota

It further appearing to the satisfaction of the Brown County Commission that taxes, penalty, interest and attorney fees have been deposited with the Brown County Treasurer.

NOW, THEREFORE BE IT RESOLVED that the Brown County Commission hereby reconveys the above listed property and authorizes the Chairman of the Brown County Commission to execute a Quit Claim Deed transferring the interest of Brown County, South Dakota, back to the record owners of said property.

Seconded by Commissioner Feickert. Roll call vote: Commissioners Knecht-aye, Feickert-aye, Fischbach-aye, Wiese-aye, Hansen-aye. Resolution adopted.

APPLICATION FOR OCCUPANCY:

Moved by Wiese, seconded by Feickert to approve application, submitted by Cliff Schroeder for occupancy of Brown County Highway No. 18 in Section 27-T128N-R61W, Brown County, South Dakota for installation of an 8" PVC pipe to pump liquid manure on adjoining land. All members present voting aye. Motion carried.

BRIDGE #36 & BRIDGE #344:

Moved by Feickert, seconded by Wiese to approve and authorize the Chairman sign Work Orders for Clark Engineering to complete Bridge Design Survey, Bridge Hydraulic Analysis and TS&L Inspection on the following structures: Structure #07-087-310 (Bridge #36) 2.0 miles N and 2.5 miles W of Aberdeen; Structure #07-340-297 (Bridge #344) 3.3 miles N and 4.0 miles E of Groton. All members present voting aye. Motion carried.

RECESS:

Moved by Knecht, seconded by Feickert to recess until October 19, 1999. All members present voting aye. Motion carried.

Maxine Taylor - Brown County Auditor

## OCTOBER 19, 1999 - GENERAL MEETING

Meeting called to order by Chairman Hansen at 8:45 A.M. in the Commissioner's Chambers, Courthouse Annex, Brown County, South Dakota. Present were Commissioners Knecht, Feickert, Fischbach and Weise.

## MINUTES:

Moved by Wiese, seconded by Knecht to approve the General Meeting minutes of October 12, 1999. All members present voting aye. Motion carried.

## CLAIMS:

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

Supplies & Materials: Pitney Bowes..\$118.39, Eagle Business Forms..\$108.13, Office Max..\$44.99, Zenith..\$143.98, Compaq..\$4683.96, Honeywell..\$240.00, Menards..\$55.79, Langs..\$84.00, Computer Specialists..\$1188.00, Heartland Paper..\$88.61, Dependable Sanitation..\$203.00, TRA..\$25.56, Ecolab..\$71.50, NorCom..\$149.00, New Trends..\$42.92, Best Business..\$95.00, Mark Milbrandt..\$30.57, Langs..\$53.99, AmeriPride..\$42.24, Metz Baking..\$531.93, Hill's C Store..\$12.77, Phillip 66..\$12.22, Warner Coop..\$32.00, Hoven Auto..\$323.64, Dept of Revenue..\$110.00, Heartland Heating..\$107.71, Danko..\$750.00, ESRI..\$1400.00, JD Evans..\$45412.00, W E Doyle Equip..\$14000.00, Dakota MFG Co..\$12732.00, Claremont Twp..\$4372.00, Amer Assoc of Museums..\$51.00, Menards..\$212.87, Prairieland..\$271.65, Mac's..\$4.95, KDLO FM..\$90.00, Tri-State Water..\$22.50, HC Clark..\$19.00, Schwan Welding..\$7.00, Ab Awards..\$4.00, Ryan's Candy..\$201.50, Sherwin Williams..\$122.41, Pacific Cascade Corp..\$101.20, House of Glass..\$232.00, Herc-U-Lift..\$90.81, Paper Warehouse..\$49.90, Country General..\$3.43, Swanson Electric..\$594.38, Kesslers..\$37.92, 4-H Leaders..\$5100.00, QQP..\$79.03, Miracle Recreation Equip..\$634.23, SD Assoc of Fairs..\$65.00, Millstone..\$380.00, Town & Country..\$2605.83, Coca-Cola..\$141.75, Shopko..\$19.98, Newman Traffic Signs..\$83.75, DTG..\$17.95, Ab Sandblasting..\$250.00, New Deal Tire..\$235.00, Service Signs..\$150.00, SD Wheat Growers..\$2119.60, Thorpe Family..\$187.00, Jan Houghtaling..\$198.50, Cole Hogg..\$6.00, Harmony Suffolks..\$123.00, Miller Suffolks..\$11.50, Tollefson Woolie Acres..\$38.50, Wolff Suffolks..\$70.50, Don Juntunen..\$21.00, David Juntunen..\$116.50, Jody Fuller..\$284.00, Wolf Livestock..\$32.50, Dosch Montadales..\$77.50, Fritz & Bruckner Montadales..\$141.50, Krohmer Family..\$32.50, Bonnie Arlt..\$31.50, Bruce Hoffman..\$177.50, Mike Hassebroek..\$52.00, Erick Johnson..\$11.50, Cody Marzahn..\$40.00, Adam Bode..\$14.50, Ellie Howard..\$11.50, Ashley Pigors..\$6.00, Caitlin Howard..\$11.50, Craig Zimprich..\$8.50, Al-Shar Holstein..\$149.00, Paulson Dairy..\$72.00, Jeremy Skoglund..\$11.50, Justin Dikoff..\$23.00, Mat Zinter..\$23.00, Meghan Zinter..\$11.50, Alex Hart..\$46.50, Nichole Dinger..\$20.00, Jakober Limousin..\$11.50, Weber Chi Angus..\$11.50, Matt Jones..\$3.00, Travis Heasley..\$6.00, Chelsea Heasley..\$8.50, Holt Bros..\$11.50, BJ Hanson..\$17.50, Styles Plainview Angus..\$25.50, AJ Munger..\$11.50, Kelli Hart..\$3.00, Brandi Dikoff..\$6.00, Charles Tollefson..\$23.00, Mathew Tollefson..\$11.50:

Publications: Ab American News..\$616.01, McLaughlin Messenger..\$58.37, Ab American News..\$183.54, American News..\$819.00, American News..\$277.38:

Professional Fees: Cheryl Hairgrove..\$608.00, Ab Family Physicians..\$57.40, No Plains OMS..\$103.49, Avera St Lukes..\$106.28, Ab Advanced Care..\$99.00, Sioux Vocational Services..\$120.00, Romeo Agency..\$288.46:

Mileage & Travel: SD Sec of State..\$10.00, Mark Milbrandt..\$411.00, Tony Ingemansen..\$58.87, Mike Waldrop..\$21.17, Bruce Tveit..\$44.37:

Utilities: Commnet Cellular..\$15.75, Northwestern..\$421.07, Commnet Cellular..\$47.48, Lynda Wiedebush..\$17.50, NWPS..\$63.11, Nor-Com..\$119.43, Cellular One..\$196.57, US West..\$403.30, Commnet Cellular..\$95.81, No Electric..\$253.48:

Care of Poor: Dr/Hospital..1 recipient..Avera St Lukes..\$11092.29; Utilities..1 recipients..NWPS..\$230.00; Drugs..3 recipients..Plaza Pharmacy..\$121.86, K-Mart Pharmacy..\$3.66, Shopko Pharmacy..\$105.96; Rent..5 recipients..Leona Vilhauer..\$345.00, Don Hinz..\$170.00, Bo Bo Inc..\$170.00, Duane Reinhardt..\$230.00,



Bel Aire...\$130.00; Insurance...1 recipient...Anza...\$99.74. All members present voting aye. Motion carried.

#### FAIR BOARD APPOINTMENTS:

Moved by Wiese, seconded by Knecht to appoint the following to a second three-year term on the Fair Board (January 1, 2000 - December 31, 2002): Bob Haak, Louis Koch, David Sanderson and Lynn Weismantel. All members present voting aye. Motion carried.

#### INCREASE SPENDING AUTHORITY/ESTIMATED REVENUE:

Moved by Wiese, seconded by Feickert to increase spending authority for CDBG Funds in Fund #101-311-426.30 and estimated revenue in Fund #101-331.03 in amount of \$4,372.00 (Claremont Township). All members present voting aye. Motion carried.

#### EXPENSES:

Moved by Feickert, seconded by Knecht to approve the following expenses: Mark Mills to attend a 911 Task Force Meeting in Pierre on October 27 & 28; Jesse Luce to attend a Y2K Preparedness Exercise in Pierre on November 9; Mike Scott, Carl Wright and Dennis VanHeerdre to tour the Brookings and Watertown Landfills and inspect equipment at Federal Surplus in Huron on October 28, 1999. All members present voting aye. Motion carried.

#### QUIT CLAIM DEED:

Moved by Wiese, seconded by Fischbach to approve and authorize the Chairman sign Quit Claim Deed conveying county claim on Abandoned RR R/O/W SW 1/4 18-121-60 and Abandoned RR R/O/W SW 1/4 7-121-60 to Dallas and Carol Sombke. All members present voting aye. Motion carried.

#### HAZARD MITIGATION GRANT APPLICATION:

Jesse Luce, EM Director and Amy Krueger, NECOG met with the Commission to discuss procedure involved in securing Hazard Mitigation Funds for road work in northeast Brown County. The funds are for long range corrective not emergency measures.

Commissioner Feickert offered the following Resolution:

#### RESOLUTION NO. 97-99

WHEREAS, the County of Brown is submitting a Hazard Mitigation Grant application to the South Dakota Division of Emergency Management and the Federal Emergency Management Agency; and

WHEREAS, the County of Brown is required to appoint an Applicant Agent for the purpose of signing documents and assuring the completion of all applications documents;

NOW THEREFORE BE IT RESOLVED that the County of Brown appoint the Brown County Commission Chairman, Nancy Hansen, as the authorized Applicant Agent.

Dated this 19th day of October, 1999.

Seconded by Commissioner Wiese. Roll call vote: Commissioners Knecht-aye, Feickert-aye, Fischbach-aye, Wiese-aye, Hansen-aye. Resolution adopted.

#### EXECUTIVE SESSION:

Moved by Knecht, seconded by Wiese to go into executive session for possibility litigation discussion with Mike Scott in attendance. All members present voting aye. Motion carried.

Moved by Feickert, seconded by Wiese to adjourn executive session. All members

present voting aye. Motion carried.

LANDFILL PROPERTY:

Moved by Feickert, seconded by Wiese to authorize Harvey Oliver draft purchase agreement for purpose of buying land adjacent to the present Landfill for future expansion with DENR approval of site as condition of sale. All members present voting aye. Motion carried.

PURCHASE OFFER:

Moved by Feickert, seconded by Wiese to authorize Harvey Oliver draft purchase agreement for purpose of buying land north of the Courthouse for future parking expansion in total amount of \$200,000 (10% earnest money down in 1999, balance when take possession July 1, 2000). Roll call vote: Commissioners Knecht-aye, Feickert-aye, Fischbach-nay, Wiese-aye, Hansen-nay. Motion carried.

UHF RADIO/TOWER QUOTES:

Moved by Wiese, seconded by Feickert to accept quote, submitted by S&S Communications for UHF radio equipment and 10-year lease of tower space in amount of \$6,991.50 ; rejecting quote in amount of \$43,245.00, submitted by Frey Electronics. All members present voting aye. Motion carried.

EQUIPMENT PURCHASE:

Moved by Fischbach, seconded by Feickert to authorize Highway Department purchase 12' snow plow and hitch in amount of \$5,225.00 from Sanitation Products Inc, SF; rejecting quote, submitted by Drake Equipment in amount of \$5,452.00. All members present voting aye. Motion carried.

BRIDGE ON STATE LINE:

Moved by Wiese, seconded by Knecht to approve preliminary plans for joint venture between Brown County and Dickey County for construction of a 94' Single Span Bridge over Elm Lake on the ND/SD State Line at estimated cost between \$210,000 - \$230,000 (80% Federal cost share - 20% Brown County/Dickey County share); and further cost share a Box Culvert on a tributary at estimated cost between \$85,000 - \$100,000 (50% Dickey County share, 50% Brown County share). All members present voting aye. Motion carried.

CHANGE ORDER NO. 1:

Moved by Wiese, seconded by Fischbach to approve and authorize the Chairman sign Change Order No. 1 for Brown County 385th Ave Surfacing Project - decreasing contract price by \$17,957.20 (new contract price \$175,123.80). All members present voting aye. Motion carried.

385TH AVE PROJECT PAY REQUEST:

Moved by Wiese, seconded by Fischbach to approve and authorize the Chairman sign Payment Request No. 3 - Final in amount of \$118,305.90 for Brown County 385th Ave Surfacing Project. All members present voting aye. Motion carried.

FUTURE WAGE DISCUSSION:

Craig Anderson and Dave Hanson met with the Commission to request that when negotiating for wages in the future, that a multi-year agreement be targeted for Sheriff Department personnel. Board concurred.

RECESS:

Moved by Knecht, seconded by Wiese to recess until October 26, 1999. All members present voting aye. Motion carried.

Maxine Taylor - Brown County Auditor

OCTOBER 26, 1999 - JOINT CITY/COUNTY MEETING

The Brown County Commission and the Aberdeen City Commission met in joint session at 8:45 A.M. in the County Commission Chambers, Courthouse Annex, Brown County, South Dakota. Present from City were Commissioners Pfeifer, Klabo, Meyer and Hurlbert. Absent Mayor Hopper. Present from County were Commissioners Knecht, Feickert, Fischbach, Wiese and Hansen.

ORDINANCE NO. 99-10-01/188:

On motion by Klabo and seconded by Meyer the City Commission unanimously voted to approve First Reading of Ordinance No. 99-10-01/188.

Moved by Wiese, seconded by Knecht to approve First Reading of Ordinance No. 99-10-01/188, An Ordinance Amending Ordinance No. 1164 to rezone certain property from Section 701 (A-1) Agricultural District to Section 707 (C-2) Highway Commercial District, described as the W 200' of E 1200' of the N 670.16' of the NW 1/4 of Sec 23-T123N-R63W of the 5th P.M., Brown County, South Dakota (to be replatted as Rich Brother's Outlots - Outlot 1). All members present voting aye. Motion carried.

ORDINANCE NO. 99-10-02/189:

On motion by Pfeifer and seconded by Meyer the City Commission unanimously voted to approve First Reading of Ordinance No. 99-10-02/189.

Moved by Feickert, seconded by Fischbach to approve First Reading of Ordinance No. 99-10-02/189, An Ordinance Amending Ordinance No. 1164 to rezone certain property from Section 701 (A-1) Agricultural District to Section 707 (C-2) Highway Commercial District, described as the W 100' of E 1500' of the N 670.16' of the NW 1/4 of Sec 23-T123N-R63W of the 5th P.M., Brown County, South Dakota (to be replatted as Rich Brother's Outlots - Outlot 2). All members present voting aye. Motion carried.

ORDINANCE NO. 99-10-03/190:

On motion by Klabo and seconded by Pfeifer the City Commission unanimously voted to approve First Reading of Ordinance No. 99-10-03/190.

Moved by Wiese, seconded by Feickert to approve First Reading of Ordinance No. 99-10-03/190, An Ordinance Amending Ordinance No. 1164 to rezone certain property from Section 701 (A-1) Agricultural District to Section 714 (M-Ag) Mini-Agricultural District, described as Rea Outlot 1 in the NW 1/4 of Sec 23-T123N-R63W and the S 495' of the N 1,165.16' and the E 100' of the N 670.16' of the NW 1/4 of Sec 23-T123N-R63W, except lands deeded & Highway R/O/W (to be replatted and known as Lots 1 - 3 of Rea First Addition in the NW 1/4 of Sec 23-T123N-R63W of the 5th P.M. Brown County, South Dakota). All members present voting aye. Motion carried.

The City Commission adjourned and the County Commission continued into their regularly scheduled meeting.

Maxine Taylor - Brown County Auditor

OCTOBER 26, 1999 - GENERAL MEETING

Meeting called to order by Chairman Hansen at 8:45 A.M. in the Commissioner's Chambers, Courthouse Annex, Brown County, South Dakota. Present were Commissioners Knecht, Feickert, Fischbach and Wiese.

MINUTES:

Moved by Wiese, seconded by Feickert to approve the General Meeting minutes of October 19, 1999. All members present voting aye. Motion carried.

CLAIMS:

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

Payroll: Commissioners..\$2,115.40; Data Processing..\$1,221.16; Auditor..\$5,005.30; Treasurer..\$6,916.50; State's Attorney..\$7,999.37; Victims Asst..\$769.24; Maintenance..\$4,070.90; OVERTIME: Ron Adler..\$3.69, Judy Dosch..\$42.64; Assessor..\$6,374.80; Planning & Zoning..\$829.60, OVERTIME: Mick Waller..\$15.56; Register of Deeds..\$2,726.91, OVERTIME: Cindy Schwan..\$22.91, Cathy Lindemann..\$20.88; Veterans Service..\$1,881.71; Health..\$2,187.20; Communications..\$8,905.40, OVERTIME: Sheila Anderson..\$456.00, Mary Browning..\$732.32, Janet Dosch..\$110.08, Betty Haar..\$243.20, Nancy Radke..\$623.76, Michele Strom..\$225.92, Traci Wickenheiser..\$385.84, Lisa Wipf..\$652.96; Sheriff..\$37,952.60, OVERTIME: Bryan Locke..\$39.76, John McQuillen..\$9.94, John Heine..\$126.88, Scott Kolb..\$175.68, Michael Casjens..\$47.00, David Fair..\$263.20, David Hanson..\$194.92, Ethan Palluck..\$118.72, Roxanne Schumacher..\$115.84, Charlene McAfee..\$42.36, Mark Jastram..\$110.00, Jason Hebner..\$34.40, Dallas Vallery..\$110.08, Amy Mathiason..\$107.20, Gary Bunt..\$53.60, Cindy Baumgartner..\$169.52, Brandon Smith..\$104.32, Diane Mielke..\$112.96, Ann Bierman..\$118.72, Kevin Johnson..\$110.00, Amy Lake..\$127.30, Tony Ingemansen..\$37.53; Museum..\$3,217.59; Welfare..\$2,212.42; Foster Grandparent Program..\$2,593.77; Parks..\$3,444.46; Fairboard..\$1,379.33; Extension..\$1,404.80, OVERTIME: Lynn Meyer..\$49.95; Weed..\$1,297.93; Emergency Management..\$1,754.32, OVERTIME: Ginger Walker..\$37.63; Road and Bridge..\$28,003.51, OVERTIME: J Ryan Arlt..\$7.01, Terry Backous..\$301.32, Robert Binfet..\$333.33, Vernon Bitz..\$163.70, David Bruckner..\$343.17, Brian Dargatz..\$354.67, Daniel Glover..\$152.15, Joel Guderjohn..\$15.09, Larry Hardy..\$299.02, Ben Z Hofer..\$266.19, Dave Kolb..\$273.20, Tom Lammon..\$331.29, Daryl Lloyd..\$476.47, Jerry Luce..\$12.20, Joseph Malsam..\$153.41, Donald Maunu..\$299.25, Todd Odenbach..\$372.75, Bryan Owens..\$303.87, Cordell Rudolph..\$302.84, Richard Schaible..\$320.15, Roger Schaible..\$156.39, Jeff Seiler..\$311.72, Marcus Selzler..\$413.10, Casey Thorstenson..\$21.02, Kendell Titze..\$305.66, Leon Vickers..\$324.00, Michael Wagner..\$305.66, Theodore Brockel..\$243.53, Nicholas Wanna..\$5.20; Solid Waste..\$4,650.94, OVERTIME: Carl Wright..\$180.62, Roxanne Varns..\$177.78, Nyle Jenson..\$331.54, Dennis VanHeerde..\$275.12, Don Fischer..\$90.56; Supplies & Materials: Ab Glass & Mirror..\$15.00, Heartland Paper..\$525.30, Plainsco..\$39.84, Pro-Clean..\$205.00, AmeriPride..\$20.10, Taylor Laundry..\$64.52, Prairieland..\$19.64, Lar-Jos..\$150.00, Best Business..\$116.33, New Trends..\$18.96, Artz..\$19.55, Texaco..\$121.69, Bob Barker..\$7.62, EPS..\$33.48, Tuxall..\$144.85, KMart..\$247.36, Office Equipment..\$47.00, Prairieland..\$1.54, Rux Brothers..\$264.80, UBC..\$7.10, Dicks West Side..\$24.00, John Heine..\$18.60, NW Tel-Serve..\$590.00, Vetch Auto Body..\$942.75, Dependable Sanitation..\$153.00, Diesel Machinery..\$107.93, WE Doyle Equip..\$66.50, Farm Plan..\$132.10, Frey's Electronics..\$114.95, Great Western..\$926.76, Hub City Iron..\$849.72, Hub City Signs..\$6.00, Inman & McDowell..\$376.03, Kar Products..\$180.44, L&O Acres..\$1512.60, Lawson Products..\$484.94, Lyle Signs..\$66.80, Todd Odenbach..\$40.00, Reuer's Auto

Service..\$133.09, Respond First Aid..\$52.00, Newman Traffic Signs..\$216.00, Lien Transportation..\$121106.29, Ab Asphalt..\$5952.13, Dak. Prairie Museum..\$5.85, Nat Seminars Group..\$139.00, Menards..\$108.98, Kim Riley..\$540.00, OK Tire..\$10.00, Dak Electronics..\$25.00, Heartland Paper..\$108.50, Al Sanitation..\$84.40, Country General..\$719.60, Plainsco..\$279.92, NWPS..\$1334.71, SD Wheat Growers..\$426.00, Lynn Meyer..\$61.66, RE Huffman..\$24.00, Radio Shack..\$97.97, AmeriPride..\$11.70, Chuck Mewing..\$535.00, Paul Mardian..\$87.90, KMart..\$39.91, Taylor Laundry..\$94.50, New Deal Tire..\$492.50, McFarland Supply..\$111.19, Earth Tech Inc..\$2294.99, Ab Lawn Care..\$60.00, Huron Culvert..\$328.87:

Transcriptions: Neal Reporting Service..\$23.40:

Publications: Ab American News..\$161.50, McLaughlin Messenger..\$19.46, Ab American News..\$13.75, Rapid City Journal..\$15.50, Ab American News..\$92.02, Share Corp..\$105.00:

Professional Fees: Mark McNeary..\$1500.00, Witness Fees..\$20.00, Sioux Valley Hosp..\$78.82, Photos Now..\$14.73, NE Mental Health..\$674.67, NE Mental Health..\$497.36, Bob Walser..\$15.00, Lewis & Clark..\$330.00, Jean Kittelson..\$15.00, Donna Dietrich..\$356.48, Don Carlson..\$60.00, Jerry Pollard..\$30.00, Nelva Kooistra..\$15.00, Marv Ekeren..\$15.00, Dr. William Pettit..\$400.00, Yankton Co Sheriff..\$16.75, Robert Chavis..\$400.00, Fox, Youngberg & Lewno..\$132.02, Connie Dyke..\$20.00, Slowey Court Reporter..\$100.00, Office of Finance & Admn..\$103.00, ADMS..\$50.00, Dawn Aman..\$2300.00, Brucelli Advertising..\$110.95, Paper Warehouse..\$62.81:

Mileage & Travel: MOCIC..\$200.00, SD Fleet & Travel..\$692.16, Gene Loeschke..\$221.31, Mary Worlie..\$167.62, Leo Leshner..\$120.10, Melissa Koester..\$58.00, Dennis Feickert..\$20.30, Deb Knecht..\$121.80, Nancy Hansen..\$89.03, Mike Wiese..\$105.32, Russ Podoll..\$93.00, Lori Erickson..\$64.63, Marj Kolb..\$660.04, ATC Inc..\$10.00, Linda Dillavou..\$41.00, Jodi McQuillen..\$170.05, NAFGPD..\$104.58:

Court Appointed Attorney: Brad Borge..\$3406.82, HI King..\$3406.82, Christy Serr..\$713.15:

Utilities: Midcontinent Cable..\$82.67, Cellular One..\$169.23, US West..\$42.08, NWPS..\$8.58, US West..\$19.00, Cellular One..\$97.03, Town of Frederick..\$23.85, City of Hecla..\$45.75, No Elec..\$14.20, NWPS..\$985.53, Cellular One..\$166.59, US West..\$137.90, Cellular One..\$27.23, US West..\$70.80, Phyllis Voeller..\$16.00, Cellular One..\$42.37, Bureau of Admn..\$459.44, US West..\$1402.50:

Care of Poor: Dr/Hospital..5 recipients..EMSA Primary Care..\$22.46, Mayo Clinic..\$47.52, Avera St Lukes..\$3010.48, Anesthesia Care..\$384.00; Drugs..13 recipients..Medical Center Pharmacy..\$617.45, KMart Pharmacy..\$56.13, Plaza Pharmacy..\$16.99; Rent..2 recipients..Terry Backous..\$190.00, Alex Bichler..\$210.00; Burial..1 recipients..Spitzer Osthus Funeral Home..\$1765.00; Insurance..1 recipient..First Dakota Indemnity..\$144.26. All members present voting aye. Motion carried.

#### EMPLOYEE STEP INCREASE:

Moved by Feickert, seconded by Wiese to approve the following employee step increases, effective October 31, 1999: Mavis Kempf @ \$12.15 per hour, David Hanson @ \$12.05 per hour, Sue Gates @ pro-rated annual salary of \$26,750.00. All members present voting aye. Motion carried.

#### EXPENSES:

Moved by Fischbach, seconded by Wiese to approve expenses for County personnel to attend a Budget/Cost Accounting Seminar, sponsored by Department of Legislative Audits in Redfield on November 8; Sue Gates to attend How to be an Exceptionally Successful Supervisor in Aberdeen on November 30. All members present voting aye. Motion carried.

TOWNSHIP BOND:

Moved by Feickert, seconded by Wiese to approve filing Westport Township Treasurer Bond for Guyna Dehne. All members present voting aye. Motion carried.

QCD:

Moved by Wiese, seconded by Fischbach to approve tax deed sale, held October 25 and authorize the Chairman sign Quit Claim Deed conveying Brown County interest in Lots 10 & 11, Block 4 Prairiewood Village to Gordon D & Jeanne A O'Neill. All members present voting aye. Motion carried.

PLATS:

Commissioner Feickert offered the following Resolution:

RESOLUTION NO. 98-99

BE IT RESOLVED by the County Commission of Brown County, South Dakota, that the plat showing "Rea First Addition in NW 1/4 Sec. 23-T123N-R63W of 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 Fischbach. Roll call vote: Commissioners Knecht-aye, Feickert-aye, Fischbach-aye, Wiese-aye, Hansen-aye. Resolution adopted.

Commissioner Knecht offered the following Resolution:

RESOLUTION NO. 99-99

BE IT RESOLVED by the County Commission of Brown County, South Dakota, that the plat showing "U.P.C. First Addition in SW 1/4 Sec. 15-T123N-R63W of 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 Fischbach. Roll call vote: Commissioners Knecht-aye, Feickert-aye, Fischbach-aye, Wiese-aye, Hansen-aye. Resolution adopted.

Commissioner Feickert offered the following Resolution:

RESOLUTION NO. 100-99

BE IT RESOLVED by the Board of Commissioners of Brown County, South Dakota, that the plat showing "Karlen's First Addition in SE 1/4 Sec. 2-T122N-R64W of 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. Roll call vote: Commissioners Knecht-aye, Feickert-aye, Fischbach-aye, Wiese-aye, Hansen-aye. Resolution adopted.

Commissioner Wiese offered the following Resolution:

RESOLUTION NO. 101-99

BE IT RESOLVED by the County Commission of Brown County, South Dakota, that the plat showing "Rich Brothers Outlots in the NW 1/4 Sec. 23-T123N-R63W of 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 Fischbach. Roll call vote: Commissioners Knecht-aye, Feickert-aye, Fischbach-aye, Wiese-aye, Hansen-aye. Resolution adopted.

EQUIPMENT PURCHASE:

Harvey Oliver and Mark Milbrandt met with the Commission to discuss purchase of recording equipment with expenditure split between States Attorney, Sheriff and Commission. Board concurred.

RECONVEYANCE OF TAX DEED PROPERTY:

Commissioner Feickert offered the following Resolution:

RESOLUTION NO. 102-99

WHEREAS, it appearing to the satisfaction of the Commissioners of Brown County that a Tax Deed was taken on the following described real estate:

Lots 1 - 5, Block 51 Hayes Addition to the City of Groton, Brown County, South Dakota

It further appearing to the satisfaction of the Brown County Commission that taxes, penalty, interest and attorney fees have been deposited with the Brown County Treasurer.

NOW, THEREFORE BE IT RESOLVED that the Brown County Commission hereby reconveys the above listed property and authorizes the Chairman of the Brown County Commission to execute a Quit Claim Deed transferring the interest of Brown County, South Dakota, back to the record owners of said property.

Seconded by Commissioner Fischbach. Roll call vote: Commissioners Knecht-aye, Feickert-aye, Fischbach-aye, Wiese-aye, Hansen-aye. Resolution adopted.

RECONVEYANCE OF TAX DEED PROPERTY:

Commissioner Fischbach offered the following Resolution:

RESOLUTION NO. 103-99

WHEREAS, it appearing to the satisfaction of the Commissioners of Brown County that a Tax Deed was taken on the following described real estate:

S 71' of Lots 1 & 2, Block 29, Hagerty & Lloyd's Addition to the City of Aberdeen, Brown County, South Dakota

It further appearing to the satisfaction of the Brown County Commission that taxes, penalty, interest and attorney fees have been deposited with the Brown County Treasurer.

NOW, THEREFORE BE IT RESOLVED that the Brown County Commission hereby reconveys the above listed property and authorizes the Chairman of the Brown County Commission to execute a Quit Claim Deed transferring the interest of Brown County, South Dakota, back to the record owners of said property.

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Seconded by Commissioner Knecht. Roll call vote: Commissioners Knecht-aye, Feickert-aye, Fischbach-aye, Wiese-aye, Hansen-aye. Resolution adopted.

TREASURER REPORT:

Sheila Enderson, Brown County Treasurer explained the calculation of interest on delinquent taxes will be computed monthly until Attorney General's Official Opinion is received and states otherwise. Board concurred.

BCCHC QUARTERLY REPORT:

Merri Nelson, BCCHC presented report for July, August and September. Also explained alternative work schedules available to State employees but does not affect County employees at the Center.

JAIL MONITORING EQUIPMENT:

Mark Milbrandt and John VanderHoek met with the Commission to discuss need for improving/updating the monitoring equipment in the Jail. Board authorized start of bid process.

REQUEST FOR REIMBURSEMENT:

Moved by Wiese, seconded by Feickert to approve and authorize the Chairman sign Request for Reimbursement from USDA Natural Resources Conservation Service Grant #68-6740-7-96 in amount of \$114,094.50 (Putney Slough EWRP Stabilization Project). All members present voting aye. Motion carried.

TACOMA PARK ROAD:

Wayne Phillips, George Nikolas, Tony Gefre and Ed Bohlander met with the Commission to request repairs be made to the Tacoma Park Road. Mr. Phillips offered monetary contribution for the project. The Commission will contact Game, Fish and Parks and research options for acceptance of contribution.

LAND ASSESSMENT DISCUSSION:

Mary Worlie, Leo Leshner and Gene Loeschke discussed current procedure for assessing grass land in regard to the soil survey.

CHANGE ORDER NO. 3:

Moved by Wiese, seconded by Feickert to approve and authorize the Chairman sign Change Order No. 3 for ADA Remodeling Project in amount of \$661.07 (total project cost in amount of \$123,000.78). All members present voting aye. Motion carried.

EXECUTIVE SESSION:

Moved by Wiese, seconded by Fischbach to go into executive session for personnel discussion with Mark Milbrandt and Barb Johnson in attendance. All members present voting aye. Motion carried.

Moved by Knecht, seconded by Feickert to adjourn executive session. All members present voting aye. Motion carried.

RECESS:

Moved by Wiese, seconded by Knecht to recess until November 2, 1999. All members present voting aye. Motion carried.

Maxine Taylor - Brown County Auditor



## NOVEMBER 2, 1999 - JOINT CITY/COUNTY MEETING

The Brown County Commission and the Aberdeen City Commission met in joint session at 8:45 A.M. in the County Commission Chambers, Courthouse Annex, Brown County, South Dakota. Present from City were Commissioners Klabo, Meyer, Hurlbert and Mayor Hopper. Absent Commissioner Pfeifer. Present from County were Commissioners Knecht, Feickert, Fischbach, Wiese and Hansen.

## ORDINANCE NO. 99-10-01/188:

On motion by Klabo and seconded by Meyer the City Commission unanimously voted to approve Second Reading of Ordinance No. 99-10-01/188.

On motion by Hurlbert and seconded by Meyer the City Commission unanimously voted to adopt Ordinance No. 99-10-01/188.

Moved by Wiese, seconded by Knecht to approve Second Reading of Ordinance No. 99-10-01/188. All members present voting aye. Motion carried.

Moved by Feickert, seconded by Fischbach to adopt Ordinance No. 99-10-01/188, An Ordinance Amending Ordinance No. 1164 to rezone certain property from Section 701 (A-1) Agricultural District to Section 707 (C-2) Highway Commercial District, described as the W 200' of E 1200' of the N 670.16' of the NW 1/4 of Sec 23-T123N-R63W of the 5th P.M., Brown County, South Dakota (to be replatted as Rich Brother's Outlots - Outlot 1). All members present voting aye. Motion carried.

## ORDINANCE NO. 99-10-02/189:

On motion by Meyer and seconded by Klabo the City Commission unanimously voted to approve Second Reading of Ordinance No. 99-10-02/189.

On motion by Hurlbert and seconded by Meyer the City Commission unanimously voted to adopt Ordinance No. 99-10-02/189.

Moved by Fischbach, seconded by Wiese to approve Second Reading of Ordinance No. 99-10-02/189. All members present voting aye. Motion carried.

Moved by Knecht, seconded by Feickert to adopt Ordinance No. 99-10-02/189, An Ordinance Amending Ordinance No. 1164 to rezone certain property from Section 701 (A-1) Agricultural District to Section 707 (C-2) Highway Commercial District, described as the W 100' of E 1500' of the N 670.16' of the NW 1/4 of Sec 23-T123N-R63W of the 5th P.M., Brown County, South Dakota (to be replatted as Rich Brother's Outlots - Outlot 2). All members present voting aye. Motion carried.

## ORDINANCE NO. 99-10-03/190:

On motion by Klabo and seconded by Hurlbert the City Commission unanimously voted to approve Second Reading of Ordinance No. 99-10-03/190.

On motion by Hurlbert and seconded by Meyer the City Commission unanimously voted to adopt Ordinance No. 99-10-03/190.

Moved by Feickert, seconded by Wiese to approve Second Reading of Ordinance No. 99-10-03/190. All members present voting aye. Motion carried.

Moved by Wiese, seconded by Fischbach to adopt Ordinance No. 99-10-03/190, An Ordinance Amending Ordinance No. 1164 to rezone certain property from Section 701 (A-1) Agricultural District to Section 714 (M-Ag) Mini-Agricultural District, described as Rea Outlot 1 in the NW 1/4 of Sec 23-T123N-R63W and the S 495' of the N 1,165.16' and the E 100' of the N 670.16' of the NW 1/4 of Sec 23-T123N-R63W, except lands deeded & Highway R/O/W (to be replatted and known as Lots 1 - 3 of Rea First Addition in the NW 1/4 of Sec 23-T123N-R63W of the 5th P.M. Brown County, South

Dakota). All members present voting aye. Motion carried.

SET HEARING DATES:

On motion by Klabo and seconded by Hurlbert the City Commission unanimously voted to set hearing date to consider petition to rezone: Ordinance No. 99-11-01/191 (Lindsey), Ordinance No. 99-11-02/192 (Lundell) and Ordinance No. 99-11-03/193 (Davis) to be held in the Brown County Commission Chambers, 25 Market Street, Aberdeen, South Dakota at 8:45 A.M. on November 23, 1999.

Moved by Feickert, seconded by Wiese to set hearing to consider petition filed by Jody Lindsey to rezone Lindsey First Subdivision in the NW 1/4 of Sec 35-T123N-R64W of the 5th PM, Brown County, South Dakota from Section 701 (A-1) Agricultural District to Section 714 (M-Ag) Mini-Agricultural District (Ordinance No. 99-11-02/191); petition filed by David E Lundell and Donald H Krege to rezone The 100' next North of the South 733' of the East 350' of the NE 1/4 of Sec 27-T123N-R64W to be replatted and known as Lundell Lot 1 in the NE 1/4 of Sec 27-T123N-R64W of the 5th PM from Section 701 (A-1) Agricultural District to Section 704 (R-2) Medium Density Residential District (Ordinance No. 99-11-02/192); petition filed by Dale A and Sandra Davis, et.al. to rezone The South 660' of the East 660' of the NE 1/4 of Sec 28-T124N-R64W; Lots 5, 6, 11, 12 & 13 of "Lots 1/14, Ham's East Richmond Road Subdivision in the SE 1/4 of Sec 28-T124N-R64W" (filed and recorded in Plat Book 3, Page 231, at the Register of Deeds of Brown County, SD) - Including all of the Public right-of-way located in the SE 1/4 of Sec 28-T124N-R64W adjacent to said lots; The West 1/2 of the SE 1/4 of SE 1/4 of Sec 28-T124N-R64W, except the East 1/2 of the East 1/2 of the West 1/2 of the SE 1/4 of Sec 28-T124N-R64W; The South 53.92 rods of the East 59.88 rods of the SW 1/4 of Sec 28-T124N-R64W - Beginning at a point 1,008' East of the SW corner of Sec 28-T124N-R64W, thence North 880', thence East 645', thence South 880', thence West 645' to point of beginning; The West 1640' of the 330' next North of the South 880' of the SW 1/4 of Sec 28-T124N-R64W; The East 20 rods of the 40 acres next East of the West 20 acres North of Foot Creek in the NW 1/4 of Sec 33-T124N-R64W from Section 701 (A-1) Agricultural District to Section 714 (M-Ag) Mini-Agricultural District (Ordinance No. 99-11-03/193), to be held in the Brown County Commission Chambers, 25 Market Street, Aberdeen, South Dakota at 8:45 A.M. on November 23, 1999. All members present voting aye. Motion carried.

The City Commission adjourned and the County Commission continued into their regularly scheduled meeting.

Maxine Taylor - Brown County Auditor

NOVEMBER 2, 1999 - GENERAL MEETING

Meeting called to order by Chairman Hansen at 8:45 A.M. in the Commissioner's Chambers, Courthouse Annex, Brown County, South Dakota. Present were Commissioners Knecht, Feickert, Fischbach and Wiese.

MINUTES:

Moved by Wiese, seconded by Feickert to approve the Joint City/County Meeting minutes and the General Meeting minutes of October 26, 1999. All members present voting aye. Motion carried.

CLAIMS:

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

Supplies & Materials: Dakota Electronics..\$8000.00, West Group..\$2250.13, Jane Jensen..\$11.90, Nat Dist. Atty Assoc..\$230.00, New Trends..\$100.51, Sherwin Williams..\$7.99, Plainsco..\$261.60, House of Glass..\$56.00, RE Huffman..\$29.74, Office Max..\$101.62, Best Business..\$133.50, Respond..\$154.10, Pierson Ford..\$222.32, OK Tire..\$1560.02, K-Mart..\$52.34, Amoco..\$83.04, Lucent..\$5.35, Hub City Iron..\$44.25, The Sportsman..\$12.00, Hitch'N Post..\$104.97, Gall's Inc..\$150.93, Office Max..\$20.15, Bawek Const..\$2807.24, Butler Machinery..\$393.06, Carquest..\$430.15, Larry Carson..\$40.00, Crawford Trucks..\$1196.69, Robert Dinger..\$4882.80, Farm Power..\$384.37, Great Western Tire..\$2484.25, Howell Trucking..\$1026.00, Huron Culvert..\$16.14, Randy Knecht..\$3215.00, Lake Sand & Gravel..\$43750.00, Larson Blacksmith Shop..\$28.00, Lien Transportation..\$4678.74, J Gross Equip..\$234.40, Montana Dakota Utilities..\$34.94, Old Dominion Brush..\$463.20, Plainsco..\$28.70, Power Equip..\$340.00, Quality Welding..\$15.00, Ramkota Inn..\$118.00, Safety Service..\$50.00, SD Dept of Transportation..\$30029.61, NASCO..\$48.15, SD Co Agents Assoc..\$120.00, ASA/CCA..\$50.00, Ag Comm..\$82.89, Pearson Education..\$739.65, RE Huffman..\$161.35, US Postmaster..\$99.00, Walmart..\$92.87, Kesslers..\$24.92, Farm Power..\$952.00, Butler Machinery..\$620.19, Lexis Law Publishing..\$44.52, Graham Tire..\$10.00, S&S Comm..\$3842.9:

Publications: Frederick Hecla Northstar..\$536.40, Ab Amer News..\$125.00:

Professional Fees: Witness Fees..\$40.00, Dakota Electronics..\$4660.00, Campbell Co Sheriff..\$21.30, Minnehaha Co Sheriff..\$16.50, Herges, Kirchgasler & Geisler..\$1662.50, Avera St Lukes..\$4130.42, Great Plains Rehab..\$42.20, Bryce Iwerks..\$86.70, Dept of Rev..\$35.00, Joan Kittelson..\$39.00, Yankton Co Sheriff..\$33.50, Donna Deitrich..\$214.85, Marv Ekeren..\$54.00, Ciavarella Design..\$1587.50, RDO Equip..\$700.77, Leggette, Brashears & Graham..\$2677.00, City of Aberdeen..\$363.72:

Mileage & Travel: The Oakes..\$618.00, Tom Gohn..\$25.00, Visa..\$730.97, Ab Area Senior Ctr..\$46.00, IAFE..\$1400.00:

Court Appointed Attorney: Scott Kuck..\$477.50, Dale Wein..\$370.15, Christy Serr..\$701.25:

Utilities: Midcontinent Comm..\$25.75, US West..\$42.08, Milbank Comm..\$180.00, NWPS..\$68.33, US West..\$19.00, Cellular One..\$146.56, No Elec..\$156.97, Midcontinent Comm..\$30.75, US West..\$3284.26, Midco Comm..\$25.75, NWPS..\$16.59, Midco Comm..\$10.25, Web Water..\$47.59, Commnet Cellular..\$23.7:

Care of Poor: Utilities..2 recipients..Northern Electric..\$230.00; Dr/Hospital..2 recipients..Avera McKennan Hosp..\$5398.73, OB Gyn & Gyn Oncology..\$1868.29; Drugs..4 recipients..Kesslers Pharmacy..\$141.68, K-Mart Pharmacy..\$14.56; Burial..2 recipients..Sunset Memorial Gardens..\$385.00. All members present voting aye. Motion carried.

EXPENSES:

Moved by Wiese, seconded by Knecht to approve the following expenses: Maxine Taylor to attend Elections Workshop in Pierre on December 4; Bob Retzer, Earl Ruden, Jerry Dempsey and Gary Erickson to attend the District 1 Weed and Pest Control Meeting in Britton on November 9; Tom Schmitt and Bryan Locke to attend the SD Law Enforcement Coordinating Committee meeting in Sioux Falls on November 16 & 17; Mark Milbrandt to attend the Sheriff's Conference in Pierre on November 2 - 4; Mike Wiese to attend the second meeting of the Transportation: Moving SD Into the Next Millennium Roundtable in Rapid City on November 12; Deb Knecht and Kathy Fischer to attend the 1999 Safety & Loss Control Training Conference in Pierre on November 17 & 18. All members present voting aye. Motion carried.

FEMA HAZARD MITIGATION GRANT APPLICATION:

Moved by Wiese, seconded by Fischbach to approve and authorize the Chairman sign FEMA Hazard Mitigation Grant Application documents. All members present voting aye. Motion carried.

LEASE AGREEMENT:

Moved by Feickert, seconded by Wiese to approve and authorize the Chairman sign agreement with Brown County Old Time Tractor Pullers Association for lease of the Expo Addition on November 6, 1999. All members present voting aye. Motion carried.

SHERIFF REPORTS:

Moved by Wiese, seconded by Knecht to approve the following September, 1999 Sheriff's Reports: Incidents & Offenses, Prisoner Care, JDC, Money deposited with the County Treasurer and Monthly activities. All members present voting aye. Motion carried.

SOFTWARE/EQUIPMENT DISCUSSION:

Mary Worlie and Bill Meink met with the Commission to discuss cost estimate information received from Computer Management Services, Inc. for up-dating the Assessor's Office computer software to a Windows based system and the hardware involved in the up-date. Also received cost estimate information for software for other County offices. It was suggested that the up-date begin in the Assessor's Office in year 2000. Board concurred.

COMBINED INSURANCE:

Rick Wickum, Charlie Ruckman and Travis Miller met with the Commission to request permission to give Combined Insurance presentations to interested employees during non-working breaks. Permission granted.

OMITTED ASSESSMENT:

Kent Hyde met to discuss a 33' strip of land used to access a landlocked lot that had been designated tax exempt by the Aberdeen City Assessor in 1972. The minimum footage for a dedicated street is 35', therefore the property cannot be dedicated to the public for road purposes. An omitted assessment of taxes will be prepared for the past five years.

BRIDGE #99:

Moved by Wiese, seconded by Feickert to approve and authorize the Chairman sign Work Order LGA-124-99 with Hofland Engineering to perform the design services on Project BRO 8007(44) - Bridge #99, 3 miles north and 4.1 miles east of Ferney over Mud Creek, Structure #07-341-390. All members present voting aye. Motion carried.

BRIDGE #100:

Moved by Wiese, seconded by Feickert to approve and authorize the Chairman sign Work Order LGA-125-99 with Hofland Engineering to perform the design services on Project BRO 8007(45) - Bridge #100, 3.1 miles north and 4 miles east of Ferney over Mud Creek, Structure #07-340-389. All members present voting aye. Motion carried.

EMPLOYEE STATUS:

Moved by Wiese, seconded by Feickert to change employee status of Nicholas Wanna from part-time to full-time, effective November 1, 1999 at \$9.34 per hour. All members present voting aye. Motion carried.

12W BYPASS:

Moved by Feickert, seconded by Wiese to approve expenditure of \$1,000.00 as matching funds with the SDDOT to relocate electrical lines and a bungalow of the Burlington Northern Santa Fe Railroad for the 12W ByPass Project. All members present voting aye. Motion carried.

PURCHASE AGREEMENT:

Moved by Feickert, seconded by Wiese to approve and authorize the Chairman sign Real Estate Purchase Agreement with Victor and Joan M Schumacher for purchase of RR OL #1 & the North 60' of RR OL #2 SW 1/4 13-123-64 and RR OL #4 SW 1/4 13-123-64, Aberdeen, South Dakota for \$200,000.00 with \$20,000.00 payable November 9, 1999 and the balance due on closing. All members present voting aye. Motion carried.

DONATION FOR GRAVEL:

Mr. Wayne Phillips presented the Commission with a \$1000.00 donation to be used for the sole purpose of purchasing/grading gravel on Tacoma Park Road.

Moved by Wiese, seconded by Knecht to accept \$1000.00 donation from Mr. Phillips for sole purpose of purchasing/grading gravel on Tacoma Park Road. All members present voting aye. Motion carried.

RECESS:

Moved by Wiese, seconded by Knecht to recess until November 9, 1999. All members present voting aye. Motion carried.

Maxine Taylor - Brown County Auditor

NOVEMBER 9, 1999 - GENERAL MEETING

Meeting called to order by Chairman Hansen at 8:45 A.M. in the Commissioner's Chambers, Courthouse Annex, Brown County, South Dakota. Present were Commissioners Knecht, Feickert and Wiese. Absent Commissioner Fischbach.

MINUTES:

Moved by Wiese, seconded by Feickert to approve the Joint City/County Meeting minutes and the General Meeting minutes of November 2, 1999. All members present voting aye. Motion carried.

CLAIMS:

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

Payroll: Commissioners..\$2,115.40; Data Processing..\$1,221.16; Auditor..\$5,005.30, OVERTIME: Carol Misfeldt..\$235.44, Jeanette Nietert..\$235.44; Treasurer..\$6,916.50, OVERTIME: Dorene Borchard..\$196.20; State's Attorney..\$7,999.37; Victims Asst..\$769.24; Maintenance..\$4,001.90; Assessor..\$6,781.71; Planning & Zoning..\$829.60, OVERTIME: Mick Waller..\$15.56; Register of Deeds..\$2,824.56; Veterans Service..\$1,881.71; Health..\$2,187.20; Communications..\$9,636.35, OVERTIME: Sheila Anderson..\$212.80, Mary Browning..\$179.10, Janet Dosch..\$55.04, Betty Haar..\$22.80, Alicia Dohn..\$123.84, Michele Strom..\$127.08, Traci Wickenheiser..\$89.04, Lisa Wipf..\$59.36; Sheriff..\$38,984.09, OVERTIME: Bryan Locke..\$159.04, John McQuillen..\$9.94, John Heine..\$39.04, David Fair..\$263.20, Cindy Baumgartner..\$78.24, Brandon Smith..\$39.12, Ann Bierman..\$55.65, Kevin Johnson..\$68.80, Amy Lake..\$60.30, Kristal Schumack..\$53.60, Jeffrey Kirnan..\$39.12; Museum..\$3,229.59; Welfare..\$2,212.42; Foster Grandparent Program..\$2,629.17; Parks..\$3,478.96; Fairboard..\$1,379.33, OVERTIME Jan Malsom..\$180.60; Extension..\$1,382.70; Weed..\$588.10; Emergency Management..\$1,754.32, OVERTIME: Ginger Walker..\$22.58; Road and Bridge..\$28,474.19, OVERTIME: Terry Backous..\$150.66, Robert Binfet..\$361.79, Vernon Bitz..\$62.36, David Bruckner..\$318.06, Brian Dargatz..\$393.65, Daniel Glover..\$224.60, Joel Guderjohn..\$377.25, Larry Hardy..\$295.23, Ben Z Hofer..\$196.14, Tom Lammon..\$342.98, Daryl Lloyd..\$427.18, Jerry Luce..\$4.07, Donald Maunu..\$173.25, Todd Odenbach..\$29.82, Bryan Owens..\$160.71, Cordell Rudolph..\$279.54, Richard Schaible..\$158.10, Roger Schaible..\$160.40, Jeff Seiler..\$315.23, Markcus Selzler..\$218.70, Casey Thorstenson..\$35.03, Kendell Titze..\$171.47, Leon Vickers..\$332.10, Michael Wagner..\$328.02, Theodore Brockel..\$126.06, Raymond Mundt..\$152.63, Nicholas Wanna..\$93.60; Solid Waste..\$4,823.44, OVERTIME: Carl Wright..\$16.42, Roxanne Varns..\$26.48, Nyle Jenson..\$256.19, Dennis VanHeerde..\$318.56;

Supplies & Materials: Office Equipment..\$23.40, Office Equipment..\$63.29, William Meink..\$106.40, ASAP Software Express..\$267.24, Symantec..\$120.85, Office Max..\$9.99, Computer Specialist..\$9.00, Prairieland..\$11.96, Double D Body Shop..\$500.00, OK Tire..\$15.00, House of Glass..\$37.24, Taylor Laundry..\$47.98, Cartney Bearing..\$10.94, Lar-Jo's..\$296.00, IAAO..\$130.00, New Trends..\$33.69, Safety Service..\$125.43, Dept of Revenue..\$70.00, New Trends..\$52.78, Office Equipment..\$47.00, QQP..\$849.55, Big K-Mart..\$15.95, Xerox..\$170.09, Bob Barker..\$324.68, Office Max..\$551.76, Hoven Auto Repair..\$107.44, HRS..\$4235.18, Zastrows..\$27.00, Dick's West Side..\$24.50, Bonnie Bitz..\$168.00, Aberdeen Lock & Key..\$2.50, Dakota Electronics..\$150.80, Office Equipment..\$133.40, Dakota Electronics..\$81.50, A-1 Locksmithing..\$39.50, Ab Equipment..\$9.40, Accent Comm..\$118.48, Artz Equipment..\$38.48, Clark Engineering..\$6504.00, Dakota Fluid Power Inc..\$190.24, Crady's Radiator..\$641.20, Dakota Oil..\$1368.95, Evergreen Supply..\$188.17, Farnams Genuine Parts..\$76.94, Graham Tire..\$139.05, Hedahl's Inc..\$282.29, Howell Trucking..\$1520.00, Lien Transportation..\$771.42, Menards..\$30.13, Midwest Pump & Tank..\$280.15, Nelson Auto Elec..\$86.84, Sheehan Mack..\$79.28, SD Fed Property Ag..\$7350.00, SD Wheat Growers..\$13377.60, Taylor

Laundry..\$415.18, Vetch Auto Body Repair..\$975.00, Mike Wagner..\$84.79, Walmart..\$65.64, Alan Winburn..\$878.50, Harold Winburn..\$1216.00, Charlene Millim..20.30, A&M Radio..\$43.00, QQP..\$18.81, Ken's..\$23.64, AmeriPride..\$11.20, RE Huffman..\$5.16, Menards..\$12.93, A&M Radio..\$360.00, Metz Saw Service..\$71.75, Janitor Supply..\$24.60, HC Clark Imp..\$5.91, House of Glass..\$64.56, Country General..\$11.96, Prairieland..\$213.90, Mac's..\$135.01, SD Wheat Growers..\$492.28, Keeleys..\$92.50, Kelsey Welding..\$15.00, Fordham Signs..\$229.00, Al Sanitation..\$90.00, Sherwin Williams..\$196.08, Dakota Electronics..\$25.00, Nelson Auto..\$21.83, Evergreen Supply..\$31.77, Heartland Paper..\$51.54, JF Jacobs..\$6818.63, Bath Fertilizer..\$21.74, J Gross Equip..\$2800.00, Wheat Growers Petroleum..\$409.89, Dept. of Revenue..\$12.00, SD Assoc of Fairs..\$70.00, Extension Revolving #376661..\$50.00, QQP..\$150.70, Newman Traffic Signs..\$35.55, Office Equipment..\$116.85, Kesslers..\$54.96, Paper Warehouse..\$12.55, Kleins..\$21.91, QQP..\$102.54, FGP Stipends..\$12660.75, Anthony Jewelers..\$287.50, Shopko..\$80.46, Prairieland..\$123.08, Hedahls..\$84.95, Sheehan Mack..\$10.24, McFarland Supply..\$111.19, Hub City Iron..\$13.64, Taylor Laundry..\$104.94, Town & Country..\$111.99, QQP..\$281.95, Nelson Auto..\$11.62, Robert Dinger..\$637.30, SD Dept of Revenue..\$2729.00, SD Wheat Growers..\$1882.77, Al Sanitation..\$8756.00, Dependable..\$12,167.42, Ken's Bear Alignment..\$137.53, New Deal Tire..\$222.50, Aberdeen Asphalt..\$6700.00, KMart..\$17.98, Town & Country..\$122.40, Koehn..\$302.37, Eide Bailly..\$231.00, Sheila Enderson..\$108.24:

Transcriptions: Betsy Johnson..\$62.10:

Publications: Groton Dakota Press..\$652.95, Ab American News..\$278.00, Comet Roundup..\$25.00, Comet Roundup..\$167.75, Pheasant Country..\$720.00:

Professional Fees: Witness Fees: \$20.00, Noll Collection Service..\$2169.37, Avera St Lukes..\$34.00, Avera St Lukes..\$1177.8:

Mileage & Travel: Risk Services..\$60.00, Maxine Taylor..\$30.20, Carol Misfeldt..\$7.00, Leo Leshar..\$284.49, Gary Erickson..\$384.78, Extension Service..\$511.91, Watertown Area Transit..\$267.00, Spink Co Public Transit..\$112.00, Ab Area Senior Center..\$645.00, Carl Wright..\$7.00, Dennis VanHeerde..\$7.00, Mike Scott..\$7.00:

Utilities: NWPS..\$5488.19, Ab City Treasurer..\$463.14, Cellular One..\$59.99, Ab City Treas..\$38.19, Town of Frederick..\$18.25, James Valley Coop..\$59.32, US West..\$19.00, Web Water..\$120.60, US West..\$163.88, Swanson Electric..\$2300.00, James Valley Coop..\$578.27, Accent Communications..\$334.84, NWPS..\$35.26:

Care of Poor: Dr/Hospital..1 recipients..EMSA Primary Care..\$268.03; Drugs..4 recipients..Medical Center Pharmacy..\$268.88, Econofoods..\$16.99, Shopko..\$160.26; Rent..8 recipients..K&M Rentals..\$230.00, Michael Crady..\$170.00, Barb Kumpf..\$190.00, LeChateau Apts..\$210.00, Mel Ros Village..\$182.00, Bruce Boschee..\$90.00, Jack Ganje..\$190.00; Burial..1 recipient..Miller Huebl Funeral..\$1200.00. All members present voting aye. Motion carried.

#### ABATEMENT:

Moved by Feickert, seconded by Wiese to approve the following Abatement: CHHO Northwestern Inc, double assessment (Abandoned RR R/O/W Town of Columbia) for year 1997 in amount of \$275.76, for year 1998 in amount of \$276.60. All members present voting aye. Motion carried.

#### AUDITOR'S REPORT OF ACCOUNT:

Moved by Wiese, seconded by Knecht to approve the October, 1999 Auditor's Report of Account:

#### AUDITOR'S REPORT OF ACCOUNT WITH THE COUNTY TREASURER:

Total amount of actual cash- - - - -	\$ 2,463.76
Norwest Bank - - - - -	\$ 10,570.03
US Bank- - - - -	\$ 29,117.85
Dacotah Bank - - - - -	\$ 6,506.72
Petty Cash (Sheriff,Welfare,Museum,R/D) \$	1,500.00

Landfill Change Fund - - - - - \$ 100.00  
Fund Investments - - - - - \$15,106,600.06  
Outstanding Checks - - - - - \$ 1,536.24  
Total - - - - - \$15,158,394.66

All members present voting aye. Motion carried.

CONTINGENCY TRANSFERS:

Moved by Feickert, seconded by Wiese to approve the following transfers from Contingency Fund #101-112-422.99 to Fund #101-130-422.99 (Courts) in amount of \$5,015.27; #101-154-422.99 (A&N) in amount of \$1,040.74; #101-615-422.99 (Weeds) in amount of \$702.63. All members present voting aye. Motion carried.

OPEN BURNING BAN:

Commissioner Wiese offered the following Resolution:

RESOLUTION NO. 104-99

WHEREAS, the County of Brown has been experiencing unseasonably warm, dry, windy, weather conditions and

WHEREAS, these conditions have contributed to a very high fire danger by drying out CRP fields, unharvested row crops, and grasslands, and

WHEREAS, the watertable in the County of Brown continues to be sufficiently high as to prevent fire apparatus from driving in many of the fields and pastures to control the fires and causing many of those apparatus to be stuck in the soft soil, and

WHEREAS, the rural areas and smaller communities of the County of Brown are protected by volunteer fire fighters who must take leave from their employment to fight fire.

NOW THEREFORE BE IT RESOLVED that the County of Brown declares a temporary ban on all open burning in the County of Brown excluding fires within properly constructed burning barrels equipped screens to prevent flying brands, cooking fires and attended campfires until such time as adequate precipitation belays the wild fire danger. The costs for suppressing any fire, including response fees, mutual aid assistance from other agencies or fire departments, reimbursement to governments for suppression efforts and compensation to the firefighters for time lost from their employment, will be born directly by the individual responsible for setting the fire.

Dated this 9th day of November, 1999.

Seconded by Commissioner Feickert. Roll call vote: Commissioners Knecht-aye, Feickert-aye, Wiese-aye, Hansen-aye, Fischbach-absent. Resolution adopted.

PLATS:

Commissioner Knecht offered the following Resolution:

RESOLUTION NO. 105-99

BE IT RESOLVED by the County Commission of Brown County, South Dakota, that the plat showing "Johnson's Lots B & C in NE 1/4 of NE 1/4 Sec. 14-T125N-R64W of 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 Feickert. Roll call vote: Commissioners Knecht-aye,



Feickert-aye, Wiese-aye, Hansen-aye, Fischbach-absent. Resolution adopted.

Commissioner Wiese offered the following Resolution:

RESOLUTION NO. 106-99

BE IT RESOLVED by the Board of Commissioners of Brown County, South Dakota, that the plat showing "Jones Addition in the NE 1/4 of Sec. 29-T124N-R62W of 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 Knecht. Roll call vote: Commissioners Knecht-aye, Feickert-aye, Wiese-aye, Hansen-aye, Fischbach-absent. Resolution adopted.

Commissioner Feickert offered the following Resolution:

RESOLUTION NO. 107-99

BE IT RESOLVED by the Board of County Commissioners of Brown County, South Dakota, that the plat showing "Biegler Richmond Lake Second Subdivision in the SW 1/4 of Sec. 13-T124N-R65W of 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. Roll call vote: Commissioners Knecht-aye, Feickert-aye, Wiese-aye, Hansen-aye, Fischbach-absent. Resolution adopted.

Commissioner Wiese offered the following Resolution:

RESOLUTION NO. 108-99

BE IT RESOLVED by the County Commission of Brown County, South Dakota, that the plat showing "Hagen-Wampler Subdivision of Lots 13 & 14, Raetzman's Richmond Lake Subdivision in N 1/2 Sec. 13-T124N-R65W of 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 Knecht. Roll call vote: Commissioners Knecht-aye, Feickert-aye, Wiese-aye, Hansen-aye, Fischbach-absent. Resolution adopted.

Commissioner Feickert offered the following Resolution:

RESOLUTION NO. 109-99

BE IT RESOLVED by the County Commission of Brown County, South Dakota, that the plat showing "Wright's Tracts in the NW 1/4 of Sec. 8-T125N-R61W of 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. Roll call vote: Commissioners Knecht-aye, Feickert-aye, Wiese-aye, Hansen-aye, Fischbach-absent. Resolution adopted.

Commissioner Wiese offered the following Resolution:

RESOLUTION NO. 110-99

BE IT RESOLVED by the Board of Commissioners of Brown County, South Dakota, that the

plat showing "Beitelspacher Outlot 1 in the NE 1/4 of Sec. 30-T124N-R64W of 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 Feickert. Roll call vote: Commissioners Knecht-aye, Feickert-aye, Wiese-aye, Hansen-aye, Fischbach-absent. Resolution adopted.

#### PURCHASE AGREEMENT:

Moved by Wiese, seconded by Knecht to approve and authorize the Chairman sign Real Estate Purchase Agreement for the NW 1/4 of Sec 14-T123N-R65W of the 5th P.M., Brown County, South Dakota, consisting of 158 acres, more or less, reserving to the grantors one-half of all mineral and gravel rights therein, from William F & Jeanette Hurrell. All members present voting aye. Motion carried.

#### PERSONNEL:

Moved by Wiese, seconded by Knecht to approve the following employee step increases, effective November 14, 1999: Sheila Anderson @ \$10.37 per hour; Steven Cogley @ \$11.57 per hour. All members present voting aye. Motion carried.

Moved by Wiese, seconded by Knecht to approve hiring Tasha Judd, Kathleen Volk and Deanna Thorpe as Dispatchers, effective November 15, 1999 at \$9.17 per hour. All members present voting aye. Motion carried.

#### EXPENSES:

Moved by Feickert, seconded by Wiese to approve expenses for Mark Mills to inspect equipment and tour public safety facility in Watertown on November 10, 1999. All members present voting aye. Motion carried.

Moved by Feickert, seconded by Hansen to approve expenses for team of six (Barb Johnson, Mike Wiese, Deb Knecht, Kevin Johnson, Judy Dosch, Terry Geisler) to attend training session entitled "Planning for New Institutions for Juveniles" in Longmont, CO on December 6 - 10, 1999 (funded by NIC sponsored Grant). All members present voting aye. Motion carried.

#### INCREASE SPENDING AUTHORITY:

Moved by Wiese, seconded by Knecht to increase spending authority for IMS Grant in Fund #234-512-429.02 and increase estimated revenue in Fund #234-331.30 in amount of \$2,863.62. All members present voting aye. Motion carried.

#### TAXES UNCOLLECTIBLE:

Moved by Wiese, seconded by Feickert to declare taxes in amount of \$160.20, on a 1974 Homedale Mobile Home SN 274648, owned by Barbara LaCompte uncollectible, as unit has been moved to reservation. All members present voting aye. Motion carried.

#### EXECUTIVE SESSION:

Moved by Knecht, seconded by Wiese to go into executive session for personnel discussion with Kirsten Krueger and Tove Bormes in attendance. All members present voting aye. Motion carried.

Moved by Feickert, seconded by Wiese to adjourn executive session. All members present voting aye. Motion carried.

#### INDIGENT STATUS DISCUSSED:

Charlene Millim discussed options available for a 58 year old male with major medical bills pending.

## BRIDGE #99:

Moved by Wiese, seconded by Knecht to approve and authorize the Chairman sign Work Order LGA-123-99 with Banner Associates, Inc to perform hydraulic analysis services on Bridge #99 - BRO 8007(44) PCEMS 5744, 3.0 miles north and 4.1 miles east of Ferney over Mud Creek (Structure #07-341-390). All members present voting aye. Motion carried.

## BRIDGE #100:

Moved by Wiese, seconded by Knecht to approve and authorize the Chairman sign Work Order LGA-120-99 with Banner Associates, Inc to perform hydraulic analysis services on Bridge #100 - BRO 8007(45) PCEMS 5743, 3.1 miles north and 4.0 miles east of Ferney over Mud Creek (Structure #07-340-389). All members present voting aye. Motion carried.

## APPLICATIONS FOR OCCUPANCY:

Moved by Knecht, seconded by Feickert to approve and authorize the Chairman sign application, submitted by Northwestern Public Service for occupancy of Brown County Highway #12 in Sec 8-T123N-R63W, Brown County, South Dakota, to provide natural gas service. Roll call vote: Commissioner Knecht-aye, Feickert-aye, Fischbach-absent, Wiese-abstain, Hansen-aye. Motion carried.

Moved by Feickert, seconded by Knecht to approve and authorize the Chairman sign application, submitted by Northwestern Public Service for occupancy of Brown County Highway #23 in Sec 2-T121N-R64W, Brown County, South Dakota, to provide natural gas service. Roll call vote: Commissioner Knecht-aye, Feickert-aye, Fischbach-absent, Wiese-abstain, Hansen-aye. Motion carried.

Moved by Feickert, seconded by Knecht to approve and authorize the Chairman sign application, submitted by US West Communications for occupancy of Brown County Highway #13 in Sec 2 & 35-T124N-R64W, Brown County, South Dakota, to provide telephone service. Roll call vote: Commissioner Knecht-aye, Feickert-aye, Fischbach-absent, Wiese-abstain, Hansen-aye. Motion carried.

Moved by Wiese, seconded by Feickert to approve and authorize the Chairman sign application, submitted by the City of Aberdeen for occupancy of Brown County Highway #14 in SE 1/4 of Sec 16 and SW 1/4 of Sec 15-T123N-R63W, Brown County, South Dakota, to provide sanitary sewer service. All members present voting aye. Motion carried.

## RECESS:

Moved by Wiese, seconded by Feickert to recess until November 16, 1999. All members present voting aye. Motion carried.

Maxine Taylor - Brown County Auditor

## NOVEMBER 16, 1999 - GENERAL MEETING

Meeting called to order by Vice Chairman Knecht at 8:45 A.M. in the Commissioner's Chambers, Courthouse Annex, Brown County, South Dakota. Present were Commissioners Fischbach and Wiese. Absent Commissioners Feickert and Hansen.

## MINUTES:

Moved by Wiese, seconded by Fischbach to approve the General Meeting minutes of November 9, 1999. All members present voting aye. Motion carried.

## CLAIMS:

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

Supplies & Materials: New Trends..\$42.96, Office Equipment..\$145.83, Computer Specialists..\$69.00, West Group..\$340.78, QQP..\$33.47, Otis Elevator..\$183.08, Schwan Welding..\$6.00, Honeywell..\$75.00, Plainsco..\$407.47, McFarland Supply..\$110.07, A&M Radio..\$360.00, Walmart..\$138.68, House of Glass..\$440.20, Photos Now..\$112.80, KMart..\$23.33, Langs..\$82.50, Kesslers..\$358.79, Xerox..\$221.21, A&M Radio..\$180.00, Schwan Welding..\$10.00, Metz..\$616.06, Lar-Jo's..\$39.90, Bob Barker..\$53.36, AmeriPride..\$58.68, APCO Int'l..\$255.00, Mersco Medical..\$106.00, American News..\$156.00, US Post Office..\$200.00, UBC..\$5.96, WalMart..\$217.78, Dabbert Trucking..\$2730.00, Schmidt Const..\$5902.69, Herc-U-Lift..\$477.52, Menards..\$168.06, Amy Engelhart..\$94.02, Weismantel Rent All..\$625.00, 4-H Leaders Assoc..\$647.86, Don's Welding..\$468.13, Photo-X-Press..\$70.56, Shopko..\$11.96, Heartland Paper..\$1958.32, QQP..\$60.12, SD Assoc of Fairs..\$100.00, Ab Parks & Rec..\$1530.72, Vicki Wilson..\$12.65, NEAFCS..\$85.00, NASCO..\$27.05, Office Max..\$161.87, C&S Motor Sports..\$39.80, Dakota Electronics..\$30.00, Country General..\$15.69, Dakota Electronics..\$700.00, RE Huffman..\$10.95, Eddie's Northside..\$37.30, New Trends..\$64.36, Country General..\$8.58, RE Huffman..\$55.00, Cole Papers..\$92.34, Plainsco..\$423.00, Praxair..\$14.90, Kelsey Welding..\$100.23, Ab American News..\$802.35, DTG..\$17.95, KMart..\$14.28:

Transcriptions: Betsy Johnson..\$12.00, Neal Reporting..\$644.50:

Publications: Ab Amer News..\$180.00, Ab Amer News..\$27.50:

Professional Fees: Witness Fees..\$100.00, Sheriff of St Charles Co..\$5.55, Minnehaha Co Sheriff..\$25.50, Avera St Lukes..\$57.65, Cheryl Hairgrove..\$160.00, Sioux Vocational Services..\$120.00, Jerry Pollard..\$243.35, HKG Architects..\$12743.10, Best Western Ramkota..\$2122.30:

Mileage & Travel: Jeff James..\$38.57, Tony Ingemansen..\$84.10, Bruce Tveit..\$15.37, Jerry Dempsey..\$7.00, Earl Ruden..\$7.00, Bob Retzer..\$41.22, Watertown Area Transit..\$300.75, Jodi McQuillen..\$57.42, Linda Dillavou..\$84.10:

Court Appointed Attorney: Richard Russman..\$650.00:

Utilities: NWPS..\$427.54, Midcontinent Communications..\$153.00, US West..\$3.60, US West..\$451.47, NWPS..\$1226.22, NWPS..\$1180.91, Cellular One..\$31.39, NWPS..\$47.95:

Care of Poor: Utilities..1 recipients..BC Hwy Dept..\$4.38; Rent..3 recipients..Maureen Wolf..\$73.00, Connie Newell..\$190.00, Belaire Apts..\$120.00; Insurance..1 recipient..Fortis Ins Co..\$297.54. All members present voting aye. Motion carried.

## EXPENSES:

Moved by Fischbach, seconded by Wiese to approve expenses for Tom Gohn to attend the SD Veterans Service Officers Association Executive Committee meeting in Sioux Falls on November 18 & 19; Tony Ingemansen, Bruce Tveit, Jessica Frerichs, Mike Waldrop, Jvonne Heard and Ken Thompson to attend TOUGHLOVE BASICS: The Nuts & Bolts of the Program In Aberdeen on November 20. All members present voting aye. Motion carried.

## FAIR BOARD:

Moved by Fischbach, seconded by Wiese to appoint the following to the Brown County Fair Board (First Term - January 1, 2000 - December 31, 2002) Mark Gramm, Barbara Kusler, Mike Hassebroek and Tom VanAsselt. All members present voting aye. Motion carried.

APPLICATION FOR OCCUPANCY:

Moved by Fischbach, seconded by Knecht to approve the following application, submitted by James Valley Telephone Company for occupancy of Brown County Highway #13 in Sec 31-T124-R60W and Sec 6-T123-R60W, Brown County, South Dakota to provide telephone service. Roll call vote: Commissioners Knecht-aye, Fischbach-aye, Wiese-abstain, Feickert-absent, Hansen-absent. Motion carried.

CONTRACT:

Moved by Wiese, seconded by Fischbach to approve and authorize Vice Chairman sign contract with the SD Department of Health to provide community health nursing services in Brown County. All members present voting aye. Motion carried.

BID - UNILOADER/SKID LOADER:

Moved by Wiese, seconded by Fischbach to authorize advertising public hearing to open, read and consider bids for furnishing and delivery of one current production model Uniloader (Skid Loader), to be held in the Brown County Commissioner's Chambers, Courthouse Annex, Brown County, South Dakota at 9:00 A.M. on December 7, 1999. All members present voting aye. Motion carried.

RESCIND RESOLUTION NO. 104-99:

Moved by Fischbach, seconded by Wiese to rescind Resolution No. 104-99, dated November 9, 1999, in regard to ban on open burning. All members present voting aye. Motion carried.

RENTAL RATE:

Moved by Wiese, seconded by Fischbach to set rental rate for house at Richmond Youth Camp at \$350.00 per month, with deposit in amount of \$175.00, refundable at satisfactory conclusion of lease. All members present voting aye. Motion carried.

SDACC HEALTH INSURANCE PROPOSAL:

Al Johnson, Johnson & Associates met with the Commission to discuss Employee Health Insurance Benefit Program prepared for the South Dakota Association of County Commissioners. No action taken at this time.

RACE TRACK AWARD:

Terry Voeltz informed the Commission that at the recent WISSOTA Annual Awards Banquet, Brown County Speedway was named the 1999 WISSOTA TRACK OF THE YEAR.

FAIRGROUNDS DISCUSSION:

Randy Bonn discussed proposal for extending the road from Gate E entrance north to connect with north pit area. Board concurred.

RECESS:

Moved by Wiese, seconded by Fischbach to recess until November 23, 1999. All members present voting aye. Motion carried.

Maxine Taylor - Brown County Auditor

## NOVEMBER 23, 1999 - JOINT CITY/COUNTY MEETING

The Brown County Commission and the Aberdeen City Commission met in joint session at 8:45 A.M. in the County Commission Chambers, Courthouse Annex, Brown County, South Dakota. Present from City were Commissioners Klabo, Pfeifer and Hurlbert. Absent Commissioner Meyer and Mayor Hopper. Present from County were Commissioners Knecht, Feickert, Fischbach, Wiese and Hansen.

## ORDINANCE NO. 99-11-01/191:

On motion by Klabo and seconded by Pfeifer the City Commission unanimously voted to approve First Reading of Ordinance No. 99-11-01/191.

Moved by Wiese, seconded by Feickert to approve First Reading of Ordinance No. 99-11-01/191, An Ordinance Amending Ordinance No. 1164 to rezone certain property from Section 701 (A-1) Agricultural District to Section 714 (M-Ag) Mini-Agricultural District, described as Lindsey First Subdivision in the NW 1/4 of Sec 35-T123N-R64W of the 5th PM, Brown County, South Dakota. All members present voting aye. Motion carried.

## ORDINANCE NO. 99-11-02/192:

On motion by Pfeifer and seconded by Klabo the City Commission unanimously voted to approve First Reading of Ordinance No. 99-11-02/192.

Moved by Feickert, seconded by Fischbach to adopt Ordinance No. 99-11-02/192, An Ordinance Amending Ordinance No. 1164 to rezone certain property from Section 701 (A-1) Agricultural District to Section 704 (R-2) Medium Density Residential District, described as the 100' next North of the South 733' of the East 350' of the NE 1/4 of Sec 27-T123N-R64W to be replatted and known as Lundell Lot 1 in the NE 1/4 of Sec 27-T123N-R64W of the 5th PM. All members present voting aye. Motion carried.

## ORDINANCE NO. 99-11-03/193:

On motion by Klabo and seconded by Pfeifer the City Commission unanimously voted to approve First Reading of Ordinance No. 99-11-03/193.

Moved by Wiese, seconded by Knecht to approve First Reading of Ordinance No. 99-11-03/193, An Ordinance Amending Ordinance No. 1164 to rezone certain property from Section 701 (A-1) Agricultural District to Section 714 (M-Ag) Mini-Agricultural District, described as the South 660' of the East 660' of the NE 1/4 of Sec 28-T124N-R64W; Lots 5, 6, 11, 12 & 13 of "Lots 1/14, Ham's East Richmond Road Subdivision in the SE 1/4 of Sec 28-T124N-R64W" (filed and recorded in Plat Book 3, Page 231, at the Register of Deeds of Brown County, SD) - Including all of the Public right-of-way located in the SE 1/4 of Sec 28-T124N-R64W adjacent to said lots; The West 1/2 of the SE 1/4 of SE 1/4 of Sec 28-T124N-R64W, except the East 1/2 of the East 1/2 of the West 1/2 of the SE 1/4 of Sec 28-T124N-R64W; The South 53.92 rods of the East 59.88 rods of the SW 1/4 of Sec 28-T124N-R64W - Beginning at

a point 1,008' East of the SW corner of Sec 28-T124N-R64W, thence North 880', thence East 645', thence South 880', thence West 645' to point of beginning; The West 1640' of the 330' next North of the South 880' of the SW 1/4 of Sec 28-T124N-R64W; The East 20 rods of the 40 acres next East of the West 20 acres North of Foot Creek in the NW 1/4 of Sec 33-T124N-R64W. All members present voting aye. Motion carried.

PLAT:

On motion by Klabo and seconded by Pfeifer, the City Commission unanimously voted to continue action on plat entitled "Kessler's Homestead Subdivision in SW 1/4 of Sec 15-T123N-R63W of the 5th P.M., Brown County, South Dakota for one week.

Moved by Feickert, seconded by Wiese to continue action on plat entitled "Kessler's Homestead Subdivision in SW 1/4 of Sec 15-T123N-R63W of the 5th P.M., Brown County, South Dakota for one week. All members present voting aye. Motion carried.

The City Commission adjourned and the County Commission continued into their regularly scheduled meeting.

Maxine Taylor - Brown County Auditor

NOVEMBER 23, 1999 - GENERAL MEETING

Meeting called to order by Chairman Hansen at 8:45 A.M. in the Commissioner's Chambers, Courthouse Annex, Brown County, South Dakota. Present were Commissioners Knecht, Feickert, Fischbach and Wiese.

MINUTES:

Moved by Wiese, seconded by Fischbach to approve the General Meeting minutes of November 16, 1999. All members present voting aye. Motion carried.

CLAIMS:

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

Payroll: Commissioners..\$2,115.40; Data Processing..\$1,221.16; Auditor..\$5,005.30, OVERTIME: Carol Misfeldt..\$9.81; Treasurer..\$6,916.50; State's Attorney..\$7,999.37; Victims Asst..\$769.24; Maintenance..\$4,103.47; Assessor..\$6,541.52; Planning & Zoning..\$829.60, OVERTIME: Mick Waller..\$15.56; Register of Deeds..\$2,793.06; Veterans Service..\$1,881.71; Health..\$2,187.20; Communications..\$8,027.41, OVERTIME: Sheila Anderson..\$186.20, Mary Browning..\$382.08, Janet Dosch..\$68.80, Betty Haar..\$129.20, Nancy Radke..\$325.44, Alicia Dohn..\$137.60, Lisa Wipf..\$237.44; Sheriff..\$39,075.66, OVERTIME: Craig Anderson..\$228.62, Bryan Locke..\$258.44, John McQuillen..\$9.94, John Heine..\$195.20, Scott Kolb..\$39.04, Michael Casjens..\$94.00, David Fair..\$150.40, David Hanson..\$72.32, Steven Cogley..\$34.00, Roxanne Schumacher..\$115.84, Craig Nelson..\$112.96, Charlene McAfee..\$112.96, Mark Jastram..\$110.00, Jason Hebner..\$110.08, Gary Bunt..\$107.20, Michelle Smith..\$104.32, Tina Erickson..\$91.28, Ann Bierman..\$133.56, Kevin Johnson..\$151.25, Amy Lake..\$53.60, Kristal Schumack..\$134.00, Jeffrey Kirnan..\$26.08; Museum..\$3,268.05; Welfare..\$2,231.62; Foster Grandparent Program..\$2,558.37; Parks..\$3,373.63; Fairboard..\$1,379.33, OVERTIME: Jan Malsom..\$37.63; Extension..\$1,049.60; Weed..\$476.35; Emergency Management..\$1,754.32; Road and Bridge..\$27,187.79, OVERTIME: Terry Backous..\$8.37, Robert Binfet..\$178.86, Vernon Bitz..\$265.03, David Bruckner..\$167.40, Brian Dargatz..\$163.70, Daniel Glover..\$260.82, Joel Guderjohn..\$245.21, Larry Hardy..\$234.67, Ben Z Hofer..\$161.12, Dave Kolb..\$133.10, Tom Lammon..\$249.44, Daryl Lloyd..\$262.88, Jerry Luce..\$174.80, Joseph Malsom..\$146.10, Donald Maunu..\$189.00, Todd Odenbach..\$424.94, Bryan Owens..\$190.45, Cordell Rudolph..\$93.18, Richard Schaible..\$150.20, Roger Schaible..\$92.23, Jeff Seiler..\$112.08, Markcus Selzler..\$332.10, Casey Thorstenson..\$217.16, Kendell Titze..\$134.19, Leon Vickers..\$145.80, Nicholas Wanna..\$63.05, Michael Wagner..\$172.35, Jan Weismantel..\$162.60, Raymond Mundt..\$216.73; Solid Waste..\$4,650.94, OVERTIME: Carl Wright..\$254.51, Roxanne Varns..\$143.74, Nyle Jenson..\$184.61, Dennis VanHeerde..\$159.28, Don Fischer..\$90.56;

Supplies & Materials: Ab Finance Corp..\$60.00, Plainsco..\$463.74, Ecolab..\$94.20, Taylor Laundry..\$45.82, United Lab..\$296.54, AmeriPride..\$20.10, Menards..\$25.50, Walmart..\$63.27, Prairieland..\$20.35, Office Max..\$81.99, Walmart..\$19.92, RE Huffman..\$39.32, Parcel Erickson..\$50.00, Dick's West Side..\$23.00, Ab Ins Agency..\$60.00, Hitch'N Post..\$119.97, Amoco Oil..\$20.52, Walmart..\$23.18, Medical Center Pharmacy..\$828.11, Avera Pace..\$350.00, Avera St Lukes..\$38.00, KMart..\$11.94, Respond..\$228.20, Farmer's Union Coop..\$25.57, Custom Micro Inc..\$12982.00, Reg Deeds..\$230.00, Ab Lock & Key..\$6.25, Aberdeen Asphalt..\$11326.12, Country General..\$188.35, Al Dabbert Trucking..\$9181.50, Herb Dabbert Trucking..\$2281.50, Dakota MFG Co..\$71.30, Dependable Sanitation..\$153.00, Robert Dinger..\$4396.10, Duane Dinger..\$6830.00, Engel Trucking..\$3533.75, Farm Plan..\$1526.21, Farmers Union Coop Ferney..\$9.00, Grainger Parts..\$41.82, Hanlon Brothers..\$32791.68, Howell Trucking..\$3515.00, Hub City Iron Store..\$771.82, Knight



Const..\$2862.00, David Kampa Const..150.00, Larson Blacksmith Shop..\$212.80, Lien Transportation..\$1297.10, Lust Chev..\$30.59, Mac's Inc..\$264.06, Donald Maunu..\$1950.00, Newman Trucking..\$40.08, New Pig Const..\$101.52, Safelite Auto Glass..\$288.06, Safety-Kleen..\$96.90, Share Corp..\$68.00, Slaughter Construction..\$39170.00, 3-D Specialties..\$56.17, Vetch Auto Body..\$660.00, Alan Winburn..\$1130.50, Harold Winburn..\$2166.00, Bryan Owens..\$105.99, NADRIC..1666.67, AmeriPride..\$7.53, Kens Super Fair Foods..\$7.77, Walmart..\$15.68, HRS..\$5.69, RE Huffman..\$3.87, Kesslers..\$2.84, Sherwin Williams..\$16.99, Office of Finance & Admn..\$151.92, EZ Graphics..\$144.00, Keeley's..\$18.30, Plainsco..\$855.60, Shopko..\$14.73, Lust Chev..\$115.41, RE Huffman..\$140.82, U of MN Extension Ser..\$5.50, Office Max..\$329.98, Academy Trophy..\$6.00, New Deal Tire..\$198.75, Paul Mardian..\$160.00, Taylor Laundry..\$62.60, Earth Tech..\$336.88, Menards..\$556.18, SD State Fair Premium money..\$69.00:

Publications: Frederick Hecla Northstar..\$467.48, Ab Amer News..\$253.00:

Professional Fees: Witness Fees..\$160.00, Avera St Lukes..\$560.00, Avera United Clinic..\$1731.00, Marian Behavioral Medicine Assoc..\$180.00, Tonner, Tobin & King..\$20.00, NE Mental Health Center..\$911.31, Yankton Co Sheriff..\$16.75, NE Mental Health..\$131.67, Lewis & Clark..\$220.00, Avera St Lukes..\$1671.00:

Mileage & Travel: Mike Wiese..\$271.85, Kathy Fischer..\$92.80, Jerry Mills..\$202.96:

Utilities: Cellular One..\$145.78, Cellular One..\$96.68, City of Hecla..\$48.50, Northern Electric..\$14.20, NWPS..\$1322.05, US West..\$19.00, US West..\$9.50. Northern Electric..\$139.64, Richmond Lake Sanitary Dist..\$36.00, NWPS..\$31.04, Cellular One..\$27.23, Commnet Cellular..\$43.33, US West..\$70.27, Cellular One..\$44.40, Northern Electric..\$270.57:

Care of Poor: Dr/Hospital..2 recipients..Avera St Lukes..\$8133.85; Rent..6 recipients..Tom Appletoft..\$210.00, Virgil Pochop..\$170.00, HTL Holdings..\$170.00, Belaire Apts..\$260.00; Drugs..2 recipients..Medical Center Pharmacy..\$87.55, Walmart Pharmacy..\$71.18; Insurance..1 recipient..First Dakota Indemnity Co..\$144.26. All members present voting aye. Motion carried.

#### PERSONNEL:

Moved by Feickert, seconded by Wiese to approve the following employee step increase, effective November 28, 1999: Michelle Porter @ \$8.88. All members present voting aye. Motion carried.

Moved by Knecht, seconded by Fischbach to approve hiring Michael LeRoy Johnson as part-time Correctional Officer in the Jail, effective November 29, 1999 at \$7.90 per hour. All members present voting aye. Motion carried.

#### ABATEMENTS:

Moved by Wiese, seconded by Knecht to approve the following Abatements: Orville Schlichting, vacant house (Lots 1-2-3 Block 11 Stratford) solid waste for year 1998 in amount of \$62.40 and for year 1999 in amount of \$62.40; Orville Schlichting, vacant house (Lots 1 & 2 Block 20 Stratford) solid waste for year 1998 in amount of \$62.40 and for year 1999 in amount of \$62.40; Kent & Laura Schuster, owner occupied status (Lot 5 Blk 3 Rock's Subd to Groton) for year 1998 in amount of \$777.66. All members present voting aye. Motion carried.

#### ALCOHOLIC BEVERAGE LICENSE APPLICATION HEARING:

Moved by Feickert, seconded by Wiese to authorize advertising public hearing to consider the following applications for alcoholic beverage license renewal: **PACKAGE OFF-SALE LIQUOR**: Nancy L Upton DBA Mansfield Bar & Grill (Lots 12, 13, & 14, Block 4 Mansfield, 32-121-64); Marge Frohling DBA The Connection (Lots 13, 14, & 15, Block 2, Houghton, 31-127-61); William Dean Mundhenke DBA Ferney Farmers Bar (Lots 4 & 5,

Block 5, Ferney, 31-122-60); **RETAIL ON-SALE AND SUNDAY LIQUOR:** William Dean Mundhenke DBA Ferney Farmers Bar (Lots 4 & 5, Block 5, Ferney, 31-122-60); Nancy L Upton DBA Mansfield Bar & Grill (Lots 12, 13 & 14, Block 4, Mansfield, 32-121-64); Aberdeen Links, Inc. (NW 1/4 ex. OL 1 and .24A. to Hwy, 14-123-64); TCR Inc. DBA Helen's California Kitchen (Rotts OL 1, NW 1/4 25-123-64); Moccasin Creek Country Club, Inc. (Prairiewood Village OL 7, 33-124-63); Elm Lake Resort Inc. (Lot 1, Elm Lake Subdivision in the SE 1/4 of 8-128-65); James R. Schumacher DBA Westside Bait and Tackle, (Replat of Evelo's Subdivision N 218' of Lot A NW 1/4 21-123-64); William G Welk DBA Lighthouse Pub & Brewery (Palmer's Richmond Resort Subd. Lot 1 (being a subd. of Outlot 1 of Richmond Resort Outlots 1 & 2) NW 1/4 30-124-64 & NE 1/4 25-124-65 Brown County, South Dakota, to be held at 8:45 A.M. on December 7, 1999 in the Commissioner's Chambers, Courthouse Annex, Brown County, South Dakota. All members present voting aye. Motion carried.

**WEB WATER BALLOT:**

Moved by Feickert, seconded by Fischbach to authorize the Chairman sign return envelope for Official Web Water Ballot. All members present voting aye. Motion carried.

**AGREEMENT:**

Moved by Wiese, seconded by Knecht to authorize the Chairman sign Joint Powers Agreement with Dickey County, North Dakota for cost share of North Dakota Project BRC-1124(54) and County Project CP-1124(99) on the ND/SD State Line east of Forbes. All members present voting aye. Motion carried.

**PLATS:**

Commissioner Wiese offered the following Resolution:

**RESOLUTION NO. 111-99**

BE IT RESOLVED by the County Commission of Brown County, South Dakota, that the plat showing "Hettich's Outlots 6 and 7 in the SW 1/4 of Sec 29-T124N-R64W 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 Knecht. Roll call vote: Commissioners Knecht-aye, Feickert-aye, Fischbach-aye, Wiese-aye, Hansen-aye. Resolution adopted.

Commissioner Wiese offered the following Resolution:

**RESOLUTION NO. 112-99**

BE IT RESOLVED by the Board of Commissioners of Brown County, South Dakota, that the plat showing "Lindsey First Subdivision in the NW 1/4 of Sec 35-T123N-R64W 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 Fischbach. Roll call vote: Commissioners Knecht-aye, Feickert-aye, Fischbach-aye, Wiese-aye, Hansen-aye. Resolution adopted.

Commissioner Knecht offered the following Resolution:

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RESOLUTION NO. 113-99

BE IT RESOLVED by the County Commission of Brown County, South Dakota, that the plat showing "Reder Improvement Subdivision in Prairiewood Village, 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. Roll call vote: Commissioners Knecht-aye, Feickert-aye, Fischbach-aye, Wiese-aye, Hansen-aye. Resolution adopted.

Commissioner Fischbach offered the following Resolution:

RESOLUTION NO. 114-99

BE IT RESOLVED by the Board of County Commissioners of Brown County, South Dakota, that the plat showing "Lundell Lot 1 in the NE 1/4 of Sec 27-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 Wiese. Roll call vote: Commissioners Knecht-aye, Feickert-aye, Fischbach-aye, Wiese-aye, Hansen-aye. Resolution adopted.

Commissioner Wiese offered the following Resolution:

RESOLUTION NO. 115-99

BE IT RESOLVED by the Board of Commissioners of Brown County, South Dakota, that the plat showing "Lakeside Estates First Addition in the W 1/2 of Sec 26-T123N-R64W 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 Knecht. Roll call vote: Commissioners Knecht-aye, Feickert-aye, Fischbach-aye, Wiese-aye, Hansen-aye. Resolution adopted.

Commissioner Feickert offered the following Resolution:

RESOLUTION NO. 116-99

BE IT RESOLVED by the Board of Commissioners of Brown County, South Dakota, that the plat showing "Schnell Addition in the SW 1/4 of Sec 3-T123N-R64W 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 Knecht. Roll call vote: Commissioners Knecht-aye, Feickert-aye, Fischbach-aye, Wiese-aye, Hansen-aye. Resolution adopted.

Commissioner Wiese offered the following Resolution:

RESOLUTION NO. 117-99

BE IT RESOLVED by the Board of Commissioners of Brown County, South Dakota, that the plat showing "Kessler's First Subdivision in the S 1/2 of Sec 15-T123N-R63W 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 Knecht. Roll call vote: Commissioners Knecht-aye, Feickert-aye, Fischbach-aye, Wiese-aye, Hansen-aye. Resolution adopted.

AGREEMENT DISCUSSED:

Mick Palmer and Judy Dosch met with the Commission to discuss costs included in purchase agreement. The Commission referred question to States Attorney.

COMMUNICATIONS BUDGET:

Mark Mills met with the Commission to discuss the Communications Center 1999 Budget shortfall. No action taken at this time.

APPLICATIONS FOR OCCUPANCY:

Moved by Fischbach, seconded by Feickert to approve and authorize the Chairman sign application, submitted by Northwestern Public Service for occupancy of Brown County Highway #10 in Sec 26-T123-R64, Brown County, South Dakota to provide gas service. Roll call vote: Commissioners Knecht-aye, Feickert-aye, Fischbach-aye, Wiese-abstain, Hansen-aye. Motion carried.

Moved by Feickert, seconded by Knecht to approve and authorize the Chairman sign application, submitted by Northern Electric Cooperative for occupancy of Brown County Highway #23 in Sec 5-T121-R61, Brown County, South Dakota to install 3 phase distribution line crossing. Roll call vote: Commissioners Knecht-aye, Feickert-aye, Fischbach-aye, Wiese-abstain, Hansen-aye. Motion carried.

Moved by Feickert, seconded by Knecht to approve and authorize the Chairman sign application, submitted by Northwestern Public Service for occupancy of Brown County Highway #6D in Sec 25-T124N-R65W, Brown County, South Dakota to provide gas service. Roll call vote: Commissioners Knecht-aye, Feickert-aye, Fischbach-aye, Wiese-abstain, Hansen-aye. Motion carried.

BRIDGE #46:

Commissioner Weise offered the following Resolution:

COUNTY FEDERAL AID SURFACE TRANSPORTATION PROGRAM  
RESOLUTION NO. 118-99

WHEREAS, the Brown County Board of County Commissioners desire the withdrawal from the construction program of the project hereinafter described: Structure #07-159-390 located 4.1 miles west and 3.5 miles north of Stratford over Moccasin Creek (BRO 8007(43), PCEMS 5745).

NOW THEREFORE BE IT RESOLVED that the South Dakota Department of Transportation be and hereby is authorized and requested to withdraw from the construction program that project described above.

Seconded by Commissioner Feickert. Roll call vote: Commissioners Knecht-aye, Feickert-aye, Fischbach-aye, Wiese-aye, Hansen-aye. Motion carried.

BRIDGE #144:

Commissioner Fischbach offered the following Resolution:

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COUNTY FEDERAL AID SURFACE TRANSPORTATION PROGRAM  
RESOLUTION NO. 119-99

WHEREAS, the Brown County Board of County Commissioners desire the withdrawal from the construction program of the project hereinafter described: Structure #07-330-343 located 3 miles east and 1.3 miles south of Groton (BRO 8007(37), PCEMS 038S).

NOW THEREFORE BE IT RESOLVED that the South Dakota Department of Transportation be and hereby is authorized and requested to withdraw from the construction program that project described above.

Seconded by Commissioner Wiese. Roll call vote: Commissioners Knecht-aye, Feickert-aye, Fischbach-aye, Wiese-aye, Hansen-aye. Motion carried.

RECESS:

Moved by Fischbach, seconded by Knecht to recess until November 30, 1999. All members present voting aye. Motion carried.

Maxine Taylor - Brown County Auditor

NOVEMBER 30, 1999 - JOINT CITY/COUNTY MEETING

The Brown County Commission and the Aberdeen City Commission met in joint session at 8:45 A.M. in the County Commission Chambers, Courthouse Annex, Brown County, South Dakota. Present from City were Commissioners Klabo, Meyer, Hurlbert and Mayor Hopper. Absent Commissioner Pfeifer. Present from County were Commissioners Knecht, Feickert, Fischbach, Wiese and Hansen.

ORDINANCE NO. 99-11-01/191:

On motion by Hurlbert and seconded by Klabo the City Commission unanimously voted to approve Second Reading of Ordinance No. 99-11-01/191.

On motion by Hurlbert and seconded by Meyer the City Commission unanimously voted to adopt Ordinance No. 99-11-01/191.

Moved by Feickert, seconded by Knecht to approve Second Reading of Ordinance No. 99-11-01/191. All members present voting aye. Motion carried.

Moved by Fischbach, seconded by Wiese to adopt Ordinance No. 99-11-01/191, An Ordinance Amending Ordinance No. 1164 to rezone certain property from Section 701 (A-1) Agricultural District to Section 714 (M-Ag) Mini-Agricultural District, described as Lindsey First Subdivision in the NW 1/4 of Sec 35-T123N-R64W of the 5th PM, Brown County, South Dakota. All members present voting aye. Motion carried.

ORDINANCE NO. 99-11-02/192:

On motion by Meyer and seconded by Klabo the City Commission unanimously voted to approve Second Reading of Ordinance No. 99-11-02/192.

On motion by Hurlbert and seconded by Meyer the City Commission unanimously voted to adopt Ordinance No. 99-11-02/192.

Moved by Wiese, seconded by Knecht to approve Second Reading of Ordinance No. 99-11-02/192. All members present voting aye. Motion carried.

Moved by Wiese, seconded by Feickert to adopt Ordinance No. 99-11-02/192, An Ordinance Amending Ordinance No. 1164 to rezone certain property from Section 701 (A-1) Agricultural District to Section 704 (R-2) Medium Density Residential District, described as the 100' next North of the South 733' of the East 350' of the NE 1/4 of Sec 27-T123N-R64W to be replatted and known as Lundell Lot 1 in the NE 1/4 of Sec 27-T123N-R64W of the 5th PM. All members present voting aye. Motion carried.

ORDINANCE NO. 99-11-03/193:

On motion by Hurlbert and seconded by Klabo the City Commission unanimously voted to approve Second Reading of Ordinance No. 99-11-03/193.

On motion by Meyer and seconded by Hurlbert the City Commission unanimously voted to adopt Ordinance No. 99-11-03/193.

Moved by Feickert, seconded by Wiese to approve Second Reading of Ordinance No. 99-11-03/193. All members present voting aye. Motion carried.

Moved by Feickert, seconded by Fischbach to adopt Ordinance No. 99-11-03/193, An Ordinance Amending Ordinance No. 1164 to rezone certain property from Section 701

(A-1) Agricultural District to Section 714 (M-Ag) Mini-Agricultural District, described as the South 660' of the East 660' of the NE 1/4 of Sec 28-T124N-R64W; Lots 5, 6, 11, 12 & 13 of "Lots 1/14, Ham's East Richmond Road Subdivision in the SE 1/4 of Sec 28-T124N-R64W" (filed and recorded in Plat Book 3, Page 231, at the Register of Deeds of Brown County, SD) - Including all of the Public right-of-way located in the SE 1/4 of Sec 28-T124N-R64W adjacent to said lots; The West 1/2 of the SE 1/4 of SE 1/4 of Sec 28-T124N-R64W, except the East 1/2 of the East 1/2 of the West 1/2 of the SE 1/4 of Sec 28-T124N-R64W; The South 53.92 rods of the East 59.88 rods of the SW 1/4 of Sec 28-T124N-R64W - Beginning at a point 1,008' East of the SW corner of Sec 28-T124N-R64W, thence North 880', thence East 645', thence South 880', thence West 645' to point of beginning; The West 1640' of the 330' next North of the South 880' of the SW 1/4 of Sec 28-T124N-R64W; The East 20 rods of the 40 acres next East of the West 20 acres North of Foot Creek in the NW 1/4 of Sec 33-T124N-R64W. All members present voting aye. Motion carried.

PLAT DISCUSSION:

The Aberdeen City Commission and the Brown County Commission reviewed and concurred with an amendment to plat entitled "Kessler's Homestead Subdivision in SW 1/4 of Sec 15-T123N-R63W of the 5th P.M., Brown County, South Dakota", which will be presented to each Commission for approval at a later date.

The City Commission adjourned and the County Commission continued into their regularly scheduled meeting.

Maxine Taylor - Brown County Auditor

## NOVEMBER 30, 1999 - GENERAL MEETING

Meeting called to order by Chairman Hansen at 8:45 A.M. in the Commissioner's Chambers, Courthouse Annex, Brown County, South Dakota. Present were Commissioners Knecht, Feickert, Fischbach and Wiese.

## MINUTES:

Moved by Weise, seconded by Feickert to approve the Joint City/County Meeting minutes and the General Meeting minutes of November 23, 1999. All members present voting aye. Motion carried.

## CLAIMS:

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

Supplies & Materials: West Group..\$2346.00, Computer Specialists..\$50.00, Heartland Paper..\$504.03, Plainsco..\$179.72, Nordling Const..\$3310.52, McFarland Supply..\$108.19, Menards..\$34.14, Gardner Locksmithing..\$33.00, Visa..\$237.95, Hitch'N Post..\$34.99, Shopko..\$70.93, Neurosurgical Assoc..\$78.50, Cunningham Elec..\$154.53, Al Dabbert Trucking..\$2052.00, W E Doyle Equip..\$6310.32, Engel Trucking..\$522.50, Frey's Electronics..\$38.90, Gary's Engine..\$32.00, Habeck's Radiator..\$150.00, Knight Const..\$1998.00, Lake Sand & Gravel..\$18900.00, Lawson Products..\$469.00, Lien Transportation..\$52327.23, Newman Traffic Signs..\$169.45, Pitney Bowes..\$103.50, Ag Communications..\$20.84, EROS Date Center..\$97.50, Office Max..\$130.08, Boston Fern..\$52.50, Dabbert Trucking..\$1995.00, Engel Trucking..\$1072.50:

Transcriptions: Neal Reporting..\$27.30:

Publications: American News..\$128.75, Lexis Publishing..\$79.85:

Professional Fees: Witness Fees..\$20.00, Brad Borge..\$3406.82, HI King..\$3406.82, Ab Family Physicians..\$57.40, Ab Surgical Assoc..\$86.70, EMSA Primary Care..\$193.28, Avera St Lukes..\$1068.57, Ab Advanced Care..\$99.00, Yankton Co Sheriff..\$33.50, Dawn Aman..\$2300.00:

Mileage & Travel: Deb Knecht..\$258.68, Tom Schmitt..\$137.16, Mark Milbrandt..\$746.62:

Court Appointed Attorney: Tamara Lee..\$76.61, Doyle, Kennedy & Rokahr..\$87.30:

Utilities: Midcontinent Cable..\$175.17, NWPS..\$69.63, Reuer's Auto..\$69.85, US West..\$46.46. All members present voting aye. Motion carried.

## CONTINGENCY TRANSFER:

Moved by Feickert, seconded by Wiese to approve the following transfers from Contingency Fund #101-112-422.99 to Fund #101-130-422.99 (Courts) in amount of \$4,167.30; #101-154-422.99 (A&N) in amount of \$200.00; #101-615-422.99 (Weeds) in amount of \$1,368.28. All members present voting aye. Motion carried.

## INCREASE SPENDING AUTHORITY:

Moved by Wiese, seconded by Feickert to increase spending authority in Fund #101-311-425 in amount of \$10,605.30, Fund #101-311-426 in amount of \$7,071.62, Fund #101 311-426.16 in amount of \$38,411.47 (Highway Department CDBG) and increase estimated revenue in Fund #101-331.03 in amount of \$56,088.39. All members present voting aye. Motion carried.

## SURPLUS PROPERTY:

Moved by Wiese, seconded by Knecht to declare Decal #742 (750 Manure Loader) surplus property for sale. All members present voting aye. Motion carried.

## LIEN ON PROPERTY:



Commissioner Wiese offered the following Resolution:

RESOLUTION NO. 120-99

WHEREAS, Brown County has filed a Poor Relief Lien in total amount of \$3,305.74 dated October 5, 1998 through July 13, 1999, and an Indigent Council Lien in amount of \$357.50 dated November 3, 1999 against an individual, and

WHEREAS, Brown County has determined it to be in the best interest of the taxpayers to release certain personal and real property from the effect of said liens, upon payment of \$2,000.00 and on condition balance of liens will stay filed against individual.

NOW, THEREFORE BE IT RESOLVED that all personal property liquidated at public auction held October 2, 1999 is hereby released from said liens.

FURTHER, BE IT RESOLVED that the following described real property:

Lots 13, 14, 15 and 16, Block 9, Frederick, according to the plat thereof of record, Brown County, South Dakota

is hereby released from the effect and force of said liens, upon payment of \$2,000.00.

Dated this 30th day of November, 1999.

Seconded by Commissioner Knecht. Roll call vote: Commissioners Feickert-aye, Fischbach-aye, Wiese-aye, Hansen-aye, Knecht-aye. Resolution adopted.

EXTENSION AGREEMENT:

Moved by Feickert, seconded by Wiese to approve and authorize the Chairman sign Memorandum of Understanding between The Cooperative Extension Service and Brown County. All members present voting aye. Motion carried.

PROPERTY TAXES DISCUSSED:

Barbara Harms met with the Commission to discuss the 1998 property taxes payable in 1999 on her residence. The States Attorney's Office will be consulted in this matter.

PURCHASE AGREEMENT:

Moved by Wiese, seconded by Feickert to authorize payment of earnest money in amount of \$20,000.00 on property north of the Courthouse and to approve attachment to contract amending paragraph #3. Roll call vote: Commissioners Knecht-aye, Feickert-aye, Fischbach-nay, Wiese-aye, Hansen-nay. Motion carried.

SATELLITE DISH:

Bill Meink, Jerry Mills, Jesse Luce and Chris Haar met with the Commission to discuss option of moving the down-link satellite dish from the Courthouse Annex to the Smart Connection Center in Industrial Park. The Commission agreed and asked that an agreement be drafted.

APPLICATION FOR OCCUPANCY:

Moved by Feickert, seconded by Knecht to approve application, submitted by Northwestern Public Service for occupancy of Brown County Highway #15 in Sec

1-T123N-R64W, Brown County, South Dakota to install gas main. Roll call vote: Commissioners Knecht-aye, Feickert-aye, Fischbach-aye, Wiese-abstain, Hansen-aye. Motion carried.

FAS RESOLUTION:

Commissioner Feickert offered the following Resolution:

COUNTY FEDERAL AID SURFACE TRANSPORTATION PROGRAM  
RESOLUTION NO. 121-99

WHEREAS, the Brown County Board of Commissioners desire the construction and improvement of the road as hereinafter described:

LOCATION AND LENGTH: County Road #6 - 4.3 miles starting at the intersection of County Road #6 and County Road #13 going North on County Road #6 4.3 miles (around Richmond Lake)

AND WHEREAS, Brown County is obligated and hereby agrees to satisfactorily maintain the project after construction is completed; and to regulate or cause to be regulated the installation of utility facilities within the limits of the right-of-way of the proposed project in accordance with State and Federal requirements.

AND WHEREAS, Brown County is obligated and hereby agrees to reimburse the State for all costs not reimbursable with Surface Transportation Program (STP) Funds.

NOW THEREFORE BE IT RESOLVED:

That the South Dakota Department of Transportation be and hereby is authorized and requested to program for construction, in accordance with the approved Secondary and Off System Road Plan Agreement and the State's Standard Specifications for Roads and Bridges the project hereinafter described.

Major Collector Route Number 6525. Type of Construction - Grading and Graveling Project.

Consultant services are to be without Federal Aid. Services desired by State Forces without Federal Aid include: utility, survey, materials, design, traffic, right of way, bituminous, hydraulics, foundations and construction.

Brown County will have sufficient funds available during calendar year 2000 to match available STP Funds.

Seconded by Commissioner Knecht. Roll call vote: Commissioners Knecht-aye, Feickert-aye, Fischbach-aye, Wiese-aye, Hansen-aye. Resolution adopted.

ROAD #12W-B:

Commissioner Fischbach offered the following Resolution:

COUNTY FEDERAL AID SURFACE TRANSPORTATION PROGRAM  
RESOLUTION NO. 122-99

WHEREAS, the Brown County Board of County Commissioners desire the withdrawal from the construction program of the project hereinafter described: Brown County Road #12W-B from US Highway #12 North to Brown County Road #12W - .25 miles.

NOW THEREFORE BE IT RESOLVED that the South Dakota Department of Transportation be and hereby is authorized and requested to withdraw from the construction program that project described above. Remove from 2000 Funding Program. Completed project with County Funding in 1999.

Seconded by Commissioner Wiese. Roll call vote: Commissioners Knecht-aye, Feickert-aye, Fischbach-aye, Wiese-aye, Hansen-aye. Motion carried.

RECESS:

Moved by Wiese, seconded by Feickert to recess until December 7, 1999. All members present voting aye. Motion carried.

Maxine Taylor - Brown County Auditor

## DECEMBER 7, 1999 - JOINT CITY/COUNTY MEETING

The Brown County Commission and the Aberdeen City Commission met in joint session at 8:45 A.M. in the Brown County Commission Chambers, 25 Market Street, Aberdeen, South Dakota. Present from City were Commissioners Klabo, Meyer and Pfeifer. Absent Commissioner Hurlbert and Mayor Hopper. Present from County were Commissioners Feickert, Fischbach and Hansen. Absent Commissioners Knecht and Wiese.

## SET HEARING DATES:

On motion by Meyer and seconded by Pfeifer the City Commission unanimously voted to set hearing to consider petitions to rezone: Ordinance No. 99-12-01/194 (Kessler's Corner Inc), Ordinance No. 99-12-03/195 (Gossman), and Ordinance No. 99-12-04/96 (Gossman) to be held in the Brown County Commission Chambers, 25 Market Street, Aberdeen, South Dakota at 8:45 A.M. on December 28, 1999.

Moved by Feickert, seconded by Fischbach to set hearing to consider the following: petition filed by Kessler's Corner Inc. to rezone Kessler's Homestead Subdivision in the SW 1/4 of Sec 15-T123N-R63W of the 5th P.M., Brown County, SD from Section 701 (A-1) Agricultural District to Section 714 (M-Ag) Mini-Agricultural District (Ordinance No. 99-12-01/194); petition filed by Stacy Gossman to rezone that portion of Kessler's Outlot 1 in the S 1/2 of Sec 15-T123N-R63W to be surveyed and platted as Lot 1 of Kessler's First Subdivision in the S 1/2 of Sec 15-T123N-R63W of the 5th P.M., Brown County, SD from Section 701 (A-1) Agricultural District to Section 714 (M-Ag) Mini-Agricultural District (Ordinance No. 99-12-03/195); petition filed by Stacy Gossman to rezone that portion of Kessler's Outlot 1 in the S 1/2 of Sec 15-T123N-R63W to be surveyed and platted as Lot 2 of Kessler's First Subdivision in the S 1/2 of Sec 15-T123N-R63W of the 5th P.M., Brown County, SD from Section 701 (A-1) Agricultural District to Section 707 (C-2) Highway Commercial District (Ordinance No. 99-12-04/196), to be held in the Brown County Commission Chambers, 25 Market Street, Aberdeen, South Dakota at 8:45 A.M. on December 28, 1999. All members present voting aye. Motion carried.

The City Commission adjourned and the County Commission continued into their regularly scheduled meeting.

Maxine Taylor - Brown County Auditor

## DECEMBER 7, 1999 - GENERAL MEETING

Meeting called to order by Chairman Hansen at 8:45 A.M. in the Commissioner's Chambers, Courthouse Annex, Brown County, South Dakota. Present were Commissioners Feickert and Fischbach. Absent Commissioners Knecht and Wiese.

## MINUTES:

Moved by Feickert, seconded by Fischbach to approve the Joint City/County Meeting minutes and the General Meeting minutes of November 23, 1999. All members present voting aye. Motion carried.

## CLAIMS:

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

Payroll: Commissioners..\$2,115.40; Data Processing..\$1,221.16; Auditor..\$5,005.30; Treasurer..\$6,916.50; State's Attorney..\$7,999.37; Victims Asst..\$769.24; Maintenance..\$4,007.05; Assessor..\$6,562.11; Planning & Zoning..\$829.60, OVERTIME: Mick Waller..\$23.34; Register of Deeds..\$2,771.01; Veterans Service..\$1,930.91; Health..\$2,187.20; Communications..\$10,204.23, OVERTIME: Sheila Anderson..\$31.12, Mary Browning..\$326.36, Janet Dosch..\$433.44, Betty Haar..\$30.40, Nancy Radke..\$488.16, Alicia Dohn..\$137.60, Michelle Strom..\$240.04, Lisa Wipf..\$237.44; Sheriff..\$38,813.71, OVERTIME: Bryan Locke..\$228.62, John McQuillen..\$159.04, Scott Kolb..\$165.92, David Fair..\$150.40, David Hanson..\$72.32, Steven Cogley..\$112.84, Ethan Palluck..\$118.72, Craig Nelson..\$112.96, Charlene McAfee..\$112.96, Mark Jastram..\$247.50, Michelle Smith..\$104.32, Diane Mielke..\$84.72, Ann Bierman..\$163.24, Kevin Johnson..\$27.50, Amy Lake..\$20.10, Kristal Schumack..\$26.80, Jeffrey Kirnan..\$13.04; Museum..\$3,268.05; Welfare..\$2,231.62; Foster Grandparent Program..\$2,611.47; Parks..\$3,271.66; Fairboard..\$1,379.33; Extension..\$1,398.14; Emergency Management..\$1,754.32; Road and Bridge..\$27,088.61, OVERTIME: Robert Binfet..\$40.65, Vernon Bitz..\$132.52, David Bruckner..\$20.93, Brian Dargatz..\$7.80, Daniel Glover..\$28.98, Joel Guderjohn..\$45.27, Larry Hardy..\$136.26, Dave Kolb..\$7.01, Tom Lammon..\$31.18, Daryl Lloyd..\$82.15, Jerry Luce..\$28.46, Joseph Malsom..\$21.92, Donald Maunu..\$126.00, Todd Odenbach..\$149.10, Bryan Owens..\$25.69, Richard Schaible..\$15.81, Roger Schaible..\$28.07, Markcus Selzler..\$194.40, Casey Thorstenson..\$133.10, Leon Vickers..\$16.20, Michael Wagner..\$33.59, Raymond Mundt..\$6.11; Solid Waste..\$4,702.69, OVERTIME: Carl Wright..\$213.46, Roxanne Varns..\$30.26, Nyle Jenson..\$56.51, Dennis VanHeerde..\$173.76;

Supplies & Materials: US Post Office..\$5000.00, Quality Quick Print..\$1440.87, Office Equip..\$193.82, Lexis Pub..\$80.73, Heartland Paper..\$1056.00, K-Mart..\$18.55, House of Glass..\$296.00, Menards..\$183.04, Jack Riley & Sons..\$745.62, Keeleys..\$2398.65, UBC..\$8.57, Sherwin-Williams..\$7.64, Plainsco..\$56.64, Tru Green..\$230.04, Taylor Laundry..\$51.04, Sander's Sew 'N Vac..\$57.02, Woodman Refrigeration..\$1997.40, Office Max..\$211.43, Computer Specialists..\$206.00, Best Business..\$516.54, New Trends..\$28.24, Dick's Westside..\$35.25, Xerox..\$503.09, OK Tire..\$378.34, Lang's..\$32.00, Warner Co-Op..\$16.00, Safety Service..\$105.76, Hoven Auto..\$1080.44, Prairieland..\$439.13, Artz Camera..\$25.43, Parcel-Erickson..\$21.95, Streichers..\$80.40, Velvet Uniforms..\$74.06, SD Fleet..\$1172.80, Pierson Ford..\$38.00, Hogg's..\$4252.97, Dakota Electronics..\$1845.68, SD Dept of Revenue..\$2744.32, Respond..\$28.00, Knight Construction..\$1282.50, Huron Culvert..\$800.84, Great Western Tire..\$300.00, Farm Power..\$30.30, Evergreen Supply..\$65.06, JD Evans..\$276.69, Crawford Trucks..\$3009.73, Butler Cat..\$5833.17, Bridgestone Firestone..\$349.27, Lauren Witte..\$407.65, Vetch Auto..\$65.10, SD Wheat Growers..\$11,653.35, SD Division of Motor Vehicles..\$19.00, SDDOT..\$3170.60, Sanitation Products..\$5525.00, Safety-Kleen..\$265.20, RDO..\$70.30, Newman Signs..\$53.75, Lien Transportation..\$3945.48, L&O Acres..\$734.20, Mac's..\$55.96,

Starlite..\$22.56, Country General..\$123.83, SD Wheat Growers..\$613.85, Evergreen Supply..\$55.87, Robert Dinger..\$1881.00, Dabbert Trucking..\$399.00, Walmart..\$194.23, Kleins..\$34.30, Heiman Fire Equip..\$753.25, Danko..\$125.74, Eddie's Northside..\$26.95, RE Huffman..\$24.00, Watertown Public Transit..\$218.00, Spink County Transit..\$110.00, Terry's Steakhouse..\$127.50, Solid Waste Assn..\$117.00, Leggette, Brashears..\$1278.13, Schwan Welding..\$880.00, Heartland Heating..\$130.01, Cunningham Elec..\$140.45, Insurance Plus..\$10.00, House of Glass..\$110.72, Taylor Laundry..\$62.60, James Dosch..\$1212.05, HC Clark..\$175.00, Pro Ag Supply..\$91.30, Farnam's Genuine Parts..\$3.18, Praxair..\$15.33, A-1 Sanitation..\$2935.25, Dependable Sanitation..\$11,812.36, City of Aberdeen..\$6898.82, ZD Journal..\$49.00, William Meink..\$106.23:

Transcriptions: Betsy Johnson..\$380.75:

Publications: American News..\$381.50, Next Generation..\$14.36, Dakota Press..\$599.11, McLaughlin Messenger..\$45.60:

Professional Fees: LCM Pathologists..\$2725.09, Cheryl Hairgrove..\$476.00, Kevin Spitzer..\$505.60, Robert Chavis..\$80.00, NE Mental Health..\$700.00, stipends..\$13,438.50, EideBailley..\$216.75:

Mileage & Travel: Dennis Feickert..\$17.40, Maxine Taylor..\$116.63, Gene Loeschke..\$210.83, Leo Leshner..\$159.21, Larry Gerlach..\$1117.48:

Utilities: US West..\$3371.38, Commnet Cellular..\$95.56, City of Aberdeen..\$455.94, NWPS..\$6331.36, Lucent Tech..\$5.35, Accent Communication..\$430.69, James Valley Co-Op..\$645.08, Montana-Dakota..\$42.92, Cellular One..\$126.07, WEB..\$45.16:

Care of Poor: Dr/Hospital..2 recipients..Avera St Lukes..\$1109.33, North Central Heart..\$28.70; Rent..11 recipients..Aberdeen Living Center..\$8339.92, Alex Bichler..\$210.00, Bev Kolb..\$340.00, JoAnn DeSart..\$210.00, BelAire Apts..\$120.00, Earl Dennert..\$210.00 Rockford Apts..\$85.00, Tom Futch..\$210.00, Schatz Rentals..\$210.00, Peter Buttaro..\$190.00, Milt Ehresmann..\$190.00; Drugs..3 recipients..Medical Center Pharmacy..\$256.77, K-Mart Pharmacy..\$6.39, Quality Care Pharmacy..\$84.95. All members present voting aye. Motion carried.

#### EXPENSES:

Moved by Fischbach, seconded by Feickert to approve the following expenses: County personnel to attend the James River Valley Commission District Meeting in Huron on December 13; County personnel to attend the Governor's Safety Meeting in Sioux Falls on December 20; Mike Scott and Carl Wright to inspect structure in Revillo, SD on December 9, 1999. All members present voting aye. Motion carried.

#### EMPLOYEE STEP INCREASE:

Moved by Feickert, seconded by Fischbach to approve the following employee step increase, effective December 12, 1999: Amy Mathiason @ \$9.17 per hour. All members present voting aye. Motion carried.

#### THISTLE THRUST 2000 GRANT APPLICATION:

Moved by Feickert, seconded by Fischbach to approve and authorize the Chairman sign application for Thistle Thrust 2000 - Special Project Grant in maximum amount of \$400.00. All members present voting aye. Motion carried.

#### SDACC EMPLOYEE BENEFIT PROGRAM:

Moved by Fischbach, seconded by Feickert to approve and authorize the Chairman sign Letter of Intent to Decline to Participate in the South Dakota Association of County Commissioners Group Health Insurance Program. All members present voting aye. Motion carried.

#### QCD:

Moved by Feickert, seconded by Fischbach to approve and authorize the Chairman sign Quit Claim Deed conveying tax deed interest in Lot 10, Block 5, Prairiewood Village to Shara Jones and Dean Sinclair. All members present voting aye. Motion carried.

#### AUDITOR'S REPORT OF ACCOUNT:

Moved by Fischbach, seconded by Feickert to approve the following November, 1999

#### Auditor's Report of Account:

#### AUDITOR'S REPORT OF ACCOUNT WITH THE COUNTY TREASURER:

Total amount of actual cash- - - - -	\$	3,365.25
Norwest Bank - - - - -	\$	8,529.01
US Bank- - - - -	\$	58,099.27
Dacotah Bank - - - - -	\$	108,928.94
Petty Cash (Sheriff, R/D, Museum, Welfare)	\$	1,500.00
Landfill Change Fund - - - - -	\$	100.00
Fund Investments - - - - -	\$	13,382,815.13
Outstanding Checks - - - - -	\$	134.75
Total - - - - -	\$	13,563,472.35

All members present voting aye. Motion carried.

#### ALCOHOLIC BEVERAGE LICENSE HEARING:

Time and place, as advertised for public hearing to consider applications for renewal of Alcoholic Beverage Licenses.

Moved by Fischbach, seconded by Feickert to approve and authorize the Chairman sign the following applications for renewal of Alcoholic Beverage License: **PACKAGE OFF-SALE LIQUOR:** Marge Frohling DBA The Connection (Lots 13, 14, & 15, Block 2, Houghton, 31-127-61); William Dean Mundhenke DBA Ferney Farmers Bar (Lots 4 & 5, Block 5, Ferney, 31-122-60) **RETAIL ON-SALE AND SUNDAY LIQUOR:** William Dean Mundhenke DBA Ferney Farmers Bar (Lots 4 & 5, Block 5, Ferney, 31-122-60); Aberdeen Links, Inc. (NW 1/4 ex. OL 1 and .24A. to Hwy, 14-123-64); TCR Inc. DBA Helen's California Kitchen (Rotts OL 1, NW 1/4 25-123-64); Moccasin Creek Country Club, Inc. (Prairiewood Village OL 7, 33-124-63); Elm Lake Resort Inc. (Lot 1, Elm Lake Subdivision in the SE 1/4 of 8-128-65); James R. Schumacher DBA Westside Bait and Tackle, (Replat of Evelo's Subdivision N 218' of Lot A NW 1/4 21-123-64). All members present voting aye. Motion carried.

Moved by Fischbach, seconded by Feickert to continue hearing on the following applications for renewal of Alcoholic Beverage License for one week: **PACKAGE**

**OFF-SALE LIQUOR:** Nancy L Upton DBA Mansfield Bar & Grill (Lots 12, 13, & 14, Block 4 Mansfield, 32-121-64) **RETAIL ON-SALE AND SUNDAY LIQUOR:** Nancy L Upton DBA Mansfield Bar & Grill (Lots 12, 13 & 14, Block 4, Mansfield, 32-121-64); William G Welk DBA Lighthouse Pub & Brewery (Palmer's Richmond Resort Subd. Lot 1 (being a subd. of Outlot 1 of Richmond Resort Outlots 1 & 2) NW 1/4 30-124-64 & NE 1/4 25-124-65 Brown County, South Dakota. All members present voting aye. Motion carried.

#### BID - SKID LOADER:

Time and place, as advertised for public hearing to open, read and consider bids for furnishing and delivery of one current production model Uniloader (Skid Loader) with trade in of a 1979 Case Uniloader. Bids were received from Artz Equipment Co., Aberdeen; HC Clark Implement Co, Aberdeen; J Gross Equipment, Aberdeen; Marshall County Equipment Co, Britton and Aberdeen Equipment, Aberdeen.

Moved by Feickert, seconded by Fischbach to refer all bids to Randy Bonn, Fairgrounds Superintendent for review and recommendation. All members present

voting aye. Motion carried.

Moved by Feickert, seconded by Fischbach to award low bid, submitted by HC Clark Implement Co in amount of \$13,239.00 (includes trade in of 1979 Case Uniloader) for purchase and delivery of a 2000 Melroe Bobcat Model 863G; rejecting bids submitted by Artz Equipment in amount of \$18,544.00, HC Clark in amount of \$10,434.00 (did not meet specs), J Gross Equipment in amount of \$16,000.00, Marshall County Equipment Co in amount of \$19,285.00, Aberdeen Equipment in amount of \$16,275.00, Aberdeen Equipment in amount of \$19,385.00. All members present voting aye. Motion carried.

#### SURPLUS PROPERTY:

Moved by Feickert, seconded by Fischbach to declare 1979 Case Uniloader Model 1845 surplus for purpose of trade in. All members present voting aye. Motion carried.

#### TAX DEED PROPERTY:

Sheila Enderson presented list of property to be taken by tax deed in year 2000.

#### LANDFILL PROPERTY PURCHASE:

Neal Beitelspacher and Mr. & Mrs. Reuben Beitelspacher met with the Commission to express concerns about Commission decision to purchase land in the proximity of their property for purpose of Landfill expansion when current site closed in the future. Mike Scott, Jay Koch, Terry Helms, Mick Waller and Robert Yoder were also present.

#### TREE PLANTING SET BACKS:

Marvin Elsen, Allen Siefkes and Merlin Elsen (local representative for Association of Towns & Townships) met to recommend an Ordinance be drafted to establish set back regulations for tree planting. The Commission requested a sample draft be obtained for review.

#### APPLICATION FOR OCCUPANCY:

Moved by Fischbach, seconded by Feickert to approve application, submitted by James Valley Telephone Company for occupancy of Brown County Highway No. 5 in Sections 5 & 8-T127N-R63W, Brown County, South Dakota to provide telephone service. Roll call vote: Commissioners Knecht-absent, Feickert-aye, Fischbach-aye, Wiese-absent, Hansen-aye. Motion carried.

#### LIEN ON PROPERTY

Commissioner Fischbach offered the following Resolution:

#### RESOLUTION NO. 123-99

WHEREAS, Brown County Resolution No. 120-99 released certain personal property sold at auction on October 2, 1999 and a parcel of real estate in Frederick, SD upon payment of \$2000.00, and

WHEREAS, additional personal property and additional real property is subject to said Poor Relief Lien in total amount of \$3,305.74 dated October 5, 1998 through July 13, 1999, and an Indigent Council Lien in amount of \$357.50 dated November 3, 1999 against an individual, and

WHEREAS, Brown County has determined it to be in the best interest of the taxpayers to release additional personal and real property from the effect of said liens, upon payment of an additional \$500.00 and on condition balance of liens will stay filed



against individual.

NOW, THEREFORE BE IT RESOLVED that the following additional personal property is hereby released from said liens:

1988 CHEV PU4 VIN# 1GCDK14K3JZ113287      1969 AMERICAN TRAILER VIN# 91279

FURTHER, BE IT RESOLVED that the following described real property:

Lots 5 and 6, Block 10, Original Plat Town of Frederick, according to the plat thereof of record, Brown County, South Dakota

is hereby released from the effect and force of said liens, upon payment of an additional \$500.00 and on condition balance of liens will stay filed against individual.

Dated this 7th day of December, 1999.

Seconded by Commissioner Feickert. Roll call vote: Commissioners Feickert-aye, Fischbach-aye, Hansen-aye, Wiese-absent, Knecht-absent. Resolution adopted.

RECESS:

Moved by Fischbach, seconded by Feickert to recess until December 14, 1999. All members present voting aye. Motion carried.

Maxine Taylor - Brown County Auditor

## DECEMBER 14, 1999 - GENERAL MEETING

Meeting called to order by Chairman Hansen at 8:45 A.M. in the Commissioner's Chambers, Courthouse Annex, Brown County, South Dakota. Present were Commissioners Knecht, Feickert, Fischbach and Wiese.

## MINUTES:

Moved by Fischbach, seconded by Wiese to approve the Joint City/County Meeting minutes and the General Meeting minutes of December 7, 1999. All members present voting aye. Motion carried.

## CLAIMS:

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

Supplies & Materials: Quality Quick Print..\$95.43, Office Equipment..\$58.14, SD States Attorney Assoc..\$500.00, USD School of Law..\$30.00, SD State Bar Assn..\$630.00, IAAO..\$130.00, Best Western Ramkota..\$118.00, Photos Now..\$201.40, US Govt Bookstore..\$78.00, Walmart..\$155.26, K-Mart..\$13.74, Metz Baking..\$529.04, SD Dept of Revenue..\$735.00, Kesslers..\$275.22, Ecolab..\$76.60, Langs..\$16.50, Great North American Co..\$87.69, Xerox..\$177.10, Warner Co-Op..\$16.00, Tuxall..\$78.70, Grafix..\$202.00, Ameripride..\$68.30, Avera St Lukes..\$633.00, Mercury Cleaners..\$6.80, Menards..\$37.66, Taylor Laundry..\$214.40, New Deal Tire..\$76.50, Nelson Auto..\$51.75, Dware..\$1550.00, Lien Transportation..\$3708.55, Krueger..\$2844.58, Huron Culvert..\$326.40, J Gross..\$94.00, Graham Tire..\$987.72, Gillund Ent..\$61.40, Farm Plan..\$781.66, Edmunds Co Hwy..\$3526.93, Robert Dinger..\$1066.00, Dakota Oil..\$913.85, Dakota Fluid Power..\$216.57, Creative Signs..\$14.40, Crady's Radiator..\$630.20, Country General..\$21.16, Clark Engineering..\$6204.95, Carquest..\$288.30, Brick Propane..\$56.05, Aberdeen Equipment..\$502.55, Aberdeen Chrysler..\$306.29, RE Huffman..\$47.16, Hub City Transit..\$1100.00, Prairieland..\$375.00, Fairfield Inn..\$2214.00, IAFE..\$20.00, Curt Erickson..\$35.04, Sherwin-Williams..\$33.98, UBC..\$10.47, Menards..\$105.64, Charlesbridge Pub..\$22.28, Sue Gates..\$13.44, Ciaverella Design..\$287.50, Sherri Rawstern..\$15.90, New Trends..\$18.11, Ken's Fairway..\$18.37, A&M Radio..\$43.00, Ringgenberg Elec..\$1991.84, Sydell Inc..\$202.00, Heartland Paper..\$135.00, Office Max..\$286.66, Dakota Electronics..\$30.00, SD Wheat Growers..\$33.74, Kesslers..\$18.62, Aberdeen Senior Citizens..\$672.00, US Post Office..\$176.50, Phyllis Voeller..\$16.00, Aberdeen Chrysler..\$265.34, Computer Specialists..\$85.00, Am Technical Services..\$4448.50, ProAg..\$17.86, A-1 Sanitation..\$287.50, Weismantel Rent-All..\$183.40, Town & Country..\$19.36, Brick's TV..\$40.00, Kelsey Welding..\$25.38, New Deal Tire..\$266.25, Hedahls..\$4.46:

Publications: American News..\$220.00, Frederick/Hecla Northstar..\$353.52, Mitchell Daily Republic..\$57.50:

Professional Fees: Witness Fees..\$51.60, Don Carlson..\$15.00, Marv Ekeren..\$15.00, Donna Dietrich..\$97.55:

Mileage & Travel: Melissa Koester..\$62.93, Tom Gohn..\$440.96, Barnie Bain..\$466.40, Dennis Wiedebush..\$313.80, Mark Hoven..\$300.00, Jodi McQuillen..\$28.00, Doug Sombke..\$226.50:

Utilities: Midcontinent Cable..\$153.00, City of Aberdeen..\$80.00, US West..\$451.93, Town of Frederick..\$18.25, Cellular One..\$34.37, NWPS..\$11.23, DTG..\$17.95, Northern Electric..\$81.63, Commnet Cellular..\$24.10:

Care of Poor: Utilities..1 recipient..NWPS..\$50.00; Rent..9 recipients..Campus Village..\$125.00, Mike Kulm..\$230.00, Leona Vilhauer..\$170.00, John Dalager..\$320.00, Schatz Rentals..\$230.00, Belaire..\$78.00, Kent Hyde..\$210.00, BoBo Inc..\$340.00; Burial..1 recipient..Schrivers..\$1958.25; Drugs..1 recipient..Medical Center Pharmacy..\$190.80. All members present voting aye. Motion carried.

## EXPENSES:

Moved by Wiese, seconded by Knecht to approve the following expenses: Bill Meink and Carol Sherman to inspect computer software in Webster on December 15; Deb Dugger, Pat Dahlerup and Wende Holzkamm to attend the DOH Region III staff meeting in Aberdeen on December 17, 1999. All members present voting aye. Motion carried.

## INCREASE SPENDING AUTHORITY:

Moved by Fischbach, seconded by Feickert to increase spending authority in Fund #226-222-434.03 in amount of \$289.50 and Fund #226-222-434.05 in amount of \$2,974.92; increase estimated revenue in Fund #226-331 in amount of \$3,264.42 (Emergency Alert System). All members present voting aye. Motion carried.

Moved by Feickert, seconded by Wiese to increase spending authority in Fund #101-311-426.30 in amount of \$112,500.00; increase estimated revenue in Fund #101-331.03 in amount of \$112,500.00 (CDBG for Richmond Lake Dam Spillway Project). All members present voting aye. Motion carried.

Moved by Fischbach, seconded by Wiese to increase spending authority in Fund #101-165-422.17 in amount of \$259.80; increase estimated revenue in Fund #101-365 in amount of \$259.80 (donation from Disabled American Veterans for volunteer drivers). All members present voting aye. Motion carried.

## BUDGET SUPPLEMENT:

Commissioner Wiese offered the following Resolution:

## RESOLUTION NO. 124-99

WHEREAS, due to the failure to provide adequate spending authority within the Brown County General Road and Bridge Budget (#101-311), to enable Brown County to complete the following maintenance projects:

Supplies and Materials-----\$158,295.69

WHEREAS, the County has chosen to incur these obligations and expenditures by supplementing the 1999 fiscal Road & Bridge Fund Budget (#101-311) in the amount of \$158,295.69, and to fund same from unobligated surplus cash in the Consolidated General Fund Revenue Account #101-331.20 (ER 6268(03)), and

WHEREAS, due to adoption of Ordinance No. 11, effective July 11, 1999, authorizing the collection of a Wheel Tax, it is necessary to provide adequate spending authority within the Brown County Special Revenue Wheel Tax Fund #206 for year 1999, to enable Brown County to complete the following maintenance projects:

Supplies and Materials-----\$30,000.00

WHEREAS, the County has chosen to incur these obligations and expenditures by supplementing the 1999 fiscal Special Revenue Wheel Tax Fund Budget #206, in the amount of \$30,000.00, and to fund same from the collection of a Wheel Tax commencing October 1, 1999 through December 31, 1999 in Special Revenue Wheel Tax Fund #206.

WHEREAS, due to legislation effective July 1, 1999 raising the fee on license plates, it is necessary to provide adequate spending authority within the Brown

County General Road and Bridge Budget (#101-311), to enable Brown County to complete the following maintenance projects:

Maintenance and Materials-----\$80,000.00

WHEREAS, the County has chosen to incur these obligations and expenditures by supplementing the 1999 fiscal Road & Bridge Fund Budget (#101-311) in the amount of \$80,000.00, and to fund same from unobligated surplus cash in the Consolidated General Fund Revenue Account #101-335.02.

THEREFORE, BE IT RESOLVED, that notice of hearing for said supplement shall be published in the Official County Newspapers and the public hearing shall be held on December 28, 1999 at 9:15 A.M. in the Commissioner's Chambers, Courthouse Annex, Brown County, South Dakota, at which time any persons may appear to support or oppose the adoption of same.

Seconded by Commissioner Fischbach. Roll call vote: Commissioners Knecht-aye, Feickert-aye, Fischbach-aye, Wiese-aye, Hansen-aye. Resolution adopted.

#### ALCOHOLIC BEVERAGE LICENSE HEARING - CONTINUED:

Moved by Fischbach, seconded by Feickert to approve and authorize the Chairman sign the following applications for renewal of Alcoholic Beverage License, continued from public hearing held December 7, 1999: **PACKAGE OFF-SALE LIQUOR:** Nancy L Upton DBA Mansfield Bar & Grill (Lots 12, 13, & 14, Block 4 Mansfield, 32-121-64); **RETAIL ON-SALE AND SUNDAY LIQUOR:** Nancy L Upton DBA Mansfield Bar & Grill (Lots 12, 13 & 14, Block 4, Mansfield, 32-121-64); William G Welk DBA Lighthouse Pub & Brewery (Palmer's Richmond Resort Subd. Lot 1 (being a subd. of Outlot 1 of Richmond Resort Outlots 1 & 2) NW 1/4 30-124-64 & NE 1/4 25-124-65 Brown County, South Dakota. All members present voting aye. Motion carried.

#### ABATEMENTS:

Moved by Knecht, seconded by Feickert to approve the following Abatements: BNSFRR Tax Credit, as per SDCL 10-28-21.1: Claremont 10-6-45-2 @ \$1,579.82, Claremont 10-6-3 @ \$1,881.61, Ordway 14-6-1 @ \$312.73, Cambria 15-6-3 @ \$1,017.29, Cambria 15-6-1 @ \$1,754.68, Groton 17-6-3 @ \$3,478.27, Henry 18-6-3 @ \$3,747.71, Bath 19-6-1 @ \$5,348.91, Aberdeen 20-6-1 @ \$10,859.76, Mercier 21-6-1 @ \$8,071.40, Aberdeen City 32-6-1 @ \$2,536.72, Groton City 33-6-3 @ 1,573.80, Claremont 42-6-45-2 @ \$322.70, Putney 48-6-3 @ \$2,593.24, South Detroit 59-6-45-2 @ \$781.58 (total abatement in amount of \$45,860.22 for year 1999); George Jr & Doris N Alberts Trustees, wetland reduction (NW 1/4 3-124-61) for year 1999 @ \$148.51; Larry & Don Krause, Alfred Albee, wetland reduction (SE 1/4 31-122-65 ex rd & ex Lot 1 Bricks Subd) for year 1999 @ \$71.58; Krause-Allbee Farming Inc, wetland reduction (SW 1/4 31-122-65) for year 1999 @ \$43.48; Manley & Doraine Green, wetland reduction (Lots 1 & 2 & E 1/2 of NW 1/4 18-122-65) for year 1999 @ \$78.41; Earl & Laura Lowary, wetland reduction (NE 1/4 36-125-61) for year 1999 @ \$437.56; Oliver & Helena Weismantel, wetland reduction (E 1/2 of SW 1/4 16-125-62) for year 1999 @ \$205.99; Dennis E Johnson, wetland reduction (NW 1/4 15-125-60) for year 1999 @ \$722.73 and (W 1/2 of SE 1/4 11-124-60) for year 1999 @ \$117.98; Kent & Laura Schuster, owner occupied (Rocks Subd Lot 5 Blk 3 Groton) for year 1999 @ \$881.58. All members present voting aye. Motion carried.

#### PLAT:

Commissioner Knecht offered the following Resolution:

## RESOLUTION NO. 125-99

BE IT RESOLVED by the Board of County Commissioners of Brown County, South Dakota that the plat showing "Lots 4A and 5A, Block 3 (Replat of Lot 3, 4 and 5, Block 3, Frederick, South Dakota), Frederick, 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 Knecht-aye, Feickert-aye, Fischbach-aye, Wiese-aye, Hansen-aye. Resolution adopted.

## RICHMOND LAKE SANITARY DISTRICT BOUNDARY CHANGE:

Moved by Feickert, seconded by Wiese to approve and authorize Chairman sign approval of the Richmond Lake Sanitary District Resolution to Annex Territory into the District, dated November 4, 1999, annexing the NW 1/4 of Sec 25-R124N-R65W of the 5th P.M., Brown County, South Dakota into the District and connecting to the sewer system. All members present voting aye. Motion carried.

## SHERIFF REPORTS:

Moved by Wiese, seconded by Knecht to approve the following October, 1999 Sheriff Reports: Incident & Offenses, Prisoner Care, JDC, Money deposited with the County Treasurer and Monthly activities. All members present voting aye. Motion carried.

## HOSPITAL CLAIMS DENIED:

Jeff Steele and Cheryl Majeske, Avera St Lukes met with the Commission to discuss two medical bills. Charlene Millim was also in attendance. The following action ensued:

Moved by Feickert, seconded by Knecht to deny payment of a hospital bill, submitted by Avera St Lukes in amount of \$29,904.02 for a 46 year old male, as individual has not provided sufficient information to determine indigency. All members present voting aye. Motion carried.

Moved by Wiese, seconded by Feickert to deny payment of a hospital bill, submitted by Avera St Lukes in amount of \$7,602.22 for a 35 year old female, as individual has not provided sufficient information to determine indigency or evidence of being a Brown County resident. All members present voting aye. Motion carried.

## FAIRGROUNDS IMPROVEMENTS:

Randy Bonn, Larry Gerlach and Curt Erickson met to discuss 1999 Fair Board Budget balance and plan to extend fence west of Club House and grind asphalt south of the Expo Building in preparation of mat overlay in 2000. Board concurred.

## BRIDGE #234:

Moved by Feickert, seconded by Wiese to approve and authorize Chairman sign Work Order No. LGA-135-99 authorizing Banner Associates, Inc, Brookings to complete hydraulic analysis, survey and preliminary design for Bridge #234 BRO 8007(50) PCEMS 5747, Structure #07-224-250 located 2.5 miles south and 2.4 miles east of Columbia over James River. All members present voting aye. Motion carried.

## NIC SEMINAR REPORT:

Barb Johnson, Judy Dosch, Deb Knecht and Mike Wiese gave brief recaps of training session entitled "Planning for New Institutions for Juveniles", funded by NIC sponsored Grant.

Tom Schmitt reported award of Bureau of Justice Assistance Grant in amount of \$957.60 for purchase of bulletproof vests.

SATELLITE DISH:

Chris Haar, Aberdeen Development Corporation presented cost estimate of \$4,600.00 to remove Satellite Dish from Courthouse Annex roof, transport and remount on concrete pad at the Smart Connection Center and additional cost estimate of \$400.00 to reconnect and tune the dish.

Moved by Feickert, seconded by Knecht to assume full responsibility of cost for removing Satellite Dish from Courthouse Annex roof, transportation and reconnection of same at the Smart Connection Center from appropriate budget (1999 or 2000) when project complete in amount not to exceed \$5000.00, upon completion of ownership transfer agreement from Brown County to Aberdeen Development Corporation. All members present voting aye. Motion carried.

GPS MAPPING:

George Fountain, SDDOT and Destry Schumacher, NECOG informed Commission that under a SDDOT mapping contract, NECOG will be driving all public roads in Brown County this winter and spring. The purpose is to update the current DOT map. State of the art GIS (Geographic Information System) and GPS (Global Positioning System) technologies will be used to complete this contract.

RECESS:

Moved by Feickert, seconded by Wiese to recess until December 21, 1999. All members present voting aye. Motion carried.

Maxine Taylor - Brown County Auditor

## DECEMBER 21, 1999 - GENERAL MEETING

Meeting called to order by Chairman Hansen at 8:45 A.M. in the Commissioner's Chambers, Courthouse Annex, Brown County, South Dakota. Present were Commissioners Knecht, Feickert and Fischbach. Absent Commissioner Wiese.

## MINUTES:

Moved by Knecht, seconded by Feickert to approve the General Meeting minutes of December 14, 1999. All members present voting aye. Motion carried.

## CLAIMS:

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

Payroll: Commissioners..\$2,115.40; Data Processing..\$1,221.16; Auditor..\$5,005.30; Treasurer..\$6,916.50, OVERTIME: Dorene Borchard..\$98.10; State's Attorney..\$7,999.37; Victims Asst..\$769.24; Maintenance..\$4,086.21; Assessor..\$6,530.09; Planning & Zoning..\$829.60; Register of Deeds..\$2,821.41; Veterans Service..\$1,881.71; Health..\$1,827.56; Communications..\$10,074.77, OVERTIME: Sheila Anderson..\$124.48, Mary Browning..\$159.20, Tasha Judd..\$20.64, Betty Haar..\$30.40, Nancy Radke..\$144.64, Alicia Dohn..\$41.28, Michelle Strom..\$225.92, Kathleen Volk..\$13.76, Lisa Wipf..\$133.56; Sheriff..\$39,453.76, OVERTIME: Bryan Locke..\$9.94, John Heine..\$39.04, David Fair..\$47.00, David Hanson..\$72.32, Steven Cogley..\$52.08, John Weaver..\$28.96, Charlene McAfee..\$21.18, Diane Mielke..\$67.07, Ann Bierman..\$59.36, Kevin Johnson..\$51.60, Amy Lake..\$46.90, Kristal Schumack..\$46.90; Museum..\$3,284.05; Welfare..\$2,231.62; Foster Grandparent Program..\$2,275.17; Fairgrounds..\$2,825.91; Fairboard..\$1,379.33; Extension..\$1,404.80, OVERTIME: Lynn Heupel..\$9.99; Emergency Management..\$1,754.32; Road and Bridge..\$27,500.92, OVERTIME: Robert Binfet..\$77.24, Vernon Bitz..\$35.08, David Bruckner..\$92.07, Joel Guderjohn..\$30.18, Larry Hardy..\$34.07, Ben Z Hofer..\$7.01, Dave Kolb..\$14.01, Tom Lammon..\$105.23, Jerry Luce..\$16.26, Donald Maunu..\$78.75, Todd Odenbach..\$37.28, Bryan Owens..\$62.53, Cordell Rudolph..\$7.77, Richard Schaible..\$7.91, Roger Schaible..\$8.02, Jeff Seiler..\$7.01, Casey Thorstenson..\$52.54, Michael Wagner..\$7.46, Dion Dargatz..\$6.87, Raymond Mundt..\$24.42; Solid Waste..\$4,694.07, OVERTIME: Carl Wright..\$16.42, Roxanne Varns..\$18.91, Nyle Jenson..\$162.00, Dennis VanHeerde..\$144.80;

Supplies & Materials: Respond..\$13.85, Cunningham Elec..\$111.12, Honeywell..\$10,597.00, North Wind Machine..\$119.73, McFarland..\$119.27, Janitor Supply..\$166.70, K-Mart..\$86.23, Heartland Paper..\$656.85, Menards..\$106.31, Prairieland..\$114.44, Plainsco..\$2896.01, Cole Papers..\$208.90, Taylor Laundry..\$75.64, Ameripride..\$32.80, Best Business..\$716.18, New Trends..\$312.88, US Post Office..\$178.00, Kesslers..\$13.80, Lar-Jos..\$1498.00, Dakota Electronics..\$751.26, Quality Quick Print..\$427.84, Hoggs..\$2230.10, Kesslers..\$242.55, Metz Baking..\$325.44, Mark Milbrandt..\$96.00, Sewing Shoppe..\$12.50, Service Signs..\$84.00, Lexis..\$152.03, Amoco..\$3.35, Medical Center Pharmacy..\$1111.48, SDDOT..\$183,857.67, Safety-Kleen..\$96.90, Safelite Auto..\$95.65, RDO..\$2448.72, Quality Welding..\$9.00, Newman Signs..\$12.65, Midwest Pump..\$153.61, Lien..\$806.04, Huron Culvert..\$1054.56, Hub City Iron..\$977.30, Environmental Tech..\$4490.50, Robert Dinger..\$904.60, Best Business..\$84.36, SD Federal Property..\$15.50, McFarland..\$198.35, Country General..\$58.20, Schmidt Const..\$5840.00, Weismantel Rent-All..\$570.00, Sam's Sound..\$6161.00, Hedahls..\$93.61, Mac's..\$3.32, Dakota Electronics..\$25.00, Riley's Bobcat..\$1350.00, Chamber of Commerce..\$175.00, NSU..\$95.92, Ken's Fairway..\$5.18, Cole Papers..\$779.22, Extension Service..\$22.54, Walmart..\$96.30, NDSU..\$328.97, Aberdeen Awards..\$35.00, Ramada Inn..\$447.12, Artz Camera..\$10.85, Drake Motor Inn..\$103.45, Heiman Fire Equip..\$314.00, Respond..\$145.75, Ketterling Photo..\$62.00, Dakota Pump

..\$6010.21, Taylor Laundry..\$43.70, Brick Propane..\$17.95, Shopko..\$14.18, Paul Mardian..\$120.00, Earth Tech..\$5675.70, Northern Valley Communications..\$90.00, A-1 Sanitation..\$298.50, New Deal Tire..\$504.25, William Hurrell..\$147,000.00, Office Max..\$172.92, William Meink..\$13.25, Cisco Systems..\$299.18, ZD Journals..\$99.00, House of Glass..\$282.67, Norwest Bank..\$118.00:

Publications: American News..\$847.75, Dakota Press..\$501.00:

Professional Fees: Avera St Lukes..\$1087.15, NADRIC..\$4583.36, Lewis & Clark Mental Health..\$110.00, Sioux Vocational Services..\$120.00, NE Mental Health..\$482.65:

Mileage & Travel: Budget Host Inn..\$29.95, Barb Johnson..\$24.00, Kevin Johnson..\$24.00, Ken Thompson..\$23.20, Mike Waldrop..\$40.89, Jessica Frerichs..\$26.39, Jeff James..\$60.61, Bruce Tveit..\$80.33, Jvonne Heard..\$44.95, Tony Ingemansen..\$105.27, Gary Erickson..\$291.90, Marge Kolb..\$68.27, Lori Erickson..\$44.08, Jerry Mills..\$6.09, Lynn Heupel..\$17.98, Tom Fischbach..\$157.76, Tom Fischbach..\$157.76:

Court Appointed Attorney: Michael Thompson..\$628.14, Dale Wein..\$621.50:

Utilities: NWPS..\$2651.17, Dependable..\$569.00, Cellular One..\$37.98, Commnet Cellular..\$77.97, US West..\$227.84, Northern Electric..\$365.31, City of Hecla..\$51.48, SD Wheat Growers..\$184.84, WEB..\$57.36:

Care of Poor: Utilities..2 recipients..NWPS..\$326.11; Dr/Hospital..2 recipients..Avera St Lukes..\$9783.53; Rent..9 recipients..Sheryl Erickson..\$144.00, Kurt Kruger..\$170.00, Tom Hinz..\$170.00, Leona Vilhauer..\$175.00, BelAire..\$248.00, Kay Hart..\$170.00, Dakota Square..\$87.00; Drugs..1 recipient..Plaza Pharmacy..\$246.80. All members present voting aye. Motion carried.

#### APPOINTMENTS:

Moved by Knecht, seconded by Feickert to appoint Tom Gohn, Veterans Service Officer to a four year term, effective January 3, 2000 through the first Monday in January, 2004, as per SDCL 33-16-24. All members present voting aye. Motion carried.

Moved by Knecht, seconded by Fischbach to appoint David Grettler, Mary Hickey and Linda Norton to the Dacotah Prairie Museum Board, First Term effective January 1, 2000 through December 31, 2002. All members present voting aye. Motion carried.

#### ABATEMENT:

Moved by Feickert, seconded by Knecht to approve the following Abatement: Madelyn R Marko, owner occupied (W 100' of Lot 1 & 2 & the W 75' of Lot 3 & all of Lot 26 Blk 9 of Replat of Blks 9 & 10 Draeger & Yeager's Addition to Aberdeen) for year 1999 in amount of \$430.49. All members present voting aye. Motion carried.

#### INCREASE SPENDING AUTHORITY/ESTIMATED REVENUE:

Moved by Fischbach, seconded by Feickert to increase spending authority in Fund #203-311-425.17 in amount of \$114,094.50 and increase estimated revenue in Fund #203-343.11 in amount of \$114,094.50 for NRCS reimbursement for ER Project 6426(4) Tacoma Park Road. All members present voting aye. Motion carried.

Moved by Feickert, seconded by Fischbach to increase spending authority in Fund #234-211-426.03 in amount of \$957.60 and increase estimated revenue in Fund #234-331 in amount of \$957.60 for Bureau of Justice reimbursement for purchase of Bulletproof Vests. All members present voting aye. Motion carried.

Moved by Knecht, seconded by Feickert to increase spending authority in Fund #101-311-426.30 in amount of \$1,472.00 (Oneota Township) and \$6,955.00 (North Detroit Township) and increase estimated revenue in Fund #101-331.03 in amount of \$8,427.00 for 25% FEMA Match from CDBG Funds. All members present voting aye.



Motion carried.

Moved by Fischbach, seconded by Knecht to increase spending authority in Fund #101-311-426 in amount of \$13,232.71, #101-311-425 in amount of \$1,007.00, #101-311-426.16 in amount of \$6,244.46 and increase estimated revenue in Fund #101-331.03 in amount of \$20,484.17 for reimbursement from CDBG Funds. All members present voting aye. Motion carried.

Moved by Fischbach, seconded by Feickert to increase spending authority in Fund #234-311-425.17 in amount of \$25,116.00 and increase estimated revenue in Fund #234-331.02 in amount of \$18,837.00 for FEMA Funds and #234-331.03 in amount of \$6,279.00 for reimbursement of 25% FEMA Match from CDBG Funds. All members present voting aye. Motion carried.

PLAT:

Commissioner Knecht offered the following Resolution:

RESOLUTION NO. 126-99

BE IT RESOLVED by the County Commission of Brown County, South Dakota, that the plat showing, "Kessler's Homestead Subdivision in SW 1/4 Sec. 15-T123N-R63W of 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 Fischbach. Roll call vote: Commissioners Knecht-aye, Feickert-aye, Fischbach-aye, Wiese-absent, Hansen-aye. Resolution adopted.

BID - MOTOR GRADER:

Moved by Feickert, seconded by Fischbach to authorize advertising public hearing to open, read and consider bids for furnishing and delivery of one new 1999 or 2000 Articulated Motor Grader, to be held in the Commissioner's Chambers, Courthouse Annex, Brown County, South Dakota at 8:45 A.M. on January 11, 2000. All members present voting aye. Motion carried.

AFSCME AGREEMENT:

Moved by Knecht, seconded by Feickert to approve and authorize signing agreement between Brown County and Local 162, Council 59 of the American Federation of State, County and Municipal Employees, AFL-CIO for year 2000 and 2001. All members present voting aye. Motion carried.

SHERIFF SALARY DISCUSSION:

Mark Milbrandt discussed salaries with the Commission.

DIRECTOR OF EQUALIZATION REPORT:

Mary Worlie, Director of Equalization reviewed Brown County statistical report from SD Department of Revenue for 1999 Sales Ratio Study.

EXECUTIVE SESSION:

Moved by Fischbach, seconded by Feickert to go into executive session for personnel discussion with Mary Worlie in attendance. All members present voting aye. Motion carried.

Moved by Fischbach, seconded by Feickert to adjourn executive session. All members present voting aye. Motion carried.

## BRIDGE #234:

Moved by Feickert, seconded by Knecht to approve and authorize the Chairman sign Work Order LGA-134-99 with Hofland Engineering to perform Field Survey, Drainage Data Sheet and Contour Map for Project BRO 8007(50) PCEMS 5747 Bridge #234 Structure #07-224-250 2.5 miles south and 2.4 miles east of Columbia over the James River. All members present voting aye. Motion carried.

## COMPUTER DISCUSSION:

Bill Meink discussed system tie in by State agency without prior knowledge. Meeting to be set up for clarification.

## TAXES UNCOLLECTIBLE:

Moved by Fischbach, seconded by Feickert to declare taxes in amount of \$228.30, on a 1995 Chie Mobile Home SN24453, owned by Dennis A or Vicki A Fowler, uncollectible as unit has been moved to reservation. All members present voting aye. Motion carried.

## ABANDONED RR PROPERTY:

Moved by Fischbach, seconded by Knecht to delete certain abandoned RR right/of/way parcels from the Tax Deed procedure on condition adjoining property owner pays delinquent taxes. All members present voting aye. Motion carried.

## EMS GRANT AGREEMENT:

Moved by Knecht, seconded by Fischbach to approve and authorize Chairman sign Emergency Management Performance Grant for Fiscal Year 2000, whereby the State reimburse Brown County for portion of EMS costs to the County. All members present voting aye. Motion carried.

## RECESS:

Moved by Fischbach, seconded by Knecht to recess until December 28, 1999. All members present voting aye. Motion carried.

Maxine Taylor - Brown County Auditor

DECEMBER 28, 1999 - JOINT CITY/COUNTY MEETING

The Brown County Commission and the Aberdeen City Commission met in joint session at 8:45 A.M. in the Brown County Commission Chambers, 25 Market Street, Aberdeen, South Dakota. Present from City were Commissioners Klabo, Meyer, Pfeifer and Mayor Hopper. Absent Commissioner Hurlbert. Present from County were Commissioners Knecht, Feickert, Wiese and Hansen. Absent Commissioner Fischbach.

ORDINANCE NO. 99-12-01/194:

On motion by Klabo and seconded by Pfeifer the City Commission unanimously voted to approve First Reading of Ordinance No. 99-12-01/194.

Moved by Knecht, seconded by Wiese to approve First Reading of Ordinance No. 99-12-01/194, An Ordinance amending Ordinance No. 1164 to rezone certain property from Section 701 (A-1) Agricultural District to Section 714 (M-Ag) Mini-Agricultural District, described as Kessler's Homestead Subdivision in the SW 1/4 of Sec 15-T123N-R63W of the 5th P.M., Brown County, SD. All members present voting aye. Motion carried.

ORDINANCE NO. 99-12-03/195:

On motion by Pfeifer and seconded by Meyer the City Commission unanimously voted to approve First Reading of Ordinance No. 99-12-03/195.

Moved by Feickert, seconded by Wiese to approve First Reading of Ordinance No. 99-12-03/195, An Ordinance amending Ordinance No. 1164 to rezone certain property from Section 701 (A-1) Agricultural District to Section 714 (M-Ag) Mini-Agricultural District, described as That portion of Kessler's Outlot 1 in the S 1/2 of Sec 15-T123N-R63W to be surveyed and platted as Lot 1 of Kessler's First Subdivision in the S 1/2 of Sec 15-T123N-R63W of the 5th P.M., Brown County, SD. All members present voting aye. Motion carried.

ORDINANCE NO. 99-12-04/196:

On motion by Meyer and seconded by Klabo the City Commission unanimously voted to approve First Reading of Ordinance No. 99-12-04/196.

Moved by Wiese, seconded by Knecht to approve First Reading of Ordinance No. 99-12-04/196, An Ordinance amending Ordinance No. 1164 to rezone certain property from Section 701 (A-1) Agricultural District to Section 707 (C-2) Highway Commercial District, described as That portion of Kessler's Outlot 1 in the S 1/2 of Sec 15-T123N-R63W to be surveyed and platted as Lot 2 of Kessler's First Subdivision in the S 1/2 of Sec 15-T123N-R63W of the 5th P.M., Brown County, SD. All members present voting aye. Motion carried.

The City Commission adjourned and the County Commission continued into their regularly scheduled meeting.

Maxine Taylor - Brown County Auditor

DECEMBER 28, 1999 - GENERAL MEETING

Meeting called to order by Chairman Hansen at 8:45 A.M. in the Commissioner's Chambers, Courthouse Annex, Brown County, South Dakota. Present were Commissioners Knecht, Feickert and Wiese. Absent Commissioner Fischbach.

MINUTES:

Moved by Knecht, seconded by Wiese to approve the General Meeting minutes of December 21, 1999. All members present voting aye. Motion carried.

CLAIMS:

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

Supplies & Materials: SD Assoc of County Commissioners..\$4283.80, NACO..\$644.00, Pitney Bowes..\$5647.14, Office Equipment..\$500.88, Stephens Peck..\$47.00, State Bar of SD..\$45.00, West Group..\$3107.26, Lexis/Michie..\$88.15, New Trends..\$83.56, Quality Quick Print..\$212.94, Harvey Oliver..\$315.00, Clark Title..\$620.25, Ecolab..\$65.30, Heartland Paper..\$813.09, Plainsco..\$83.78, RE Huffman..\$987.47, Walmart..\$375.44, Safety Lab..\$99.32, Nat'l Fire Protection Assn..\$531.70, Roe Fire & Safety..\$290.00, Firefighters Bookstore..\$354.15, Taylor Laundry..\$242.34, SDDOT..\$12,206.84, Cordell Rudolph..\$3.15, Safety Service..\$61.51, Nelson Auto..\$4.96, Marshall Truck..\$67.85, Mac's..\$52.52, Lien Transportation..\$2450.62, Hub City Iron..\$344.93, Hall GMC Inc..\$186.63, Great Western Tire..\$1047.45, Graham Tire..\$197.55, Frey's Electronics..\$33.75, Farnam's Parts..\$222.16, Farm Power..\$1625.36, Evergreen Supply..\$163.61, Diesel Machinery..\$91.93, Dakota Oil..\$451.00, Dakota Fluid Power..\$43.84, Crawford Trucks..\$319.25, Country General..\$20.57, Cartney Bearing..\$97.99, CarQuest..\$114.08, Butler Cat..\$3081.91, Bridgestone..\$200.76, Aberdeen Equipment..\$15.32, Lake Sand..\$18,100.00, SD Wheat Growers..\$13,959.40, Prairieland..\$654.58, UBC..\$106.69, Sherwin-Williams..\$21.79, Vosika Fencing..\$12,018.55, House of Glass..\$3439.00, Ag Communications..\$9.95, Watertown Public Transit..\$205.00, S&S Communications..\$3212.50, Dakota Electronics..\$593.15, Streichers..\$1205.00, Burghardts Inc..\$1037.82, ESRI..\$1400.00, Safelite Auto..\$292.63, Hedahls..\$30.63, Hub City Iron..\$190.74, Leggette..\$3000.69, Helms..\$9689.00, Dakota Oil..\$350.00, Sheehan Sales..\$52.66, RDO..\$412.69, Cunningham Elec..\$47.94, OK Tire..\$12.00, Academy..\$116.00, IAFE..\$350.00, Keeleys..\$433.55, Town & Country..\$750.50, Vicki Wilson..\$46.87, Washington State 4-H..\$15.00, Extension..\$52.00:

Publications: American News..\$250.00, Dakota Press..\$829.38:

Professional Fees: Witness Fee..\$20.00, Avera St Lukes..\$25.00, Sheriff of Brookings County..\$18.00, Kevin Spitzer..\$232.00, SD Dept of Revenue..\$145.00, Dawn Aman..\$2300.00:

Mileage & Travel: Jerry Streckfuss..\$286.04, Nancy Kiesz..\$121.36, Audrey Jacobsen..\$288.40, Harley Gage..\$247.20, Clarence Erickson..\$190.40, Jodi McQuillen..\$72.50, Julie Opitz..\$34.80, Linda Dillavou..\$42.34, Charlene Millim..\$8.70, Barb Zinter..\$7.42, Peggy Kalt..\$24.60, Jay Gunther..\$49.28, Janet Elsen..\$61.60, Jerry Schley..\$38.50, Tim Berndt..\$29.52:

Court Appointed Attorney: Brad Borge..\$3406.82, Tonner, Tobin & King..\$3406.82, Dale Wein..\$365.75:

Utilities: US West..\$135.15, Midcontinent Cable..\$109.73, Commnet Cellular..\$18.62, NWPS..\$1384.89, Cellular One..\$303.58, Montana Dakota..\$46.56, WEB..\$10.98, City of Aberdeen..\$3032.03, Northern Electric..\$166.20:

Care of Poor: Transportation..2 recipients..Advanced Care..\$208.75, Brown County Public Works..\$4.43; Dr/Hospital..6 recipients..Avera St Lukes..\$139,488.88, Dr Rigg..\$852.08, Vision Care Assoc..\$53.20, United Clinic..\$1258.00; Rent..2 recipients..BelAire..\$120.00; Burial..1 recipient..Spitzer Funeral Home..\$1200.00;

Drugs..4 recipients..PharMerica..\$42.31, K-Mart Pharmacy..\$179.34, Plaza Pharmacy..\$123.85, Kessler Pharmacy..\$179.34:  
Supplies & Materials: SD Assoc of County Officials..\$2434.80, Sherwin Williams..\$68.76, Quality Quick Print..\$26.10, HC Clark..\$1053.00, Computer Specialists..\$2811.00, Office Max..\$1638.06, Compaq..\$11212.00, Taylor Laundry..\$14.58, SD Emergency Mgmt..\$2.66, Kessler..\$49.50, RL Polk..\$142.50, RE Huffman..\$37.53, Gage Brothers..\$530.00, Clark Implement..\$17089.00, Prairieland..\$61.59, Streichers..\$1205.00, Walmart..\$367.47, Pitney-Bowes..\$376.00, AmeriPride..\$61.57, Sams Sound..\$972.00, Menards..\$500.00, K-Mart..\$39.99, Town & Country..\$750.50, Butler..\$6.66, Hub City Iron..\$344.93, Farm Power..\$73.04, Crawford Trucks..\$1318.61, Walmart..\$7.97, SD Wheat Growers..\$6335.22, Brown County Treasurer..\$16.23, Legislative Documents Room..\$50.00, Avera St Lukes..\$1936.09, Safelite Auto Glass..\$29.95, SDEMA..\$30.00, Hogg..\$1658.73, Visa..\$321.70, Metz..\$283.46, Medical Center Pharmacy..\$13.50, Kesslers..\$120.46, Lucent..\$1.73, Hoven Auto..\$708.81, Double D Body Shop..\$1055.75, Aberdeen Advance Care..\$189.35, HitchN'Post..\$104.97, Midcontinent..\$25.75, Custom Micro Inc..\$10068.00, Cheryl Hairgrove..\$608.00, Pierson Ford..\$56.00, Dakota Electronics..\$2450.00, Office Equipment..\$42.00:  
Transcriptions: Betsy Johnson..\$117.60:  
Publications: Frederick/Hecla Northstar..\$641.68, Aberdeen American News..\$11.25, Dakota Press..\$10.00, Comet..\$50.00:  
Professional Fees: NE Mental Health Center..\$28058.09, Dept of Revenue..\$595.00, Spitzer-Osthus Funeral Home..\$1200.00, Dacotah Bank..\$10000.00:  
Mileage & Travel: SD Fleet & Travel Mgmt..\$838.72, Dennis Feickert..\$14.50, Deb Knecht..\$254.54, Jessica Frerichs..\$8.12, Tony Ingemansen..\$18.56, Bruce Tveit..\$6.38, Jeff James..\$15.66, City of Groton..\$211.20:  
Utilities: US West..\$3376.66, NWPS..\$6932.68, Cellular One..\$148.10:  
Care of Poor: Dr/Hospital..4 recipients..Avera St Lukes..\$1374.73, Dr. John Carrels..\$45.29; Rent..3 recipients..Barb Klein..\$230.00, Bel Aire..\$118.00. All members present voting aye. Motion carried.

#### CONTINGENCY TRANSFERS:

Moved by Wiese, seconded by Knecht to approve the following Contingency Transfers from Fund #101-112-422.99 in total amount of \$92,107.92 to General Fund Accounts as follows: Commission @ \$8,691.87, Courts @ \$3,168.02, Treasurer @ \$4,559.78, A&N @ \$767.25, Director of Equalization @ \$272.71, Veterans @ \$1,343.31, Jail @ \$4,421.73, Coroner @ \$1,761.96, JDC @ \$8,099.10, Dispatch @ \$50,005.98, Nurse @ \$141.47, Fairgrounds @ \$6,447.31, Weed @ \$2,418.84, Fire @ \$8.59. All members present voting aye. Motion carried.

#### POLICY MANUAL:

Moved by Wiese, seconded by Feickert to approve Supplement No. 2 to the Employee Policy Manual. All members present voting aye. Motion carried.

#### INCREASE SPENDING AUTHORITY:

Moved by Feickert, seconded by Knecht to increase spending authority in Fund #234-151-422 in amount of \$7,016.85 and increase estimated revenue in Fund #234-334.07 in amount of \$7,016.85 for Stop Violence Against Women Act Grant. All members present voting aye. Motion carried.

#### EMERGENCY SNOW REMOVAL FUND EXPENDITURE:

Moved by Feickert, seconded by Wiese to transfer expenditures in total amount of \$150,000.00 from General Road & Bridge Fund #101-311-426 to Emergency/Snow Removal Fund #202-311-426 for grade raise completed on Road #20A, due to flooded conditions

preventing passage of school bus, mail delivery and transportation of crops to market. All members present voting aye. Motion carried.

FUND #201:

Moved by Feickert, seconded by Wiese to establish County Road and Bridge Fund #201 and authorize the balance of the Snow Removal Fund #202, Highway and Bridge Reserve Fund #203 and Wheel Tax Fund #206 be transferred to the Road and Bridge Fund #201. All members present voting aye. Motion carried.

TRANSFER FUNDS:

Moved by Wiese, seconded by Feickert to transfer cash from the General Fund (#101-101) to Road and Bridge Fund (#201-101) for purpose of start-up cash for new Fund in amount of \$54,705.69. All members present voting aye. Motion carried.

EMPLOYEE HIRED:

Moved by Wiese, seconded by Knecht to approve hiring Deborah Hoffman as part-time JDC Officer, effective December 28, 1999 at \$7.90 per hour. All members present voting aye. Motion carried.

PLATS:

Commissioner Wiese offered the following Resolution:

RESOLUTION NO. 127-99

BE IT RESOLVED by the County Commission of Brown County, South Dakota, that the plat showing "Osterloh's Subdivision to the City of Hecla, 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 Knecht-aye, Feickert-aye, Fischbach-absent, Wiese-aye, Hansen-aye. Resolution adopted.

Commissioner Wiese offered the following Resolution:

RESOLUTION NO. 128-99

BE IT RESOLVED by the County Commission of Brown County, South Dakota, that the plat showing "Kolb's Tract 1 in the NE 1/4 of Section 6-T125N-R65W 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 Feickert. Roll call vote: Commissioners Knecht-aye, Feickert-aye, Fischbach-absent, Wiese-aye, Hansen-aye. Resolution adopted.

Commissioner Wiese offered the following Resolution:

RESOLUTION NO. 129-99

BE IT RESOLVED by the County Commission of Brown County, South Dakota, that the plat showing "Mathews Addition in the NE 1/4 of Section 25-T124N-R65W 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 Feickert. Roll call vote: Commissioners Knecht-aye,

Feickert-aye, Fischbach-absent, Wiese-aye, Hansen-aye. Resolution adopted.

Commissioner Wiese offered the following Resolution:

RESOLUTION NO. 130-99

BE IT RESOLVED by the Board of County Commissioners of Brown County, South Dakota, that the plat showing "Biegler Lot 1 in the SE 1/4 of Section 14-T124N-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 Feickert. Roll call vote: Commissioners Knecht-aye, Feickert-aye, Fischbach-absent, Wiese-aye, Hansen-aye. Resolution adopted.

Commissioner Wiese offered the following Resolution:

RESOLUTION NO. 131-99

BE IT RESOLVED by the County Commission of Brown County, South Dakota, that the plat showing "Edwards 1st Subdivision in SE 1/4 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 of 1967, Chapter 11-3, and any amendments thereof.

Seconded by Commissioner Feickert. Roll call vote: Commissioners Knecht-aye, Feickert-aye, Fischbach-absent, Wiese-aye, Hansen-aye. Resolution adopted.

Commissioner Wiese offered the following Resolution:

RESOLUTION NO. 132-99

BE IT RESOLVED by the Board of County Commissioners of Brown County, South Dakota, that the plat showing "Lot 5A of Outlot 5 in the NW 1/4 of Section 23-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 Feickert. Roll call vote: Commissioners Knecht-aye, Feickert-aye, Fischbach-absent, Wiese-aye, Hansen-aye. Resolution adopted.

Commissioner Wiese offered the following Resolution:

RESOLUTION NO. 133-99

BE IT RESOLVED by the County Commission of Brown County, South Dakota, that the plat showing "Franzen's Subdivision of Lot 1 of Dumdei's 1st Subdivision in the SW 1/4 of Section 28-T124N-R64W, 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 Knecht-aye, Feickert-aye, Fischbach-absent, Wiese-aye, Hansen-aye. Resolution adopted.

COMPUTER SOFTWARE DISCUSSED:

Bill Meink, Mary Worlie and Carol Sherman met with the Commission to request the purchase of computer software in year 2000, for purpose of converting existing

Assessor's files from DOS based system to Windows based system and to add the Register of Deeds Office to the new system. Board concurred.

BUDGET SUPPLEMENT:

Time and place, as advertised for public hearing to consider a budget supplement for year 1999, to enable Brown County to cover expense of road projects in total amount of \$268,295.69. Moved by Feickert, seconded by Wiese to approve the following Budget Supplement for year 1999, to enable Brown County to cover expense of road projects in total amount of \$268,295.69, funding same from unobligated surplus cash from the following: General Fund Revenue Account #101-331.20 in amount of \$158,295.69 (ER 6268(03) reimbursement); Wheel Tax Fund #206 in amount of \$30,000.00 (Wheel Tax collections); General Fund Revenue Account #101-335.02 in amount of \$80,000.00 (increased license plate fee). All members present voting aye. Motion carried.

P.W. REPORT:

Russ Podoll met with the Commission to discuss 2000 Annual Load Limits, 2000 Road Program Meeting (11:00 A.M. January 3, 2000 at Highway Department) and Water Levels.

GRANT APPLICATION:

Shirley Schwab and Barb Johnson met with the Commission to request County sponsorship of a Grant through the South Dakota Association of County Commissioners to fund a Family Crisis Intervention Program in Brown County. Moved by Feickert, seconded by Knecht to approve and authorize the Chairman sign Grant Application for Family Crisis Intervention Program. All members present voting aye. Motion carried.

ADJOURN:

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

Maxine Taylor - Brown County Auditor



## JANUARY 3, 2000 - JOINT CITY/COUNTY MEETING

The Brown County Commission and the Aberdeen City Commission met in joint session at 6:30 P.M. in the Aberdeen City Commission Chambers, 123 S Lincoln Street, Aberdeen, South Dakota. Present from City were Commissioners Klabo, Meyer, Pfeifer, Hurlbert and Mayor Hopper. Present from County were Commissioners Fischbach, Wiese and Hansen. Absent Commissioners Knecht and Feickert.

## ORDINANCE NO. 99-12-01/194:

On motion by Klabo and seconded by Pfeifer the City Commission unanimously voted to approve Second Reading of Ordinance No. 99-12-01/194.

On motion by Hurlbert and seconded by Meyer the City Commission unanimously voted to adopt Ordinance No. 99-12-01/194.

Moved by Fischbach, seconded by Wiese to approve Second Reading of Ordinance No. 99-12-01/194. All members present voting aye. Motion carried.

Moved by Wiese, seconded by Fischbach to adopt Ordinance No. 99-12-01/194, An Ordinance amending Ordinance No. 1164 to rezone certain property from Section 701 (A-1) Agricultural District to Section 714 (M-Ag) Mini-Agricultural District, described as Kessler's Homestead Subdivision in the SW 1/4 of Sec 15-T123N-R63W of the 5th P.M., Brown County, SD. All members present voting aye. Motion carried.

## ORDINANCE NO. 99-12-03/195:

On motion by Meyer and seconded by Hurlbert the City Commission unanimously voted to approve Second Reading of Ordinance No. 99-12-03/195.

On motion by Pfeifer and seconded by Klabo the City Commission unanimously voted to adopt Ordinance No. 99-12-03/195.

Moved by Fischbach, seconded by Wiese to approve Second Reading of Ordinance No. 99-12-03/195. All members present voting aye. Motion carried.

Moved by Wiese, seconded by Fischbach to adopt Ordinance No. 99-12-03/195, An Ordinance amending Ordinance No. 1164 to rezone certain property from Section 701 (A-1) Agricultural District to Section 714 (M-Ag) Mini-Agricultural District, described as That portion of Kessler's Outlot 1 in the S 1/2 of Sec 15-T123N-R63W to be surveyed and platted as Lot 1 of Kessler's First Subdivision in the S 1/2 of Sec 15-T123N-R63W of the 5th P.M., Brown County, SD. All members present voting aye. Motion carried.

## ORDINANCE NO. 99-12-04/196:

On motion by Klabo and seconded by Meyer the City Commission unanimously voted to approve Second Reading of Ordinance No. 99-12-04/196.

On motion by Hurlbert and seconded by Pfeifer the City Commission unanimously voted to adopt Ordinance No. 99-12-04/196.

Moved by Fischbach, seconded by Wiese to approve Second Reading of Ordinance No. 99-12-04/196. All members present voting aye. Motion carried.

Moved by Wiese, seconded by Fischbach to adopt Ordinance No. 99-12-04/196, An Ordinance amending Ordinance No. 1164 to rezone certain property from Section 701

(A-1) Agricultural District to Section 707 (C-2) Highway Commercial District, described as That portion of Kessler's Outlot 1 in the S 1/2 of Sec 15-T123N-R63W to be surveyed and platted as Lot 2 of Kessler's First Subdivision in the S 1/2 of Sec 15-T123N-R63W of the 5th P.M., Brown County, SD. All members present voting aye. Motion carried.

SET HEARING DATE:

On motion by Pfeifer and seconded by Meyer the City Commission unanimously voted to set hearing to consider petition to rezone: Ordinance No. 00-01-01/197 (Rohl) to be held in the Aberdeen City Commission Chambers, 123 S Lincoln Street, Aberdeen, South Dakota at 6:30 P.M. on January 24, 2000.

Moved by Wiese, seconded by Fischbach to set hearing to consider the petition filed by Patrick Rohl, to rezone Rohl First Addition in the SW 1/4 of Sec 33-T124N-R63W of the 5th P.M., Brown County, SD from Section 701 (A-1) Agricultural District to Section 714 (M-Ag) Mini-Agricultural District (Ordinance No. 00-01-01/197), to be held in the Aberdeen City Commission Chambers, 123 S Lincoln Street, Aberdeen, South Dakota at 6:30 P.M. on January 24, 2000. All members present voting aye. Motion carried.

Moved by Fischbach, seconded by Wiese to adjourn the Brown County Commission.

Maxine Taylor - Brown County Auditor

## JANUARY 4, 2000 - REORGANIZATION MEETING

This being the reorganization meeting of the Brown County Commission for year 2000, said Board convened at 8:45 A.M. in the Commissioner's Chambers, Courthouse Annex, Brown County, South Dakota. Present were Commissioners Fischbach, Knecht, Feickert, Hansen and Wiese. Father Gregory Tschakert, St. Mary's Catholic Church opened with Prayer and the Pledge of Allegiance.

Maxine Taylor, Brown County Auditor, called for nominations for Brown County Commission Chairman for year 2000, pursuant to SDCL 7-8-15.

Commissioner Hansen nominated Deb Knecht. Moved by Fischbach, seconded by Wiese that nominations cease and a unanimous ballot be cast. All members present voting aye. Motion carried.

Commissioner Fischbach nominated Dennis Feickert for Vice Chairman. Moved by Wiese, seconded by Fischbach that nominations cease and a unanimous ballot be cast. All members present voting aye. Motion carried.

## MINUTES:

Moved by Hansen, seconded by Feickert to approve the Joint City/County Meeting minutes and the General Meeting minutes of December 28, 1999. All members present voting aye. Motion carried.

## CLAIMS:

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

Payroll: Commissioners..\$2,115.40; Data Processing..\$1,221.16; Auditor..\$5,005.30; Treasurer..\$6,916.50, OVERTIME: Dorene Borchard..\$98.10; State's Attorney..\$7,999.37; Victims Asst..\$769.24; Maintenance..\$3,753.94; Assessor..\$6,461.46; Planning & Zoning..\$829.60, OVERTIME: Mick Waller..\$15.56; Register of Deeds..\$2,893.86; Veterans Service..\$1,881.71; Health..\$2,187.20; Communications..\$10,402.25, OVERTIME: Sheila Anderson..\$124.48, Mary Browning..\$286.56, Janet Dosch..\$364.64, Betty Haar..\$19.00, Nancy Radke..\$650.88, Alicia Dohn..\$134.16, Michelle Strom..\$197.68, Lisa Wipf..\$237.44; Sheriff..\$38,370.35, OVERTIME: John Heine..\$146.40, Scott Kolb..\$78.08, Michael Casjens..\$188.00, David Fair..\$75.20, David Hanson..\$144.64, Steven Cogley..\$225.68, Dala Mandel..\$65.84, John Weaver..\$115.84, Jason Hebner..\$110.08, Dallas Vallery..\$123.84, Amy Mathiason..\$110.08, Gary Bunt..\$107.20, Cindy Baumgartner..\$104.32, Brandon Smith..\$104.32, Tina Erickson..\$78.24, Ann Bierman..\$126.14, Kevin Johnson..\$6.88, Amy Lake..\$43.55, Kristal Schumack..\$43.55, Jeffrey Kirnan..\$130.40, Tony Ingemansen..\$75.05; Museum..\$3,284.05; Welfare..\$2,231.62; Foster Grandparent Program..\$2,292.87; Parks..\$2,803.48; Fairboard..\$1,379.33; Extension..\$1,404.80, OVERTIME: Lynn Heupel..\$3.33; Emergency Management..\$1,754.32; Road and Bridge..\$27,079.24, OVERTIME: Vernon Bitz..\$77.95, David Bruckner..\$8.37, Brian Dargatz..\$3.90, Daniel Glover..\$3.62, Joel Guderjohn..\$30.18, Larry Hardy..\$7.57, Ben Z Hofer..\$7.01, Dave Kolb..\$7.01, Tom Lammon..\$7.80, Jerry Luce..\$12.20, Donald Maunu..\$15.75, Todd Odenbach..\$22.37, Bryan Owens..\$7.31, Markcus Selzler..\$32.40, Casey Thorstenson..\$14.01, Michael Wagner..\$7.54; Solid Waste..\$4,647.49, OVERTIME: Carl Wright..\$279.14, Roxanne Varns..\$75.65, Nyle Jenson..\$105.49;

Supplies & Materials: Computer Management Services..\$3,605.00:

Insurance: SD Public Assurance Alliance..\$79,574.30, SD Municipal League..\$58,692.00. All members present voting aye. Motion carried.

## EXPENSES:

Moved by Hansen, seconded by Feickert to approve the following travel expenses: County personnel to attend the Upper Missouri Valley District Meeting in Cresbard on

January 20; Mark Mills to attend a SD APCO Meeting in Pierre on January 11; Bryan Locke to attend Covert Operations Training in Minnetonka, MN on May 1 - 5; Robert Retzer, Jerry Dempsey and Earl Ruden attend the Annual Pesticide Recertification Shortcourse in Aberdeen on January 26, 2000. All members present voting aye. Motion carried.

#### 2000 SALARY SCHEDULE:

Moved by Wiese, seconded by Feickert to approve the following salaries, effective December 26, 1999: (Annually) States Attorney Harvey Oliver \$48000; Deputy States Attorney Ken Varns \$43200; Deputy States Attorney Vic Fischbach \$39000; Sheriff Mark Milbrandt \$45000; Chief Deputy Sheriff Thomas Schmitt \$40500; Auditor Maxine Taylor, Treasurer Sheila Enderson \$35000; Register of Deeds Carol Sherman \$30000; Building Superintendent Mick Palmer, EMS Director Jesse Luce \$26000; Museum Director Sue Gates \$28000; Veterans Service Officer Tom Gohn \$28500; Deputy Director of Equalization Leo Leshner, FGP Director Linda Dillavou \$29000, Fairgrounds/Parks Manager Randy Bonn \$31000; Computer Programmer William Meink, Welfare Director Charlene Millim \$33000, Director of Equalization Mary Worlie, Public Works Assistant Richard Burns \$34000; Highway Superintendent Russell Podoll \$42000; Communications Director Mark Mills \$35000; Landfill Manager Michael Scott \$36000; Commissioners Tom Fischbach, Dennis Feickert, Nancy Hansen, Mike Wiese, Deb Knecht \$11500 (plus county paid portion of optional insurance coverage); Fair Board Manager Larry Gerlach \$18500; Victims Assistance Coordinator Vicky Wicks \$20500; (Per hour) Weed Supervisor Robert Retzer 10.75; Planner/Zoner Mick Waller 10.85, Fieldmen Bimende Malik 9.41, Gene Loeschke 13.50; Chief Office Deputies Mavis Kempf, Penny Hart, Janice Moore 12.88, Judy Dosch 13.38, Catherine Lindemann 11.54, Dorene Borchard, Carol Misfeldt, Jeanette Nietert \$13.46; States Attorney's Office Secretaries Jane Jensen 9.43, Sonda Stager, Pam Kopecky 8.68; Office Deputies/Clerks: Cindy Meyers, Lori Erickson 8.68, Wende Holzkamm, Jodi McQuillen, Lynn Heupel, Michele Porter, Michelle Sitter, Kathy Fischer, Deb Dugger \$8.88, Sandra Green 9.28, Jolene Forsting 9.43, Patty Van Meter 9.73, Pat Dahlerup, Mike Kenneally 9.88, Dawn Barton, Sherri Rawstern 10.18, Jan Malsom, Ginger Walker, Ione Shilman, Jan Erickson 10.43, Karla Hallstrom, Kathy Schlecht 10.68, Geri Sillman 10.93, Cindy Schwan 11.18; Maintenance: Richard Day 9.97, Ron Adler 10.22; Sheriff Department Clerical & Cooks: Tina Erickson 8.69; Diane Mielke 9.41, Carol Wolf, Joyce DesCamps 11.09, Kathy Neitzel 11.34; Dispatchers: Janet Dosch, Tasha Judd, Alicia Dohn, Deanna Thorpe, Kathleen Volk 9.17, Michele Strom 9.41, Lisa Wipf 9.89, Betty Haar, Sheila Anderson 10.61, Mary Browning 11.57; Chief Dispatcher Nancy Radke 12.05; Pulbic Works/Landfill/Fairgrounds Daryl Thomas 6.20, Nick Wanna, Casey Thorstenson, Jeff Seiler, Dave Kolb, Melvin Ernst, Ben Hofer 9.34, Bryan Owens, Joseph Malsom 9.74, Kendall Titze, Todd Odenbach, Michael Wagner 9.94, Larry Hardy, Roxanne Varns 10.39, Daniel Glover 10.50, Vernon Bitz, Brian Dargatz, Tom Lammon, Richard Schaible 10.84, Roger Schaible 11.09, John Weig, Robert Binfet, Janet Weismantel, Jerry Luce 11.34, Dennis VanHeerde 9.65, Nyle Jenson 10.20, Cordell Rudolph 10.65, Don Maunu 10.95, Leon Vickers, Marcus Selzler 11.20, Daryl Lloyd 11.45, Carl Wright 11.70, Joel Guderjohn 10.90, David Bruckner 11.66, Terry Backous 12.16; Part time employees: Dick Voeller 6.05, Dean Sinclair, Sally Swanson, Tom Rux, Ralph Wakely 6.20, Robert Heintzman 6.30, Becky Daly, Richard Schooley 6.45, Don Fischer, Connie Jung, James Crouch 7.05, Earl Ruden, Jerry Dempsey, Irene Gese 7.55, Phyllis Voeller 7.80, Harold Pleinis, John Schalde, Jeremiah Higgins, Kay Albrecht, John Egan, Jvonne Heard, Jason Hoffman, Jessica Frerichs, Jeff James, Amy Krueger, Deborah Hoffman 8.05, Kenneth Thompson, Bruce Tveit, Jessica Frerichs, Jvonne Heard, Michael Waldrop, Jeff James 8.74, Melissa Koester 9.30, Earl Backous 10.15; Sheriff Field Deputies: Steve Cogley 11.57; David Hanson 12.05; Michael Casjens, David Fair 12.77; Scott Kolb, Bryan Locke, John Heine, Craig Anderson, John McQuillen 13.73; Jail Deputy Dala Mandel 11.21; Jailers (Adult and JDC): Jeffrey Kirnan, Cindy Baumgartner, Michelle Smith, Brandon Smith 8.69, Amy Lake, Gary Bunt, Kristal Schumack 8.93, Kevin Johnson, Dallas Vallery, Patrick Rickerl, Jason Hebner, Mark

Jastram, Amy Mathiason 9.17, Craig Nelson, Charlene McAfee 9.41, Roxanne Schumacher 9.65, John Weaver 9.89, Ethan Palluck, Ann Bierman 10.37; Home Detention Supervisor Tony Ingemansen 10.01; Juvenile Detention Supervisor Barbara Johnson 12.29; Chief Jailer John VanderHoek 13.26. Differential Pay: Public Safety Employees:

Shift	Pay
4:00 P.M. to Midnight	\$0.30 per hour
Midnight to 8:00 A.M.	\$0.40 per hour

NOTE: All overtime calculated on base pay.

GUARDS: Flat rate of \$50.00 per day for each trip. All members present voting aye. Motion carried.

#### DESIGNATION OF DEPUTIES:

Commissioner Fischbach offered the following Resolution:

#### RESOLUTION NO. 1-2000

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 Deputies, 4 Deputies, 1 part-time Clerk; Treasurer - 1 Chief Deputy, 6 Deputies, 1 part-time Clerk; Register of Deeds - 1 Chief Deputy, 1 Deputy, 1 part-time Clerk. All extra help hired by County Officials must first be approved by the County Commission.

Seconded by Commissioner Wiese. Roll call vote: Commissioners Hansen-aye, Feickert-aye, Fischbach-aye, Wiese-aye, Knecht-aye. Resolution adopted.

#### OFFICIAL NEWSPAPERS:

Moved by Hansen, seconded by Feickert to designate the following as the official Brown county Newspapers for year 2000 (SDCL 7-18-3): Aberdeen American News, Aberdeen, SD; Frederick/Hecla Northstar, Groton, SD; Dakota Press, Groton, SD. All members present voting aye. Motion carried.

#### DEPOSITORIES:

Moved by Feickert, seconded by Wiese to designate the following as official depositories for Brown County public funds for year 2000 (SDCL 7-2-13), with funds deposited in the name of Sheila Enderson, Brown County Treasurer: Dacotah Bank; First Bank of Aberdeen, Norwest Bank of Aberdeen; Norwest Capital of Aberdeen; Norwest East Branch of Aberdeen; Norwest Groton Branch of Groton; First Savings of Beresford, Hecla Branch of Hecla; First State Bank of Warner; First State Bank of Claremont; First State Bank of Claremont, Columbia Branch of Columbia; First National Bank of Frederick; People's Bank of Aberdeen; Home Federal Savings & Loan of Aberdeen; American Federal Savings & Loan of Aberdeen, First Savings & Loan Association, Inc. of Aberdeen; FIT, Sioux Falls, SD; DCB Super Bank, Aberdeen; First State Bank of Warner, Lakewood Mall Branch of Aberdeen; Dacotah Bank, East Branch, Aberdeen. All members present voting aye. Motion carried.

#### INVESTMENT POLICY:

Commissioner Wiese offered the following Resolution:

#### RESOLUTION NO. 2-2000

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 Feickert. Roll call vote: Commissioners Hansen-aye, Feickert-aye, Fischbach-aye, Wiese-aye, Knecht-aye. Resolution adopted.

#### EXPENSE POLICY:

Moved by Hansen, seconded by Wiese to set the following expense rates for Brown County employees for year 2000:

Meal reimbursement made only for out of County travel

	In-State	Out-of-State
Breakfast	\$ 5.00	\$ 7.00
Lunch	\$ 7.00	\$10.00
Dinner	<u>\$11.00</u>	<u>\$16.00</u>
	\$23.00	\$33.00

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.

Mileage Rate: \$0.29 per mile, beginning and ending odometer readings are required to qualify for mileage reimbursement. Lodging reimbursed at actual cost, receipt required. All members present voting aye. Motion carried.

#### TAX DEED NOTICES:

Commissioner Hansen offered the following Resolution:

#### RESOLUTION NO. 3-2000

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, Sheila Enderson to request Harvey Oliver and States Attorney Office personnel to act as agents to process said tax deeds and notices.

Seconded by Commissioner Wiese. Roll call vote: Commissioners Hansen-aye, Feickert-aye, Fischbach-aye, Wiese-aye, Knecht-aye. Resolution adopted.

#### COMMISSION APPOINTMENTS:

Moved by Wiese, seconded by Hansen to approve the following Commission Committee appointments for 2000: Tom Fischbach - LEPC, Communications Center Council, Range Fire Suppression; Deb Knecht - NECOG, Disaster, Rationing Board, Risk Management Committee, Fair, Resource Management Advisory Board, Union Negotiator, SDPAA; Nancy Hansen - Museum, Disaster, FGP Representative, NE Mental Health, Communications Center Council; Mike Wiese - Planning & Zoning, Liaison to Welfare, Union Negotiator, NADRIC, NECOG, Airport; Dennis Feickert - County Buildings, Weed, SDACC Catastrophic Legal Board, Fair, Legislative Contact, Extension, SDACC Executive Board (James River Valley District Representative). All members present voting aye. Motion carried.

## EXTENSION BOARD:

Moved by Feickert, seconded by Hansen to appoint Janet Elsen to 2nd three year term and Monte Mason to 1st three year term on the Brown County Extension Board. All members present voting aye. Motion carried.

## LEPC APPOINTMENTS:

Moved by Hansen, seconded by Wiese to approve the following appointments to the Local Emergency Management Committee: Roger Bortnem, Brenda Haar, Ralph Labbee, Ken Schwab, Keith Sharisky, John Stahl and Ron VanMeter; and further to accept resignation of following from the LEPC: Sharon Reidinger, Al Aden, Jason Dewar and Robert McClintock. All members present voting aye. Motion carried.

## FAIR BOARD:

Moved by Feickert, seconded by Wiese to appoint the Mark Gramm, Tom VanAsselt, Barb Kusler and Mike Hassebrock to their 1st three year term on the Brown County Fair Board. All members present voting aye. Motion carried.

## SHERIFF REPORTS:

Moved by Hansen, seconded by Feickert to approve the following November, 1999 Sheriff Reports: Incidents & Offenses, Prisoner Care, JDC, Money deposited with the County Treasurer and Monthly activities. All members present voting aye. Motion carried.

## NECOG AGREEMENT:

Moved by Wiese, seconded by Feickert to approve and authorize the Chairman sign Joint Cooperative Agreement for year 2000 with Northeast Council of Governments. All members present voting aye. Motion carried.

## FAIRGROUNDS/YOUTH CAMP RENTAL RATES:

Moved by Hansen, seconded by Wiese to establish the following rental rates:

FAIRGROUNDS RENTAL RATES - EFFECTIVE JANUARY 1, 2000

Storage Space Rental: October 1 to March 31 - **PREPAID LEASE - NO REFUNDS**

under 20' in length.....\$ 60.00 plus 4% State Sales Tax

20' and over in length....\$100.00 plus 4% State Sales Tax

30' and over in length....\$120.00 plus 4% State Sales Tax

Swine Barns: 5 barns, each has 20 stalls (8'x12')

Per barn per day.....\$ 35.00 - Clean-up additional.....\$ 45.00

Entire Grandstand:

Per day.....\$500.00, plus Electricity

Per day for days over two.....\$250.00, plus Electricity

Clean-up additional...\$150.00. Renter responsible for Snow removal

Race Track - additional.....\$500.00 per day

Under Grandstand: Per day.....\$ 75.00. Clean-up additional...\$100.00

Open Class Sheep Barn: 24 - 11'x12' stalls

Per day.....\$ 50.00 - Per day for days over two.....\$ 25.00

Clean-up additional.....\$ 45.00

Poultry Barn: 23 - 10'x10' stalls

Per day.....\$ 50.00 - Per day for days over two.....\$ 25.00

Clean-up additional.....\$ 45.00

Dairy Barn: 30 - 9'x 9 1/2' stalls

Per day.....\$ 60.00 - Per day for days over two.....\$ 30.00

Clean-up additional.....\$ 70.00

Hog & Sheep Barn: 24 - 9'x 9' stalls on dirt floor

Per day for dirt.....\$ 50.00 - Per day for days over two.....\$ 25.00

Per day total barn...\$100.00 - Per day for days over two.....\$ 50.00

Clean-up additional.....\$ 60.00

Hog & Sheep Barn Addition: 12 - 9'x 9' stalls on dirt floor  
 Per day for dirt.....\$ 25.00 - Per day for days over two.....\$ 15.00  
 Per day total barn...\$ 50.00 - Per day for days over two.....\$ 25.00  
 Clean-up additional.....\$ 50.00  
 Beef Barn: 120 stalls; 64 - 9'x 10' stalls; inside arena 50'x 180'  
 Per day.....\$100.00 - Per day for days over two.....\$ 50.00  
 Clean-up/horse shows...\$300.00 - Clean-up/other activities...\$150.00  
 Club House: 120' x 80'  
 Per day.....\$200.00 - Per day for days over two.....\$150.00  
 Clean-up additional...\$ 45.00. Activities obtaining a Special Malt Beverage  
 License - \$35.00 per keg (or equivalent), with proof from wholesaler, excluding  
 Fair Activities, Race Track and Horse Racing.  
 Expo Addition: 90' x 240'  
 Per day.....\$150.00 - Per day for days over two.....\$ 75.00  
 Clean-up/horse shows...\$300.00 - Clean-up/other activities..\$150.00  
 Holum Expo: 120' x 240'  
 Per day.....\$350.00 - Per day for days over two.....\$175.00  
 Clean-up/horse shows...\$300.00 - Clean-up/other Activities..\$150.00  
 Propane Heat responsibility of renter.  
 Horse Stalls:  
 Set up fee - per stall.....\$ 5.00  
 Orange Corral Panels - per day.....\$ 20.00  
 Horse Arena: 174' x 240' .....\$1.00 per person per day  
 Dirt moved into and out of Holum Expo: Per inch.....\$400.00  
 Secretary's Building: Per day...\$ 50.00/Clean-up additional...\$ 15.00  
 Portable Stage: Not to go out of County - except for Governmental Agency  
 Per day...\$ 75.00 - Per day for days over one.....\$ 50.00  
 People Movers - as per request  
 Bleachers - Large Green - \$50.00 per day Small Orange - \$25.00 per day  
 Small Orange - \$75.00 per day if leave Fairgrounds  
 Campgrounds: Per day per pad.....\$ 10.00 plus 5% State Sales Tax  
 (150 pads with water and electricity)  
 NOTE: EFFECTIVE JANUARY 1, 1999 - STRAW IS PROHIBITED - SAWDUST ONLY

RICHMOND YOUTH CAMP RENTAL RATES - EFFECTIVE JANUARY 1, 2000

(Rates include SD State Sales Tax when applicable)

**Booking fee in amount of \$75.00 and proof of insurance must be submitted at least 30 days prior to date of occupancy.**

Dorm only: \$ 60.00 per dorm per night for 20 people or Less

More than 20 people - \$5.00 per person

Lodge only: \$100.00 per day

Dorm(s) and Lodge - \$100.00 minimum for 20 people or less

More than 20 people - \$5.00 per person

Youth Groups - \$5.00 per person per day (Age cut-off - 19 years old)

Adult Groups - \$7.00 per person per day

Clean-up: Lodge only - \$50.00 Dormitories only - \$100.00

Lodge and Dormitories - \$150.00

County House - \$350.00 per month

All members present voting aye. Motion carried.

**ELECTION OFFICIAL RATES:**

Moved by Hansen, seconded by Feickert to set fee of \$85.00 for precinct officials working on Election Day and \$10.00 for precinct officials attending the Election School. All members present voting aye. Motion carried.

**EXECUTIVE SESSION:**

Moved by Hansen, seconded by Feickert to go into executive session for personnel



discussion with Carol Sherman in attendance. All members present voting aye.  
Motion carried.

Moved by Feickert, seconded by Hansen to adjourn executive session. All members present voting aye. Motion carried.

CHIEF DEPUTY APPOINTMENT:

Moved by Wiese, seconded by Feickert to appoint Catherine Lindemann as Chief Deputy in the Register of Deeds Office, effective December 26, 1999 at \$11.54 per hour. All members present voting aye. Motion carried.

RIVERSIDE TOWNSHIP DRAINAGE:

Gerald Osterman, Carol Osterman, Jay Howard and Carl Howard met to discuss a ditch constructed in Day County that is channeling water into Riverside Township faster than the original water course and to request additional culverts be installed to accommodate flow. The States Attorney's Office will review and make recommendation.

COMPUTER SOFTWARE AGREEMENTS:

Moved by Feickert, seconded by Wiese to approve and authorize the Chairman sign Agreement for Software Services with Computer Management Services, Inc. in total amount of \$40,551.00. All members present voting aye. Motion carried.

SALARY DISCUSSION:

Mark Milbrandt, Tom Schmitt and Jail Deputy Dala Mandel met with the Commission requesting clarification of salary policy. No action taken.

BID AWARD:

Moved by Feickert, seconded by Wiese to approve the purchase of three 2000 Chevrolet Impala Sheriff Patrol Vehicles from Lust Chevrolet in total amount of \$58,590.00 (\$19,530.00 per vehicle), as per specifications on State Bid Contract #12731 (\$19,553.00 per vehicle) on file in the Brown County Auditors Office. All members present voting aye. Motion carried.

PERSONNEL DISCUSSION:

Fair Manager Larry Gerlach met with the Commission to discuss personnel issues.

PERSONNEL/GRANT DISCUSSION:

Weed Supervisor Robert Retzer and Berwyn Bain met with the Commission to discuss personnel and presented completed application for the Thistle Thrust 2000 Grant.

RECESS:

Moved by Hansen, seconded by Wiese to recess until January 11, 2000. All members present voting aye. Motion carried.

Maxine Taylor - Brown County Auditor

JANUARY 8, 2000 - SPECIAL MEETING

The Brown County Commission held a Special Meeting on January 8, 2000 at 12:00 noon for purpose of discussing an emergency drainage project in the northeast corner of the County. Present were Commissioners Knecht, Hansen and Fischbach. Absent Commissioners Feickert and Wiese.

Dean Hinrichs attended and requested a culvert be placed in Brown County Road #11 before any water is drained.

Moved by Hansen, seconded by Fischbach, pursuant to SDCL 46A-10A-15, to hold a hearing for the purpose of adopting a drainage project, coordinated drainage area, drainage plan or the adoption of other official controls for the townships of Hecla, North Detroit, Portage and Lansing and the City of Hecla in order to protect the public general welfare, to be held in the Brown County Commissioner's Chambers, Courthouse Annex, Brown County, South Dakota at 9:00 A.M. on Friday, the 21st day of January, 2000. All members present voting aye. Motion carried.

Moved by Fischbach, seconded by Hansen to adjourn the Special Meeting of the Brown County Commission. All members present voting aye. Motion carried.

Maxine Taylor - Brown County Auditor

## JANUARY 11, 2000 - GENERAL MEETING

Meeting called to order by Chairman Knecht at 8:45 A.M. in the Commissioner's Chambers, Courthouse Annex, Brown County, South Dakota. Present were Commissioners Hansen, Feickert, Fischbach and Wiese.

## MINUTES:

Moved by Hansen, seconded by Fischbach to approve the Joint City/County Meeting minutes of January 3, 2000, the General Meeting minutes of January 4, 2000 and the Special Meeting minutes of January 8, 2000. All members present voting aye. Motion carried.

## CLAIMS:

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

Supplies & Materials: McLeods..\$164.31, Brown & Saenger..\$355.84, Office Equipment..\$1832.00, Compaq..\$1437.00, Lar-Jos..\$150.00, Pheasantland Ind..\$669.41, Photos Now..\$143.95, Hogg..\$61.22, Metz..\$36.58, Walmart..\$169.77, Brown County Reg/Deeds..\$10.00, Zastrow Conoco..\$28.66, Sewing Shoppe..\$23.00, Office Max..\$29.85, Dick's Westside..\$44.00, Farmers Union..\$225.57, MOCIC..\$150.00, Bonnie Bitz..\$312.00, Dakota Electronics..\$106.05, BOE Pub..\$314.25, Thompson Pub..\$339.00, Midwest Rubber Stamp..\$12.00, E-Z Graphics..\$60.00, Ken's Fairway..\$7.77, Parcel-Erickson..\$10.00, A&M Radio..\$43.00, Prairieland..\$6.59, Menards..\$499.76, OK Tire..\$36.00, Quality Quick Print..\$281.79, Successful Farming..\$35.00, SDSU Print Lab..\$410.35, NECOG..\$18,432.00, Aberdeen Development Corp..\$40,000.00, Glacial Lakes..\$1500.00, Virginia Mitchell..\$50.00, Praxair..\$14.90, SD Dept of Rev..\$2593.48, Adv Weighing Systems..\$1000.00, SD Dept of Ag..\$25.00, US Identification..\$72.50, SDEMA..\$90.00, RE Huffman..\$26.04, Spink County Public Transit..\$120.00, NAFGPD..\$175.00, Phyllis Voeller..\$16.00, US Post Office..\$66.00, Aberdeen Ride Line..\$956.50, Brown County Landfill..\$502.55:

Transcriptions: Slowey Court Reporting..\$135.00, Renee Kennedy..\$24.59:

Publications: Frederick/Hecla Northstar..\$297.41, American News..\$449.50:

Professional Fees: Witness Fees..\$60.00, Donna Dietrich..\$616.29, Don Carlson..\$45.00, Marv Ekeren..\$45.00, John Billings..\$320.00, Yankton County Sheriff..\$67.00:

Mileage & Travel: Leo Leshner..\$156.89, Gene Loeschke..\$89.61:

Court Appointed Attorney: Bantz, Gosch, Cremer..\$278.34, Christy Serr..\$2602.80, Michael Thompson..\$371.57, Fox, Youngberg..\$132.02:

Utilities: Northern Valley Communications..\$129.60, NWPS..\$162.05, US West..\$45.75, Accent Comm..\$323.64, James Valley Comm..\$573.47, Midcontinent Cable..\$25.75:

Care of Poor: Dr/Hospital..2 recipients..Avera United Clinic..\$125.40, Avera St Lukes..\$7795.28; Rent..6 recipients..Connie Newell..\$190.00, Terry Backous..\$99.00, Belaire..\$110.00, Tom Appletoft..\$165.00, Virgil Pochop..\$170.00; Burial..1 recipient..Miller Huebl..\$1200.00; Drugs..2 recipients..Medical Center Pharmacy..\$223.05, K-Mart Pharmacy..\$317.20. All members present voting aye. Motion carried.

## AUDITORS REPORT OF ACCOUNT:

Moved by Hansen, seconded by Wiese to approve the following December, 1999 Auditor's Report of Account:

AUDITOR'S REPORT OF ACCOUNT WITH THE COUNTY TREASURER:

Total amount of actual cash - - - - -	\$ 3,334.60
Norwest Bank- - - - -	\$ 9,600.82
US Bank - - - - -	\$ 69,935.14
Dacotah Bank- - - - -	\$ 2,285.89

Petty Cash (Sheriff, Welfare, Museum, R/D)	\$	1,500.00
Landfill Change Fund- - - - -	\$	100.00
Fund Investments- - - - -	\$	9,022,163.10
Outstanding Checks- - - - -	\$	<u>165.40</u>
Total - - - - -	\$	9,109,084.95

All members present voting aye. Motion carried.

#### CIVIL PROCESSOR MILEAGE CHARGE:

Moved by Wiese, seconded by Fischbach to set mileage rate fee charged by the Civil Processor in the Sheriff's Department at \$0.35 per mile (as per State law, six cents above state rate), effective January 1, 2000. All members present voting aye. Motion carried.

#### ABATEMENTS:

Moved by Feickert, seconded by Fischbach to approve the following Abatelements: Larry Gerlach, incorrect Westport Sewer assessment (Lot 1 Gerlach's First Addn to Westport) for year 2000 in amount of \$114.00; First Presbyterian Church, no longer rental unit (Lots 7 & 8 Blk 90 Hagerty & Lloyd's Addn) SW for year 2000 in amount of \$15.60; Justin & Cathryn Ellenson, incorrect value (Lot 24 Blk 21 Simmons 1st Addn) for year 1999 in amount of \$187.09; Ronald & Marjorie Gubin, water factor (NW 1/4 6-121-62) for year 1999 in amount of \$287.03; Severin West, BOLS gone (SE 1/4 15-125-60) for year 1999 in amount of \$11.33; John Hagen, incorrect value (NE 1/4 14-124-61) for year 1999 in amount of \$244.69; Kim Stiegelmeyer, BOLS gone (SE 1/4 15-125-60) for year 1999 in amount of \$4.46; Bates County National Bank Fox Ridge Apartments, double assessment (two lots in S 290.4' of Blk 13 Piersons Subd 18-123-63) for year 1999 in amount of \$2,391.32, for year 1998 in amount of \$2,314.42, for year 1997 in amount of \$2,367.64, for year 1996 in amount of \$2,364.66, for year 1995 in amount of \$2,443.72; John E & Donna Opsahl, incorrect value (Unit #4 & Garage NE Dakota Park East Condominium E 310' of OL B Blk 13 10th Addn Highland North) for year 1999 in amount of \$130.94; David Graf, incorrect value (Lots 11 & 12 Blk 12 OP to Aberdeen) for year 1999 in amount of \$399.38; North Highland Methodist Church, tax exempt (North Highland United Methodist Building Addn & Lot 7 Blk 3 1st Addn to Highlands) for year 1999 in amount of \$960.71; St. Mark's Episcopal Church, tax exempt (Gederos Subd Replat Lot 19 Blk 1 NW 1/4 35-124-64) for year 1999 in amount of 1,774.78; Groton American Legion Post, tax exempt (Lots 22, 23, 24 & 25 Blk 11 OP Groton) for year 1999 in amount of \$1,848.02; Mary Alice Jensen, water factor (NE 1/4 33-125-61) for year 1999 in amount of \$95.09; Glenn Nielsen, house gone (Lots 2 & 3 Blk 6 OP Columbia) for year 1999 in amount of \$184.70; Wagner Holding LLC, incorrect value (Lots 11 & 12 Blk 38 Second Addition) for year 1999 in amount \$793.55; Alan L & Brenda J Lanphere, incorrect value (Lot B Weismantel's 1st Subd of Lot 1 of N 12' of Jenkins Subd E 1/2 of SE 1/4 18-123-62) for year 1999 in amount of \$900.86; Eric & Deeann Hofer, incorrect value (Lot 10 Blk 3 Thomas Addn) for year 1999 in amount of 262.17; First United Methodist Church, tax exempt (Lots 1 & 2 Blk 29 1st Addn) for year 1999 in amount of \$3,035.56; First United Methodist Church, tax exempt (Lots 3A & 3B of Feinsteins 1st Subd Blk 29 1st Addn) for year 1999 in amount of \$708.87; First United Methodist Church, tax exempt (Lot 11 Blk 29 Subd of 1st Addn Lot 11 Blk 29 1st Addn) for year 1999 in amount of \$741.12; M Lloyd & Sally Ann Jones, incorrect value (Lots 1 & 2 & E 1/2 of Lot 3 Blk 17 Coe & Howard Addn) for year 1999 in amount of \$1,741.08; CHHO Northwestern, double assessment (Abandoned RR R/O/W, Columbia) for year 1999 in amount of \$260.70; Aberdeen City, tax deed (S 71' of Lts 1 & 2 Blk 29 Hagerty & Lloyds Addn) for year 1999 in amount of \$159.90. All members present voting aye. Motion carried.

#### PERSONNEL:

Moved by Fischbach, seconded by Feickert to approve hiring Ronald Leighty as a part-time employee in the Veterans Service Office, effective January 9, 2000 at \$6.05 per hour. All members present voting aye. Motion carried.

Moved by Wiese, seconded by Fischbach to raise the following salaries, effective January 9, 2000: Patty VanMeter @ \$9.88 per hour, Craig Nelson @ \$9.65 per hour, Barbara Johnson @ \$12.53 per hour, Ann Bierman @ \$10.61 per hour, Jeff Seiler @ \$9.54 per hour, Tina Erickson @ \$8.93 per hour. All members present voting aye. Motion carried.

EXPENSES:

Moved by Feickert, seconded by Wiese to approve travel expenses for Mike Scott to attend the 17th Annual Solid Waste Seminar in Bloomington, MN on February 23 & 24, 2000. All members present voting aye. Motion carried.

COMBINED ELECTION AGREEMENT:

Moved by Wiese, seconded by Feickert to approve and authorize the Chairman sign Combined Election Agreement with Aberdeen School District #6-1, Aberdeen City and Brown County. All members present voting aye. Motion carried.

BID - MOTOR GRADER:

Time and place, as advertised to open, read and consider bids for one 1999 or 2000 Articulated Motor Grader. Bids were received from Sheehan Mack Sales & Equipment, Aberdeen; Butler Machinery Co, Aberdeen; RDO Equipment Co, Aberdeen.

Moved by Wiese, seconded by Feickert to refer all bids to Russell Podoll, Highway Superintendent for review and recommendation. All members present voting aye. Motion carried.

TOWING AGREEMENT DISCUSSED:

Randy Weber and Tom Tonner, at the request of the Commission appeared to discuss charges for towing a vehicle disputed by an individual. The vehicle was involved in an accident reported to the Dispatch Center, Mr. Weber (Eddie's Northside 66) was contacted, as per the rotation agreement with local towing services. As a result of the discussion, Sheriff Deputy Tom Schmitt and Communications Director Mark Mills will review the towing guidelines/charges and recommend any changes.

EMERGENCY DRAINAGE PLAN:

Dave Dinger spoke on behalf of a delegation of area residents in regard to an Emergency Drainage Plan for Portage, Lansing, North Detroit and Hecla Townships. A public hearing in regard to the plan will be held at 9:00 A.M. on January 21, 2000.

Moved by Hansen, seconded by Wiese to adopt Emergency Drainage Plans for Portage, Lansing, North Detroit and Hecla Townships, as follows:

- Stage I - Section 16 North Detroit Township, dig 400 yards.
- Stage II - Breach Township Road between Section 17 & 8.
- Stage III - Section 8, dig 1/2 mile.
- Stage IV - Section line between Sections 6 & 7, dig 1 mile.
- Stage V - Clean ditch on Section 2 - Lansing Township.
- Stage VI - Breach Township Road (now under water) between Lansing and Hecla Townships. Section 35-Hecla Township & Section 2-Lansing Township.
- Stage VII - Clean old ditch on Section 13 - Hecla Township.
- Stage VIII - Clean Portage and Detroit Ditch on Section 9.
- Stage IX - Remove 2 plugs on Section 4 - North Detroit Township.

- Stage X - Remove plug on Section 33 - Portage Township.
- Stage XI - Plug Section 32 - Portage Township.
- Stage XII - Remove 2 plugs Section 29 - Portage Township.
- Stage XIII - Remove 4 plugs Section 20 - Portage Township.
- Stage XIV - Remove 1 plug on Section 8 - Portage Township.
- Stage XV - Open Township Ditch between Sections 12 & 13 - Lansing Township.

If Tacoma Park Gates have to be closed, will plug drainage ditch.  
Monitor and adjust discharge rate to avoid damage to downstream landowners.  
All members present voting aye. Motion carried.

#### JDC/HOME DETENTION ANNUAL REPORT:

JDC Supervisor Barb Johnson and Home Detention Supervisor Tony Ingemenson presented the 1999 Statistical Annual Reports for the Juvenile Detention Center and the Home Detention Program.

#### RIVERSIDE TOWNSHIP DRAINAGE:

After further examination the map presented last week was incorrect and it would appear the flow of water affecting Brown County has not changed significantly. The request for additional culverts would initially have to be addressed by Riverside Township Officials.

#### LANDFILL REPORT:

Mike Scott, Landfill Manager presented the 1999 Landfill Annual Report and discussed the following items to be purchased in 2000: paint can crusher, pick-up, ATV, copier.

#### EXECUTIVE SESSION:

Moved by Wiese, seconded by Feickert to go into executive session for personnel discussion with Mary Worlie in attendance. All members present voting aye. Motion carried.

Moved by Wiese, seconded by Hansen to adjourn executive session. All members present voting aye. Motion carried.

#### PERSONNEL:

Moved by Feickert, seconded by Wiese to appoint Dawn Barton as Chief Deputy in the Director of Equalization Office, effective January 9, 2000 at \$10.47 per hour and increase salary of Melissa Koester, part-time Appraiser to \$13.50 per hour, effective January 9, 2000. All members present voting aye. Motion carried.

#### FAIR MANAGER SALARY:

Larry Gerlach met with the Commission in regard to salary. No additional action taken.

#### RECESS:

Moved by Wiese, seconded by Feickert to recess until January 18, 2000. All members present voting aye. Motion carried.

Maxine Taylor - Brown County Auditor

## JANUARY 18, 2000 - GENERAL MEETING

Meeting called to order by Vice Chairman Feickert at 8:45 A.M. in the Commissioner's Chambers, Courthouse Annex, Brown County, South Dakota. Present were Commissioners Hansen, Fischbach and Wiese. Absent Commissioner Knecht.

## MINUTES:

Moved by Wiese, seconded by Fischbach to approve the General Meeting minutes of January 11, 2000. All members present voting aye. Motion carried.

## CLAIMS:

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

Payroll: Commissioners..\$2,211.55; Data Processing..\$1,269.24; Auditor..\$6,002.96; Treasurer..\$7,121.36; State's Attorney..\$8,111.86; Victims Asst..\$788.47; Maintenance..\$4,098.65; Assessor..\$6,686.39; Planning & Zoning..\$868.00; Register of Deeds..\$3,410.05; Veterans Service..\$1,950.56; Health..\$2,187.20; Communications..\$10,717.85, OVERTIME: Sheila Anderson..\$254.72, Mary Browning..\$243.04, Alicia Dohn..\$192.64, Janet Dosch..\$151.36, Betty Haar..\$191.04, Nancy Radke..\$280.24, Michelle Strom..\$141.20, Lisa Wipf..\$237.44; Sheriff..\$39,771.86, OVERTIME: Craig Anderson..\$164.80, Scott Kolb..\$206.00, Michael Casjens..\$153.28, David Fair..\$191.60, Steven Cogley..\$173.60, John Weaver..\$118.72, Charlene McAfee..\$112.96, Patrick Rickerl..\$110.08, Dallas Vallery..\$110.08, Amy Mathiason..\$110.08, Gary Bunt..\$67.00, Cindy Baumgartner..\$104.32, Michelle Smith..\$104.32, Brandon Smith..\$104.32, Ann Bierman..\$15.56, Kevin Johnson..\$27.52, Amy Lake..\$154.10, Kristal Schumack..\$140.70, Jeffrey Kirnan..\$147.40; Museum..\$3,392.12; Welfare..\$2,299.64; Foster Grandparent Program..\$2,293.79; Fairgrounds..\$2,846.71; Fairboard..\$711.54; Extension..\$1,404.80; Weed..\$193.50; Emergency Management..\$1,834.40; Road and Bridge..\$27,818.46, OVERTIME: Terry Backous..\$18.24, Vernon Bitz..\$77.24, Daniel Glover..\$7.88, Todd Odenbach..\$7.46, Marcus Selzler..\$16.80, Kendell Titze..\$7.46; Solid Waste..\$4,739.82, OVERTIME: Carl Wright..\$241.31, Roxanne Varns..\$268.93, Nyle Jenson..\$153.00, Dennis VanHeerde..\$195.48;

Supplies & Materials: Best Business..\$555.00, Computer Specialists..\$154.00, New Trends..\$14.32, Quality Quick Print..\$17.46, Harvey Oliver..\$106.00, Matthew Bender..\$59.48, UBC..\$6.38, Dependable Sanitation..\$203.00, Custom Sheet Metal..\$16.50, Taylor Laundry..\$134.68, Walmart..\$176.76, House of Glass..\$257.05, Amoco..\$44.54, Sheriff Limoges..\$168.00, Office Equipment..\$24.56, Bob Barker..\$44.11, K-Mart..\$10.99, Fire Safety First..\$43.46, Quint City Coin-Ops..\$36.00, Respond..\$226.40, Dick's Westside..\$50.00, Xerox..\$293.96, Office Max..\$89.91, Medical Center Pharmacy..\$1096.78, SD Div of Motor Vehicles..\$12.00, Lust Chevrolet..\$23,684.00, Aberdeen Chrysler..\$330.48, Regalia..\$1944.16, IAFE..\$200.00, Dacotah Prairie Merchantile..\$24.00, RE Huffman..\$86.52, SD Wheat Growers..\$789.85, Prairieland..\$23.92, Evergreen Supply..\$49.03, Menards..\$102.52, Plainsco..\$27.75, Paul Mardian..\$80.00, Safelite Glass..\$338.15, Brown County..\$126.39, Dependable..\$12,422.10, Minnesota Pollution..\$135.00, Earth Tech..\$2596.19, Nyle Jensen..\$25.00, Curt's Motor Sports..\$75.00, Dakota Electronics..\$90.00;

Publications: American News..\$8.92, Gibson Publishing..\$21.33;

Professional Fees: Witness fees..\$40.00, NEMHC..\$259.39, Sheriff of Becker Co..\$29.50, Sioux Vocational Services..\$120.00;

Mileage & Travel: Bruce Tveit..\$19.43, Tony Ingemansen..\$24.36, Jessica Frerichs..\$12.76;

Court Appointed Attorney: Richard Russman..\$785.00;

Utilities: NWPS..\$716.25, City of Aberdeen..\$526.00, Midcontinent Cable..\$153.00, US

West..\$471.98, Commnet Cellular..\$101.57, Northern Electric..\$750.56, Norcom..\$90.00, DTG..\$17.95:

Care of Poor: Utilities..1 recipient..City of Aberdeen..\$150.00; Dr/Hospital..2 recipients..Avera St Lukes..\$7716.60; Rent..6 recipients..M&M Rentals..\$230.00, BelAire..\$380.00, Tree House Property..\$210.00, D&D Properties..\$190.00; Drugs..3 recipients..Econofood Pharmacy..\$87.05, Kessler Pharmacy..\$10.99, Shopko Pharmacy..\$133.59. All members present voting aye. Motion carried.

PLAT:

Commissioner Fischbach offered the following Resolution:

RESOLUTION NO. 4-2000

BE IT RESOLVED by the Board of County Commissioners of Brown County, South Dakota, that the plat showing "Henley Conservation Easement Tract 1 in the S 1/2 of the NE 1/4 of Section 19-T124N-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. Roll call vote: Commissioners Hansen-aye, Feickert-aye, Fischbach-aye, Wiese-aye, Knecht-absent. Resolution adopted.

PERSONNEL:

Moved by Hansen, seconded by Wiese to approve the following salary increases, effective January 23, 2000: Jane Jensen @ \$9.58, John Weaver @ \$10.13. All members present voting aye. Motion carried.

Moved by Fischbach, seconded by Wiese to approve hiring Jason Hoffman, Fred Schmidt and Jeffrey Carlson as guards for purpose of prisoner transport. All members present voting aye. Motion carried.

ABATEMENTS:

Moved by Wiese, seconded by Fischbach to approve the following AbateMENTS: Mobile Dwellers Ranch Corp, vacant lot (Lot 2 Blk 1 Francis Evelo's Addn) SW for year 2000 in amount of \$10.40; Allen & Shirley Guthmiller, incorrect value (Lots 4 & 5 Blk 2 Park Ridge Estates) for year 1999 in amount of \$378.24; Percy & Dorothy Grote, owner occupied (Unit 3 & Garage Lots 2 & 3 Good Shepherds Lutheran Church 1st Subd) for year 1999 in amount of \$1,062.24; XL Homes Corporation, BOLS (Lt 2 Blk 1 Park Village Addn Replat ex W 115') for year 1999 in amount of \$268.04; Department of Transportation, tax exempt (KABR Outlot 1 SE 1/4 15-123-64 ex H2 & H3) for year 1999 in amount of \$266.87; Harms Oil Company, BOLS (Evelo's Subd NE 1/4 N of RR Lots 3 & 4) for year 1999 in amount of \$192.55. All members present voting aye. Motion carried.

RICHMOND HOUSE LEASE:

Moved by Fischbach, seconded by Wiese to approve and authorize the Chairman sign agreement with Paul Jarrott for lease of the residence located on the Richmond Youth Camp. All members present voting aye. Motion carried.

PERSONNEL DISCUSSION:

Jesse Luce and Mary Worlie discussed 50% salary reimbursement for the GIS (Geographic Information System) employee from Office of State Emergency Management.

Moved by Hansen, seconded by Wiese to reclassify Bimende Malik as Geographic



Information Systems Coordinator/Analyst, effective January 23, 2000 at \$12.00 per hour. All members present voting aye. Motion carried.

**LANDFILL EQUIPMENT:**

Mike Scott, Landfill Manager recommended purchasing a Kawasaki Prairie 300 4x4 from C & S Sports in amount of \$4,630.00 and a Super 6PJX Paint Can Crusher from Tee Mark Corp, Aitkin, MN in amount of \$14,984.00. Board Concurred

**BID - LANDFILL PICKUP:**

Moved by Hansen, seconded by Wiese to authorize advertising a public hearing to open, read and consider bids for furnishing and delivery of one new 2000 4x4 Pickup for the Brown County Landfill, to be held in the Commissioner's Chambers, Courthouse Annex, Brown County, South Dakota at 9:00 A.M. on February 8, 2000. All members present voting aye. Motion carried.

**ASSESSMENT DISCUSSION:**

Mary Worlie and Leo Leshner discussed the assessment of houses on agricultural sites.

**EXECUTIVE SESSION:**

Moved by Wiese, seconded by Hansen to go into executive session for personnel discussion with Mary Worlie in attendance. All members present voting aye. Motion carried.

Moved by Hansen, seconded by Wiese to adjourn executive session. All members present voting aye. Motion carried.

**SALARY ADJUSTMENT:**

Moved by Hansen, seconded by Fischbach to adjust salary of Dawn Barton from \$10.47 to \$10.71 per hour, effective January 9, 2000. All members present voting aye. Motion carried.

**BID AWARD - MOTOR GRADER:**

Moved by Wiese, seconded by Fischbach to award low bid, submitted Sheehan Mack Sales & Equipment in amount of \$141,937.00 less trade-in for net price of \$111,113.00 for a year 2000 Champion Series VI 730A VHP Motor Grader with a Falls Snow Wing; rejecting the following bids: Butler Machinery Company in amount of \$181,237.00 less trade-in for net price of \$162,237.00, RDO Equipment Company in amount of \$149,347.00 less trade-in for net price of \$135,347.00. All members present voting aye. Motion carried.

**SURPLUS PROPERTY:**

Moved by Wiese, seconded by Fischbach to declare Decal #1643 1990 Champion Motor Grader with Falls Snow Plow and Snow Wing surplus property for purpose of trade in. All members present voting aye. Motion carried.

**AGREEMENT:**

Moved by Wiese, seconded by Fischbach to approve and authorize the Chairman sign Agreement with SDDOT to exchange Federal for State funds for Construction of Project #P 6525(00) County Road #6 starting 4 miles west of Aberdeen on US 12 and north 5 miles, north and west 4.3 miles around Richmond Lake. All members present voting aye. Motion carried.

**BID DATES SET:**

Moved by Hansen, seconded by Wiese to authorize advertising the following bids be

opened, read and considered at public hearings to be held in the Commissioner's Chambers, Courthouse Annex, Brown County, South Dakota: Sports Utility Vehicle at 9:15 A.M., February 8, 2000; Tractor and Mower at 9:30 A.M., February 8, 2000; Small Steel Roller at 9:45 A.M., February 8, 2000. All members present voting aye. Motion carried.

EXPENSES:

Moved by Fischbach, seconded by Wiese to approve expenses for Cordell Rudolph and Dave Kolb to attend the ATSSA Conference in Fargo, ND on March 13 - 15, 2000. All members present voting aye. Motion carried.

BUILDING LEASE DISCUSSION:

Scott Sikkink, Aberdeen School District met with the Commission to discuss status of building lease on property County plans to purchase in 2000. New lease with similar terms will be executed upon completion of purchase by County. Judy Dosch was also in attendance.

RECESS:

Moved by Fischbach, seconded by Wiese to recess until January 25, 2000. All members present voting aye. Motion carried.

Maxine Taylor - Brown County Auditor

## JANUARY 24, 2000 - JOINT CITY/COUNTY MEETING

The Brown County Commission and the Aberdeen City Commission met in joint session at 6:30 P.M. in the Aberdeen City Commission Chambers, 123 S Lincoln Street, Aberdeen, South Dakota. Present from City were Commissioners Klabo, Meyer, Pfeifer, Hurlbert and Mayor Hopper. Present from County were Commissioners Fischbach, Feickert, Wiese and Knecht. Absent Commissioner Hansen.

## ORDINANCE NO. 00-01-01/197:

On motion by Hurlbert and seconded by Pfeifer the City Commission unanimously voted to approve First Reading of Ordinance No. 00-01-01/197.

Moved by Wiese, seconded by Feickert to approve First Reading of Ordinance No. 00-01-01/197, An Ordinance amending Ordinance No. 1164 to rezone certain property from Section 701 (A-1) Agricultural District to Section 714 (M-Ag) Mini-Agricultural District, described as Rohl First Addition in the SW 1/4 of Sec 33-T124N-R63W of the 5th P.M., Brown County, SD. All members present voting aye. Motion carried.

Moved by Fischbach, seconded by Feickert to adjourn the Brown County Commission.

Maxine Taylor - Brown County Auditor

## JANUARY 25, 2000 - GENERAL MEETING

Meeting called to order by Chairman Knecht at 8:45 A.M. in the Commissioner's Chambers, Courthouse Annex, Brown County, South Dakota. Present were Commissioners Hansen, Feickert, Fischbach and Wiese.

## MINUTES:

Moved by Hansen, seconded by Wiese to approve the General Meeting minutes of January 18, 2000 and the Special Meeting minutes of January 21, 2000. All members present voting aye. Motion carried.

## CLAIMS:

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

Supplies & Materials: SD Counties..\$315.00, Avera United Clinic..\$390.00, US Post Office..\$100.00, ProPub..\$286.88, Office Max..\$100.14, Walmart..\$89.49, Menards..\$298.03, McFarland..\$22.74, Sherwin-Williams..\$117.83, Prairieland..\$66.08, Exchange Club..\$75.00, United Laboratories..\$171.54, Ecolab..\$67.30, Langs..\$210.90, UBC..\$36.34, Best Business..\$211.88, RE Huffman..\$70.95, Warner Co-Op..\$16.00, West Group..\$109.65, Sheriff Assn..\$400.00, K-Mart..\$65.58, Avera St Lukes..\$85.29, Office Equipment..\$479.72, Phillips Petroleum..\$29.42, Central Dakota Ent..\$528.00, SD Wheat Growers..\$7337.35, SD Assoc of County Hwy Supt..\$175.00, Safety Kleen..\$96.90, Rockmount R&A..\$128.68, Reliable..\$96.04, Quality Quick Print..\$25.78, Light & Siren..\$234.86, Lawson Products..\$659.38, Kar Products..\$492.16, Insurance Plus..\$23635.65, Hedahls..\$261.29, Graham Tire..\$24.00, Evergreen..\$49.15, Dependable Sanitation..\$153.00, ATSSA..\$180.00, Newman Signs..\$3371.30, RDO..\$136.60, City of Groton..\$5200.00, Ind Sector..\$24.00, Parcel-Erickson..\$19.95, Dacotah Prairie Merchantile..\$112.29, Ameripride..\$7.23, Dakota Electronics..\$86.40, Gary's Engine..\$5.00, Walt's Saw Sharpening..\$4.50, Kleins..\$14.39, Ginger Walker..\$5.70, SmithKline..\$697.50:

Transcriptions: Neal Reporting..\$95.40, Slowey Court Reporting..\$20.00:

Publications: American News..\$559.63:

Professional Fees: Witness fees..\$114.52, Lewis & Clark Mental Health Center..\$440.00, NE Mental Health Center..\$58.52, City of Groton..\$10,000.00, Dawn Aman..\$2300.00:

Court Appointed Attorney: Bantz, Gosch, Cremer..\$748.53:

Utilities: City of Aberdeen..\$168.74, Cellular One..\$433.63, US West..\$1571.95, Bureau of Adm..\$651.05, Northern Electric..\$193.80, James Valley Co-Op..\$50.23, City of Hecla..\$82.90, Town of Frederick..\$18.25, Accent Communications..\$99.59, NWPS..\$2580.89, Midcontinent Cable..\$13.94, Phyllis Voeller..\$16.00:

Care of Poor: Utilities..1 recipient..City of Aberdeen..\$230.00; Dr/Hospital..2 recipients..Mayo Clinic..\$47.52, Aberdeen Surgical Assoc..\$545.09; Rent..5 recipients..Bo Bo Inc..\$170.00, John Dalager..\$170.00, Belaire..\$318.00; Drugs..1 recipient..Shopko Pharmacy..\$51.77. All members present voting aye. Motion carried.

## EXPENSES:

Moved by Feickert, seconded by Fischbach to approve the following expenses: Mark Mills to attend Dispatch Training in Pierre on February 6 - 8 for instructional presentation; Janet Dosch, Tasha Judd and Deanna Thorpe to attend Dispatch Training in Pierre on February 6 - 18; Mike Scott to inspect equipment at Federal Surplus in Huron on January 27, 2000. All members present voting aye. Motion carried.

## ABATEMENT:

Moved by Wiese, seconded by Fischbach to approve the following Abatement: Dwayne

Vetch, house uninhabitable (SE 1/4 24-122-65) SW for year 2000 in amount of \$62.40. All members present voting aye. Motion carried.

#### LAND LEASE:

Moved by Wiese, seconded by Fischbach to authorize advertising public hearing to lease the following parcels of County owned land to the highest bidder on Wednesday, February 9, 2000 at 10:00 A.M. in the Courthouse Annex Meeting Room, Brown County, South Dakota: Tract 1: SW 1/4 of Section 30 and NW 1/4 of Section 31, Township 128N, Range 65W (250 acres more or less). Tract 2: SW 1/4 of NW 1/4, W 1/2 of SW 1/4 and SE 1/4 of SW 1/4 of Section 20, Township 128N, Range 65W (120 acres more or less). All members present voting aye. Motion carried.

#### WAIVE PENALTY & INTEREST:

Moved by Wiese, seconded by Feickert to authorize Sheila Enderson, Brown County Treasurer accept tax payment and waive penalty and interest on the following abandoned railroad right-of-way parcels (notice mailed to Railroad): Abandoned RR R/O/W in NE 1/4 2-126-64; Abandoned RR R/O/W in NW 1/4 26-128-64. All members present voting aye. Motion carried.

#### WAIVE SHERIFF FEE:

Moved by Wiese, seconded by Feickert to waive Sheriff fee No. 00-01 in amount of \$74.10. All members present voting aye. Motion carried.

#### TEMPORARY CONSTRUCTION EASEMENTS:

Moved by Feickert, seconded by Wiese to approve and authorize the Chairman sign Temporary Construction Easement with Douglas P & Shirley Sheldon for Project BRC-1124(54): Tract 1 - The N 85' of the W 129.3' of Government Lot 2 of Section 5-T128N-R65W of the 5th P.M, Brown County, South Dakota, excepting the N 75' of the NE 1/4, said tract contains 0.03 acres more or less; Tract 2 - The N 85' of the E 370.7' of Government Lot 3 of Section 5-T128N-R65W of the 5th P.M, Brown County, South Dakota, Also the N 300' of the W 200' of the E 845.7' of Government Lot 3 of Section 5-T128N-R65W of the 5th P.M, Brown County, South Dakota, excepting the N 75' of the NW 1/4, said tract contains 1.12 acres more or less. All members present voting aye. Motion carried.

#### LEASE AGREEMENT:

Moved by Feickert, seconded by Fischbach to approve and authorize the Chairman sign agreement with Hub Area 4-H Rodeo Officials for lease of Fairgrounds facilities from July 17 - 23, 2000. All members present voting aye. Motion carried.

#### BID - YARD WASTE:

Time and place, as advertised to open, read and consider bids for 2000 Yard Waste Hauling Service from the Brown County Yard Waste Drop-Off Points. Bids were received from Dependable Sanitation and A-1 Sanitation.

Moved by Hansen, seconded by Feickert to award low bid in amount of \$54.25 per load, submitted by A-1 Sanitation for 2000 Yard Waste Hauling Service from the Brown County Yard Waste Drop-Off Points; rejecting bid in amount of \$61.50, submitted by Dependable Sanitation. All members present voting aye. Motion carried.

#### AGREEMENT:

Moved by Wiese, seconded by Fischbach to approve and authorize the Chairman sign agreement with Helms and Associates to provide Legal Topographic Survey and Mapping of the NW 1/4 14-123-65 in amount not to exceed \$10,500.00. All members present

voting aye. Motion carried.

**SURPLUS PROPERTY:**

Moved by Feickert, seconded by Wiese to declare Sharp Copier, Model #7320 SN26616398 surplus property for purpose of trade in from the Landfill. All members present voting aye. Motion carried.

**EQUIPMENT PURCHASE:**

Moved by Wiese, seconded by Feickert to authorize purchase of a 16' Tandem Axle Utility Trailer from Specialty Trailer Sales in amount of \$2,550.00 for the Landfill. All members present voting aye. Motion carried.

**BCCHC REPORT:**

Merri Nelson presented the Brown County Community Health Center October, November, December 1999 Report.

**OWNER/OCCUPIED STATUS DISCUSSED:**

Ron Therkelsen discussed owner/occupied status on his residence purchased in February, 1999. Director of Equalization Mary Worlie stated the owner/occupied form was not filed for 1999 taxes payable in 2000.

Mr. & Mrs. Myles Beckler discussed owner/occupied status on their residence. Director of Equalization Mary Worlie stated the owner/occupied form was not filed for 1999 taxes payable in 2000.

The Commission requested the Director of Equalization contact other Counties to compare procedure they use in similar situations, and also to contact Clark Title and the local Realtors Association to inquire how they inform their clients about the owner/occupied statute.

**LAW LIBRARY:**

Harvey Oliver, States Attorney discussed cost estimate for installation of additional computers in the Law Library and contracting for electronic records access rather than purchasing hard copy books - estimates reflect cost savings as well as more efficient utilization of space. No action taken at this time.

**RECESS:**

Moved by Feickert, seconded by Wiese to recess until January 31, 2000. All members present voting aye. Motion carried.

Maxine Taylor - Brown County Auditor

## FEBRUARY 1, 2000 - GENERAL MEETING

Meeting called to order by Chairman Knecht at 8:45 A.M. in the Commissioner's Chambers, Courthouse Annex, Brown County, South Dakota. Present were Commissioners Hansen, Fischbach and Wiese. Absent Commissioner Feickert.

## MINUTES:

Moved by Hansen, seconded by Wiese to approve the Joint City/County Meeting minutes of January 24, 2000 and the General Meeting minutes of January 25, 2000. All members present voting aye. Motion carried.

## CLAIMS:

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

Payroll: Commissioners..\$2,211.55; Data Processing..\$1,269.24; Auditor..\$6,002.96; Treasurer..\$7,133.36; State's Attorney..\$8,181.30; Victims Asst..\$788.47; Maintenance..\$4,340.05; Assessor..\$7,705.46; Planning & Zoning..\$868.00, OVERTIME: Mick Waller..\$16.28; Register of Deeds..\$3,306.84, OVERTIME: Cindy Schwan..\$4.20; Veterans Service..\$1,950.56; Health..\$2,235.20; Communications..\$10,570.50, OVERTIME: Sheila Anderson..\$222.88, Mary Browning..\$130.20, Alicia Dohn..\$110.08, Janet Dosch..\$275.20, Betty Haar..\$159.20, Nancy Radke..\$452.00, Michelle Strom..\$232.98, Deanna Thorpe..\$110.08, Kathleen Volk..\$110.08, Lisa Wipf..\$118.72; Sheriff..\$41,041.25, OVERTIME: John McQuillen..\$200.85, Scott Kolb..\$51.50, David Fair..\$153.28, David Hanson..\$144.64, Dala Mandel..\$33.64, John Weaver..\$252.28, Roxanne Schumacher..\$115.84, Mark Jastram..\$178.88, Jason Hebner..\$110.08, Dallas Vallery..\$110.08, Amy Mathiason..\$110.08, Cindy Baumgartner..\$130.40, Michelle Smith..\$52.16, Brandon Smith..\$91.28, Tina Erickson..\$187.60, Ann Bierman..\$27.84, Kevin Johnson..\$24.08, Amy Lake..\$134.00, Kristal Schumack..\$134.00, Jeffrey Kirnan..\$159.74; Museum..\$3,392.12; Welfare..\$2,299.64; Foster Grandparent Program..\$2,305.89; Parks..\$2,846.71, OVERTIME: John Weig..\$21.26; Fairboard..\$711.54; Extension..\$1,402.63; Weed..\$193.50; Emergency Management..\$1,834.40; Road and Bridge..\$28,211.09, OVERTIME: Terry Backous..\$18.24, Vernon Bitz..\$121.95, David Bruckner..\$4.37, Brian Dargatz..\$16.26, Daniel Glover..\$7.88, Joel Guderjohn..\$24.53, Jerry Luce..\$4.25, Donald Maunu..\$164.30, Bryan Owens..\$7.31, Jeff Seiler..\$25.04, Markcus Selzler..\$25.20, Kendell Titze..\$11.18, Dion Dargatz..\$3.43; Solid Waste..\$4,838.52, OVERTIME: Carl Wright..\$157.95, Roxanne Varns..\$7.80, Nyle Jenson..\$206.55, Dennis VanHeerde..\$260.64;

Supplies & Materials: Computer Specialists..\$400.00, Office Equipment..\$86.13, Clerk of Courts..\$20.00, Sherwin-Williams..\$18.49, Grote Roofing..\$411.00, Menards..\$74.05, Ameripride..\$20.00, Plainsco..\$117.51, Taylor Laundry..\$140.50, Ecolab..\$71.50, Walmart..\$46.44, McLeods..\$495.16, Central Supply..\$133.25, Visa..\$240.58, Bob Barker..\$15.36, Sewing Shoppe..\$21.00, K-Mart..\$19.90, Dicks..\$23.00, Ray Sumption..\$125.76, SD Wheat Growers..\$569.71, Share Corp..\$663.30, Safety Service..\$1295.30, Sanitation Products..\$76.60, Respond..\$185.95, Newman Signs..\$175.00, Meyers Tractor Salvage..\$150.00, McFarland Supply..\$7.30, Lake Sand..\$4070.00, Johnson Motors..\$13.61, Farm Power..\$253.92, Erdmann Oil..\$113.50, Don Drumm..\$58.75, Robert Dinger..\$3970.70, Larry Carson Tools..\$409.80, Carquest..\$370.81, Nick & Joe Berbos..\$375.06, Crawford Trucks..\$2322.50, Dependable Sanitation..\$214.20, Plainsco..\$5.16, Evergreen Supply..\$6.95, Shopko..\$195.46, C&S Sports..\$27.80, ARCOA Industries..\$236.60, Ken's Alignment..\$247.81, Prairieland..\$127.60, Galls..\$80.89, Newman Signs..\$1097.80, Office Max..\$267.44, Creative Forecasting Inc..\$48.00, Target..\$116.93, Fire Safety First..\$28.88, Aspen Pub..\$249.55, Lexis/Michie..\$158.28, West Group..\$4150.78;

Transcriptions: Betsy Johnson..\$10.50, Cheryl Hook..\$132.30;

Publications: American News..\$387.08:

Professional Fees: Witness fees..\$120.00, Sheriff of Custer Co..\$10.50, NE Mental Health Center..\$22.30, SD Assoc of County Commissioners..\$2077.96, Abdn Adv Care..\$355.85, Avera St Lukes..\$606.70, Arlys Kluess..\$100.00:

Mileage & Travel: Gene Loeschke..\$93.96, Earl Ruden..\$20.00, Robert Retzer..\$20.00, Jerry Dempsey..\$20.00, Mike Scott..\$7.00:

Court Appointed Attorney: Brad Borge..\$4500.00, Tobin, Tonner & King..\$4,500.00:

Utilities: Bureau of Admin..\$53.75, Commnet Cellular..\$19.17, Cellular One..\$64.56, Midcontinent Cable..\$67.75, US West..\$3444.74, Montana Dakota..\$43.93, NWPS..\$731.57, WEB Water..\$81.46, Midcontinent Communications..\$25.75:

Care of Poor: Utilities..1 recipient..City of Aberdeen..\$300.00; Dr/Hospital..1 recipient..Avera St Lukes..\$3381.50; Rent..5 recipients..Howard Hieb..\$340.00, Ron Rivett..\$230.00, Kurt Krueger..\$170.00, Terry Backous..\$210.00, Mike Youngerman..\$190.00; Burial..1 recipient..Spitzer Osthus Funeral Home..\$1100.00; Drugs..5 recipients..Dakota Square Pharmacy..\$37.59, K-Mart Pharmacy..\$145.85, Walmart Pharmacy..\$49.68. All members present voting aye. Motion carried.

#### ABATEMENTS:

Moved by Hansen, seconded by Wiese to approve the following Abatelements: Blake Urban, owner/occupied (132' next N of S 528' of W 300' of W 1/2 of SE 1/4 of SW 1/4 19-123-63) for year 1999 in amount of \$701.78; Billy K & Joyce N Jensen, owner/occupied (N 80 rods of E 60 rods NE 1/4 34-123-63) for year 1998 in amount of \$225.94 and for year 1999 in amount of \$235.72; Patrick M & Ruth A Coughlin, incorrect value (Lot 16 Blk 3 Prairiewood Village) for year 1999 in amount of \$171.50 (Lot 17 Blk 3 Prairiewood Village) for year 1999 in amount of \$171.50; ATC, exempt from Solid Waste Sales Tax (E 540' of N 403.33' NE 1/4 28-123-64) for year 2000 in amount of \$2.40 (E 77' of Lots 1 & 2 Blk 19 Thomas Addn) for year 2000 in amount of \$0.40 (Lots 849, 850, 851 & 852 Morning Heights Extended Addition) for year 2000 in amount of \$0.40; William Herman, exemption for paraplegic (Wards First Subd Lot 1 Subd of L 1-13 Bonaccord Estates Subd) for year 1999 in amount of \$1,885.46. All members present voting aye. Motion carried.

#### PLAT:

Commissioner Wiese offered the following Resolution:

#### RESOLUTION NO. 5-2000

BE IT RESOLVED by the Board of Commissioners of Brown County, South Dakota, that the plat showing "Rohl First Addition in the SW 1/4 of Sec 33-T124N-R63W 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 Commission Hansen. Roll call vote: Commissioners Hansen-aye, Fischbach-aye, Wiese-aye, Knecht-aye, Feickert-absent. Resolution adopted.

#### WAIVE PENALTY & INTEREST:

Moved by Wiese, seconded by Fischbach to authorize Sheila Enderson, Brown County Treasurer accept tax payment and waive penalty and interest on the following abandoned railroad right/of/way parcels (notice mailed to Railroad): Abandoned RR R/O/W in SE 1/4 3-128-64; Abandoned RR R/O/W in NE 1/4 3-128-64. All members present voting aye. Motion carried.

#### QUIT CLAIM DEEDS:



Moved by Wiese, seconded by Hansen to approve and authorize the Chairman sign the following Quit Claim Deeds: Abandoned RR R/O/W NE 1/4 2-126-64 to Dennis or Joan Ellwein; Abandoned RR R/O/W NW 1/4 26-128-64 to William or Debbie Gustafson; Abandoned RR R/O/W SE 1/4 3-128-64 to Bruce or Lynette Durham; Abandoned RR R/O/W NE 1/4 3-128-64 to Bruce or Lynette Durham. All members present voting aye. Motion carried.

#### PERSONNEL:

Moved by Wiese, seconded by Fischbach to approve employee step increase, effective February 6, 2000: Mark Jastram @ \$9.41 per hour. All members present voting aye. Motion carried.

Moved by Wiese, seconded by Fischbach to approve hiring Misty Holsing as part-time Museum employee, effective February 7, 2000 at \$6.05 per hour. All members present voting aye. Motion carried.

Moved by Hansen, seconded by Wiese to acknowledge resignation of corrections officer Jason Hebner. All members present voting aye. Motion carried.

Moved by Fischbach, seconded by Wiese to approve hiring Michael Paul Kuebler as correction officer in the adult jail, effective February 2, 2000 at \$8.69 per hour; approve classification change for Gary Bunt from jailer to Field Deputy, effective February 1, 2000 at \$11.33 per hour; approve classification change for Michael Johnson from part-time jailer to full time jailer, effective February 1, 2000 at \$8.69 per hour. All members present voting aye. Motion carried.

#### LAND LEASE:

Moved by Wiese, seconded by Hansen to authorize advertising public hearing to lease the following parcel of County owned land to the highest bidder: NW 1/4 of Sec 14-T123N-R65W of the 5th P.M., Brown County, SD (approximately 146 acres), to be held in the Commissioner's Chambers, Courthouse Annex, Brown County, South Dakota at 8:45 A.M. on February 22, 2000. All members present voting aye. Motion carried.

#### AGREEMENT:

Moved by Wiese, seconded by Fischbach to approve and authorize the Chairman sign 2000 Yard Waste Hauling Agreement with A-1 Sanitation. All members present voting aye. Motion carried.

#### SHERIFF REPORTS:

Moved by Hansen, seconded by Wiese to approve the following December 1999 Sheriff Reports: Incidents & Offenses, Prisoner Care, JDC, Money deposited with the County Treasurer and Monthly activities. All members present voting aye. Motion carried.

#### INDIGENT COUNSEL AGREEMENT:

Moved by Fischbach, seconded by Wiese to approve and authorize the Chairman sign 2000-2001 Indigent Counsel Agreement with Tonner, Tobin & King and any attorney employed therewith and Brad Borge. All members present voting aye. Motion carried.

#### FGP PERSONNEL:

Linda Dillavou, FGP Director presented letter of resignation, effective March 17, 2000.

Moved by Fischbach, seconded by Hansen to accept resignation and thank Linda Dillavou for 12 1/2 years of service to the Foster Grandparent Program and Brown

County. All members present voting aye. Motion carried.

Moved by Hansen, seconded by Wiese to authorize advertising position of Foster Grandparent Program Director upon resignation of Linda Dillavou. All members present voting aye. Motion carried.

OWNER/OCCUPIED PROCEDURE:

As requested by the Commission, Mary Worlie contacted several Counties, Clark Title and the local Realtors Association in regard to application procedure for owner/occupied status. Unless an error is made at the county level, applications must be submitted between November 1 and March 15 to receive the owner/occupied mill levy for current assessment year. Decision was made to not abate taxes for applicants who did not file correctly.

PROPERTY VALUE DISCUSSED:

Dan Zumbaum met with the Commission to request the value of the property he purchased in January, 1999 be lowered to affect current taxes due. No action taken as time frame for appeal process has lapsed.

P.W. REPORT:

Russ Podoll, Highway Superintendent discussed the following: attendance at equipment convention in Las Vegas compliments of Sheehan Equipment; personnel; right/of/way acquisition agreement; lock changes; equipment purchase and water levels.

RECESS:

Moved by Hansen, seconded by Wiese to recess until February 8, 2000. All members present voting aye. Motion carried.

Maxine Taylor - Brown County Auditor

## JANUARY 31, 2000 - JOINT CITY/COUNTY MEETING

The Brown County Commission and the Aberdeen City Commission met in joint session at 6:30 P.M. in the Aberdeen City Commission Chambers, 123 S Lincoln Street, Aberdeen, South Dakota. Present from City were Commissioners Klabo, Meyer, Pfeifer, Hurlbert and Mayor Hopper. Present from County were Commissioners Fischbach, Wiese and Knecht. Absent Commissioners Hansen and Feickert.

## ORDINANCE NO. 00-01-01/197:

On motion by Pfeifer and seconded by Hurlbert the City Commission unanimously voted to approve Second Reading of Ordinance No. 00-01-01/197.

On motion by Klabo and seconded by Meyer the City Commission unanimously voted to adopt Ordinance No. 00-01-01/197.

Moved by Fischbach, seconded by Wiese to approve Second Reading of Ordinance No. 00-01-01/197. All members present voting aye. Motion carried.

Moved by Wiese, seconded by Fischbach to adopt Ordinance No. 00-01-01/197, An Ordinance amending Ordinance No. 1164 to rezone certain property from Section 701 (A-1) Agricultural District to Section 714 (M-Ag) Mini-Agricultural District, described as Rohl First Addition in the SW 1/4 of Sec 33-T124N-R63W of the 5th P.M., Brown County, SD. All members present voting aye. Motion carried.

Moved by Wiese, seconded by Fischbach to adjourn the Brown County Commission.

Maxine Taylor - Brown County Auditor

## FEBRUARY 8, 2000 - GENERAL MEETING

Meeting called to order by Chairman Knecht at 8:45 A.M. in the Commissioner's Chambers, Courthouse Annex, Brown County, South Dakota. Present were Commissioners Hansen, Feickert, Fischbach and Weise.

## MINUTES:

Moved by Hansen, seconded by Wiese to approve the Joint City/County Meeting minutes of January 31, 2000 and the General Meeting minutes of February 1, 2000. All members present voting aye. Motion carried.

## CLAIMS:

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

Supplies & Materials: Brown & Saenger..\$175.58, Quality Quick Print..\$1264.73, Office Max..\$547.81, Western Printing..\$631.55, New Trends..\$607.78, Harvey Oliver..\$106.00, Sanders..\$58.27, Hub City Iron..\$32.55, Langs..\$263.10, Quality Welding..\$5.50, Bergstrom Mfg..\$72.20, UBC..\$29.58, Taylor Laundry..\$49.06, RE Huffman..\$76.64, Presentation College Bookstore..\$35.00, Hoggs..\$4529.73, Aberdeen Lock & Key..\$7.50, Esmet Inc..\$32.90, Grafix Shoppe..\$999.00, Dakota Electronics..\$364.50, Quality Welding..\$6.50, K-Mart..\$39.62, Sewing Shop..\$2.50, Xerox Corp..\$170.09, Egads..\$22.50, Office Equipment..\$83.50, Respond..\$123.65, SD Fleet..\$1415.68, Civic Research Inst..\$148.95, D'Luxe Car Wash..\$10.94, Dept of Rev..\$2866.80, University Dental Assoc..\$42.90, Gelling Auto..\$26.27, SD Dept of Health..\$91.00, Bonnie Bitz..\$168.00, Kustom Signals..\$1710.00, B&B Contracting..\$6380.00, Bridgestone Firestone..\$108.19, Butler..\$5865.41, Clark Engineering..\$8741.27, Robert Dinger..\$1743.20, Evergreen Supply..\$178.13, Gardner Locksmith..\$234.64, Graham Tire..\$1907.38, Huron Culvert..\$4110.84, Menards..\$119.36, Midwest Pump & Tank..\$43.37, Nelson Auto..\$8.52, Newman Signs..\$540.00, Norcom..\$2.95, Plastic Works..\$1670.00, Share Corp..\$65.00, SD Division of Motor Vehicles..\$12.00, SD Wheat Growers..\$7664.25, Harley Taylor..\$270.13, Jeff Voeller..\$14,500.00, Weismantel..\$117.50, SD Dept of Social Services..\$6853.00, Town of Frederick..\$1500.00, Kleins..\$11.37, Ameripride..\$13.60, Ken's Fairway..\$21.13, Office of Financial Aid..\$97.20, A&M Radio..\$44.50, Prairieland..\$26.40, Evergreen..\$16.40, Farm Power..\$51.00, OK Tire..\$22.00, Ralph's Heating..\$297.54, Successful Farming..\$15.00, Weed & Pest Conference..\$80.00, Academy..\$3.00, Walmart..\$7.90, Aberdeen Chrysler..\$200.65, Bottom Line Books..\$28.90, Watertown Area Transit..\$250.00, Spink County Transit..\$164.00, Nat'l Assoc of FGP Directors..\$4.52, House of Glass..\$89.82, Cole Papers..\$553.84, Century Business Products..\$36.09, Taylor Laundry..\$29.30, Hedahls..\$204.61, Leggette..\$34.50, Dakota Air..\$96.45, Nelson Auto..\$19.92, SD Fed Property..\$73.00, Butler Machinery..\$176,251.19:

Publications: American News..\$492.60:

Professional Fees: Witness fees..\$40.00, Shen Yunhe..\$185.95, Robert Chavis..\$80.00, Don Carlson..\$15.00, Marv Ekeren..\$15.00, Codington County..\$110.00, Yankton County Sheriff..\$16.75, stipends..\$11,987.55:

Mileage & Travel: Deb Knecht..\$162.40, Maxine Taylor..\$123.02, Sheila Enderson..\$98.38, Mark Milbrandt..\$555.92, Gary Erickson..\$209.21:

Utilities: City of Aberdeen..\$441.77, NWPS..\$8115.35, Accent Comm..\$409.98, Cellular One..\$99.99, Town of Frederick..\$18.25, James Valley Co-Op..\$637.35, Dependable Sanitation..\$12,169.27:

Care of Poor: Dr/Hospital..6 recipients..Orthopedic Surgery..\$509.51, Aberdeen Surgical Assoc..\$1299.36, Aberdeen Family Physicians..\$328.90, Avera St Lukes..\$12,841.41, EMSA..\$191.59; Rent..2 recipients..BelAire Apts..\$70.00, M&M Rentals..\$125.00; Drugs..4 recipients..Econofoods Pharmacy..\$84.95, Shopko Pharmacy..\$200.55, Kessler Pharmacy..\$56.68, Medical Center Pharmacy..\$188.92; Insurance..1 recipient..Fortis Ins Co..\$386.77. All members present voting aye. Motion carried.

## LIBRARY AGREEMENT:

Moved by Hansen, seconded by Feickert to approve and authorize the Chairman sign agreement with the City of Aberdeen for Library services in Brown County. All members present voting aye. Motion carried.

## BID - WEED CHEMICAL:

Moved by Wiese, seconded by Feickert to authorize advertising public hearing to open, read and consider bids for furnishing chemical for the Brown County Weed and Pest Board for 2000, to be held in the Commissioner's Chambers, Courthouse Annex, Brown County, South Dakota at 9:00 A.M. on February 22, 2000. All members present voting aye. Motion carried.

## PERSONNEL:

Moved by Wiese, seconded by Hansen to approve hiring Neil Bittner and Michael Johnson as guards for purpose of prisoner transport. All members present voting aye. Motion carried.

Moved by Hansen, seconded by Feickert to approve hiring Lorah Houser Jankord as part-time appraiser, effective February 9, 2000 at \$13.50 per hour. All members present voting aye. Motion carried.

Moved by Hansen, seconded by Feickert to approve the following volunteer divers (Brown County Dive Team) for purpose of work comp coverage: Richard Adema, Trent Anderson, Roger Beaty, Steven Hairgrove, David Hanson, Lynn Hovel, Tim Medenwald, Mike Miller, Scott Norby, Christopher Sanderson, Tom Tarnowski, Jason Volk, Brad Waage. All members present voting aye. Motion carried.

## AUDITOR'S REPORT OF ACCOUNT:

Moved by Hansen, seconded by Wiese to approve the following January 2000 Auditor's Report of Account:

AUDITOR'S REPORT OF ACCOUNT WITH THE COUNTY TREASURER:

Total amount of actual cash - - - - -	\$ 3,495.00
Norwest Bank- - - - -	\$ 8,970.86
US Bank - - - - -	\$ 80,331.03
Dacotah Bank- - - - -	\$ 9,211.71
Petty Cash (Sheriff,Welfare,Museum,R/D) \$	1,500.00
Landfill Change Fund- - - - -	\$ 100.00
Fund Investments- - - - -	\$9,853,413.42
Outstanding Checks- - - - -	\$ 5.00
Total - - - - -	\$9,957,027.02

All members present voting aye. Motion carried.

## LEASE AGREEMENTS:

Moved by Wiese, seconded by Hansen to approve and authorize the Chairman sign the following agreements: Liebelts for lease of the Expo Building March 22 - April 2; Extension 4-H to lease the Expo Building June 24; Brown County 4-H Horse Sale to lease the Horse Arena and Beef Barn July 13; Brown County 4-H Horse Camp to lease Beef Barn, Expo Addition, Expo Building, Horse Arena June 6 - 8 and June 16 - 18. All members present voting aye. Motion carried.

## INCREASE SPENDING AUTHORITY/ESTIMATED REVENUE:

Moved by Hansen, seconded by Feickert to increase spending authority in Fund #234-151-422 and increase estimated revenue in Fund #234-334.01 in amount of \$713.15 for SVAWA Grant. All members present voting aye. Motion carried.

## LIEN DISCUSSED:

A medical relief lien was discussed, with Commission consenting to subordinate said lien if lender agrees.

**ABATEMENT:**

Moved by Wiese, seconded by Hansen to approve the following Abatement: Alison B Fischer, owner occupied (Middleton OL A S 1/2 of SE 1/4 20-128-62) for year 1999 in amount of \$244.12. All members present voting aye. Motion carried.

**LIEN DISCUSSED:**

Brad Borge appeared to request compromise/release of a relief lien filed against an individual and deceased spouse in order to transfer interest in property owned by deceased to surviving spouse. The Commission suggested the title of the property be transferred to the surviving spouse subject to the Relief Lien.

**BID - LANDFILL PICKUP:**

Time and place, as advertised to open, read and consider bids for one new 2000 4x4 Extended Cab 1/2 Ton Pickup for the Landfill. Bids were received from Lust Chevrolet, Johnson Motors, Aberdeen Chrysler, Pierson Ford and Pioneer Ford.

Moved by Fischbach, seconded by Wiese to refer all bids to Mike Scott, Landfill Manager for review and recommendation. All members present voting aye. Motion carried.

Moved by Feickert, seconded by Fischbach to award low bid, submitted by Pierson Ford in amount of \$24,475.00 for new 2000 4x4 Extended Cab 1/2 Ton Pickup; rejecting the following bids submitted by Lust Chevrolet in amount of \$27,100.00, Johnson Motors in amount of \$27,530.00, Aberdeen Chrysler in amount of \$27,279.00 and Pioneer Ford in amount of \$25,769.00. All members present voting aye. Motion carried.

**EQUIPMENT PURCHASE:**

Moved by Feickert, seconded by Wiese to purchase D8N Cat Dozer from Butler Machinery in amount of \$176,251.19, as stated in 1995 bid for outright purchase option. All members present voting aye. Motion carried.

**BID - SPORT UTILITY VEHICLE - HIGHWAY:**

Time and place, as advertised to open, read and consider bids for one New 1999 or 2000 Sport Utility Vehicle for the Highway. Bids were received from Lust Chevrolet and Pierson Ford.

Moved by Feickert, seconded by Hansen to refer all bids to Russ Podoll, Highway Superintendent for review and recommendation. All members present voting aye. Motion carried.

**BID - NEW OR USED TRACTOR/MOWER - HIGHWAY:**

Time and place, as advertised to open, read and consider bids for one New or Used Tractor with Mower for the Highway. Bids were received from Doyle Equipment Inc, RDO and Diesel Machinery Inc.

Moved by Feickert, seconded by Wiese to refer all bids to Russ Podoll, Highway Superintendent for review and recommendation. All members present voting aye. Motion carried.

**BID - NEW OR USED SMALL DOUBLE DRUM ROLLER - HIGHWAY:**

Time and place, as advertised to open, read and consider bids for one New or Used Small Double Drum Roller for the Highway. Bids were received from RDO, Diesel Machinery Inc, Sheehan Mack Sales & Equipment, Piorier Equipment Company and JD Evans Inc.

Moved by Fischbach, seconded by Wiese to refer all bids to Russ Podoll, Highway Superintendent for review and recommendation. All members present voting aye. Motion carried.

#### PAVEMENT MARKING AGREEMENT:

Moved by Hansen, seconded by Wiese to approve and authorize the Chairman sign Agreement with the SD DOT for 2000 County Pavement Marking Project (approximately 168.5 miles). All members present voting aye. Motion carried.

#### JDC/HOME DETENTION:

Barb Johnson presented percentage update for Brown County Juveniles being placed in JDC compared to the percentage of out of County Juveniles. Tony Ingemensen discussed the possibility of increasing the number of Juveniles on the Home Detention Program from 8 to 10, which would increase Program costs. Board concurred. Jeff James was also in attendance.

#### EXECUTIVE SESSION:

Moved by Hansen, seconded by Fischbach to go into executive session for personnel discussion with Barb Johnson, Tony Ingemensen and Jeff James in attendance. All members present voting aye. Motion carried.

Moved by Hansen, seconded by Wiese to adjourn executive session. All members present voting aye. Motion carried.

#### EXTENSION COPIER:

Gary Erickson recommended copier be purchased for the Extension Office rather than a Risograph machine based on usage pattern for the current copier. Board concurred.

#### RICHMOND LAKE ASSOCIATION:

Jerry Krueger, spokesman for the Richmond Lake Association discussed possibility of the County including additional roads around the lake on the County system. The Commission expressed concern about the condition of the roads currently on the County system and doubted more miles would be added at this time.

#### JDC DISCUSSION:

R. Kent Berkley, Community Research Associates, Inc met with the Commission to discuss purpose of Grant, sponsored by the SD Association of County Commissioners his Company has received for reviewing current plans for regional detention systems and the type of recommendations that will be made in the final report. Mr. Berkley will be in the area for several days reviewing conditions, obtaining statistics and assessing future needs for the Brown County Juvenile Detention Center.

#### AUDIT ENTRANCE CONFERENCE:

Kay Fredrick, SD Department of Legislative Audits met with the Commission for Entrance Conference for the Audit being conducted for fiscal year 1999.

#### RECESS:

Moved by Wiese, seconded by Hansen to recess until February 15, 2000. All members present voting aye. Motion carried.

Maxine Taylor - Brown County Auditor

## FEBRUARY 15, 2000 - GENERAL MEETING

Meeting called to order by Chairman Knecht at 8:45 A.M. in the Commissioner's Chambers, Courthouse Annex, Brown County, South Dakota. Present were Commissioners Hansen, Feickert and Wiese. Absent Commissioner Fischbach.

## MINUTES:

Moved by Hansen, seconded by Wiese to approve the General Meeting minutes of February 8, 2000. All members present voting aye. Motion carried.

## CLAIMS:

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

Payroll: Commissioners..\$2,211.55; Data Processing..\$1,269.24; Auditor..\$6,002.96, OVERTIME: Jan Erickson..\$11.74; Treasurer..\$7,133.36; State's Attorney..\$8,193.30; Victims Asst..\$788.47; Maintenance..\$4,444.13, OVERTIME: Judy Dosch..\$40.14; Assessor..\$6,418.42; Planning & Zoning..\$868.00; Register of Deeds..\$3,211.71; Veterans Service..\$2,026.19, OVERTIME: Kathy Schlecht..\$188.24; Health..\$2,211.20; Communications..\$10,325.46, OVERTIME: Sheila Anderson..\$191.04, Mary Browning..\$138.88, Alicia Dohn..\$292.40, Janet Dosch..\$158.24, Michelle Strom..\$112.96, Lisa Wipf..\$237.44; Sheriff..\$40,733.95, OVERTIME: John McQuillen..\$61.80, Scott Kolb..\$92.70, David Fair..\$38.32, David Hanson..\$36.16, Mark Jastram..\$55.04, Cindy Baumgartner..\$52.16, Brandon Smith..\$13.04, Barbara Johnson..\$46.98, Ann Bierman..\$39.78, Kevin Johnson..\$41.28, Kristal Schumack..\$33.50, Jeffrey Kirnan..\$39.12; Museum..\$3,392.12; Welfare..\$2,299.64; Foster Grandparent Program..\$2,438.99; Parks..\$2,846.71; Fairboard..\$711.54; Extension..\$1,402.63, OVERTIME: Lynn Heupel..\$3.33; Weed..\$254.04; Emergency Management..\$1,834.40; Road and Bridge..\$28,211.09, OVERTIME: Vernon Bitz..\$73.17, Daniel Glover..\$39.38, Joel Guderjohn..\$81.75, Larry Hardy..\$7.80, Jerry Luce..\$12.76, Joseph Malsam..\$7.31, Donald Maunu..\$345.03, Todd Odenbach..\$7.46, Bryan Owens..\$10.96, Roger Schaible..\$8.32, Jeff Seiler..\$14.31, Markcus Selzler..\$50.40, Earl Backous..\$7.62; Solid Waste..\$4,843.81, OVERTIME: Carl Wright..\$214.99, Roxanne Varns..\$27.28, Nyle Jenson..\$156.83, Dennis VanHeerde..\$108.60;

Supplies & Materials: McLeods..\$847.64, David Taylor..\$50.00, Office Max..\$48.27, Jane Jensen..\$6.50, Cunningham Elec..\$32.64, Plainsco..\$360.47, Cole Papers..\$502.01, Prairieland..\$15.56, Gardner Locksmith..\$577.88, UBC..\$42.13, K-Mart..\$122.56, Photos Now..\$83.15, New Trends..\$276.17, Cheryl Hairgrove..\$494.00, Mid-American Specialties..\$160.01, Ameripride..\$101.96, Pierson Ford..\$50.00, Metz Baking..\$506.54, Parcel-Erickson..\$229.80, Interstate Telecommunications Co-Op..\$1.57, Howards Service..\$50.00, Walmart..\$68.45, Respond..\$10.95, Kesslers..\$345.55, Weather Affects..\$125.91, Hedahls..\$285.39, Streichers..\$845.75, Xerox..\$153.54, SD Federal Property..\$150.00, Lust Chev..\$45.57, Safety Service..\$113.43, Community Alternatives of the Black Hills..\$24.50, Avera St Lukes..\$38.00, Warner Co-Op..\$16.00, Double D Body Shop..\$36.00, Tuxall..\$469.87, SD Dept of Revenue..\$40.00, Weismantel Rent-All..\$200.00, Taylor Laundry..\$263.38, Harley Taylor..\$69.63, SD Wheat Growers..\$1921.02, Sheehan Mack Sales..\$111,113.00, Schwan Welding..\$83.50, Sanders Sew-N-Vac..\$369.99, Cordell Rudolph..\$12.68, RDO..\$1393.15, Occupational Dev Center..\$112.70, Newman Signs..\$778.33, Mattern's Diesel..\$199.02, Mac's..\$8.33, Light & Siren..\$244.99, Lawson Products..\$275.47, Kar Products..\$287.44, Hub City Iron..\$1340.99, Hecla Impl..\$73.96, Brian Ham..\$144.13, Great Western..\$1912.98, Frey's Electronics..\$11.25, Farnams Genuine Parts..\$50.87, Farm Plan..\$6.64, Robert Dinger..\$59.70, Dakota Oil..\$1312.30, Dakota Fluid Power..\$300.95, Cunningham Elec..\$32.64, Chris & Dons..\$147.60, Cradys Radiator..\$61.20, Computer Specialists..\$145.00, Caspers Hwd..\$25.45, Brick Propane..\$44.20, Briefings..\$158.00, Artz Camera..\$9.35, Larry Gerlach..\$75.00, RE Huffman..\$177.30, Kleins..\$4.18, Extension Service..\$20.01, City of Groton..\$800.00, Kesslers..\$20.09, Aberdeen Ride Line..\$813.00, Aberdeen Transmission



Center..\$1963.39, Earth Tech..\$1169.46, McLeod USA..\$17.95, Century Business..\$1650.00, US Post Office..\$114.00, Gemplers..\$23.02, Sheehan Mack Sales..\$119.96, Great Plains Waste Mgmt Conf..\$100.00, Respond..\$75.75, Direct Safety..\$947.35, Paul Mardian..\$86.00, Praxair..\$15.33, MJ Dalsin..\$211.10:  
Publications: American News..\$352.06, Frederick/Hecla Northstar..\$362.17, Mitchell Daily Republic..\$33.16:  
Professional Fees: Witness fees..\$40.00, Mark McNeary..\$1500.00, NE Mental Health Center..\$312.60, Parker Orthopedics..\$498.63, Dr Charles Miller..\$125.40, Kevin Spitzer..\$468.05, NADRIC..\$2083.37, Yankton County Sheriff..\$16.75, Eide Bailey..\$216.75:  
Mileage & Travel: Mike Wiese..\$173.08, Dennis Feickert..\$24.40, Sheila Enderson..\$174.05, Leo Leshner..\$131.95, Eileen Hoffart..\$26.39, Mabel Morgan..\$26.39, Russ Podoll..\$20.00:  
Court Appointed Attorney: Tonner, Tobin & King..\$252.71:  
Utilities: Midcontinent Communications..\$446.12, US West..\$492.48, Northern Elec..\$623.24, City of Hecla..\$65.03, City of Aberdeen..\$285.00, Commnet Cellular..\$101.26:  
Care of Poor: Transportation..2 recipients..Stone's Bus Depot..\$61.00, Aberdeen Advance Care..\$99.00; Utilities..2 recipients..NWPS..\$284.25; Dr/Hospital..4 recipients..Anesthesia Care..\$352.00, Gerber Prof Assoc..\$1612.44, Internal Medicine..\$485.00, Avera St Lukes..\$1028.94; Rent..6 recipients..Don Peck..\$120.00, BelAire Apts..\$283.00, Eddie Falcon..\$85.00, Innkeeper..\$24.95; Burial..1 recipient..Schrivers..\$907.22. All members present voting aye. Motion carried.

**ABATEMENTS:**

Moved by Feickert, seconded by Wiese to approve the following Abatements: Linda Munger, house removed (E 1/2 L 20 and all L 21, Blk 10 Warner) SW for year 2000 in amount of \$10.40; Stanley & Kari A Jung, owner/occupied status (L 6 Blk 5 Ashwood Heights Subd SW 1/4 8-123-63) for year 1999 in amount of \$1,114.29. All members present voting aye. Motion carried.

**INCREASE SPENDING AUTHORITY/ESTIMATED REVENUE:**

Moved by Hansen, seconded by Wiese to increase spending authority in Fund #201-311-426.30 and increase estimated revenue in Fund #201-331.03 in total amount of \$7,449.00 for CDBG Funding of 25% FEMA Match for Townships (New Hope @ \$5,677.00; East Hanson @ \$1,243.00; Richland @ \$529.00). All members present voting aye. Motion carried.

**PERSONNEL:**

Moved by Feickert, seconded by Hansen to approve the following salary adjustments, effective February 20, 2000: Jodi McQuillen @ \$9.08 per hour, Mike Wagner @ \$10.09 per hour, Jan Weismantel @ \$11.59 per hour. All members present voting aye. Motion carried.

Moved by Hansen, seconded by Wiese to acknowledge retirement and thank Ann Bierman for 9 years of service to Brown County; and further authorized starting procedure for hiring replacement. All members present voting aye. Motion carried.

Moved by Feickert, seconded by Wiese to approve hiring Brandon Smith as guard for purpose of prisoner transport. All members present voting aye. Motion carried.

Moved by Feickert, seconded by Wiese to transfer Brian Dargatz from Labor Grade 3 to Labor Grade 4, effective February 21, 2000 at \$10.95 per hour. All members present voting aye. Motion carried.

Moved by Hansen, seconded by Feickert to transfer Cordell Rudolph from Labor Grade 4 to Labor Grade 5, effective February 21, 2000 at \$10.86 per hour. All members

present voting aye. Motion carried.

#### LEASE AGREEMENTS:

Moved by Hansen, seconded by Wiese to approve and authorize the Chairman sign the following agreements: 4-H Farm Safety Camp for lease of the Expo, Centennial Village, South Campground and Horse Arena on June 22; Aberdeen Humane Society for lease of the Club House from April 24 to May 6. All members present voting aye. Motion carried.

#### PEDDLERS LICENSE NO. 37:

Moved by Hansen, seconded by Wiese to approve and authorize the Chairman sign Peddlers License No. 37, Homier Distributing Company, effective April 19-22, 2000. All members present voting aye. Motion carried.

#### SHERIFF REPORTS:

Moved by Wiese, seconded by Hansen to approve the following January, 2000 Sheriff Reports: Incidents & Offenses, Prisoner Care, JDC, Money deposited with the County Treasurer and Monthly activities. All members present voting aye. Motion carried.

#### FAIRGROUNDS DISCUSSION:

Randy Bonn, Fairgrounds Manager discussed options for the five swine barns; leasing the pasture at Richmond Lake; plans to determine bench marks for set up purposes for the multi-use area in front of the Grandstand for the three main events (horse racing, car racing, fair events); removal of roads within the Fairgrounds from the Brown County System of Roads; and asphalt area south of the Expo Building. The following action ensued.

Moved by Hansen, seconded by Wiese to remove the south three swine barns and keep the two remaining north barns for use during the Fair until a replacement facility can be built. All members present voting aye. Motion carried.

#### JDC DISCUSSION:

Barb Johnson explained current visitation policy for juveniles housed in the Detention Center. Board concurred that facility tours be conducted during regular business hours and contact with individual juveniles be limited to family members and legal counsel. Ms. Johnson also informed Commission of grant funding available in excess of \$35,000.00 and suggested application be submitted for purpose of providing medical personnel for the Jail and JDC. Board concurred.

#### JDC SUPPLEMENTAL GRANT AWARD:

Moved by Feickert, seconded by Wiese to approve and authorize the Chairman sign Notice of Award and Special Conditions Agreement for Juvenile Accountability Incentive Block Grant in amount of \$1,155.00. All members present voting aye. Motion carried.

#### ANNUAL MUSEUM REPORT:

Sue Gates, Museum Director presented the 1999 Annual Report for the Dacotah Prairie Museum.

#### INDIGENT CLAIM:

Charlene Millim, Welfare Director discussed a medical bill, submitted by McKennan Hospital, Sioux Falls. The following action ensued:

Moved by Hansen, seconded by Wiese to deny payment of a hospital bill, submitted by McKennan Hospital in amount of \$4,689.26 for a 52 year old female, as individual has not provided sufficient information to determine indigency. All members present voting aye. Motion carried.

# AGREEMENTS:

Moved by Feickert, seconded by Wiese to approve and authorize the Chairman sign Engineering Agreement with Clark Engineering Corporation for Brown County Road #13 Project in amount not to exceed \$12,500.00 (planning, survey, design, plans, specifications and contract documents). All members present voting aye. Motion carried.

Moved by Feickert, seconded by Wiese to approve and authorize the Chairman sign Agreement #410182 with the SDDOT for Work Order LGA-97-99 for Bridge 34A Structure #07-094-329 and 1.3 miles of grading from 0.25 miles N of the S junction of US 281 and US 12 SW. All members present voting aye. Motion carried.

# BID - PW MATERIALS & SUPPLIES:

Moved by Wiese, seconded by Hansen to authorize advertising the following dates/times for public hearings to open, read and consider bids for the following items: March 7, 2000 - Asphalt Road Oil @ 8:45 A.M., Bituminous Plant Mix @ 9:00 A.M., Cutting Edges @ 9:15 A.M.; March 14, 2000 - Culverts @ 8:45 A.M., Gravel Materials @ 9:00 A.M., Rental of Equipment @ 9:15 A.M., all hearings to be held in the Brown County Commissioner's Chambers, Courthouse Annex, Brown County, South Dakota. All members present voting aye. Motion carried.

# SURPLUS PROPERTY:

Moved by Wiese, seconded by Feickert to declare the following property surplus for purpose of trade-in: 1994 Chev Blazer Decal #1754, Vibratory Roller Decal #1339, 1980 Tiger Tractor/Mower Decal #1229. All members present voting aye. Motion carried.

# BID AWARD - SUV:

Moved by Feickert, seconded by Wiese to award bid, submitted by Pierson Ford for a 2000 Ford Expedition SLT 4x4 for the Highway Department in amount of \$18,487.00 (\$28,987.00 less trade-in \$10,500.00); rejecting Lust Chevrolet in amount of \$18,520.00, Lust Chevrolet in amount of \$22,998.00, Lust Chevrolet in amount of \$20,049.00. All members present voting aye. Motion carried.

# BID AWARD - TRACTOR/MOWER:

Moved by Wiese, seconded by Feickert to award bid, submitted by Doyle Equipment Inc for a 1999 JD 7210 with 2000 Tiger Mower for the Highway Department in amount of \$55,480.00 (\$61,480.00 less trade-in \$6,000.00); rejecting Doyle Equipment Inc in amount of \$60,480.00, Diesel Machinery Inc in amount of \$57,410.00, RDO Equipment Co in amount of \$62,012.00, RDO Equipment Co in amount of \$59,288.00. All members present voting aye. Motion carried.

# BID AWARD - STEEL ROLLER:

Moved by Wiese, seconded by Hansen to award bid, submitted by Diesel Machinery Inc for a 1997 Stone Steel Roller for the Highway Department in amount of \$16,850.00 (\$20,700.00 less trade-in \$3,850.00); rejecting RDO Equipment Co in amount of \$25,286.00, Sheehan Mack Sales & Equipment in amount of \$26,658.00, Piorier Equipment Co in amount of \$27,761.00, JD Evans Inc in amount of \$20,341.00. All members present voting aye. Motion carried.

# RECESS:

Moved by Feickert, seconded by Wiese to recess until February 22, 2000. All members present voting aye. Motion carried.

Maxine Taylor - Brown County Auditor

## FEBRUARY 22, 2000 - GENERAL MEETING

Meeting called to order by Chairman Knecht at 8:45 A.M. in the Commissioner's Chambers, Courthouse Annex, Brown County, South Dakota. Present were Commissioners Hansen, Feickert, Fischbach and Wiese.

## MINUTES:

Moved by Wiese, seconded by Hansen to approve the General Meeting minutes of February 15, 2000. All members present voting aye. Motion carried.

## CLAIMS:

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

Supplies & Materials: US Post Office..\$2056.95, Reserve Postage Acct..\$5000.00, New Trends..\$1370.55, Menards..\$85.12, Plainsco..\$74.62, Prairieland..\$20.55, Ecolab..\$94.20, United Labs..\$189.81, Custom Sheet Metal..\$15.15, Taylor Laundry..\$91.60, Heartland Paper..\$600.93, SD Assoc of Assessing Officers..\$275.00, Phillips 66..\$37.79, Hedahls..\$28.33, K-Mart..\$131.81, Al-Ano Society..\$35.00, Walmart..\$325.61, Langs..\$143.00, DocuSource Print Mgmt..\$110.08, State Radio..\$4200.00, Tuxall..\$59.58, Eagle Gear..\$73.00, Avera St Lukes..\$38.00, NADRIC..\$105.00, B&B Contracting..\$1966.25, Chet's Janitorial Service..\$117.75, Don Gunther..\$7332.99, RE Huffman..\$31.90, Darla Jung..\$200.00, Little Falls Machine..\$251.18, Newman Signs..\$807.35, JB Electric..\$11.00, Reuer's Auto..\$204.90, John Schinkel..\$200.00, Safelite Auto Glass..\$691.90, Snap-On Tools..\$157.00, SD Wheat Growers..\$373.61, Sewer Duck..\$50.00, SD Assoc of County Hwy Supt..\$50.00, Vetch Auto..\$346.00, DPM Merchantile..\$142.27, DP Museum petty cash..\$14.10, Office of Financial Aid..\$65.02, Ameripride..\$7.53, Economy Handicrafts..\$43.74, E-Z Graphics..\$234.00, House of Glass..\$1.87, Farm Power..\$215.00, Hedahls..\$18.41, Ochs Electric..\$51.71, Aberdeen Lock & Key..\$93.50, Quality Farm & Fleet..\$39.99, Aberdeen Senior Citizens..\$159.13, Area IV Nutrition..\$5000.00, Dakota Air..\$368.00, Frey's Electronics..\$70.00, Gemplers..\$100.88, New Deal Tire..\$353.75, Shopko..\$7.73, C&S Motor Sports..\$4795.85, Office Max..\$444.96, Aberdeen Chrysler..\$47.90, Ramada Inn..\$431.25, Phyllis Voeller..\$16.00, Drake Motor Inn..\$76.93, Brown County Tres..\$10.00:

Transcriptions: Betsy Johnson..\$117.00, Renee Kennedy..\$24.00:

Publications: American News..\$60.52, Sioux/Corson County News..\$13.50:

Professional Fees: Witness fees..\$3157.40, Avera St Lukes..\$860.79, Lewis & Clark Mental Health Center..\$330.00, Donna Dietrich..\$292.74, Donald Erickson..\$114.80, Don Carlson..\$45.00, Marv Ekeren..\$45.00, Yankton County Sheriff..\$33.50, Robert Chavis..\$160.00, Joan Kittelson..\$15.00, NE Mental Health Center..\$58.52, John Billings..\$80.00,

Mileage & Travel: Ken Varns..\$266.69:

Court Appointed Attorney: Goetz & Klimisch..\$101.05, Fox, Youngberg..\$132.02:

Utilities: Commnet Cellular..\$16.48, Bureau of Admin..\$381.32, NWPS..\$784.75, Dependable..\$356.00, Norcom..\$766.50, NWPS..\$2729.52, Cellular One..\$57.15, US West..\$1482.51, Northern Electric..\$210.36:

Care of Poor: Dr/Hospital..5 recipients..Wheelchair Express..\$250.00, Anesthesia Care..\$384.00, Dr Roger Werth..\$78.50, Avera St Lukes..\$3239.96; Rent..4 recipients..J&O Apts..\$150.00, Rockford Apts..\$230.00, BelAire Apts..\$118.00; Insurance..1 recipient..Wellmark..\$535.80. All members present voting aye. Motion carried.

## PLATS:

Commissioner Hansen offered the following Resolution:

## RESOLUTION NO. 6-2000

BE IT RESOLVED by the Board of County Commissioners of Brown County, South Dakota, that the plat showing "Howard Conservation Easement Tract 1 in the W 1/2 of the SW 1/4 of Section 20-T123N-R60W 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 Feickert. Roll call vote: Commissioner Hansen-aye, Feickert-aye, Fischbach-aye, Wiese-aye, Knecht-aye. Resolution adopted.

Commissioner Feickert offered the following Resolution:

## RESOLUTION NO. 7-2000

BE IT RESOLVED by the Board of County Commissioners of Brown County, South Dakota, that the plat showing "Howard Conservation Easement Tract 1 in the E 1/2 of the SW 1/4 of Section 16-T123N-R60W 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 Hansen. Roll call vote: Commissioner Hansen-aye, Feickert-aye, Fischbach-aye, Wiese-aye, Knecht-aye. Resolution adopted.

Commissioner Hansen offered the following Resolution:

## RESOLUTION NO. 8-2000

BE IT RESOLVED by the County Commission of Brown County, South Dakota, that the plat showing "Jones Conservation Easement Tracts in the E 1/2 of Section 6-T125N-R64W 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 Feickert. Roll call vote: Commissioner Hansen-aye, Feickert-aye, Fischbach-aye, Wiese-aye, Knecht-aye. Resolution adopted.

Commissioner Hansen offered the following Resolution:

## RESOLUTION NO. 9-2000

BE IT RESOLVED by the County Commission of Brown County, South Dakota, that the plat showing "GTL Company Tract 1 in the E 1/2 of the SE 1/4 of Section 16-T124N-R64W 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 Fischbach. Roll call vote: Commissioner Hansen-aye, Feickert-aye, Fischbach-aye, Wiese-aye, Knecht-aye. Resolution adopted.

## LEPC APPOINTMENT:

Moved by Fischbach, seconded by Feickert to appoint Ron Evenson to the LEPC (replaces Bleau LaFave). All members present voting aye. Motion carried.

**BMX AGREEMENT:**

Moved by Feickert, seconded by Wiese to approve and authorize the Chairman sign agreement with the Aberdeen BMX Track #1075 for lease of County owned property described as, Lot 3 Brown County Commissioner's Subdivision to the City of Aberdeen, Brown County, South Dakota for purpose of conducting pedal bike activities. All members present voting aye. Motion carried.

**BRIDGE REINSPECTION:**

Commissioner Wiese offered the following Resolution:

**BRIDGE REINSPECTION PROGRAM RESOLUTION NO. 10-2000  
FOR USE WITH SDDOT RETAINER CONTRACTS**

WHEREAS, Paragraph 124 of Title 23, United States Code (USC), requires initial inspection of all bridges and reinspection at intervals not to exceed two years.

THEREFORE, Brown County is desirous of participating in the Bridge Inspection Program using Bridge Replacement funds.

Brown County requests SDDOT to hire Hofland Engineering (Consulting Engineer) for the reinspection work. The SDDOT will secure federal approvals, make payments to the Consulting Engineer for inspection services rendered, and bill the county for 20% of the cost. Brown County will be responsible for the required 20% matching funds.

There are a total of 119 bridges in Brown County that require reinspection.

Seconded by Commissioner Fischbach. Roll call vote: Commissioners Hansen-aye, Feickert-aye, Fischbach-aye, Wiese-aye, Knecht-aye. Resolution adopted.

**BID - COUNTY LAND:**

Time and place, as advertised to open, read and consider bids for lease of County owned land, described as the NW 1/4 Sec 14-T123N-R65W (approximately 146 acres).

Moved by Fischbach, seconded by Feickert to lease the NW 1/4 of Sec 14-T123N-R65W (approximately 146 acres) to Mike Severson in amount of \$47.55 per acre; rejecting bids of David Didreckson @ \$37.50 per acre, Dave Schumaker Farms @ \$42.51 per acre, Elden Winther @ \$40.00 per acre. All members present voting aye. Motion carried.

**BID - WEED CHEMICAL:**

Time and place, as advertised to open, read and consider bids for furnishing and delivery of chemical for the Brown County Weed & Pest Board. Bids were received from ProSource One, Hefty Seed Company, VanDiest Supply Company. Moved by Fischbach, seconded by Feickert to refer all bids to Robert Retzer for review and recommendation. All members present voting aye. Motion carried.

**DIRECTOR OF EQUALIZATION REPORT:**

Mary Worlie reported that 1,360 applications for flooded land have been filed to date time, which reduce county valuation by 19,768,700; also gave brief agenda outline for the Township Meeting to be held March 14, 2000.

**DIVE TEAM:**

Tom Schmitt and Tom Tarnowski discussed the Brown County Dive Team equipment/training expenditures from the Sheriff Department and Emergency Management

Budgets and reported the receipt of \$1,450.00 billed for recovery incidents.

**LAW LIBRARY:**

Harvey Oliver reported the Local Bar Association concurs with the plan to install an up-dated computer system in the Law Library to replace paper copies of reference material. The Commission agreed to proceed.

**SEASONAL LOAD RESTRICTIONS:**

Moved by Wiese, seconded by Feickert to approve the following seasonal load restrictions for 2000: The Brown County Highway Department seasonal load restrictions will go into effect Wednesday, March 1, 2000, or when the load limit signs are installed and displayed, on all Brown County Oil Roads, except the Belt Loop around Aberdeen and other specified roads that are listed below. All Oil Roads will be posted to a 6-ton per axle weight limit and 40 MPH for trucks during the March/April spring thaw and breakup or until roads become stable. No overweight or overwidth permits will be issued except in extreme cases of emergency. If such an emergency exists, the following permit fees will be applicable:

Single Permit	-	\$10.00
Temporary Permit	-	\$20.00
Annual Permit	-	\$50.00

**BELT-LOOP - ABERDEEN AREA**

Road #10 from Road #13 (Prairiewood Road) south 1.0 miles to Road #15  
 Road #10 from Road #19 (Melgaard Road) south 0.5 miles to the Livestock Sale Barn  
 Road #12 from Road #17 (8th Ave NE) north 2.0 miles to Road #13  
 Road #12W from US Highway #12 West 4.5 miles to Road #12WA (Landfill Road)  
 Road #12WA north 1.0 miles  
 Road #12WB from US Highway #12 to Road #12W  
 Road #13 from Road #14 west 5.0 miles to US Highway #281  
 Road #15 from US Highway #281 east 1.7 miles to Dakota Street, starting again  
     from 0.5 miles east of Dakota Street, thence east 1.5 miles to Road #19  
 Road #15 from the West end of Wylie Park - west 0.5 miles  
 Road #17 (8th Ave NE) from Road #19 east 1.0 miles to Road #14  
 Road #19 starting 0.3 miles east of US Highway #281, thence east 0.7 miles to Road  
     #10  
 Road #19 from the Jct of Road #19 and Road #17 (8th Ave NE) north 1.0 miles to Road  
     #15

**OTHER BROWN COUNTY OIL ROADS - NOT POSTED**

Frederick Main Street from US Highway #281 east 0.5 miles to Frederick City Limits  
 Road #7 from US Highway #281 east 1.0 miles to Barnard and Road #10  
 Road #9 from US Highway #281 east 1.0 to Westport and Road #10  
 Road #9 from State Highway #37 east 7.0 miles to Brown/Marshall County line  
 Road #11 from State Highway #37 east 1/2 mile to Huffton  
 Road #20 from Road #9 south 0.2 miles to the railroad tracks  
 Road #16 from the town of Columbia south 0.5 miles to Road #11  
 Road #11 from Road #16 west 10.0 miles to US Highway #281  
 Road #14 from Road #11 south 10.0 miles to US Highway #12  
 Road #23 from US Highway #281 east 1.0 miles to Warner and Road #10  
 Road #16C from the town of Stratford north 1.0 miles to Road #23  
 Road #23 from Road #16C east 10.0 miles to State Highway #37 and the town of Ferney  
     to State Highway #37  
 Road #27 from US Highway #281 west 2.0 miles to the town of Mansfield

All members present voting aye. Motion carried.

LOAD RESTRICTION ENFORCEMENT:

Commissioner Feickert offered the following Resolution:

RESOLUTION NO. 11-2000

WHEREAS: Enforce Annual Seasonal Load Restrictions on over weight 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 10.0 miles to Brown County Road #9 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 March/April spring thaw and breakup period that the roads are posted.

THEREFORE BE IT RESOLVED: That the Brown County Board of Commissioners authorize the Brown County Public Works 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 Hansen-aye, Feickert-aye, Fischbach-aye, Wiese-aye and Knecht-aye. Resolution adopted.

RECESS:

Moved by Wiese, seconded by Fischbach to recess until February 29, 2000. All members present voting aye. Motion carried.

Maxine Taylor - Brown County Auditor



## FEBRUARY 29, 2000 - GENERAL MEETING

Meeting called to order by Chairman Knecht at 8:45 A.M. in the Commissioner's Chambers, Courthouse Annex, Brown County, South Dakota. Present were Commissioners Hansen, Feickert, Fischbach and Wiese.

## MINUTES:

Moved by Wiese, seconded by Fischbach to approve the General Meeting minutes of February 22, 2000. All members present voting aye. Motion carried.

## CLAIMS:

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

Payroll: Commissioners..\$2,211.55; Data Processing..\$1,269.24; Auditor..\$6,002.96; Treasurer..\$7,133.36, OVERTIME: Dorene Borchard..\$5.05, Cindy Meyers..\$3.26; State's Attorney..\$8,193.30; Victims Asst..\$788.47; Maintenance..\$4,285.61; Assessor..\$6,587.17; Planning & Zoning..\$868.00, OVERTIME: Mick Waller..\$16.28; Register of Deeds..\$3,274.60; Veterans Service..\$1,968.71, OVERTIME: Kathy Schlecht..\$128.16; Health..\$2,211.20; Communications..\$10,288.82, OVERTIME: Sheila Anderson..\$191.04, Mary Browning..\$69.44, Alicia Dohn..\$275.20, Janet Dosch..\$261.44, Betty Haar..\$254.72, Tasha Judd..\$41.28, Nancy Radke..\$298.32, Michelle Strom..\$225.92, Deanna Thorpe..\$41.28, Kathleen Volk..\$55.04, Lisa Wipf..\$148.40; Sheriff..\$40,311.81, OVERTIME: John McQuillen..\$10.30, David Hanson..\$36.16, Steven Cogley..\$17.36, Gary Bunt..\$34.00, Dala Mandel..\$16.82, John Weaver..\$60.76, Roxanne Schumacher..\$28.96, Craig Nelson..\$28.94, Charlene McAfee..\$28.24, Mark Jastram..\$56.48, Patrick Rickerl..\$27.52, Amy Mathiason..\$192.64, Cindy Baumgartner..\$182.56, Brandon Smith..\$26.08, Michael Johnson..\$104.32, Michael Kuebler..\$130.40, Diane Mielke..\$81.19, Ann Bierman..\$7.96, Kevin Johnson..\$24.08, Kristal Schumack..\$40.20, Jeffrey Kirnan..\$13.04; Museum..\$3,488.92; Welfare..\$2,299.64; Foster Grandparent Program..\$2,293.79; Parks..\$2,846.71; Fairboard..\$711.54; Extension..\$1,404.80; Weed..\$274.13; Emergency Management..\$1,834.40; Road and Bridge..\$27,468.94, OVERTIME: Terry Backous..\$63.84, Robert Binfet..\$4.25, Vernon Bitz..\$105.69, David Bruckner..\$13.12, Brian Dargatz..\$8.13, Joel Guderjohn..\$8.18, Larry Hardy..\$19.49, Jerry Luce..\$12.76, Joseph Malsam..\$29.22, Donald Maunu..\$221.81, Todd Odenbach..\$52.19, Jeff Seiler..\$42.93, Casey Thorstenson..\$7.01, Michael Wagner..\$44.73; Solid Waste..\$4,369.32, OVERTIME: Carl Wright..\$193.05, Roxanne Varns..\$15.59, Dennis VanHeerde..\$148.42:

Supplies & Materials: Elections Systems..\$642.00, Matz Saw Service..\$19.25, Ameripride..\$20.10, K-Mart..\$63.92, Prairieland..\$245.41, Cartney Bearing..\$64.25, Kesslers..\$299.34, Medical Center Pharmacy..\$1842.33, Warner Co-Op..\$16.00, Great North American..\$87.69, Chief Supply..\$159.32, Texaco..\$15.03, Avera St Lukes..\$38.00, Streichers..\$59.85, Aberdeen School Dist..\$12.19, Heartland Paper..\$185.00, Intoximeters..\$980.00, Federal Property..\$146.90, Tuxall..\$145.87, Galls..\$412.96, Swanson Elec..\$11.00, SD Wheat Growers..\$1032.65, Safety-Kleen..\$362.10, Pioneer Rim..\$344.57, Newman Signs..\$101.70, Meyer's Tractor..\$75.00, Lawson Products..\$655.70, RE Huffman..\$31.90, Farm Power..\$289.80, JD Evans..\$15,220.00, Dale Engelhart..\$225.75, Dakota Air..\$75.80, Creative Signs..\$20.00, Sherwin-Williams..\$140.00, Dacotah Prairie Merchantile..\$21.20, SD Weed Supervisors Assoc..\$50.00, Ag Communications..\$217.06, Claremont Recreation..\$300.00, Dakota Electronics..\$277.55, Direct Safety..\$91.55, Taylor Laundry..\$43.34, Lexis..\$44.52, West Group..\$253.00, Artz Camera..\$8.60:

Publications: American News..\$585.21, Frederick/Hecla Northstar..\$536.16, Dakota Press..\$1261.48:

Professional Fees: Witness fees..\$291.32, Arlys Kluess..\$100.00, Avera St

Lukes..\$1370.67, Inphynet Primary Care..\$216.16, Sioux Vocational Services..\$120.00, Donna Dietrich..\$231.74, Don Carlson..\$24.00, Marv Ekeren..\$24.00, Dawn Aman..\$2300.00, Jesse Luce..\$50.00, Rick Knodel..\$550.00, Roger Beaty..\$50.00, Brad Waage..\$100.00, Gene Wolter..\$600.00:

Mileage & Travel: Tony Ingemansen..\$151.38, Jessica Frerichs..\$33.06, Jeff James..\$38.57, Mike Scott..\$331.77, Jodi McQuillen..\$23.82:

Court Appointed Attorney: Brad Borge..\$4500.00, Tonner, Tobin & King..\$4500.00, Scott Kuck..\$2027.50, Robert Chavis..\$80.00, Fox, Youngberg..\$132.02:

Utilities: US West..\$124.04, Midcontinent Communications..\$111.52, Cellular One..\$188.97, NWPS..\$84.57, Cellular One..\$42.37:

Care of Poor: Dr/Hospital..4 recipients..Aberdeen Family Physicians..\$230.40, Avera St Lukes..\$7198.90: Rent..3 recipients..BelAire Apts..\$220.00; Drugs..5 recipients..K-Mart Pharmacy..\$291.72, Econofoods Pharmacy..\$124.96, Kessler Pharmacy..\$32.89. All members present voting aye. Motion carried.

#### PERSONNEL:

Moved by Fischbach, seconded by Feickert to approve the following Employee step increases, effective March 5, 2000: Sonda Stager @ \$8.88 per hour, Cindy Baumgartner @ \$8.93 per hour, Tony Ingemansen @ \$10.25 per hour, Dala Mandel @ \$11.45 per hour, Mick Waller @ \$11.09 per hour. All members present voting aye. Motion carried.

Moved by Wiese, seconded by Fischbach to approve hiring Joshua Jones, as part-time corrections officer in the adult jail, effective February 28, 2000 at \$8.05 per hour. All members present voting aye. Motion carried.

Moved by Hansen, seconded by Wiese to acknowledge resignation of Bimende Malik. All members present voting aye. Motion carried.

#### ABATEMENTS:

Moved by Feickert, seconded by Fischbach to approve the following Abatements: Francis Gage, assess MH as real estate (SW 1/4 7-127-64) for year 2000 in amount of \$8.42; Sarah Ann Andrews, tax freeze (L 7 & 8 Blk 9 OP Claremont) for year 1998 in amount of \$246.01; Valoris G Carlson, owner occupied status (L 9 Blk 14 Simmons 1st Addn) for year 1999 in amount of \$174.38. All members present voting aye. Motion carried.

#### SATELLITE DISH AGREEMENT:

Moved by Wiese, seconded by Feickert to approve and authorize the Chairman sign Agreement with Aberdeen Development Corporation for relocation and use of the 4.5 meter satellite dish and related equipment owned by Brown County. All members present voting aye. Motion carried.

#### LAND LEASE AGREEMENT:

Moved by Wiese, seconded by Fischbach to approve and authorize the Chairman sign agreement with Mike Severson for lease of the NW 1/4 of Section 14-T123N-R65W of the 5th P.M., Brown County, South Dakota. All members present voting aye. Motion carried.

#### LEASE AGREEMENTS:

Moved by Wiese, seconded by Fischbach to approve and authorize the Chairman sign the following agreements: Northeast Area Horse Racing for lease of the open class sheep barn on March 1 - May 1; Homier Tool Company for lease of the Expo Building on April 18 - 22, 2000. All members present voting aye. Motion carried.

AWARD CHEMICAL BID:

Moved by Feickert, seconded by Fischbach to award low bid, submitted by Van Diest Supply Company, Pierre in total amount of \$28,592.00 for furnishing chemical for the Brown County Weed and Pest Board for 2000; rejecting bids submitted by ProSource One, Spearfish in amount of \$29,176.20 and Hefty Seed Company, Aberdeen in amount of \$28,761.86. All members present voting aye. Motion carried.

WEED/PEST GRANT UPDATE:

Bob Retzer, Weed & Pest Supervisor informed the Commission that two grants in amount of \$400.00 and \$4400.00 have been awarded for year 2000.

EXECUTIVE SESSION:

Moved by Wiese, seconded by Hansen to go into executive session for personnel discussion with Mary Worlie in attendance. All members present voting aye. Motion carried.

Moved by Hansen, seconded by Fischbach to adjourn executive session. All members present voting aye. Motion carried.

RELIEF LIEN:

Commissioner Feickert offered the following Resolution:

RESOLUTION NO. 12-2000

WHEREAS, Brown County has filed a Poor Relief Lien in amount of \$15,245.30 dated May 9, 1994, 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 liens, upon payment of \$100.00 and on condition balance of liens will stay filed against individual.

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

Lot 2 Block 3 Pleasant Valley Estates Southeast Quarter (SE 1/4) of Section Thirty (30), Township One Hundred Twenty-four (124), Range Sixty-four (64) West of the Fifth Principal Meridian Brown County

is hereby released from the effect and force of said lien, upon payment of \$100.00.

Dated this 29th day of February, 2000.

Seconded by Commissioner Wiese. Roll call vote: Commissioners Hansen-aye, Feickert-aye, Fischbach-aye, Wiese-aye, Knecht-aye. Resolution adopted.

BRIDGE #44:

Moved by Fischbach, seconded by Wiese to approve and authorize the Chairman sign the Maintenance Agreements, Utilities Certificate, Letting Authorization, Right-of-Way Certificate and Right-of-Way Donation Form for Project #BRO8007(41), PCEMS 4624, for improvement of 0.2 miles of County secondary highway from 6.3 miles S and 1.5 miles W of Bath over Moccasin Creek, Replacement of Structure #07-180-387 Bridge #44, to be bid by the SDDOT. All members present voting aye. Motion carried.

BID AWARD - CRACK SEALING:

Moved by Wiese, seconded by Feickert to purchase Asphalt Rubber Crack Sealing from Highway Improvement Inc., as bid by Minnehaha County. All members present voting aye. Motion carried.

CENTENNIAL VILLAGE:

Don Gisi and Centennial Village Board members presented the 1999 Centennial Village Annual Report.

FAIRGROUNDS REPORT:

Randy Bonn, Fairgrounds Manager explained the benefits of removing three different swine barns than previously discussed. Moved by Feickert, seconded by Wiese to amend motion in minutes of February 15, 2000 to read: remove one barn on the south end of the five and the north two barns, leaving other two barns for interim use. All members present voting aye. Motion carried.

RELIEF LIEN:

Commissioner Wiese offered the following Resolution:

RESOLUTION NO. 13-2000

WHEREAS, Brown County has filed a Poor Relief Lien in total amount of \$18,870.115 dated April 14, 1977 through December 6, 1989, 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 liens, upon payment of \$10,000.00 and on condition balance of liens will stay filed against individual.

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

Lot 3 and the North 7 1/2 feet of Lot 4 Block 15 Garden Park Addition to the City of Aberdeen, Brown County, South Dakota

is hereby released from the effect and force of said lien, upon payment of \$10,000.00.

Dated this 29th day of February, 2000.

Seconded by Commissioner Hansen. Roll call vote: Commissioners Hansen-aye, Feickert-aye, Fischbach-aye, Wiese-aye, Knecht-aye. Resolution adopted.

CASA REPORT:

Shirley Schwab, CASA requested permission to utilize the area in front of the Courthouse for a CASA activity later this year. No action taken at this time.

MUSEUM TELEPHONE SYSTEM:

Sue Gates, Museum Director discussed the need to expand the telephone system in the Museum. More options will be explored before final request submitted.

RECESS:

Moved by Wiese, seconded by Feickert to recess until March 7, 2000. All members present voting aye. Motion carried.

Maxine Taylor - Brown County Auditor

## MARCH 7, 2000 - GENERAL MEETING

Meeting called to order by Chairman Knecht at 8:45 A.M. in the Commissioner's Chambers, Courthouse Annex, Brown County, South Dakota. Present were Commissioners Feickert, Fischbach and Wiese. Absent was Commissioner Hansen.

## MINUTES:

Moved by Feickert, seconded by Wiese to approve the General Meeting minutes of February 29, 2000. All members present voting aye. Motion carried.

## CLAIMS:

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

Supplies & Materials: Office Equipment..\$15.13, Quality Quick Print..\$782.93, Midwest Stamp..\$116.34, Office Max..\$473.85, William Meink..\$7.25, Shafer & Feld..\$219.00, New Trends..\$155.67, Harvey Oliver..\$506.00, Photos Now..\$21.45, RE Huffman..\$62.27, Lar-Jos..\$154.50, Nat'l Veterans Advocate..\$80.00, Jordre Photo..\$23.15, Langs..\$87.99, Ultramax..\$868.00, Dakota Electronics..\$944.50, Towing Plus..\$125.00, Aberdeen TV & Appl..\$39.95, Streichers..\$17.90, Velvet Uniforms..\$402.14, Prairieland..\$119.94, Avera St Lukes..\$76.00, Tuxall..\$763.86, Norcom..\$8.99, SD Sheriff Assn..\$20.00, SD Fleet..\$1177.60, Bob Barker..\$117.03, Fox Valley..\$33.89, Medical Arts Press..\$25.53, Western SD Juv Center..\$58.00, K-Mart..\$24.94, Xerox..\$170.09, OK Tire..\$17.00, Hoggs..\$4401.61, SD Dept of Health..\$56.00, Sewing Shop..\$76.50, Respond..\$131.40, Farmers Union..\$26.02, Dept of Rev..\$2830.71, Howards Service..\$500.00, Parcel-Erickson..\$50.00, Bonnie Bitz..\$168.00, Ray Sumption..\$98.75, SD Wheat Growers..\$9366.27, Schaeffer's Mfg..\$221.40, Safety Service..\$5633.44, RDO..\$5149.54, Newman Signs..\$30.69, Ray Mikkonen..\$38.75, Heartland Paper..\$118.01, Charles Hart..\$69.00, Great Western..\$2732.32, Frey's Electronics..\$15.90, Diesel Machinery..\$16913.45, Crawford Trucks..\$2372.09, CarQuest..\$1376.82, Tennant Co..\$86.65, Quality Farm Fleet..\$39.99, Hub City Iron..\$64.30, Evergreen Supply..\$19.80, Burdette Elec..\$258.09, Macs..\$3.53, Hedahls..\$84.15, Nelson Auto..\$595.67, House of Glass..\$11.90, Shopko..\$92.66, Watertown Transit..\$266.00, Spink Co Transit..\$134.00, Graham Tire..\$142.00, LBG..\$39.68, Taylor Laundry..\$41.82, Butler Machinery..\$219.29, SD Solid Waste Seminar..\$200.00, Brown County Tres..\$5.00, Menards..\$232.00, Ochs Electric..\$2075.00, D&D Paint..\$39.60, A&M Radio..\$44.50, Ameripride..\$11.80, Gerald Allen..\$85.00, Warne Chemical..\$830.85, Dahme Const..\$4176.00, McLeods..\$152.51,

Transcriptions: Jeanne Haug..\$197.40, Betsy Johnson..\$84.00,

Publications: American News..\$819.14, Frederick/Hecla Northstar..\$174.76,

Professional Fees: Witness fees..\$80.00, LCM Pathologists..\$330.00, Eide Bailey..\$216.75, stipends..\$12,010.50,

Mileage & Travel: Deb Knecht..\$162.40, Gary Erickson..\$214.24, Deanna Thorpe..\$176.21, Janet Dosch..\$242.96, Robert Retzer..\$152.10,

Court Appointed Attorney: Christy Serr..\$550.00,

Utilities: US West..\$3403.30, Midcontinent Communications..\$28.85, City of Aberdeen..\$37.10, Montana-Dakota..\$48.63, James Valley Co-Op..\$630.63, Accent Comm..\$421.65, NWPS..\$512.00, Web..\$121.04, Dependable..\$11,124.44, Cellular One..\$175.82,

Care of Poor: Utilities..2 recipients..NWPS..\$228.75; Dr/Hospital..2 recipients..Yankton County Medical Center..\$55.00, Aberdeen Family Physicians..\$49.00; Rent..4 recipients..Don Peck..\$146.00, Myles Husby..\$170.00, John Dalager..\$135.00, JoAnn DeSart..\$170.00; Drugs..1 recipients..Shopko Pharmacy..\$89.06. All members present voting aye. Motion carried.

## ABATEMENTS:

Moved by Wiese, seconded by Fischbach to approve the following Abatelements: William Schott, owner occupied status (1974 House of Harmony) for year 2000 in amount of \$59.26; Fred Nulle, double assessed (1973 Detroiter) for year 2000 in amount of \$146.98; Chuck Currie, incorrect assessment (1987 Medallion) for year 2000 in amount of \$86.34; Christopher Schwan, assess MH as real estate (1994 Highland Darby) for year 2000 in amount of \$181.67; Clyde & Irma Mork, house not completed (L 8A of 1st Replat of L.B. McDowell Sub) for year 1999 in amount of \$1,174.94; Bryan Schmidt, double assessment (1992 Friendship) for year 2000 in amount of \$301.10; Mark Erickson, incorrect assessment (1985 CHII) for year 2000 in amount of \$40.65; Doris Tople, Solid Waste, no house on parcel (NW 1/4 23-126-63 Ex Lot 1 Bradke Subd) for year 2000 in amount \$60.00 plus \$2.40 tax. All members present voting aye. Motion carried.

## AUDITOR'S REPORT OF ACCOUNT:

Moved by Wiese, seconded by Fischbach to approve the following Auditor's Report of Account:

AUDITOR'S REPORT OF ACCOUNT WITH THE COUNTY TREASURER:

Total amount of actual cash-----	\$ 3,489.60
Norwest Bank-----	\$ 23,149.52
U.S. Bank-----	\$ 5,864.67
Dacotah Bank-----	\$ 2,366.69
Petty Cash (Sheriff, Welfare, Museum, ROD)---	\$ 1,500.00
Landfill Change Fund-----	\$ 100.00
Fund Investments-----	\$8,736,101.75
Outstanding Checks-----	\$ 10.40
Total-----	\$8,772,582.63

All members present voting aye. Motion carried.

## EXPENSES:

Moved by Fischbach, seconded by Feickert to approve travel expenses for Harvey Oliver, State's Attorney to attend the Upper Midwest Employment Law Institute in Minneapolis/St. Paul from May 21 through May 24, 2000. All members present voting aye. Motion carried.

## BID - ROAD OIL:

Time and place, as advertised to open, read and consider bids for Road Oil. Bids were received from K L Oil & Asphalt Co. Inc., Rapid City, SD, Jebro, Inc., Sioux City, IA, Koch Materials Co., Marshall, MN, Z & S Dust Control, Rapid City, SD, Share Corporation, Milwaukee, WI, Van Waters & Rogers, St. Paul, MN and Scotwood Industries Inc., Overland Park, KS. Moved by Wiese, seconded by Feickert to refer all bids to Russ Podoll, Highway Superintendent for review and recommendation. All members present voting aye. Motion carried.

## BID - HOT MIX:

Time and place, as advertised to open, read and consider bids for hot mix. Bids were received from Lien Transportation, Aberdeen, SD and Aberdeen Asphalt Inc., Aberdeen, SD. Moved by Feickert, seconded by Wiese to refer all bids to Russ Podoll, Highway Superintendent for review and recommendation. All members present voting aye. Motion carried.

## BID - CUTTING EDGES:

Time and place, as advertised to open, read and consider bids for cutting edges. Bids were received from Tractor Salvage & Welding, Sioux Falls, SD, RDO Equipment

Co., Aberdeen, SD, Presco Sales & Service, Norfolk, NB, and Butler Machinery, Aberdeen, SD. Moved by Feickert, seconded by Wiese to refer all bids to Russ Podoll, Highway Superintendent for review and recommendation. All members present voting aye. Motion carried.

#### APPLICATION FOR OCCUPANCY:

Moved by Fischbach, seconded by Feickert to approve application, submitted by Northwestern Public Service for occupancy of Sections 26 and 25, Township 123, Range 64W along County Road 10, Brown County, South Dakota for work to be done with backhoe. Roll call vote: Feickert-aye, Fischbach-aye, Knecht-aye, Wiese-abstain. Motion carried.

#### TEMPORARY EASEMENT:

Moved by Feickert, seconded by Wiese to authorize Chairman to sign temporary easement agreement with the SD Department of Transportation on KABR Outlot 1 in the SE 1/4 of Section 15, Township 123 North, Range 64 West of the 5th P.M., Brown County, South Dakota. All members present voting aye. Motion carried.

#### BID - ALTERNATIVE DAILY COVER MATERIAL:

Time and place, as advertised to open, read and consider bids for alternative daily cover material. Bids were received from New Waste Concepts, Erie, MI and Central Fiber, Wellsville, KS. Moved by Wiese, seconded by Fischbach to refer all bids to Mike Scott, Landfill Manager for review and recommendation. All members present voting aye. Motion carried.

Moved by Wiese, seconded by Fischbach to award the alternative daily cover material bid to the low bidder New Waste Concepts in amount of \$26.50 per unit covering 1,750 sq. ft; rejecting bid submitted by Central Fiber in amount of \$16.00 per unit covering 900 sq. ft. All members present voting aye. Motion carried.

Moved by Wiese, seconded by Fischbach to approve and authorize the Chairman sign Contract with New Waste Concepts Inc. for furnishing alternative daily cover material for the Landfill. All members present voting aye. Motion carried.

#### EQUIPMENT PURCHASE:

Moved by Feickert, seconded by Wiese to approve purchase of Construction Forks for John Deer Payloader at the Brown County Landfill at a cost of \$4,500.00. All members present voting aye. Motion carried.

#### SHERIFF'S REPORT:

Mark Milbrandt, Sheriff discussed quotes for a 5-year lease on a copier for his office and the possibility of the jail and Juvenile Detention Center contracting with a physician's assistant or nurse to administer & verify medications and sick calls for inmates.

#### JUVENILE DETENTION CENTER REPORT:

Barb Johnson, Juvenile Detention Center Supervisor updated the Commission on spending the remainder of an \$1,100.00 grant. She proposed the purchase of a digital camera in the amount of \$700.00 and putting \$400.00 toward the purchase of a desk top copier with any additional cost for the copier coming out of JDC's budget. Board concurred.

#### CHRISTMAS LIGHTING:

Mick Palmer and Judy Dosch, Maintenance Department discussed the proposed Christmas

Lighting on the front lawn of the Brown County Courthouse by CASA.

PERSONNEL:

Moved by Feickert, seconded by Wiese to acknowledge retirement of Richard Day, Maintenance Department and to further authorize starting procedure for hiring a replacement. All members present voting aye. Motion carried.

Moved by Feickert, seconded by Fischbach to raise part-time weed sprayer salary to \$8.00 to \$9.50 per hour depending on experience. All members present voting aye. Motion carried.

LOWER CROW CREEK FEMA APPLICATION:

Roger Schuller representing the Lower Crow Creek Watershed District requested support of the Lower Crow Creek Improvement Association's position that they have existed as a special purpose drainage district since 1952 which will complete their application for payment of a pending FEMA claim to the Association.

Commissioner Wiese offered the following resolution:

RESOLUTION NO. 14-2000

WHEREAS, the Brown County Commission supports the Lower Crow Creek Improvement Association's position that they have existed as a special purpose drainage district since 1952. The special purpose district comprises the area commonly referred to as the Putney Slough which is approximately 3000 acres in size.

In support of this position the following facts are presented:

1. The Fifth Judicial Circuit Court of South Dakota ordered the building and operation of the Portage - Detroit Crow Creek Drainage system on September 18, 1918, by court order. This includes the Putney Slough area.
2. The 1918 court order gave the authority to build, maintain and operate the drainage system to the Brown County Commission along with the power to assess and tax the benefited acres and infrastructure of the County for the costs associated with construction and maintenance.
3. In 1952 with the drainage system in need of repair, the County assessed the entire Portage - Detroit Crow Creek Drainage System \$10,000.00.
4. On December 2, 1952, the Putney Slough area, defined as approximately 3000 acres south of Sullivan Grade, acting as the Lower Crow Creek Improvement Association petitioned the County for a \$10,000.00 assessment on the 3000 acres in their association. This money was spent to protect the Putney Slough by repairing the final 5 1/2 miles of drainage ditch to the outlet at the James River.
5. The petition established the fact that the Brown County Commission had the ability to levy against the 3000 acres in the Putney Slough area in line with the 1918 court order giving them the power to levy for operation and repair of the drainage ditch.
6. This also established the Lower Crow Creek Improvement Association as the special purpose drainage district governing the 3000 acres south of the Sullivan Grade. They petitioned the Brown County Commission 7 more times to have assessments



made on the 3000 acres for maintenance and repair.

7. The following assessments were made by the Brown County Commission for the benefit of the Lower Crow Creek Improvement Association: 1. March 17, 1967 - \$15,000.00; 2. October 16, 1967 - \$12,000.00; 3. September 7, 1971 - \$30,660.00; 4. December 14, 1973 - \$15,320.00; 5. February 16, 1979 - \$12,276.00; 6. December 18, 1979 - \$25,781.78; 7. August 7, 1990 - \$30,640.00.

8. The sale of land in 1997 between Sullivan Grade and Brown County Highway 12 to the South Dakota State Game and Fish Department reduced the Lower Crow Creek Improvement Association to approximately 700 acres located between Brown County Highway 12 and the James River in Brown County.

The 1918 court order recognized the area south of Sullivan Grade as a protected area. This is the area represented by the Lower Crow Creek Improvement Association. Therefore we support the payment of the pending FEMA claim to the Lower Crow Creek Improvement Association because they have served as a special purpose drainage district receiving tax assessments through the Brown County Commission's authority to assess vested to the County under the 1918 court order establishing the drainage system. Seconded by Commissioner Feickert. Roll call vote: Commissioners Feickert-aye, Fischbach-aye, Wiese-aye, Knecht-aye. Resolution adopted.

#### TELEPHONE SYSTEM PURCHASE:

Carol Sherman, Register of Deeds informed the Commission of the need of a telephone system for her office and presented a quote received from Norcom in the amount of \$705.00. Board concurred.

#### RECESS:

Moved by Wiese, seconded by Feickert to recess until March 14, 2000. All members present voting aye. Motion carried.

Carol Misfeldt - Deputy Brown County Auditor

MARCH 14, 2000 - GENERAL MEETING

Meeting called to order by Chairman Knecht at 8:45 A.M. in the Commissioner's Chambers, Courthouse Annex, Brown County, South Dakota. Present were Commissioners Hansen, Feickert, Fischbach and Wiese.

MINUTES:

Moved by Hansen, seconded by Wiese to approve the General Meeting minutes of March 7, 2000. All members present voting aye. Motion carried.

CLAIMS:

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

Payroll: Commissioners..\$2,211.55; Data Processing..\$1,269.24; Auditor..\$6,002.96; Treasurer..\$7,133.36; State's Attorney..\$8,193.30; Victims Asst..\$788.47; Maintenance..\$4,366.38, OVERTIME: Ron Adler..\$3.83; Assessor..\$6,569.92; Planning & Zoning..\$868.00; Register of Deeds..\$3,242.35; Veterans Service..\$1,950.56, OVERTIME: Kathy Schlecht..\$32.04; Communications..\$10,137.65, OVERTIME: Sheila Anderson..\$7.96, Mary Browning..\$147.56, Janet Dosch..\$402.48, Betty Haar..\$63.68, Nancy Radke..\$108.48, Michelle Strom..\$7.06, Deanna Thorpe..\$27.52, Kathleen Volk..\$185.76, Lisa Wipf..\$59.36; Sheriff..\$41,253.23, OVERTIME: Bryan Locke..\$61.80, John McQuillen..\$185.40, John Heine..\$175.10, Michael Casjens..\$182.02, David Fair..\$76.64, David Hanson..\$289.28, Steven Cogley..\$138.88, Gary Bunt..\$85.00, Ethan Palluck..\$124.48, Roxanne Schumacher..\$115.84, Mark Jastram..\$112.96, Amy Mathiason..\$110.08, Cindy Baumgartner..\$104.32, Brandon Smith..\$104.32, Michael Kuebler..\$208.64, Diane Mielke..\$98.84, Kevin Johnson..\$123.84, Amy Lake..\$10.05, Jeffrey Kirnan..\$6.52; Museum..\$3,622.02; Welfare..\$2,299.64; Health..\$2,211.20; Foster Grandparent Program..\$2,413.59; Fairboard..\$711.54; Extension..\$1,404.80; Weed..\$505.25; Fairgrounds..\$2,846.71; Emergency Management..\$1,834.40; Road and Bridge..\$27,479.47, OVERTIME: Joel Guderjohn..\$16.35, Tom Lammon..\$16.26, Jerry Luce..\$4.25, Joseph Malsam..\$73.05, Donald Maunu..\$164.30, Bryan Owens..\$7.31, Cordell Rudolph..\$24.44, Jeff Seiler..\$35.78, Kendell Titze..\$44.73; Solid Waste..\$4,303.02, OVERTIME: Carl Wright..\$57.04, Roxanne Varns..\$46.77, Dennis VanHeerde..\$217.2;

Supplies & Materials: Academy..\$20.00, D&D Paint..\$75.41, Heartland Paper..\$543.70, McFarland..\$298.51, House of Glass..\$50.85, Cunningham Electric..\$631.43, Honeywell..\$835.66, Ecolab..\$65.30, Taylor Laundry..\$84.88, Menards..\$327.45, Plainsco..\$79.66, Cheryl Hairgrove..\$456.00, Shopko..\$85.97, Dakota Brush..\$20.40, 3-D Specialties..\$3793.50, Taylor Laundry..\$236.26, SD Wheat Growers..\$2642.79, Sheehan Mack Sales..\$47.53, Schwan Welding..\$84.00, Reuer's Auto..\$106.28, Office Max..\$1947.62, Nelson Auto Electric..\$62.70, Midwest Pump & Tank..\$18.64, Lust Chev..\$95.80, Hedahls..\$52.86, Graham Tire..\$398.68, Evergreen Supply..\$1847.89, Robert Dinger..\$57.00, Dakota Oil..\$679.81, Dakota Fluid..\$31.63, Creative Signs..\$30.00, Crady's Radiator..\$195.30, Clark Engineering..\$9228.00, Cartney Bearing..\$60.46, Butler Machinery..\$7356.17, Bridgestone/Firestone..\$390.02, Aberdeen Glass..\$56.24, Aberdeen Chrysler..\$20.42, Hub City Iron..\$601.96, Xerox..\$386.01, Pantorium..\$2.45, Hoven Auto..\$128.51, Walmart..\$28.41, Velvet Uniforms..\$151.04, Sewing Shoppe..\$6.00, K-Mart..\$43.54, Metz Baking..\$547.08, Fred Schmidt..\$74.00, Kesslers..\$366.73, Kirk's Auto..\$415.01, Office Equipment..\$19.75, Parcel Erickson..\$367.18, Boys & Girls Club..\$10,000.00, Plainsco..\$111.24, Burdette Elec..\$49.50, Quality Quick Print..\$96.69, Keeleys..\$332.35, Dakota Electronics..\$25.00, OK Tire..\$46.00, New Trends..\$48.30, Century Business Products..\$6399.89, Norcom..\$305.00, SD Assn of Weed & Pest..\$139.60, Maupin House Pub..\$42.95, Paper Warehouse..\$23.00, Kleins..\$9.85, Aberdeen Ride Line..\$745.50, Target..\$45.39, 3-D Specialties..\$3276.00, Newman Signs..\$165.70, Hedahls..\$59.76,

New Waste Concepts..\$60.00, McFarland..\$44.95, B&E Siding..\$1581.00, Brick Propane..\$407.50, Praxair..\$15.33, Lust Chevrolet..\$58,590.00:

Transcriptions: Jeanne Haug..\$89.10:

Publications: American News..\$393.97, Frederick/Hecla Northstar..\$221.22:

Professional Fees: Witness fees..\$40.42, Avera St Lukes..\$933.04, Aberdeen Family Physicians..\$566.72, Dr Thomas Bunker..\$37.20, Sioux Vocational Services..\$120.00, NE Mental Health..\$292.60, Yankton County Sheriff..\$16.75, John Billings..\$90.00, Mark McNeary..\$1500.00:

Mileage & Travel: Dennis Feickert..\$14.50, Sheila Enderson..\$7.00, Lori Erickson..\$49.88, Tasha Judd..\$130.15, Comfort Inn..\$171.90:

Utilities: City of Aberdeen..\$451.30, NWPS..\$8124.47, US West..\$469.87, City of Hecla..\$50.99, Town of Frederick..\$18.25, Midcontinent Communications..\$224.21:

Care of Poor: Transportation..1 recipient..Brown County Highway..\$9.24; Utilities..1 recipient..NWPS..\$158.03; Dr/Hospital..2 recipients..Avera St Lukes..\$4963.88; Rent..3 recipients..Christy Harty..\$340.00, Bo-Bo Inc..\$190.00, D&L..\$78.00; Drugs..2 recipients..Medical Center Pharmacy..\$166.39, Econofoods..\$86.64. All members present voting aye. Motion carried.

PERSONNEL:

Moved by Hansen, seconded by Feickert to approve employee step increase, effective March 19, 2000: Michele Strom @ \$9.66 per hour. All members present voting aye. Motion carried.

CENSUS 2000 PROCLAMATION:

Commissioner Wiese offered the following Resolution:

RESOLUTION NO. 15-2000  
PROCLAMATION FOR CENSUS 2000

WHEREAS, the Census is vital to our community in that it determines the apportionment of seats in the United States House of Representatives and the State Legislature, and is the basis for allocation of billions of dollars of Federal, State, and County funds for social and other programs; and

WHEREAS, the Census is also used to help determine where to locate schools, day care centers, senior citizen centers, hospitals, and other facilities and is used to make decisions concerning business growth and jobs; and

WHEREAS, Census information is confidential and Federal law prohibits any public or private agency from gaining access to confidential Census data; and

WHEREAS, in Brown County we are committed to a full and accurate Census count and are placing special emphasis on enumerating members of population groups traditionally undercounted; and

WHEREAS, in Brown County we are committed to partnering together with the U.S. Census Bureau in preparing for Census 2000 through address list updates, census map corrections, and jurisdictional boundary updates; and

WHEREAS, in Brown County we shall form a Census 2000 Complete Count Committee composed of key stakeholders within our communities, including elected officials, planners, community based organizations, business groups, religious institutions, and members of the media;

NOW, THEREFORE, DO I, Deb Knecht, as Chairman, and Nancy Hansen, Dennis Feickert, Tom Fischbach and Mike Wiese as Board of Commissioners, hereby proclaim Census 2000 as a top priority for all departments and appointed officials, and encourage the county to place an emphasis within our jurisdiction of partnering together with the U.S. Census Bureau in achieving an accurate and complete count in Census 2000.

Seconded by Commissioner Fischbach. Roll call vote: Commissioners Hansen-aye, Feickert-aye, Fischbach-aye, Wiese-aye, Knecht-aye. Resolution adopted.

**ABATEMENT:**

Moved by Feickert, seconded by Fischbach to approve the following Abatement: John & Tami Olson, MH moved out of County for year 2000 in amount of \$264.91. All members present voting aye. Motion carried.

**VACATE PLAT:**

Moved by Wiese, seconded by Fischbach to authorize advertising public hearing to consider petition filed by Donald E Delzer to vacate the plat described as Delzer Outlot 1 in the S 1/2 of SW 1/4 Sec 19-T123N-R65W, Brown County, South Dakota, to be held in the Commissioner's Chambers, Courthouse Annex, Brown County, South Dakota at 8:45 A.M. on April 4, 2000. All members present voting aye. Motion carried.

**APPLICATION FOR AUTHORITY:**

Moved by Fischbach, seconded by Feickert to acknowledge receipt of Application for Authority in the matter of Montana-Dakota Utilities Co., a Division of MDU Resources Group Inc. for public hearing to consider renewal of MDU's authority to construct, reconstruct, maintain and operate its Electric System within Brown County, to be held in the Commissioner's Chambers, Courthouse Annex, Brown County, South Dakota at 8:45 A.M. on April 18, 2000. All members present voting aye. Motion carried.

**SHERIFF REPORTS:**

Moved by Wiese, seconded by Feickert to approve the following February, 2000 Sheriff Reports: Incidents & Offenses, Prisoner Care, JDC, Money deposited with the County Treasurer and Monthly activities. All members present voting aye. Motion carried.

**WELFARE GUIDELINES AMENDED:**

Commissioner Hansen offered the following Resolution:

**RESOLUTION NO. 16-2000**

WHEREAS, Title 2, Second Revision of Brown County Ordinances, as amended, requires the Brown County Commission, by resolution, to adopt rules, regulations and appendixes necessary for the implementation of a County Welfare Program, in accordance with SDCL 28-13; and

WHEREAS, the Brown County Commission adopted the Brown County Welfare Guidelines by Resolution No. 4-98, dated January 6th, 1998; and

WHEREAS, it is deemed necessary and in the best interest of the residents of Brown County to amend Section II: Definitions, Paragraph 18) Resources.

NOW, THEREFORE BE IT RESOLVED that Section II: Definitions, Paragraph 18) Resources be amended as follows:

- 18) "Resources": Current assets and income available to the recipient, including but not limited to all financial support to which a recipient is legally entitled or could procure through reasonable efforts, including Veterans health benefits, and to also include health insurance which was available to an applicant prior to a need for such insurance. Resources are considered available both when actually available and when the applicant or recipient has a legal interest in a liquidated sum and has the legal ability to make such a sum available for support and maintenance. Furthermore, the amount considered available to an individual from a trust, including a Medicaid qualifying trust is the maximum undistributed amount that may be permitted under the terms of the trust, assuming the full exercise of discretion by the trustee, whether or not discretion is exercised. The maximum amount available is a resource.

Seconded by Commissioner Feickert. Roll call vote: Commissioners Hansen-aye, Feickert-aye, Fischbach-aye, Wiese-aye, Knecht-aye. Resolution adopted.

#### BID CULVERTS:

Time and place, as advertised to open, read and consider bids for furnishing and delivery of: a.) Reinforced Concrete Culverts; b.) Precast Concrete Bridge Deck Units; c.) Prestressed Concrete Bridge Deck Units; d.) Corrugated Spiral and Riveted Metal Culverts; e.) Structural Steel Plate Bridge Flooring; f.) Structural Plate Pipe Arch; g.) Structural Plate Pipe Round; h.) Galvanized Guard Railing, delivered F.O.B., Brown County, Aberdeen, South Dakota or to project site within Brown County. Bids were received from Huron Culvert & Tank Company, Huron; Contech Construction Products, Inc, Sioux Falls; SD Concrete Products, Inc, Pierre. Moved by Fischbach, seconded by Wiese to refer all bids to Russ Podoll, Highway Superintendent for review and recommendation. All members present voting aye. Motion carried.

#### BID GRAVEL:

Time and place, as advertised to open, read and consider bids for furnishing and delivery of one years supply of Road Construction and Maintenance Gravel Materials. Bids were received from Lien Transportation Co, Aberdeen; HF Jacobs & Son Construction, Aberdeen; Trins Construction Inc, Aberdeen; Robert L Dinger, Hecla; Dave Hales Trucking, Aberdeen; BW Morrison Construction, Aberdeen; Clark Meyer/Concrete Materials, Sioux Falls; Hanlon Bros, Verdon; Lake Sand & Gravel, Lidgerwood, ND. Moved by Feickert, seconded by Wiese to refer all bids to Russ Podoll, Highway Superintendent for review and recommendation. All members present voting aye. Motion carried.

#### BID RENTAL OF EQUIPMENT:

Time and place, as advertised to open, read and consider bids for furnishing Full Operation and Bare Operation Rental Services of Gravel Trucks and Road Machinery for construction and maintenance repairs on Brown County Road Projects for year 2000. Bids will be received for the full and bare operation of gravel trucks and road machinery. Successful bidders will be working along with the Brown County Public Works Department Forces, Brown County Landfill Forces and the Brown County Fairgrounds Forces to complete the projects. Bids were received from Industrial Builders, Fargo, ND; Aberdeen Asphalt, Aberdeen; Piorier Equipment Co, Sioux Falls; David Gardner Trucking, Mina; Kevin Bourdon, Aberdeen; RDO Equipment Co, Aberdeen; Slight Construction, Hecla; BW Morrison Construction, Aberdeen; Winburn Construction, Houghton; Hanlon Bros, Verdon; Randy Volzke Construction, Aberdeen; Allen Mueller, Harwood, ND; Dabbert Trucking Inc, Aberdeen; Herb Dabbert Trucking Inc, Aberdeen; Ruel Howell Trucking, Aberdeen; Luedeke Enterprises, Stratford; B&B Contracting, Aberdeen; Ranger Trucking, Aberdeen; Craig Martin Construction,

Ellendale, ND; Knight Construction, Aberdeen; Fred Ludwig Trucking, Aberdeen; Engel Trucking, Aberdeen; Marvin N Lout Excavating Construction, Aberdeen; Bawek Construction, Conde; Donald Maunu, Frederick; Lien Transportation, Aberdeen; Spitzer Construction, Aberdeen; Jacobs Construction, Aberdeen; Sheehan Mack Sales & Equipment, Aberdeen; Butler Machinery Co, Aberdeen; JD Evans Inc, Sioux Falls. Moved by Feickert, seconded by Wiese to refer all bids to Russ Podoll, Highway Superintendent for review and recommendation. All members present voting aye. Motion carried.

#### APPLICATION FOR OCCUPANCY:

Moved by Fischbach, seconded by Feickert to approve and authorize the Chairman sign application, submitted by James Valley Cooperative Telephone Company, for occupancy of Brown County Highway #18 in Sec 25-T121-R62 and Sec 30 & 31-T121-R61; Brown County Highway #8 in Sec 31, 32 & 33-T122-R62 to provide communication needs for area residents. Roll call vote: Commissioners Hansen-aye, Feickert-aye, Fischbach-aye, Wiese-abstain, Knecht-aye. Motion carried.

Moved by Feickert, seconded by Fischbach to approve and authorize the Chairman sign application, submitted by Accent Communications Inc, for occupancy of Brown County Highway #20 in Sec 29 & 32-T128-R60 and Sec 5, 8 & 16-T127-R60; Brown County Highway #3 in Sec 25 & 36-T128-R63; Brown County Highway #5 in Sec 1, 2 & 11-T127-R63 to provide communication needs for area residents. Roll call vote: Commissioners Hansen-aye, Feickert-aye, Fischbach-aye, Wiese-abstain, Knecht-aye. Motion carried.

#### BID AWARD - BITUMINOUS PLANT MIX:

Moved by Feickert, seconded by Wiese to award bids on Bituminous Plant Mix to low bidders 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 - CUTTING EDGES:

Moved by Fischbach, seconded by Hansen to award bids on Cutting Edges to low bidders 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.

#### EXECUTIVE SESSION:

Moved by Feickert, seconded by Wiese to go into executive session for purpose of FGP Director Job Interviews. All members present voting aye. Motion carried.

Moved by Feickert, seconded by Wiese to adjourn executive session. All members present voting aye. Motion carried.

#### RELIEF LIEN:

Commissioner Wiese offered the following Resolution:

#### RESOLUTION NO. 17-2000

WHEREAS, Brown County has filed a Poor Relief Lien in original amount of \$5,933.86 dated April 30, 1997, balance in amount of \$5,748.86 as of February 28, 2000; 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 liens, on condition balance of liens will stay filed against individual; and

WHEREAS, individual agrees to make monthly payments in an amount of at least \$25.00 per month on \$5,748.86 balance.

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

Lot 2 Block 3 Pleasant Valley Estates Southeast Quarter (SE 1/4) of Section Thirty (30), Township One Hundred Twenty-four (124), Range Sixty-four (64) West of the Fifth Principal Meridian Brown County

is hereby released from the effect and force of said lien, on condition balance of lien stay filed against individual.

Dated this 14th day of March, 2000.

Seconded by Commissioner Feickert. Roll call vote: Commissioners Hansen-aye, Feickert-aye, Fischbach-aye, Wiese-aye, Knecht-aye. Resolution adopted.

RECESS:

Moved by Hansen, seconded by Wiese to recess until March 21, 2000. All members present voting aye. Motion carried.

Maxine Taylor - Brown County Auditor

MARCH 21, 2000 - GENERAL MEETING

Meeting called to order by Vice Chairman Feickert at 8:45 A.M. in the Commissioner's Chambers, Courthouse Annex, Brown County, South Dakota. Present were Commissioners Hansen, Fischbach and Wiese. Absent Commissioner Knecht.

MINUTES:

Moved by Hansen, seconded by Fischbach to approve the General Meeting minutes of March 14, 2000. All members present voting aye. Motion carried.

CLAIMS:

Moved by Fischbach, seconded by Hansen to approve the following claims:

Supplies & Materials: ZD Journals..\$59.00, Computer Specialists..\$340.00, Office Max..\$374.44, SD Dept of Health..\$40.00, Bureau of Information \$63.25, Office Equipment..\$97.76, Shafer & Feld..\$5.00, Plainsco..\$110.61, Dependable..\$521.00, Keeper of the Stationery..\$267.00, Finishing Touch..\$105.00, House of Glass..\$20.14, Menards..\$14.23, Lar-Jos..\$250.00, New Trends..\$211.72, Double D..\$275.79, Ecolab..\$76.60, Dakota Electronics..\$32.50, Ameripride..\$67.69, Amoco..\$44.63, Sewing Shoppe..\$18.00, Aberdeen Lock & Key..\$2.00, SD Dept of Revenue..\$24.50, Texaco..\$33.37, Radio Shack..\$8.46, Warner Co-Op..\$16.00, NAPA..\$16.84, A&M Towing..\$50.00, K-Mart..\$24.20, Hedahls..\$10.37, Aberdeen TV & Appl..\$47.40, NE Mental Health Center..\$58.52, Dick's..\$24.95, A&M Radio..\$185.40, Habeck's..\$445.00, Upper Plains..\$225.00, SD Motor Vehicles..\$5.00, SD Wheat Growers..\$561.79, Share Corp..\$172.50, Safelite Auto..\$92.11, RDO..\$3502.40, Newman Signs..\$101.25, Lawson Products..\$195.76, Kar Products..\$165.65, J Gross Equip..\$31.12, Gary's Engine..\$42.12, Asphalt Conference..\$65.00, US Post Office..\$299.00, Northern State University..\$112.66, Parcel-Erickson..\$12.02, UBC..\$11.36, Instant Signs..\$450.00, Kesslers..\$76.89, Roxanne Varns..\$1500.00, EarthTech..\$2957.03, New Deal Tire..\$266.25, Taylor Laundry..\$22.20, Respond..\$155.40, HJ Industries..\$5750.00, Paul Mardian..\$80.00, Frey's Electronics..\$616.00, Extension Revolving Fund..\$72.00, Pitney-Bowes..\$543.64:

Publications: American News..\$176.97:

Professional Fees: Witness fees..\$194.56, Sheriff of Marshall County..\$24.50, LCM Pathologists..\$375.00, Sheriff of Hutchinson County..\$20.10, Olson Investigation..\$1200.00, Robert Patterson..\$300.00, Lewis & Clark Mental Health..\$220.00, NADRIC..\$2083.33, Senior Citizens..\$180.00, Sheriff of Yankton County..\$16.75:

Mileage & Travel: Radisson Hotel..\$260.00, Cordell Rudolph..\$81.00, Russ Podoll..\$38.00, Dave Kolb..\$56.00, Linda Dillavou..\$72.50:

Utilities: Commnet Cellular..\$95.96, NWPS..\$2688.58, Northern Elec..\$653.06, US West..\$1501.20, Cellular One..\$97.38, McLeods..\$17.95, Bureau of Adm..\$539.33:

Care of Poor: Transportation..1 recipient..Bus Systems Inc..\$88.20; Dr/Hospital..3 recipients..Avera St Lukes..\$5841.57; Rent..3 recipients..Virgil Pochop..\$80.00, D&L LLC..\$130.00, Eddie Falcon..\$230.00; Drugs..2 recipients..Medical Center Pharmacy..\$30.46, Dakota Square Pharmacy..\$70.54. All members present voting aye. Motion carried.

ABATEMENT:

Moved by Wiese, seconded by Fischbach to approve the following Abatement: Marcella A Stevens, owner occupied status (1968 Liberty MH) for year 2000 in amount of \$24.16. All members present voting aye. Motion carried.

PERSONNEL:

Moved by Hansen, seconded by Wiese to appoint Jodi McQuillen as Foster Grandparent



March 21, 2000

Program Director, effective March 20, 2000 at a pro-rated annual salary of \$25,000.00. All members present voting aye. Motion carried.

Moved by Hansen, seconded by Fischbach to approve employee status change for Jessica Frerichs from part-time to full-time JDC Officer, effective April 16, 2000 at \$8.69 per hour. All members present voting aye. Motion carried.

CANCEL CHECKS:

Moved by Hansen, seconded by Wiese to authorize Carol Sherman, Register of Deeds to cancel the following checks:

Scott Slatoch @ \$10.00, Shane Hartman @ \$10.00, Sandra Payne @ \$10.00, Home Federal @ \$5.00, Rock Suhr @ \$10.00. All members present voting aye. Motion carried.

LEASE AGREEMENTS:

Moved by Hansen, seconded by Wiese to approve and authorize the Chairman sign the following agreements: AHAA (Horse Club) to lease the outside horse arena and beef barn restrooms on June 4, July 2, August 6 & September 10 (rain date September 17); Northland Strollers to lease Club House on July 15 & 16, 2000. All members present voting aye. Motion carried.

LANDFILL REMEDIAL FUNDS:

Moved by Hansen, seconded by Fischbach to increase accumulation/reserve in the Landfill Fund for remedial care, or other purposes to \$240,000.00. All members present voting aye. Motion carried.

CLOSING AUDIT CONFERENCE:

Kay Fredrick, Department of Legislative Audits met with the Commission for closing conference for audit of fiscal year 1999.

JDC GRANT:

Barb Johnson and Mark Milbrandt presented suggestions for use in application for Juvenile Accountability Grant and requested authority to write grant application accordingly. Board concurred.

EASEMENTS:

Moved by Wiese, seconded by Fischbach to approve and authorize the Chairman sign the following agreements for voluntary right-of-way donation from Ivan J Dixon for the construction of Bridge #044: Perpetual Easement 0.04 acres more or less in the SW 1/4 of Sec 18-T122N-R62W (between project stations 12+70-63'RT and 13+30-63'RT); Perpetual Easement 0.03 acres more or less in the SE 1/4 of Sec 13-T122N-R63W (between project stations 12+60-50'LT and 13+40-50'LT); Temporary Easement 0.08 acres more or less in the SE 1/4 of Sec 13-T122N-R63W (between project stations 12+00-58'LT and 14+00-58'LT); Temporary Easement 0.10 acres more or less in the SW 1/4 of Sec 18-T122N-R62W (between project stations 12+00-63'RT and 14+00-63'RT). All members present voting aye. Motion carried.

BID AWARD - CULVERTS:

Moved by Fischbach, seconded by Wiese to award bids on Culverts and Bridge Decking to low bidders 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 - GRAVEL:

Moved by Wiese, seconded by Hansen to award bids on Gravel and Fill Materials to low

bidders 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 - RENTAL OF MACHINERY:**

Moved by Wiese, seconded by Fischbach to award bids on Rental of Equipment to low bidders 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 - ROAD OIL:**

Moved by Hansen, seconded by Wiese to award bids on Road Oil to low bidders 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.

**APPLICATION FOR OCCUPANCY:**

Moved by Fischbach, seconded by Hansen to approve and authorize the Chairman sign application, submitted by Northwestern Public Service for occupancy of Brown County Highway East Shore Drive in Sec 13-T124N-R65W, Brown County, South Dakota to provide gas service. Roll call vote: Commissioners Hansen-aye, Feickert-aye, Fischbach-aye, Wiese-abstain, Knecht-absent. Motion carried.

**SPRING CLEANUP:**

Moved by Hansen, seconded by Wiese to waive the Residential Landfill tipping fees from April 28 - May 13, 2000 on discretionary waste (except tires) that is a direct result of the annual area wide cleanup period. All members present voting aye. Motion carried.

**LANDFILL ANNUAL REPORT:**

Melanie Niday and Tim Goodman, Earth Tech Representatives presented the 1999 Earth Tech Annual Report for the Brown County Landfill.

**AGREEMENT:**

Moved by Wiese, seconded by Fischbach to approve and authorize the Chairman sign Consulting Agreement with Earth Tech, Inc. to perform monitoring and reporting services for the Brown County Landfill for year 2000. All members present voting aye. Motion carried.

**FAMILY CRISIS GRANT:**

Shirley Schwab presented an update on the Family Crisis Grant.

**RECESS:**

Moved by Fischbach, seconded by Wiese to recess until March 28, 2000. All members present voting aye. Motion carried.

Maxine Taylor - Brown County Auditor

MARCH 28, 2000 - GENERAL MEETING

Meeting called to order by Chairman Knecht at 8:45 A.M. in the Commissioner's Chambers, Courthouse Annex, Brown County, South Dakota. Present were Commissioners Hansen, Feickert, Fischbach and Wiese.

MINUTES:

Moved by Fischbach, seconded by Wiese to approve the General Meeting minutes of March 21, 2000. All members present voting aye. Motion carried.

CLAIMS:

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

Payroll: Commissioners..\$2,211.55; Data Processing..\$1,269.24; Auditor..\$6,002.96; Treasurer..\$7,133.36; State's Attorney..\$8,209.30; Victims Asst..\$788.47; Maintenance..\$4,341.04; Assessor..\$6,425.17; Planning & Zoning..\$887.20; Register of Deeds..\$3,090.78; Veterans Service..\$1,977.79, OVERTIME: Kathy Schlecht..\$32.04; Communications..\$10,219.44, OVERTIME: Sheila Anderson..\$31.84, Mary Browning..\$69.44, Janet Dosch..\$244.24, Betty Haar..\$63.68, Deanna Thorpe..\$41.28, Kathleen Volk..\$96.32; Sheriff..\$41,029.88, OVERTIME: Bryan Locke..\$103.00, David Fair..\$76.64, David Hanson..\$144.64, Steven Cogley..\$34.72, Gary Bunt..\$51.00, Michael Kuebler..\$19.56, Ann Bierman..\$15.91, Amy Lake..\$13.40, Kristal Schumack..\$6.70, Jeffrey Kirnan..\$26.08; Museum..\$3,622.02; Welfare..\$2,299.64; Health..\$2,211.20; Foster Grandparent Program..\$4,652.44; Fairboard..\$711.54; Extension..\$1,404.80, OVERTIME: Lynn Heupel..\$3.33; Weed..\$231.13; Parks..\$2,846.71; Emergency Management..\$1,834.40; Road and Bridge..\$27,597.59, OVERTIME: Vernon Bitz..\$32.52, Tom Lammon..\$4.07, Joseph Malsam..\$29.22, Donald Maunu..\$106.80, Todd Odenbach..\$29.82, Bryan Owens..\$14.61, Cordell Rudolph..\$16.29, Jeff Seiler..\$7.16, Michael Wagner..\$30.28; Solid Waste..\$4,840.28, OVERTIME: Carl Wright..\$236.93, Roxanne Varns..\$23.39, Nyle Jenson..\$126.23:

Supplies & Materials: City Net..\$400.00, RE Huffman..\$179.21, Midwest Rubber Stamp..\$19.39, Ameripride..\$31.30, Menards..\$323.11, Walmart..\$50.74, Prairieland..\$317.80, Heartland Paper..\$321.75, Taylor Laundry..\$109.92, Office Max..\$49.99, Avera St Lukes..\$343.13, Double D Body Shop..\$72.00, Noble Security Systems..\$94.20, House of Glass..\$49.51, Gardner Locksmith..\$40.00, Computer Specialists..\$583.00, Respond..\$103.00, K-Mart..\$59.84, SD Sheriff Assn..\$60.84, Grafix Shoppe..\$13.50, SD Corrections..\$315.00, Target..\$329.97, Aberdeen Lock & Key..\$10.20, OK Tire..\$452.40, Tuxall..\$209.85, Bob Barker..\$887.50, Velvet Uniforms..\$135.46, John Rosemond Workshop..\$290.00, Medical Center Pharmacy..\$323.14, Northern State University..\$80.00, Phillip Van Dover..\$13,000.00, Superior Signals..\$36.00, SD Wheat Growers..\$454.06, SD Motor Vehicles..\$6.00, Respond..\$51.50, Quill Corp..\$80.85, Quality Stores..\$168.42, Rayma Pierson..\$200.00, Newman Signs..\$821.45, Lawson Products..\$561.70, Gary's Engine..\$85.42, WE Doyle..\$113.00, Robert Dinger..\$231.10, Aberdeen Equipment..\$15,000.00, Western States Fire..\$441.31, Amoco Express..\$6.00, Quality Quick Print..\$25.68, Ag Communications..\$105.45, Pitney Bowes..\$107.70, Dept of Commerce..\$75.00, Waste Recovery Services..\$764.62, New Waste Concepts..\$24,772.00, McFarland Supply..\$101.06, LBG..\$96.90, Inman & McDowell..\$36.95, Service Signs..\$535.00, Specialty Mfg..\$2650.00, Boston Fern..\$27.50, Office Equip..\$12.59, Y2K Dakota 911 Conf..\$500.00, UBC..\$5.97:

Transcriptions: Slowey Court Reporting..\$115.00:

Publications: American News..\$243.78, Dakota Press..\$949.72:

Professional Fees: Witness fees..\$222.40, Joan Kittelson..\$15.00, Nelva Kooistra..\$24.00, Marv Ekeren..\$15.00, Bob Walser..\$24.00, Donna Dietrich..\$214.10,

Dawn Aman..\$2300.00:

Mileage & Travel: Jessica Frerichs..\$45.82, Bruce Tveit..\$46.40, Mike Waldrop..\$22.62, Tony Ingemansen..\$120.93, Ken Thompson..\$41.76, Best Western..\$55.00, Gary Erickson..\$312.02:

Court Appointed Attorney: Tonner, Tobin & King..\$4500.00, Brad Borge..\$4500.00, Robert Chavis..\$80.00:

Utilities: US West..\$93.61, Cellular One..\$224.46, NWPS..\$358.82, Midcontinent Cable..\$42.21:

Care of Poor: Dr/Hospital..3 recipients..Avera St Lukes..\$3266.44; Rent..3 recipients..Joe Gese..\$170.00, D&L LLC..\$153.00; Burial..1 recipient..Arne Funeral Home..\$1850.25; Drugs..1 recipient..Walmart Pharmacy..\$205.90; Insurance..1 recipient..Wellmark Blue Cross..\$610.80: All members present voting aye. Motion carried.

#### ABATEMENTS:

Moved by Feickert, seconded by Fischbach to approve the following Abatements: Cleone Pekelder, owner/occupied status (1978 Medallion MH) for year 2000 in amount of \$93.32; Rick Hinz, MH converted to trailer for year 2000 in amount of \$32.03; Ben Grote, owner/occupied status (1971 Kenwood MH) for year 2000 in amount of \$26.64. All members present voting aye. Motion carried.

#### NOXIOUS WEED NOTICE:

Moved by Feickert, seconded by Wiese to authorize publication of the Noxious Weed Notice for year 2000. All members present voting aye. Motion carried.

#### JAIBG GRANT:

Moved by Wiese, seconded by Hansen to approve and authorize the Chairman sign Juvenile Accountability Incentive Block Grant (JAIBG) in amount of \$35,603.00 plus \$3,560.30 match by Brown County. All members present voting aye. Motion carried.

#### FAIR BOARD:

Moved by Feickert, seconded by Wiese to appoint Herb Schaunaman to the Brown County Fair Board to replace Dennis Stoebner who resigned. All members present voting aye. Motion carried.

#### ORDINANCE NO. 00-04-01/198 HEARING NOTICE:

Moved by Hansen, seconded by Wiese to authorize advertising public hearing to consider petition, submitted by Glenn Bitz to rezone Weismantel's Outlot 1 NW 1/4 19-123-62 from Section 701 (A-1) Agricultural District to Section 714 (M-Ag) Mini-Agricultural District, to be held in the Aberdeen City Commission Chambers at 6:30 P.M. on April 24, 2000. All members present voting aye. Motion carried.

#### CONTRACTS:

Moved by Wiese, seconded by Fischbach to authorize the Chairman sign all completed contracts for supplies, material and equipment rental for the 2000 road construction season. All members present voting aye. Motion carried.

#### AUTOCLAVED MEDICAL WASTE:

Moved by Fischbach, seconded by Hansen to deny request, submitted by Sure Way Systems, a ND Company to dispose of Autoclaved Medical Waste at the Brown County Landfill. All members present voting aye. Motion carried.

#### SURPLUS PROPERTY:

Moved by Wiese, seconded by Feickert to declare Decal #3101 1993 Ford Crown Victoria

and Decal #3177 1991 Ford Crown Victoria surplus for purpose of sale. All members present voting aye. Motion carried.

INDIGENT COUNCIL AGREEMENT AMENDMENT:

Moved by Hansen, seconded by Feickert to amend Indigent Counsel Agreement for 2000-2001 to exclude Mental Illness matters from contract. All members present voting aye. Motion carried.

VACATE PLAT:

Moved by Fischbach, seconded by Wiese to authorize advertising public hearing to consider petition filed by Douglas and Della Abeln to vacate the plat described as Abeln Outlot A in the SW 1/4 of Sec 22-T123N, R61W, Brown County, South Dakota, to be held in the Commissioner's Chambers, Courthouse Annex, Brown County, South Dakota at 9:00 A.M. on April 18, 2000. All members present voting aye. Motion carried.

AWARD ROAD OIL BID:

Moved by Wiese, seconded by Hansen to award low bid, submitted by Koch Materials Company, Marshall, MN for MC-3000 Road Oil in amount of 0.9203 per gallon; rejecting Koch Materials Company bid for MC-70 in amount of 0.9203 per gallon, KL Oil & Asphalt Co, Inc Rapid City bid for MC-3000 in amount of 0.9384 per gallon and bid for MC-70 in amount of 0.8903, Jebro Inc Sioux City, IA bid for MC-3000 in amount of 1.0903 and bid for MC-70 in amount of 1.1203; as bid by the City of Aberdeen March 15, 2000 and awarded March 20, 2000. All members present voting aye. Motion carried.

PERSONNEL:

Moved by Feickert, seconded by Wiese to approve the following employee step increases, effective April 2, 2000: Jolene Forsting @ \$9.58 per hour, Michael Casjens @ \$13.01 per hour, Charlene McAfee @ \$9.65 per hour. All members present voting aye. Motion carried.

Moved by Wiese, seconded by Feickert to approve hiring Dirk Rogers as Assistant Highway Superintendent, effective April 10, 2000 at a pro-rated annual salary of \$33,280.00. All members present voting aye. Motion carried.

Moved by Feickert, seconded by Wiese to approve hiring Lori Erickson as Highway Office Manager, effective April 10, 2000 at \$9.66 per hour. All members present voting aye. Motion carried.

CDL CONSORTIUM:

Moved by Hansen, seconded by Fischbach to approve and authorize the Chairman sign Agreement with South Dakota Association of County Commissioners, to provide drug testing services through its affiliation with a DHHS certified laboratory. All members present voting aye. Motion carried.

FGP GRANT:

Moved by Hansen, seconded by Wiese to approve and authorize Brown County Auditor sign budget amendment for additional funding in amount of \$6,167.00 (Grant #GM 439N050-18 in total amount of \$315,605.00). All members present voting aye. Motion carried.

HECLA LAW ENFORCEMENT AGREEMENT AMENDMENT:

Moved by Feickert, seconded by Fischbach to approve and authorize the Chairman sign Amendment to the Hecla Law Enforcement Agreement addressing residency within the

City Limits. All members present voting aye. Motion carried.

PLATS:

Commissioner Wiese offered the following Resolution:

RESOLUTION NO. 18-2000

BE IT RESOLVED by the Board of Commissioners of Brown County, South Dakota, that the plat showing "Beckler Addition in the NW 1/4 of Sec 30-T123N-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 Fischbach. Roll call vote: Commissioners Hansen-aye, Feickert-aye, Fischbach-aye, Wiese-aye, Knecht-aye. Resolution adopted.

Commissioner Wiese offered the following Resolution:

RESOLUTION NO. 19-2000

BE IT RESOLVED by the County Commission of Brown County, South Dakota, that the plat showing "Clinton Lot A in NW 1/4 Sec 17-T122N-R60W 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 Feickert. Roll call vote: Commissioners Hansen-aye, Feickert-aye, Fischbach-aye, Wiese-aye, Knecht-aye. Resolution adopted.

Commissioner Feickert offered the following Resolution:

RESOLUTION NO. 20-2000

BE IT RESOLVED by the Board of County Commissioners of Brown County, South Dakota, that the plat showing "Jacobson Conservation Easement Tract 1 in the SW 1/4 of Sec 21-T123N-R60W 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. Roll call vote: Commissioners Hansen-aye, Feickert-aye, Fischbach-aye, Wiese-aye, Knecht-aye. Resolution adopted.

Commissioner Feickert offered the following Resolution:

RESOLUTION NO. 21-2000

BE IT RESOLVED by the Board of County Commissioners of Brown County, South Dakota, that the plat showing "Jacobson Conservation Easement Tracts 1, 2 and 3 in the SW 1/4 of Sec 28-T123N-R60W 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. Roll call vote: Commissioners Hansen-aye, Feickert-aye, Fischbach-aye, Wiese-aye, Knecht-aye. Resolution adopted.

Commissioner Feickert offered the following Resolution:

## RESOLUTION NO. 22-2000

BE IT RESOLVED by the County Commission of Brown County, South Dakota, that the plat showing "Gross's Second Addition in NW 1/4 Sec 34-T124N-R64W 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. Roll call vote: Commissioners Hansen-aye, Feickert-aye, Fischbach-aye, Wiese-aye, Knecht-aye. Resolution adopted.

## FAIR BOARD BEER DISCUSSION:

Larry Gerlach and several Fair Board Members met with the Commission to discuss resistance to their goal of contracting with three beer distributors to be at all locations holding a valid license during the 2000 Fair to increase corporate revenue, currently \$4000.00. A letter was submitted by Centennial Village Board stating they will stay with only one beer distributor, as they cannot handle three distributors. The Commission requested Randy Bonn, also in attendance, schedule a meeting with the three distributors, the Fair Board, Centennial Village, Hockey and Commission to discuss the matter.

## TREE PLANTING SET BACKS:

Marvin Elsen revisited the Commission on the matter of an Ordinance to establish set back regulations for tree planting. A draft ordinance requested by the Commission at their December 7, 1999 meeting has not been completed by the Planning Board. The Commission requested the draft be completed as soon as possible.

## BRIDGE #50:

Moved by Hansen, seconded by Wiese to approve and authorize the Chairman sign Maintenance Agreements, Utility Certificates, Letting Authorization and Right-of-way Certificate for Project No. BRF 6176(4), Bridge #50, 0.2 miles North and 2.8 miles east of Warner over Moccasin Creek (Structure #07-138-420). All members present voting aye. Motion carried.

## APPLICATION FOR OCCUPANCY:

Moved by Feickert, seconded by Hansen to approve and authorize the Chairman sign application, submitted by South Dakota Network for occupancy of Brown County Highway #13 in Section 22-T124N-R65W, Brown County, South Dakota, to provide communication and data transmission. Roll call vote: Commissioners Hansen-aye, Feickert-aye, Fischbach-aye, Wiese-abstain, Knecht-aye. Motion carried.

## BRIDGE REINSPECTION:

Moved by Fischbach, seconded by Feickert to approve and authorize the Chairman sign Work Order No. BI-99-10 with SDDOT for Hofland Engineering to perform reinspection of Brown County bridges. All members present voting aye. Motion carried.

## ADJOURNMENT:

Moved by Hansen, seconded by Feickert to adjourn until April 4, 2000. All members present voting aye. Motion carried.

Maxine Taylor - Brown County Auditor

APRIL 4, 2000 - GENERAL MEETING

The Brown County Commission convened at 8:45 A.M. in the Commissioner's Chambers, Courthouse Annex, Brown County, South Dakota. Present were Commissioners Knecht, Hansen, Feickert, Fischbach and Wiese.

MINUTES:

Moved by Hansen, seconded by Feickert to approve the General Meeting minutes of March 28, 2000. All members present voting aye. Motion carried.

CLAIMS:

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

Supplies & Materials: Pitneyworks..\$118.39, Schwab..\$58.05, New Trends..\$8.77, K-Mart..\$80.00, Plainsco..\$3.34, Mac's..\$11.96, Ecolab..\$67.30, Office Max..\$209.42, RE Huffman..\$137.24, Office Equipment..\$193.78, Prairieland..\$14.99, Menards..\$584.45, Chris & Don's..\$80.00, Bricks Video..\$25.00, Visa..\$49.16, Dept of Revenue..\$425.00, Presentation College..\$109.44, Parcel-Erickson..\$19.95, Deluxe Business Forms..\$92.40, Walmart..\$224.57, Warner Co-Op..\$16.00, MOCIC..\$175.00, Pheasantland Industries..\$356.92, Dakota Silk Screen..\$872.00, Computer Specialists..\$695.00, WE Doyle..\$55,480.00, Zastrow Conoco..\$25.95, SD Wheat Growers..\$970.26, Newman Signs..\$83.47, Larson Blacksmith..\$30.00, Johnson Motors..\$5.10, J Gross..\$352.21, Gary's Engine..\$7.45, Farm Power..\$335.87, Creative Signs..\$65.00, Crawford Trucks..\$1346.98, Clark Engineering..\$4902.00, CarQuest..\$622.46, Butler Machinery..\$1318.25, HC Clark..\$34.55, Prairieland..\$129.04, Western States Fire..\$61.98, Plainsco..\$6.34, House of Glass..\$21.47, Keeleys..\$10.71, Evergreen Supply..\$49.35, Nelson Auto..\$4.84, Macs..\$111.08, Tuxall..\$50.02, Computer Specialists..\$73.00, Quality Quick Print..\$32.08, CIMA Co..\$275.00, Central Supply..\$10.22, Cellular Communications..\$9.95, Eddie's 66..\$28.70, Farm Power..\$253.45, Taylor Laundry..\$51.58, Butler..\$3694.69, Helms..\$3024.05, Sat-Tech Plus..\$786.00, Kyburz Carlson..\$4214.00:

Publications: American News..\$644.91, Sioux/Corson County News Messenger..\$7.83:

Professional Fees: Witness fees..\$51.60, Gary Mikelson..\$477.72, Nelva

Kooistra..\$33.00, Donna Dietrich..\$65.05, Marv Ekeren..\$18.00:

Mileage & Travel: Leo Leshner..\$129.92, Gene Loeschke..\$75.69, Russ Podoll..\$19.00, Marian West..\$27.26, Jodi McQuillen..\$62.93, Mildred Watson..\$27.26, Mike Scott..\$197.95, Tom Fischbach..\$226.78:

Court Appointed Attorney: Robert Chavis..\$85.00, Fox, Youngberg..\$132.02, Doyle & Kennedy..\$69.20:

Utilities: NWPS..\$6415.80, Midcontinent Cable..\$140.37, US West..\$3325.70, Montana-Dakota..\$54.34, Cellular One..\$129.29, Northern Elec..\$190.14, Accent Communications..\$324.44, James Valley Co-Op..\$573.07, Phyllis Voeller..\$19.50, WEB Water..\$51.22:

Jury: Maryann Bierman..\$21.16, Vernon Bogue..\$21.16, Brad Brake..\$15.80, Michele Caspers..\$72.20, Michael Cliff..\$21.16, Evelyn Coyne..\$10.58, Allen Davis..\$30.44, Thomas Durland..\$21.16, Jodie Dutenhoffer..\$10.58, Linda Dykema..\$12.90, Jerald Esser..\$10.58, Marvin Fandrich..\$111.60, Marvine Fredrickson..\$10.58, Otto Friske..\$10.58, Lisa Gale..\$10.58, Lisa Kettledon Green..\$132.62, Kenneth Saessig..\$10.58, Lawrence Hardina..\$101.16, Jodie Harry..\$101.16, Charlene Haskins-Elsen..\$10.58, David Heller..\$21.16, Floyd Hoerner..\$28.56, Marie Hovland..\$10.58, Eugene Hubert..\$10.58, Brian Johnson..\$101.16, Sharon Kerby..\$10.58, Mae Kocabinski..\$111.74, Louis Kraft..\$10.58, Pauline Krump..\$10.58, Peggy Kuck..\$101.16, Roy Lakefield..\$10.58, Robert Lamont..\$21.16, Walter Lehr..\$10.58, Jerome Letcher..\$10.58, Linda Malsom..\$21.16, Gayla Martens..\$10.58, Robert Mentzer..\$10.58, Harvey Michlitsch..\$10.58, Cynthia Mundt..\$15.80, Barb Jo Myers..\$18.12, Jennifer Neff..\$10.58, Lyla Nikolas..\$10.58, Rebecca Dykema..\$10.58, Kurt Reder..\$11.74, Edward Rieger..\$10.58, Alma Sahli..\$111.60, Jean



Sandquist..\$101.16, Donna Jean Schaible..\$10.58, David Scherr..\$10.58, Rich Schlosser..\$134.80, Gordon Schwab..\$10.58, Thomas Seiler..\$10.58, Melvin Serfoss..\$12.32, Paul Sigaty..\$15.80, Robin Sihrer..\$101.16, Hope Smith..\$10.58, Harriet Stave..\$10.58, Terri Summitt..\$10.58, Gail Swanston..\$101.16, Heidie Tewksbury Bohn..\$10.58, Michael Trumbo..\$10.58, Tiffany Unzen..\$20.44, Edward Valentine..\$10.58, Gardella Voeller..\$21.16, Sheryl Voss-Hanlon..\$22.76, Keith Wrage..\$10.58, Dan Zinter..\$108.15:

Care of Poor: Dr/Hospital..1 recipients..Avera St Lukes..\$2520.97, Anesthesia Care..\$2713.66; Rent..10 recipients..Jean Lindsey..\$170.00, Linda Barondeau..\$190.00, Mike Sudlow..\$170.00, Patrick Sieh..\$100.00, Tom Appletoft..\$160.00, D&L LLC..\$75.00, Marie Jensen..\$210.00, Albert Hoffman..\$87.00, John Dalager..\$135.00, Our Savior Lutheran Church..\$230.00; Drugs..1 recipient..Shopko Pharmacy..\$54.37. All members present voting aye. Motion carried.

#### ABATEMENTS:

Moved by Feickert, seconded by Wiese to approve the following Abatements; Ethel Lilla, house vacant (NW 1/4 1-127-61) Solid Waste for year 1999 in amount of \$60.00 and Solid Waste for year 2000 in amount of \$62.40. All members present voting aye. Motion carried.

#### WELFARE GUIDELINES AMENDED:

Commissioner Hansen offered the following Resolution:

#### RESOLUTION NO. 23-2000

WHEREAS, Title 2, Second Revision of Brown County Ordinances, as amended, requires the Brown County Commission, by resolution, to adopt rules, regulations and appendixes necessary for the implementation of a County Welfare Program, in accordance with SDCL 28-13; and

WHEREAS, the Brown County Commission adopted the Brown County Welfare Guidelines by Resolution No. 4-98, dated January 6th, 1998; and

WHEREAS, it is deemed necessary and in the best interest of the residents of Brown County to amend Appendix A Income Eligibility/Determination Tests - Poverty Guidelines.

NOW, THEREFORE BE IT RESOLVED that Appendix A Income Eligibility/Determination Tests - Poverty Guidelines be amended as follows:

Family Size	Poverty Guidelines		
	Annual	3 Months	Monthly
1	\$ 8,352	\$2,088	\$ 696
2	11,256	2,814	938
3	14,148	3,537	1,179
4	17,052	4,263	1,421
5	19,956	4,989	1,663
6	22,848	5,712	1,904
7	25,752	6,438	2,146
8	28,656	7,164	2,388
9	31,548	7,887	2,629
10	34,452	8,613	2,871

Seconded by Commissioner Wiese. Roll call vote: Commissioners Hansen-aye, Feickert-aye, Fischbach-aye, Wiese-aye, Knecht-aye. Resolution adopted.

## SPEED ZONE AMENDMENT:

Commissioner Hansen offered the following Resolution:

## RESOLUTION 24-2000

WHEREAS, Chapter 6.03 Speed Zones of the Second Revision of Brown County Ordinances authorizes the Brown County Commission to change the speed limit or the extent of any such limited speed zone, at any time they may deem necessary, and

WHEREAS, it has been recommended by the Columbia City Council that the speed zone on section of Brown County Highway #16, North of Columbia should be decreased to 25 MPH, beginning at 122nd Street and continuing south approximately 1.2 miles to the James River Bridge, and

WHEREAS, the Brown County Commission deems this to be consistent with state law.

NOW THEREFORE, BE IT RESOLVED that Resolution No. 48-96 be amended as follow:

AMEND: County Road #16 (Town of Columbia), from 122nd Street south 1.2 miles to the James River Bridge, 25 MPH.

Seconded by Commissioner Wiese. Roll call vote: Commissioners Hansen-aye, Feickert-aye, Fischbach-aye, Wiese-aye, Knecht-aye. Resolution adopted.

## LEASE AGREEMENT:

Moved by Feickert, seconded by Wiese to approve and authorize the Chairman sign the following agreement: Northern Plains Livestock Show for lease of the Expo Addition on June 10, 2000. All members present voting aye. Motion carried.

## SDACC/OJJDP GRANT:

Moved by Hansen, seconded by Feickert to approve and authorize the Chairman sign Grant Agreement for Intensive Family Crisis Intervention Project in amount of \$25,000.00 with the South Dakota Association of County Commissioners (US Department of Justice Office of Juvenile Justice and Delinquency Prevention Grant). All members present voting aye. Motion carried.

## NECOG APPOINTMENT:

Moved by Hansen, seconded by Wiese to appoint Ron Corliss as Brown County At-Large Member on the Northeastern Council of Governments Board of Directors. All members present voting aye. Motion carried.

## VACATE PLAT:

Time and place, as advertised to consider petition filed by Donald E Delzer to vacate a plat.

Commissioner Fischbach offered the following Resolution:

## RESOLUTION NO. 25-2000

WHEREAS, Donald E. Delzer, pursuant to SDCL 11-3-20.1, presented an Application for Vacation of Plat legally identified as:

Delzer Outlot 1 in the S 1/2 of the SW 1/4 of Sec 19-T123N-R65W Brown County, South Dakota

and,

WHEREAS, the granting of the request will not authorize the closing or obstruction of any public highway laid out according to law, and all property taxes on such plat are paid.

NOW, THEREFORE, BE IT RESOLVED, that the portion of plat legally identified as:

Delzer Outlot 1 in the S 1/2 of the SW 1/4 of Sec 19-T123N-R65W Brown County, South Dakota

is hereby vacated.

Seconded by Commissioner Feickert. Roll call vote: Commissioners Hansen-aye, Feickert-aye, Fischbach-aye, Wiese-aye, Knecht-aye. Resolution adopted.

EQUALIZATION DISCUSSED:

Mary Worlie, Director of Equalization met to discuss the upcoming County and Consolidated Equalization sessions. Information packets will be distributed prior to the opening session.

BRIDGE - DICKEY\BROWN COUNTY:

Moved by Feickert, seconded by Wiese to approve and authorize the Chairman sign the Right-of-Way Certificate and Utilities Certificate for the Dickey\Brown County Bridge Project #BRF 6172(4). All members present voting aye. Motion carried.

BRIDGE #44:

Moved by Wiese, seconded by Feickert to approve and authorize the Chairman sign corrected temporary and permanent easements for BRO 8007(41), previous easements had incorrect acreage. All members present voting aye. Motion carried.

HOSPITAL CLAIMS:

Jeff Steele and Cheryl Majeske, Avera St Lukes met with the Commission to discuss four hospital bills. Charlene Millim, Welfare Director was also in attendance. No action taken on a bill in amount of \$4000.00 on a 38 year old male until further research is complete.

Moved by Feickert, seconded by Wiese to deny payment of a hospital bill, submitted by Avera St. Lukes in amount of \$2,793.42 for a 25 year old female, as individual has not provided sufficient information to determine indigency. All members present voting aye. Motion carried.

Moved by Wiese, seconded by Feickert to deny payment of a hospital bill, submitted by Avera St. Lukes in amount of \$23,213.71 for a 23 year old male, as individual has not provided sufficient information to determine indigency. All members present voting aye. Motion carried.

Moved by Feickert, seconded by Wiese to deny payment of a hospital bill, submitted by Avera St. Lukes in amount of \$12,400.21 for a 51 year old female, as individual does not meet income guidelines. All members present voting aye. Motion carried.

RECESS:

Moved by Hansen, seconded by Wiese to recess until April 11, 2000. All members present voting aye. Motion carried.

Maxine Taylor - Brown County Auditor

## APRIL 11, 2000 - GENERAL MEETING

Meeting called to order by Vice Chairman Feickert at 8:45 A.M. in the Commissioner's Chambers, Courthouse Annex, Brown County, South Dakota. Present were Commissioners Hansen, Fischbach and Wiese. Absent Commissioner Knecht.

## MINUTES:

Moved by Wiese, seconded by Hansen to approve the General Meeting minutes of April 4, 2000. All members present voting aye. Motion carried.

## CLAIMS:

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

Payroll: Commissioners..\$2,211.55; Data Processing..\$1,269.24; Auditor..\$6,002.96; Treasurer..\$7,133.36; State's Attorney..\$8,209.30; Victims Asst..\$788.47; Maintenance..\$4,430.39; Assessor..\$5,785.79; Planning & Zoning..\$887.20, OVERTIME: Mick Waller..\$24.96; Register of Deeds..\$3,274.60; Veterans Service..\$1,950.56, OVERTIME: Kathy Schlecht..\$24.03; Communications..\$9,330.57, OVERTIME: Mary Browning..\$138.88, Janet Dosch..\$55.04, Nancy Radke..\$9.04, Michele Strom..\$57.96, Lisa Wipf..\$118.72; Sheriff..\$41,394.93, OVERTIME: Bryan Locke..\$51.50, John McQuillen..\$20.60, Scott Kolb..\$61.80, Michael Casjens..\$28.74, David Fair..\$153.28, David Hanson..\$18.08, Dala Mandel..\$34.34, Roxanne Schumacher..\$43.44, Patrick Rickerl..\$41.28, Amy Mathiason..\$27.52, Brandon Smith..\$26.08, Michael Johnson..\$104.32, Michael Kuebler..\$26.08, Barbara Johnson..\$37.58, Kevin Johnson..\$127.28, Jeffrey Kirnan..\$55.42; Museum..\$3,622.02; Welfare..\$2,299.64; Health..\$2,211.20; Foster Grandparent Program..\$1,429.54; Fairboard..\$711.54; Extension..\$1,404.80; Parks..\$2,846.71; Emergency Management..\$1,834.40; Road and Bridge..\$27,536.69, OVERTIME: Jerry Luce..\$4.25, Donald Maunu..\$98.58, Todd Odenbach..\$7.46, Jeff Seiler..\$7.16; Solid Waste..\$4,847.33, OVERTIME: Carl Wright..\$245.70, Roxanne Varns..\$38.98, Dennis Van Heerde..\$144.80;

Supplies & Materials: West Group..\$4100.50, Lexis..\$89.04, Aspen Pub..\$136.71, Penny Hart..\$62.58, Office Equip..\$249.00, Quality Quick Print..\$621.05, Sonda Stager..\$60.00, Harvey Oliver..\$121.48, Macs..\$10.00, North Wind Machine..\$72.40, Prairieland..\$58.64, UBC..\$12.10, Heartland Paper..\$221.76, Grote Sheet Metal..\$1460.00, Schwan Welding..\$27.57, Cunningham Elec..\$65.28, Plainsco..\$39.84, Photos Now..\$56.72, Norcom..\$464.29, McLeods..\$3403.38, Quint City Coin Ops..\$36.00, Kesslers..\$325.32, Bonnie Bitz..\$192.00, Dicks 66..\$24.95, Galls..\$128.20, SD Fleet..\$1369.60, Service Signs..\$39.00, Office Max..\$66.95, Intoximeter..\$496.56, Lust..\$16.32, Xerox..\$372.75, Dakota Electronics..\$1961.48, Kirks Auto..\$422.51, Hoggs..\$3523.22, Hoven Auto..\$158.23, Jordre Photo..\$15.14, Walmart..\$27.89, 3-D Specialties..\$115.40, Sanitation Products..\$3220.00, Taylor Laundry..\$331.68, Sheehan Mack Sales..\$675.11, Schwan Welding..\$60.00, Safety Service..\$1834.64, Safelite Auto..\$43.95, Reuer's Auto..\$84.07, Quality Welding..\$32.00, Office Max..\$49.63, Nelson Auto..\$109.68, Midwest Pump & Tank..\$46.26, Lacal..\$493.98, Dave Kampa Const..\$475.00, Huron Culvert..\$15441.70, Hub City Iron..\$950.05, Hedahls..\$25.43, Evergreen Supply..\$333.28, Diesel Machinery..\$37.20, Dakota Oil..\$468.60, Dakota Air..\$20.00, Chris & Dons Tarp..\$57.05, Cartney Bearing..\$366.28, Bridgestone..\$229.04, Brick Propane..\$19.95, Aberdeen Senior Citizens..\$180.00, SD Wheat Growers..\$3558.19, Kleins..\$72.82, New Trends..\$3.30, Ken's Fairway..\$22.66, Best Business..\$25.00, A&M Radio..\$44.50, Extension Service..\$8.05, SDSU Print Lab..\$119.05, Century Business Products..\$52.78, Quality Stores..\$19.66, Ranch Ware Design..\$399.95, Pro Ag Supply..\$150.00, Fordham Signs..\$127.00, Community & Family Ext Leaders..\$200.00, SD Dept of Revenue..\$2687.10, Barco Products Co..\$313.85, Webster Scale..\$719.40, TeeMark Corp..\$14984.00, Graham Goodyear..\$95.00, House of Glass..\$121.86, Diesel Machinery..\$157.58, A-1 Sanitation..\$705.25, OK Tire..\$11.00, Brown County Treasurer..\$179.87, Mercury Cleaners..\$23.00, Menards..\$243.00, RDO..\$7.42, Keeleys..\$9.58, Riley's Bobcat Service..\$130.00;

Transcriptions: Cheryl Hook..\$99.90:

Publications: American News..\$567.79:

Professional Fees: Stipends..\$12630.15, Minnehaha County Sheriff..\$7.50, Washington County Sheriff..\$41.80, Lawrence County Sheriff..\$26.70, Cheryl Hairgrove..\$380.00, Avera St Lukes..\$1769.12, Aberdeen Family Physicians..\$304.57, Aberdeen Advanced Care..\$570.55, Mark McNeary..\$1500.00:

Mileage & Travel: Dennis Feickert..\$14.50, Deb Knecht..\$162.40, Best Western Ramkota..\$64.00, Charlene Millim..\$112.88, Lori Erickson..\$24.94, Watertown Area Transit..\$256.00, Aberdeen Ride Line..\$765.00, Spink County Public Transit..\$158.00, Melissa Koester..\$24.65:

Utilities: City Aberdeen..\$582.06, Midcontinent Cable..\$183.00, James Valley Co-Op..\$74.98, Accent Communications..\$99.87, Dependable Sanitation..\$12342.58, US West..\$140.53, WEB Water..\$70.35, NWPS..\$169.40:

Care of Poor: Transportation..2 recipients..Emergency Poor Fund..\$30.00, Bus Systems Inc..\$83.20; Rent..4 recipients..D&L LLC..\$75.00, Harold Hieb..\$170.00, Dean Duel..\$190.00, Builders Mgmt & Investment..\$210.00; Dr/Hospital..2 recipients..Northern Plains Oral..\$235.38, Avera St Lukes..\$1635.17; Drugs..6 recipients..Shopko Pharmacy..\$67.85, Plaza Pharmacy..\$43.38, Medical Center Pharmacy..\$75.39, Kessler Pharmacy..\$8.99, K-Mart Pharmacy..\$37.58. All members present voting aye. Motion carried.

#### CONTRACT ADDENDUM:

Moved by Wiese, seconded by Fischbach to approve and authorize the Chairman sign Contract Addendum with Terry Voeltz DBA T's Promotions, Inc. for lease of Fairgrounds facilities for purpose of car racing for year 2000 - 2001.

All members present voting aye. Motion carried.

#### PERSONNEL:

Moved by Hansen, seconded by Wiese to approve the following employee step increases, effective April 16, 2000: David Fair @ \$13.01 per hour, Diane Mielke @ \$9.65 per hour, Jeffrey Kirnan @ \$8.93 per hour, Melvin Ernst @ \$9.54 per hour. All members present voting aye. Motion carried.

Moved by Hansen, seconded by Fischbach to approve hiring Michelle Haag as part-time scale operator/waste monitor at the Landfill, effective April 12, 2000 at \$7.05 per hour. All members present voting aye. Motion carried.

Moved by Wiese, seconded by Hansen to approve hiring Lori Furman as part-time JDC officer, effective April 11, 2000 at \$8.05 per hour. All members present voting aye. Motion carried.

Moved by Wiese, seconded by Hansen to approve hiring Monte Podoll as full-time maintenance employee, effective April 24, 2000 at \$8.47 per hour. All members present voting aye. Motion carried.

Moved by Wiese, seconded by Fischbach to approve hiring Ronald Glugla as full-time Highway Mechanic, effective April 17, 2000 at \$10.50 per hour and Mark Wendt as Highway Shop Foreman, effective April 12, 2000 at \$11.00 per hour. All members present voting aye. Motion carried.

#### AUDITORS REPORT OF ACCOUNT:

Moved by Wiese, seconded by Hansen to approve the following March, 2000 Auditor's Report of Account:

Auditor's Report of Account with the County Treasurer:

Total amount of actual cash - - - - -	\$ 3,487.00
Norwest Bank- - - - -	\$ 38,926.57
US Bank - - - - -	\$ 17,886.36
Dacotah Bank- - - - -	\$ 6,426.76
Petty Cash (Sheriff, Welfare, Museum, R/D)	\$ 1,500.00
Landfill Change Fund- - - - -	\$ 100.00
Fund Investments- - - - -	\$9,013,731.06
Outstanding Checks- - - - -	\$ 13.00
Total - - - - -	\$9,082,070.75

All members present voting aye. Motion carried.

#### SHERIFF REPORTS:

Moved by Wiese, seconded by Fischbach to approve the following March, 2000 Sheriff Reports: Incidents & Offenses, Prisoner Care, JDC, Money deposited with the County Treasurer and Monthly activities. All members present voting aye. Motion carried.

#### TOWNSHIP BONDS:

Moved by Wiese, seconded by Fischbach to approve the following Township Bonds:

TOWNSHIP	TREASURER	CLERK
PORTAGE	Susan Gerdes	Tom Stehly
GREENFIELD	Carol L. Luttrell	Karen Lunzman
FREDERICK	Daniel Rahja	Stacey Sumption
ALLISON	Dillon Cutler	Robert Hixon
LANSING	Sharon Lehr	Dixie Clark
ONEOTA	Karla Engelhart	Neil Schaunaman
BRAINARD	Charles Dennert	Diane K. Bruns
SHELBY	Karen Mettler	Brent Miller
NORTH DETROIT	Sandy Dinger	Cindy Olson
CLAREMONT	Donald Weigleitner	Terry Cutler
COLUMBIA	Martin D. Weismantel	Roger Zastrow
WESTPORT	Guyna Dehne	Henry Schaunaman
CARLISLE	Sally A. Waltman	Alfred A. Waltman
ORDWAY	Kerry Howell	Mike McHugh
CAMBRIA	Monte McNickle	Ronald Ringgenberg
RIVERSIDE	Art Gengerke	Bruce Sippel
GROTON	Jerry Locke	Jeff Howard
HENRY	Jerroll Erdmannn	Stanley Knudsen
BATH	David E Stahl	Scott Sperry
ABERDEEN	Tom Eilers	Darlys Jensen
MERCIER	Jerry Streckfuss	Randy Bauer
NEW HOPE	Alan Borchard	Milton Haselhorst
WARNER	Beverly Graham	Robert Seaton
GEM	Loel C. Schott	Mary Jane Schott
EAST HANSON	Richard Strom	Dennis Pigors
GARDEN PRAIRIE	Steve Dunker	Todd Osterman
EAST RONDELL	Marilyn Stange	Adam Brunes
PALMYRA	Sarah Monroe	Wordie Wilburn
OSCEOLA	John Peldo	Chris Sumption
SAVO	Calvin Raisanen	Archie Anderson
LIBERTY	Ben R. Willhaus	Rollin W. Stearns
RAVINIA	Curtis Haaland	Vernald Preszler
HIGHLAND	Dan Misslitz	Alan A Dahme
FRANKLYN	Sharon Bain	Jeff Stein
RICHLAND	Margaret Sumption	Debra Heine

BATES	Doug Sombke	Roger Ball
GARLAND	Lloyd Buntrock	Dwain Buntrock
PUTNEY	Robert Schuelke	Larry Fliehs
WEST HANSON	Tom Paepke	Arnold Bahr
HECLA	Alma Bagley	Daryl D.Lloyd
WEST RONDELL	Inel Ryckman	Larry Ihde
SOUTH DETROIT	Mark Perkins	Mark Hoines

All members present voting aye. Motion carried.

PLAT:

Commissioner Wiese offered the following Resolution:

RESOLUTION NO. 26-2000

BE IT RESOLVED by the Board of Commissioners of Brown County, South Dakota, that the plat showing "Jark Outlot 1 in the NE 1/4 of Sec 29-T126N-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 Fischbach. Roll call vote: Commissioners Hansen-aye, Feickert-aye, Fischbach-aye, Wiese-aye, Knecht-absent. Resolution adopted.

VOTER LIST FEE POLICY:

Moved by Hansen, seconded by Wiese to approve the following fee policy:

VOTER FILE FEE POLICY

ALL REQUESTS MUST BE IN WRITING ON THE PRESCRIBED FORM

DISK:

Complete List w/o History - - - - -	\$ 50.00 + tax
Complete List with History- - - - -	\$100.00 + tax
*Updated List w/o History - - - - -	\$ 25.00 + tax
*Updated List with History- - - - -	\$ 35.00 + tax

\*No more than two updates may be requested within one year of original request.

PAPER:

Complete List - - - - -	\$200.00 + tax
Party List- - - - -	\$100.00 + tax
District 2- - - - -	\$ 60.00 + tax
District 3- - - - -	\$ 40.00 + tax

NOTE: HISTORY AND/OR UPDATES NOT AVAILABLE ON PAPER

SCHOOL DISTRICT LIST:

Request by Candidate- - - - -	\$0.10 per page
Request by Non-Candidate- - - - -	\$0.25 per page

All members present voting aye. Motion carried.

SPECIAL MALT BEVERAGE LICENSE APPLICATION HEARING:

Moved by Wiese, seconded by Fischbach to authorize advertising public hearing to consider the following Special Malt Beverage License Applications, to be held in the Commissioner's Chambers at 8:45 A.M. on May 2, 2000:

Northeast Area Horse Racing, Inc., P.O. Box 1104, Aberdeen, S.D. 57401 - Brown County Fairgrounds (Clubhouse) SW 1/4 Sec. 1, T.123N, R64W (map indicating specific building on file with application), effective May 13, 14, 20 & 21, 2000; Northeast Area Horse Racing, Inc. - Brown County Fairgrounds (Grandstand) SW 1/4 Sec. 1, T.123N, R64W (map indicating specific building on file with application), effective May 13, 14, 20 & 21, 2000; Northeast Area Horse Racing, Inc. - Brown County Fairgrounds (Clubhouse) SW 1/4 Sec.1, T.123N, R64W (map indicating specific building on file with application), effective May

27, 28 & 29, 2000; Northeast Area Horse Racing, Inc. - Brown County Fairgrounds (Grandstand) SW 1/4, Sec. 1, T123N, R64W (map indicating specific building on file with application), effective May 27, 28 & 29, 2000; Aberdeen Hockey Assoc., P.O. Box 515, Aberdeen, S.D. 57401 Brown County Fairgrounds (Holum Expo Building) SW 1/4, Sec.1, T123N, R64W (map indicating specific building on file with application), effective May 5 & May 6, 2000. All members present voting aye. Motion carried.

**ABATEMENTS:**

Moved by Wiese, seconded by Hansen to approve the following AbateMENTS: Proffutt Limited Partnership, incorrect taxing district (Lots 1 & 2 Deere Subd SE 16-123-63) for year 2000 in amount of \$12,346.82; Arlen Stange, MH vacant (NE 2-121-62) for year 1999 in amount of \$60.00 for year 2000 in amount of \$62.40; Arlan McNeil, MH vacant (N 1/2 N 1/2 SW 1/4 3-121-62) for year 1999 in amount of \$60.00 for year 2000 in amount of \$62.40. All members present voting aye. Motion carried.

**ABERDEEN/BROWN COUNTY REGIONAL RR AUTHORITY:**

Mark Anderson met with the Commission to discuss the Aberdeen/Brown County Regional RR Authority. Harvey Oliver was also in attendance. After discussion Mr. Anderson and Mr. Oliver agreed to draft documents to include all parties involved.

**EXECUTIVE SESSION:**

Moved by Wiese, seconded by Fischbach to go into executive session to discuss potential litigation with Harvey Oliver in attendance. All members present voting aye. Motion carried.

Moved by Hansen, seconded by Fischbach to adjourn executive session. All members present voting aye. Motion carried.

**LIEN DISCUSSED:**

Leonard Wanttie discussed a lien filed against property he is interested in buying. No action taken at this time.

**LOAD RESTRICTIONS:**

Moved by Fischbach, seconded by Hansen to authorize Highway Department to lift load restrictions on April 17, 2000, if weather conditions permit. All members present voting aye. Motion carried.

**INVENTORY TRANSFER:**

Moved by Fischbach, seconded by Wiese to transfer Decal #1879 Case 2094 Tractor from the Highway Inventory to the Landfill Inventory and to transfer Decal #4025 1983 Case Tractor from the Landfill Inventory to the Highway Inventory. All members present voting aye. Motion carried.

Moved by Wiese, seconded by Fischbach to transfer Decal #4022 1996 Dodge PU from the Landfill Inventory to the Highway Inventory. All members present voting aye. Motion carried.

**RECESS:**

Moved by Wiese, seconded by Hansen to recess until April 18, 2000. All members present voting aye. Motion carried.

Maxine Taylor - Brown County Auditor



# APRIL 11, 2000 - BROWN COUNTY BOARD OF EQUALIZATION

This being the second Tuesday, April 11, 2000, the Brown County Commission organized themselves as the Brown County Board of Equalization, in accordance with SDCL 10-11-25, at 10:00 A.M. in the Commissioner's Chambers, Courthouse Annex, Brown County, South Dakota. Oaths of office were taken by Commissioners Hansen, Feickert, Fischbach and Wiese. Mary E Worlie, Director of Equalization was also in attendance. Auditor Taylor called the meeting to order.

Moved by Fischbach, seconded by Hansen to appoint Dennis Feickert as Chairman for the 2000 Brown County Board of Equalization. All members present voting aye. Motion carried.

Moved by Wiese, seconded by Fischbach to appoint Nancy Hansen as Vice Chairman for the 2000 Brown County Board of Equalization. All members present voting aye. Motion carried.

The Board acknowledged four qualified paraplegic exemptions filed.

Moved by Fischbach, seconded by Hansen to approve the list of changes in owner/occupied status, submitted by Ms. Worlie. All members present voting aye. Motion carried.

Moved by Wiese, seconded by Hansen to deny application, submitted by **Alvin Beck** on Lot 3 & N 7 1/2' of Lot 4 Blk 5 Garden Park Addition, for freeze on assessment of dwelling (SDCL 10-6A), as property has been sold. All members present voting aye. Motion carried.

Moved by Hansen, seconded by Fischbach to deny the following tax exempt status applications: **Bethlehem Lutheran Church** – Parking Lot located at 311 S Washington Street, Parking Lot located at 301 S Washington Street, Parking Lot located at 214 SE 3<sup>rd</sup> Ave, parking lots are currently being rented to Central High School. **Good Samaritan/Sioux Valley Community Health Services** – Lots 9-12 Huff's SD Block 2 First Addition Meadowbrook Estates SW 19-123-63, on discretionary formula past four years. All members present voting aye. Motion carried.

Moved by Hansen, seconded by Fischbach to approve 100% tax exempt status on the following applications: **Trinity Lutheran Church** – E 24' of Lot 11 & 17' vacated street Block 21 Coe & Howard; L 14 & N 17' vacated street Block 21 Coe & Howard; Lot 1-5 & 8' vac alley & 17' vac street Blk 23 Coe & Howard; Lot 12 & 17' vacated street Block 21 Coe & Howard; Lot 13 & 17' vacated street Block 21 Coe & Howard; **First United Methodist Church** – N 50' of Lots 4, 5 & 9 Block 29 1<sup>st</sup> Addition; **First Presbyterian Church** – Lot 5-12 Block 9 OP to Aberdeen, Lots 7-8 Block 90 Hagerty & Lloyd Addition; **United Methodist Church, Groton** – Lot 7-11 Block 22 Groton City; **Mansfield Community Betterment Association** – Lot 3 Block 4 OP to Warner. All members present voting aye. Motion carried.

Moved by Fischbach, seconded by Wiese to approve the 2000 continuing tax exempt property list at percentage on application, except to set tax exempt percentage at 50% on the following: **VFW CC Croal Post #17** – to Auto Plaza Addition Lot 19; **American Legion** – Lot 22-25 Block 11 OP to City of Groton. All members present voting aye. Motion carried.

Moved by Hansen, seconded by Wiese to approve 50% tax exempt status on Lots 7, 8 & 9 Block 89 Hagerty & Lloyds Addn, **Childrens House of Montessori**. All members present voting aye. Motion carried.

1. Moved by Fischbach, seconded by Wiese to split parcels owned by **Aberdeen Church of God Family Worship Center** to perform tax split for Lot 30 Auto Plaza Addition to the City of Aberdeen. All members present voting aye. Motion carried.

2. Moved by Fischbach, seconded by Wiese to deny tax exempt status application, submitted by **Aberdeen Church of God Family Worship Center** on Lot 32 except the S 300' Auto Plaza Addition to the City of Aberdeen, vacant lot not being used. All members present voting aye. Motion carried.

3. Moved by Hansen, seconded by Fischbach to deny tax exempt status on the horse barn on Lot 19 Block 1 Gederos SD Replat NW 35-124-64, owned by **St. Marks Episcopal Church**. All members present voting aye. Motion carried.

4. Moved by Hansen, seconded by Fischbach to uphold Assessor on the following: **Jeff Sveen** - Lot 2 Hogg's 1<sup>st</sup> SD in NE 25-123-64, NAZ land value set by selling price. All members present voting aye. Motion carried.

Moved by Wiese, seconded by Fischbach to approve the following recommendations by the Director of Equalization:

5. **Abeln, Douglas & Dell** - Henry Township E ½ W ½ 22-123-61 Allow ag exemption – adjoining AGC property.

6. **Baggett, Keith & Donna** – Stratford Lots 1-4 Block 5 Correct error when combining properties.

7-10. **Barnes, Lonny** - South Detroit SE 26-126-60 from \$116,765 to \$87,885; NW 32-126-60 from \$90,000 to \$57,040; NE 35-126-60 from \$113,630 to \$71,230; NW 35-126-60 from \$102,740 to \$84,290, Late water forms.

11. **Borchard, Robert & Bernice** - New Hope NE 24-121-65 NAA1S from \$36,730 to \$29,835, Adjust after review of house.

12-13. **Buro, Eino** – Liberty Lots 4&5 NE 16-128-61 from \$12,020 to \$6,100; Lot 8 & NE SW 16-128-61 from \$17,500 to \$11,500, Late water forms.

14. **Bushby, Roy & Ann** – Portage NE 15-128-60 to \$19,100, Township objects to water reduction, no part of water reduction program addresses prevented planting.

15-17. **Christenson, Rollin & Dorothy** - South Detroit W ½ NE 4-126-60 from \$50,950 to \$49,320; NW 4-126-60 from \$44,170 to \$43,760; SW 4-126-60 from \$45,580 to \$38,840, Correct error on elevation reduction.

18. **Cutler, Larry** – Claremont NE SE & SW SE 27-125-60 from \$51,140 to \$11,910, Late water form.

19. **Cutler, Terry** – Claremont NW SE & SE SE 27-125-60 from \$112,010 to \$35,610, Late water form.

20. **Dacotah Bank** – Columbia E ½ E ½ SE 9-125-62 from \$14,785 to \$10,805, Lower house after review.

21. **DeHueck, Penelope** – Columbia W ½ W ½ SE 13-125-62 from \$29,900 to \$18,240, Correct error on flooded land.

22. **Estee, Chas.** – Portage SW 33-128-60 from Local Board \$26,985 to \$19,790, Qualifies for water, add back buildings.
23. **Fischbach, Lawrence & Margaret** - West Rondell SE 26-121-63 to \$35,760, Township board says 90 acres grass, easement for 107 acres.
24. **Gage, Frances Marie** – Frederick SW 7-127-64 from \$104,035 to \$104,535, Assess old mobile home as shed.
25. **Gunderson, Irene** – Westport SW except SW SW Govt Lot 4 & except Gunderson OL A from \$41,720 to \$42,280, Combine 2 parcels.
26. **Habeck, Frances** – Ordway SW 27-124-63 from \$118,005 to \$111,905, Adjust after review, removed structures.
- 27-28. **Hatterscheidt Foundation** - Greenfield Pt SW 23-127-62 from \$51,160 to \$47,150; Pt NW 26-127-62 from \$22,040 to \$17,140, Late water form.
29. **Hinrichs, Don** – Claremont W ½ NW 12-125-60 from \$53,740 to \$28,050, Correct error on water form.
30. **Hinz, Richard & Peggy** - Westport City NW 25' Lot 2, All Lots 3&4, Block 9 from \$62,335 to \$51,720, Adjustment after review.
31. **Huterville Hutterian** - Garden Prairie NE 33-121-61 from \$130,700 to \$103,700, Correct error, transposed number.
32. **Kasch, Jody** - Columbia City Lots 201, 203, 205, 207 Lake Boulevard Peck 3<sup>rd</sup> Addition from Local Board \$90,000 to \$70,075, Adjust to similar properties.
33. **Kurtz, Donald & Dixie** – Columbia S 52 rods W 17 rods W 53.5 rods NE 27-125-62, Adjust after review.
34. **Marko, Clara** – Westport NE 7-125-64 from Local Board \$51,270 to \$50,035, Adjust after review, denied owner occupied.
35. **Meyer, Paul** – Ordway Habeck's OL 1 in N ½ 27-124-63, Allow ag exemption, child lives there.
36. **Meyer, Paul & George** – Ordway SE 21-124-63, Allow ag exemption, child lives there.
37. **Miller, Donald** – Shelby NE 26-126-61 from \$45,805 to \$36,550, Correct error.
38. **Neiderbaumer, Dallas** – Aberdeen Lakeside 207 Circle Curve – registered mobile home from \$7,160 to \$3,580, Adjust after review.
39. **North, David** – Greenfield Building on leased site – NE 15-127-62 from \$11,965 to \$13,610, Add 2 steel bins.
40. **Norwest Bank (Marklund)** – Richland NE 6-127-63 from \$71,140 to \$59,720, Adjust after review, remove exemption.
41. **Schaunaman, Craig ET AL** – Warner SE 6-122-64 from \$135,660 to \$134,700, Remove structures.
42. **Schaunaman, Hazel** – Aberdeen NW 32-123-64 to \$57,940, Combine parcels.
43. **Schroeder, John & Darlene** – Portage NW 13-128-60 from Local Board \$17,430 to \$17,030, Correct error on flood form.
- 44-48. **Schuller Farms** - South Detroit NE 5-126-60 from \$18,490 to \$16,950; NW 5-126-60 from \$35,800 to \$37,625; SE 5-126-60 from \$21,580 to \$18,630; SW 5-126-60 from \$47,840 to \$40,530; SW 14-126-60 from \$139,285 to \$159,900. Correct error on elevation and flood forms.
49. **Shanley, Lawrence & Shirley** - New Hope SE 18-121-65 from \$93,785 to \$83,845, Corrected error.
50. **Shippy, Jean** - West Rondell S ½ SE 24-121-63 from \$30,180 to \$21,780, Adjust crop/grass acres.
51. **Sieh, James** – Columbia E ½ W ½ SE 13-125-62 from \$16,480 to \$27,365, Correct error.
52. **Sippel, Arnold** - Riverside E ½ SW 9-124-60 from \$85,600 to \$79,915, Adjust after review.

**53. Taylor, Arden & Nancy** - New Hope SW 30-121-65 from \$71,310 to \$70,240, Adjust after review.

**54. Weigleitner, Ronald** – Shelby SW 34-126-61 except platted from \$76,150 to \$52,910, Late water form.

**55. Zastrow, Roger & Sharon** – Columbia Pt S ½ NW ¼ & N ½ SW ¼ on west side of James River 20-125-62 from \$13,210 to \$4,450, Late water form.

**56–57. Zoellner, Arthur** – Gem SE 11-122-62 from \$152,800 to \$135,460; NW 14-122-62 from \$147,440 to \$84,885, Late water form.

**58. Cacavas, Jeanne** – Columbia NW 4-125-61 to \$60,540, Renter applied for water reduction. All members present voting aye. Motion carried.

**59.** Moved by Fischbach, seconded by Hansen to uphold Assessor on the following: **Allen Walth** – Ravinia Lot 22 Raetman's Richmond Lake SD in NW 13-124-65 at \$7,990, Mr. Walth purchased this lot and the lot with a cabin next door for \$48,000 in 1996, the other lot is assessed for \$33,085 for a total of \$41,075. All members present voting aye. Motion carried.

**60.** Moved by Wiese, seconded by Hansen to uphold Assessor on the following: **Tom Aman** – Ravinia Lots 23-27 Lutgen & Davis NE 25-124-65 at \$869,985, Discussion with local board. No change made. All members present voting aye. Motion carried.

**61–62.** Moved by Hansen, seconded by Wiese to uphold Assessor on the following: **Thares, James & Traci** - Lincoln Lot 1 Thares SD SE 35-124-64, Lot 2 Thares SD SE 35-124-64, NAZ property. All members present voting aye. Motion carried.

**63–64.** Moved by Fischbach, seconded by Wiese to uphold Assessor on the following: **James Sperry** – Bath SE 19-123-62, NAZ property – not eligible for flood reduction; **Svarstad, Arne** - Gem N ½ NE 13-122-63, NAZ property – value set by sale price. All members present voting aye. Motion carried.

Moved by Fischbach, seconded by Hansen to approve the following recommendations by the Director of Equalization:

**65. Angerhofer, Reuben** – Highland NW 27-122-65 from \$54,105 to \$67,275, Adjust crop/grass acres.

**66. Anderson, Hazel** - New Hope SW 8-121-65 from \$72,440 to \$82,160, Adjust crop/grass acres.

**67. Criddle, David & Nancy** - West Rondell SW 22-121-63 from \$113,340 to \$125,125, Adjust crop/grass acres.

**68. Dull, Darlene** - West Rondell NE 21-121-63 from \$125,725 to \$126,750, Adjust crop/grass acres.

**69. Dunker, Eleanora** - West Rondell SW 30-121-63 from \$135,875 to \$139,150, Adjust crop/grass acres.

**70. Fischbach, Lawrence** - West Rondell N ½ SE 21-121-63 from \$63,975 to \$65,000, Adjust crop/grass acres.

**71. Fischbach, Margaret** - West Rondell S1/2 SE 21-121-63 from \$63,165 to \$64,190, Adjust crop/grass acres.

**72. Fischbach, Robert & Kathy** - West Rondell NW 29-121-63 from \$126,590 to \$128,750, Adjust crop/grass acres.

- 73. Flemmer, Marilyn** - West Rondell NW 18-121-63 from \$138,850 to \$140,000, Adjust crop/grass acres.
- 74. Hughes, Doris** - Highland SW 29-122-65 from \$50,955 to \$61,875, Adjust crop/grass acres.
- 75. McNeil, Darylis & Clarence** - West Rondell NW 9-121-63 from \$122,795 to \$124,320, Adjust crop/grass acres.
- 76. Misslitz, Corrine & Vernon** - West Rondell NE 11-121-63 from \$124,700 to \$135,410, Adjust crop/grass acres - ag land value only.
- 77. Nilsson, Rhonda** - West Rondell SW 8-121-63 from \$135,950 to \$138,250, Adjust crop/grass acres - ag land value only.
- 78. Norwest Investment Mgt.** - West Rondell SW 14-121-63 from \$133,075 to \$136,525, Adjust crop/grass acres.
- 79-82. Ristau, Marvin & Jane** - New Hope SE 9-121-65 from \$50,430 to \$70,735; N ½ NW 14-121-65 from \$27,850 to \$32,980; S ½ NW 14-121-65 from \$27,620 to \$42,135; SE 14-121-65 from \$57,190 to \$71,265, Adjust crop/grass acres - ag land value only.
- 83. Ryckman, Inel** - West Rondell E ½ SE 16-121-63 from \$58,750 to \$67,375, Adjust crop/grass acres.
- 84. Wiedebush, Brian & Karen** - New Hope SW 2-121-65 from \$63,260 to \$82,160, Adjust crop/grass acres. All members present voting aye. Motion carried.

Moved by Wiese, seconded by Hansen to approve the following recommendations from the Director of Equalization:

- 85. Bahr, Dean & Tammy** - Bates NW 8-121-60, Remove ag exemption and owner occupied designation.
- 86. Haywood, Isabel** - Bates NE 28-121-60, Remove ag exemption and owner occupied designation.
- 87. Hite, Erwin & Hazel** - Bates NE 21-121-60, Remove ag exemption and owner occupied designation.
- 88. Krueger, Lyle & Lois** - Bates NW 19-121-60, Remove ag exemption and owner occupied designation.
- 89. Pigors, Mureil** - Bates SE 2-121-60, Remove ag exemption and owner occupied designation.
- 90. Sombke, Dallas & Carol** - Bates SE 8-121-60, Remove ag exemption and owner occupied designation. All members present voting aye. Motion carried.

Moved by Hansen, seconded by Fischbach to approve the following recommendations from the Director of Equalization:

- 91. Schnorr, Ralph & Nancy Schnorr Upton** - Aberdeen SW 29-123-63 from Local Board \$59,325 to \$61,280, Duplicate water form filed.
- 92. Schaller, Steven** - Garden Prairie SW 34-121-61 except Ott's 1<sup>st</sup> SD & Schaller's Outlot 1 from Local Board \$96,210 to \$123,680, Appeal back - maintain equalization. All members present voting aye. Motion carried.

Moved by Hansen, seconded by Wiese to approve the following recommendations from the Director of Equalization:

- 93-94. Kampa, Daryls** - Garden Prairie NE 17-121-61 from Local Board \$101,760 to \$109,035; SE 17-121-61 from Local Board \$94,450 to \$76,355, Appeal to water value - ag land value only.

- 95. Cutler, Robert & Constance** – Riverside S ½ SE 36-124-60 from Local Board \$16,000 to \$27,570, Local board states is in CRP.
- 96-98. Gerry Dunker** - West Rondell N ½ S ½ 13-121-63 from Local Board \$63,900 to \$57,420; NW 13-121-63 from Local Board \$45,800 to \$37,250; S ½ S ½ 13-121-63 from Local Board \$38,600 to \$24,080, Appeal to water value – ag land value only.
- 99. Forsting, Jeffrey** – Brainard SW 1-126-63 from Local Board \$20,000 to \$21,175, Appeal to water value.
- 100. Forsting, Leo** – Brainard NW 14-126-63 from Local Board \$38,050 to \$42,050, Appeal to water value – agl land value only.
- 101. Dayton, Dana** - East Rondell SW SE 36-121-62 from Local Board \$30,800 to \$25,440, Appeal to water value.
- 102-104. Frohling, Ronald & Nancy** – Liberty NE 20-128-62 from Local Board \$40,790 to \$37,960; Pt NE 20-128-62 from Local Board \$17,025 to \$16,255; E ½ NW 20-128-62 from Local Board \$20,915 to \$17,325, Adjust crop/grass & water adjustment.
- 105. Gubin, Ronald** - East Rondell NW 6-121-62 from Local Board \$39,580 to \$57,460, No water form filed.
- 106. Jark, Ken & Bonnie** - East Rondell NE 7-121-62 from Local Board \$140,355 to \$128,595, Adjust to elevation amount.
- 107-109. Larson, Wayne & Doris** - East Rondell NE 6-121-62 from Local Board \$52,590 to \$48,190; SE 6-121-62 from Local Board \$140,460 to \$117,775; E ½ SW 6-121-62 from Local Board \$54,905 to \$49,010, Adjust to elevation amount and water value.
- 110-112. Luedeke, Dayle & Lola** - East Rondell NW 19-121-62 from Local Board \$100,350 to \$91,190; SW 18-121-62 from Local Board \$47,540 to \$61,370; NE 18-121-62 from Local Board \$93,530 to \$101,440, Adjust to elevation amount.
- 113. Shippy, Jean** - East Rondell SW 19-121-62 from Local Board \$127,280 to \$119,720, Adjust to elevation amount.
- 114. Stange, Arlen & Leila** - East Rondell SW 12-121-62 from Local Board \$106,460 to \$70,605. Adjust to elevation amount.
- 115. Stange, Verlin** - East Rondell N ½ NW 14-121-62 uphold Local Board \$77,420, Correct error – elevation adjustment.
- 116. Reid, Thomas** – East Rondell S ½ NW 14-121-62 at \$59,830, Correct error – elevation adjustment.
- 117. Swenson, Reed & Kathleen** - East Rondell NE 12-121-62 from Local Board \$126,150 to \$93,645, Adjust to elevation amount.
- 118. Hoeft, Kurt & Jill** - West Rondell E ½ SE 32-121-63 uphold Local Board \$46,200, Correct error in combining parcels – ag land value only.
- 119. Sandquist, Kurtis** - West Hanson S 540' W 495' ex E 188' of 155' next N of S 33' SW 21-122-61 from Local Board \$21,750 to \$24,315, Adjust after review.
- 120. Hazelhorst, Hilda** - New Hope NW 23-121-65 from \$82,160 to \$78,920, Adjustment after correcting grass/crop acres – township board reported wrong acres. All members present voting aye. Motion carried.

Moved by Wiese, seconded by Hansen to recess the Brown County Board of Equalization until 10:00 A.M., Tuesday April 18, 2000. All members present voting aye. Motion carried.

Maxine Taylor – Brown County Auditor

APRIL 18, 2000 - GENERAL MEETING

Meeting called to order by Chairman Knecht at 8:45 A.M. in the Commissioner's Chambers, Courthouse Annex, Brown County, South Dakota. Present were Commissioners Hansen, Feickert, Fischbach and Wiese.

MINUTES:

Moved by Hansen, seconded by Wiese to approve the General Meeting minutes of April 11, 2000. All members present voting aye. Motion carried.

CLAIMS:

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

Supplies & Materials: Harvey Oliver..\$212.50, Office Max..\$174.47, McLeods..\$467.28, New Trends..\$122.41, Best Business..\$267.32, Lar-Jos..\$72.00, Walmart..\$129.80, Quality Quick Print..\$10.72, Amoco Oil..\$39.16, City of Groton..\$104.69, Respond..\$265.50, AmeriPride..\$68.57, K-Mart..\$70.89, Sewing Shop..\$8.00, FedEx..\$9.84, Double D Body Shop..\$72.00, City of Aberdeen..\$100.00, Animal Health..\$70.00, Metz..\$464.07, Parcel-Erickson..\$16.95, Medical Center Pharmacy..\$1058.78, Mark Milbrandt..\$500.00, Sheriff of Marshall County..\$13.50, Sheriff of Baltimore County..\$50.00, Lancaster County Court..\$7.25, Computer Specialists..\$486.00, 3-D Specialists..\$115.66, Plainsco..\$2.96, Heartland Paper..\$233.64, Creative Signs..\$468.10, JB Electric..\$23.04, SD Wheat Growers..\$6799.77, SD Division of Motor Vehicles..\$5.00, Share Corp..\$228.00, RDO..\$2977.34, Bryan Owens..\$63.54, Newman Signs..\$508.00, Lust Chevrolet..\$37.24, Farm Plan..\$21.72, Casper Hwd..\$3.78, Dependable..\$153.00, NADRIC..\$2083.37, NE Mental Health..\$18,541.31, Sheriff of Yankton County..\$16.75, Browning Specialties..\$396.00, Safety Service..\$36.75, Arlan McNeil..\$60.00, Arlan Stange..\$60.00, Drake Motor Inn..\$81.55, SD Dept of Health..\$7.00, Ramada Inn..\$363.69, Kesslers..\$14.80, Earth Tech..\$1576.73, Dakota Air..\$137.70, Paul Mardian..\$120.00, Pierson Ford..\$24,475.00, Pro Ag Supply..\$1377.70, SD Federal Property..\$193.75, Praxair..\$74.52, Taylor Laundry..\$20.10, Brown County Treasurer..\$12.00, Aberdeen Fire Dept..\$3031.00, Eide Bailly..\$216.75, Melissa Koester..\$50.00:

Publications: American News..\$181.05, Gibson Publishing..\$17.46, Corson County News..\$7.83:

Professional Fees: Witness Fees..\$134.80, Marv Ekeren..\$15.00:

Mileage & Travel: Mark Milbrandt..\$422.72, Dallas Vallery..\$58.58:

Utilities: US West..\$55.00, NWPS..\$54.39, Northern Electric..\$575.35, Town of Frederick..\$25.33, City of Hecla..\$54.20, NorCom..\$54.00, Commnet Cellular..\$23.74, McLeod..\$17.95:

Care of Poor: Rent..5 recipients..Allen Olson..\$150.00, D&L LLC..\$364.00, Valley Inn..\$45.00; Dr/Hospital..1 recipient..Avera St Lukes..\$3434.14; Drugs..3 recipients..Walmart Pharmacy..\$273.28, Econofood Pharmacy..\$196.92, Plaza Pharmacy..\$13.28. All members present voting aye. Motion carried.

INCREASE SPENDING AUTHORITY/ESTIMATED REVENUE:

Moved by Feickert, seconded by Fischbach to increase spending authority in Fund #201-311-426.30 and increase estimated revenue in Fund #201-331.03 in total amount of \$5,001.00 for CDBG Funding of 25% FEMA Match for Townships (Portage @ \$325.00, Groton @ \$2315.00, Columbia @ \$2193.00, Oneota @ \$168.00). All members present voting aye. Motion carried.

Moved by Fischbach, seconded by Feickert to increase spending authority in Fund #101-222.01-427.05 and increase estimated revenue in Fund #101-334.02 in total

amount of \$3,031.00 for LEPC HazMat Training Grant (Aberdeen City Fire Department to provide matching funds). All members present voting aye. Motion carried.

LOTTERY APPLICATION:

Moved by Hansen, seconded by Feickert to approve application, submitted by Northeast South Dakota Rabbit Club for a Lottery to be held on October 7, 2000. All members present voting aye. Motion carried.

SURPLUS PROPERTY:

Moved by Wiese, seconded by Fischbach to declare Decal #3122 1994 Ford Crown Victoria surplus from the Sheriff's Department for purpose of trade in. All members present voting aye. Motion carried.

BID - SHERIFF VEHICLES:

Moved by Wiese, seconded by Fischbach to acknowledge purchase of two 1999 Ford Crown Victoria Police Vehicles from Pierson Ford, using the State Bid Specifications on April 13, 1999. All members present voting aye. Motion carried.

LEASE AGREEMENT:

Moved by Feickert, seconded by Fischbach to approve and authorize the Chairman sign Agreement with Northeast Area Horse Racing, Inc. for lease of various Fairgrounds facilities for the 2000 Horse Racing Season. All members present voting aye. Motion carried.

PERSONNEL:

Moved by Feickert, seconded by Fischbach to approve hiring Barbara Jansen as Administrative Assistant in the Foster Grandparent Program, effective May 1, 2000 at \$8.68 per hour. All members present voting aye. Motion carried.

Moved by Hansen, seconded by Feickert to approve hiring Michael Bishop as part-time employee at the Fairgrounds, effective April 21, 2000 at \$6.05 per hour. All members present voting aye. Motion carried.

MDU FRANCHISE:

Commissioner Fischbach offered the following Resolution:

RESOLUTION NO. 27-2000

WHEREAS, Montana-Dakota Utilities Co., a Division of MDU Resources Group, Inc ("MDU"), a Delaware corporation, on the 13th day of March, 2000, filed with the County Auditor of the County of Brown, South Dakota, its duly verified Application for Authority to renew the right to construct, reconstruct, maintain, operate and remove a system of electric transmission and distribution lines within the County, together with all necessary guys, guy wires, poles and fixtures pertaining thereto and all other necessary and useful appliances and apparatus, for the transmission and distribution of electric energy to the public ("Electric System") in, through, along, over, under and across County highways, roads, bridges, streets, alleys and public grounds (including streets, alleys and public grounds within unincorporated cities, towns and villages) pursuant to the terms and conditions of SDCL Chapter 31-26;

WHEREAS, a Map attached hereto and incorporated herein shows MDU's Electric System as located, constructed, maintained and operated within the County; (map on file in the Auditor's Office)



WHEREAS, MDU seeks authority to construct, reconstruct, maintain and operate its Electric System within the County for a period of twenty (20) years;

WHEREAS, said Application for Authority was heard by the Board of County Commissioners of said County of Brown, on the 18 day of April, 2000, at the hour of 8:45 o'clock A.M. at the Courthouse in the City of Aberdeen, Brown County, South Dakota, due notice of said hearing having been given by mail, in strict compliance with the requirements of law, to all persons, firms or corporations owning or operating electric transmission, telegraph, or telephone lines on or along any part of County property, shown on the attached Map incorporated herein, which the electric transmission and distribution lines occupy, all in accordance with the terms and provisions of SDCL Chapter 31-26;

WHEREAS, no person, firm, or corporation has appeared in opposition to the granting of such application, and it appearing to the satisfaction of the Board of County Commissioners that no differences have arisen or exist between the applicant, MDU, and any owners of any transmission, telegraph, or telephone lines on or along any part of said County property; and it further appearing to the satisfaction of the Board that the construction, reconstruction, operation and maintenance of the applicant's transmission and distribution lines as now installed and operating, and with additions thereto, will not interfere with the maintenance and operation of any other line upon any part of County's property;

NOW, THEREFORE, BE IT RESOLVED, by the Board of County Commissioners of the County of Brown and State of South Dakota that Montana-Dakota Utilities Co., a Division of MDU Resources Group, Inc., is hereby granted, in addition to rights previously granted to it, the right to construct, reconstruct, maintain, operate and remove its Electric System within the County as set forth above and on the attached Map, incorporated herein, for a period of twenty (20) years from and after the date hereof, subject to the terms and conditions of SDCL Chapter 31-26.

Dated this 18 day of April, 2000.

Seconded by Commissioner Feickert. Roll call vote: Commissioners Hansen-aye, Feickert-aye, Fischbach-aye, Wiese-abstain, Knecht-aye. Resolution adopted.

VACATE PLAT:

Commissioner Hansen offered the following Resolution:

RESOLUTION NO. 28-2000

WHEREAS, Douglas and Della Abeln, pursuant to SDCL 11-3-20.1, presented an Application for Vacation of Plat legally identified as:

Abeln Outlot A in the SW 1/4 of Sec 22-T123N-R61W Brown County, South Dakota  
and,

WHEREAS, the granting of the request will not authorize the closing or obstruction of any public highway laid out according to law, and all property taxes on such plat are paid.

NOW, THEREFORE, BE IT RESOLVED, that the portion of plat legally identified as:

Abeln Outlot A in the SW 1/4 of Sec 22-T123N-R61W Brown County, South Dakota is hereby vacated.

Seconded by Commissioner Wiese. Roll call vote: Commissioners Hansen-aye, Feickert-aye, Fischbach-aye, Wiese-aye, Knecht-aye. Resolution adopted.

RESCIND RESOLUTION NO. 13-2000:

Moved by Feickert, seconded by Fischbach to rescind Resolution 13-2000, dated February 29, 2000 (to be replaced with Resolution No. 29-2000, dated April 18, 2000). All members present voting aye. Motion carried.

RELIEF LIEN:

Commissioner Feickert offered the following Resolution:

RESOLUTION NO. 29-2000

WHEREAS, Brown County has filed a Poor Relief Lien in total amount of \$18,870.15 dated April 14, 1977 through December 6, 1989, 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 liens, upon payment of \$9,000.00 and on condition balance of liens will stay filed against individual.

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

Lot 3 and the North 7 1/2 feet of Lot 4 Block 15 Garden Park Addition to the City of Aberdeen, Brown County, South Dakota

is hereby released from the effect and force of said lien, upon payment of \$9,000.00.

Dated this 18th day of April, 2000.

Seconded by Commissioner Fischbach. Roll call vote: Commissioners Hansen-nay, Feickert-aye, Fischbach-aye, Wiese-nay, Knecht-aye. Resolution adopted.

RELIEF LIEN:

Commissioner Feickert offered the following Resolution:

RESOLUTION NO. 30-2000

WHEREAS, Brown County has filed a Poor Relief Lien in amount of \$377.88 dated October 29, 1971 through March 5, 1990; a Poor Relief Lien in amount of \$3,329.81 dated June 30, 1986 through April 2, 1998; an Ambulance Lien in amount of \$90.00 dated August 26, 1982 through February 9, 1984; an Indigent Council Lien in amount of \$110.00 dated March 26, 1986 through October 8, 1986; an Indigent Council Lien in amount of \$700.00 dated January 21, 1980 through August 6, 1984; 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 liens, upon payment of \$500.00 and on condition balance of liens will stay filed against individual.

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

Lots 8, 9, 10, 11 & 12, Block 1, Original Plat City of Columbia, Brown County, South Dakota

is hereby released from the effect and force of said lien, upon payment of \$500.00.

Dated this 18th day of April, 2000.

Seconded by Commissioner Fischbach. Roll call vote: Commissioners Hansen-aye, Feickert-aye, Fischbach-aye, Wiese-aye, Knecht-aye. Resolution adopted.

SUBORDINATION AGREEMENT:

Moved by Feickert, seconded by Fischbach to approve and authorize the Chairman sign Subordination Agreement for a Relief Lien on Lot 9, Block 5 Northview 6th Addition to Aberdeen with F & M Bank. All members present voting aye. Motion carried.

TRACTOR USE:

Robert Schuelke, South Brown Soil Conservation District met to discuss a recent meeting in regard to using a County owned tractor for the spring tree planting season. Comments made at the meeting caused concern about ownership and whether the Commission had authorized use of the tractor. The Commission assured Mr. Schuelke that the tractor was County property (Fair Board Inventory) and the Conservation District was authorized to use it.

MUSEUM AWARD:

Sue Gates, Dacotah Prairie Museum Director displayed the 2000 Governor's Award for History - Organization Award the Museum received last week. The Commission congratulated Sue, the Employees, the Volunteers and the Museum Board for this achievement.

MUSEUM GRANT:

Moved by Feickert, seconded by Wiese to approve application and acknowledge award of a two-year Grant in amount of \$2900.00 "Map - Public Dimensions" for the Dacotah Prairie Museum. All members present voting aye. Motion carried.

P.W. REPORT:

Russ Podoll, Public Works Superintendent discussed program reports, Dickey/Brown County Bridge bid letting, and water levels.

RECESS:

Moved by Hansen, seconded by Feickert to recess until April 25, 2000. All members present voting aye. Motion carried.

Maxine Taylor - Brown County Auditor

## APRIL 18, 2000 – BROWN COUNTY BOARD OF EQUALIZATION

Meeting called to order by Chairman Feickert at 10:00 A.M. in the Commissioner's Chambers, Courthouse Annex, Brown County, South Dakota. Present were Commissioners Hansen, Fischbach, Wiese and Knecht. Oath of Office completed by Commissioner Knecht. Mary E. Worlie, Director of Equalization was also in attendance.

Moved by Wiese, seconded by Hansen to approve the Brown County Board of Equalization Meeting minutes of April 11, 2000. All members present voting aye. Motion carried.

Ms. Worlie informed the Commission that 1,604 Flooded Land Forms were filed on 67,648.6 acres in total amount of \$24,983,841.

**121.** Moved by Fischbach, seconded by Hansen to approve the following recommendation from the Director of Equalization: **Schwan, Steve & Sharon** – Stratford Lots 1-3 Block 26 from Local Board \$37,000 to \$57,515, fair market value. All members present voting aye. Motion carried.

**122.** Moved by Fischbach, seconded by Knecht to approve the following recommendation from the Director of Equalization: **Johnson, Anita & Kyle** – Stratford Lots 2-4 Block 7 from Local Board \$21,500 to \$24,490, fair market value. All members present voting aye. Motion carried.

**123.** Moved by Wiese, seconded by Knecht to approve the following recommendation from the Director of Equalization: **Hoelt, Allen & Connie** – Stratford Lots 11-14 Block 6 from Local Board \$21,900 to \$25,255, Fair market value considering improvements in recent years. All members present voting aye. Motion carried.

**124.** Moved by Fischbach, seconded by Hansen to approve the following recommendation from the Director of Equalization: **Swenson, Stewart & Arlene** – Gem NE 8-122-62 from Local Board \$0 to \$47,390, Appeal on house only, calculated at 60% complete. All members present voting aye. Motion carried.

**125.** Moved by Fischbach, seconded by Wiese to approve the following recommendation from the Director of Equalization: **Bell, Judy** – Westport 52 rods S of NW corner, E 24 rods S 40 rods, W 24 rods, N 40 rods to beginning 1-125-64 from Local Board \$27,965 to \$34,630, Fair market value considering improvements. All members present voting aye. Motion carried.

**126.** Moved by Hansen, seconded by Wiese to approve the following recommendation from the Director of Equalization: **Grote, Clarence & Ruth** – Lincoln NW 5-124-64 from Local Board \$700 to \$2,900, Ag buildings only – bins assessed on site – not to be moved. All members present voting aye. Motion carried.

**127.** Moved by Hansen, seconded by Knecht to approve the following recommendation from the Director of Equalization: **Wolter, Gene & Cindy** – Lincoln OL 1 Fischers 1<sup>st</sup> SD W 40 rods SW 30-124-64 from Local Board \$79,380 to \$110,440, Fair market value considering all improvements. All members present voting aye. Motion carried.

128. Moved by Hansen, seconded by Knecht to approve the following recommendation from the Director of Equalization: **Paepke, Tom** - West Hanson W ½ SW 33-122-61 from Local Board \$30,400 to \$39,390, Appeal to water application value. All members present voting aye. Motion carried.

Moved by Wiese, seconded by Hansen to approve the following recommendations from the Director of Equalization:

129. **Oliver, E. James** - West Hanson SW 2-122-61 from Local Board \$94,000 to \$101,805, No water appeal, maintain equalization.

130. **Van Riper, Gary & Sharon** - West Hanson SE 28-122-61 from Local Board \$81,000 to \$106,540. No water appeal, maintain equalization.

131. **Radke, Harlan & Thelma** - West Hanson N 40 acres NE 34-122-61 from Local Board \$20,000 to \$24,960, No water appeal, maintain equalization.

132. **Schinkel, Otto & Betty** - West Hanson SE 36-122-61, Remove ag exemption.

133. **Ivey, Vaundis** - West Hanson SE 10-122-61 from Local Board \$81,000 to \$106,835, Maintain elevation adjustment. All members present voting aye. Motion carried.

Moved by Wiese, seconded by Fischbach to approve the following recommendations from the Director of Equalization:

134-135. **Fruedenthal, Betty** - Hecla PT SE 9-128-61 from Local Board \$49,500 to \$51,450, No water form filed; PT NW 9-128-61 from Local Board \$52,125 to \$49,890, Late water form filed.

136-137. **Herther, Mildred** - Portage NW 23-128-60 at \$36,310; SW 23-128-60 at \$35,960, Adjust crop/grass acres. All members present voting aye. Motion carried.

138. Moved by Wiese, seconded by Hansen to approve the following recommendation from the Director of Equalization: **Hoef, Kurt & Jill** - West Rondell E ½ SE 32-121-63, Grant owner occupied. Roll call vote: Commissioners Hansen-aye, Feickert-aye, Fischbach-abstain, Wiese-aye, Knecht-aye. Motion carried.

139. Moved by Hansen, seconded by Wiese to approve the following recommendation from the Director of Equalization: **Knutson, Stanley & Kathleen** - Henry E ½ NW 12-123-62 from Local Board \$50,361 to \$65,890, Not eligible for flooded reduction - CRP. All members present voting aye. Motion carried.

Moved by Wiese, seconded by Fischbach to approve the following recommendations from the Director of Equalization:

140. **Hurrell, William/Brown County** - NW 14-123-65, Remove from taxable list.

141. **Kiesz, Marvin & Carol** - Lincoln Lot 5 Roundy's SD SE 15-124-64, Change from NAC to AGC and apply ag exemption.

142. **Vilhauer, Aaron & Nina** - Highland NE 8-122-65 to \$120,850, Remove structure (old house).

143. **Zastrow, Roger & Sharon** - Columbia SE 19-125-62 from Local Board \$65,290 to \$89,970, Appeal to flood value - ag land valuation only.

144. **Dennert, Don** - Brainard S ½ SE and NE SE except JT Hanson's Tract 1 in SE 9-126-62 at \$46,710, Split missed for 2000.

**145. Hanson, Jeff** – Brainard JT Hanson's Tract 1 in SE 9-126-62 at \$91,370, Split missed for 2000. All members present voting aye. Motion carried.

Mary E. Worlie, Director of Equalization acknowledges and thanks the Assessor's Office Staff for help during in the equalization process.

Moved by Hansen, seconded by Knecht to adjourn the 2000 Brown County Board of Equalization. All members present voting aye. Motion carried.

Maxine Taylor – Brown County Auditor

## APRIL 18, 2000 – CONSOLIDATED BOARD OF EQUALIZATION

Members of the Brown County Commission, Aberdeen City Commission and Aberdeen School District 6-1 organized themselves as the 2000 Consolidated Board of Equalization, in accordance with SDCL 10-11-66 at 1:00 P.M. on April 18, 2000 in the Commissioner's Chambers, Courthouse Annex, Brown County, South Dakota. Oaths of Office were taken by Nancy Hansen, Dennis Feickert, Deb Knecht, Tom Hopper and David Bunsness. Mary E. Worlie, Director of Equalization was also in attendance. Auditor Maxine Taylor called the meeting to order and called for nominations for Chairman.

Commissioner Feickert nominated Commissioner Knecht as Chairman for the 2000 Consolidated Board of Equalization. Moved by Feickert, seconded by Bunsness that nominations cease and a unanimous ballot be cast. All members present voting aye. Motion carried. Commissioner Hansen nominated Mayor Hopper as Vice Chairman for the 2000 Consolidated Board of Equalization. Moved by Hansen, seconded by Feickert that nominations cease and a unanimous ballot be cast. All members present voting aye. Motion carried.

1. Moved by Hansen, seconded by Hopper to deny owner/occupied status on the following: **Even, Timothy** - Lot 6 Block 21 Simmons 1<sup>st</sup> Addition, two properties with same owner. All members present voting aye. Motion carried.

2. Moved by Hansen, seconded by Feickert to approve owner/occupied status on the following: **Mikkonen, Dar** - N 50.32' Lot 1 Block 3 2<sup>nd</sup> Addition to Highland, owner qualified 11/1/99. All members present voting aye. Motion carried.

3. Moved by Bunsness, seconded by Hansen to deny owner/occupied status on the following: **Schinke, Merlin** - Lots 19-20 Block 40 West Aberdeen Addition, did not qualify for owner occupied, purchased on 11/16/99. All members present voting aye. Motion carried.

4. Moved by Hansen, seconded by Feickert to approve the following recommendation by the Director of Equalization: **Crouch, Audie & Shelly** - N 86' Lots 1-4 Block 39 West Aberdeen Addition at \$26,240, adjusted after inspection. All members present voting aye. Motion carried.

5. Moved by Bunsness, seconded by Hopper to approve the following recommendation by the Director of Equalization: **Crouch, Audie & Shelly** - Lots 13-14 Block 35 Hagerty & Lloyd Addition at \$20,885, adjusted after inspection. All members present voting aye. Motion carried.

Moved by Bunsness, seconded by Feickert to approve the following recommendations by the Director of Equalization:

6. **Bellikka, Neil & Joann** - Bellikka Prairie Tool Addition in NE 17-123-63, correct error in new plat – delete duplicate parcel.

7. **Brietag, Wayne** - Lot 2, 3 & N ½ 4 Lawson's 2<sup>nd</sup> Replat Block 11 Woolvertons, correct error in combining parcels – delete duplicate parcel.

8. **Currie, Charles** - Lot 6 Block 21 Thomas Addition at \$28,175, adjust after inspection.

9. **Goetz, Dwight & Betty** - Kleinsasser's OL 2 SW 19-123-63 at \$68,080, adjust after inspection.

- 10-11. Gooding, Richard & Patricia** - 50' E of W 50' of Lots 13-16 Block 31 Hagerty & Lloyd Addition at \$26,615; W ½ Lots 7-8 Block 30 1<sup>st</sup> Addition to Highlands at \$40,220, adjust after inspection.
- 12. Grebner, Scott** - Lot 3 Block 12 8<sup>th</sup> Addition Forest Acres at \$129,805, adjust after inspection.
- 13. Heitmann, Ordean & Jeannie** - Lot 2 of Hyman OL A NE 18-123-63 at \$218,015, adjust after inspection.
- 14. Henjum, Paul & Bonnie** - Lots 651 & 652 Morning Heights Addition at \$62,295, adjust after inspection.
- 15. Hodgson, Richard & Jane** - Lot 3 Block 3 Spauldings 2<sup>nd</sup> Addition, add owner occupied – adjacent to house.
- 16. Joachim Enterprises** - Building on leased site – Lots 7-10 Block 38 Second Addition at \$55,640, adjust after inspection.
- 17. Johnson, Orin ETAL** - Lots 1-4 Pierce's SD Block 104 Hagerty & Lloyd Addition at \$237,990, adjust after inspection.
- 18. Kraft, Michael & Susan** - Kraft Addition Lot 1 (Block 41 Hagerty & Lloyd) at \$34,100, correct error from new plat – house removed.
- 19. Larocque, Brent & Tina** - Lot 4 Block 1 Spauldings First Addition at \$123,970, correct error.
- 20. Lyke, Lonnie & Jeanne** - Lot 3 Lauzen's Replat of Lots 23-24 Block 40 West Aberdeen Addition at \$9,655, adjust after inspection.
- 21. Orr, Caroline** - Lots 4-6 Block 15 Thomas Addition at \$136,175, adjust after inspection, allow owner occupied, change class.
- 22. Pease, Harlen & Pam** - S 33' W 40' Lot 45 & S 33' Lots 46-48 Block 53 Second Addition at \$36,525, adjust after inspection.
- 23. Preszler, Vernal** - Lot 13 Block 35 Second Addition at \$33,065, adjust after inspection.
- 24. Rasmussen, Dean & Julie** - Lot 31 Block 7 19<sup>th</sup> Addition to Highland North at \$117,090, correct error.
- 25. Scepaniak, Frank & LaVonne** - S ½ Lots 13-14 Block 15 Thomas Addition, \$91,015, adjust after inspection.
- 26. Schlagel, Elmer & Clara** - Lot 11 Block 4 Golden Acres 7<sup>th</sup> Addition at \$145,510, adjust after inspection.
- 27. Schroeder, Benjamin** - Lot 8B of 1<sup>st</sup> Replat Lot B McDowell SD at \$120,195, adjust after inspection.
- 28. Schwan Bradford, Eva** - Lot 4 Block 9 Northview 7<sup>th</sup> Addition at \$69,270, adjust after inspection.
- 29. Secretary of Housing & Urban Dev.** - Lots 17-18 Block 46 Hagerty & Lloyd Addition at \$13,940, adjust after inspection.
- 30. Tobin, Thomas** - Lot 10 Lawson's 2<sup>nd</sup> Replat Block 12 Woolverton's Addition at \$28,720, adjust after inspection.
- 31. Tyler, Gary** - Building on leased site Lot 2 Block 1 Park Village, 1998 Friendship mobile home at \$29,920, adjust after inspection.
- 32. Wolff, Fred** - Lots 1 & 2 BB Ward's 1<sup>st</sup> SD Lots 1-3 Block 6 Original at \$67,590, adjust after inspection.
- 33. Zerr, Mark & Teri** - Lot 7 Block 1 Mel Ros Estates 6<sup>th</sup> Addition at \$152,820, adjust after inspection.



**34. Zumbauun, Daniel** - Lot 16 Block 42 Thomas Addition at \$51,870, adjust after inspection. All members present voting aye. Motion carried.

**35.** Moved by Bunsness, seconded by Hopper to approve following recommendation by Director of Equalization: **Struck, Gerald & Gail** - Lots 857-860 & S 3' Lot 861 Morning Heights Ext Addition at \$86,905, correct error – add garage. All members present voting aye. Motion carried.

**36.** Moved by Hansen, seconded by Feickert to approve the following recommendation by the Director of Equalization: **Fischer, Ronald** - Lots 9-12 Block 24 Thomas Addition at \$41,550, adjust after inspection. All members present voting aye. Motion carried.

**37.** Moved by Feickert, seconded by Hopper to approve the following recommendation by the Director of Equalization: **Rickel, Robert & Marie** - Lot 4 Block 8 Forest Acres 6<sup>th</sup> Addition at \$114,530, missed addition to back of house – no permit per city hall 4/10/00. All members present voting aye. Motion carried.

**38.** Moved by Feickert, seconded by Hansen to approve the following recommendation by the Director of Equalization: **EIG Aberdeen, LLC (K-Mart)** - PT block 25 Pierson's SD East Park Addition (see card for complete legal) at \$2,550,395, appeal from property owner, discretionary value (\$2,435,255) for improvements and parking lot. All members present voting aye. Motion carried.

**39.** Moved by Hansen, seconded by Hopper to approve the following recommendation by the Director of Equalization: **Quiram, Douglas & Deborah** – Lots 13 & 14 Block 3 Pleasant Hill Addition, switch owner occupied on two lots, lot 13 off, lot 14 on. All members present voting aye. Motion carried.

**40.** Moved by Bunsness, seconded by Hansen to approve the following recommendation by the Director of Equalization: **Sjomeling, James** – Lot 3 Block 14 Garden Park, add owner/occupied to additional lot. All members present voting aye. Motion carried.

**41.** Moved by Hansen, seconded by Feickert to approve the following recommendation by the Director of Equalization: **Eberle, George & Tamara** - Lot 5 Except W 20' Block 4 Pagonas Addition at \$156,750, correct error, missed including improvement for 2000. All members present voting aye. Motion carried.

**42.** Moved by Feickert, seconded by Bunsness to approve the following recommendation by the Director of Equalization: **Johnson, Drew** - Lot 8 Block 2 Cedar Heights SD at \$218,265, adjustment after inspection. All members present voting aye. Motion carried.

Moved by Hopper, seconded by Feickert to adjourn the 2000 Consolidated Board of Equalization. All members present voting aye. Motion carried.

Maxine Taylor – Brown County Auditor

## APRIL 24, 2000 - JOINT CITY/COUNTY MEETING

The Brown County Commission and the Aberdeen City Commission met in joint session at 6:30 P.M. in the Aberdeen City Commission Chambers, 123 S Lincoln Street, Aberdeen, South Dakota. Present from City were Commissioners Klabo, Meyer, Pfeifer, Hurlbert and Mayor Hopper. Present from County were Commissioners Fischbach, Feickert and Wiese. Absent Commissioners Knecht and Hansen.

## ORDINANCE NO. 00-04-01/198:

On motion by Hurlbert and seconded by Pfeifer the City Commission unanimously voted to approve First Reading of Ordinance No. 00-04-01/198.

Moved by Wiese, seconded by Fischbach to approve First Reading of Ordinance No. 00-04-01/198, An Ordinance amending Ordinance No. 1164 to rezone certain property from Section 701 (A-1) Agricultural District to Section 714 (M-Ag) Mini-Agricultural District, described as Weismantel's Outlot 1, NW 1/4 of Sec 19-T123N-R62W. All members present voting aye. Motion carried.

## SET HEARING DATE:

On motion by Klabo and seconded by Meyer the City Commission unanimously voted to set hearing to consider amending Section 502 to create a definition for building, pole-type construction (Ordinance No. 00-04-03/199), to be held in the Aberdeen City Commission Chambers, 123 S Lincoln Street, Aberdeen, South Dakota at 6:30 P.M. on May 22, 2000.

Moved by Wiese, seconded by Fischbach to set hearing to consider amending Section 502, Aberdeen City Ordinance No. 1164, Definition of Words to create a definition for a building of pole-type construction (Ordinance No. 00-04-03/199), to be held in the Aberdeen City Commission Chambers, 123 S Lincoln Street, Aberdeen, South Dakota at 6:30 P.M. on May 22, 2000. All members present voting aye. Motion carried.

Moved by Wiese, seconded by Fischbach to adjourn the Brown County Commission.

Maxine Taylor - Brown County Auditor

## APRIL 25, 2000 - GENERAL MEETING

Meeting called to order by Chairman Knecht at 8:45 A.M. in the Commissioner's Chambers, Courthouse Annex, Brown County, South Dakota. Present were Commissioners Hansen, Feickert, Fischbach and Wiese.

## MINUTES:

Moved by Hansen, seconded by Wiese to approve the General Meeting minutes of April 18, 2000; the County Board of Equalization Meeting minutes of April 18, 2000 and the Consolidated Board of Equalization Meeting minutes of April 18, 2000. All members present voting aye. Motion carried.

## CLAIMS:

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

Payroll: Commissioners..\$2,211.55; Data Processing..\$1,269.24; Auditor..\$6,002.96; Treasurer..\$7,145.36; State's Attorney..\$8,209.30; Victims Asst..\$788.47; Maintenance..\$4,297.17; Assessor..\$5,239.04; Planning & Zoning..\$887.20, OVERTIME: Mick Waller..\$16.64; Register of Deeds..\$3,287.50; Veterans Service..\$1,950.56, OVERTIME: Kathy Schlecht..\$56.07; Communications..\$9,599.64, OVERTIME: Mary Browning..\$69.44, Alicia Dohn..\$86.00, Nancy Radke..\$36.16, Deanna Thorpe..\$55.04, Kathleen Volk..\$27.52, Lisa Wipf..\$66.78; Sheriff..\$44,161.85, OVERTIME: Bryan Locke..\$144.20, John McQuillen..\$82.40, David Fair..\$38.32, David Hanson..\$18.08, Dala Mandel..\$51.51, Roxanne Schumacher..\$28.96, Craig Nelson..\$28.94, Patrick Rickerl..\$48.16, Dallas Vallery..\$68.80, Michelle Smith..\$26.08, Michael Kuebler..\$26.08, Kevin Johnson..\$34.40, Tony Ingemansen..\$23.07; Museum..\$3,622.02; Welfare..\$2,299.64; Health..\$2,211.20; Foster Grandparent Program..\$1,429.54; Fairboard..\$711.54; Extension..\$1,057.60, OVERTIME: Lynn Heupel..\$63.27; Weed..\$435.38; Fairgrounds..\$2,846.71; Emergency Management..\$1,834.40, OVERTIME: Ginger Walker..\$66.51; Road and Bridge..\$28,741.24, OVERTIME: Vernon Bitz..\$69.11, David Bruckner..\$34.98, Brian Dargatz..\$8.22, Daniel Glover..\$39.38, Joel Guderjohn..\$49.05, Ben Hofer..\$66.55, Jerry Luce..\$17.01, Joseph Malsam..\$7.31, Donald Maunu..\$230.02, Todd Odenbach..\$7.46, Bryan Owens..\$29.22, Kendall Titze..\$70.82, Michael Wagner..\$30.28; Solid Waste..\$5,005.98, OVERTIME: Carl Wright..\$118.46, Roxanne Varns..\$31.16, Nyle Jensen..\$237.15, Dennis Van Heerde..\$181.00;

Supplies & Materials: SDACC..\$315.00, CPI..\$29.00, Cartney Bearing..\$8.50, Dependable Sanitation..\$203.00, Taylor Laundry..\$120.84, Grote Roofing..\$359.48, Fordham Signs..\$130.00, Plainsco..\$116.32, UBC..\$13.16, Ameripride..\$27.63, Grafix Shoppe..\$103.50, US West Direct..\$12.79, Computer Specialists..\$839.00, Texaco..\$59.75, Kirks Auto..\$22.89, Galls..\$406.08, Walmart..\$50.88, Phillips 66..\$53.24, Parcel-Erickson..\$50.00, A-1 Locksmith..\$34.90, Hitch 'N Post..\$110.97, Specialty Mfg..\$74.84, SD Division of Motor Vehicles..\$7.00, Quality Stores..\$101.64, Pierson Ford..\$19,782.28, Highway Improvement Inc..\$20,138.63, Newman Signs..\$170.00, A&M Towing..\$50.00, Office of Financial Aid..\$84.98, Am Assoc of Museums..\$75.00, Michelle Porter..\$6.20, Walmart..\$61.82, New Trends..\$139.98, Prairieland..\$225.09, S&S Communications..\$1854.00, Computer Specialists..\$135.00, K-Mart..\$61.22, Office Max..\$49.98, APCO..\$135.00, Century Business Prod..\$36.19, Inman..\$7.76, New Deal Tire..\$313.20, RDO..\$4500.00, State Bar of SD..\$135.00;

Publications: American News..\$216.75, Frederick/Hecla Northstar..\$887.96;

Professional Fees: Witness Fees..\$31.60, Avera St Lukes..\$6761.12, Sheriff of Dakota County..\$90.00, Sheriff of Brule County..\$16.50, Sioux Vocational Services..\$120.00, Robert Chavis..\$80.00, Sheriff of Yankton County..\$33.50, Lewis & Clark Mental Health Services..\$330.00, Don Carlson..\$15.00, Donna Dietrich..\$97.33, Marv Ekeren..\$15.00, Dawn Aman..\$2300.00;

Mileage & Travel: Mike Wiese..\$8.70, Jessica Frerichs..\$8.70, Jvonne Heard..\$74.24, Mike Waldrop..\$16.82, Ramkota Inn..\$72.00, Jodi McQuillen..\$243.55, Mike Scott..\$205.78;

Court Appointed Attorney: Brad Borge..\$4500.00, Tonner, Tobin & King..\$4500.00, David Hosmer..\$102.43:

Utilities: US West..\$2665.26, NWPS..\$2438.83, Cellular One..\$328.22, Commnet Cellular..\$13.85, Bureau of Administration..\$548.33:

Care of Poor: Transportation..1 recipient..Brown County Hwy..\$10.37; Rent..4 recipients..Aberdeen Housing..\$45.00, Gerharter Realty..\$169.20, Gary Sperle..\$97.00, Milt Ehresmann..\$210.00; Utilities..1 recipient..NWPS..\$90.00, City of Aberdeen..\$95.00; Dr/Hospital..2 recipients..Dr Richard Rak..\$76.50, Avera St Lukes..\$2258.71; Drugs..1 recipient..Dakota Square Pharmacy..\$495.00. All members present voting aye. Motion carried.

#### ABATEMENTS:

Moved by Fischbach, seconded by Wiese to approve the following Abatelements: Fraternal Order of Eagles, tax exempt status (L 4-12 Blk 22 1st Addn to Aberdeen) for year 1999 in amount of \$9,375.57; Eunice Herrbach, tax freeze (New Moon MH) for year 2000 in amount of \$61.10; Evelyn Raymond, tax freeze (Huntington MH) for year 2000 in amount of \$18.23; Dallas Niederbaumer, equalization (Schult MH) for year 2000 in amount of \$92.20; Charles German, dismantled (Frontier MH) for year 2000 in amount of \$26.41; Rodney Clyde, dismantled (Champion MH) for year 2000 in amount of \$13.74; Groton United Methodist Church, tax exempt (L 7-11 Blk 22 Randall Addn to Groton) for year 1999 in amount of \$970.18; Gayle Kuebler, owner/occupied (L 34-37 DeWald & Hoffmans 3rd Richmond Lake Subd) for year 1999 in amount of \$1714.31. All members present voting aye. Motion carried.

#### PERSONNEL:

Moved by Hansen, seconded by Wiese to approve the following employee step increases, effective April 30, 2000: Pat Dahlerup @ \$10.03 per hour, Wende Holzkamm @ \$9.08 per hour. All members present voting aye. Motion carried.

Moved by Feickert, seconded by Hansen to approve salary increase for Weed Sprayer Operator Jerry Dempsey to \$9.50 per hour, effective April 25, 2000. All members present voting aye. Motion carried.

Moved by Feickert, seconded by Hansen to approve hiring Jackie Thompson as part-time Extension employee, effective April 27, 2000 at \$6.05 per hour. All members present voting aye. Motion carried.

Moved by Feickert, seconded by Wiese to approve hiring the following seasonal employees at the Highway Department, effective April 25, 2000: Ted Brockel at \$7.89 per hour, Brent Cantalope at \$6.93 per hour, Amanda Mollman at \$6.93 per hour, Randy Dobberpuhl at \$7.89 per hour. All members present voting aye. Motion carried.

#### MENTAL ILLNESS BOARD APPOINTMENTS:

Moved by Hansen, seconded by Feickert to appoint Nancy Haugen and Kevin Cantwell to serve on the Mental Illness Board, effective May 1, 2000 through April 30, 2003; and to appoint Tracey Dollison as alternate. All members present voting aye. Motion carried.

#### LEASE AGREEMENT:

Moved by Fischbach, seconded by Feickert to approve and authorize the Chairman sign agreement with Wally Mosbrucker (Bull-a-rama) for lease of the Expo Building and Expo Addition Building on May 4-6, 2000. All members present voting aye. Motion carried.

#### GRANT AWARD DPM:

Moved by Hansen, seconded by Feickert to acknowledge and approve Museum Assessment Program III Grant Award from the Institute of Museum and Library Services in amount

of \$2,970.00. All members present voting aye. Motion carried.

BCCHC REPORT:

Merri Nelson and Peggy Jones presented the Brown County Community Health Clinic report for January - March 2000.

AGREEMENT:

Moved by Hansen, seconded by Feickert to approve and authorize the Chairman sign Consulting Agreement with Earth Tech, Inc. for the Geophysical Investigation to determine well placement at the old Landfill site at an estimated cost of \$10,200.00. All members present voting aye. Motion carried.

SPRING CLEAN-UP:

Moved by Wiese, seconded by Fischbach to waive tire and vehicle battery disposal fees during the Spring Clean-up to be held from April 28 - May 13, 2000, however tires from tire retailers and tires with rims will not be accepted. All members present voting aye. Motion carried.

RESCIND EQUALIZATION ACTION:

Sheila Enderson, Mary Worlie, Maxine Taylor and Harvey Oliver discussed action taken during the County Equalization process. The following action ensued:

Moved by Wiese, seconded by Hansen to rescind the following action from the Brown County Board of Equalization Meeting minutes of April 11, 2000: "to deny application, submitted by Alvin Beck on Lot 3 & N 7 1/2' of Lot 4 Blk 5 Garden Park Addition, for freeze on assessment of dwelling (SDCL 10-61), as property has been sold." All members present voting aye. Motion carried.

ORDINANCE NO. 012:

Moved by Hansen, seconded by Feickert to authorize advertising public hearing to consider first reading of Ordinance No. 012, An Ordinance Amending Second Revision Brown County Ordinances, Title 4, Chapter 4.0607 to include minimum shelterbelt setback on quarter section lines at 150', to be held at 8:45 A.M. on May 23, 2000 in the Commissioner's Chambers, Courthouse Annex, Brown County, South Dakota. All members present voting aye. Motion carried.

DICKEY COUNTY/BROWN COUNTY BRIDGE RESOLUTION:

Commissioner Feickert offered the following Resolution:

RESOLUTION NO. 31-2000

WHEREAS, the bid in the amount of \$325,137.93 from Dakota Bridge Builders received in the bid opening of April 14, 2000, for Project BRC 1123(54) was the low bid received.

WHEREAS, this bid is considered reasonable.

NOW THEREFORE, be it resolved by the Board of County Commissioners of Brown County will award to Dakota Bridge Builders the contract for Project BRC 1124(54) and hereby authorizes the Chairman of the Board to sign said contract.

It is further understood that Brown County and Dickey County shall each reimburse the North Dakota Department of Transportation one half of the amount for any payments made under this contract, which are not collectible from the Federal Highway Administration .

Seconded by Commissioner Wiese. Roll call vote: Commissioners Hansen-aye,

Feickert-aye, Fischbach-aye, Wiese-aye, Knecht-aye. Resolution adopted.

APPLICATION FOR OCCUPANCY:

Moved by Hansen, seconded by Feickert to approve and authorize the Chairman sign application, submitted by Accent Communications Inc for occupancy of Brown County Highway No. 27 in Sec 33-T121N-R63W, Brown County, South Dakota to provide phone service. Roll call vote: Commissioners Hansen-aye, Feickert-aye, Fischbach-aye, Wiese-abstain, Knecht-aye. Motion carried.

Moved by Feickert, seconded by Fischbach to approve and authorize the Chairman sign application, submitted by Accent Communications Inc for occupancy of Brown County Highway No. 10 in Sec 14-T126N-R64W, Brown County, South Dakota to provide phone service. Roll call vote: Commissioners Hansen-aye, Feickert-aye, Fischbach-aye, Wiese-abstain, Knecht-aye. Motion carried.

Moved by Feickert, seconded by Fischbach to approve and authorize the Chairman sign application, submitted by James Valley Telephone Co for occupancy of Brown County Highway No. 11 in Sec 25-T125N-R60W, Brown County, South Dakota to provide phone service. Roll call vote: Commissioners Hansen-aye, Feickert-aye, Fischbach-aye, Wiese-abstain, Knecht-aye. Motion carried.

PLATS:

Commissioner Feickert offered the following Resolution:

RESOLUTION NO. 32-2000

BE IT RESOLVED by the Board of County Commissioners of Brown County, South Dakota, that the plat showing "Bussian Lot 1 in the NW 1/4 of Sec 8-T125N-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. Roll call vote: Commissioners Hansen-aye, Feickert-aye, Fischbach-aye, Wiese-aye, Knecht-aye. Resolution adopted.

Commissioner Wiese offered the following Resolution:

RESOLUTION NO. 33-2000

BE IT RESOLVED by the Board of County Commissioners of Brown County, South Dakota, that the plat showing "First Replat of Dahme Northview Addition in the SE 1/4 of Sec 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 Fischbach. Roll call vote: Commissioners Hansen-aye, Feickert-aye, Fischbach-aye, Wiese-aye, Knecht-aye. Resolution adopted.

RECESS:

Moved by Feickert, seconded by Fischbach to recess until May 2, 2000. All members present voting aye. Motion carried.

Maxine Taylor - Brown County Auditor

MAY 2, 2000 – GENERAL MEETING

Meeting called to order by Chairman Knecht at 8:45 A.M. in the Commissioner's Chambers, Courthouse Annex, Brown County, South Dakota. Present were Commissioners Hansen, Feickert, Fischbach and Wiese.

MINUTES:

Moved by Wiese, seconded by Hansen to approve the Joint City/County Meeting minutes of April 24, 2000 and the General Meeting minutes of April 25, 2000. All members present voting aye. Motion carried.

CLAIMS:

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

Supplies & Materials: Best Business..\$133.48, Office Equipment..\$18.24, Quality Quick Print..\$4.39, New Trends..\$15.74, Bureau of Administration..\$70.25, Keeleys..\$11.34, Janitor Supply..\$165.50, Nelson Auto..\$38.02, House of Glass..\$8.48, Rux Bros..\$88.97, Ecolab..\$71.50, Prairieland..\$98.30, Carpet Max..\$183.63, RE Huffman..\$38.42, Office Max..\$57.47, SDAAO..\$455.00, Lar-Jos..\$150.00, Visa..\$250.75, Dicks Westside..\$33.70, Aberdeen Lock & Key..\$14.90, Artz Camera..\$16.95, Hub City Iron..\$14.07, Sewing Shop..\$8.00, House of Glass..\$180.56, Quill..\$236.35, SD Fleet..\$1436.16, US Dept of Revenue..\$70.00, Roto Rooter..\$365.00, Utility Equip..\$202.07, K-Mart..\$60.00, SD Wheat Growers..\$668.19, Newman Signs..\$1373.93, Meyer's Tractor Salvage..\$75.00, Lien Transportation..\$1431.62, Lawson Products..\$193.62, Insurance Plus..\$41.00, Great Western Tire..\$3066.88, Frey's Electronics..\$729.12, Farm Power..\$1251.96, Robert Dinger..\$1754.20, HC Clark..\$74.25, CarQuest..\$222.99, Brown County Treasurer..\$5.00, Quality Quick Print..\$261.29, Ag Communications..\$20.53, Century Business Products..\$79.67, SD Dept of Revenue..\$2476.13, LBG..\$34.50, Newman Signs..\$1936.63, Butler Machinery..\$6533.38, Groton Fire Dept..\$170.00, Taylor Laundry..\$52.30, Sheehan Mack Sales..\$972.75, RE Huffman..\$26.04, Weather Affects..\$38.85, Phyllis Voeller..\$19.50, US Post Office..\$209.50, Institute on Criminal Justice..\$350.00:

Publications: American News..\$812.27, Frederick/Hecla Northstar..\$809.51:

Mileage & Travel: Dennis Feickert..\$78.96, Super 8 East..\$42.74, Gene Loeschke..\$52.49, Melissa Koester..\$158.50, Russ Podoll..\$23.00, Gary Erickson..\$146.10, Lynn Heupel..\$52.20:

Court Appointed Attorney: Robert Chavis..\$80.00:

Professional Fees: Sheriff of Hennepin County..\$50.00, Witness Fees..\$220.00, Dodge County Court..\$2.50, Expert Digital Solutions..\$2000.00, Avera St Lukes..\$856.73, Kevin Spitzer..\$194.17, Donna Dietrich..\$97.08, Marv Ekeren..\$15.00, Don Carlson..\$15.00, Dr William Petit..\$803.40:

Utilities: Commnet Cellular..\$34.05, Midcontinent Cable..\$140.37, US West..\$3335.20, NWPS..\$92.96, Montana Dakota..\$38.84, WEB Water..\$50.40:

Care of Poor: Transportation..2 recipients..Brown County Highway..\$21.43, Jackrabbit Lines..\$86.00; Rent..1 recipient..Tom Carlson..\$133.00; Dr/Hospital..3 recipients..Avera McKennan..\$4689.26, Dr John Adams..\$379.70, Avera St Lukes..\$29.72; Burial..1 recipient..City of Aberdeen..\$300.00; Drugs.. 3 recipients.. Albert Hoffman..\$87.00, Plaza Pharmacy..\$28.35, K-Mart Pharmacy..\$301.17. All members present voting aye. Motion carried.

## PLAT:

Commissioner Wiese offered the following Resolution:

## RESOLUTION NO. 34-2000

BE IT RESOLVED by the Board of Commissioners of Brown County, South Dakota, that the plat showing "Howell Addition in the SE ¼ of Sec 2-T124N-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 of 1967, Chapter 11-3, and any amendments thereof.

Seconded by Commissioner Hansen. Roll call vote: Commissioners Hansen-aye, Feickert-aye, Fischbach-aye, Wiese-aye, Knecht-aye. Resolution adopted.

## INCREASE SPENDING AUTHORITY/ESTIMATED REVENUE:

Moved by Feickert, seconded by Wiese to increase spending authority in Fund #201-311-426.30 and increase estimated revenue in Fund #201-331-03 in total amount of \$10,615.62 for CDBG Funding of 25% FEMA Match for Townships (Bates @ \$244.00, Lansing @ \$1,674.62, Putney @ \$8,697.00). All members present voting aye. Motion carried.

## TOWNSHIP BONDS:

Moved by Feickert, seconded by Hansen to approve the following Township Bonds for filing: Prairiewood Clerk Jeff Helminski, Prairiewood Treasurer Richard Niebuhr, Lincoln Treasurer Loren Harms. All members present voting aye. Motion carried.

## SPECIAL MALT BEVERAGE LICENSE HEARING:

Time and place, as advertised for public hearing to consider applications for Special Malt Beverage Licenses.

Moved by Hansen, seconded by Wiese to approve the following applications for Special Malt Beverage License: Northeast Area Horse Racing, Inc – Brown County Fairgrounds (Clubhouse) SW ¼ Sec 1-T123N-R64W, effective May 13, 14, 20 & 21, 2000; Northeast Area Horse Racing, Inc – Brown County Fairgrounds (Grandstand) SW ¼ Sec 1-T123N-R64W, effective May 13, 14, 20 & 21, 2000; Northeast Area Horse Racing Inc. – Brown County Fairgrounds (Clubhouse) SW ¼ Sec 1-T123N-R64W, effective May 27, 28 & 29, 2000; Northeast Area Horse Racing Inc – Brown County Fairgrounds (Grandstand) SW ¼ Sec 1-T123N-R64W, effective May 27, 28 & 29, 2000; Aberdeen Hockey Assoc – Brown County Fairgrounds (Holum Expo Building) SW ¼ Sec 1-T123N-R64W, effective May 5 & 6, 2000. All members present voting aye. Motion carried.

## PERSONNEL:

Moved by Wiese, seconded by Feickert to approve hiring Jason Hoffman and Jeremiah Higgins as Home Detention Officers, effective May 2, 2000 at \$8.74 per hour. All members present voting aye. Motion carried.

Moved by Feickert, seconded by Wiese to approve hiring Jeff Ringgenberg as seasonal employee at the Highway Department, effective May 30, 2000 at \$6.93 per hour. All members present voting aye. Motion carried.



Moved by Feickert, seconded by Wiese to authorize Highway Department to work four ten hour days for the construction season with option of fifth day if project warrants. All members present voting aye. Motion carried.

FGP GRANT:

John Pohlman, State Program Director and Debra Schiefelbein, State Program Specialist met with the Commission to discuss Volunteer Service Year compliance through placement of the Foster Grandparent Program in Watertown. Jodi McQuillen and Barb Jansen were also in attendance.

Moved by Wiese, seconded by Hansen to approve reallocation of \$62,073.00 (15 VSY) from the Foster Grandparent Program Grant to the Watertown Expansion Project, to comply with CNS Policy 850 Maintenance of Volunteer Service Years for fiscal year 2001. All members present voting aye. Motion carried.

CONTRACT AGREEMENT:

Moved by Hansen, seconded by Wiese to approve and authorize the Chairman sign Contract Agreement with ATC Associates, Inc. for the completion of an asbestos inspection at 11 Railroad Ave SE at an estimated cost not to exceed \$2,200.00. All members present voting aye. Motion carried.

EMS REPORT:

Jesse Luce, EMS Director presented an informational report on the Hecla Drainage Project and discussed property inundated with water in Claremont Township.

CDBG FUNDING:

Moved by Hansen, seconded by Feickert to approve and authorize the Chairman sign letter requesting assistance with road repair costs in northeastern Brown County. All members present voting aye. Motion carried.

EQUALIZATION UPDATE:

Mary Worlie, Director of Equalization discussed information received from the Department of Revenue in regard to the Senior Tax Freeze and advised the Board that at least two appeals will be addressed by the Office of Hearing Examiners.

HEALTH INSURANCE:

Gary Welter, Welmark Blue Cross and Blue Shield of South Dakota discussed rate increase and options for health insurance coverage for Brown County Employees. No action taken at this time.

RECESS:

Moved by Wiese, seconded by Hansen to recess until May 9, 2000. All members present voting aye. Motion carried.

Maxine Taylor – Brown County Auditor

## MAY 1, 2000 – JOINT CITY/COUNTY MEETING

The Brown County Commission and the Aberdeen City Commission met in joint session at 6:30 P.M. in the Aberdeen City Commission Chambers, 123 S Lincoln Street, Aberdeen, South Dakota. Present from City were Commissioners Klabo, Meyer, Pfeifer, Hurlbert and Mayor Hopper. Present from County were Commissioners Fischbach, Hansen and Wiese. Absent Commissioners Knecht and Feickert.

## ORDINANCE NO. 00-04-01/198:

On motion by Pfeifer and seconded by Hurlbert the City Commission unanimously voted to approve Second Reading of Ordinance No. 00-04-01/198.

On motion by Klabo and seconded by Meyer the City Commission unanimously voted to adopt Ordinance No. 00-04-01/198.

Moved by Hansen, seconded by Wiese to approve Second Reading of Ordinance No. 00-04-01/198. All members present voting aye. Motion carried.

Moved by Wiese, seconded by Hansen to adopt Ordinance No. 00-04-01/198, An Ordinance amending Ordinance No. 1164 to rezone certain property from Section 701 (A-1) Agricultural District to Section 714 (M-Ag) Mini-Agricultural District, described as Weismantel's Outlot 1, NW ¼ of Sec 19-T123N-R62W. All members present voting aye. Motion carried.

## SET HEARING DATE:

On motion by Klabo and seconded by Pfeifer the City Commission unanimously voted to set hearing to consider petition to rezone: Ordinance No. 00-05-01/200 (Anderson) to be held in the Aberdeen City Commission Chambers, 123 S Lincoln Street, Aberdeen, South Dakota at 6:30 P.M. on May 22, 2000.

Moved by Hansen, seconded by Wiese to set hearing to consider the petition filed by Carl Anderson, to rezone OL 1 in the NW ¼ of Sec 4-T123N-R63W of the 5<sup>th</sup> P.M., Brown County, S.D. and OL 2 in the NW ¼ of Sec 4-T123N-R63W of the 5<sup>th</sup> P.M., Brown County, S.D., excluding floodway from Section 701 (A-1) Agricultural District to Section 714 (M-Ag) Mini-Agricultural District (Ordinance No. 00-05-01/200), to be held in the Aberdeen City Commission Chambers, 123 S Lincoln Street, Aberdeen, South Dakota at 6:30 P.M. on May 22, 2000. All members present voting aye. Motion carried.

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

Maxine Taylor – Brown County Auditor

# MAY 9, 2000 – GENERAL MEETING

Meeting called to order by Chairman Knecht at 8:45 A.M. in the Commissioner's Chambers, Courthouse Annex, Brown County, South Dakota. Present were Commissioners Hansen, Feickert, Fischbach and Wiese.

## MINUTES:

Moved by Feickert, seconded by Fischbach to approve the Joint City/County Meeting minutes of May 1, 2000 and the General Meeting minutes of May 2, 2000. All members present voting aye. Motion carried.

## CLAIMS:

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

Payroll: Commissioners..\$2211.55; Data Processing..\$1269.24; Auditor..\$6002.96; Treasurer..\$7145.36, OVERTIME: Dorene Borchard..\$55.52, Sandy Green..\$3.48, Cindy Meyers..\$32.55, Geri Sillman..\$57.40, Patty Van Meter..\$37.05; State's Attorney..\$8209.30; Victims Assistance..\$788.47; Maintenance..\$3978.04; Assessor..\$5559.67; Planning & Zoning..\$887.20, OVERTIME: Mick Waller..\$16.64; Register of Deeds..\$3226.23; Veterans Service Office..\$2014.09, OVERTIME: Kathy Schlecht..\$40.05; Sheriff..\$40482.82, OVERTIME: Craig Anderson..\$51.50, Bryan Locke..\$61.80, John McQuillen..\$20.60, John Heine..\$10.30, Michael Casjens..\$39.02, David Fair..\$19.51, David Hanson..\$36.16, Mark Jastram..\$70.60, Cindy Baumgartner..\$26.78, Kevin Johnson..\$13.76, Jeffrey Kirnan..\$13.40, Tony Ingemansen..\$76.90; Communications..\$9706.94, OVERTIME: Sheila Anderson..\$7.96, Alicia Dohn..\$206.40, Janet Dosch..\$110.08, Betty Haar..\$111.44, Nancy Radke..\$162.72, Michele Strom..\$43.47, Deanna Thorpe..\$110.08, Kathleen Volk..\$110.08, Lisa Wipf..\$118.72; Museum..\$3622.02; Welfare Office..\$2299.64; Health..\$2211.20; Extension..\$739.14; Weed..\$251.75; Foster Grandparent Program..\$1429.54; Fairgrounds..\$2862.71; Fairboard..\$711.54; Emergency Management..\$1834.40; Highway..\$32143.63, OVERTIME: Vernon Bitz..\$8.13, David Bruckner..\$21.86, Brian Dargatz ..\$28.75, Daniel Glover..\$15.75, Ronald Glugla..\$31.50, Larry Hardy..\$19.49, Ben Hofer..\$7.01, Tom Lammon..\$20.33, Daryl Lloyd..\$68.72, Jerry Luce..\$17.01, Joseph Malsam..\$7.31, Donald Maunu..\$57.51, Todd Odenbach..\$44.73, Bryan Owens..\$32.87, Cordell Rudolph..\$16.29, Richard Schaible..\$16.26, Roger Schaible..\$8.35, Jeff Seiler..\$14.31, Casey Thorstenson..\$3.50, Kendell Titze..\$14.91, Michael Wagner..\$7.57, Mark Wendt..\$99.00; Landfill..\$5,296.77, OVERTIME: Carl Wright..\$557.21, Roxanne Varns..\$171.49, Nyle Jenson..\$348.08, Dennis Van Heerde..\$170.14, Don Fischer..\$89.93;

Supplies & Materials: West Group..\$2,789.50, State Property Mgmt..\$50.67, Lexis Publishing..\$44.52, Quality Quick Print..\$119.96, Maxine Taylor..\$35.01, Office Max..\$119.82, Office Equip..\$54.00, State Bar of SD..\$20.00, Office Equipment..\$251.03, New Trends..\$10.56, Quality Quick Print..\$150.74, Sanders Sew-N-Vac..\$52.83, Nelson Auto..\$39.28, Cartney Bearing..\$3.71, Heartland Paper..\$820.62, OK Tire..\$15.00, SOS Garage Door..\$20.00, Plainsco..\$307.89, Walmart..\$91.05, Photo's Now..\$18.39, Office Equipment..\$72.37, Jorde Photo Lab..\$17.31, Hoven Auto..\$98.37, Bonnie Bitz..\$48.00, The Sewing Shoppe..\$33.00, OK Tire..\$236.36, Langs..\$120.48, RE Huffman..\$10.62, Xerox..\$320.17, MWT, Inc..\$37.80, Aberdeen Lock & Key..\$14.90, A-1 Locksmithing..\$4.95, Dakota Electronics..\$1310.10, Dicks West Side..\$24.95, HRS Food Service..\$3343.08, Roberts County Telephone Coop..\$7.00, Quality Quick Print..\$409.97, Aberdeen Equipment Co..\$106.28, American Test Center..\$1150.00, Bridgestone/Firestone Inc..\$208.20, Butler Machinery Co..\$4160.91, Clark Engineering Co..\$7710.00, Crawford Trucks..\$1621.51, Creative Signs..\$43.20, Crady's Radiator Shop..\$142.20, Cunningham Electric..\$187.98, Dakota Oil..\$1427.80, Robert Dinger..\$377.20, Double X, Inc..\$1411.67, Evergreen Supply Inc..\$346.17, Farnams Genuine Parts Inc..\$13.62, Graham Tire, Inc..\$8.25, Hub City Iron Store..\$300.82, K&L Oil & Asphalt Co..\$7674.39, Lien Trans..\$3686.45, Lyle Signs..\$88.80, Menards..\$7.24, Nelson Auto & Elec..\$273.52, Quality Quick Print..\$156.33, Sheehan Mack Sales..\$423.02, Solar Masters..\$98.13, SD Dept of Transportation..\$35885.69, SD Wheat Growers..\$165.73, UBC..\$13.69, George Sumption..\$300.00, Zastrows Conoco..\$10.00, Macs..\$9.55,

Matz Saw Service..\$24.25, Menards..\$210.56, Wheat Growers..\$194.70, Safety Service..\$93.93, United Lab..\$798.45, Burdette Elec..\$2803.08, Quality Store..\$28.26, Plainsco..\$186.27, American News..\$100.60, Univ of Calif..\$28.00, Dak. Electronics..\$30.00, Light & Siren..\$123.34, Hub City Iron..\$7.69, Dakota Electronics..\$45.50, Office Max..\$73.45, Jesse Luce..\$7.60, Radioshack..\$134.76, PC Lan..\$2076.75, Office Max..\$49.99, Compaq Direct Plus..\$1471.00, Dept of Revenue..\$12.00, Praxair..\$15.33, Dependable Sanitation..\$11931.72, Shopko..\$50.83, SD Fed Prop Agency..\$130.00, Cunningham Elec..\$48.96, Hub City Iron Store..\$47.50, Brick Propane..\$10.50, Double X, Inc..\$2763.69, Computer Specialists..\$268.00, SD Wheat Growers..\$1473.13:

Publications: The Daily Republic..\$16.58, The Comet..\$50.00, Ab Amer News..\$922.98, The Comet..\$199.04, KKAA/KQAA..\$342.00, Pheasant Country Broadcasting..\$450.00, KBFO/FM..\$171.00:

Professional Fees: Western Printing..\$3,178.00, Minnehaha Co. Sheriff's Dept..\$42.00, Tammy Erickson..\$272.70, Harvey Oliver..\$106.00, Cheryl Hairgrove..\$418.00, Dept. of Revenue..\$525.00, Shirley Schwab..\$495.00, Keri Bolduan..\$1820.00, FGP Stipends..\$11454.60:

Mileage & Travel: Mike Wiese..\$6.38, Deb Knecht..\$142.10, Maxine Taylor..\$120.15, Sheila Enderson..\$121.54, Leo Leshner..\$205.66, Super 8..\$70.00, Jeff James..\$33.35, Bruce Tveit..\$13.05, Charlene Millim..\$113.72, Watertown Area Transit..\$219.00, Spink Co Public Transit..\$136.00, Aberdeen Ride Line..\$538.50:

Utilities: Ab City Treasurer..\$424.37, NWPS..\$6380.58, Accent Communications Inc..\$92.65, Town of Frederick..\$18.25, James Valley Cooperative..\$650.69, Richmond Lake Sanitary Dist..\$480.00, SD Wheat Growers..\$131.32, US West..\$115.75, Cellular One..\$157.09, Accent Communications..\$320.84:

Care of Poor: Drugs: (2) recipients Shopko Pharmacy..\$36.28, Kessler Pharmacy..\$111.57; Dr/Hosp: (2) recipients Dr. Conklin..\$391.51, Ab Surgical Assoc..\$799.89; Utilities:(1) recipient NWPS..\$30.00; Transportation: (2) recipients Emer Poor Fund..\$35.00; Rent: (4) recipients D&L LLC..\$40.00, BoBo Inc..\$190.00, Debbie Moser..\$240.00, Arment Rentals..\$170.00. All members present voting aye. Motion carried.

#### LEASE AGREEMENTS:

Moved by Feickert, seconded by Wiese to approve and authorize the Chairman sign Addendum to Expo Lease Agreement and Addendum to Expo Addition Lease Agreement with the Aberdeen Hockey Association, effective until 2004. All members present voting aye. Motion carried.

Moved by Fischbach, seconded by Wiese to approve and authorize the Chairman sign Personal Property Lease Agreement with Personal Services Addendum with Terry Voeltz DBA T's Promotions for use of County equipment during the Car Race Season. All members present voting aye. Motion carried.

#### PERSONNEL:

Moved by Feickert, seconded by Wiese to approve the following employee step increases, effective May 14, 2000: Ione Shilman @ \$10.68 per hour, John VanderHoek @ \$13.51 per hour, Larry Hardy @ \$10.54 per hour, David Kolb @ \$9.54 per hour, Joseph Malsam @ \$9.94 per hour. All members present voting aye. Motion carried.

Moved by Wiese, seconded by Feickert to approve hiring John Heidenreich as a Seasonal Highway Employee, effective June 5, 2000 at \$7.64 per hour. All members present voting aye. Motion carried.

Moved by Wiese, seconded by Hansen to amend RESOLUTION NO. 1-2000, dated January 4, 2000 to include an additional Deputy for the Register of Deeds Office. All members present voting aye. Motion carried.

Moved by Wiese, seconded by Wiese to approve employee status change for Becky Daly at the Register of Deeds Office from part-time Clerk to full-time Deputy, effective May 14, 2000 at \$8.68 per hour. All members present voting aye. Motion carried.

**AUDITORS REPORT OF ACCOUNT:**

Moved by Hansen, seconded by Fischbach to approve the April, 2000 Auditor's Report of Account with the County Treasurer: Total amount of actual cash - \$3,427.60; Norwest Bank- \$18,512.41; US Bank - \$24,247.16; Dacotah Bank - \$1,678.85; Petty Cash (Sheriff, Welfare, Reg of Deeds, Museum) - \$1,500.00; Landfill Change Fund - \$100.00; Fund Investments - \$14,909,118.23; Outstanding checks - \$72.40 for a total of \$14,958,656.65. All members present voting aye. Motion carried.

**LETTER OF REQUEST:**

Moved by Wiese, seconded by Fischbach to approve and authorize the Chairman sign a letter of request for Brown County to be included in any possible disaster declaration made by the Governor. All members present voting aye. Motion carried.

**INDIGENT COUNSEL LIEN:**

Commissioner Hansen offered the following Resolution:

**RESOLUTION NO. 35-2000**

WHEREAS, Brown County has filed an Indigent Council Lien in total amount of \$1,553.75 dated November 28, 1994 through February 13, 1997 against an individual; and an Indigent Council Lien in amount of \$1,179.69 dated March 18, 1994 against the former spouse of said individual; 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 liens, on condition balance of liens will stay filed against individual and former spouse; and

WHEREAS, individual agrees to make monthly payments in an amount of at least \$25.00 per month on all liens.

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

Lot 25, Block, Mansfield, Brown County, South Dakota

are hereby released from the effect and force of said lien, on condition balance of liens stay filed against individual and former spouse and monthly payments made.

Dated this 9th day of May, 2000.

Seconded by Commissioner Fischbach. Roll call vote: Commissioners Hansen-aye, Feickert-aye, Fischbach-aye, Wiese-aye, Knecht-aye. Resolution adopted.

**ABATEMENT DENIED:**

Moved by Feickert to approve the application for abatement submitted by Children's House of Montessori. Died for lack of a second.

Moved by Hansen, seconded by Wiese to deny application for abatement, submitted by Children's House of Montessori, as application for tax exempt status not filed in a timely manner. All members present voting aye. Motion carried.

**COMMAND VAN:**

Harvey Oliver, Mark Milbrandt and Tom Schmitt met with the Commission to discuss the need for a command van at an estimated cost of \$15,000 to \$18,000. The Commission requested specifications be drafted for review.

**EXECUTIVE SESSION:**

Moved by Fischbach, seconded by Wiese to go into executive session to discuss litigation with Harvey Oliver. All members present voting aye. Motion carried.

The Chairman declared Commission out of executive session.

**APPLICATION FOR OCCUPANCY:**

Moved by Feickert, seconded by Fischbach to approve and authorize the Chairman sign application, submitted by US West Communications for occupancy of Brown County Highway #12 in the NW ¼ of Sec 22-T123N-R64W in Brown County, South Dakota to provide improved telephone service. Roll call vote: Commissioners Hansen-aye, Feickert-aye, Fischbach-aye, Knecht-aye, Wiese-abstain. Motion carried.

**BID – COUNTY ROAD #13:**

Moved by Wiese, seconded by Feickert to authorize advertising public hearing to open, read and consider all bids for the grading and surfacing of Brown County Road #13, to be held at 9:15 A.M. on May 30, 2000 in the Commissioner's Chambers, Brown County, South Dakota. All members present voting aye. Motion carried.

**BCCHC PERSONNEL:**

Merri Nelson, BCCHC discussed cap placed on the SD Department of Health contract for Family Planning secretarial services with Brown County. The Commission agreed to fund the shortfall for the State fiscal year ending June 30, 2000 in approximate amount of \$390.33.

**RICHMOND WEST BRIDGE:**

Mark Milbrandt and Russ Podoll discussed a safety issue at the Richmond West Bridge when residents park on the bridge or in the road right-of-way even though the area is posted with no parking signs. Options will be studied. There was no action taken at this time.

**RECESS:**

The Chairman declared the meeting recessed until May 16, 2000.

Maxine Taylor – Brown County Auditor

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## MAY 16, 2000 – GENERAL MEETING

Meeting called to order by Chairman Knecht at 8:45 A.M. in the Commissioner's Chambers, Courthouse Annex, Brown County, South Dakota. Present were Commissioners Feickert and Fischbach. Absent Commissioners Hansen and Wiese.

### MINUTES:

Moved by Fischbach, seconded by Feickert to approve the General Meeting minutes of May 9, 2000. All members present voting aye. Motion carried.

### CLAIMS:

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

Supplies & Materials: ZD Journals..\$49.00, Office Max..\$111.95, Magahaus..\$44.00, Computer Specialists..\$496.00, Dan Lingor..\$147.00, Heartland Paper..\$181.07, Prairieland..\$3.29, Keeleys..\$139.00, Taylor Laundry..\$71.04, Best Business..\$289.96, General Business Systems..\$418.90, Schwaab Inc..\$358.97, Sterling Solutions..\$600.00, New Trends..\$176.65, Medical Center Pharmacy..\$660.72, Mid-American Specialities..\$130.29, Bob Barker..\$426.27, Intoximeters..\$110.37, Hoven Auto Repair..\$22.50, Ameripride..\$38.96, Walmart..\$49.82, Schwan Welding..\$446.00, Amoco..\$139.55, Jim & Ron's Service..\$28.75, Metz..\$513.33, Respond..\$100.70, Herbergers..\$97.07, Nordica..\$33.24, Compaq..\$3316.00, Aberdeen TV..\$107.50, K-Mart..\$38.01, Kesslers..\$313.97, OK Tire..\$440.25, Respond..\$56.05, RDO..\$850.00, Larson Blacksmith..\$78.40, Hepper's Sports Center..\$19.99, SD Wheat Growers..\$6373.32, Safety Service..\$23.90, Overhead Door..\$3440.00, Office Max..\$548.31, Newman Signs..\$267.66, Mac's..\$16.05, Lien Transportation...\$26,364.99, Lawson Products..\$201.49, Kar Products..\$120.69, Hedahls..\$15.32, Hecla Implement..\$33.93, Farm Plan..\$88.27, Dependable Sanitation..\$153.00, Dakota Fluid Power..\$597.67, Robert Dinger..\$965.40, Creative Signs..\$25.00, Caterpillar Financial..\$28,638.00, Cartney Bearing..\$267.58, Brick Propane..\$37.30, Aberdeen Glass..\$131.02, RE Huffman..\$79.37, Aberdeen Chrysler..\$143.21, B&B Contracting..\$1543.50, Vicki Wilson..\$8.45, Trout Bros..\$261.40, K-Mart..\$449.97, Hogg's..\$46.28, A&M Radio..\$44.50, Sherri Rawstern..\$30.85, Ken's Superfair Food..\$20.45, Kesslers..\$5.95, Ameripride..\$23.00, Quality Quick Print..\$20.45, Specialty Mfg..\$714.92, William Edwards..\$400.00, Phyllis Voeller..\$19.50, RSVP..\$120.84, Midwest Pump & Tank..\$1153.11, Bricks TV..\$210.00, Taylor Laundry..\$20.22, Sheehan Mack Sales..\$110.63, Paul Mardian..\$120.00, Earth Tech..\$1248.15, 1<sup>st</sup> United Methodist Youth Group..\$60.00:

Transcriptions: Jeanne Haug..\$37.20:

Publications: American News..\$ 490.63:

Mileage & Travel: State Motel..\$29.95, Mike Wiese..\$164.09, Best Western Ramkota..\$189.00, Comfort Inn..\$162.00, Mary Worlie..\$94.54, Gene Loeschke..\$16.00, Tom Gohn..\$162.15, Jessica Frerichs..\$113.40, Amy Lake..\$55.39, Charlene Millim..\$17.98:

Court Appointed Attorney: Dawn Aman..\$96.25:

Professional Fees: Witness Fee..\$20.00, Mark McNeary..\$1500.00, CMH & Clinic..\$195.99, Inphynet Prim Care..\$36.04, Avera St Lukes..\$294.51, Robert Chavis..\$120.00, DeWayne Storley..\$144.00, Eide Bailly..\$216.75, Harvey Oliver..\$324.36:

Utilities: Commnet Cellular..\$88.28, Midcontinent Cable..\$243.03, US West..\$929.94, NWPS..\$2039.49, Northern Electric..\$481.90, City of Hecla..\$50.64, Cellular One..\$20.63, McLeods..\$17.95:

Care of Poor: Transportation - 2 recipients..Brown County Hwy..\$17.14; Rent - 2 recipients.. D&L LLC..\$130.00, Tom Appletoft..\$160.00; Utilities - 1 recipient..NWPS..\$400.00; Dr/Hospital - 1 recipient..Avera St Lukes..\$2783.79; Burial - 1 recipient..Miller-Huebl..\$1580.00; Drugs - 3 recipients..Plaza Pharmacy..\$6.86, Shopko Pharmacy..\$30.00, Medical Center Pharmacy..\$28.39; Insurance - 2 recipients..Conseco Finance Servicing..\$230.00, Fortis Insurance Co..\$386.77. All members present voting aye. Motion carried.

**PERSONNEL:**

Moved by Feickert, seconded by Fischbach to approve the following employee step increase, effective May 14, 2000: Cordell Rudolph @ \$11.01. All members present voting aye. Motion carried.

Moved by Fischbach, seconded by Feickert to approve hiring Rachel Kerscher as part-time Museum employee, effective May 22, 2000 at \$5.15 per hour, to be funded from the IMS Grant. All members present voting aye. Motion carried.

Moved by Feickert, seconded by Fischbach to approve hiring the following seasonal employees at the Highway Department: Jay Schochenmaier, effective May 17, 2000 at \$6.68 per hour and Nathan Silvernail, effective May 22, 2000 at \$6.68 per hour. All members present voting aye. Motion carried.

**FUEL BIDS:**

Moved by Feickert, seconded by Fischbach to authorize advertising public hearing to open, read and consider bids for furnishing gasoline, diesel fuels and heating fuels for use by the City of Aberdeen, Aberdeen School District and Brown County; to be held in the Office of the City Finance Officer, on May 31, 2000 at 2:00 p.m. All members present voting aye. Motion carried.

**INCREASE SPENDING AUTHORITY/ESTIMATED REVENUE:**

Moved Fischbach, seconded by Feickert to increase spending authority in Fund #101-215-426.08 and increase estimated revenue in Fund #101-331.99 in amount of \$1,155.00 for Juvenile Accountability Incentive Block Grant Funds. All members present voting aye. Motion carried.

**LEASE AGREEMENT:**

Moved by Feickert, seconded by Fischbach to approve and authorize the Chairman to sign Personal Property Lease Agreement with Personal Services Addendum with Northeast Area Horse Racing, Inc. for use of County equipment during the Horse Racing Season. All members present voting aye. Motion carried.

**GRANT AGREEMENT:**

Moved by Fischbach, seconded by Feickert to approve and authorize the Chairman to sign Thistle Thrust 2000 Grant Agreement in amount of \$400.00 and the Weed and Pest Grant Agreement in amount of \$4,400.00. All members present voting aye. Motion carried.

**PLATS:**

Commissioner Feickert offered the following Resolution:

**RESOLUTION NO. 36-2000**

BE IT RESOLVED by the County Commission of Brown County, South Dakota, that the plat showing "Thorpe's First Elm Lake Subdivision in NE ¼ Sec 17-T128N-R65W of 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 Fischbach. Roll call vote: Commissioners Feickert-aye, Fischbach-aye, Knecht-aye, Hansen-absent, Wiese-absent. Resolution adopted.

Commissioner Feickert offered the following Resolution:



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RESOLUTION NO. 37-2000

BE IT RESOLVED by the County Commission of Brown County, South Dakota, that the plat showing "Heilman's Tract 1 in the SW ¼ of Sec 8-T125N-R63W of 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 Fischbach. Roll call vote: Commissioners Feickert-aye, Fischbach-aye, Knecht-aye, Hansen-absent, Wiese-absent. Resolution adopted.

LOTTERY APPLICATION:

Moved by Fischbach, seconded by Feickert to approve and authorize the Chairman to sign application, submitted by Aberdeen Amateur Hockey Association for lottery to held in conjunction with each night of car racing at the Fairgrounds. All members present voting aye. Motion carried.

SHERIFF REPORTS:

Moved by Fischbach, seconded by Feickert to approve the following April, 2000 Sheriff Reports: Incidents & Offenses, Prisoner Care, JDC, Money deposited with the County Treasurer and Monthly activities. All members present voting aye. Motion carried.

HOLDOVER SITE GRANT:

Lisa Adler, Lutheran Social Services and Christy Schuett, New Beginnings Center presented an overview of the Holdover Site being established with funding from a grant from the US Department of Justice Office of Juvenile Justice and Delinquency Prevention (OJJDP), administered by the South Dakota Association of County Commissioners (SDACC).

BATTERY/TIRE FEE WAIVER EXTENDED:

Moved by Feickert, seconded by Fischbach to extend the free dumping period for batteries and tires at the Brown County Landfill until June 3, 2000, except tires from tire retailers and tires with rims will not be accepted. All members present voting aye. Motion carried.

BID – LANDFILL LIFT STATION:

Moved by Fischbach, seconded by Feickert to authorize advertising public hearing to open, read and consider bids for the construction of a lift station on the west end of the sedimentation pond at the Brown County Landfill, to be held in the Commissioner's Chambers, Courthouse Annex, Brown County, South Dakota on June 6, 2000 at 9:15 a.m. All members present voting aye. Motion carried.

LAW LIBRARY:

Angie Goetz, Tracey Dollison, Judy Dosch, Mick Palmer and Bill Meink met to discuss the Westlaw Subscriber Agreement for computer access to West Group publications for the Law Library in amount of \$1,750.00 per month and discussed renovation of the Law Library area.

DOE APPEAL UPDATE:

Mary Worlie explained stipulation to be presented on an Equalization appeal with the Office of Hearing Examiners, based on additional information obtained on the property. Board concurred. A meeting was held at the Department of Revenue Office in Pierre on May 4 to discuss the upcoming pilot project that involves Brown County.

**APPLICATION FOR OCCUPANCY:**

Moved by Fischbach, seconded by Feickert to approve and authorize the Chairman sign application, submitted by Accent Communications, Inc. for occupancy of Brown County Highway #16 in Sec 8 & 9-T128N-R62W, Brown County, South Dakota to provide telephone service. All members present voting aye. Motion carried.

**COUNTY ROAD #13:**

Moved by Fischbach, seconded by Feickert to approve and authorize the Chairman sign funding agreement with the SDDOT for 90/10 exchange of federal for state funds for Project P 8007(00) Brown County Road 13. All members present voting aye. Motion carried.

**DRAINAGE UPDATE:**

Jesse Luce informed the Commission of status of flooded farm site in Claremont Township.

**RECESS:**

The Chairman declared the meeting recessed until May 23, 2000.

Maxine Taylor – Brown County Auditor

MAY 22, 2000 – JOINT CITY/COUNTY MEETING

The Brown County Commission and the Aberdeen City Commission met in joint session at 6:30 P.M. in the Aberdeen City Commission Chambers, 123 S Lincoln Street, Aberdeen, South Dakota. Present from City were Commissioners Klabo, Meyer, Pfeifer, Hurlbert and Mayor Hopper. Present from County were Commissioners Knecht, Feickert Hansen and Wiese. Absent Commissioner Fischbach.

ORDINANCE NO. 00-04-03/199:

On motion by Hurlbert and seconded by Klabo the City Commission unanimously voted to approve First Reading of Ordinance No. 00-04-03/199.

Moved by Feickert, seconded by Wiese to approve First Reading of Ordinance No. 00-04-03/199, An Ordinance amending Ordinance No. 1164 Section 502 to create a definition for Building, pole-type construction. All members present voting aye. Motion carried.

ORDINANCE NO. 00-05-01/200:

On motion by Pfeifer and seconded by Meyer the City Commission unanimously voted to approve First Reading of Ordinance No. 00-05-01/200.

Moved by Hansen, seconded by Wiese to approve First Reading of Ordinance No. 00-05-01/200, An Ordinance amending Ordinance No. 1164 to rezone certain property from Section 701 (A-1) Agricultural District to Section 714 (M-Ag) Mini-Agricultural District, described as O.L. 1 in the NW ¼ of Sec 4-T123N-R63W of the 5<sup>th</sup> P.M., Brown County, S.D. and O.L. 2 in the NW ¼ of Sec 4-T123N-R63W of the 5<sup>th</sup> P.M., Brown County, S.D. excluding floodway. All members present voting aye. Motion carried.

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

Maxine Taylor – Brown County Auditor

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## MAY 23, 2000 GENERAL MEETING

Meeting called to order by Chairman Knecht at 8:45 A.M. in the Commissioner's Chambers, Courthouse Annex, Brown County, South Dakota. Present were Commissioners Hansen, Feickert, Fischbach and Wiese.

### MINUTES:

Moved by Hansen, seconded by Fischbach to approve the General Meeting minutes of May 16, 2000. All members present voting aye. Motion carried.

### CLAIMS:

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

Payroll: Commissioners..\$2211.55; Data Processing..\$1269.24; Auditor..\$6002.96, OVERTIME: Janet Malsom..\$19.56; Treasurer..\$7145.36; State's Attorney..\$8209.30; Victims Assistance..\$788.47; Maintenance..\$4214.08; Assessor..\$5569.79; Planning & Zoning..\$887.20, OVERTIME: Mick Waller..\$24.96; Register of Deeds..\$3313.30, OVERTIME: Cathy Lindemann..\$47.60, Cindy Schwan..\$37.73; Veterans Service Office..\$2000.96, OVERTIME: Kathy Schlecht..\$12.02; Sheriff..\$40191.95, OVERTIME: John McQuillen..\$20.60, John Heine..\$41.20, Scott Kolb..\$82.40, Michael Casjens..\$78.04, David Fair..\$78.04, David Hanson..\$90.40, Steven Cogley..\$26.04, Dala Mandel..\$34.34, Mark Jastram..\$98.84, Patrick Rickerl..\$275.20, Dallas Vallery..\$68.80, Michael Johnson..\$ 104.32, Michael Kuebler..\$91.28, Barbara Johnson..\$56.37, Kevin Johnson..\$20.64, Amy Lake..\$13.40, Jeffrey Kirnan..\$20.10, Tony Ingemansen..\$76.90; Communications..\$8823.08, OVERTIME: Alicia Dohn..\$55.04, Nancy Radke..\$18.08, Michele Strom..\$28.98, Deanna Thorpe..\$27.52, Lisa Wipf..\$7.42; Museum..\$3408.90; Welfare Office..\$2299.64; Health..\$2239.20; Extension..\$58.99; Weed..\$1194.90, OVERTIME: Lynn Heupel..\$16.65; Foster Grandparent Program..\$ 1792.34; Fairgrounds..\$2917.16; Fairboard..\$711.54; Emergency Management..\$1834.40; Highway..\$30748.97, OVERTIME: Terry Backous..\$346.56, Robert Binfet..\$161.60, David Bruckner..\$376.04, Brian Dargatz ..\$320.39, Daniel Glover..\$330.75, Ronald Glugla..\$322.88, Larry Hardy..\$307.90, Tom Lammon..\$313.01, Jerry Luce..\$348.71, Joseph Malsam..\$270.29, Donald Maunu..\$57.51, Todd Odenbach..\$305.66, Bryan Owens..\$299.51, Cordell Rudolph..\$317.66, Richard Schaible..\$329.27, Roger Schaible..\$357.76, Jeff Seiler..\$239.69, Marcus Selzler..\$327.60, Casey Thorstenson..\$31.52, Leon Vickers..\$319.20, Michael Wagner..\$340.65, Nicholas Wanna..\$280.20, Mark Wendt..\$206.25, Theodore Brockel..\$224.96; Landfill..\$5152.25, OVERTIME: Carl Wright..\$254.48, Roxanne Varns..\$70.16, Nyle Jenson..\$187.43, Dennis Van Heerde..\$401.82  
Supplies & Materials: Best Business Products..\$490.33, New Trends..\$484.42, Aberdak Travel..\$474.50, Knowles Pub..\$49.76, Bureau of Administration..\$58.00, Plainsco..\$443.18, Sherwin-Williams..\$75.12, Ameripride..\$31.00, Menards..\$101.39, K-Mart..\$63.19, Grote Roofing..\$136.00, Heartland Paper..\$413.42, Dependable Sanitation..\$203.00, Fire Safety First..\$497.84, Cartney Bearing..\$7.54, Prairieland..\$693.89, Radio Shack..\$99.98, RE Huffman..\$19.75, Pantorium..\$18.00, Hoven Auto..\$66.02, Register of Deeds..\$10.00, Sewing Shop..\$9.00, Texaco..\$129.27, Walmart..\$36.05, Diane Mielke..\$5.98, Quality Quick Print..\$409.97, Plastic Works..\$1900.00, J&D Dist..\$40.00, SD Wheat Growers..\$2008.09, Share Corp..\$97.20, Quality Stores..\$35.03, Newman Signs..\$138.20, Lien Transportation..\$2294.08, Lake Sand..\$7200.00, Cellular One..\$17.49, Aberdeen Asphalt..\$112,436.32, Senior Citizens..\$207.50, Parcel-Erickson..\$10.00, Otis Elevator..\$1500.00, Office of Financial Aid..\$101.08, Dakota Electroincs..\$25.00, A1 Sanitation..\$2046.85, Plainsco..\$34.68, Richmond Sanitation Dist..\$72.00, Ralph's Heating..\$45.91, Menards..\$151.26, Brown-Marshall..\$4000.00, Century Business Products..\$44.54, Office Max..\$90.56, Quality Stores..\$66.87, Farm Power..\$8.00, Pro Ag Supply..\$39.62, Profile Evaluations..\$310.00, Farm & Home Pub..\$39.40, Artz Camera..\$20.95, Waste Recovery

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Systems..\$1157.47, Brick's TV & Appl..\$75.00, Taylor Laundry..\$43.70, Aberdak Travel..\$637.00, Pitney Bowes Reserve Account..\$5000.00:

Transcriptions : Cheryl Hook..\$259.20, Betsy Johnson..\$112.50:

Publications: American News..\$422.38, Dakota Press..\$1270.24, Redfield Press..\$15.66:

Mileage & Travel: Carol Sherman..\$109.60, Barb Johnson..\$406.62, Gary Erickson..\$235.35, Marj Kolb..\$481.90, Ramkota..\$208.00, SDACO..\$105.00:

Court Appointed Attorney: James & Assoc..\$134.81:

Utilities US West..\$175.44, Cellular One..\$315.79, Northern Electric..\$233.03, NWPS..\$211.85, WEB Water..\$75.04, City of Aberdeen..\$126.85:

Professional Fees: Witness Fee..\$424.76, Election Systems..\$931.19, County of Denver..\$11.80, Sheriff of Dakota County..\$38.00, Sioux Vocational Services..\$120.00, NADRIC..\$2083.37, Donna Dietrich..\$194.66, Don Carlson..\$30.00, Marv Ekeren..\$30.00, Yankton County Sheriff..\$16.75, Lewis & Clark Mental Illness Services..\$440.00:

Care of Poor: Transportation - 2 recipients-Brown County Hwy..\$16.10, Stone's Bus Depot..\$100.00; Rent - 6 recipients-Kathy Day..\$150.00, D&L LLC..\$286.00, Jean Lindsey..\$170.00, Keith Starks..\$230.00; Utilities - 1 recipient-NWPS..\$170.00; Dr/Hospital - 2 recipients-Avera St Lukes..\$307.70; Drugs - 2 recipients-Mersco Medical..\$218.05, Walmart Pharmacy..\$11.99. All members present voting aye. Motion carried.

#### PERSONNEL:

Moved by Fischbach, seconded by Wiese to approve the following employee step increase, effective May 28, 2000: Todd Odenbach @ \$10.09 per hour. All members present voting aye. Motion carried.

Moved by Feickert, seconded by Fischbach to approve salary increase for part-time Weed Sprayer Earl Ruden to \$8.25 per hour, effective May 15, 2000. All members present voting aye. Motion carried.

Moved by Feickert, seconded by Fischbach to approve hiring Sherry Theobald as Secretary in the Extension Office, effective June 5, 2000 at \$8.68 per hour. All members present voting aye. Motion carried.

Moved by Hansen, seconded by Wiese to approve hiring the following Seasonal Highway Employees: Erica Olson, effective May 22, 2000 at \$6.68 per hour; Joe Meyers, effective May 30, 2000 at \$6.68 per hour. All members present voting aye. Motion carried.

#### TOWNSHIP BOND:

Moved by Hansen, seconded by Fischbach to approve Bond for Lincoln Township Clerk Casey B Black. All members present voting aye. Motion carried.

#### INCREASE SPENDING AUTHORITY/ESTIMATED REVENUE:

Moved by Feickert, seconded by Wiese to increase spending authority in Fund #201-311-426.30 and increase estimated revenue in Fund #201-331.03 for CDBG Funding of 25% FEMA match for Shelby Township in amount of \$1,433.00. All members present voting aye. Motion carried.

#### ABATEMENT:

Moved by Wiese, seconded by Hansen to approve the following Abatement: Resource Center for Women, tax exempt (L 5 & 6 Blk 90 Hagerty & Lloyds Addition) for year 1999 in amount of \$629.96. All members present voting aye. Motion carried.

#### DISASTER DECLARATION:

Commissioner Wiese offered the following Resolution:

RESOLUTION NO. 38-2000 TO GOVERNOR REQUESTING DISASTER DECLARATION

WHEREAS, the Northeast part of the County of Brown, South Dakota has been subjected to the storm of April 19, 2000 and the concurrent snow melt waters from North Dakota running into Brown County; and

WHEREAS the result of this storm and snow melt during this period has produced significant flooding in the Northeast part of Brown County; and

WHEREAS the only North and South route to this Northeast part of Brown County has been significantly impacted with hundreds of thousands of dollars spent in emergency repairs just to keep this access open for emergency response and day to day travel to this area; and

WHEREAS the flooding from the above described disaster continues to threaten life and property; and

WHEREAS additional assistance is needed by Brown County and without this assistance a worse disaster could result.

NOW, THEREFORE, BE IT RESOLVED that the Board of County Commissioners for, and behalf of the citizens of Brown County, petitions the Governor of the state of South Dakota to be added to the Presidential Disaster Declaration for South Dakota.

Seconded by Commissioner Fischbach. Roll call vote: Commissioners Hansen-aye, Feickert-aye, Fischbach-aye, Wiese-aye, Knecht-aye. Resolution adopted.

LIEN PAYMENT APPROVED:

Moved by Hansen, seconded by Wiese to accept monthly payments in amount of \$100.00 for a relief lien from an individual and provide verification of payments to personal property lien holder. All members present voting aye. Motion carried.

PLATS:

Commissioner Feickert offered the following Resolution:

RESOLUTION NO. 39-2000

BE IT RESOLVED by the County Commission of Brown County, South Dakota, that the plat showing "Janusz Outlot 1 in SW ¼ Sec 27-T123N-R64W of 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 Hansen. Roll call vote: Commissioners Hansen-aye, Feickert-aye, Fischbach-aye, Wiese-aye, Knecht-aye. Resolution adopted.

Commissioner Hansen offered the following Resolution:

RESOLUTION NO. 40-2000

BE IT RESOLVED by the County Commission of Brown County, South Dakota, that the plat showing "Habeck's Third Subdivision in SE ¼ Sec 9-T123N-R63W of 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 Fischbach. Roll call vote: Commissioners Hansen-aye, Feickert-aye, Fischbach-aye, Wiese-aye, Knecht-aye. Resolution adopted.

Commissioner Hansen offered the following Resolution:

RESOLUTION NO. 41-2000

BE IT RESOLVED by the County Commission of Brown County, South Dakota, that the plat showing "Wahlen's First Subdivision in NE ¼ Sec 8-T123N-R63W of 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 Hansen-aye, Feickert-aye, Fischbach-aye, Wiese-aye, Knecht-aye. Resolution adopted.

Commissioner Fischbach offered the following Resolution:

RESOLUTION NO. 42-2000

BE IT RESOLVED by the County Commission of Brown County, South Dakota, that the plat showing "Anderson's First Subdivision in NW ¼ Sec 4-T123N-R63W of 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. Roll call vote: Commissioners Hansen-aye, Feickert-aye, Fischbach-aye, Wiese-aye, Knecht-aye. Resolution adopted.

SPECIAL AND ANNUAL MALT BEVERAGE LICENSE HEARINGS SET:

Moved by Feickert, seconded by Wiese to authorize advertising public hearing to consider the following applications for renewal of Malt Beverage Licenses, to be held at 8:45 A.M. on June 6, 2000 in the Commissioner's Chambers, Courthouse Annex, Brown County, South Dakota:

**RETAIL (ON-OFF SALE) MALT BEVERAGE** - James R. Schumacher DBA Westside Bait & Tackle, N. 218' of Lot A, Replat of Evelo's Subdivision in NW ¼ Sec. 21-T123N-R64W, Brown County, South Dakota. Marge Frohling DBA The Connection, Lots 10, 11, 12, 13, & 14, Block 2, Sec. 31-T127N-R61W. Terry Voeltz DBA T's Promotions Inc, Fairgrounds

Grandstand - SW ¼ Sec. 1-T123N-R64W. Alan Lanphere DBA Bath Quick Stop, Lot B Weismantel's First Subd. of Lot 1 ex N. 12' Jenkins Subd. E ½ of SE ¼ Sec. 18-T23N-R62W.

Elm Lake Resort Inc, Lot 1, Elm Lake Resort Subd. in the SE ¼ of Sec. 8-T128N-R65W, Ex. that portion of Road r/o/w. Moccasin Creek Country Club, Inc, Prairiewood Village Outlot 7 Sec.33-T124N-R63W. All members present voting aye. Motion carried.

Moved by Feickert, seconded by Wiese to authorize advertising public hearing to consider the following application for Special Malt Beverage License, to be held at 9:00 A.M. on June 6, 2000 in the Commissioner's Chambers, Courthouse Annex, Brown County, South Dakota: Centennial Village Inc, Brown County Fairgrounds (Centennial Village) SW ¼ Sec 1-T123N-R64W, effective June 11, 2000. All members present voting aye. Motion carried.

ORDINANCE NO. 012:

Time and place, as advertised for public hearing to accept comments and testimony regarding the amendment to Title 4, Second Revision Brown County Ordinances, by amending Chapter 4.0607 Minimum Shelterbelt Setback (150 feet). After discussed the following action ensued.

Moved by Fischbach, seconded by Feickert to approve First Reading of Ordinance No. 012, An Ordinance Amending Title 4, Second Revision Brown County Ordinances, as amended by adding the following to Chapter 4.0607 Minimum Shelterbelt Setback: Shelterbelts of one or more rows of trees parallel to the east/west and or north/south quarter lines, shall be set back a minimum of one hundred-fifty feet (150'). Roll call vote: Commissioners Hansen-aye, Feickert-aye, Fischbach-aye, Wiese-aye, Knecht-aye. Motion carried.

**RETURNED CHECK CHARGE:**

Moved by Hansen, seconded by Wiese to increase returned check charge to \$30.00 per occurrence, as recommended by Sheila Enderson, Brown County Treasurer, effective July 1, 2000. All members present voting aye. Motion carried.

**CREDIT CARD ACCEPTANCE:**

Moved by Feickert, seconded by Wiese to accept the following proposal from Dacotah Bank for payment of county services via major credit cards: 1) Dacotah Bank will furnish all equipment and training at no charge to the county; 2) A 3% processing fee will be added and charged to the customer at the time services rendered (i.e. purchase of license plates, payment of taxes, etc.), which will be retained by Dacotah Bank; 3) Credit Card services shall be available on July 1, 2000. All members present voting aye. Motion carried.

**APPLICATION FOR OCCUPANCY:**

Moved by Fischbach, seconded by Feickert to approve application, submitted by Northwestern Public Service for occupancy of Brown County Highway No. 13 in Sec 30 & 31-T124N-R64N, Brown County, South Dakota, to provide gas service. Roll call vote: Commissioners Hansen-aye, Feickert-aye, Fischbach-aye, Wiese-abstain, Knecht-aye. Motion carried.

**NO PASSING ZONES:**

Moved by Wiese, seconded by Feickert to authorize the Highway Department mark no passing zones on County roads at approximate cost of \$2000 - \$3000. All members present voting aye. Motion carried.

**RESOLUTION TO DELETE BRIDGES FROM NBIS:**

Commissioner Hansen offered the following Resolution:

**RESOLUTION NO. 43-2000**

The Brown County Board of Commissioners is in agreement with SDDOT that the following structures should be deleted from the National Bridge Inventory System (NBIS) for the following reasons:

**STRUCTURE ID, LOCATION AND REASON FOR DELETION:**

07-115-370 .3E& 4S Aberdeen	Bridge Closed & will not be replaced or rehabilitated #26
07-159-390 4.1W&3.5N Stratford	Bridge Closed & will not be replaced or rehabilitated #46
07-201-398 3.2N Stratford	Bridge Closed & will not be replaced or rehabilitated #63
07-220-230 2E&.5S Columbia	Bridge Closed & will not be replaced or rehabilitated #235

The Commission is aware of the following stipulations once a structure is deleted from the NBIS Inventory:

1. Federal Bridge funds will not be available for structure replacement or rehabilitation and
2. The structure will only be added to the Inventory following replacement, using County funds.



Upon receipt of this resolution, the above structures will be deleted from inventory.

Seconded by Commissioner Wiese. Roll call vote: Commissioners Hansen-aye, Feickert-aye, Fischbach-aye, Wiese-aye, Knecht-aye. Resolution adopted.

**AWARD BRIDGE #44 BID WITH SDDOT:**

Moved by Hansen, seconded by Feickert to award low bid, submitted by Prairie Engineering, Inc. of Sioux Falls for Approach Grading and Structure Project No. BRO 8007(41), Bridge #44, 6.3 miles S & 1.5 miles W of Bath over Moccasin Creek in amount of \$157,063.81; rejecting the following: Swingen Construction Company in amount of \$184,819.30, Industrial Builders Inc in amount of \$240,374.40, Sioux Falls Construction Company in amount of \$267,378.60. All members present voting aye. Motion carried.

**RECESS:**

The Chairman declared the meeting recessed until May 30, 2000.

Maxine Taylor – Brown County Auditor

MAY 30, 2000 – JOINT CITY/COUNTY MEETING

The Brown County Commission and the Aberdeen City Commission met in joint session at 8:45 A.M. in the Brown County Commission Chambers, Courthouse Annex, Brown County, Aberdeen, South Dakota. Present from City were Commissioners Klabo, Meyer, Pfeifer, Hurlbert and Mayor Hopper. Present from County were Commissioners Feickert, Hansen, Fischbach and Wiese. Absent Commissioner Knecht.

ORDINANCE NO. 00-04-03/199:

On motion by Klabo and seconded by Hurlbert the City Commission unanimously voted to approve Second Reading of Ordinance No. 00-04-03/199.

On motion by Meyer and seconded by Pfeifer the City Commission unanimously voted to adopt Ordinance No. 00-04-03/199.

Moved by Hansen, seconded by Wiese to approve Second Reading of Ordinance No. 00-04-03/199. All members present voting aye. Motion carried.

Moved by Fischbach, seconded by Wiese to adopt Ordinance No. 00-04-03/199, An Ordinance amending Ordinance No. 1164 Section 502 to create a definition for Building, pole-type construction. All members present voting aye. Motion carried.

ORDINANCE NO. 00-05-01/200:

On motion by Pfeifer and seconded by Hurlbert the City Commission unanimously voted to approve Second Reading of Ordinance No. 00-05-01/200.

On motion by Klabo and seconded by Meyer the City Commission unanimously voted to adopt Ordinance No. 00-05-01/200.

Moved by Fischbach, seconded by Hansen to approve Second Reading of Ordinance No. 00-05-01/200. All members present voting aye. Motion carried.

Moved by Hansen, seconded by Wiese to adopt Ordinance No. 00-05-01/200, An Ordinance amending Ordinance No. 1164 to rezone certain property from Section 701 (A-1) Agricultural District to Section 714 (M-Ag) Mini-Agricultural District, described as O.L. 1 in the NW ¼ of Sec 4-T123N-R63W of the 5<sup>th</sup> P.M., Brown County, S.D. and O.L. 2 in the NW ¼ of Sec 4-T123N-R63W of the 5<sup>th</sup> P.M., Brown County, S.D. excluding floodway. All members present voting aye. Motion carried.

The City Commission adjourned and the County Commission continued into their regularly scheduled meeting.

Maxine Taylor – Brown County Auditor

## MAY 30, 2000 – GENERAL MEETING

Meeting called to order by Vice Chairman Feickert at 8:45 A.M. in the Commissioner's Chambers, Courthouse Annex, Brown County, South Dakota. Present were Commissioners Hansen, Fischbach and Wiese. Absent Commissioner Knecht.

## MINUTES:

Moved by Hansen, seconded by Fischbach to approve the Joint City/County Meeting minutes of May 22, 2000 and the General Meeting of May 23, 2000. All members present voting aye. Motion carried.

## CLAIMS:

Moved by Fischbach, seconded by Hansen to approve the following claims:

Supplies & Materials: RE Huffman..\$70.00, Academy..\$14.00, Menards..\$191.05, Plainsco..\$14.52, Prairieland..\$12.75, Taylor Laundry..\$95.28, UBC..\$10.58, Gelling Auto..\$282.10, Exchange Club..\$397.50, A&M Radio..\$189.00, Ecolab..\$97.50, Heartland Paper..\$57.42, Langs..\$1265.00, Credit Bureau..\$46.00, Parcel-Erickson..\$20.95, Double D Body Shop..\$35.80, Economy Meats..\$62.77, Farmers Union..\$25.07, Albert Heier..\$63.80, Walmart..\$3.88, Rux Bros..\$50.99, FedEx..\$5.36, Visa..\$91.80, Hub City Iron..\$45.00, Weismantel Rental..\$10.00, Vetch Auto..\$532.00, SD Wheat Growers..\$1106.96, Share Corp..\$52.50, Safety-Kleen..\$382.40, Reuer Auto..\$96.50, Lien Transportation..\$517.47, Lawson Products..\$93.32, Larson Blacksmith..\$58.00, Lake Sand & Gravel..\$10,800.00, Koch Materials..\$4755.92, Insurance Plus..\$150.00, Frey's Electronics..\$952.00, Fire Safety First..\$448.61, Fastenal..\$34.05, JD Evans..\$2318.31, WE Doyle..\$202.50, Robert Dinger..\$146.40, Creative Sign..\$15.00, Carquest..\$490.23, Biersbach Equip..\$142.01, B&B Contracating..\$907.50, Erdmann Oil..\$1225.00, SDSU Print Lab..\$135.55, RDO..\$519.78, Computer Mgmt..\$7627.00, Megahaus..\$176.00:

Transcriptions : Cheryl Hook..\$403.20, Betsy Johnson..\$91.80, Office Max..\$214.15:

Publications: American News..\$351.89:

Mileage & Travel: Mike Wiese..\$590.17, Harvey Oliver..\$771.12:

Court Appointed Attorney: Brad Borge..\$4500.00, Tonner, Tobin & King..\$4500.00:

Utilities US West..\$4726.62, Midcontinent Cable..\$153.73, NWPS..\$73.34, Montana Dakota..\$37.03, Norcom..\$75.00, Web..\$57.99, Bureau of Admin..\$621.69:

Professional Fees: Witness Fee..\$60.00, Avera St Lukes..\$1569.79, Yankton County Sheriff..\$33.50, Donald Erickson..\$114.80, William Pettit..\$156.11, Dawn Aman..\$2300.00:

Care of Poor: Rent: 2 recipients - D&L LLC..\$130.00, Bruce Boschee..\$170.00; Dr/Hospital – 1 recipient - Avera St Lukes..\$1981.62; Drugs - 2 recipients - Walmart Pharmacy..\$464.24. All members present voting aye. Motion carried.

## CANCEL OUTSTANDING CHECKS:

Moved by Hansen, seconded by Fischbach to authorize the Auditor's Office cancel the following outstanding checks, as date of issue over two years: Dacotah Bank: #90630-\$80.96 to Rob Moore: U.S. Bank: #12102-\$7.00 to Donald Martin; #12103-\$3.00 to Hansen Motors; #12183-\$15.29 to Jeffrey Braun; #12220-\$1.20 to Alvin Anderson; #12222-\$10.00 to Transamerica RE Tax Service; #12259-\$6.33 to WW Wallwork Inc.; #12352-\$8.00 to John Summers; #92332-\$89.38 to Dr. Werth; #93163-\$35.00 to State Bar of SD; #94072-\$180.00 to Virginia Laredo; #12455-\$711.44 to 1<sup>st</sup> American RE; #12463-\$1.00 to Spurs Therapeutic; #12490-\$5.00 to Kristine Groteluescher; #12569-\$12.03 to Roger Saltee; #12604-\$1.53 to Philip Schornack; #12642-\$5.00 to Calvin Anderson; #12688-\$3.00 to Div of Motor Vehicles; #12724-\$980.63 to Rae DW Schliebe Trust; #12727-\$5.00 to Dakota Partners: Norwest Bank: #96721-\$20.96 to Jason Sperle; #96765-\$10.48 to Jason Sperle:

All members present voting aye. Motion carried.

PERSONNEL:

Moved by Hansen, seconded by Fischbach to approve hiring Sara Frankenstein as summer intern in the States Attorney's Office, effective May 22, 2000 at \$320.00 per week. All members present voting aye. Motion carried.

Moved by Fischbach, seconded by Hansen to fund the shortfall in the contract with the SD Department of Health for payment of the third secretary salary at the Brown County Community Health Center from July 1, 2000 to June 30, 2001. All members present voting aye. Motion carried.

Moved by Hansen, seconded by Wiese to acknowledge the resignation of the following: Dala Mandel, effective May 31, 2000; Jessica Frerichs, effective June 10, 2000; Michael E Waldrop, effective June 11, 2000. All members present voting aye. Motion carried.

PLATS:

Commissioner Fischbach offered the following Resolution:

RESOLUTION NO. 44-2000

BE IT RESOLVED by the County Commission of Brown County, South Dakota, that the plat showing "K.O. Lee Company Conservation Easement Tract in the E ½ of Sec 22-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 of 1967, Chapter 11-3, and any amendments thereof.

Seconded by Commissioner Hansen. Roll call vote: Commissioners Hansen-aye, Feickert-aye, Fischbach-aye, Wiese-aye, Knecht-absent. Resolution adopted.

Commissioner Fischbach offered the following Resolution:

RESOLUTION NO. 45-2000

BE IT RESOLVED by the County Commission of Brown County, South Dakota, that the plat showing "K.O. Lee Company Conservation Easement Tract in the E ½ & SW ¼ of Sec 27-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 of 1967, Chapter 11-3, and any amendments thereof.

Seconded by Commissioner Hansen. Roll call vote: Commissioners Hansen-aye, Feickert-aye, Fischbach-aye, Wiese-aye, Knecht-absent. Resolution adopted.

ORDINANCE NO. 012 – SHELTERBELTS:

Time and place, for Second Reading and possible adoption of Ordinance No. 012, An Ordinance Amending Title 4, Chapter 4.06 of Second Revision Brown County Ordinances. Written and verbal comments were received.

Moved by Wiese, seconded by Feickert to approve Second Reading of Ordinance No. 012, An Ordinance Amending Title 4, Chapter 4-06 of Second Revision Brown County Ordinances. Roll call vote: Hansen-nay, Feickert-nay, Fischbach-nay, Wiese-nay, Knecht-absent. Motion to approved Second Reading failed.

BID – COUNTY ROAD #13:

Time and place, as advertised to open, read and consider sealed bids for pulverizing and asphalt concrete surfacing of approximately five miles of Brown County #13 from US Hwy 281 to Brown County #14. Bids were received from Aberdeen Asphalt Inc. and Lien Transportation Company. Moved by Hansen,

seconded by Wiese to refer all bids to Clark Engineering and Russ Podoll for review and recommendation. All members present voting aye. Motion carried.

Moved by Wiese, seconded by Hansen to award low Base Bid in amount of \$948,759.61 and low Alternate Bid #2 in amount of \$4,000.00 to Lien Transportation; rejecting Lien Transportation Alternate Bid #1 in amount of \$227,862.25; Aberdeen Asphalt Base Bid in amount of \$976,076.90, Alternate Bid #1 in amount of \$230,626.84 and Alternate Bid #2 in amount of \$4,660.00. All members present voting aye. Motion carried.

#### FAIR CONTRACTS:

Larry Gerlach, Fair Manager met to discuss the concession contracts with the Aberdeen Hockey Association and the Boys & Girls Club. Jason Hammer, Coca Cola was also in attendance.

Moved by Wiese, seconded by Fischbach to approve concession contracts with the Aberdeen Hockey Association (Club House) and with the Boys & Girls Club (Grandstand) for the 2000 Fair. All members present voting aye. Motion carried.

#### CDBG – DAM REPAIR:

Amy Kreuger and Ted Dickey, NECOG met with the Commission to explain application for CDBG Funds for purpose of repairing area Dams and requested Notice of Public Comment Period be advertised.

Moved by Hansen, seconded by Wiese to authorize advertising Notice of Public Comment Period, ending at 5:00 P.M. on June 8, 2000 for CDBG Funding for purpose of repairing the following dams; Staum, Elm, Pigors, Amsden, Mina, Latham, Jones Lake, Lake Louise, Hurley, Potts, Mirage, Redfield Lake, Lake Hiddenwood, Molstad and Sully. All members present voting aye. Motion carried.

#### PURCHASE APPROVED:

Moved by Fischbach, seconded by Hansen to approve purchase of business cards for personnel in the Director of Equalization Office, as recommended by Mary Worlie. All members present voting aye. Motion carried.

#### P.W. REPORT:

Russ Podoll discussed Corp of Engineer releases from Sand Lake, Pipestone and Jamestown; equipment purchase update; water levels.

#### V.A. CLINIC:

Tom Gohn, Veterans Service Officer explained that the proposed V.A. Clinic could possible be up and running by fall of 2001 depending upon funding. Mr. Gohn also gave a brief update of numbers of veterans being served by the Brown County Office.

#### JDC DISCUSSION:

Bill Gallagher, Juvenile Justice Specialist for the SD Association of County Commissioners met with the Commission and County personnel to make arrangements for a meeting with the Minnehaha County Commission and personnel to share building/financial information and also to tour the Minnehaha County Juvenile Detention Facility.

#### RECESS:

The Vice Chairman declared the meeting recessed until June 6, 2000.

Maxine Taylor – Brown County Auditor

## JUNE 6, 2000 – GENERAL MEETING

Meeting called to order by Chairman Knecht at 8:45 A.M. in the Commissioner's Chambers, Courthouse Annex, Brown County, South Dakota. Present were Commissioners Hansen, Feickert, Fischbach and Wiese.

## MINUTES:

Moved by Feickert, seconded by Wiese to approve the Joint City/County Meeting minutes of May 30, 2000 and the General Meeting minutes of May 30, 2000. All members present voting aye. Motion carried.

## CLAIMS:

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

Payroll: Commissioners..\$2211.55; Data Processing..\$1269.24; Auditor..\$6002.96; Treasurer..\$7145.36; State's Attorney..\$8529.30; Victims Assistance..\$788.47; Maintenance..\$4090.81; Assessor..\$5438.17; Planning & Zoning..\$887.20, OVERTIME: Mick Waller..\$16.64; Register of Deeds..\$3665.85; Veterans Service Office..\$1975.76, OVERTIME: Kathy Schlecht..\$24.03; Sheriff..\$40595.12, OVERTIME: John McQuillen..\$123.60, John Heine..\$10.30, Scott Kolb..\$61.80, Michael Casjens..\$39.02, David Hanson..\$36.16, Steven Cogley..\$17.36, Gary Bunt..\$34.00, Charlene McAfee..\$28.94, Mark Jastram..\$56.48, Patrick Rickerl..\$55.04, Dallas Vallery..\$55.04, Brandon Smith..\$39.12, Michael Johnson..\$52.16, Kevin Johnson..\$65.36, Amy Lake..\$26.80, Jeffrey Kirnan..\$56.95, Jessica Frerichs..\$6.52; Communications..\$8815.65, OVERTIME: Sheila Anderson..\$79.60, Mary Browning..\$26.04, Alicia Dohn..\$110.08, Janet Dosch..\$144.48, Betty Haar..\$3.98, Nancy Radke..\$280.24, Michele Strom..\$7.25, Deanna Thorpe..\$89.44, Lisa Wipf..\$59.36; Museum..\$3479.14; Welfare Office..\$2299.64, OVERTIME: Mavis Kempf..\$4.83; Health..\$2239.20; Extension..\$30.25; Weed..\$2568.14, OVERTIME: Jerry Dempsey..\$78.37, Earl Ruden..\$49.48; Foster Grandparent Program..\$2471.14; Fairgrounds..\$3009.66, OVERTIME: John Weig..\$276.41, Melvin Ernst..\$153.83; Fairboard..\$711.54; Emergency Management..\$1834.40, OVERTIME: Ginger Walker..\$50.86; Highway..\$32512.87, OVERTIME: Terry Backous..\$355.68, Robert Binfet..\$365.72, Vernon Bitz..\$8.13, David Bruckner..\$411.02, Brian Dargatz..\$357.35, Daniel Glover..\$7.88, Ronald Glugla..\$330.75, Larry Hardy..\$308.30, Ben Hofer..\$140.10, Dave Kolb..\$257.58, Tom Lammon..\$203.25, Jerry Luce..\$187.11, Joseph Malsam..\$149.10, Donald Maunu..\$32.86, Todd Odenbach..\$156.56, Bryan Owens..\$155.14, Cordell Rudolph..\$338.66, Richard Schaible..\$325.20, Roger Schaible..\$345.28, Jeff Seiler..\$286.20, Marcus Selzler..\$168.00, Casey Thorstenson..\$7.01, Kendall Titze..\$268.38, Leon Vickers..\$168.00, Michael Wagner..\$362.75, Nicholas Wanna..\$140.10, Mark Wendt..\$445.50, Theodore Brockel..\$266.40, Amanda Mollman..\$104.00, Jay Schochenmaier..\$12.53, Bryan Owens..\$3.64, Michael Wagner..\$3.20; Landfill..\$5081.74; OVERTIME: Carl Wright..\$70.20, Roxanne Varns..\$62.36, Nyle Jenson..\$244.80, Dennis Van Heerde..\$188.24;

Supplies & Materials: Reserve Postage..\$5000.00, Ione Shilman..\$9.60, Quality Quick Print..\$27.89, Office Equipment..\$45.45, Lexis Pub..\$169.83, Sanders..\$1262.22, Sherwin-Williams..\$55.22, Exchange Club..\$180.00, Blakewood Business Products..\$23.75, Jermome Haas..\$10.00, SD Fleet..\$783.04, Galls..\$249.87, Respond..\$174.30, Economy Meats..\$83.30, Pierson Ford..\$20.00, Sodak Sport..\$49.99, Target..\$23.57, Bob Barker..\$131.72, Xerox..\$170.09, K-Mart..\$39.42, Office Max..\$686.04, SD Wheat Growers..\$5632.70, RDO..\$800.00, UBC..\$325.16, Taylor Laundry..\$265.62, Newman Signs..\$71.12, Lake Sand..\$14,400.00, Keeleys..\$15.40, Kar Products..\$28.59, Great Western Tire..\$1809.75, Farm Power..\$260.82, Crawford Trucks..\$1329.03, HC Clark..\$404.56, Butler..\$3487.61, B&B Contracting..\$2667.50, Office Equip..\$9.95, Best Business..\$492.51, Quality Quick Print..\$8.58, Parcel-Erickson..\$21.61, Tamperproof Screw..\$27.59, RE Huffman..\$28.89, New Trends..\$3.30, Hub City Iron..\$65.26, Quality Stores..\$31.02, Graham Tire..\$30.25, Dakota Electronics..\$30.00, Aberdeen Equip..\$53.95, Prairieland..\$75.09, Van Diest..\$7446.46, Gemplers..\$27.65, SD 4-H..\$24.50, Minnesota Forage..\$34.00, Earth Tech..\$5570.07, Frey's Electronics..\$797.50, OK Tire..\$6.00, Waste

Recovery..\$626.37, Bricks..\$100.00, Dept of Revenue..\$3095.00, Brick Propane..\$10.50, Thompson Pub..\$149.00, Watertown Area Transit..\$222.00, Spink County Public Transit..\$136.00, Jodi McQuillen..\$42.39:

Transcriptions: Richard Neal..\$48.75:

Publications: American News..\$1248.26:

Mileage & Travel: Dennis Feickert..\$133.49, Gene Loeschke..\$94.83, Janice Moore..\$106.74, Mark Milbrandt..\$637.54, Leo Leshar..\$65.83, Janet Dosch..\$87.00, Deanna Thorpe..\$87.00:

Court Appointed Attorney: Goetz & Klimisch..\$98.65:

Utilities City of Aberdeen..\$397.00, NWPS..\$4890.51, Dependable..\$12,300.04, Midcontinent Communications..\$28.85, James Valley Co-Op..\$573.87, Accent Communications..\$322.44:

Professional Fees: Avera St Lukes..\$270.71, Witness Fees...\$272.00, Aberdeen Family Physicians..\$48.00, Eide Bailly..\$216.75:

Care of Poor: Rent: 5 recipients.. Bo Bo Inc..\$190.00, Albert Hoffman..\$145.00, Ward Hotel..\$190.00, Tom Appletoft..\$160.00, D&L LLC..\$130.00; Dr/Hospital - 3 recipients.. Dr Scott Berry..\$170.76, Avera St Lukes..\$6529.45; Drugs - 1 recipient.. Plaza Pharmacy..\$21.79; Transportation - 2 recipients.. Aberdeen Ambulance Service..\$466.10, Brown County Highway..\$4.21 All members present voting aye. Motion carried.

#### SET HEARING DATE:

Moved by Hansen, seconded by Wiese to authorize advertising public hearing, to be held in the City Commission Chambers, 123 S Lincoln on June 26, 2000 at 6:30 P.M. to consider the following petitions to rezone property: Bradley D & Vicki A Wilson to rezone the N 348.48' of W 250' of E ½ of NW ¼ 31-123-63 from Section 701 (A-1) Agricultural District to Section 704 (R-2) Single Family District (Ordinance No. 00-06-02/201; Loren Ritter to rezone Graves OL D, except the S 469.52' of the W 415.5' thereof, located in the SW ¼ Sec 34-T124N-R64W, except public road right-of-way from Section 701 (A-1) Agricultural District to Section 714 (M-Ag) Mini-Agricultural District (Ordinance No. 00-06-03/202; Frank Wolf to rezone the 15 acres next S of the N 40 acres in the NW ¼ of Sec 27-T124N-R64W from Section 701 (A-1) Agricultural District to section 715 (R-2A) Manufactured Housing Medium Density Residential District (Ordinance No. 00-06-05/203; Delphine Janusz to rezone Janusz Outlot 1 in the SW ¼ of Sec 27-T123N-R64W from Section 701 (A-1) Agricultural District to Section 714 (M-Ag) Mini-Agricultural District (Ordinance No. 00-06-07/204. All members present voting aye. Motion carried.

#### PERSONNEL:

Moved by Feickert, seconded by Wiese to approve the following employee step increases, effective June 11, 2000: Cindy Meyers @ \$8.88 per hour, Kendell Titze @ \$10.09 per hour. All members present voting aye. Motion carried.

#### INVENTORY TRANSFER:

Moved by Hansen, seconded by Fischbach to transfer the following inventory: Decal #115 Computer/Monitor from Assessor to Central Storage; Decal #2380 Compaq Computer from Data Processing to Treasurer; Decal #2358 Computer/Monitor from Data Processing to Welfare; Decal #3278 Computer/Monitor from FGP to Welfare; Decal #2136 Computer and Decal #3275 Laser Printer from Treasurer to Central Storage; Decal #2453 Computer/Monitor and Decal #2454 Computer/Monitor from Welfare to Central Storage. All members present voting aye. Motion carried.

#### PRECINCT PHONE/MILEAGE:

Moved by Hansen, seconded by Wiese to approve reimbursement for use of personal cell phones on election day at \$5.00 and to set minimum mileage at five miles (\$1.45) when mileage claimed by precinct official. All members present voting aye. Motion carried.

#### FAMILY CRISIS GRANT:

Moved by Hansen, seconded by Fischbach to acknowledge appointment of Denise Jung as Family Consultant, effective June 1, 2000 for the Intensive Family Crisis Intervention Program, funded by OJJDP funds administered by the South Dakota Association of County Commissioners. All members present voting aye. Motion carried.

#### EMPLOYEE HEALTH INSURANCE:

Moved by Feickert, seconded by Fischbach to renew Employee Health Insurance with Wellmark Blue Cross and Blue Shield of South Dakota in amount of \$307.74 per month for single coverage, \$567.40 per month for two-party coverage and \$780.46 for family coverage, dropping \$300 Supplemental Accident Standard Add-On Benefit and adding Routine Physical Standard Add-On Benefit (single @ \$2.67, two-party @ \$8.13, family @ \$5.10 per month). All members present voting aye. Motion carried.

#### CDBG DOCUMENTS:

Moved by Hansen, seconded by Wiese to approve and authorize the Chairman to sign the following documents for CDBG projects: OM&R Statement for Brown County Dam Repairs; Request for Amendment for Tree Removal and Tree Planting Projects; Payment request for Tree Removal Project. All members present voting aye. Motion carried.

#### PUBLIC HEARING - ANNUAL MALT BEVERAGE APPLICATIONS:

Time and place, as advertised for public hearing to consider renewal of Annual Malt Beverage License Applications.

Moved by Fischbach, seconded by Feickert to approve the following applications for renewal of Retail (On-Off Sale) Malt Beverage License: James R Schumacher DBA Westside Bait & Tackle, Aberdeen; Marge Frohling DBA The Connection, Houghton; Terry Voeltz DBA T's Promotions Inc, Aberdeen; Alan Lanphere DBA Bath Quick Stop, Bath; Elm Lake Resort Inc, Elm Lake; Moccasin Creek Country Club, Aberdeen. All members present voting aye. Motion carried.

#### SPECIAL MALT BEVERAGE LICENSE HEARING:

Moved by Fischbach, seconded by Wiese to approve the following Special Malt Beverage License application, submitted by Centennial Village Inc. – Brown County Fairgrounds (Centennial Village) SW ¼ Sec 1-T123N-R64W, effective June 11, 2000. All members present voting aye. Motion carried.

#### BID – LANDFILL STORM WATER PUMP STATION:

Time and place, as advertised to open, read and consider bids for the construction of a storm water lift station for the Brown County Landfill. Bids were received from B&B Contracting and Dahme Construction for Schedule A (Storm Water Pump Station) and bids were received from Cunningham Electric, Mattern Electric, Swanson Electric and Dahme Construction for Schedule B (Electrical Service). Moved by Wiese, seconded by Hansen to refer all bids to Mike Scott, Landfill Manager and Jay Koch, Helms & Associates for review and recommendation. All members present voting aye. Motion carried.

Moved by Fischbach, seconded by Wiese to award Schedule A (Storm Water Pump Station) to B&B Contracting in amount of \$23,651.00, rejecting Dahme Construction in amount of \$26,483.00; award Schedule B (Electrical Service) to Swanson Electric in amount of \$2,425.00, rejecting Cunningham Electric in amount of \$7,900.00, Mattern Electric in amount of \$4,026.00 and Dahme Construction in amount of \$6,965.00. All members present voting aye. Motion carried.

#### TIRE/BATTERY/PAINT DROP-OFF POINTS:

Mike Scott, Landfill Manager explained that the Frederick and Hecla Highway Shops will be drop sites for tires, batteries and paint from 8 am to 5 pm on June 12-17, 2000. This will be free and open to County residents. Tires from tire retailers and tires with rims will not be accepted. Board concurred.



# **REZONING OF COUNTY OWNED PROPERTY:**

Bill Brett and Mick Waller discussed and recommended rezoning County owned property within the City Limits to Section 713 (M) Municipal, State and County Use District. Board concurred.

## **BID – LOADER/BACKHOE:**

Moved by Wiese, seconded by Feickert to authorize advertising public hearing to open, read and consider bids for furnishing and delivery of a Loader/Backhoe, to be held in the Commissioner's Chambers, Courthouse Annex, Brown County, South Dakota at 9:15 A.M. on June 27, 2000. All members present voting aye. Motion carried.

## **APPLICATION FOR OCCUPANCY:**

Moved by Feickert, seconded by Hansen to approve application, submitted by US West Communications for occupancy of County Hwy #6 & #13 in Sections 30,25,19,13-T124N-R65W, Brown County, South Dakota to provide telephone service. Roll call vote: Commissioners Hansen-aye, Feickert-aye, Fischbach-aye, Wiese-abstain, Knecht-aye. Motion carried.

## **BROWN COUNTY ROAD #13:**

Moved by Feickert, seconded by Wiese to approve and authorize the Chairman sign Notice of Award, Agreement, Performance and Payment Bond and Notice to Proceed documents for Brown County Road #13, Asphalt Concrete Surfacing Project. All members present voting aye. Motion carried.

## **BID – HEATING & MOTOR VEHICLE FUELS:**

Moved by Feickert, seconded by Wiese to award low bid in amount of \$0.613 per gallon, submitted by South Dakota Wheat Growers for Liquid Propane; rejecting bid in amount of \$0.699 per gallon, submitted by Brick Propane Inc. All members present voting aye. Motion carried.

## **ABATEMENT DENIED:**

Moved by Fischbach, seconded by Hansen to deny the following application for abatement: Trinity Lutheran Church (E 24' L 11 & E17' vacated street, all of L 12-14 and 17' vacated street, B 21, Coe and Howard's Addition to Aberdeen; L 1-5 & 8' vacated alley & 17' vacated street, B 23, Coe and Howard's Addition to Aberdeen, Brown County, South Dakota) for year 1999 in total amount of \$1,040.18. There was no application for tax-exempt status filed for the 1999 assessment year. All members present voting aye. Motion carried.

## **EXECUTIVE SESSION:**

Moved by Hansen, seconded by Wiese to go into Executive Session to discuss possible litigation with Harvey Oliver, Mick Palmer and Judy Dosch in attendance. All members present voting aye. Motion carried. The Chairman declared the Commission out of executive session.

## **DACOTAH STAMPEDE QUEEN COMMITTEE:**

Carol Kvasnicka and Stacey Roettelle representing the Dacotah Stampede Queen Committee met with the Commission to express disappointment in the decision made by the Fair Board when designating time at the 2000 Fair before the rodeo for the Committee's Queen Announcement/Crowning activities rather than being an activity held during the actual rodeo. The Commission will review and visit with the Fair Board before scheduling of the 2001 Fair.

## **RECESS:**

The Chairman declared the meeting recessed until June 13, 2000.

Maxine Taylor – Brown County Auditor

# JUNE 8, 2000 – CANVASS OF JUNE 6, 2000 COMBINED PRIMARY ELECTION

Brown County Commissioners Nancy Hansen, Tom Fischbach and Mike Wiese; Aberdeen City Commissioners Hollis Hurlbert, Pat Klabo, Donald Meyer and Mayor Tom Hopper; Aberdeen School Board Members Peter Kirkpatrick, David Bunsness, Jerry Ochs and Joyce Marshall convened for purpose of canvassing the June 6, 2000 Combined Primary Election, as authorized by SDCL 12-20-36. Ruth Nelson, representing Aberdeen School District Director of Finance, City Finance Officer Karl Alberts and Brown County Auditor Maxine Taylor were also in attendance.

## ABERDEEN CITY PRECINCTS

#001	Poll Book Count	490
	Ballots Counted	491
#002	Poll Book Count	449
	Ballots Counted	448
#003	Poll Book Count	352
	Ballots Counted	352
#004	Poll Book Count	382
	Ballots Counted	383
#005	Poll Book Count	224
	Ballots Counted	224
#006	Poll Book Count	446
	Ballots Counted	443
#008	Poll Book Count	221
	Ballots Counted	221
#009	Poll Book Count	465
	Ballots Counted	450
#010	Poll Book Count	316
	Ballots Counted	332
#011	Poll Book Count	293
	Ballots Counted	292
#012	Poll Book Count	436
	Ballots Counted	436

## RURAL PRECINCTS

#013	Poll Book Count	71
	Ballots Counted	71
#014	Poll Book Count	79
	Ballots Counted	79
#015	Poll Book Count	62
	Ballots Counted	62
#016	Poll Book Count	43
	Ballots Counted	43
#017	Poll Book Count	62
	Ballots Counted	62
#018	Poll Book Count	53
	Ballots Counted	53
#019	Poll Book Count	72
	Ballots Counted	72
#020	Poll Book Count	132
	Ballots Counted	132
#021	Poll Book Count	91
	Ballots Counted	91
#022	Poll Book Count	85
	Ballots Counted	85
#023	Poll Book Count	82
	Ballots Counted	81
#024	Poll Book Count	90
	Ballots Counted	91
#025	Poll Book Count	21
	Ballots Counted	21

Moved by Fischbach, seconded by Wiese to adjourn the Canvass Meeting for the June 6, 2000 Combined Primary Election. All members present voting aye. Motion carried.

Maxine Taylor – Brown County Auditor

# JUNE 13, 2000 – GENERAL MEETING

Meeting called to order by Chairman Knecht at 8:45 A.M. in the Commissioner's Chambers, Courthouse Annex, Brown County, South Dakota. Present were Commissioners Hansen, Feickert, Fischbach and Wiese.

## MINUTES:

Moved by Wiese, seconded by Fischbach to approve the General Meeting minutes of June 6, 2000 and the June 6, 2000 Combined Primary Election Canvass Meeting minutes of June 8, 2000. All members present voting aye. Motion carried.

## CLAIMS:

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

June 13, 2000

Supplies & Materials: SD Dept of Health..\$14.00, City of Aberdeen..\$30.00, Maxine Taylor..\$6.65, David Taylor..\$28.44, Brown & Saenger..\$486.73, McLeod Printing..\$105.33, Office Equipment..\$62.64, Rodney Huff..\$45.00, Schwan Welding..\$10.00, Plainsco..\$212.68, Rux Bros..\$32.80, Woodman Refrigeration...\$48.98, Out on a Limb..\$150.00, Cunningham Electric..\$2025.45, Prairieland..\$29.12, Sanders..\$374.70, RE Huffman..\$97.99, Photos Now..\$10.70, SD Dept of Revenue..\$640.00, Langs..\$41.00, Warner Co-Op..\$16.00, K-Mart..\$31.07, Walmart..\$83.35, Nat'l Sheriff Assn..\$50.00, Economy Meat..\$47.60, Country General..\$37.98, Ameripride..\$57.42, Quality Quick Print..\$146.68, Dakota Electronics..\$117.75, US West Directory..\$25.58, Xerox..\$132.47, Bob Barker..\$187.86, Kesslers..\$272.89, Sewing Shoppe..\$15.00, Hoven Auto..\$206.79, Dick's Westside..\$49.90, OK Tire..\$461.20, Respond..\$60.00, Taylor Laundry..\$230.58, SD Wheat Growers..\$4895.99, Sheehan..\$213.24, Share Corp..\$62.00, Safelite Auto..\$226.08, Reuer's Auto..\$51.25, RDO..\$599.73, Quality Stores..\$169.73, Praxair..\$53.61, Old Dominion Brush..\$813.45, OK Tire..\$25.00, Newman Signs..\$19.50, Nelson Auto..\$189.47, Midwest Pump..\$68.95, Menards..\$52.29, Macs..\$60.34, Lust Chevrolet..\$20.30, Lien Transportation..\$59,213.99, Lewis Trucklines..\$51.75, Larson Blacksmith..\$200.00, Hub City Iron..\$713.60, House of Glass..\$265.76, Hedahls..\$25.81, Dakota Oil..\$589.20, J Gross..\$12.60, Graham Tire..\$1945.15, Gage Brothers..\$150.00, Farm Plan..\$420.16, Evergreen Supply..\$177.47, Diesel Machinery..\$259.67, Dakota Fluid Power..\$1541.31, Clark Engineering..\$160.00, Cartney Bearing..\$76.26, Bridgestone/Firestone..\$79.68, Aberdeen Glass..\$51.52, Aberdeen Chrysler Center..\$45.70, Aberdeen Asphalt..\$53,823.01, A&M Radio..\$44.50, Pierson Ford..\$205.63, Respond..\$28.00, Don's Welding..\$221.64, NAPA..\$12.71, Ag Communications..\$3.38, Pro Ag Supply..\$92.20, Quality Stores..\$21.04, Farm Power..\$9.35, Prairieland..\$28.35, Hub City Iron..\$41.37, ND State University..\$35.50, Pheasant Country Broadcasting..\$720.00, L&K Moving..\$228.00, Praxair..\$14.90, Cunningham Electric..\$605.46, Bricks TV..\$80.00, Fire Safety First..\$243.94, Midwest Pump & Tank..\$11.08, Helms Assoc..\$7336.45, Nelson Auto..\$14.50, Computer Specialists..\$288.00, Aberdeen Equipment..\$27.77, Liebelt Homes..\$87.76, Hub City Iron..\$618.33, Hedahls..\$152.34, Shirley Schwab..\$495.00, Union Pen..\$197.38, Aberdeen Ride Line..\$607.50, Respond..\$28.00, Mercury Cleaners..\$7.00, Dakota Electronics..\$592.06, Fox Valley..\$33.74, Reserve Account..\$980.04:

Publications: American News..\$15.30, Dakota Press..\$702.71, Frederick/Hecla Northstar..\$1272.09:

Transcriptions: Betsy Johnson..\$153.00:

Mileage & Travel: Deb Knecht..\$280.72, Maxine Taylor..\$31.32, Tom Gohn..\$318.92, Russ Podoll..\$17.00, Deanna Thorpe..\$197.49, Jeanette Nietert..\$13.34:

Court Appointed Attorney: Kettering Law Office..\$76.35:

Utilities: Midcontinent Cable..\$193.00, James Valley Co-Op..\$112.30, Town of Frederick..\$18.25, Accent Communications..\$94.62, City of Aberdeen..\$1235.55, Web Water..\$80.11, Cellular One..\$201.57, US West..\$1004.49, NWPS..\$25.43:

Professional Fees: SD Dept of Legislative Audit..\$7227.80, Witness fees..\$40.00, Mark McNeary..\$1500.00, Dr Robert Patterson..\$358.50, NE Mental Health Center..\$540.00, stipends..\$12,846.80:

Precinct Workers: Sharon Deilke..\$95.00, Virginia Lacher..\$95.00, Colleen Wallien..\$100.00, Diane Hickenbotham..\$100.00, Linda Miles..\$95.00, Dorothy Post..\$96.45, Phyllis Becker..\$95.00, Maggie Zenker..\$101.45, Ann Bierman..\$95.00, Catherine Clinton..\$95.00, Lenore Hansen..\$95.00, Charlotte Bohlilng..\$95.00, Ardyth Herrick..\$96.45, Bonnie Van deRostyne..\$95.00, Joanne Mielke..\$95.00, Ethel Bakken..\$95.00, Helen Reuer..\$95.00, Evelyn Holdhusen..\$95.00, Sharon Pietz..\$95.00, Wilma Buntrock..\$95.00, Barbara Rogers..\$96.45, Marlys Suttan..\$85.00, Nadene Henley..\$96.45, Rebecca Jeschke..\$95.00, Barbara Masgai..\$95.00, Norma Fredrickson..\$95.00, MaryAnn Bierman..\$100.00, Edna Frey..\$96.45, Lucille Kushman..\$95.00, Marietta Buntrock..\$95.00, Gladys Braun..\$95.00, Melanie Leederts..\$90.00, Yolanda Jahraus..\$95.00, Myrna Treeby..\$124.00, Mary E Beck..\$95.00, Irdene Bonzer..\$85.00, Betty Wolff..\$95.00, Dianna Kopetsky..\$110.08, Marie Schlosser..\$85.00, Mildred Kessler..\$95.00, Mildred Bauer..\$101.96, June Friske..\$95.00, Gloria Gooding..\$93.70, Peggy Cruse..\$85.00, Viola Pence..\$100.00, Margaret DeHoet..\$106.60, Ramona Guthmiller..\$95.00, Kathryn Vitense..\$100.00, Constance Cutler..\$95.00, Joan Thompson..\$124.94, Darcey Leshner..\$95.00, Marion Mydland..\$95.00, Gloria Pharis..\$107.47, Twila Ruden..\$95.00, Linda Fisk..\$95.00, Connie Howard..\$97.32, Linda Siebrasse..\$95.00, Eleanor Haar..\$95.00, Pauline Peterson..\$96.45, Pam Larson..\$95.00, Vonda Hinz..\$95.00, Marguerite Donaldson..\$95.00, Caroline Lowe..\$95.00, Pam Erickson..\$95.00, Karelyn Farrand..\$95.00, Jane Ristau..\$97.90, Marion Potter..\$106.60, Sharon Lee..\$95.00, Myrna Stange..\$95.00, Lois Krueger..\$103.41, Peggy Fliehs..\$95.00, Leslie Ann Pigors..\$95.00:

Precinct Rent: St Paul's Lutheran Church Ferney..\$50.00:

Care of Poor: Rent: 2 recipients.. Margie Zahn..\$215.00, Becky Fjelstad..\$230.00; Dr/Hospital – 3 recipients.. Avera St Lukes..\$10,852.44; Drugs - 4 recipients..Medical Center Pharmacy..\$208.15, Plaza Pharmacy..\$6.86, Kessler Pharmacy..\$439.45; Transportation - 1 recipient.. Brown County Hwy..\$4.21; Utilities – 4 recipients..City of Aberdeen..\$210.00, NWPS..\$495.32. All members present voting aye. Motion carried.

#### AUDITOR'S REPORT OF ACCOUNT:

Moved by Fischbach, seconded by Wiese to approve the following Auditor's Report of Account:

#### AUDITOR'S REPORT OF ACCOUNT WITH THE COUNTY TREASURER:

Total amount of actual cash	\$ 2,743.16
Norwest Bank	113,398.62
US Bank	17,872.63
Dacotah Bank	76,835.05
Petty Cash (Sheriff, Welfare, Museum, Reg of Deeds)	1,500.00
Landfill Change Fund	100.00
Fund Investments	15,110,328.39
Outstanding Checks	756.84
Total	\$15,323,534.69

All members present voting aye. Motion carried.

#### CONTRACT:

Moved by Hansen, seconded by Wiese to approve and authorize the Chairman sign Contract with the South Dakota Department of Health for reimbursement for secretarial salary at the Brown County Community Health Center, effective July 1, 2000 – June 30, 2001 in amount not to exceed \$24,208.00 (Commission agreed to subsidize shortfall rather than cut employee hours). All members present voting aye. Motion carried.

QCD:

Moved by Wiese, seconded by Hansen to approve and authorize the Chairman sign Quit Claim Deed conveying Brown County interest in Lots 15 & 16 Block 12 Original Plat to Claremont to L.M. Stiklestad. All members present voting aye. Motion carried.

BID NOTICE OF AWARD:

Moved by Hansen, seconded by Wiese to approve and authorize the Chairman sign Notice of Award for B&B Contracting and Swanson Electric for completion of Brown County Landfill Storm Water Pump Station Project. All members present voting aye. Motion carried.

BID – COMMAND VAN:

Moved by Wiese, seconded by Fischbach to authorize advertising public hearing to open, read and consider sealed bids for furnishing and delivery of one New 2001 25' Pull Type Trailer to be used as a Command Van, to be held in the Commissioner's Chambers, Courthouse Annex, Brown County, South Dakota at 9:00 A.M. on June 27, 2000. All members present voting aye. Motion carried.

PLATS:

Commissioner Hansen offered the following Resolution:

RESOLUTION NO. 46-2000

BE IT RESOLVED that the plat showing "Lot U1 in the SE ¼ of the SE ¼ of Sec 24-T127N-R61W of the 5<sup>th</sup> P.M. in Brown County, South Dakota", be approved and accepted by the Board of County Commissioners at its meeting of June 13, 2000 and the County Auditor is hereby instructed to endorse on such plat a copy of this resolution and to certify the same.

Seconded by Commissioner Wiese. Roll call vote: Commissioners Hansen-aye, Feickert-aye, Fischbach-aye, Wiese-aye, Knecht-aye. Resolution adopted.

Commissioner Wiese offered the following Resolution:

RESOLUTION NO. 47-2000

BE IT RESOLVED by the Board of County Commissioners of Brown County, South Dakota, that the plat showing "Nash Conservation Easement Tract 1 in Lot 1 of Nash Subdivision and NW ¼ of Sec 32-T121N-R64W 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 Hansen-aye, Feickert-aye, Fischbach-aye, Wiese-aye, Knecht-aye. Resolution adopted.

Commissioner Wiese offered the following Resolution:

RESOLUTION NO. 48-2000

BE IT RESOLVED by the Board of Commissioners of Brown County, South Dakota, that the plat showing "Meyers Outlot 1 in the NW ¼ of Sec 28-T124N-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 of 1967, Chapter 11-3, and any amendments thereof.

Seconded by Commissioner Fischbach. Roll call vote: Commissioners Hansen-aye, Feickert-aye, Fischbach-aye, Wiese-aye, Knecht-aye. Resolution adopted.

**PERSONNEL:**

Moved by Wiese, seconded by Fischbach to approve hiring Louie Koch as part-time Weed Sprayer Operator, effective June 14, 2000 at \$8.00 per hour. All members present voting aye. Motion carried.

Moved by Fischbach, seconded by Wiese to approve hiring Teresa L Monson as Dispatcher, effective June 26, 2000 at \$9.17 per hour. All members present voting aye. Motion carried.

**LAW ENFORCEMENT EQUIPMENT PURCHASE PROGRAM:**

Moved by Wiese, seconded by Fischbach to approve and authorize the Chairman to sign Certification Request Letter – Section 1122, Law Enforcement Equipment Purchase Program, to enable Brown County to purchase counter-drug law enforcement equipment through the South Dakota Bureau of Administration Office of Purchasing and Printing. All members present voting aye. Motion carried.

**EXTENSION SMART CENTER:**

Jerry Mills, Bill Meink and Jesse Luce explained that Brown County is one of the fifteen sites designated as a Smart Center to receive VTEL LC5000 Advanced Conferencing System with grant funds provided by Rural Utility Service and South Dakota Cooperative Extension Service, to be located in the Brown County Courthouse Annex Meeting Room.

**P.W. REPORT:**

Russ Podoll discussed fuel bid options, backhoe specifications and water levels.

**CDBG DAM REPAIR PROJECT:**

Commissioner Wiese offered the following Resolution:

**RESOLUTION NO. 49-2000**

Authorizing Community Development Block Grant Application to Assist in Repairing Dams in Northeast South Dakota.

WHEREAS, Brown County proposed to execute an application for \$576,250 in Community Development Block Grant funds to help repair several dams in Northeast South Dakota; 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 comment period 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 Chairperson of the Brown County Commission, will be authorized to execute the Community Development Block Grant application for Brown County; and

BE IT FURTHER RESOLVED, that the Chairperson 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 Chairperson 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.

Seconded by Commissioner Hansen. Roll call vote: Commissioners Hansen-aye, Feickert-aye, Fischbach-aye, Wiese-aye, Knecht-aye. Resolution adopted.

RECESS:

The Chairman declared the meeting recessed until June 20, 2000.

Maxine Taylor – Brown County Auditor

# JUNE 20, 2000 – GENERAL MEETING

Meeting called to order by Chairman Knecht at 8:45 A.M. in the Commissioner's Chambers, Courthouse Annex, Brown County, South Dakota. Present were Commissioners Feickert, Fischbach and Wiese. Absent Commissioner Hansen.

## MINUTES:

Moved by Fischbach, seconded by Wiese to approve the General Meeting minutes of June 13, 2000. All members present voting aye. Motion carried.

## CLAIMS:

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

Payroll: Commissioners..\$2211.55; Data Processing..\$1269.24; Auditor..\$5208.56, OVERTIME: Janis Erickson..\$78.25, Janet Malsom..\$78.25, Carol Misfeldt..\$100.95, Jeanette Nietert..\$100.95, Ione Shilman..\$80.10; Treasurer..\$7145.36; State's Attorney..\$8849.30; Victims Assistance..\$788.47; Maintenance..\$4212.53; Assessor..\$5536.05; Planning & Zoning..\$887.20, OVERTIME: Mick Waller..\$24.96; Register of Deeds..\$3665.85; Veterans Service Office..\$2000.96; Sheriff..\$41428.55, OVERTIME: Craig Anderson..\$164.80, Bryan Locke..\$30.90, John McQuillen..\$195.70, Scott Kolb..\$20.60, Michael Casjens..\$234.12, David Fair..\$78.04, David Hanson..\$289.28, Steven Cogley..\$95.48, Gary Bunt..\$187.00, Ethan Palluck..\$124.48, John Weaver..\$121.52, Roxanne Schumacher..\$115.84, Mark Jastram..\$169.44, Patrick Rickerl..\$144.48, Dallas Vallery..\$110.08, Cindy Mitchell..\$220.94, Brandon Smith..\$26.08, Michael Johnson..\$156.48, Michael Kuebler..\$391.20, Tina Erickson..\$93.80, Barbara Johnson..\$75.16, Kevin Johnson..\$6.88, Jeffrey Kirnan..\$127.30, Jessica Frerichs..\$110.84; Communications..\$9002.32, OVERTIME: Sheila Anderson..\$159.20, Mary Browning..\$347.20, Alicia Dohn..\$288.96, Janet Dosch..\$357.76, Betty Haar..\$226.86, Nancy Radke..\$144.64, Michele Strom..\$28.98, Deanna Thorpe..\$275.20, Lisa Wipf..\$222.60; Museum..\$3817.72; Welfare Office..\$2299.64; Health..\$2239.20; Extension..\$782.80; Weed..\$2571.49, OVERTIME: Jerry Dempsey..\$14.25, Earl Ruden..\$30.92; Foster Grandparent Program..\$2123.94; Fairgrounds..\$3284.41, OVERTIME: John Weig..\$85.05, Melvin Ernst..\$96.59; Fairboard..\$1545.94; Emergency Management..\$1834.40, OVERTIME: Ginger Walker..\$31.30; Highway..\$33555.72, OVERTIME: Terry Backous..\$300.96, Robert Binfet..\$365.72, David Bruckner..\$257.98, Brian Dargatz..\$271.10, Ronald Glugla..\$322.88, Larry Hardy..\$320.15, Dave Kolb..\$121.64, Tom Lammon..\$357.72, Jerry Luce..\$344.45, Joseph Malsam..\$290.75, Donald Maunu..\$16.43, Todd Odenbach..\$317.94, Bryan Owens..\$351.03, Cordell Rudolph..\$289.10, Richard Schaible..\$325.20, Roger Schaible..\$370.24, Jeff Seiler..\$325.55, Marcus Selzler..\$382.20, Casey Thorstenson..\$38.53, Kendall Titze..\$141.65, Leon Vickers..\$294.00, Michael Wagner..\$164.48, Nicholas Wanna..\$227.66, Mark Wendt..\$453.75, Theodore Brockel..\$242.72, Randy Dobberpuhl..\$5.92, Joseph Meyers..\$7.52, Amanda Mollman..\$207.80, Erica Olson..\$100.20, Jay Schochenmaier..\$30.06; Landfill..\$4857.91; OVERTIME: Carl Wright..\$232.54, Roxanne Varns..\$62.36, Nyle Jenson..\$328.95, Dennis Van Heerde..\$47.06, Michelle Haag..\$95.22:

Supplies & Materials: Clark Title Escrow..\$179,189.06, Farm & Home Publications..\$870.00, Pitney Bowes..\$99.94, McLeod Printing..\$7.20, Office Max..\$53.96, Lar-Jos..\$165.00, Office Equipment..\$213.77, Harvey Oliver..\$146.62, Prairieland..\$481.26, K-Mart..\$88.77, Ameripride..\$20.10, Cole Papers..\$404.50, ATC Assoc..\$975.01, Plainsco..\$62.00, Taylor Laundry..\$162.54, Twin City Roofing..\$544.44, Sanders..\$198.50, Dependable Sanitation..\$203.00, Custom Sheet Metal..\$368.58, Lexis Pub..\$20.38, New Trends..\$40.30, Best Business..\$838.68, Medical Center Pharmacy..\$199.08, Velvet Uniforms..\$35.58, SD Fleet..\$967.04, Amoco..\$60.39, Economy Meats..\$71.40, Avera St Lukes..\$114.00, Dan Limoges..\$90.70, Metz..\$574.34, Office Equipment..\$32.00, JC Penney..\$173.95, Hogg..\$4260.17, Van Diest..\$721.80, SD Wheat Growers..\$6221.53, Prairieland..\$10.68, Lien Transportation..\$86,164.01, Howell Trucking..\$860.00, WE Doyle..\$640.00, Dependable



Sanitation..\$153.00, Herb Dabbert Trucking..\$800.00, Al Dabbert Trucking..\$800.00, Casper Hwd..\$24.39, Aberdeen Asphalt..\$7623.93, Fastenal Co..\$7.26, Lexis Pub..\$20.38, Raymond Geddes..\$68.40, Kleins..\$101.02, Speciality Mfg..\$2196.00, Quality Quick Print..\$4742.25, Western Printing..\$393.60, Newman Signs..\$85.54, Ken's Fairway..\$23.40, Aberdeen Senior Center..\$180.00, LTD..\$157.90, Schmidt Const..\$1269.76, McFarland..\$98.00, Haar Plumbing..\$90.38, Gary's Engine..\$231.00, RDO..\$21.64, Walmart..\$13.64, Amoco..\$10.01, Dakota Electronics..\$25.00, Shopko..\$15.46, OK Tire..\$54.00, UBC..\$350.80, Plainsco..\$80.06, Menards..\$241.81, Play It Again Sports..\$49.99, Heartland Paper..\$160.00, Fire & Safety First..\$85.12, Brown County Treasurer..\$99.23, Hoggs..\$15.76, Vosika Fencing..\$3503.97, Lexis Pub..\$41.98, Iowa State University..\$13.87, Academy..\$7.00, ProAg Supply..\$108.80, Quality Stores..\$5.99, CarQuest..\$21.33, LeapingWare..\$200.00, Quality Farm & Fleet..\$155.44, Service Signs..\$50.00, Aberdeen Flying Service..\$97.50, Aberdeen Lube..\$708.44, DOT..\$241.72, Paul Mardian..\$160.00, CQ Auto Parts..\$22.63, Aberdeen Awards..\$5.00, Newman Signs..\$68.48, NECOG..\$75.00, Avera St Lukes Pharmacy..\$962.26:

Publications: American News..\$387.33:

Transcriptions: Betsy Johnson..\$48.00:

Mileage & Travel: RA Karlen..\$249.80, Carol Sherman..\$289.31, Gary Erickson..\$181.00, Alicia Dohn..\$154.73:

Utilities: NWPS..\$2656.44, US West..\$1640.51, Northern Electric..\$373.84, City of Hecla..\$49.67, Cellular One..\$28.79, A-1 Sanitation..\$155.50, Verizon Wireless..\$113.51, McLeod USA..\$17.95, A-1 Sanitation..\$4068.75, Bureau of Adm..\$638.22:

Professional Fees: Francis Brink..\$396.00, SD Children's Specialty Clinic..\$2000.00, LCM Pathologists..\$880.00, Tammy Erickson..\$14.60, Witness Fees..\$40.00, Sioux Vocational Services..\$120.00, Lewis & Clark Mental Health..\$110.00, NADRIC..\$2083.37, RSVP..\$12,000.00:

Care of Poor: Rent: 6 recipients.. Chase Manhattan Mort..\$230.00, Tree House Properties..\$210.00, D&L LLC..\$260.00, Melvin Wockenfuss..\$170.00, Dakota Square..\$230.00, Leona Vilhauer..\$170.00; Dr/Hospital - 4 recipients.. North Central Heart Institute..\$150.81, Dr Tage Born..\$708.45, Aberdeen Surgical Assoc..\$716.70, Avera St Lukes..\$4828.86; Drugs - 1 recipient.. Walmart Pharmacy..\$82.68; Utilities - 2 recipients..City of Aberdeen..\$150.00, NWPS..\$399.51; Burial - 1 recipient.. Schriver's..\$1200.00. All members present voting aye. Motion carried.

#### ABATEMENTS:

Moved by Feickert, seconded by Wiese to approve the following Abatements: Josh Huber, MH moved out of state (1967 Great Lakes) for year 2000 in amount of \$49.66; Anne Connery, MH moved out of state (1983 Medallion) for year 2000 in amount of \$166.55; Bill Fry, MH destroyed (1971 Belmont) for year 2000 in amount of \$48.31. All members present voting aye. Motion carried.

#### CDBG DOCUMENTS:

Moved by Feickert, seconded by Wiese to approve and authorize advertising combined notice of finding of no significant impact and notice of intent to request funds for Dam Repair Project in northeast South Dakota, to be funded by Community Development Block Grant Funds (\$576,250). All members present voting aye. Motion carried.

Moved by Wiese, seconded by Feickert to approve and authorize Chairman sign Supplemental Appropriation and Amendment for the Brown County/James River Tree Removal and Planting Project in total amount of \$1,585,150. Roll call vote: Commissioners Feickert-aye, Fischbach-nay, Wiese-aye, Knecht-aye, Hansen-absent. Motion carried.

Moved by Wiese, seconded by Fischbach to approve and authorize Chairman sign CDBG Agreement for Dam Repair Project in amount of \$576,250. All members present voting aye. Motion carried.

**PERSONNEL:**

Moved by Fischbach, seconded by Wiese to approve the following employee step increases, effective June 25, 2000: Patrick Rickerl @ \$9.41 per hour, Michelle Dvorak @ \$8.93 per hour, Lori Erickson @ \$9.86 per hour, Casey Thorstenson @ \$9.54 per hour. All members present voting aye. Motion carried.

Moved by Wiese, seconded by Feickert to approve status change from part-time to full-time for John Heidenreich, effective July 3, 2000 at \$9.34 per hour at the Highway Department. All members present voting aye. Motion carried.

Moved by Wiese, seconded by Fischbach to approve status change from part-time to full-time for Lori Furman, effective July 2, 2000 at \$8.69 per hour at JDC. All members present voting aye. Motion carried.

Moved by Wiese, seconded by Feickert to approve 141.25 work study hours for Rachel Kercher at the Museum for Worker's Comp purposes. All members present voting aye. Motion carried.

Moved by Fischbach, seconded by Wiese to approve status change from jailer to jail deputy for Craig J Nelson, effective June 19, 2000 at \$10.01 per hour. All members present voting aye. Motion carried.

**LANDFILL LIFT STATION:**

Moved by Wiese, seconded by Fischbach to approve and authorize the Chairman sign Notice to Proceed documents for Landfill Lift Station Project. All members present voting aye. Motion carried.

**SHERIFF REPORTS:**

Moved by Wiese, seconded by Feickert to approve the following May 2000 Sheriff Reports: Incident & Offenses, Prisoner Care, JDC, Money deposited with the County Treasurer and Monthly activities. All members present voting aye. Motion carried.

**LIEN ACTION:**

Moved by Fischbach, seconded by Wiese to set minimum payment of \$5.00 per month from an individual for payment on a Brown County Relief Lien. Roll call vote: Commissioners Feickert-aye, Fischbach-aye, Wiese-aye, Knecht-abstain, Hansen-absent. Motion carried.

Moved by Wiese, seconded by Fischbach to approve and authorize the Chairman sign Assignment for Purposes of Suit documents authorizing L.F. Noll, Inc. to proceed with further action against three debtors who are refusing to cooperate. All members present voting aye. Motion carried.

**MAIL SERVICE PROPOSAL:**

Representatives from Professional Mailing & Marketing presented a proposal for processing all outgoing Brown County mail. The Commission took no action to change current procedure.

**MAINTENANCE UPDATE:**

Mick Palmer, Maintenance Director and Assistant Judy Dosch discussed replacement of water pipes in the Annex and the purchase of property on Railroad Avenue.

**COURTHOUSE ANNEX – SMOKE FREE:**

Moved by Wiese, seconded by Feickert to designate the Courthouse Annex as a Smoke Free Facility, effective June 30, 2000, eliminating indoor smoking area. All members present voting aye. Motion carried.

**AWARD FUEL BIDS:**

Moved by Feickert, seconded by Wiese to award Fuel bids, as per the State of South Dakota Letting dated May 1, 2000: Tankwagon to South Dakota Wheat Growers for outlying Highway Shops (Frederick, Hecla, Claremont), the Landfill and Fairgrounds for furnishing Fuel Oil #1 and Fuel Oil #2 in amount of \$0.0570 and Gasohol and Non-leaded in amount of \$0.0529 in accordance with SDCL 5-18-23; Transport to Harms Oil Company for 8<sup>th</sup> Ave Highway Department for furnishing Fuel Oil #1 and Fuel Oil #2 in amount of \$0.0090 and Gasohol and Non-leaded in amount of \$0.0081; rejecting all other bids (complete listing available for public inspection at the Auditor's Office). All members present voting aye. Motion carried.

**APPLICATION FOR OCCUPANCY:**

Moved by Wiese, seconded by Fischbach to approve application, submitted by Kevin Dockter for occupancy of Brown County Highway #16A (Railroad Ave) in Sec 17-T123-R62, Brown County, South Dakota to install sewer line. All members present voting aye. Motion carried.

Moved by Feickert, seconded by Fischbach to approve application, submitted by Midcontinent Communications for occupancy of Brown County Highway #19 in Sec 27 & 22-T123N-R64W, Brown County, South Dakota to provide CATV Service. Roll call vote: Commissioners Feickert-aye, Fischbach-aye, Wiese-abstain, Knecht-aye, Hansen-absent. Motion carried.

**FAIRGROUNDS/PARKS UPDATE:**

Randy Bonn, Fairgrounds Superintendent discussed projects and related costs to be completed at the Fairgrounds (asphalt) and the Youth Camp (furnaces, floor covering). Also informed the Commission that the Exchange Club is donating a second flag pole to be placed in front of the Grandstand, with formal presentation to be held in conjunction with the Fair.

**EXECUTIVE SESSION:**

Moved by Wiese, seconded by Feickert to go into executive session for personnel discussion with Harvey Oliver in attendance. All members present voting aye. Motion carried. The Chairman declared the Commission out of executive session.

**RECESS:**

The Chairman declared the meeting recessed until June 27, 2000.

Maxine Taylor – Brown County Auditor

JUNE 26, 2000 – JOINT CITY/COUNTY MEETING

The Brown County Commission and the Aberdeen City Commission met in joint session at 6:30 P.M. in the Aberdeen City Commission Chambers, 123 S Lincoln Street, Aberdeen, South Dakota. Present from City were Commissioners Klabo, Meyer, Pfeifer and Hurlbert. Absent Mayor Hopper. Present from County were Commissioners Fischbach, Feickert and Wiese. Absent Commissioners Knecht and Hansen.

ORDINANCE NO. 00-06-02/201:

On motion by Hurlbert and seconded Pfeifer the City Commission unanimously voted to approve First Reading of Ordinance No. 00-06-02/201.

Moved by Wiese, seconded by Feickert to approve First Reading of Ordinance No. 00-06-02/201, An Ordinance amending Ordinance No. 1164 to rezone certain property from Section 701 (A-1) Agricultural District to Section 704 (R-2) Single Family District, described as the N. 348.48' of W. 250' of E ½ of NW ¼, 31-123-63, to be platted and known as Lot 1 of Wilson Addition in the E ½ of the NW ¼ of Sec. 31-T123N-R63W of the 5<sup>th</sup> P.M., Brown County, South Dakota. All members present voting aye. Motion carried.

ORDINANCE NO. 00-06-03/202:

On motion by Meyer and seconded by Pfeifer the City Commission unanimously voted to approve First Reading of Ordinance No. 00-06-03/202.

Moved by Feickert, seconded by Wiese to approve First Reading of Ordinance No. 00-06-03/202, An Ordinance amending Ordinance No. 1164 to rezone certain property from Section 701 (A-1) Agricultural District to Section 714 (M-Ag) Mini-Agricultural District, described as Graves O.L. D, except the South 469.52' of the West 415.5' thereof, located in the SW ¼, Sec 34-T124N-R64W, except public road right-of-way, according to the plat thereof recorded, Brown County, South Dakota, to be platted and known as Lot 1 of Graves Outlot D, SW ¼ of Sec 34-T124N-R64W. All members present voting aye. Motion carried.

ORDINANCE NO. 00-06-05/203:

On motion by Hurlbert and seconded Meyer the City Commission unanimously voted to approve First Reading of Ordinance No. 00-06-05/203.

Moved by Wiese, seconded by Feickert to approve First Reading of Ordinance No. 00-06-05/203, An Ordinance amending Ordinance No. 1164 to rezone certain property from Section 701 (A-1) Agricultural District to Section 715 (R-2A) Manufactured Housing Medium Density Residential District, described as the 15 Acres next South of the North 40 Acres in the NW ¼ of Sec 27-T124N-R64W of the 5<sup>th</sup> P.M., Brown County, South Dakota, to be platted as Wolf Addition in the NW ¼ of Sec. 27-T124N-R64W of the 5<sup>th</sup> P.M., Brown County, South Dakota. All members present voting aye. Motion carried.

ORDINANCE NO. 00-06-07/204:

On motion by Pfeifer and seconded by Meyer the City Commission unanimously voted to approve First Reading of Ordinance No. 00-06-07/204.

Moved by Feickert, seconded by Wiese to approve First Reading of Ordinance No. 00-06-07/204, An Ordinance amending Ordinance No. 1164 to rezone certain property from Section 701 (A-1) Agricultural District to Section 714 (M-Ag) Mini-Agricultural District, described as Janusz Outlot 1 in the SW ¼ of Sec 27-T123N-R64W of the 5<sup>th</sup> P.m., Brown County, South Dakota. All members present voting aye. Motion carried.

Mark Mills, Communications Center Director presented the 2001 Budget Proposal for review.

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

Maxine Taylor – Brown County Auditor

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## JUNE 27, 2000 – GENERAL MEETING

Meeting called to order by Chairman Knecht at 8:45 A.M. in the Commissioner's Chambers, Courthouse Annex, Brown County, South Dakota. Present were Commissioners Hansen, Feickert, Fischbach and Wiese.

### MINUTES:

Moved by Wiese, seconded by Fischbach to approve the General Meeting minutes of June 20, 2000. All members present voting aye. Motion carried.

### CLAIMS:

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

Supplies & Materials: SDACC..\$31.50, Brown County Treasurer..\$23.50, City of Aberdeen..\$629.00, NADA..\$55.00, Computer Specialists..\$1548.00, SD Dept of Revenue..\$335.00, Knowles Pub..\$65.81, James Dosch..\$1193.59, Share Corp..\$108.00, UBC..\$18.23, Cole Paper..\$68.97, Heartland Paper..\$394.36, Plainsco..\$81.20, Black Hills Chemical..\$19.62, Gardner Locksmith..\$36.25, Ecolab..\$146.90, Sherwin Williams..\$18.99, RE Huffman..\$47.76, Best Business..\$2977.00, Economy Meats..\$59.50, Warner Co-Op..\$16.00, Credit Bureau..\$72.00, Office Equip..\$1573.00, Phillips 66..\$57.92, Texaco..\$38.11, Cheryl Hairgrove..\$418.00, Specialty Mfg..\$9.82, Quill..\$79.68, Mattern's Diesel..\$1443.40, Newman Signs..\$120.00, Mathison Co..\$52.22, Fred Ludwig Trucking..\$273.00, Lexis Pub..\$18.44, Lien..\$24,117.11, Larson Blacksmith..\$98.00, Lake Sand & Gravel..\$2430.00, Fastenal..\$29.21, WE Doyle..\$351.80, Double X..\$129.54, Herb Dabbert Trucking..\$520.00, Al Dabbert Trucking..\$520.00, Creative Sign..\$33.00, Brick Propane..\$38.10, Aberdeen Asphalt..\$5429.85, Western Printing..\$352.20, Reuer's Auto..\$316.52, Ringgenberg Elec..\$1124.64, UBC..\$2.48, Ameripride..\$15.70, DPM Merchantile..\$5.00, Quality Quick Print..\$1000.00, Quality Stores..\$3.79, Prairieland..\$33.93, Century Business Products..\$153.23, Office Max..\$46.65, New Trends..\$94.95, RDO..\$141.57, Fire Safety First..\$109.18, Walmart..\$163.79, Taylor Laundry..\$21.00, SDEMA..\$30.00, Newman Signs..\$929.50, Phyllis Voeller..\$19.50, Am Assoc of Museums..\$2150.00, Shopko..\$14.57, Riley's Bobcat Service..\$245.00, Hub City Iron..\$22.54, Menards..\$35.88, RDO Equip..\$306.26, Evergreen Supply..\$34.65, Vosika Fencing..\$1580.00:

Publications: American News..\$360.57, Upper Midwest Cons Assoc..\$260.00:

Mileage & Travel: Holiday Inn..\$332.50, Maxine Taylor..\$200.72, Sheila Enderson..\$286.14, William Meink..\$58.00, Gene Loeschke..\$120.06, Melissa Koester..\$57.42, Carol Sherman..\$145.00, Jodi McQuillen..\$787.92:

Court Appointed Attorney: Brad Borge..\$4500.00, Tonner, Tobin & King..\$4500.00, Christy Serr..\$1140.99:

Utilities: US West..\$128.60, Verizon Wireless..\$37.59, Bureau of Admin..\$57.25, Cellular One..\$400.49, Midcontinent Cable..\$140.37, NWPS..\$1861.68, Cellular One..\$149.88, Milbank Communications..\$324.00, Dependable..\$104.72, A-1 Sanitation..\$97.00, Richmond Lake Sanitation Dist..\$96.00:

Professional Fees: NE Mental Health..\$263.34, Aberdeen Family Physicians..\$113.90, Avera St Lukes..\$46.11, William Pettit..\$156.11, Dawn Aman..\$2300.00:

Care of Poor: Rent: 5 recipients.. BoBo Inc..\$210.00, Keith Gerving..\$190.00, D&L LLC..\$130.00, Shirley Carlson..\$108.00, Connie Newell..\$170.00; Dr/Hospital – 4 recipients.. Anesthesia Care..\$224.00, Avera St Lukes..\$4804.74, Aberdeen Surgical Assoc..\$690.94; Drugs - 6 recipients.. Walmart Pharmacy..\$36.88, City Drug..\$54.13, K-Mart Pharmacy..\$293.34, Shopko Pharmacy..\$320.93, EconoFoods Pharmacy..\$230.81; Transportation – 1 recipient.. Wheelchair Express..\$360.00; Insurance – 1 recipient.. Blue Cross/Blue Shield..\$668.70. All members present voting aye. Motion carried.

### OPERATING TRANSFERS:

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Moved by Hansen, seconded by Feickert to approve the following operating transfers in accordance with the 2000 Budget: from Fund #101-191 in total amount of \$1,540,000.00 to Fund #201-371 in amount of \$1,000,000.00, Fund #207-371 in amount of \$250,000.00, Fund #226-371 in amount of \$40,000.00, Fund #233-371 in amount of \$250,000.00. All members present voting aye. Motion carried.

CONDEMNATION:

Commissioner Wiese offered the following Resolution:

RESOLUTION NO. 50-2000

BE IT RESOLVED BY THE BROWN COUNTY COMMISSION: THAT, WHEREAS, Brown County has planned the reconstruction, relocation, alteration, and widening of Brown County No. 6, the same being a part of the highway system in Brown County, more particularly described as follows:

Beginning at the intersection of Brown County No 6 and Brown County No 13 which is the southwest corner of Sec 30-T124N-R64W; thence north on Brown County No. 6 for 4.672 miles to the west quarter corner of Sec 12-T124N-R65W. The approximate length of the above described project is 4.139 miles. An exception of 0.533 miles across Richmond Lake dam and spillway from Sta. 42+00 to Sta. 70+16.76 is omitted from the project.

AND, WHEREAS, the construction of said project as planned will require the acquiring of additional land for right-of-way, borrow, cutslopes, fillslopes, impoundments, and channel changes, by voluntary donation, purchase or condemnation.

AND, WHEREAS, Brown County has been unable to acquire the following described right-of-way necessary for the construction of said project by purchase or agreement with the owner or owners to-wit:

Parcel No. 1 – Description of the right-of-way for that portion of Brown County No 6 that lies within Lot H-2 of the N 430' of the W 481.71' of the SW ¼ Sec 30-T124N-R64W, Brown County, SD. Said Lot H-2 contains 0.09 acres, more or less.

Description of the right-of-way to be acquired for a temporary easement for that portion of Brown County No 6 that lies within the N 430' of the W 481.7' of the SW ¼ Sec 30-T124N-R64W, Brown County, SD.

The parcel is more particularly described as follows and shown on the construction plan sheet: STA. 21+75.6 – 50'RT TO 75'RT TO STA. 26+82 – 50'RT TO 75'RT. Said parcel contains 0.27 acres, more or less.

Parcel No. 13 – Description of the right-of-way for that portion of Brown County No 6 that lies within Lot H-2 of the NE ¼ Sec 24-T124N-R65W, Brown County, SD. Said Lot H-2 contains 0.23 acres, more or less.

Description of the right-of-way to be acquired for a temporary easement for that portion of Brown County No 6 that lies within the NE ¼ Sec 24-T124N-R64W, Brown County, SD.

The parcel is more particularly described as follows and shown of the construction plan sheet: STA. 108+00 – 71.7'LT TO STA. 119+99 – 50'LT TO 60'LT. Said parcel contains 0.55 acres, more or less.

Parcel No. 19 – Description of the right-of-way for that portion of Brown County No 6 that lies within Lot H-2 of the W ½ of Sec 12-T124N-R65W, Brown County, SD. Said Lot H-2 contains 0.97 acres, more or less.

Description of the right-of-way to be acquired for a temporary easement for that portion of Brown County No 6 that lies within the W ½ of Sec 12-T124N-R65W, Brown County, SD.

The parcel is more particularly described as follows and shown on the construction plan sheet: STA. 203+07 – 47.5'RT TO 75'RT TO STA. 246+00 – 50'RT. Said parcel contains 3.81 acres, more or less.

IT IS HEREBY DECLARED NECESSARY, to obtain said right-of-way by condemnation and the Brown County Commission does hereby authorize and request the States Attorney of Brown County to institute proceedings for condemnation of said above described land for highway purposes, and if necessary, file a Declaration of Taking in accordance with the provisions of SDCL 31-19 and amendments thereto.

IT IS HEREBY FURTHER DECLARED NECESSARY, to obtain said slope easements by condemnation, which said slope easements shall be a temporary construction easement. The Brown County Commission does hereby authorize and request the States Attorney of Brown County to institute proceedings for condemnation of said above described land for slope easements for highway purposes, and, if necessary, file a Declaration of Taking in accordance with the provisions of SDCL 31-19 and amendments thereto.

Seconded by Commissioner Feickert. Roll call vote: Commissioners Hansen-aye, Feickert-aye, Fischbach-aye, Wiese-aye, Knecht-aye. Resolution adopted.

Commissioner Feickert offered the following Resolution:

#### RESOLUTION NO. 51-2000

BE IT RESOLVED BY THE BROWN COUNTY COMMISSION: THAT, WHEREAS, Brown County has planned the reconstruction, relocation, alteration, and widening of Brown County No. 6J, the same being a part of the highway system in Brown County, more particularly described as follows:

Beginning at the intersection of Brown County No 6 and Brown County No 6J which is the W ¼ corner of Sec 30-T124N-R64W; thence north on Brown County No. 6J for 0.5 miles to the northwest corner of Sec 30-T124N-R64W.

AND, WHEREAS, the construction of said project as planned will require the acquiring of additional land for right-of-way, borrow, cutslopes, fillslopes, impoundments, and channel changes, by voluntary donation, purchase or condemnation.

AND, WHEREAS, Brown County has been unable to acquire the following described right-of-way necessary for the construction of said project by purchase or agreement with the owner or owners to-wit:

Parcels No. 6T & 7T – Description of the right-of-way to be acquired for temporary easements for that portion of Brown County No 6J that lies within Richmond Resort Outlot 2 of the NE ¼ Sec 25-T124N-R65W, Brown County, SD.



The parcel is more particularly described as follows and shown on the construction plan sheet: Parcel No. 6T: STA. 24+82 TO STA. 26+70 LT. Said parcel contains 2,227 SF, more or less. Parcel No. 7T: STA. 27+38.75 TO STA. 29+13.245 LT. Said parcel contains 1,558 SF, more or less.

IT IS HEREBY DECLARED NECESSARY, to obtain said right-of-way by condemnation and the Brown County Commission does hereby authorize and request the States Attorney of Brown County to institute proceedings for condemnation of said above described land for highway purposes, and if necessary, file a Declaration of Taking in accordance with the provisions of SDCL 31-19 and amendments thereto.

IT IS HEREBY FURTHER DECLARED NECESSARY, to obtain said slope easements by condemnation, which said slope easements shall be a temporary construction easement. The Brown County Commission does hereby authorize and request the States Attorney of Brown County to institute proceedings for condemnation of said above described land for slope easements for highway purposes, and, if necessary, file a Declaration of Taking in accordance with the provisions of SDCL 31-19 and amendments thereto.

Seconded by Commissioner Wiese. Roll call vote: Commissioners Hansen-aye, Feickert-aye, Fischbach-aye, Wiese-aye, Knecht-aye. Resolution adopted.

**PLATS:**

Commissioner Fischbach offered the following Resolution:

**RESOLUTION NO. 52-2000**

BE IT RESOLVED by the Board of Commissioners of Brown County, South Dakota, that the plat showing "Wilson Addition in the E ½ of the NW ¼ of Sec 31-T123N-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 of 1967, Chapter 11-3, and any amendments thereof.

Seconded by Commissioner Feickert. Roll call vote: Commissioners Hansen-aye, Feickert-aye, Fischbach-aye, Wiese-aye, Knecht-aye. Resolution adopted.

Commissioner Feickert offered the following Resolution:

**RESOLUTION NO. 53-2000**

BE IT RESOLVED by the Board of County Commissioners of Brown County, South Dakota, that the plat showing "Lot 1 of Graves Outlot D in the SW ¼ of Sec 34-T124N-R64W 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 Hansen. Roll call vote: Commissioners Hansen-aye, Feickert-aye, Fischbach-aye, Wiese-aye, Knecht-aye. Resolution adopted.

**BUDGET SUPPLEMENT:**

Commissioner Hansen offered the following Resolution:

**RESOLUTION NO. 54-2000**

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WHEREAS, due to the failure to provide adequate spending authority within the Brown County Communications Center Budget for year 2000, to enable Brown County to hire one additional dispatcher, in the following amount:

Gross Salary plus benefits-----	\$25,000.00
Total	\$25,000.00

WHEREAS, the County has chosen to incur this obligation and expenditure by supplementing the 2000 fiscal Brown County Communications Center Budget #207-911 in the amount of \$25,000.00, and to fund same from the following:

Aberdeen City Contribution-----	\$25,000.00
Total	\$25,000.00

THEREFORE, BE IT RESOLVED, that notice of hearing for said supplement shall be published in the Official County Newspapers and the public hearing shall be held on July 18, 2000 at 8:45 A.M. in the Commissioner's Chambers, Courthouse Annex, Brown County, South Dakota, at which time any persons may appear to support or oppose the adoption of same.

Seconded by Commissioner Feickert. Roll call vote: Commissioners Hansen-aye, Feickert-aye, Fischbach-aye, Wiese-aye, Knecht-aye. Resolution adopted.

**FIREWORKS PERMIT:**

Moved by Wiese, seconded by Feickert to approve and authorize the Chairman sign application, submitted by Terry Voeltz DBA T's Promotions for a Permit to operate a Display of Fireworks, to be held at the Brown County Fairgrounds on July 3, 2000. All members present voting aye. Motion carried.

**NOTICE OF AWARD:**

Moved by Feickert, seconded by Wiese to approve and authorize the Chairman sign Notice of Award for the Landfill Lift Station Project (Swanson Electric, LLC and B&B Contracting). All members present voting aye. Motion carried.

**GRANT EXTENSION REQUEST:**

Moved by Fischbach, seconded by Wiese to authorize the Chairman sign letter to James River Water Development District requesting extension of Grant #03-95 until June 30, 2001 (NE Levee Project) in amount of \$70,000.00. All members present voting aye. Motion carried.

**PERSONNEL:**

Moved by Wiese, seconded by Hansen to approve hiring Heather Rystrom as full time corrections officer in the Adult Jail, effective June 26, 2000 at \$8.69 per hour. All members present voting aye. Motion carried.

**DISPARATE JURISDICTION APPLICATION:**

Moved by Wiese, seconded by Feickert to approve and authorize the Chairman sign letter requesting Brown County be classified as a "disparate jurisdiction" under the Local Law Enforcement Block Grant program (LLEBG) by the State Attorney General. All members present voting aye. Motion carried.

**NEMHC:**

Carol Vellek, Executive Director presented the 2001 Budget Request for the Northeastern Mental Health Center.

**BID – COMMAND VAN:**

Time and place, as advertised to open, read and consider bids for one 2001 25' Pull Type Trailer (Command Van). One bid received from Liebelt Homes. Moved by Wiese, seconded by Hansen to refer bid to Harvey Oliver and Mark Milbrandt for review and recommendation. All members present voting aye. Motion carried.

**BID – LOADER/BACKHOE:**

Time and place, as advertised to open, read and consider bids for one 2000 Loader/Backhoe. Bids were received from RDO, Aberdeen and Piorier Equipment, Sioux Falls. Moved by Wiese, seconded by Feickert to refer all bids to Russ Podoll, Highway Superintendent for review and recommendation. All members present voting aye. Motion carried.

Moved by Feickert, seconded by Wiese to award low bid, submitted by RDO in amount of \$47,500.00; rejecting bid, submitted by Piorier Equipment in amount of \$49,283.00. All members present voting aye. Motion carried.

**COMMUNITY RATING SYSTEM:**

Mick Waller, Planning & Zoning distributed a letter from the Federal Emergency Management Agency in regard to Brown County joining the Community Rating System (CRS).

**COMMUNITY PROSECUTION GRANT PROPOSAL:**

Amy Krueger, NECOG explained the opportunity to apply for grant funds entitled "Community Prosecution Proposal" offered by the Bureau of Justice Assistance. Moved by Hansen, seconded by Wiese to approve and authorize the Chairman sign application letter for Community Prosecution in Brown County to the Bureau of Justice Assistance. All members present voting aye. Motion carried.

**AGREEMENT:**

Moved by Feickert, seconded by Wiese to approve and authorize the Chairman sign a financial agreement with the SDDOT for the County to provide a lump sum of \$1000.00 for the elimination of the Burlington Northern Santa Fe overhead communication line for the County road 12W bypass project. All members present voting aye. Motion carried.

**BID – BROWN COUNTY ROAD NO 6 & 6J PROJECTS:**

Moved by Feickert, seconded by Wiese to authorize advertising public hearing to open, read and consider bids for the grading of 4.14 miles of Brown County Road 6 from the intersection of Brown County 6 and Brown County 13, then north 4.67 miles with the exception of 0.53 miles across Richmond Lake Dam, along with Brown County 6J beginning one-half mile north of the south end of the Brown County 6 project, then north 0.5 miles (work includes grading, drainage improvements, concrete, gravel surfacing, topsoil, seeding, fertilizing and mulching), to be held in the Commissioner's Chambers, Courthouse Annex, Brown County, South Dakota at 9:00 A.M. on July 25, 2000. All members present voting aye. Motion carried.

**FUEL BID CONTRACTS:**

Moved by Wiese, seconded by Hansen to approve and authorize the Chairman sign contract agreements for fuel and gasoline with Harms Oil and SD Wheat Growers. All members present voting aye. Motion carried.

**APPLICATION FOR OCCUPANCY:**

Moved by Feickert, seconded by Fischbach to approve and authorize the Chairman sign application, submitted by Midcontinent Communications for occupancy for crossing Brown County Highway No 10 in the NE ¼ Sec 2-T121N-R64W, Brown County, SD to provide CATV Services. Roll call vote: Commissioners Hansen-aye, Feickert-aye, Fischbach-aye, Wiese-abstain, Knecht-aye. Motion carried.

**EMPLOYMENT OPTIONS:**

Rollie White, Employment Options and Mary Worlie, Director of Equalization discussed an employment opportunity for an individual to do data entry for the Assessor's Office. Training and supervision will be provided by Employment Options at no cost to the County during a six month trial period. At the end of six months, it may be possible to hire the individual on a part-time basis. Board concurred.

**APPOINTMENT:**

Moved by Wiese, seconded by Hansen to appoint Erling "Punch" Podoll to the Planning & Zoning Board, effective August 1, 2000. All members present voting aye. Motion carried.

**EM REPORT:**

Jesse Luce, Emergency Management Director explained that costs compiled in the recent damage assessment were below the guidelines to qualify for additional funding from FEMA.

**SALES TAX:**

Sheila Enderson discussed changes to be made in procedure for collecting sales tax on weed spraying projects.

**ADJOURNMENT:**

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

Maxine Taylor – Brown County Auditor

JULY 5, 2000 – JOINT CITY/COUNTY MEETING

The Brown County Commission and the Aberdeen City Commission met in joint session at 8:45 A.M. in the Brown County Commission Chambers, Courthouse Annex, Aberdeen, South Dakota. Present from City were Commissioners Klabo, Omland and Hurlbert. Absent Mayor Hopper and Commissioner Pfeifer. Present from County were Commissioners Knecht, Hansen, Fischbach and Feickert. Absent Commissioner Wiese.

ORDINANCE NO. 00-06-02/201:

On motion by Hurlbert and seconded Omland the City Commission unanimously voted to approve Second Reading of Ordinance No. 00-06-02/201.

On motion by Omland and seconded Hurlbert the City Commission unanimously voted to adopt Ordinance No. 00-06-02/201.

Moved by Feickert, seconded by Hansen to approve Second Reading of Ordinance No. 00-06-02/201. All members present voting aye. Motion carried.

Moved by Hansen, seconded by Fischbach to adopt Ordinance No. 00-06-02/201, An Ordinance amending Ordinance No. 1164 to rezone certain property from Section 701 (A-1) Agricultural District to Section 704 (R-2) Single Family District, described as the N. 348.48' of W. 250' of E ½ of NW ¼, 31-123-63, to be platted and known as Lot 1 of Wilson Addition in the E ½ of the NW ¼ of Sec. 31-T123N-R63W of the 5<sup>th</sup> P.M., Brown County, South Dakota. All members present voting aye. Motion carried.

ORDINANCE NO. 00-06-03/202:

On motion by Hurlbert and seconded by Omland the City Commission unanimously voted to approve Second Reading of Ordinance No. 00-06-03/202.

On motion by Omland and seconded by Hurlbert the City Commission unanimously voted to adopt Ordinance No. 00-06-03/202.

Moved by Fischbach, seconded by Feickert to approve Second Reading of Ordinance No. 00-06-03/202. All members present voting aye. Motion carried.

Moved by Feickert, seconded by Hansen to adopt Ordinance No. 00-06-03/202, An Ordinance amending Ordinance No. 1164 to rezone certain property from Section 701 (A-1) Agricultural District to Section 714 (M-Ag) Mini-Agricultural District, described as Graves O.L. D, except the South 469.52' of the West 415.5' thereof, located in the SW ¼, Sec 34-T124N-R64W, except public road right-of-way, according to the plat thereof recorded, Brown County, South Dakota, to be platted and known as Lot 1 of Graves Outlot D, SW ¼ of Sec 34-T124N-R64W. All members present voting aye. Motion carried.

ORDINANCE NO. 00-06-05/203:

On motion by Hurlbert and seconded Omland the City Commission unanimously voted to approve Second Reading of Ordinance No. 00-06-05/203.

On motion by Omland and seconded Hurlbert the City Commission unanimously voted to adopt Ordinance No. 00-06-05/203.

Moved by Fischbach, seconded by Feickert to approve Second Reading of Ordinance No. 00-06-05/203. All members present voting aye. Motion carried.

Moved by Hansen, seconded by Fischbach to adopt Ordinance No. 00-06-05/203, An Ordinance amending Ordinance No. 1164 to rezone certain property from Section 701 (A-1) Agricultural District to Section 715 (R-2A) Manufactured Housing Medium Density Residential District, described as the 15 Acres next South of the North 40 Acres in the NW ¼ of Sec 27-T124N-R64W of the 5<sup>th</sup> P.M., Brown County, South Dakota, to be platted as Wolf Addition in the NW ¼ of Sec. 27-T124N-R64W of the 5<sup>th</sup> P.M., Brown County, South Dakota. All members present voting aye. Motion carried.

**ORDINANCE NO. 00-06-07/204:**

On motion by Hurlbert and seconded by Omland the City Commission unanimously voted to approve Second Reading of Ordinance No. 00-06-07/204.

On motion by Omland and seconded by Hurlbert the City Commission unanimously voted to adopt Ordinance No. 00-06-07/204.

Moved by Fischbach, seconded by Feickert to approve Second Reading of Ordinance No. 00-06-07/204. All members present voting aye. Motion carried.

Moved by Hansen, seconded by Feickert to adopt Ordinance No. 00-06-07/204, An Ordinance amending Ordinance No. 1164 to rezone certain property from Section 701 (A-1) Agricultural District to Section 714 (M-Ag) Mini-Agricultural District, described as Janusz Outlot 1 in the SW ¼ of Sec 27-T123N-R64W of the 5<sup>th</sup> P.m., Brown County, South Dakota. All members present voting aye. Motion carried.

**SET HEARING DATE:**

On motion by Hurlbert and seconded by Omland the City Commission unanimously voted to set hearing to consider petition to rezone: Ordinance No. 00-07-01/205 (Hamilton) and Ordinance No. 00-07-02/206 (Hinds/Dalager) to be held in the Brown County Commission Chambers, Courthouse Annex, Aberdeen, South Dakota at 8:45 A.M. on July 25, 2000.

Moved by Feickert, seconded by Fischbach to set hearing date to consider petition to rezone the following: Ordinance No. 00-07-01/205 – SW ¼ of SW ¼ of SE ¼ of SW ¼ and S. 95.3' of NW ¼ of SW ¼ of SE ¼ of SW ¼, 10-123-63 to be platted and known as Lot 1 of Hamilton's First Addition in the SW 10-123-63 from Section 701 (A-1) Agricultural District to Section 714 (M-Ag) Mini-Agricultural District (Hamilton); Ordinance No. 00-07-02/206 - S ½ of NE ¼ of SE ¼ and the N ½ of NE ¼ of SE ¼, both located in Sec. 36-T124N-R64W of the 5<sup>th</sup> P.M., Brown County, South Dakota from Section 701 (A-1) Agricultural District to Section 714 (M-Ag) Mini-Agricultural District (Hinds/Dalager), to be held in the Brown County Commission Chambers, Courthouse Annex, Aberdeen, South Dakota at 8:45 A.M. on July 25, 2000. All members present voting aye. Motion carried.

The City Commission adjourned and the County Commission continued into their regularly scheduled meeting.

Maxine Taylor – Brown County Auditor

## JULY 5, 2000 - GENERAL MEETING

The Brown County Commission convened at 8:45 A.M. in the Commissioner's Chambers, Courthouse Annex, Brown County, South Dakota. Present were Commissioner's Knecht, Hansen, Feickert and Fischbach. Absent Commissioner Wiese.

## MINUTES:

Moved by Hansen, seconded by Feickert to approve the Joint City/County Meeting minutes of June 26, 2000 and the General Meeting minutes of June 27, 2000. All members present voting aye. Motion carried.

## CLAIMS:

Moved by Hansen, seconded by Fischbach to approve the following claims:

Payroll: Commissioners..\$2211.55; Data Processing..\$1269.24; Auditor..\$5188.56; Treasurer..\$7161.36; State's Attorney..\$8529.30; Victims Assistance..\$788.47; Maintenance..\$4238.94; Assessor..\$5458.42; Planning & Zoning..\$887.20, OVERTIME: Mick Waller..\$16.64; Register of Deeds..\$3665.85; Veterans Service Office..\$1950.56, OVERTIME; Kathy Schlecht..\$16.02; Sheriff..\$39157.39, OVERTIME: Michael Casjens..\$78.04, Dallas Vallery..\$20.64, Cindy Mitchell..\$40.17, Michael Kuebler..\$13.04, Kevin Johnson..\$10.32, Amy Lake..\$6.70, Jeffrey Kirnan..\$6.70, Tony Ingemansen..\$7.69; Communications..\$8693.63, OVERTIME: Sheila Anderson..\$334.32, Mary Browning..\$373.24, Alicia Dohn..\$92.88, Janet Dosch..\$137.60, Betty Haar..\$63.68, Michele Strom..\$28.98, Deanna Thorpe..\$61.92, Lisa Wipf..\$74.20; Museum..\$3817.72; Welfare Office..\$2299.64; Health..\$2239.20; Extension..\$1152.69; Weed..\$3239.87, OVERTIME: Jerry Dempsey..\$99.75, Earl Ruden..\$37.11, Lynn Heupel..\$6.66; Foster Grandparent Program..\$2160.24; Fairgrounds..\$3604.31, OVERTIME: John Weig..\$51.03, Melvin Ernst..\$85.86, Michael Bishop..\$54.48; Fairboard..\$1545.94; Emergency Management..\$1834.40; Highway..\$34131.76, OVERTIME: Terry Backous..\$182.40, Robert Binfet..\$327.44, Vernon Bitz..\$24.39, David Bruckner..\$319.19, Brian Dargatz ..\$340.92, Dan Glover..\$165.38, Ronald Glugla..\$354.38, Larry Hardy..\$351.77, Ben Hofer..\$21.02, Dave Kolb..\$128.79, Tom Lammon..\$382.11, Daryl Lloyd..\$8.59, Jerry Luce..\$178.61, Joseph Malsam..\$149.10, Todd Odenbach..\$151.40, Bryan Owens..\$351.03, Cordell Rudolph..\$173.46, Richard Schaible..\$325.20, Roger Schaible..\$178.88, Jeff Seiler..\$332.71, Marcus Selzler..\$277.20, Casey Thorstenson..\$45.53, Kendall Titze..\$302.80, Leon Vickers..\$277.20, Michael Wagner..\$416.93, Nicholas Wanna..\$248.68, Mark Wendt..\$462.00, Theodore Brockel..\$124.32, Randy Dobberpuhl..\$242.72, John Heidenreich..\$37.25, Joseph Meyers..\$97.69, Jeff Ringeenberg..\$104.00; Landfill..\$4912.55; OVERTIME: Carl Wright..\$236.93, Roxanne Varns..\$54.57, Nyle Jenson..\$57.38, Dennis Van Heerde..\$228.06;

Supplies & Materials: State Property Mgmt..\$71.20, City of Aberdeen..\$45.00, Lexis..\$632.87, West Group..\$1169.00, Office Max..\$22.97, Computer Specialists..\$69.00, New Trends..\$131.42, Dept of Revenue..\$210.00, Howard's Service..\$60.00, Walmart..\$183.08, K-Mart..\$51.61, SD Wheat Growers..\$362.06, Alan Winburn..\$180.00, SDACHS..\$30.00, Newman Signs..\$132.00, Mathison Co..\$56.78, Lien Transportation..\$51373.12, Lawson Products..\$237.22, Kar Products..\$31.92, Insurance Plus..\$368.00, RE Huffman..\$67.00, Howell Trucking..\$500.00, Great Western Tire..\$1357.93, Farm Power..\$1761.56, Crawford Trucks..\$1418.32, Dakota Riggers..\$15.87, HC Clark..\$5.69, CarQuest..\$264.90, Butler Cat..\$14581.49, Best Business..\$221.99, Faith Inc..\$80.00, Myron Mfg..\$285.26, Skaggs..\$814.34, Butler..\$1226.84, Aberdeen TV & Appl..\$56.95, Taylor Laundry..\$41.30, LBG..\$1275.25, Inman & McDowell..\$475.21, Frey's Electronics..\$293.00, Brick's TV & Appl..\$150.00;

Publications: American News..\$509.71, Dakota Press..\$1353.14, Frederick/Hecla Northstar..\$618.65;

Transcriptions: Cheryl Hook..\$12.30, Neal Reporting..\$36.00;

Mileage & Travel: Deb Knecht..\$121.80, Mike Wiese..\$9.28, Dennis Feickert..\$50.75, Tom Fischbach..\$226.78, Jodi McQuillen..\$109.04, Barbara Jansen..\$86.13:

Court Appointed Attorney: Tamara Lee..\$64.75:

Utilities: US West..\$41.44, Cellular One..\$20.17, Montana-Dakota..\$37.88, NWPS..\$15.80, WEB..\$47.26:

Professional Fees: Denice Jung..\$1,860.00, Shirley Schwab..\$495.00, Clay County Sheriff..\$22.00, Witness Fees..\$121.20, Avera St Lukes..\$1671.00:

Care of Poor: Rent: 5 recipients.. PK Investments..\$210.00, D&L LLC..\$75.00, Kathy Day..\$150.00, Tom Appletoft..\$210.00, Rhoda Smith-Olson..\$170.00; Utilities – 1 recipient..NWPS..\$210.00;

Transportation – 2 recipients.. Brown County Hwy..\$8.40. All members present voting aye. Motion carried.

#### PERSONNEL:

Moved by Feickert, seconded by Hansen to approve hiring the following part-time Fair Office employees, effective August 14, 2000 at \$6.45 per hour: Connie Howard, LaVonne Wolf, Susan Frey, Loretta Koch and Ruth Casanova. All members present voting aye. Motion carried.

Moved by Hansen, seconded by Fischbach to approve the following employee step increases, effective July 9, 2000: Sandy Green @ \$9.43 per hour, Roxanne Schumacher @ \$9.89 per hour, Lynn Heupel @ \$9.08 per hour. All members present voting aye. Motion carried.

Moved by Feickert, seconded by Hansen to appoint Russell Podoll as Brown County Highway Superintendent, effective July 1, 2000 – June 30, 2002, as per SDCL 31-11-1. All members present voting aye. Motion carried.

Moved by Feickert, seconded by Fischbach to acknowledge resignation of Michelle Strom, effective July 8, 2000 as Dispatcher. All members present voting aye. Motion carried.

#### HIGHWAY PLAT:

Moved by Hansen, seconded by Fischbach to approve and authorize the Chairman sign owner's certificate on "Plat of Highway Lot H-1 in Winter's Outlot 1 in NW ¼ Sec 22-T123N-R64W of 5<sup>th</sup> PM, Brown County, South Dakota". All members present voting aye. Motion carried.

#### PLAT:

Commissioner Hansen offered the following Resolution:

#### RESOLUTION NO. 55-2000

BE IT RESOLVED by the Board of Commissioners of Brown County, South Dakota, that the plat showing "Wolf Addition in the NW ¼ of Sec 27-T124N-R64W of the 5<sup>th</sup> P.M., Brown County, South Dakota", having been examined is approved in accordance with the provisions of SDCL of 1967, Chapter 11-3, and any amendments thereof.

Seconded by Commissioner Fischbach. Roll call vote: Commissioners Hansen-aye, Feickert-aye, Fischbach-aye, Wiese-absent, Knecht-aye. Resolution adopted.

#### SPEED ZONES:

Commissioner Feickert offered the following Resolution:

#### RESOLUTION NO. 56-2000



WHEREAS, the Brown County Commission may determine and establish speed zones upon all or any part of the highways under its jurisdiction, as authorized by SDCL 32-25-9.1, and

WHEREAS, Chapter 6.03 Speed Zones of Second Revision Brown County Ordinances, as amended has been enacted for this purpose, and

WHEREAS, it is deemed to be in the best interest of the residents of Brown County, to establish speed zones on the Brown County Systems of Roads.

NOW, THEREFORE BE IT RESOLVED that the speed limits on Brown County Highways shall be 55 miles per hour except as herein modified, qualified and changed.

**County Road 3A** (Elm Lake Resort), beginning from one-tenth of a mile west of the southeast corner of Section 8, T128, R65W of the 5<sup>th</sup> PM, then west three-tenths of a mile, 35 MPH;

**County Road 5** (Frederick North), beginning at the southwest corner of Section 2 and the intersection of US 281 and Road 5, T127, R64W of the 5<sup>th</sup> PM, then east seven-tenths of a mile, 35 MPH;

(Hecla West), beginning from southeast corner of Section 22, T128, R61W of the 5<sup>th</sup> PM, then west seven-tenths of a mile, 25 MPH;

**County Road 6**, beginning four-tenths of a mile north of the southwest corner of Section 30 and the intersection of Road 6 and Road 13, T124, R64W of the 5<sup>th</sup> P.M. (a) then north around the curve four-tenths of a mile, 45 MPH; (b) beginning from eight-tenths of a mile north of the intersection of Road 6 and Road 13, then north across Richmond Dam and Spillway four-tenths of a mile, 35 MPH; (c) beginning from one and two-tenths miles north of the intersection of Road 6 and Road 13, then north one and three-tenths miles, 45 MPH;

(Richmond North Bridge), beginning at the northeast corner of Section 13, T124, R65W of the 5<sup>th</sup> P.M. (a) then west three-tenths of a mile, 45 MPH; (b) beginning from three-tenths of a mile west of the northeast corner of Section 13, then west three-tenths of a mile across bridge, 30 MPH; (c) beginning from six-tenths of a mile west of the northeast corner of Section 13, then west seven-tenths of a mile, 45 MPH;

**County Road 6A** (Biegler Road), beginning at the southeast corner of Section 13, T124, R65W of the 5<sup>th</sup> PM, (a) then west eight-tenths of a mile, 45 MPH; (b) beginning from eight-tenths of a mile west of the southeast corner of Section 13, then north adjacent to Richmond Lake three-tenths of a mile, 20 MPH;

**County Road 6B** (Richmond Youth Camp Road), located in the S ½ of Section 24, T124, R65W of the 5<sup>th</sup> PM, adjacent to Richmond Lake containing seven-tenths of a mile, 45 MPH;

**County Road 6D** (South Shore Drive), located in the N ½ of Section 25, T124, R65W of the 5<sup>th</sup> PM, (a) adjacent to Richmond Lake containing eight-tenths of a mile, 20 MPH; (b) beginning from South Shore Drive, then south five-tenths of a mile, 45 MPH;

**County Road 6E** (North Shore Drive), located in the S ½ of Section 24, T124, R65W of the 5<sup>th</sup> PM, adjacent to Richmond Lake containing one mile, 20 MPH;

**County Road 6F** (Spillway Drive), located in the S ½ of Section 24, T124, R65W of the 5<sup>th</sup> PM, adjacent to Richmond Lake containing three-tenths of a mile, 20 MPH;

**County Road 6G** (East Lake Shore Drive), located in the NE ¼ Section 13, T124, R65W of the 5<sup>th</sup> PM, adjacent to Richmond Lake containing seven-tenths of a mile, 20 MPH;

**County Road 6H** (West Shore Drive), located in the E ½ of Section 14, T124, R65W of the 5<sup>th</sup> PM, adjacent to Richmond Lake containing one and seven-tenths mile, 20 MPH;

**County Road 7** (Barnard North Side), beginning from southeast corner of Section 11, T126, R64W of the 5<sup>th</sup> PM, or the intersection of Road 10 and Road 7, then west two-tenths of a mile, 35 MPH;

**County Road 9** (Westport West), beginning from seven-tenths of a mile east of the southwest corner of Section 11 and the intersection of US 281 and Road 9, T125, R64W of the 5<sup>th</sup> PM, then east three-tenths of a mile, 30 MPH;

(Claremont West), beginning from nine-tenths of a mile around the curve east of the southwest corner of Section 3, T125, R60W of the 5<sup>th</sup> PM, then east four-tenths of a mile, 35 MPH;

**County Road 10** (Town of Westport), beginning from southwest corner of Section 12, T125, R64W of the 5<sup>th</sup> PM, north four-tenths of a mile, 30 MPH;

(Town of Warner), beginning at the northwest corner of Section 1, T121, R64W of the 5<sup>th</sup> PM or intersection of Road 10 and Road 23 East, then south seven-tenths of a mile, 25 MPH;

(Fairgrounds North), beginning at the southwest corner of Section 1, T123, R64W of the 5<sup>th</sup> PM, then north three-tenths of a mile, 45 MPH;

**County Road 10** (from Melgaard Road South), beginning at the northeast corner of Section 26, T123, R64W of the 5<sup>th</sup> PM, then south three miles, 45 MPH;

**County Road 10A** (Frederick Main Street), beginning at the intersection of US 281 and road 10A in Section 11, T127, R64W of the 5<sup>th</sup> PM, (a) then east two-tenths of a mile at 35 MPH, then continue east two-tenths at 25 MPH (b) starting at four-tenths of a mile east three-tenths at 15 MPH and then continues at 35 MPH for three tenths of a mile;

**County Road 10B** (Barnard Main Street), beginning at the northwest corner of Section 13 and the intersection of Road 10B and Road 7, T126, R64W of the 5<sup>th</sup> PM, (a) then south five-tenths of a mile, 25 MPH; (b) when children are present, 15 MPH; (c) beginning from five-tenths of a mile south of the intersection of road 10B and Road 7, then south five-tenths of a mile, 40 MPH;

**County Road 11** (Columbia East), beginning at the intersection of Road 16 and Road 11 East in Section 28, T125, R62W of the 5<sup>th</sup> PM, (a) then east two-tenths of a mile, 20 MPH; (b) beginning from two-tenths of a mile east of the intersection of Road 16 and Road 11 East, then east four-tenths of a mile, 40 MPH;

**County Road 12** (Roosevelt road), beginning at the northwest corner of Section 8, T123N, R63W of the 5<sup>th</sup> PM, then south one mile to the intersection of County Road 12 and County Road 17 (8<sup>th</sup> Avenue Northeast), 40 MPH;

**County Road 12W**, beginning at the intersection of US 12 and County Road 12W in Section 15, T123, R64W of the 5<sup>th</sup> PM, then west over the overhead one and one-tenth mile, 45 MPH;

**County Road 12WA** (Landfill Road), beginning at the southwest corner of Section 13, T123, R65W of the 5<sup>th</sup> PM, then north one mile, 40 MPH;

**County Road 12WB**, 385 Ave, beginning at US 12 west northwest corner of Section 22, T123, R64W, north three-tenths of a mile, 25 MPH;

**County Road 13** (Richmond State Park East and West), beginning at the southeast corner of Section 25, T124, R65W of the 5<sup>th</sup> PM, then west one mile, north one mile and west one mile, 45 MPH;

**County Road 13A**, west side of Richmond State Park and Lake, beginning at the southeast corner of Section 22, T124, R65W of the 5<sup>th</sup> PM, then north one mile, east (parcel trees) seven-tenths of a mile, 30 MPH;

**County Road 15**, also known as Wylie Park Road, beginning at the northwest corner of Section 10, T123, R64W of the 5<sup>th</sup> PM, (a) then east seven-tenths of a mile to the main entrance of Wylie Park Campground 45 MPH continuing east three-tenths of a mile at 25 MPH; (b) 15 MPH when children are present from 7:00 AM to 10:00 PM for a period of six months from May 1, through October 31 of each year;

(Fairgrounds Road), beginning at the northeast corner of Section 7, T123, R64W of the 5<sup>th</sup> PM, (a) then west 2.7 miles 45 MPH; (b) except from Dakota Street, east two-tenths of a mile (by Holgate School) 25 MPH when children are present;

**County Road 15A** (County Highways located within the Brown County Fairgrounds), in the SW ¼ of the SW ¼ of Section 1, T123, R64W of the 5<sup>th</sup> PM, containing approximately two miles, 15 MPH;

**County Road 16** (Town of Columbia), beginning at the intersection of Road 16 and Road 11 in Section 28, T125, R62W of the 5<sup>th</sup> PM, (a) north one mile, 25 MPH; (b) beginning from a mile north of the intersection of Road 16 and Road 11, then north seven-tenths of a mile, 45 MPH;

**County Road 16A** (Bath Main Street), beginning at the intersection of Road 16 and Road 16A in Section 17, T123, R62W of the 5<sup>th</sup> PM, then east five-tenths of a mile, 25 MPH;

**County Road 19**, beginning at the southwest corner of Section 9, T123, R63W of the 5<sup>th</sup> PM, then north five-tenths of a mile, 40 MPH;

(Melgaard Road East), beginning at the northwest corner of Section 29, T123N, R63W, then east one mile, 40 MPH;

(Melgaard Road West), beginning at the northeast corner of Section 26, T123, R64W of the 5<sup>th</sup> PM, then west two miles, 45 MPH;

**County Road 20** (Claremont West Side), beginning from nine-tenths of a mile south of the northwest corner of Section 35, T126, R60W of the 5<sup>th</sup> PM, then south nine-tenths of a mile, 35 MPH;

**County Road 23** (Warner Main Street), beginning from the intersection of US 281 and Road 23 in Section 2, T121, R64W of the 5<sup>th</sup> PM, (a) then east eight-tenths of a mile, 45 MPH; (b) beginning from eight-tenths of a mile east of the intersection of US 281 and Road 23, then east one-tenth of a mile, 20 MPH; (c) beginning from nine-tenths of a mile east of the intersection of US 281 and Road 23, then east one-tenth of a mile, 15 MPH;

**County Road 23** (Warner north side), beginning at the intersection of Road 10 and Road 23 in Section 1, T122, R64W of the 5<sup>th</sup> PM, then east 700 feet past the Ball Park on the north side of Warner, 25 MPH when children are present;

**County Road 23B** (Ferney Main Street), beginning at the intersection of State 37 in Section 31, T122, R60W of the 5<sup>th</sup> PM, then east four-tenths of a mile, 20 MPH;

**County Road 27** (Mansfield Main Street), beginning from one-tenth of a mile west of the southwest corner of Section 33, T121, R64W of the 5<sup>th</sup> PM, then west four-tenths of a mile, 20 MPH;

**County Road 27A** (Verdon Main Street), beginning at the intersection of State 37 in Section 31, T121, R60W of the 5<sup>th</sup> PM, then east four-tenths of a mile, 20 MPH.

Seconded by Commissioner Hansen. Roll call vote: Commissioners Hansen-aye, Feickert-aye, Fischbach-aye, Wiese-absent, Knecht-aye. Resolution adopted.

#### CDBG AMENDMENT:

Moved by Hansen, seconded by Feickert to approve and authorize the Chairman sign amendment to Community Development Block Grant No. 9798-817 for the repair of the Richmond Lake dam spillway in amount of \$137,500. All members present voting aye. Motion carried.

#### FEE INCREASE:

Moved by Hansen, seconded by Feickert to increase the fee charged to the SD Department of Corrections for housing juveniles at the Brown County Juvenile Detention Center to \$140.00 per day per juvenile, effective July 1, 2000. All members present voting aye. Motion carried.

#### BID – COMMAND VAN:

Moved by Feickert, seconded by Fischbach to award bid, submitted by Liebelt Homes (only bid received) in amount of \$17,381.25 for furnishing and delivery of one 2001 25 Foot Pull Type Trailer (Command Van), as per recommendation from Harvey Oliver and Mark Milbrandt. All members present voting aye. Motion carried.

#### PUBLIC HEARING ADVERTISED – RENEWAL OF EMERGENCY DRAINAGE PROJECT:

Moved by Fischbach, seconded by Hansen to authorize advertising public hearing for the purpose of renewing an emergency drainage project for the Hecla area, to be held in the Brown County Commission

Chambers, Courthouse Annex, Brown County, South Dakota at 9:15 A.M. on July 25, 2000. All members present voting aye. Motion carried.

**APPLICATION FOR OCCUPANCY:**

Moved by Feickert, seconded by Hansen to approve and authorize the Chairman sign application, submitted by US West Communications for occupancy of Brown County Hwy #16 in Sec 31-T123N-R62W, Brown County, South Dakota to provide telephone service. All members present voting aye. Motion carried.

Moved by Hansen, seconded by Fischbach to approve and authorize the Chairman sign application, submitted by Northern Electric Cooperative for occupancy of Brown County Hwy #12W in Sec 15-T123-R64, Brown County, South Dakota for installation of a 3 phase URD distribution line. All members present voting aye. Motion carried.

**RECESS:**

The Chairman declared the meeting recessed until July 11, 2000.

Maxine Taylor – Brown County Auditor

JULY 11, 2000 – GENERAL MEETING

Meeting called to order by Chairman Knecht at 8:45 A.M. in the Commissioner's Chambers, Courthouse Annex, Brown County, South Dakota. Present were Commissioners Hansen, Feickert, Fischbach and Wiese.

MINUTES:

Moved by Wiese, seconded by Fischbach to approve the Joint City/County Meeting minutes and the General Meeting minutes of July 5, 2000. All members present voting aye. Motion carried.

CLAIMS:

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

Supplies & Materials: Quality Quick Print..\$274.90, Brown & Saenger..\$186.33, Office Equipment..\$174.62, Cunningham Elec..\$750.64, Heartland Paper..\$565.29, Rux Bros..\$160.62, K-Mart..\$89.32, Hub City Iron..\$16.99, Prairieland..\$105.81, Menards..\$122.19, Plainsco..\$87.57, Ecolab..\$69.70, Taylor Laundry..\$48.52, UBC..\$26.89, RE Huffman..\$99.80, Office Max..\$733.74, Photo's Now..\$18.48, IAAO..\$130.00, Zastrow Conoco..\$8.00, Weismantel Rent-All..\$15.00, 3-D Specialties..\$30.31, SD Wheat Growers..\$14,404.35, SD DOT..\$25,972.56, Sheehan Sales..\$23.20, Safety Service..\$708.10, Reuer's Auto..\$96.08, Praxair..\$62.22, OK Tire..\$40.00, Newman Signs..\$48.16, Nelson Auto..\$2.41, Midwest Pump..\$116.34, Meyers Auto Parts..\$20.00, Menards..\$205.53, Mac's..\$95.56, McFarland Supply..\$36.41, Lien..\$28,501.28, Lawson Products..\$208.81, Graham Tire..\$683.05, Frey's Electronics..\$159.40, Farm Plan..\$112.20, Evergreen Supply..\$110.72, JD Evans..\$1439.52, Double X..\$112.46, Dakota Oil..\$737.00, Dakota Fluid..\$125.65, Clark Engineering..\$5538.68, Cartney Bearing..\$120.31, Bridgestone..\$197.39, Aberdeen Equip..\$36.99, Ameripride..\$7.23, Parcel-Erickson..\$92.00, Walmart..\$94.05, Dacotah Prairie Museum..\$2.80, Hogg Restaurant Service..\$32.33, A&M Radio..\$44.50, Ag Communications..\$48.95, Extension Service..\$150.99, Gelling Auto..\$789.11, Aberdeen Equipment..\$65.00, Van Diest..\$367.64, ProAg Supply..\$116.05, Quality Stores..\$6.39, Office Equipment..\$58.22, Graham Tire..\$101.53, Farm Power..\$29.20, Dakota Electronics..\$331.50, Safety Service..\$934.77 Compressair..\$500.00, Skaggs Co..\$52.68, Spink County Public Transit..\$128.00, Nasco..\$715.03, Watertown Public Transit..\$65.00, SD Dept of Revenue..\$2953.73, Pierson Ford..\$23.90, Agile Equip..\$281.93, Dependable Sanitation..\$11,846.44, Hedahls..\$139.40, A-1 Sanitation..\$1953.00, Nelson Auto..\$1.77, Gall's..\$11.98: Publications: American News..\$2181.67:

Transcriptions: Cheryl Hook..\$68.70:

Mileage & Travel: Mary Worlie..\$58.00, Jerry Dempsey..\$60.94, SD Dept of Revenue..\$316.00:

Utilities: City of Aberdeen..\$727.64, NWPS..\$5296.39, James Valley Co-Op..\$667.52, Accent Communications..\$410.37, US West..\$3284.26:

Professional Fees: Witness fees..\$20.00, Kevin Spitzer..\$610.48, Loy Stange..\$100.00, Jesse Luce..\$100.00, Rick Knodel..\$250.00, Gene Wolter..\$250.00, stipends..\$8578.35, EideBailley..\$216.75, Denice Jung..\$164.16:

Jury: Dorothy Albert..\$31.74, Doris Alberts..\$45.52, Sherri Bachmeier..\$31.74, Thaddeus Banley..\$36.96, Randy Barondeau..\$73.50, Ken Barth..\$21.16, Shawn Beck..\$31.74, Pamela Beckering..\$42.18, Marc Bonen..\$31.74, Craig Bostian..\$17.54, James Brandenburger..\$31.74, Shawn Brist..\$21.16, Carolyn Buntrock..\$76.98, Betty Clay..\$21.16, Morris Dockter..\$31.74, Tim Dosch..\$35.22, Richard Dunker..\$10.58, Tamara Eberle..\$35.22, Homi Erani..\$35.22, Bonnie Erdmann..\$39.72, Gary Framias..\$10.58, Ronald Feickert..\$10.58, Sherlyn Freeland..\$90.90, Brandi Fries..\$10.58, Dennis Furman..\$23.34, Robert Gruman..\$13.48, Allen Guthmiller..\$11.74, Don Hartman..\$23.48, Betty Hartung..\$21.16, Hugh Hay..\$31.74, Daniel Heinz..\$14.64, Harriet Heupel..\$35.22, Leo Hoffman..\$21.16, Rose Marie Hubert..\$31.74, Roger Imberi..\$21.16, Jeanette Butler..\$21.16, Hertha Jensen..\$31.74, Lacinda Jensen..\$13.48, Christine Johnson..\$64.80, Ann May Kimball..\$64.80, Kristi Kolb..\$63.06, Robert Krage..\$68.28, Karen Kusler..\$31.74, Kristi Larsen..\$43.20, Kent Larson..\$36.24, Gerald Lehman..\$64.80, Megan Leisen..\$10.58, Gayle Lloyd..\$117.00, Beth Locke..\$64.80, Laurel McDowell..\$76.98, Laverl McLaughlin..\$43.20, Nancy McQuillen..\$21.16,

Teresita Mendoza..\$43.20, Allen Mettler..\$60.60, Ricci Miller-Gardner..\$43.20, Steven Munger..\$19.28, Carrie Nelson..\$10.58, Raymond Nelson..\$33.92, Todd Nelson..\$31.74, James Odegaard..\$23.48, Michele Perrizo..\$31.74, Wm Pierce..\$21.16, Lance Podoll..\$45.66, Arlene Pulfrey..\$31.74, Kevin Quimby..\$78.72, Randy Radtke..\$61.32, Lynette Rieck..\$50.88, Jennifer Rombs..\$24.64, Craig Sommers..\$31.74, John Soules..\$43.92, Elda Stange..\$73.50, Harry Stanton..\$31.74, Katherine Stone..\$38.70, Judy Thompson..\$82.20, Margaret Van Steenwyk..\$31.74, David Vick..\$31.74, Luella Wahl..\$31.74, Roger Zimmerman..\$35.22, Rich Zimney..\$62.92:

Care of Poor: Rent: 5 recipients.. Jim Hanson..\$170.00, Don Miller..\$153.00, Erickson Assoc..\$170.00, Leona Vilhauer..\$170.00, D&L LLC..\$75.00;

Dr/Hospital – 2 recipients.. Northern Plains..\$103.32; Drugs - 12 recipients.. Kessler Pharmacy..\$697.68, Medical Center Pharmacy..\$298.04, Plaza Pharmacy..\$34.65, K-Mart Pharmacy..\$16.39, Dakota Square Pharmacy..\$51.87, Walmart Pharmacy..\$854.72; Transportation – 1 recipient.. Brown County Highway..\$9.22. All members present voting aye. Motion carried.

#### INCREASE SPENDING AUTHORITY/ESTIMATED REVENUE:

Moved by Fischbach, seconded by Feickert to increase spending authority in Fund #201-311-426.30 for Hecla Fire Department in amount of \$7.00 and Portage Township in amount of \$1,315.00 and increase estimated revenue in Fund #201-331.03 in amount of \$1,322.00. All members present voting aye. Motion carried.

#### AUDITOR'S REPORT OF ACCOUNT:

Moved by Feickert, seconded by Wiese to approve the June, 2000 Auditor's Report of Account:

#### AUDITOR'S REPORT OF ACCOUNT WITH THE COUNTY TREASURER:

Total amount of actual cash	\$ 2,893.83
Norwest Bank	\$ 42,647.89
US Bank	\$ 16,494.59
Dacotah Bank	\$ 11,836.52
Petty Cash (Sheriff,R/D,Welfare,Museum)	\$ 1,500.00
Landfill Change fund	\$ 100.00
Fund Investments	\$9,713,715.81
Outstanding Checks	\$ 606.17
Total	\$9,789,794.81

All members present voting aye. Motion carried.

#### ABATEMENT:

Moved by Wiese, seconded by Feickert to approve the following Abatement: Marvin Lehr, Mobile Home destroyed by fire (1980 COLT) for year 2000 in amount of \$120.66. All members present voting aye. Motion carried.

#### PLAT:

Commissioner Fischbach offered the following Resolution:

#### RESOLUTION NO. 57-2000

BE IT RESOLVED by the County Commission of Brown County, South Dakota, that the plat showing "Sunset Ridge Estates in NE ¼ Sec 29-T123N-R60W of 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 Wiese. Roll call vote: Commissioners Hansen-aye, Feickert-aye, Fischbach-aye, Wiese-aye, Knecht-aye. Resolution adopted.

#### PERSONNEL:

Moved by Fischbach, seconded by Wiese to acknowledge the resignation of Ken Varns, Deputy States Attorney, effective July 14, 2000. All members present voting aye. Motion carried.

Moved by Wiese, seconded by Fischbach to approve hiring Tara Nelson, Shane Otten and Brenda Ryman as part-time JDC Officers, effective July 11, 2000 at \$8.05 per hour. Also acknowledge resignation of part-time JDC Officer Deb Hoffman. All members present voting aye. Motion carried.

Moved by Wiese, seconded by Feickert to approve employee status change for Jason Heagley from part-time to full-time employee at the Highway Department, effective July 10, 2000 at \$9.34 per hour. All members present voting aye. Motion carried.

#### ABANDONED PROPERTY PETITION:

Jerry Mattern represented residents of the Jobee Acre area in petitioning an area abandoned property be cleaned up, as it has become a breeding place for flies and rodents. Action will commence immediately.

#### CULVERT QUESTIONED:

Dean Hinrichs questioned time frame for placement of culverts on the east end of Sullivan Grade. Question will be referred to NRCS.

#### VETERANS BUDGET PRESENTATION:

Tom Gohn, Veterans Service Officer presented the 2001 Budget Proposal for the Veterans Service Office. Mr. Gohn also mentioned activities to honor Veterans to be held at the South Dakota State Fair on August 3, 2000.

#### EXECUTIVE SESSION:

Moved by Fischbach, seconded by Hansen to go into executive session for personnel discussion with Sue Gates and Harvey Oliver in attendance. All members present voting aye. Motion carried.

Moved by Feickert, seconded by Wiese to adjourn executive session. All members present voting aye. Motion carried.

#### HOSPITAL CLAIMS:

Jeff Steele, Cheryl Majeske and Matt Svensen, Avera St. Lukes met with the Commission to discuss two hospital bills. Charlene Millim, Welfare Director was also in attendance.

Moved by Fischbach, seconded by Feickert to deny payment of a hospital bill, submitted by Avera St. Lukes in approximate amount of \$25,000.00 for a 47 year old male, as the estate of the individual has not provided sufficient information to determine indigency. All members present voting aye. Motion carried.

Moved by Hansen, seconded by Wiese to deny payment of a hospital bill, submitted by Avera St. Lukes for outpatient services for a 47 year old female, as other alternatives have not been researched and the individual has not provided sufficient information to determine indigency. All members present voting aye. Motion carried.

#### PROPERTY DISCUSSED:

Mick Palmer and Judy Dosch, Maintenance Department discussed options for the demolition of the RR Ave property building. No action taken at this time.

#### RECESS:

The Chairman declared the meeting recessed until July 18, 2000.

Maxine Taylor – Brown County Auditor

## JULY 18, 2000 – GENERAL MEETING

Meeting called to order by Vice Chairman Feickert at 8:45 A.M. in the Commissioner's Chambers, Courthouse Annex, Brown County, South Dakota. Present were Commissioners Hansen, Fischbach and Wiese. Absent Commissioner Knecht.

## MINUTES:

Moved by Hansen, seconded by Wiese to approve the General Meeting minutes of July 11, 2000. All members present voting aye. Motion carried.

## CLAIMS:

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

Payroll: Commissioners..\$2211.55; Data Processing..\$1269.24; Auditor..\$5188.56; Treasurer..\$7161.36; State's Attorney..\$8849.30; Victims Assistance..\$788.47; Maintenance..\$4235.84; Assessor..\$5563.04; Planning & Zoning..\$887.20, OVERTIME: Mick Waller..\$16.64; Register of Deeds..\$3665.85; Veterans Service Office..\$2000.96; Sheriff..\$40180.72, OVERTIME: Craig Anderson..\$206.00, John McQuillen..\$206.00, John Heine..\$133.90, Scott Kolb..\$236.90, Michael Casjens..\$87.80, David Fair..\$253.63, David Hanson..\$361.60, Steven Cogley..\$69.44, Gary Bunt..\$195.50, John Weaver..\$121.52, Craig Nelson..\$30.04, Charlene McAfee..\$115.76, Mark Jastram..\$112.96, Patrick Rickerl..\$183.56, Dallas Vallery..\$110.08, Michelle Dvorak..\$107.12, Diane Mielke..\$43.41, Barbara Johnson..\$65.77, Kevin Johnson..\$161.68, Amy Lake..\$164.15, Jeffrey Kirnan..\$60.30, Lori Furman..\$127.14; Communications..\$10313.16, OVERTIME: Sheila Anderson..\$254.72, Mary Browning..\$208.32, Alicia Dohn..\$137.60, Janet Dosch..\$275.20, Betty Haar..\$63.68, Nancy Radke..\$406.80, Michele Strom..\$282.56, Deanna Thorpe..\$182.32, Lisa Wipf..\$63.07; Museum..\$3740.47; Welfare Office..\$2299.64; Health..\$2239.20; Extension..\$1622.60; Weed..\$2917.75, OVERTIME: Robert Retzer..\$64.48, Jerry Dempsey..\$135.37, Earl Ruden..\$86.59, Louie Koch..\$171.00; Foster Grandparent Program..\$2123.94; Parks..\$3380.46, OVERTIME: Melvin Ernst..\$93.02, Michael Bishop..\$24.97; Fairboard..\$1545.94; Emergency Management..\$1834.40; Highway..\$36562.94, OVERTIME: Terry Backous..\$364.80, Robert Binfet..\$170.10, David Bruckner..\$454.74, Brian Dargatz..\$164.30, Dan Glover..\$259.88, John Heidenreich..\$7.01, Ronald Glugla..\$315.00, Larry Hardy..\$169.96, Dave Kolb..\$71.55, Tom Lammon..\$337.40, Daryl Lloyd..\$85.90, Jerry Luce..\$182.86, Joseph Malsam..\$320.57, Bryan Owens..\$358.42, Cordell Rudolph..\$148.68, Richard Schaible..\$325.20, Roger Schaible..\$124.80, Jeff Seiler..\$325.55, Marcus Selzler..\$193.20, Casey Thorstenson..\$42.93, Kendall Titze..\$45.42, Michael Wagner..\$397.80, Nicholas Wanna..\$217.16, Mark Wendt..\$387.75, Theodore Brockel..\$207.20, John Heidenreich..\$5.73, Amanda Mollman..\$83.12, Erica Olson..\$200.40; Landfill..\$5087.04; OVERTIME: Carl Wright..\$267.64, Roxanne Varns..\$70.16, Nyle Jenson..\$84.15, Dennis Van Heerde..\$184.62:

Supplies & Materials: Computer Specialists..\$1576.00, Office Max..\$207.93, Walmart..\$152.45, Little Professor..\$39.00, Computer Mgmt..\$7364.98, Office Equip..\$99.23, Harvey Oliver..\$106.00, Evergreen Supply..\$235.00, Menards..\$25.72, Custom Sheet Metal..\$568.06, Prairieland..\$677.45, RE Huffman..\$225.04, Plainsco..\$121.17, Mac's..\$15.90, Dependable..\$988.80, Ameripride..\$20.40, Taylor Laundry..\$138.26, Wooden Mallet..\$1635.00, Custom Coatings..\$150.00, Compaq DirectPlus..\$4950.00, Aberdeen Police..\$160.00, Lust Chevrolet..\$23.26, Galls..\$140.92, Respond..\$96.60, Jordre Photo..\$27.46, Dick's Westside..\$25.93, Community Health..\$21.00, Bonnie Bitz..\$216.00, Schwan Welding..\$30.00, Farmers Union..\$35.07, Diane Mielke..\$3.39, National Child Safety Council..\$60.00, Economy Meats..\$124.00, Warner Co-Op..\$16.00, Kesslers..\$616.07, K-Mart..\$46.66, Lang's..\$66.00, Quality Quick Print..\$629.67, A-1 Locksmith..\$7.00, Office Equipment..\$49.75, Quint City Coin-ops..\$39.00, Dakota Electronics..\$536.50, OK Tire..\$5.00, Cheryl Hairgrove..\$380.00, Custom Micro..\$2970.00, Lexis..\$662.07, Xerox..\$297.71, Glock..\$444.00, Hoggs..\$3704.68, Metz..\$640.16, SD Wheat Growers..\$617.48, Lien..\$37,420.01, Larson Blacksmith..\$80.00, Hub City Iron..\$1037.86, Robert



Dinger..\$20.40, Mattern Diesel..\$481.13, Vicki Wilson..\$21.18, Ramkota..\$49.00, Kleins..\$72.75, Oriental Trading..\$48.21, KSFY..\$1650.00, Western Printing..\$40.00, Chris & Don's..\$10.00, Marilee Maher..\$65.96, Lois Davis..\$33.77, Fae Dayton..\$30.00, Char Bachman..\$30.00, Nina Kappes..\$30.00, Curt Erickson..\$160.97, Extension Service..\$96.79, Aberdeen Awards..\$5.00, Office of Emergency Services..\$256.91, Treasurer..\$340.69, Praxair..\$15.33, Paul Mardian..\$280.00, VanDiest..\$9773.48, Gelling Auto..\$877.85, Aberdeen Equip..\$93.50, ProAg..\$107.38, EPG Co..\$1083.18, Aberdeen Transmission..\$175.50, Midwest Pump & Tank..\$111.06, 3D Specialists..\$618.60, Skaggs Co..\$155.40, Jodi McQuillen..\$18.97, Aberdeen RideLine..\$162.00, Gellhaus & Gellhaus..\$60.00, City of Aberdeen..\$25,000.00, Dabbert Trucking..\$1140.00, Farm Power..\$33.75, HC Clark..\$181.24, Heartland Paper..\$545.00, House of Glass..\$35.50, Menards..\$168.95, Mac's..\$6.93, Merry Maids..\$1900.00, Quality Stores..\$69.34, Schmidt Const..\$4096.00, ABC..\$734.40, Amoco..\$6.00, Dakota Electronics..\$25.00, Farm Plan..\$109.06, OK Tire..\$32.00, Weismantel Rent-All..\$203.18:  
Publications: American News..\$4584.30, Jamestown Sun..\$110.00, Huron PayDay..\$135.00, Comet..\$330.80, Groton Independent..\$135.00, Webster Reporter..\$159.00, Redfield Press..\$45.00:  
Transcriptions: Tammy Erickson..\$103.20:  
Mileage & Travel: Lynn Heupel..\$42.05, Gary Erickson..\$278.81:  
Court Appointed Attorney: Christy Serr..\$673.75:  
Utilities: NWPS..\$845.17, Midcontinent..\$346.80, US West..\$1008.56, Town of Frederick..\$18.25, Verizon..\$95.05, McLeod..\$17.95, Northern Electric..\$518.83, WEB Water..\$41.70:  
Professional Fees: Witness fees..\$112.20, SDACC..\$504.00, Betsy Johnson..\$69.00, Marshall Co Sheriff..\$16.00, Oahe Inc..\$500.00:  
Care of Poor: Rent: 6 recipients.. Praise Family..\$95.00, Breeze Inn..\$26.95, Dakota Square..\$202.00, D&L LLC..\$130.00, Mike Harmon..\$112.50; Dr/Hospital – 1 recipient.. Mersco Medical..\$130.00; Insurance – 1 recipient.. Fortis Ins..\$386.77. All members present voting aye. Motion carried.

#### BID TREE GRINDING:

Moved by Wiese, seconded by Fischbach to authorize advertising public hearing to open, read and consider bids regarding 2000 Tree Grinding for the Brown County Landfill, to be held in the Commissioner's Chambers, Courthouse Annex, Brown County South Dakota at 9:00 A.M. on August 1, 2000. All members present voting aye. Motion carried.

#### PERSONNEL:

Moved by Hansen, seconded by Wiese to approve the following employee step increases, effective July 23, 2000: Pam Kopecky @ \$8.88 per hour, Kathy Fischer @ \$9.08 per hour. All members present voting aye. Motion carried.

Moved by Fischbach, seconded by Wiese to approve hiring Russ Ochsner as full time adult jailer, effective July 17, 2000 at \$8.69 per hour. All members present voting aye. Motion carried.

Moved by Fischbach, seconded by Wiese to approve hiring Kim Dorsett as Deputy States Attorney, effective July 1, 2000 at a pro-rated annual salary of \$18,000; and to further approve salary adjustment for Deputy States Attorney Mark McNeary, effective July 17, 2000 to a pro-rated annual salary of \$30,000. All members present voting aye. Motion carried.

#### AGREEMENT:

Moved by Hansen, seconded by Wiese to approve and authorize the Vice Chairman sign agreement with the SD Department of Corrections for housing juveniles in the Brown County JDC in amount of \$140.00 per day for detention services and \$20.00 per day for home detention services, effective July 1, 2000 through June 30, 2001. All members present voting aye. Motion carried.

**BULLETPROOF VEST GRANT:**

Moved by Hansen, seconded by Wiese to acknowledge notice that the Bureau of Justice Assistance, Office of Justice Programs, US Department of Justice, has approved a year 2000 grant application under the Bulletproof Vest Partnership Act of 1998 (BVP) for Brown County in amount of \$1009.55. All members present voting aye. Motion carried.

**LOCAL LAW ENFORCEMENT BLOCK GRANT:**

Moved by Hansen, seconded by Wiese to approve and authorize the Vice Chairman sign Memorandum of Understanding with the City of Aberdeen to establish agreement regarding the sharing of the 2000 Local Law Enforcement Block Grant funds as required by the Department of Justice, Bureau of Justice Assistance, as Brown County has been designated by SD Attorney General Mark Barnett as a disparate jurisdiction. All members present voting aye. Motion carried.

**PLAT:**

Commissioner Wiese offered the following Resolution:

**RESOLUTION NO. 58-2000**

BE IT RESOLVED by the Board of Commissioners of Brown County, South Dakota, that the plat showing, "First Subdivision of Lot 1, Block 3 Pleasant Valley Estates in the SE ¼ of Sec 30-T124N-R64W 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 Hansen. Roll call vote: Commissioners Hansen-aye, Feickert-aye, Fischbach-aye, Wiese-aye, Knecht-absent. Resolution adopted.

**BUDGET SUPPLEMENT:**

Time and place, as advertised for public hearing to consider a budget supplement for year 2000, to enable Brown County to cover expense of hiring an additional dispatcher in total amount of \$25,000.00. Moved by Wiese, seconded by Fischbach to approve the following Budget Supplement for year 2000 in Fund #207 Communications Center, to enable Brown County to cover expense of hiring an additional dispatcher in total amount of \$25,000.00, funding same from Aberdeen City contribution in amount of \$25,000.00. All members present voting aye. Motion carried.

**JDC COUNSELING:**

Jennifer Hudson, Aberdeen Area Career Planning explained Corrective Thinking Grant funds available through Career Planning to provide counseling at the Brown County Juvenile Detention Center (approximately 20 hours per week until funds exhausted). Barb Johnson, JDC Supervisor informed Commission that other programs sponsored by Aberdeen Area Career Planning are utilized in the JDC.

**APPEAL HEARING:**

Lou Ludwig presented application to appeal decision of the Brown County Planning & Zoning made June 6, 2000 to deny application, submitted by Mr. Ludwig for Special Exception to operate a mobile home moving and storage business in an AG-P zoned district (Engel's Outlot 1 NE ¼ 20-122-64). Moved by Fischbach, seconded by Hansen to uphold decision of the Brown County Planning & Zoning Board to deny application for special exception, submitted by Lou Ludwig to operate a mobile home moving and storage business in an AG-P zoned district (Engel's Outlot 1 NE ¼ 20-122-64). All members present voting aye. Motion carried.

**AMEND FUEL BID AWARD OF JUNE 20, 2000:**

Moved by Wiese, seconded by Fischbach to amend motion to award fuel bids in minutes of June 20, 2000 by rejecting the South Dakota Wheat Growers bid as listed on the State of South Dakota Letting of May 1, 2000; and further to accept low quote received from SD Wheat Growers for furnishing #1 dyed fuel and #2 dyed diesel @ \$.0570 + OPIS + applicable taxes, gasohol gas and unleaded gas @ \$.0529 + OPIS + applicable taxes; rejecting quote from Erdmann Oil @ \$.06 + OPIS + applicable taxes on all categories (Farmers Union Oil, Ferney declined to submit a quote). All members present voting aye. Motion carried.

#### APPLICATION FOR OCCUPANCY:

Moved by Fischbach, seconded by Hansen to approve and authorize Vice Chairman to sign application, submitted by US West Communications for occupancy of County Hwy #12W in Sec 15-T123N-R64W in Brown County, to provide telephone service. Roll call vote: Commissioners Hansen-aye, Feickert-aye, Fischbach-aye, Wiese-abstain, Knecht-absent. Motion carried.

Moved by Hansen, seconded by Fischbach to approve and authorize Vice Chairman to sign application, submitted by Jacobs Construction for occupancy of County Hwy #12 (389<sup>th</sup> or Roosevelt) in Sections 7& 8-T123N-R63, Brown County, South Dakota to install two manholes and 12" PVC Sewer Pipe. All members present voting aye. Motion carried.

#### ER AGREEMENTS:

Moved by Fischbach, seconded by Hansen to approve and authorize the Vice Chairman to sign the following ER Force Account Update Agreements with the SDDOT: County Road 5 ER 6268(03) from \$230,000 to \$340,000, County road 23.1 ER 6176(05) from \$30,000 to \$33,000, County Road 10.4 ER 6599(02) from \$3,700 to \$6,500. All members present voting aye. Motion carried.

#### AGREEMENT:

Moved by Wiese, seconded by Fischbach to approve and authorize the Vice Chairman to sign Agreement with Clark Engineering to provide the construction staking, engineering, observation and administration in amount not to exceed \$54,212.40 for Brown County 6 Grading Project. All members present voting aye. Motion carried.

#### CONTRACT DISCUSSED:

Ken Fouts, Executive Director and Board Members of the Boys & Girls Club met with the Commission to discuss Grandstand Concession Contract for the 2000 Fair. No action taken at this time.

#### 2001 BUDGET PRESENTATIONS:

Numerous departments and entities met with the Commission to present budget proposals for 2001. No action taken at this time.

#### RECESS:

The Vice Chairman declared the meeting recessed until July 25, 2000.

Maxine Taylor – Brown County Auditor

## JULY 25, 2000 – GENERAL MEETING

Meeting called to order by Chairman Knecht at 8:45 A.M. in the Commissioner's Chambers, Courthouse Annex, Brown County, South Dakota. Present were Commissioners Hansen, Feickert, Fischbach and Wiese.

## MINUTES:

Moved by Wiese, seconded by Hansen to approve the General Meeting minutes of July 18, 2000. All members present voting aye. Motion carried.

## CLAIMS:

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

Supplies & Materials: Lexis..\$25.04, Pitney-Bowes..\$297.00, Compaq Direct Plus..\$4768.00, PMC..\$135.00, Nat'l Sheriff Assn..\$75.00, Grote Bros..\$1023.15, K-Mart..\$11.96, Avera St Lukes..\$3935.00, Ameripride..\$47.45, Kustom Signals..\$35.00, Office Max..\$359.88, Hoven Auto..\$22.50, Xerox..\$323.00, RE Huffman..\$14.00, New Trends..\$11.16, MOCIC..\$280.00, Medical Center Pharmacy..\$454.47, Don Gisi..\$10.00, Amoco..\$19.07, Texaco..\$128.59, Bob Barker..\$371.01, Lynn Peavey Co..\$161.20, 3-D Specialties..\$922.50, Creative Signs..\$7.00, Clark Engineering..\$3000.00, Aberdeen Chrysler..\$79.50, Act Electronics..\$103.85, Alan Winburn..\$250.00, Van Diest..\$12,551.08, Taylor Laundry..\$222.49, Sportsman..\$2.29, Share Corp..\$271.70, Reuer's Auto..\$167.39, Prairieland..\$35.80, Lien Transportation..\$27,161.31, Lawson Products..\$159.41, Howell Trucking..\$240.00, Robert Dinger..\$218.25, Herb Dabbert Trucking..\$240.00, Al Dabbert Trucking..\$260.00, Aberdeen Asphalt..\$24,166.16, K&L Oil..\$5494.93, Minnehaha County Auditor..\$75.00, NADRIC..\$2083.37, Sioux Vocational Services..\$120.00, Yankton County Sheriff..\$33.50, Aberdeen Senior Citizens..\$180.00, NESDCAP..\$2000.00, Bath Recreation..\$800.00, Quality Stores..\$21.24, Specialty Mfg..\$1083.00, Mac's..\$35.37, Nelson Auto..\$10.85, Pro Ag Supply..\$3.40, UBC..\$25.50, Koehn..\$133.65, Newman Signs..\$46.96, Kesslers..\$12.21, Adjustment Training..\$3600.00, Jacobs Const..\$820.13, Best Business..\$133.50, Taylor Laundry..\$53.60, Leggette..\$2078.50, Earth Tech..\$1642.28, Pro Ag..\$581.90, Great Events Pub..\$518.93, Avera St Lukes..\$1114.00:

Publications: American News..\$131.32, Frederick/Hecla Northstar..\$427.30:

Transcriptions: Slowey Court Reporting..\$142.00, Jeanne Haug..\$39.00:

Mileage & Travel: Maxine Taylor..\$66.12, Sheila Enderson..\$46.98, Clarence Erickson..\$64.80, Jerry Streckfuss..\$147.42, Harley Gage..\$118.72, Audrey Jacobson..\$151.20, Nancy Kiesz..\$44.64, Carol Sherman..\$46.40:

Court Appointed Attorney: Paul Boschma..\$881.09, Tonner, Tobin & King..\$4500.00, Brad Borge..\$4500.00, Robert Chavis..\$180.00:

Utilities: Cellular One..\$569.26, Northern Electric..\$14.20, NWPS..\$1043.20, City of Hecla..\$47.64, US West..\$1685.97, Bureau of Admin..\$550.50:

Professional Fees: Witness fees..\$20.00, Avera United Clinic..\$82.00, Dawn Aman..\$2300.00:

Care of Poor: Rent: 3 recipients..Goehring Apts..\$170.00, D&L LLC..\$130.00, David Kreber..\$170.00; Dr/Hospital – 2 recipients..Avera St Lukes..\$13,946.72; Drugs – 6 recipients..Kessler Pharmacy..\$77.81, Walmart Pharmacy..\$36.94, Plaza Pharmacy..\$27.28; Utilities – 1 recipient.. NWPS..\$190.00. All members present voting aye. Motion carried.

## PERSONNEL:

Moved by Wiese, seconded by Fischbach to approve hiring Angela Fisher as guard for purpose of prisoner transport. All members present voting aye. Motion carried.

Moved by Fischbach, seconded by Feickert to acknowledge resignation of Jeff James, effective August 4, 2000 from the Sheriff's Department. All members present voting aye. Motion carried.

**ORD 013 - SET HEARING DATE:**

Moved by Feickert, seconded by Hansen to authorize advertising public hearing for first reading of Ordinance No. 013, An Ordinance amending Title 4, Second Revision Brown County Ordinances to rezone the following property from Chapter 4.06 (AG-P) Agricultural Preservation District to Chapter 4.10 (R-3) Lake Front Residential District: Thorpe's First Elm Lake Subdivision in NE ¼ Sec 17-T128N-R65W of the 5<sup>th</sup> P.M., Brown County, South Dakota, to be held in the Commissioner's Chambers, Courthouse Annex, Brown County, South Dakota at 8:45 A.M. on August 8, 2000. All members present voting aye. Motion carried.

**LOTTERY APPLICATION:**

Moved by Hansen, seconded by Wiese to approve and authorize the Chairman sign application, submitted by the Aberdeen Hockey Association for lottery, to be held August 14-21, 2000 at the Club House during the Brown County Fair. All members present voting aye. Motion carried.

**SPECIAL MALT BEVERAGE HEARING DATE SET:**

Moved by Feickert, seconded by Wiese to authorize advertising public hearing to consider the following applications for Special Malt Beverage License: Aberdeen Hockey Association, Brown County Fairgrounds (Clubhouse) SW ¼ Sec 1-T123N-R64W, effective August 14, 15, 16, 17, 18, 19 and 20, 2000; Boys & Girls Club, Brown County Fairgrounds (Grandstand) SW ¼ Sec 1-T124N-R64W, effective August 14, 15, 16, 17, 18, 19 and 20, 2000; Centennial Village, Inc, Brown County Fairgrounds (Centennial Village) SW ¼ Sec 1-T124N-R64W, effective August 17, 18, 19 and 20, 2000, to be held in the Commissioner's Chambers, Courthouse Annex, Brown County, South Dakota at 9:00 A.M. on August 8, 2000. All members present voting aye. Motion carried.

**PETITION IN REGARD TO TOWNSHIP ROAD:**

A petition signed by thirty-seven area resident voters was presented to the Commission requesting that mile of road described as 385<sup>th</sup> Ave between 130<sup>th</sup> Street and 131<sup>st</sup> Street to be vacated by Aberdeen Township and maintenance responsibility become that of Brown County. Petition requests the road have a hard surface to reduce dust and to increase safety thereby meeting the current and future demands of traffic growth. The Commission acknowledged receipt of petition for filing, but took no action.

**HANDICAPPED PARKING FOR VAN ACCESSIBILITY:**

Moved by Wiese, seconded by Feickert to request the Brown County Maintenance Department expand the Handicapped Parking area on the north side of the Courthouse to accommodate van accessibility to be in compliance with the Americans with Disabilities Act (ADA); and further combine current space reserved for the Commission Chairman with space currently reserved for traveling Judges. All members present voting aye. Motion carried.

**SVAWA GRANT APPLICATION:**

Moved by Feickert, seconded by Fischbach to approve and authorize the Chairman sign application for Stop Violence Against Women Act Grant in amount of \$36,000.00, effective October 1, 2000 to September 30, 2001. All members present voting aye. Motion carried.

**PLATS:**

Commissioner Hansen offered the following Resolution:

**RESOLUTION NO. 59-2000**

BE IT RESOLVED by the County Commission of Brown County, South Dakota, that the plat showing "Droog Outlot A in S ½ Sec 22-T123N-R64W of 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 Hansen-aye, Feickert-aye, Fischbach-aye, Wiese-aye, Knecht-aye. Resolution adopted.

Commissioner Feickert offered the following Resolution:

RESOLUTION NO. 60-2000

BE IT RESOLVED by the Board of Commissions of Brown County, South Dakota, that the plat showing "Lots 14A and 15A, Block 7 Prairiewood Village (Replat of Lots 14, 15 and 16, Block 7) in the NE ¼ of Sec 33-T124N-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 of 1967, Chapter 11-3, and any amendments thereof.

Seconded by Commissioner Fischbach. Roll call vote: Commissioners Hansen-aye, Feickert-aye, Fischbach-aye, Wiese-aye, Knecht-aye. Resolution adopted.

Commissioner Hansen offered the following Resolution:

RESOLUTION NO. 61-2000

BE IT RESOLVED by the County Commission of Brown County, South Dakota, that the plat showing "Hinds-Dalager Addition in the NE ¼ of the SE ¼ of Sec 36-T124N-R64W 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 Fischbach. Roll call vote: Commissioners Hansen-aye, Feickert-aye, Fischbach-aye, Wiese-aye, Knecht-aye. Resolution adopted.

Commissioner Feickert offered the following Resolution:

RESOLUTION NO. 62-2000

BE IT RESOLVED by the County Commission of Brown County, South Dakota, that the plat showing "Hamilton's First Addition in SW ¼ Sec 10-T123N-R63W of 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 Hansen. Roll call vote: Commissioners Hansen-aye, Feickert-aye, Fischbach-aye, Wiese-aye, Knecht-aye. Resolution adopted.

Commissioner Hansen offered the following Resolution:

RESOLUTION NO. 63-2000

BE IT RESOLVED by the County Commission of Brown County, South Dakota, that the plat showing "Meier's First Subdivision in NW ¼ Sec 9-T123N-R64W of 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 Hansen-aye, Feickert-aye, Fischbach-aye, Wiese-aye, Knecht-aye. Resolution adopted.

**PROJECT #P 8007(00):**

Moved by Feickert, seconded by Hansen to approve and authorize the Chairman sign SDDOT documentation for Project #9 8007(00). All members present voting aye. Motion carried.

**BID – ROAD #6 AND ROAD #6J:**

Time and place, as advertised to open, read and consider bids for grading, drainage improvements, concrete, gravel surfacing, topsoil, seeding, fertilizing and mulching 4.14 miles of Brown County Road 6 from the intersection of Brown County 6 and Brown County 13, then north 4.67 miles with the exception of 0.53 miles across Richmond Lake Dam, along with Brown County 6J beginning one-half mile north of the south end of the Brown County 6 Project, then north 0.5 miles. Bids were received from Bates Construction Company, Twin Brooks, SD; H.F. Jacobs & Son Inc, Aberdeen, SD; Foothills Construction Inc, Webster, SD and Stromseth Construction, Watertown, SD.

Moved by Wiese, seconded by Feickert to refer all bids to Russ Podoll and Clark Engineering for review and recommendation. All members present voting aye. Motion carried.

**HECLA AREA EMERGENCY DRAINAGE PROJECT:**

Time and place, as advertised for public hearing to consider extension of Hecla Area Emergency Drainage Project. Moved by Wiese, seconded by Feickert to extend Hecla Area Emergency Drainage Project until January 10, 2001. All members present voting aye. Motion carried.

**2001 BUDGET PRESENTATIONS:**

Numerous departments and entities met with the Commission to present budget proposals for 2001. No action taken at this time.

**RECESS:**

The Chairman declared the meeting recessed until August 1, 2000.

Maxine Taylor – Brown County Auditor

## AUGUST 1, 2000 – JOINT CITY/COUNTY MEETING

The Brown County Commission and the Aberdeen City Commission met in joint session at 8:45 A.M. in the Brown County Commission Chambers, Courthouse Annex, Brown County, South Dakota. Present from City were Commissioners Klabo, Omland and Mayor Hopper. Absent Commissioners Pfeifer and Hurlbert. Present from County were Commissioners Knecht, Hansen, Fischbach, Feickert and Wiese.

## ORDINANCE NO. 00-07-01/205:

On motion by Klabo and seconded by Omland the City Commission unanimously voted to approve Second Reading of Ordinance No. 00-07-01/205.

On motion by Omland and seconded by Klabo the City Commission unanimously voted to adopt Ordinance No. 00-07-01/205.

Moved by Wiese, seconded by Feickert to approve Second Reading of Ordinance No. 00-07-01/205. All members present voting aye. Motion carried.

Moved by Hansen, seconded by Fischbach to adopt Ordinance No. 00-07-01/205, An Ordinance amending Ordinance No. 1164 to rezone certain property from Section 701 (A-1) Agricultural District to Section 714 (M-Ag) Mini-Agricultural District, described as the SW ¼ of SW ¼ of SE ¼ of SW ¼ and S. 95.3' of NW ¼ of SW ¼ of SE ¼ of SW ¼, 10-123-63 to be platted and known as Lot 1 of Hamilton's First Addition in the SW 10-123-63, Brown County, South Dakota. All members present voting aye. Motion carried.

## ORDINANCE NO. 00-07-02/206:

On motion Klabo and seconded by Omland the City Commission unanimously voted to approve Second Reading of Ordinance No. 00-07-02/206.

On motion by Omland and seconded by Klabo the City Commission unanimously voted to adopt Ordinance No. 00-07-02/206.

Moved by Feickert, seconded by Wiese to approve Second Reading of Ordinance No. 00-07-02/206. All members present voting aye. Motion carried.

Moved by Wiese, seconded by Fischbach to adopt Ordinance No. 00-07-02/206, An Ordinance amending Ordinance No. 1164 to rezone certain property from Section 701 (A-1) Agricultural District to Section 714 (M-Ag) Mini-Agricultural District, described as the S½ of the NE¼ of the SE¼ of Sec 36-T124N-R64W and the N½ of the NE¼ of the SE ¼ of Sec 36-T124N-R64W of the 5<sup>th</sup> P.M., Brown County, South Dakota, to be platted and known as Hinds-Dalager Addition in the NE¼ of the SE ¼ of Sec 36-T124N-R64W of the 5<sup>th</sup> P.M, Brown County, South Dakota. All members present voting aye. Motion carried.

The City Commission adjourned and the County Commission continued into their regularly scheduled meeting.

Maxine Taylor – Brown County Auditor



## AUGUST 1, 2000 – GENERAL MEETING

Meeting called to order by Chairman Knecht at 8:45 A.M. in the Commissioner's Chambers, Courthouse Annex, Brown County, South Dakota. Present were Commissioners Hansen, Feickert, Fischbach and Wiese.

## MINUTES:

Moved by Wiese, seconded by Hansen to approve the Joint City/County Meeting minutes and the General Meeting minutes of July 25, 2000. All members present voting aye. Motion carried.

## CLAIMS:

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

Payroll: Commissioners..\$2211.55; Data Processing..\$1269.24; Auditor..\$5188.56, OVERTIME: Jeanette Nietert..\$25.24; Treasurer..\$7173.36; State's Attorney..\$8849.30; Victims Assistance..\$788.47; Maintenance..\$4214.08; Assessor..\$5350.42; Planning & Zoning..\$887.20, OVERTIME: Mick Waller..\$16.64; Register of Deeds..\$3665.85; Veterans Service Office..\$1950.56, OVERTIME: Kathy Schlecht..\$48.06; Sheriff..\$41503.87, OVERTIME: John McQuillen..\$144.20, Scott Kolb..\$20.60, Michael Casjens..\$39.02, David Fair..\$39.02, David Hanson..\$54.24, Steven Cogley..\$34.72, Gary Bunt..\$63.75, Michelle Dvorak..\$13.39, Michael Johnson..\$52.16, Michael Kuebler..\$91.28, Kevin Johnson..\$34.40, Kristal Schumack..\$30.15, Jeffrey Kirnan..\$43.55, Lori Furman..\$39.12; Communications..\$8797.30, OVERTIME: Sheila Anderson..\$143.28, Mary Browning..\$34.72, Alicia Dohn..\$96.32, Janet Dosch..\$412.80, Betty Haar..\$51.74, Nancy Radke..\$54.24, Deanna Thorpe..\$10.32, Lisa Wipf..\$118.72; Museum..\$5353.26; IMS..\$164.80; Welfare Office..\$2299.64; Health..\$2239.20; Extension..\$1847.33; Weed..\$2133.32, OVERTIME: Robert Retzer..\$16.13, Louie Koch..\$33.00; Foster Grandparent Program..\$2063.18; Fairgrounds..\$3564.99, OVERTIME: John Weig..\$165.85, Melvin Ernst..\$75.13, Michael Bishop..\$13.62; Fairboard..\$1545.94, OVERTIME: Jan Malsom..\$15.65; Emergency Management..\$1834.40, OVERTIME: Ginger Walker..\$62.60; Highway..\$34793.39, OVERTIME: Terry Backous..\$328.32, Robert Binfet..\$318.94, Vernon Bitz..\$174.80, David Bruckner..\$188.02, Brian Dargatz..\$353.25, Dan Glover..\$31.50, Ronald Glugla..\$346.50, Larry Hardy..\$316.20, Jason Heagley..\$290.71, Dave Kolb..\$7.16, Daryl Lloyd..\$343.60, Jerry Luce..\$331.70, Joseph Malsam..\$309.38, Bryan Owens..\$373.20, Cordell Rudolph..\$289.10, Richard Schaible..\$308.94, Roger Schaible..\$282.88, Jeff Seiler..\$296.93, Marcus Selzler..\$84.00, Casey Thorstenson..\$35.78, Kendall Titze..\$257.38, Leon Vickers..\$302.40, Michael Wagner..\$317.48, Nicholas Wanna..\$241.67, Mark Wendt..\$338.25, Theodore Brockel..\$74.00, Amanda Mollman..\$192.22, Erica Olson..\$90.18, Jeff Ringgenberg..\$166.24; Landfill..\$5109.96; OVERTIME: Carl Wright..\$114.08, Roxanne Varns..\$77.95, Nyle Jenson..\$363.38, Dennis Van Heerde..\$72.40  
Supplies & Materials: OVCRC Nat'l Criminal Justice..\$15.00, Hub City Iron..\$46.33, Taylor Laundry..\$55.18, Fire Safety First..\$9.52, Heartland Paper..\$36.21, ProClean..\$120.00, Sherwin-Williams..\$210.39, Dakota Supply..\$64.59, Roto Rooter..\$70.00, Matthew Bender..\$64.68, Eilers..\$38.25, McFarland..\$5.29, Woodman Refrigeration..\$21.00, Cabinets Dakotah..\$18.31, Ecolab..\$96.50, UBC..\$11.15, Prairieland..\$80.00, Grote Sheet Metal..\$242.28, SDDOT..\$7829.73, Quality Stores..\$303.37, ProAg Supply..\$6210.83, Overhead Door..\$758.72, Newman Signs..\$132.00, Kar Products..\$140.38, Farm Power..\$2421.49, JD Evans..\$28,854.53, Robert Dinger..\$100.20, HC Clark..\$329.94, CarQuest..\$246.87, Butler..\$2368.23, US Post Office..\$200.00, RE Huffman..\$18.84, City of Hecla..\$2400.00, Court Street Lighting..\$5.50, A&M Radio..\$44.50, Ameripride..\$24.99, Walmart..\$17.08, UBC..\$25.50, OK Tire..\$12.00, Waste Recovery..\$1117.87, RDO..\$528.82, Keeleys..\$179.10, Artz Camera..\$11.10, Profile

Evaluations..\$450.00, OfficeMax..\$19.99, Hecla Twp..\$3258.12, South Brown Cons Dist..\$6576.45, SD Lakes & Streams..\$738,388.23:

Publications: American News..\$295.95:

Mileage & Travel: Dennis Feickert..\$37.15, Dawn Aman..\$116.00, Gene Loeschke..\$145.29, Leo Leshner..\$204.74:

Utilities: Bureau of Administration..\$60.25, NWPS..\$71.70, Montana Dakota..\$28.77, US West..\$3368.43, WEB..\$56.50, Midcontinent Cable..\$28.85:

Professional Fees: Witness fees..\$366.50, LCM Pathologists..\$4037.79, Donna Dietrich..\$194.66, Don Carlson..\$30.00:

Care of Poor: Rent: 7 recipients.. Danne Inc..\$190.00, Rhoda Smith-Olson..\$170.00, Fred Herrmann..\$210.00, BoBo Inc..\$345.00, D&L LLC..\$205.00; Dr/Hospital – 5 recipients..McKenna Hosp..\$13,481.42, Inphynet Prim Care..\$13.88, Avera St Lukes..\$14,076.87; Drugs – 4 recipients.. City Drug..\$172.81, Kesslers Pharmacy..\$63.99, K-Mart Pharmacy..\$660.66. All members present voting aye. Motion carried.

#### LEASE AGREEMENT:

Moved by Feickert, seconded by Wiese to approve and authorize the Chairman sign agreement with Rick Pleinis granting permission to serve alcohol beverages in conjunction with lease of the Richmond Youth Camp. All members present voting aye. Motion carried.

#### PERSONNEL:

Moved by Fischbach, seconded by Wiese to approve the following employee step increase, effective August 6, 2000: Dennis VanHeerde @ \$9.85 per hour. All members present voting aye. Motion carried.

Moved by Hansen, seconded by Feickert to approve hiring Dawn Aman as Deputy States Attorney, effective August 1, 2000 at a pro-rated annual salary of \$34,000.00. All members present voting aye. Motion carried.

#### WAIVE TIPPING FEE:

Moved by Feickert, seconded by Wiese to waive the Landfill tipping fee for the mandatory clean up of the property described as the E 20 Rods of SE ¼ of SE ¼ 27-123-63, owned by Odien and Edith E Iverson. All members present voting aye. Motion carried.

#### FALL CLEANUP:

Moved by Wiese, seconded by Hansen to approve and waive tipping fee for Fall Cleanup to be conducted at the Landfill Only from September 8 – 23, 2000, includes disposal of tires and batteries. All members present voting aye. Motion carried.

#### PLAT:

Commissioner Fischbach offered the following Resolution:

#### RESOLUTION NO. 64-2000

BE IT RESOLVED by the Board of County Commissioners of Brown County, South Dakota, that the plat showing "Lot 2A of Lot 2 of Schaeffer Richmond Lake Subdivision in the NW ¼ of Sec 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 Wiese. Roll call vote: Commissioners Hansen-aye, Feickert-aye, Fischbach-aye, Wiese-aye, Knecht-aye. Resolution adopted.

#### SHERIFF REPORTS:

Moved by Fischbach, seconded by Wiese to approve the following June, 2000 Sheriff Reports: Incidents and Offenses, Prisoner Care, JDC, Money deposited with the County Treasurer and Monthly activities. All members present voting aye. Motion carried.

#### HEALTH INSURANCE RESOLUTION:

Moved by Wiese, seconded by Hansen to submit a Resolution "To Permit Counties To Participate in the State of South Dakota's Group Health Insurance Plan" to the South Dakota Association of County Commissioner's for presentation at the County Convention in Pierre on September 18 - 20, 2000. All members present voting aye. Motion carried.

#### BID - TREE GRINDING:

Time and place, as advertised to open, read and consider bids for Tree Grinding for the Brown County Landfill. Bids were received from CERES Environmental, Brooklyn Park, MN and SMC Wood Grinding, Rosemount, MN.

Moved by Hansen, seconded by Fischbach to award low bid, submitted by SMC in amount of \$325.00 per hour for tree grinding at the Brown County Landfill; rejecting bid, submitted by CERES in amount of \$334.00 per hour for tree grinding at the Brown County Landfill. All members present voting aye. Motion carried.

#### CONTRACT:

Moved by Feickert, seconded by Wiese to approve and authorize the Chairman sign contract with SMC Wood Grinding, Rosemount, MN for tree grinding at the Brown County Landfill. All members present voting aye. Motion carried.

#### BCCHC REPORT:

Merri Nelson and Deanna Kyburz, Brown County Community Health Center presented the April, May, June 2000 Report and outlined upcoming events that will affect the Center.

#### SANBORN COUNTY BID DISCUSSED:

Russ Podoll discussed possibility of purchasing a 4 yard loader from a Sanborn County Bid letting held in April, 2000. Matt Tobin, JD Evans, Inc. and Mike Scott, Brown County Landfill were also present. No action taken at this time.

#### BID AWARD - COUNTY ROAD 6 AND 6J:

Moved by Fischbach, seconded by Feickert to award low bid, submitted by H.F. Jacobs & Son Construction in amount of \$539,702.16 for Grading, Drainage & Gravel Surfacing of Brown County Road #6 from Brown County No. 13 North 4.64 miles; rejecting bids from Stromseth Construction in amount of \$568,112.32, Bates Construction in amount of \$591,379.95 and Foothills Contracting in amount of \$653,535.99; and to award low bid, submitted by H.F. Jacobs & Son Construction in amount of \$79,806.23 for Grading, Drainage & Gravel Surfacing of Brown County Road #6J from Brown County No. 6 North ½ mile; rejecting bids from Stromseth Construction in amount of \$81,950.17, Bates Construction in amount of \$92,457.13 and Foothills Contracting in amount of \$101,927.10. All members present voting aye. Motion carried.

**PAYMENT REQUEST:**

Moved by Feickert, seconded by Fischbach to approve and authorize the Chairman sign Payment Request #1 for Brown County Road #13 Project. All members present voting aye. Motion carried.

**APPLIATION FOR OCCUPANCY:**

Moved by Feickert, seconded by Fischbach to approve and authorize the Chairman sign application, submitted by James Valley Telephone for occupancy of Brown County Highway #9 in Sec 14-T125N-R62W, Brown County, South Dakota to replace communications cable. All members present voting aye. Motion carried.

**EXECUTIVE SESSION:**

Moved by Feickert, seconded by Fischbach to go into executive session for personnel discussion with Russ Podoll in attendance. All members present voting aye. Motion carried.

Moved by Fischbach, seconded by Feickert to adjourn executive session. All members present voting aye. Motion carried.

**BUDGET DISCUSSION:**

The Commission reviewed budget requests.

**RECESS:**

The Chairman declared the meeting recessed until August 8, 2000.

Maxine Taylor – Brown County Auditor

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# AUGUST 8, 2000 – GENERAL MEETING

Meeting called to order by Chairman Knecht at 8:45 A.M. in the Commissioner's Chambers, Courthouse Annex, Brown County, South Dakota. Present were Commissioners Hansen, Feickert and Wiese. Absent Commissioner Fischbach.

## MINUTES:

Moved by Feickert, seconded by Wiese to approve the Joint City/County Meeting minutes and the General Meeting minutes of August 1, 2000. All members present voting aye. Motion carried.

## CLAIMS:

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

Supplies & Materials: Hogg's..\$15.19, Dacotah Bank..\$295.00, Office Equipment..\$205.43, Lexis Publishing..\$60.53, Dept of Revenue..\$45.00, New Trends..\$94.62, RE Huffman..\$59.57, SDACES..\$10.00, Photos Now..\$25.81, ProMap Corp..\$135.00, Herbergers..\$86.49, Walmart..\$30.59, K-Mart..\$21.96, Hardins..\$6.60, Hedahls..\$6.39, Dick's Westside..\$25.95, Velvet Uniforms..\$130.71, Skaggs..\$145.37, Nat'l Public Safety Bureau..\$297.00, Parcel-Erickson..\$39.90, Pierson Ford..\$8.64, Xerox..\$170.09, Langs..\$529.00, PSE Ent..\$364.00, Hitch 'N Post..\$104.97, Sewing Shop..\$1.50, Bob Barker..\$234.30, SD Fleet..\$1427.80, Office Max..\$133.02, State Radio..\$4200.00, Cheryl Hairgrove..\$418.00, NW Divers..\$632.00, Alan Winburn..\$670.00, Zastrow Conoco..\$90.00, VanderHaag's..\$2047.92, Swanson Electric..\$72.75, SD Wheat Growers..\$4627.84, Share Corp..\$187.20, Praxair..\$117.57, Quality Quick Print..\$820.51, Newman Signs..\$416.31, Midwest Pump..\$119.78, Menards..\$69.09, Mac's..\$174.63, Lien..\$664.11, Koch Materials..\$39,008.84, Janitor Supply..\$16.50, Hub City Iron Store..\$797.35, Harms Oil..\$7983.30, Great Western Tire..\$3010.27, Graham Tire..\$494.94, Frey's Electronics..\$49.37, Farnam's..\$141.46, Evergreen Supply..\$193.09, WE Doyle..\$271.20, Dakota Oil..\$1149.12, Dakota Fluid..\$1819.73, Crawford..\$1917.03, Crady's Radiator..\$129.60, Cartney Bearing..\$286.55, Butler Machinery..\$1906.59, Bridgestone Firestone..\$48.85, Aberdeen Equipment..\$4267.37, Aberdeen Asphalt..\$6421.85, NADRIC..\$2083.37, House of Glass..\$35.78, Am Assoc of Museums..\$75.00, UBC..\$38.25, Aberdeen Awards..\$50.00, ND State University..\$5.00, Shopko..\$39.99, Century Business Products..\$163.07, Dakota Electronics..\$30.00, Van Diest..\$11,612.29, Pro Ag..\$203.80, Prairieland..\$36.02, Quality Stores..\$46.66, Exhaust Pros..\$118.85, C&S..\$14.80, SDEMA..\$5.00, Eddie's Northside..\$26.20, Danko..\$298.09, Creative Signs..\$125.00, Aberdeen Chrysler..\$56.58, Phyllis Voeller..\$19.50, Aberdeen Ride Line..\$124.50, Spink County Public Transit..\$112.00, Watertown Area Transit..\$103.75, Brick's TV..\$85.00, Dependable..\$12,354.30, JT&A Inc..\$935.10, Dept of Revenue..\$2880.26, A1 Sanitation..\$1736.00, Dakota Air..\$58.95, Cunningham Elec..\$700.69, Brick Propane..\$45.50, Taylor Laundry..\$44.80, Aberdeen Lawn Care..\$938.00, Praxair..\$14.90, Safety Service..\$223.38, Kelsey Welding..\$44.00, Bob Haak..\$6.77, Shopko..\$25.00, Forkel Fencing..\$250.00, S&R..\$17.27, Economy Meats..\$195.00, Vosika Fencing..\$550.00, Creative Signs..\$145.00, Photos Now..\$5.39, Dakota Miniature Horse Club..\$500.00, Scotty's ..\$127.35, Dakota Silk Screen..\$597.00, K-Mart..\$38.75, Trout Bros..\$367.20, Target..\$50.00, Paper Warehouse..\$25.30, Kesslers..\$101.60, Quality Stores..\$960.28, Prairieland..\$194.75, Ken's..\$77.21, Walmart..\$125.30, Three Seasons Tent Rental..\$4550.00, Quality Quick Print..\$4.80, Westport Little League..\$50.00, Aberdeen Jaycees..\$2524.00, Jim River Riders..\$1500.00, Amy Engelhart..\$500.00, Roto Rooter..\$3900.00, Schwan Welding..\$540.00, Pro-Clean..\$2908.00, Midland Security..\$6532.00, Dustan Burgard..\$150.00, Dakota Team Penning..\$450.00, Aberdeen Area Horseman's Assoc..\$400.00, Tammy Luce..\$350.00, Independence..\$150.00, Huron Mitchell Local #530.00..\$4600.00, Korkow Rodeo..\$19,000.00, TMS..\$12,500.00, Midwest Golf Car..\$5280.00, Don Romeo Agency..\$9000.00, Bethlehem Lutheran

Youth Ministry..\$1800.00, Evergreen Supply..\$211.70, SDNA Dist 13..\$800.00, Frederick Community Club..\$6000.00, Weismantel Rent All..\$2145.00, BSA Troop #51..\$2300.00, Hoff's Homes..\$375.00, Aberdeen Advanced Care..\$2310.00, Western Printing..\$1238.60, Norwest Bank..\$85,000.00, Dakota Rose Riding Club..\$200.00, Sam Sound Service..\$4950.00, RDO Equip..\$300.00, Blanchard Communications..\$1176.00, Black Tie Limousine..\$50.00, Jan Malsom..\$153.70, KSFY..\$1580.00, UBC..\$54.85, SD Fed Property..\$7.50, Jack Bloedorn..\$30.00, Nelson Auto Electric..\$32.31, Stratford Community Kids Theatre..\$150.00:

Publications: American News..\$325.52, Frederick/Hecla Northstar..\$245.24, Watertown Public Opinion..\$709.20:

Mileage & Travel: Deb Knecht..\$182.12, Sherry Theobald..\$96.59:

Court Appointed Attorney: John Billings..\$125.00, Fox, Youngberg..\$159.62:

Utilities: US West..\$41.44, Midcontinent Cable..\$28.85, James Valley Co-Op..\$633.05, Town of Frederick..\$18.25, Accent Communications..\$417.00 City of Aberdeen..\$54.80, Web Water..\$91.11, Cellular One..\$281.95, City of Aberdeen..\$95.25, NWPS..\$31.86, Norcom..\$9.44,

Professional Fees: Witness fees..\$120.00, Eastern Plains..\$47.40, NE Mental Health..\$146.30, Avera St Lukes..\$617.34, Don Carlson..\$45.00, Gary Mikelson..\$97.50, Mark Ekeren..\$45.00, Donna Dietrich..\$64.55, Inphynet Primary Care..\$15.60, Dr John Carrels..\$22.76, Aberdeen Adv Care..\$101.57, Aberdeen Family Physicians..\$19.60, Yankton County Sheriff..\$16.75, EideBailly..\$229.50, stipends..\$8861.25, Denise Jung..\$2016.60, Sheila Storley..\$495.00:

Fair Exhibit Judges: Joan Anderson..\$73.50, Alice Bartell..\$60.16, Blane Bergan..\$72.92, Joyce Dahme..\$30.00, Lois Davis..\$34.06, Fae Dayton..\$30.00, Kara Dayton..\$41.60, Bill Dennert..\$30.00, Pat Dennert..\$49.14, Linda Emery..\$30.00, Marcia Erickson..\$59.00, Pam Erickson..\$35.80, Monica Eske..\$30.00, Danielle Eszlinger..\$30.00, Dick Fadgen..\$83.65, Vicki Forkel..\$58.42, Susan Frey..\$52.33, Dorothy Hjellming..\$61.32, Barb Jansen..\$30.00, Eric Kriech..\$30.00, Carrie Lashly..\$30.00, Jeanette Lunders..\$59.58, Norma Miller..\$65.38, Arlene Naasz..\$30.00, Judy Nichols..\$30.00, Vicki Phillips..\$41.60, Myron Retzer..\$30.00, Earl Ruden..\$41.60, Marie Schlosser..\$54.36, Linda Schroeder..\$60.16, Marie Schumacher..\$30.00, Judy Thompson..\$42.76, Becky Thyen..\$41.60, Dale Washnok..\$41.02, Elsie Wells..\$30.00, Pearl Wilson..\$59.00, Karen Wolter..\$42.76, Gene Carr..\$147.50, Vikki Laurence..\$133.00, Kim Carson..\$54.36, Kristen Gonsoir..\$125.00:

Care of Poor: Rent: 7 recipients..Rich Thomas..\$190.00, Becky Fjelstad..\$230.00, Rena Hansen..\$194.00, D&D Properties..\$190.00, Kathy Day..\$150.00, D&L LLC..\$130.00, Tom Hinz..\$170.00; Dr/Hospital – 1 recipients..Healthsouth..\$295.00; Drugs – 4 recipients.. K-Mart Pharmacy..\$6.90, Dakota Square Pharmacy..\$73.18, Medical Center Pharmacy..\$96.33, Walmart Pharmacy..\$69.97. All members present voting aye. Motion carried

#### SET HEARING DATE:

Moved by Hansen, seconded by Feickert to set hearing to consider petition filed by Debra Jo Droog, to rezone Droog Outlot A in the S ½ of Sec 22-T123N-R64W of the 5<sup>th</sup> P.M., Brown County, South Dakota from Section 704 (R-2) Medium Density Residential District to Section 701 (A-1) Agricultural District (Ordinance No. 00-08-03/207) and to consider petition filed by Rodney L Gilbert to rezone the NW ¼ of the NW ¼ of the NW ¼ of Sec 20-T123N-R64W of the 5<sup>th</sup> P.M., Brown County, South Dakota, to be platted and known as Lot 1 of Gilbert Addition in the NW ¼ of Sec 20-T123N-R64W of the 5<sup>th</sup> P.M., Brown County, South Dakota (Ordinance No. 00-00-04/208), to be held in the County Commissioner's Chambers, Courthouse Annex, Brown County, South Dakota at 8:45 A.M. on August 29, 2000. All members present voting aye. Motion carried.

#### AUDITORS REPORT OF ACCOUNT:

Moved by Feickert, seconded by Hansen to approve the July, 2000 Auditors Report of Account:

AUDITOR'S REPORT OF ACCOUNT WITH THE COUNTY TREASURER:

Total amount of actual cash..\$3,434.40; Norwest Bank..\$33,659.21; US Bank..\$11,165.23; Dacotah Bank..\$22,780.24; Petty Cash (Sheriff, Welfare, Museum, R/D)..\$1,500.00; Landfill Change Fund..\$100.00; Fund Investments..\$9,481,518.54; Outstanding Checks..\$65.60. Total..\$9,554,223.22. All members present voting aye. Motion carried.

PERSONNEL:

Moved by Wiese, seconded by Hansen to approve hiring custodial personnel recommended by rent-a-kid or job service to work during the Fair (August 14 – 21, 2000) at \$7.00 per hour. All members present voting aye. Motion carried.

Moved by Feickert, seconded by Wiese to approve hiring Ann Bierman as part-time JDC Officer, effective September 3, 2000 at \$8.69 per hour. All members present voting aye. Motion carried.

Moved by Hansen, seconded by Feickert to approve hiring Joel Backous as a Seasonal Employee at the Highway Department, effective August 3, 2000 at \$6.68 per hour. All members present voting aye. Motion carried.

ABATEMENT:

Moved by Wiese, seconded by Hansen to approve the following Abatement: Marshall Rux, MH destroyed by fire (1989 Friendship) for year 2000 in amount of \$143.42. All members present voting aye. Motion carried.

ORDINANCE NO. 013:

Time and place, as advertised for First Reading of Ordinance No. 013, An Ordinance Amending Title 4, Second Revision Brown County Ordinances, to rezone certain described property.

Moved by Feickert, seconded by Wiese to approve First Reading of Ordinance No. 013, An Ordinance Amending Title 4, Second Revision Brown County Ordinances to rezone certain property from Chapter 4.06 (AG-P) Agricultural Preservation District to Chapter 4.10 (R-3) Lake Front Residential District, described as Thorpe's First Elm Lake Subdivision in NE ¼ Sec 17-T128N-R65W of 5<sup>th</sup> P.M., Brown County, South Dakota. Roll call vote: Commissioners Hansen-aye, Feickert-aye, Fischbach-absent, Wiese-aye, Knecht-aye. Motion carried.

EXECUTIVE SESSION:

Moved by Hansen, seconded by Feickert to go into executive session to discuss possible litigation with Harvey Oliver, Lonnie Anderson, Russ Podoll and Dirk Rogers in attendance. All members present voting aye. Motion carried.

Moved by Wiese, seconded by Feickert to adjourn executive session. All members present voting aye. Motion carried.

SPECIAL MALT BEVERAGE LICENSE HEARING:

Time and place, as advertised for public hearing to consider applications for Special Malt Beverage Licenses to be used during the Brown County Fair.

Moved by Hansen, seconded by Wiese to approve the following Special Malt Beverage License applications: Aberdeen Hockey Association – Brown County Fairgrounds Club House, SW ¼ Sec 1-

T123N-R64W, special license effective August 14, 15, 16, 17, 18, 19 & 20, 2000; Boys & Girls Club – Brown County Fairgrounds Grandstand, SW ¼ Sec 1-T123N-R64W, special license effective August 14, 15, 16, 17, 18, 19 & 20, 2000; Centennial Village Inc – Fairgrounds Centennial Village, SW ¼ Sec 1-T123N-R64W, special license effective August 17, 18, 19 & 20, 2000. All members present voting aye. Motion carried.

**SHERIFF BUDGET:**

Mark Milbrandt and Tom Schmitt requested that an additional line item be included in the 2001 Sheriff Department Budget request for the Dive Team in amount of \$5000.00. No action taken at this time.

**COUNTY ROAD #13 PROJECT:**

Moved by Feickert, seconded by Wiese to approve and authorize the Chairman sign pay Request #2 for Road #13 Project (Lien Transportation) in amount of \$19,111.59. All members present voting aye. Motion carried.

Moved by Wiese, seconded by Hansen to amend motion in minutes of May 30, 2000 and award low bid (previously rejected) for Alternate Bid #1 in amount of \$227,862.25, submitted by Lien Transportation for purpose of placing additional 1" mat overlay on County Road #13 Project. All members present voting aye. Motion carried.

**COUNTY ROAD #6 & #6J PROJECT:**

Moved by Wiese, seconded by Feickert to approve and authorize the Chairman sign temporary easements for properties along County Road #6 Project and County Road #6J Project. All members present voting aye. Motion carried.

Moved by Wiese, seconded by Feickert to approve and authorize the Chairman sign Notice of Award, Agreement and Notice to Proceed documents for Brown County #6 and #6J Grading, Drainage and Gravel Surfacing Projects. All members present voting aye. Motion carried.

**EQUIPMENT PURCHASE:**

Moved by Wiese, seconded by Feickert to authorize the Highway Department purchase a 1994 Chevy 3/4 ton 4x4 pickup from SD Federal Surplus Property, Huron, SD in amount of \$12,475.00. All members present voting aye. Motion carried.

**RECONVEYANCE:**

Commissioner Feickert offered the following Resolution:

**RESOLUTION NO. 65-2000**

WHEREAS, it appearing to the satisfaction of the Commissioners of Brown County that a Tax Deed was taken on the following described real estate: W ½ of NE ¼ 2-128-64, Brown County, South Dakota, duly recorded in the Register of Deeds Office in Book 274, page 32 on June 21, 2000.

It further appearing to the satisfaction of the Brown County Commission that taxes, penalty, interest and attorney fees have been deposited with the Brown County Treasurer.

NOW THEREFORE BE IT RESOLVED that the Brown County Commission hereby reconveys the above listed property and authorizes the Chairman of the Brown County Commission to execute a Quit



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Claim Deed transferring the interest of Brown County, South Dakota, back to the record owners of said property.

Seconded by Commissioner Hansen. Roll call vote: Commissioners Hansen-aye, Feickert-aye, Fischbach-absent, Wiese-aye, Knecht-aye. Resolution adopted.

**INTERNET CONNECTIONS DISCUSSED:**

Bill Meink discussed the options for obtaining internet service for the Museum and the Highway Department and also presented statistics and discussed need to update agreement with Clark Title Company for electronic access to the Treasurers Office tax records. No action taken at this time.

**INTENSIVE FAMILY CRISIS INTERVENTION GRANT:**

Bernie Ripperger, Assistant Executive Director SDACC and Bill Gallagher, Grants Specialist SDACC met with the Commission, Shirley Schwab and Denise Jung to discuss the Intensive Family Crisis Intervention Grant awarded to Brown County. Barb Johnson, JDC Director and Maxine Taylor, Auditor were also present.

Ms. Ripperger and Mr. Gallagher stressed that: The funds may be used only for the purposes(s) of achieving deinstitutionalization of status offenders and nonoffenders, separation of juveniles from incarcerated adults, removal of juveniles from adult jails and lockups, and reducing the disproportionate confinement of minority youth in secure facilities, as defined in sections 223(a) (12) (A); 223 (a) (13); 223 (a) (14) and (a) (23) of the JJDP Act.

**BUDGET DISCUSSION:**

The Commission discussed 2001 budget requests. No action taken at this time.

**RECESS:**

The Chairman declared the meeting recessed until August 15, 2000.

Maxine Taylor – Brown County Auditor

# AUGUST 15, 2000 – GENERAL MEETING

Meeting called to order by Chairman Knecht at 8:45 A.M. in the Commissioner's Chambers, Courthouse Annex, Brown County, South Dakota. Present were Commissioners Hansen, Feickert, Fischbach and Wiese.

## MINUTES:

Moved by Hansen, seconded by Feickert to approve the General Meeting minutes of August 8, 2000. All members present voting aye. Motion carried.

## CLAIMS:

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

Payroll: Commissioners..\$2211.55; Data Processing..\$1269.24; Auditor..\$5188.56; Treasurer..\$7173.36; State's Attorney..\$8511.45; Victims Assistance..\$788.47; Maintenance..\$4224.99, OVERTIME: Ron Adler..\$3.83; Assessor..\$5208.67; Planning & Zoning..\$887.20, OVERTIME: Mick Waller..\$16.64; Register of Deeds..\$3457.53; Veterans Service Office..\$2224.61, OVERTIME: Kathy Schlecht..\$132.17; Sheriff..\$41813.76, OVERTIME: John McQuillen..\$103.00, John Heine..\$164.80, Scott Kolb..\$175.10, Michael Casjens..\$175.59, David Fair..\$126.82, David Hanson..\$72.32, Steven Cogley..\$156.24, Gary Bunt..\$153.00, Craig Nelson..\$60.08, Heather Rystrom..\$104.32, Russell Ochsner..\$13.04, Amy Lake..\$6.70, Kristal Schumack..\$20.10, Jeffrey Kirnan..\$26.80; Communications..\$8811.96, OVERTIME: Sheila Anderson..\$159.20, Mary Browning..\$590.24, Alicia Dohn..\$495.36, Janet Dosch..\$467.84, Nancy Radke..\$216.96, Deanna Thorpe..\$275.20, Lisa Wipf..\$118.72; Museum..\$2831.62; IMS..\$195.70; Welfare Office..\$2299.64; Health..\$2239.20; Extension..\$1859.43; OVERTIME: Sherry Theobald..\$188.79; Weed..\$2473.95, OVERTIME: Jerry Dempsey..\$138.93, Earl Ruden..\$74.22, Louie Koch..\$123.00; Foster Grandparent Program..\$2117.84; Fairgrounds..\$3652.66, OVERTIME: John Weig..\$114.82, Melvin Ernst..\$207.50, Michael Bishop..\$52.21; Fairboard..\$1545.94; Emergency Management..\$1834.40; Highway..\$34574.54, OVERTIME: Terry Backous..\$182.40, Robert Binfet..\$170.10, Vernon Bitz..\$191.06, David Bruckner..\$209.88, Brian Dargatz..\$394.32, Dan Glover..\$322.88, Ronald Glugla..\$334.69, Larry Hardy..\$150.20, Jason Heagley..\$325.73, John Heidenreich..\$21.02, Ben Hofer..\$7.01, Tom Lammon..\$345.53, Jerry Luce..\$327.44, Joseph Malsam..\$298.20, Bryan Owens..\$358.42, Cordell Rudolph..\$305.62, Richard Schaible..\$325.20, Roger Schaible..\$324.48, Jeff Seiler..\$186.03, Marcus Selzler..\$16.80, Casey Thorstenson..\$35.78, Kendall Titze..\$204.39, Leon Vickers..\$268.80, Michael Wagner..\$344.25, Nicholas Wanna..\$157.61, Mark Wendt..\$453.75, Theodore Brockel..\$251.60, Randy Dobberpuhl..\$257.52, Joseph Malsom..\$55.11, Amanda Mollman..\$62.40, Jay Schochenmaier..\$5.01; Landfill..\$4993.62, OVERTIME: Carl Wright..\$285.19, Roxanne Varns..\$116.93, Nyle Jenson..\$91.80, Dennis Van Heerde..\$260.64; Supplies & Materials: William Meink..\$148.95, Penny Hart..\$17.98, Lexis Pub..\$573.56, K-Mart..\$112.32, Ameripride..\$88.52, Fordham Signs..\$75.00, Otis Elevator..\$1292.03, Taylor Laundry..\$151.60, Insurance Plus..\$38.00, Cunningham Elec..\$113.83, Newman Signs..\$10.45, Dakota Supply..\$73.84, Rux Bros..\$1983.77, Best Business..\$1092.32, New Trends..\$28.69, Lar-Jos..\$175.20, Office Equipment..\$159.00, NAPA..\$4.52, Hoven Auto..\$364.84, Langs..\$73.00, Xerox..\$112.67, Parcel-Erickson..\$19.95, Law Enforcement Resource Center..\$415.00, Pierson Ford..\$447.81, Economy Meat..\$59.00, Kesslers..\$393.99, Aberdeen Lock & Key..\$35.00, Safety Service..\$105.85, Dakota Electronics..\$359.00, Panitorium..\$2.12, Respond..\$161.70, Bonnie Bitz..\$186.00, Metz Baking..\$666.85, Hogg Rest..\$3029.85, Walmart..\$9.23, Artz Camera..\$22.15, RE Huffman..\$61.05, Extension Service..\$74.85, NAPA..\$13.80, Hub City Iron..\$5.03, Farm Power..\$22.25, ProAg Supply..\$128.80, Don's Welding..\$32.50, Brucelli Advertising..\$71.95, SD Dept of Revenue..\$12.00, UBC..\$153.00, Koehn..\$309.16, Advanced Weighing System..\$500.00, Ketterling Photography..\$660.50, Paul Mardian..\$160.00, Office Max..\$174.97, C&S Motor

Sports..\$149.95, Prairieland..\$217.71, SDSWMA..\$750.00, Mercury Cleaners..\$34.00, Newman Signs..\$92.88, Dakota Electronics..\$2083.50, Kesslers..\$20.94:  
Publications: American News..\$ 170.85, Dakota Press..\$588.92, Frederick/Hecla Northstar..\$135.29, Sioux/Carson County News Messenger..\$8.48:  
Transcriptions: Cheryl Hook..\$461.10:  
Mileage & Travel: Melissa Koester..\$62.45, Mary Worlie..\$308.73, Michele Porter..\$45.00, Super 8..\$41.08, Marj Kolb..\$376.66, Gary Erickson..\$298.79:  
Utilities: NWPS..\$6484.78, Norcom..\$3682.66, Midcontinent Cable..\$243.00, US West..\$930.71, Verizon..\$17.77, Northern Electric..\$281.50, McLeods USA..\$17.95:  
Professional Fees: Mark McNeary..\$2500.00, Kim Dorsett..\$1500.00, Dr William Pettit..\$750.00, Tom Price..\$490.00, Avera St Lukes..\$38.00, Medical Center Pharmacy..\$821.08, Aberdeen Advanced Care..\$159.88, Dr Joe Ping Chang..\$105.40, NE Mental Health..\$146.30:  
Care of Poor: Rent: 5 recipients..Jack Ganje..\$190.00, Tree House Properties..\$170.00, Aberdeen Finance..\$230.00, Michael Gunderson..\$210.00, D&L LLC..\$75.00; Dr/Hospital – 3 recipients.. Avera St Lukes..\$5143.49; Transportation: 1 recipient.. Aberdeen Ambulance Service..\$536.45. All members present voting aye. Motion carried.

#### PERSONNEL:

Moved by Hansen, seconded by Wiese to approve the following employee step increases, effective August 20, 2000: Dallas Vallery @ \$9.41 per hour, Kevin Johnson @ \$9.41 per hour, Daniel Glover @ \$10.70 per hour. All members present voting aye. Motion carried.

#### LEASE AGREEMENT:

Moved by Wiese, seconded by Feickert to approve and authorize the Chairman sign agreement with 3-M for lease of the Club House on October 14, 2000 with permission to serve alcohol beverages in conjunction with the lease. All members present voting aye. Motion carried.

#### ABATEMENTS:

Moved by Hansen, seconded by Fischbach to approve the following Abatements: Eric Vetter, MH taxes paid in Beadle County (1988 Champion), for year 1999 in amount of \$210.84; James or Marion J Pigors, MH destroyed by wind (1974 Schult) for year 2000 in amount of \$57.93. All members present voting aye. Motion carried.

#### ORDINANCE NO. 013:

Moved by Hansen, seconded by Wiese to approve Second Reading of Ordinance No. 013. All members present voting aye. Motion carried.

Moved by Fischbach, seconded by Feickert to adopt Ordinance No. 013, An Ordinance Amending Title 4, Second Revision Brown County Ordinances to rezone certain property from Chapter 4.06 (AG-P) Agricultural Preservation District to Chapter 4.10 (R-3) Lake Front Residential District, described as Thorpe's First Elm Lake Subdivision in NE ¼ Sec 17-T128N-R65W of 5<sup>th</sup> P.M., Brown County, South Dakota. Roll call vote: Commissioners Hansen-aye, Feickert-aye, Fischbach-aye, Wiese-aye, Knecht-aye. Motion carried.

#### EXECUTIVE SESSION:

Moved by Hansen, seconded by Wiese to go into executive session to discuss possible litigation with Harvey Oliver, Lonnie Anderson and Dirk Rogers in attendance. All members present voting aye. Motion carried.

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Moved by Wiese, seconded by Feickert to adjourn executive session. All members present voting aye. Motion carried.

**PROPERTY DISCUSSION:**

Raph Mack and Harry Howell met with the Commission to discuss sale of property located at 5 S Main Street, Aberdeen, SD being for sale. The Commission toured the property but took no action at this time.

**PROMAP PROPOSAL DISCUSSED:**

Bob Mortensen, representing PMC, ProMap Corporation and Mary Worlie, Director of Equalization met with the Commission to discuss time line for preliminary budget proposal for GIS project in Brown County. No action taken at this time.

**COUNTY ROAD #13 PROJECT:**

Moved by Wiese, seconded by Hansen to approve and authorize the Chairman sign pay Request #3 for Road #13 Project (Lien Transportation) in amount of \$32,568.95. All members present voting aye. Motion carried.

**ER FORCE ACCOUNT:**

Moved by Feickert, seconded by Wiese to approve and authorize the Chairman sign agreements for ER Force Accounts with the SD Department of Transportation for Project ER6467(01) PCEMS 300S. All members present voting aye. Motion carried.

**COUNTY ROAD 6 & 6J PROJECTS:**

Moved by Feickert, seconded by Fischbach to approve and authorize the Chairman sign Amendment to Agreement 612339 with the SD Department of Transportation for 90/10 funding exchange for Project P6525(00); PCN6140 (County Road 6 & 6J Projects). All members present voting aye. Motion carried.

Moved by Hansen, seconded by Wiese to approve and authorize the Chairman sign temporary easements for properties along County Road 6 and County Road 6J Project. All members present voting aye. Motion carried.

**2001 PROVISIONAL BUDGET:**

Commissioner Hansen offered the following Resolution:

**RESOLUTION NO. 66-2000**

**ADOPTION OF PROVISIONAL BUDGET FOR BROWN COUNTY, SOUTH DAKOTA**

NOTICE IS HEREBY GIVEN: That the Board of County Commissioners of Brown County, will meet in the Courthouse at Aberdeen, South Dakota on Tuesday, September 5, 2000 at 10:00 A.M. for the purpose of considering the foregoing Provisional Budget for the year 2001 and the various items, schedules, amounts and appropriations set forth therein and as many days thereafter as is deemed necessary until the final adoption of the budget on the 26<sup>th</sup> day of September, 2000. At such time any interested person may appear either in person or by a representative, and will be given an opportunity for a full and complete discussion of all purposes, objectives, items, schedules, appropriations, estimates, amounts and matter set forth and contained in the Provisional Budget.

Seconded by Commissioner Wiese. Roll call vote: Commissioners Hansen-aye, Feickert-aye, Fischbach-aye, Wiese-aye, Knecht-aye. Resolution adopted.

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RECESS:

The Chairman declared the meeting recessed until August 22, 2000. All members present voting aye.  
Motion carried.

Maxine Taylor – Brown County Auditor

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AUGUST 16, 2000 – SPECIAL MEETING

The Brown County Commission met in Special Session at 9:00 A.M. on August 16, 2000 in the Commissioner's Chambers, Courthouse Annex, Brown County, South Dakota for purpose of property discussion. Present were Chairman Knecht and Commissioners Hansen, Fischbach and Wiese. Absent Commissioner Feickert.

Discussion was held in regard to the purchase of property located at 5 S Main Street, Aberdeen, South Dakota. No action taken by the Commission.

Moved by Fischbach, seconded by Hansen to adjourn the Special Meeting of the Brown County Commission. All members present voting aye. Motion carried.

Maxine Taylor – Brown County Auditor

AUGUST 22, 2000 – GENERAL MEETING

Meeting called to order by Chairman Knecht at 8:45 A.M. in the Commissioner's Chambers, Courthouse Annex, Brown County, South Dakota. Present were Commissioners Hansen, Feickert, Fischbach and Wiese.

MINUTES:

Moved by Wiese, seconded by Feickert to approve the General Meeting minutes of August 15, 2000 and the Special Meeting minutes of August 16, 2000. All members present voting aye. Motion carried.

CLAIMS:

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

Supplies & Materials: Brown & Saenger..\$185.99, Harvey Oliver..\$450.50, Schwan Welding..\$10.00, Plainsco..\$30.88, Dependable..\$356.00, Sherwin-Williams..\$20.59, Heartland Paper..\$1553.80, Prairieland..\$182.22, A&M Radio..\$4974.87, SDACES..\$10.00, Lori Furman..\$91.68, Van Diest..\$2777.60, SD Fed Property..\$12.475.00, Lacal..\$139.50, Larson Blacksmith..\$80.00, Ken's Bear..\$45.00, Harms Oil..\$7952.10, Alan Winburn..\$980.00, 3-D Specialties..\$48.00, Taylor Laundry..\$200.56, Swanson Elec..\$99.48, SD Wheat Growers..\$848.12, SD Division of Motor Vehicles..\$6.00, Sheehan..\$475.13, Safety-Kleen..\$175.00, Quality Stores..\$72.29, Newman Signs..\$357.60, Nelson Auto..\$77.39, Mathison..\$62.22, Lust Chev..\$138.80, Lien Trans..\$2834.58, Koch Materials..\$115,610.36, Hedahls..\$35.19, Hecla Impl..\$75.32, Dakota Filter..\$86.75, Herb Dabbert..\$700.00, Aberdeen Trans..\$350.00, Abdn Glass..\$421.42, Creative Sign..\$20.00, Senior Citizens..\$180.00, Brown County Hwy..\$1105.04, Brown County Health..\$14.00, Mayo Clinic Newsletter..\$49.00, Danko..\$586.55, Dakota Electronics..\$1324.00, Overhead Door..\$51.02, Best Business Products..\$189.46, North Star Amusements..\$9382.36:

Publications: American News..\$450.65, Frederick/Hecla Northstar..\$117.39, Corson County Messenger..\$19.46:

Transcriptions: Tammy Erickson..\$57.35, Betsy Johnson..\$75.00:

Mileage & Travel: Sheila Enderson..\$11.02, Mabel Morgan..\$24.94:

Court Appointed Attorney: Robert Chavis..\$270.00:

Utilities: NorCom..\$264.00, City of Aberdeen..\$504.09, US West..\$1580.92, NWPS..\$1119.56, Northern Elec..\$14.20, City of Hecla..\$47.56, Cellular One..\$137.16, Bureau of Administration..\$546.87:

Professional Fees: William Pettit..\$125.40, Yankton County Sheriff..\$50.25, Donna Dietrich..\$487.90, Nelva Kooistra..\$30.00, Don Carlson..\$45.00, Joan Kittelson..\$15.00, Lewis & Clark Mental Illness Center..\$330.00, Sioux Vocational Services..\$120.00, Theatrical Media Services..\$1155.00, Banner Assoc..\$18,760.23:

Care of Poor: Rent: 7 recipients.. D&L, LLC..\$205.00, Gary Wald..\$170.00, Donald Peck..\$190.00, Jim Sayler..\$170.00, Doug Rush..\$170.00, J&V Apt Rentals..\$190.00; Dr/Hospital – 2 recipients.. Inphynet Prim Care..\$92.88, Aberdeen Surgical Assoc..\$1031.00; Drugs – 4 recipients.. Dakota Square Pharmacy..\$32.95, Kesslers Pharmacy..\$295.46: All members present voting aye. Motion carried.

PLATS:

Commissioner Wiese offered the following Resolution:

RESOLUTION NO. 67-2000

BE IT RESOLVED by the Board of County Commissioners of Brown County, South Dakota, that the plat showing "Craig Conservation Easement Tract 1 in the SW ¼ of Sec 18-T125N-R60W 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 Fischbach. Roll call vote: Commissioners Hansen-aye, Feickert-aye, Fischbach-aye, Wiese-aye, Knecht-aye. Resolution adopted.

Commissioner Feickert offered the following Resolution:

RESOLUTION NO. 68-2000

BE IT RESOLVED by the Board of County Commissioners of Brown County, South Dakota, that the plat showing "Broman Conservation Easement Tract 1 in the SE ¼ of the SE ¼ of Sec 36-T123N-R60W 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 Wiese. Roll call vote: Commissioners Hansen-aye, Feickert-aye, Fischbach-aye, Wiese-aye, Knecht-aye. Resolution adopted.

Commissioner Hansen offered the following Resolution:

RESOLUTION NO. 69-2000

BE IT RESOLVED by the Board of County Commissioners of Brown County, South Dakota, that the plat showing "Siefkes Conservation Easement Tract 1 in the SW ¼ of Sec 23-T123N-R60W 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 Wiese. Roll call vote: Commissioners Hansen-aye, Feickert-aye, Fischbach-aye, Wiese-aye, Knecht-aye. Resolution adopted.

Commissioner Feickert offered the following Resolution:

RESOLUTION NO. 70-2000

BE IT RESOLVED by the Board of County Commissioners of Brown County, South Dakota, that the plat showing "Rock Conservation Easement Tracts 1 and 2 in the NE ¼ and SE ¼ of Sec 24-T123N-R60W 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 Fischbach. Roll call vote: Commissioners Hansen-aye, Feickert-aye, Fischbach-aye, Wiese-aye, Knecht-aye. Resolution adopted.

Commissioner Wiese offered the following Resolution:

RESOLUTION NO. 71-2000

BE IT RESOLVED by the County Commission of Brown County, South Dakota, that the plat showing "HUD Lot 1 in NW ¼ Sec 32-T124N-R64W 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 Hansen-aye, Feickert-aye, Fischbach-aye, Wiese-aye, Knecht-aye. Resolution adopted.

Commissioner Fischbach offered the following Resolution:

#### RESOLUTION NO. 72-2000

BE IT RESOLVED by the County Commission of Brown County, South Dakota, that the plat showing "Lien Acres in the SW ¼ of Sec 10-T123N-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 of 1967, Chapter 11-3, and any amendments thereof.

Seconded by Commissioner Wiese. Roll call vote: Commissioners Hansen-aye, Feickert-aye, Fischbach-aye, Wiese-aye, Knecht-aye. Resolution adopted.

#### TOWNSHIP BOND:

Moved by Wiese, seconded by Fischbach to approve Treasurer Bond for Prairiewood Township (Richard Niebuhr). All members present voting aye. Motion carried.

#### SHERIFF REPORTS:

Moved by Hansen, seconded by Feickert to approve the following July 2000 Sheriff Reports: Incident & Offenses, Prisoner Care, JDC, Money deposited with the County Treasurer and Monthly activities. All members present voting aye. Motion carried.

#### BID – PROJECT 1 DEMOLITION, PROJECT 2 BACKFILL:

Moved by Feickert, seconded by Wiese to authorize advertising public hearing to open, read and consider bids for labor and material to complete Project 1 – Demolition of County owned building; Project 2 – Backfill excavated area (both projects located at 11 SE RR Ave, Aberdeen), to be held in the Commissioner's Chambers, Courthouse Annex, Brown County, South Dakota at 8:45 A.M. on September 26, 2000. All members present voting aye. Motion carried.

#### PERSONNEL:

Moved by Wiese, seconded by Hansen to approve hiring the following part-time Fair employees, effective August 14, 2000: Brad Erhardt @ \$15.00 per hour, Michael Nehls @ \$15.00 per hour, Fred Schmidt @ \$15.00 per hour, Darin Swantson @ \$15.00 per hour, Bradley Ziegler @ \$15.00 per hour, Sergio Gonzaloz @ \$7.00 per hour, Steve Carlson @ \$7.00 per hour, Lee Buechler @ \$7.00 per hour, Ernie Schwab @ \$7.00 per hour, Bill Bolan @ \$7.00 per hour. All members present voting aye. Motion carried.

Moved by Feickert, seconded by Hansen to approve hiring Brenda Schmitt as guard for purpose of prisoner transport. All members present voting aye. Motion carried.

Moved by Hansen, seconded by Wiese to acknowledge resignation of Mark Mills as Communications Center Director, effective September 1, 2000. All members present voting aye. Motion carried.

Moved by Fischbach, seconded by Wiese to appoint Jesse Luce as interim Communications Center Director, effective August 17, 2000 and to compensate Mr. Luce \$1000.00 for each month he serves as interim director. All members present voting aye. Motion carried.

Moved by Wiese, seconded by Feickert to approve classification change for Kathy Fischer in the Assessor's Office from Clerical to Appraiser, effective September 4, 2000 at \$9.41 per hour. All members present voting aye. Motion carried.

#### PROPERTY DISCUSSION:

Mike Vining and Odien Iverson met with the Commission to discuss progress made in cleaning up the property owned by Mr. Iverson in Bath Township. The Commission requested Mr. Iverson concentrate on removing the old vehicles and cutting the tall grass in the next two weeks. Mick Waller and Mike Scott were also in attendance.

#### ER FORCE ACCOUNT:

Moved by Wiese, seconded by Fischbach to approve and authorize the chairman sign agreements for ER Force Accounts with the SD Department of Transportation for Project ER6467(01) PCEMS 300S. All members present voting aye. Motion carried.

#### COUNTY ROAD 6 & 6J PROJECTS:

Moved by Feickert, seconded by Wiese to approve and authorize the Chairman sign temporary easements for properties along County Road 6 and County road 6J Project. All members present voting aye. Motion carried.

#### EXECUTIVE SESSION:

Moved by Feickert, seconded by Hansen to go into executive session for personnel discussion with Russ Podoll in attendance. All members present voting aye. Motion carried.

Moved by Fischbach, seconded by Feickert to adjourn executive session. All members present voting aye. Motion carried.

#### MUSEUM INTERNET CONNECTION:

Sue Gates, Museum Director and Bill Meink, Data Processing met with the Commission to present options for internet access at the Museum. After discussion the Commission advised using a dial-up connection at this time.

#### ASSESSOR'S OFFICE PERSONNEL:

Mary Worlie met with the Commission to discuss promoting current clerical employee to appraiser and advertising for clerical replacement. Board concurred.

#### INTENSIVE FAMILY CRISIS INTERVENTION GRANT:

Shirley Schwab and Denise Jung met with the Commission to discuss documentation for reimbursement for the Intensive Family Crisis Intervention Grant.

#### RECESS:

The Chairman declared the meeting recessed until August 29, 2000. All members present voting aye. Motion carried.

Maxine Taylor – Brown County Auditor

AUGUST 29, 2000 – JOINT CITY/COUNTY MEETING

The Brown County Commission and the Aberdeen City Commission met in joint session at 8:45 A.M. in the Brown County Commission Chambers, Courthouse Annex, Aberdeen, South Dakota. Present from City were Commissioners Klabo, Hurlbert and Mayor Hopper. Absent Commissioners Pfeifer and Omland. Present from County were Commissioners Knecht, Hansen, Fischbach, Feickert and Wiese.

ORDINANCE NO. 00-08-03/207:

On motion by Hurlbert and seconded by Klabo the City Commission unanimously voted to approve First Reading of Ordinance No. 00-08-03/207.

Moved by Fischbach, seconded by Wiese to approve First Reading of Ordinance No. 00-08-03/207, An Ordinance amending Ordinance No. 1164 to rezone certain property from Section 704 (R-2) Medium Density Residential District to Section 701 (A-1) Agricultural District, described as Droog Outlot A in the S ½ of Sec 22-T123N-R64W of the 5<sup>th</sup> P.M., Brown County, South Dakota. All members present voting aye. Motion carried.

ORDINANCE NO. 00-08-04/208:

On motion by Klabo and seconded by Hurlbert the City Commission unanimously voted to approve First Reading of Ordinance No. 00-08-04/208.

Moved by Feickert, seconded by Hansen to approve First Reading of Ordinance No. 00-08-04/208, An Ordinance amending Ordinance No. 1164 to rezone certain property from Section 701 (A-1) Agricultural District to Section 714 (M-Ag) Mini-Agricultural District, described as the NW ¼ of the NW ¼ of the NW ¼ of Sec 20-T123N-R64W of the 5<sup>th</sup> P.M., Brown County, South Dakota, to be platted and known as Lot 1 of Gilbert Addition in the NW¼ of Sec 20-T123N-R64W of the 5<sup>th</sup> P.M, Brown County, South Dakota. All members present voting aye. Motion carried.

The City Commission adjourned and the County Commission continued into their regularly scheduled meeting.

Maxine Taylor – Brown County Auditor

## AUGUST 29, 2000 – GENERAL MEETING

Meeting called to order by Chairman Knecht at 8:45 A.M. in the Commissioner's Chambers, Courthouse Annex, Brown County, South Dakota. Present were Commissioners Hansen, Feickert, Fischbach and Wiese.

## MINUTES:

Moved by Hansen, seconded by Wiese to approve the General Meeting minutes of August 22, 2000. All members present voting aye. Motion carried.

## CLAIMS:

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

Payroll: Commissioners..\$2211.55; Data Processing..\$1269.24; Auditor..\$5188.56; Treasurer..\$7173.36; State's Attorney..\$8255.45; Victims Assistance..\$788.47; Maintenance..\$4224.80; Assessor..\$5649.04; Planning & Zoning..\$887.20, OVERTIME: Mick Waller..\$16.64; Register of Deeds..\$3735.29; Veterans Service Office..\$2213.16, OVERTIME: Kathy Schlecht..\$72.09; Sheriff..\$41154.85, OVERTIME: Craig Anderson..\$247.20, Bryan Locke..\$154.50, John McQuillen..\$30.90, Patrick Rickerl..\$70.60, Michael Kuebler..\$65.20, Diane Mielke..\$130.23, Kevin Johnson..\$20.64, Jeffrey Kirman..\$16.75; Communications..\$8730.02, OVERTIME: Sheila Anderson..\$222.88, Mary Browning..\$243.04, Janet Dosch..\$412.80, Betty Haar..\$63.68, Nancy Radke..\$189.84, Deanna Thorpe..\$275.20, Lisa Wipf..\$170.66; Museum..\$3027.32; Welfare Office..\$2299.64; Health..\$2239.20; Extension..\$1790.09; OVERTIME: Lynn Heupel..\$391.58, Sherry Theobald..\$299.46, Jackie Thompson..\$210.87; Weed..\$1335.25, OVERTIME: Earl Ruden..\$167.13; Foster Grandparent Program..\$2192.38; Fairgrounds..\$4377.27, OVERTIME: John Weig..\$472.03, Melvin Ernst..\$379.22, Michael Bishop..\$188.41, James Crouch..\$243.34; Fairboard..\$3204.43, OVERTIME: Lavonne Wolf..\$154.88, Craig Anderson..\$494.40, Bryan Locke..\$494.40, John McQuillen..\$309.00, John Heine..\$164.80, Scot t Kolb..\$329.60, Michael Casjens..\$312.16, David Fair..\$487.75, David Hanson..\$289.28, Steve Cogley..\$138.88, Gary Bunt..\$272.00, John Vander Hoek..\$324.32, Craig Nelson..\$240.32; Emergency Management..\$1834.40; Highway..\$34424.51, OVERTIME: Terry Backous..\$337.44, Robert Binfet..\$323.19, Vernon Bitz..\$130.08, David Bruckner..\$183.65, Brian Dargatz..\$377.89, Dan Glover..\$244.13, Ronald Glugla..\$315.00, Larry Hardy..\$166.01, Jason Heagley..\$185.63, John Heidenreich..\$147.11, Ben Hofer..\$266.19, Tom Lammon..\$304.88, Jerry Luce..\$8.51, Joseph Malsam..\$298.20, Bryan Owens..\$221.70, Cordell Rudolph..\$305.62, Richard Schaible..\$325.20, Roger Schaible..\$183.04, Jeff Seiler..\$307.67, Marcus Selzler..\$25.20, Casey Thorstenson..\$50.09, Kendall Titze..\$325.51, Leon Vickers..\$294.00, Michael Wagner..\$237.15, Nicholas Wanna..\$280.20, Jan Weismantel..\$52.17, Mark Wendt..\$379.50, Joel Backous..\$172.85, Theodore Brockel..\$248.64, Erica Olson..\$100.20, Jay Schochenmaier..\$40.08; Landfill..\$5099.88, OVERTIME: Carl Wright..\$83.36, Roxanne Varns..\$81.85, Nyle Jenson..\$252.45, Dennis Van Heerde..\$188.24; Supplies & Materials: SD Counties..\$1395.00, Reserve Account..\$5000.00, NADA..\$210.00, CMS Holdings..\$2620.00, Office Max..\$670.44, Element K Journals..\$178.00, K-Mart..\$232.90, Menards..\$149.84, Prairieland..\$284.18, Ecolab..\$97.50, McFarland..\$14.00, R&R Auto..\$5.00, ParkView..\$300.00, Veterans Info Service..\$80.00, New Trends..\$56.93, Office Equip..\$8.35, Velvet Uniforms..\$2230.48, Dept of Rev..\$395.00, Nat'l Consultant..\$160.00, SD Corrections..\$180.00, Economy Meats..\$188.80, JC Penney..\$76.47, Aberdeen Chrysler..\$35.75, Langs..\$39.98, Hoven Auto..\$22.50, Printrak Int'l..\$6600.00, Safelite Glass..\$29.95, Dakota Silk Screen..\$64.38, Diane Mielke..\$3.00, A-1 Locksmith..\$4.50, Schwaab..\$30.80, Artz Camera..\$62.55, Credit Bureau..\$90.00, Amoco..\$115.70, RE Huffman..\$3.98, Farmers Union..\$25.57, Alan Winburn..\$1720.00, Signs & Blanks..\$47.00, Respond..\$116.45, RDO-Equip..\$49,927.31, McFarland Supply..\$176.56, Light & Siren..\$362.89, Larson Blacksmith..\$25.00, Lacal Equip..\$202.44, Huron Culvert..\$49.30, House of Glass..\$38.84, Fastenal..\$16.71, Diamond Mowers..\$67.00, Creative Signs..\$10.00, Dakota Air..\$9.50, Share Corp..\$274.20, Safety-Kleen..\$114.30, Plainsco..\$541.55, Lien Trans..\$1128.94, Koch Materials..\$81,527.37, Harms Oil..\$8473.90, Don Gunther..\$1798.72, Herb Dabbert..\$3896.00, Al Dabbert..\$340.00, CarQuest..\$694.48, Fran Brink..\$300.00, A-1 Sanitation..\$422.65, Spellman Painters..\$419.22, Swanson Elec..\$919.02, SD Wheat Growers..\$195.96, UBC..\$51.37, Aberdeen

Asphalt..\$15,095.07, Burdette Elec..\$53.21, Dennis Biliske..\$25.00, Dahme..\$560.00, Ken Opp..\$82.50, Meyers Tractor..\$50.00, Dakota Electronics..\$25.00, Sam's Sound..\$642.71, Town & Country..\$2800.02, Cartney Bearing..\$20.76, Dependable Sanitation..\$142.80, OK Tire..\$84.00, Evergreen Supply..\$56.70, Hedahls..\$8.47, Lust Chev..\$2801.23, Aberdeen Hockey..\$1669.10, House of Glass..\$3.62, Keeleys..\$265.96, Dakota Supply..\$107.50, Hub City Iron..\$123.64, Fred Ludwig Trucking..\$776.88, Menards..\$212.09, Sherwin-Williams..\$21.19, Laird Plastics..\$43.19, Nat'l Register Publ..\$175.00, Dacotah Prairie Museum..\$9.95, Ameripride..\$11.74, VanDiest..\$2863.65, Assn of SD Weed Boards..\$76.00, Gelling Auto..\$323.94, ProAg..\$4.75, Ag Communications..\$29.17, Nat'l 4-H Council..\$24.86, K-Mart..\$26.93, Aspen Pub..\$134.00, Danko..\$608.44, US Post Office..\$275.50, Frey's Electronics..\$3154.00, Earth Tech..\$791.15, SoDak Sport..\$369.99, Eddie's..\$229.90, Berg Bag..\$3087.85, Dakota Supply..\$24.13, Newman Signs..\$218.50:

Publications: American News..\$262.64:

Transcriptions: Betsy Johnson..\$132.00, Jeanne Haug..\$37.80, Tammy Erickson..\$364.65, Slowey Court Reporting..\$130.00:

Mileage & Travel: Mike Wiese..\$8.12, AmericInn..\$37.80, Gene Loeschke..\$239.54, Tom Gohn..\$269.76, Kathy Schlecht..\$139.51, Sherri Rawstern..\$70.00, Barb Jansen..\$21.17, Jodi McQuillen..\$148.19, Leo Leshner..\$94.54:

Court Appointed Attorney: Brad Borge..\$4500.00, Tonner, Tobin & King..\$4500.00, Robert Chavis..\$90.00, Goetz & Klimisch..\$240.90:

Utilities: US West..\$3549.68, Cellular One..\$656.69, NWPS..\$3207.27, Northern Elec..\$299.92, Verizon..\$115.56, Midcontinent Comm..\$28.85:

Professional Fees: Kim Dorsett..\$1500.00, Aberdeen Adv Care..\$101.57, Avera St Lukes..\$1196.68, Yankton County Sheriff..\$16.75, Marv Ekeren..\$15.00, Don Carlson..\$15.00, Donna Dietrich..\$123.08:

Care of Poor: Rent: 3 recipients.. Cindy Sikkink..\$190.00, Elizabeth Blade..\$170.00, Jack Ganje..\$115.00; Dr/Hospital – 5 recipients..Avera St Lukes..\$9591.90, Dr Joseph Rigg..\$30.46, Inphynet Primary Care..\$185.44, Avera McKennan Hosp..\$4585.00; Drugs – 2 recipients.. K-Mart Pharmacy..\$31.34, Walmart Pharmacy..\$106.91; Utilities – 1 recipient.. NWPS..\$170.00; Transportation – 1 recipient..Brown County Highway..\$22.62; Insurance – 1 recipient.. Conseco Finance..\$170.00. All members present voting aye. Motion carried.

#### PERSONNEL:

Moved by Hansen, seconded by Fischbach to approve hiring Vickie Bruce as Dispatcher, effective September 11, 2000 at \$9.17 per hour. All members present voting aye. Motion carried.

Moved by Fischbach, seconded by Wiese to approve the following employee step increases, effective September 3, 2000: Amy Lake @ \$9.17 per hour, Deb Dugger @ \$9.08 per hour, Janet Dosch @ \$9.41 per hour, Jerry Luce @ \$11.59 per hour, Alicia Dohn @ \$9.41 per hour. All members present voting aye. Motion carried.

Moved by Feickert, seconded by Wiese to acknowledge resignation of Michael Kuebler from the Sheriff Department, effective September 8, 2000. All members present voting aye. Motion carried.

Moved by Feickert, seconded by Hansen to approve hiring Todd Odenbach as Weed & Pest Supervisor (May 1 – October 31) at \$11.75 per hour and Highway Employee (November 1 – April 30) at \$9.34 per hour, effective September 5, 2000. All members present voting aye. Motion carried.

#### INVENTORY TRANSFER:

Moved by Hansen, seconded by Wiese to transfer the following inventory items: Decals #2379 and #2382 Computers from Data Processing to Treasurer; Decal#3979 Computer from Circuit Court to Museum;

Decals #107 and #114 Computers from Assessor to Central Storage; Decal #2137 Computer from Treasurer to Central Storage. All members present voting aye. Motion carried.

**INCREASE SPENDING AUTHORITY/ESTIMATED REVENUE:**

Moved by Fischbach, seconded by Feickert to increase spending authority in Fund #201-311-426.30 and increase estimated revenue in Fund #201-331.03 for CDBG funding for the Dam Repair Projects in amount of \$18,760.23. All members present voting aye. Motion carried.

Moved by Hansen, seconded by Wiese to increase spending authority in Fund #101-161-426 and increase estimated revenue in Fund #101-334.01 for Court Security Grant in amount of \$2,394.44; and increase spending authority in Fund #101-215-434.10 in amount of \$1,078.20, #101-215-426 in amount of \$337.50, #101-215-426.08 in amount of \$1,490.40, #101-215-426.08 in amount of \$121.50, #101-215-426 in amount of \$94.50 and increase estimated revenue in Fund #101-331.99 in amount of \$3,122.10. All members present voting aye. Motion carried.

**BNSF RR SETTLEMENT AGREEMENT:**

Moved by Wiese, seconded by Fischbach to approve and authorize Sheila Enderson, Brown County Treasurer to sign agreement with Burlington Northern Santa Fe Railway Company to settle, compromise, and finally conclude all tax litigation between Brown County and the Burlington Northern Santa Fe Railway Company; and further authorize payment of \$166,007.57 (45% of all taxes paid under protest) to BNSF RR, as per settlement agreement. All members present voting aye. Motion carried.

**RECONVEYANCE:**

Commissioner Feickert offered the following Resolution:

**RESOLUTION NO. 73-2000**

WHEREAS, it appearing to the satisfaction of the Commissioners of Brown County that a Tax Deed was taken on the following described real estate: Lot 3, Block 16, Hagerty & Lloyd's Addition to Aberdeen, Brown County, South Dakota, duly recorded in the Register of Deeds Office in Book 274, page 232 on July 27, 2000.

It further appearing to the satisfaction of the Brown County Commission that taxes, penalty, interest and attorney fees have been deposited with the Brown County Treasurer.

NOW THEREFORE BE IT RESOLVED that the Brown County Commission hereby reconveys the above listed property and authorizes the Chairman of the Brown County Commission to execute a Quit Claim Deed transferring the interest of Brown County, South Dakota, back to the record owners of said property.

Seconded by Commissioner Fischbach. Roll call vote: Commissioners Hansen-aye, Feickert-aye, Fischbach-aye, Wiese-aye, Knecht-aye. Resolution adopted.

**LANGFORD SCHOOL DISTRICT – DISCUSS ROADS:**

Don Ogren, Langford School Board President, Sherm Cutler, Spokesperson and thirty-one residents of the Langford School District met with the Commission to convey their concern about the condition of Brown County 20 & 11 and requested that the graveled and patched areas be paved as the highways resemble gravel roads rather than paved ones. Russ Podoll, Highway Superintendent was also in attendance. The Commission requested that Mr. Podoll inspect the referenced roads for safety.

**PROPOSED HOCKEY BUILDING DISCUSSED:**

Jeff Sveen, Spokesperson and a delegation of sixteen residents met with the Commission to request approval and financial support for a new hockey facility at the Fairgrounds adjacent to the Holum Expo Building. Randy Bonn, Fairgrounds Superintendent, Larry Gerlach, Fair Board Manager, Fair Board members Lynn Weismantel and Vicki Wilson were also present. The Commission requested costs be obtained for the following: site preparation (dirt work), utility line relocation, concrete surrounding ice rink and future upkeep estimates.

**SALARY DISCUSSION:**

John VanderHoek, Dallas Vallery, Barb Johnson and Kevin Johnson met to discuss salaries for year 2001.

**APPLICATION FOR OCCUPANCY:**

Moved by Feickert, seconded by Fischbach to approve and authorize the Chairman sign application, submitted by Northwestern Public Service for occupancy of Brown County Highway #19, in Sec 22 & 27-T123-R64, Brown County, SD to provide natural gas. All members present voting aye. Motion carried.

Moved by Fischbach, seconded by Feickert to approve and authorize the Chairman sign application, submitted by US West Communications for occupancy of North Shore Drive in Sec 24-T124N-R65W, Brown County, South Dakota to provide telephone service. Roll call vote: Commissioners Hansen-aye, Feickert-aye, Fischbach-aye, Wiese-abstain, Knecht-aye. Motion carried.

**BID AWARD – FOUR YARD LOADER:**

Moved by Fischbach, seconded by Hansen to award low bid received and awarded by Sanborn County on May 2, 2000 for one New Holland four-yard loader from J.D. Evans, Inc. in amount of \$138,450.00, delivery date of January 2, 2001; rejecting the following: Sheeman Mack @ \$157,396.00, DMI @ \$143,319.00, Butler @ \$170,663.00. All members present voting aye. Motion carried.

**LANDFILL ANNUAL REPORT:**

Mike Scott, Landfill Manager presented the Annual DENR State Inspection Report, which showed that the operation and maintenance of the landfill is acceptable and in compliance with South Dakota solid waste laws and rules and the permit conditions.

Mr. Scott also reviewed Litter Controls at the Landfill and requested permission to develop specifications for an enclosed temporary containment area, to be used when winds exceed 30+ MPH. Board concurred.

**RECESS:**

The Chairman declared the meeting recessed until September 5, 2000.

Maxine Taylor – Brown County Auditor

SEPTEMBER 5, 2000 – JOINT CITY/COUNTY MEETING

The Brown County Commission and the Aberdeen City Commission met in joint session at 8:45 A.M. in the Brown County Commission Chambers, Courthouse Annex, Aberdeen, South Dakota. Present from City were Commissioners Klabo, Hurlbert, Pfeifer and Mayor Hopper. Absent Commissioner Omland. Present from County were Commissioners Knecht, Hansen, Fischbach, Feickert and Wiese.

ORDINANCE NO. 00-08-03/207:

On motion by Hurlbert and seconded by Pfeifer the City Commission unanimously voted to approve Second Reading of Ordinance No. 00-08-03/207.

On motion by Klabo and seconded by Hurlbert the City Commission unanimously voted to adopt Ordinance No. 00-08-03/207.

Moved by Wiese, seconded by Feickert to approve Second Reading of Ordinance No. 00-08-03/207. All members present voting aye. Motion carried.

Moved by Wiese, seconded by Hansen to adopt Ordinance No. 00-08-03/207, An Ordinance amending Ordinance No. 1164 to rezone certain property from Section 704 (R-2) Medium Density Residential District to Section 701 (A-1) Agricultural District, described as Droog Outlot A in the S ½ of Sec 22-T123N-R64W of the 5<sup>th</sup> P.M., Brown County, South Dakota. Roll call vote: Commissioners Hansen-aye, Feickert-aye, Fischbach-aye, Wiese-aye, Knecht-aye. Ordinance adopted.

ORDINANCE NO. 00-08-04/208:

On motion by Klabo and seconded by Pfeifer the City Commission unanimously voted to approve Second Reading of Ordinance No. 00-08-04/208.

On motion by Pfeifer and seconded by Hurlbert the City Commission unanimously voted to adopt Ordinance No. 00-08-04/208.

Moved by Wiese, seconded by Fischbach to approve Second Reading of Ordinance No. 00-08-04/208. All members present voting aye. Motion carried.

Moved by Hansen, seconded by Feickert to adopt Ordinance No. 00-08-04/208, An Ordinance amending Ordinance No. 1164 to rezone certain property from Section 701 (A-1) Agricultural District to Section 714 (M-Ag) Mini-Agricultural District, described as the NW ¼ of the NW ¼ of the NW ¼ of Sec 20-T123N-R64W of the 5<sup>th</sup> P.M., Brown County, South Dakota, to be platted and known as Lot 1 of Gilbert Addition in the NW¼ of Sec 20-T123N-R64W of the 5<sup>th</sup> P.M, Brown County, South Dakota. Roll call vote: Commissioners Hansen-aye, Feickert-aye, Fischbach-aye, Wiese-aye, Knecht-aye. Ordinance adopted.

SET HEARING DATE:

On motion by Hurlbert and seconded by Klabo the City Commission unanimously voted to set hearing to consider petition to rezone: Ordinance No. 00-09-03/209 (Tompkins), Ordinance No. 00-09-05/210 (Thorpe) and Ordinance No. 00-09-06/211 (Siefkes) to be held in the Brown County Commission Chambers, Courthouse Annex, Aberdeen, South Dakota at 8:30 A.M. on September 26, 2000.

Moved by Feickert, seconded by Fischbach to consider the petition filed by Ross L and Darlene I Tompkins, to rezone HUB Lot 1 in the NW ¼ of Sec 32-T124N-R64W of the 5<sup>th</sup> P.M., Brown County, SD from Section 701 (A-1) Agricultural District to Section 714 (M-Ag) Mini-Agricultural District (Ordinance No 00-09-03/209); petition filed by James Thorpe, to rezone Lot 1 of Thorpe Subdivision of



the SE ¼ of Sec 16-T123N-R64W, the S 1,211' of the W 750' of the SE ¼ of Sec 16-T123N-R64W, the E 440' of the S 524' of the SW ¼ of Sec 16-T123N-R64W, to be platted and known as Lots 1 & 2 of Thorpe Second Subdivision in the SE ¼ and SW ¼ of Sec 16-T123N-R64W of the 5<sup>th</sup> P.M., Brown County, SD from Section 701 (A-1) Agricultural District to Section 710 (I-2) Unrestricted Industrial District (Ordinance No 00-09-05/210); petition filed by Richard B Siefkes, Pamela J Siefkes and Joyce Fluke, to rezone the N 283' of the 105.3' W of the E 208.7' of the SE ¼ of Sec 24-T123N-R63W, the 74.3' S of the N 208.7' of the 175.7' W of the E 33' of the SE ¼ of Sec 24-T123N-R63W, Larson's OL 1 in the SW ¼ of Sec 24-T123N-R63W, to be platted and known as Siefkes Outlot 1 in SE ¼ of Sec 24-T123N-R63W of the 5<sup>th</sup> P.M., Brown County, South Dakota (Ordinance No. 00-09-06/211), to be held in the Brown County Commission Chambers, Courthouse Annex, Aberdeen, South Dakota at 8:30 A.M. on September 26, 2000. All members present voting aye. Motion carried.

The City Commission adjourned and the County Commission continued into their regularly scheduled meeting.

Maxine Taylor – Brown County Auditor

SEPTEMBER 5, 2000 – GENERAL MEETING

Meeting called to order by Chairman Knecht at 8:45 A.M. in the Commissioner's Chambers, Courthouse Annex, Brown County, South Dakota. Present were Commissioners Hansen, Feickert, Fischbach and Wiese.

MINUTES:

Moved by Wiese, seconded by Fischbach to approve the Joint City/County and the General Meeting minutes of August 29, 2000. All members present voting aye. Motion carried.

CLAIMS:

Moved by Hansen, seconded by Fischbach to approve the following claims:

Supplies & Materials: Kesslers..\$20.57, Jane Jensen..\$3.58, New Trends..\$77.48, Debbie Touchie..\$64.51, Taylor Laundry..\$96.30, United lab..\$176.95, Janitor Supply..\$92.50, Gardner Locksmith..\$23.40, Keeleys..\$2.28, Prairieland..\$13.40, Aberdeen School Dist..\$135.44, City of Groton..\$169.07, Jobbers Moving..\$375.00, OfficeMax..\$55.75, Hitch 'N Post..\$69.98, A-1 Locksmith..\$5.00, Office Equip..\$1.25, Double D Body Shop..\$38.00, Galls..\$98.98, SD Fleet..\$385.60, Jordre Photo..\$44.49, K-Mart..\$27.19, SD Dept of Rev..\$420.00, Langs..\$96.00, Skaggs..\$76.90, Respond..\$78.60, Karsts Car Care..\$86.96, Economy Meats..\$37.76, Alan Winburn..\$2150.00, SD Wheat Growers..\$878.17, OK Tire..\$242.00, Van Diest..\$721.80, SDDOT..\$382.24, Old Dominion Brush..\$488.39, John Noltner..\$455.00, Newman Signs..\$128.76, Light & Siren..\$602.59, Frey's Electronics..\$7242.67, Lawson Products..\$157.64, Koch Materials..\$4709.12, Howell Trucking..\$1120.00, Heartland Paper..\$106.92, Great Western Tire..\$767.46, Farm Power..\$138.87, Diamond Mowers..\$1014.60, JD Evans..\$4913.21, Herb Dabbert Trucking..\$1760.00, Al Dabbert Trucking..\$1720.00, Crawford Trucks..\$1484.93, HC Clark..\$10.74, Clark Engineering..\$3010.44, Butler..\$645.92, Aberdeen Asphalt..\$102,431.95, CarQuest..\$10.72, ProAg Supply..\$418.75, Dakota Electronics..\$2430.67, A-1 Sanitation..\$1464.75, SD Dept of Rev..\$3098.15, Rockmount Research..\$456.28, Cole Papers..\$43.99, Menards..\$166.74, Leggette..\$45.75, Service Signs..\$717.10, Bricks TV..\$60.00, Praxair..\$15.33, Aberdeen TV & Appl..\$239.98, OK Tire..\$24.00, Shirley Schwab..\$495.00, Denise Jung..\$1820.00, Brucelli Adv..\$84.00, Area IV Senior Nutrition..\$159.75, Phyllis Voeller..\$19.50, Spink County Public Transit..\$184.00:

Publications: American News..\$ 346.32:

Transcriptions: Betsy Johnson..\$99.00, Richard Neal..\$474.00:

Court Appointed Attorney: Donald Erickson..\$277.60, Kabeiseman & Pollard..\$138.80:

Utilities: Midcontinent Cable..\$111.52, NWPS..\$6137.45, Montana Dakota..\$21.17, WEB..\$131.53:

Professional Fees: Witness fees..\$80.00, Lawrence County Sheriff..\$25.80, Polk Co Sheriff..\$13.72, Brad Randall..\$250.00, Charles Mix County Sheriff..\$28.50, Avera St Lukes..\$468.16, Dr John Carrels..\$22.76, Aberdeen Adv Care..\$101.57, Aberdeen Family Phys..\$57.40, Dr James Weekly..\$28.70, NEMH..\$336.49, Kevin Spitzer..\$415.25:

Care of Poor: Rent: 4 recipients.. Diane Zahn..\$210.00, Rockford Apts..\$190.00, Kathy Day..\$150.00, Jon Husby..\$165.00; Drugs – 1 recipient.. City Drug..\$62.84; Transportation – 1 recipient.. Brown County Hwy..\$11.14. All members present voting aye. Motion carried.

SOLID WASTE SPECIAL ASSESSMENT FEES - 2001:

Commissioner Fischbach offered the following Resolution:

RESOLUTION NO. 74-2000

WHEREAS, Title 3, Solid Waste Management System, Chapter 3.07011 of the Second Revision Brown County Ordinances, effective March 12, 1997, as amended, requires the Board of County Commissioners

to establish the Solid Waste Special Assessment fee schedule for the following year, prior to the second Tuesday in September.

NOW, THEREFORE BE IT RESOLVED, that the following Solid Waste Special Assessment fees shall be effective January 1, 2001 through December 31, 2001, for the Brown County Sanitary Landfill:

**SOLID WASTE SPECIAL ASSESSMENT FEE SCHEDULE**  
(Billed with the Real Estate Tax Notice)

1. Households within Incorporated Cities or Civil Townships that require curb service @ \$10.00 per year
2. Households within Incorporated Cities or Civil Townships that do not require curb service @ \$60.00 per year
3. Condominiums taxed as single units within Incorporated Cities or Civil Townships that require curb service @ \$10.00 per year
4. Condominiums taxed as single units within Incorporated Cities or Civil Townships that do not require curb service @ \$60.00 per year
5. Apartment Units within incorporated Cities that require curb service @ \$ 5.00 per unit per year
6. Seasonal Lake Cabins @ \$20.00 per year
7. Mobile Home parks, outside incorporated municipalities, which provide or require lot side waste pickup during the entire assessment period, for deposit into a permitted landfill solid waste facility @ \$10.00 per unit per year
8. Mobile Home parks, outside incorporated municipalities, which do not provide or require lot side waste pickup during the entire assessment period, for deposit into a permitted landfill solid waste facility @ \$60.00 per unit per year

Dated this 5th day of September, 2000.

Seconded by Commissioner Hansen. Roll call vote: Commissioners Hansen-aye, Feickert-aye, Fischbach-aye, Wiese-aye, Knecht-aye. Resolution adopted.

PLAT:

Commissioner Hansen offered the following Resolution:

**RESOLUTION NO. 75-2000**

BE IT RESOLVED by the Board of Commissioners of Brown County, South Dakota, that the plat showing "Gilbert Addition in the NW ¼ of Sec 20-T123N-R64W 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. Roll call vote: Commissioners Hansen-aye, Feickert-aye, Fischbach-aye, Wiese-aye, Knecht-aye. Resolution adopted.

CDBG DOCUMENT:

Moved by Fischbach, seconded by Hansen to approve and authorize Chairman sign CDBG Payment Request #2 for the Grant #9700-876 Dam Repair Project. All members present voting aye. Motion carried.

PERSONNEL:

Moved by Wiese, seconded by Hansen to adjust the salary of Mary Worlie, Director of Equalization to a pro-rated annual salary of \$35,000, effective September 5, 2000. All members present voting aye. Motion carried.

Moved by Hansen, seconded by Wiese to approve hiring Jason Hamar as full-time corrections officer, effective September 5, 2000 at \$8.69 per hour. All members present voting aye. Motion carried.

**RICHMOND ROAD DITCH TRAFFIC:**

A delegation of eleven residents met with the Commission to discuss the use of all terrain vehicles and dirt bikes in the public right-of-way along Richmond Road. Mark Milbrandt, Tom Schmitt and Harvey Oliver were also in attendance and answered general questions from the group.

**TAX DEED PROPERTY DISCUSSED:**

Sheila Enderson, County Treasurer met with the Commission to discuss tax deed property held by the County. No action taken at this time.

**2001 BUDGET HEARING:**

Time and place, as advertised for public hearing to receive comments in regard to the 2001 Provisional Budget for Brown County. Bob Retzer and Todd Odenbach appeared with questions about equipment not included in the 2001 Weed Board budget. No one else appeared. The Commission took no action at this time, final adoption of the 2001 Budget must be completed by October 1, 2000.

**COUNTY ROAD #13 – PAYMENT REQUEST:**

Moved by Wiese, seconded by Feickert to approve and authorize the Chairman sign payment request #4 for the Brown County Road #13 Project (Lien Transportation). All members present voting aye. Motion carried.

**FORCE ACCOUNT AGREEMENT:**

Moved by Feickert, seconded by Wiese to approve and authorize the Chairman sign force account agreement with the SDDOT for Project PP 8007 (01) PCEMS 278M (385<sup>th</sup> Street, 1 mile W of the S junction of US 12/281). All members present voting aye. Motion carried.

**APPLIATION FOR OCCUPANCY:**

Moved by Hansen, seconded by Fischbach to approve and authorize the Chairman sign application, submitted by Northern Electric Cooperative for occupancy of 104<sup>th</sup> Street in Sec 27-22-T128-R61, Brown County, South Dakota to install a 3 phase URD cable crossing. Roll call vote: Commissioners Hansen-aye, Feickert-aye, Fischbach-aye, Wiese-abstain, Knecht-aye. Motion carried.

**MUSEUM INTERNET DISCUSSED:**

Sue Gates and Bill Meink met with the Commission to discuss internet connection at the Museum through Midco Communications. Board concurred.

**RECESS:**

The Chairman declared the meeting recessed until September 12, 2000.

Maxine Taylor – Brown County Auditor

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P. 101 9

SEPTEMBER 12, 2000 – GENERAL MEETING

Meeting called to order by Chairman Knecht at 8:45 A.M. in the Commissioner's Chambers, Courthouse Annex, Brown County, South Dakota. Present were Commissioners Hansen, Feickert, Fischbach, Wiese and Knecht.

MINUTES:

Moved by Wiese, seconded by Fischbach to approve the Joint City/County Meeting minutes and the General Meeting minutes of September 5, 2000. All members present voting aye. Motion carried.

CLAIMS:

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

Payroll: Commissioners..\$2211.55; Auditor..\$5188.55, OVERTIME: Jeanette Nietert..\$15.15; Treasurer..\$7173.36; State's Attorney..\$7871.45; Victims Assistance..\$788.47; Data Processing..\$1269.24; Maintenance..\$4234.29; Assessor..\$5714.05; Planning & Zoning..\$887.20; Register of Deeds..\$3665.85; Veterans Service Office..\$2144.16, OVERTIME: Kathy Schlecht..\$64.08; Sheriff..\$40660.01, OVERTIME: Bryan Locke..\$175.10, John Heine..\$41.20, David Fair..\$39.02, Steven Cogley..\$69.44, Gary Bunt..\$34.00, John Weaver..\$60.76, Mark Jastram..\$169.44, Dallas Vallery..\$56.48, Amy Mathiason..\$55.04, Cindy Mitchell..\$60.26, Michelle Dvorak..\$53.56, Michael Johnson..\$78.24, Heather Rystrom..\$52.16, Russell Ochsner..\$52.16, Kevin Johnson..\$70.60, Kristal Schumack..\$20.10, Jeffrey Kirnan..\$70.35, Lori Furman..\$13.04, Tony Ingemansen..\$7.69; Communications..\$10334.32, OVERTIME: Sheila Anderson..\$95.52, Mary Browning..\$173.60, Alicia Dohn..\$302.72, Janet Dosch..\$137.60, Betty Haar..\$35.82, Nancy Radke..\$72.32, Deanna Thorpe..\$51.60, Lisa Wipf..\$267.12; Welfare Office..\$2299.64; Health..\$2239.20; Museum..\$3027.32; Extension..\$1623.49, OVERTIME: Lynn Heupel..\$3.40, Sherry Theobald..\$6.51; Weed..\$1217.01; Foster Grandparent Program..\$2149.74; Fairgrounds..\$3703.47, OVERTIME: John Weig..\$51.02, Melvin Ernst..\$96.59; Fairboard..\$1545.94; Emergency Management..\$1834.40; Highway..\$32306.35, OVERTIME: Terry Backous..\$291.84, Robert Binfet..\$327.44, Vernon Bitz..\$109.76, David Bruckner..\$249.23, Brian Dargatz ..\$361.46, Dan Glover..\$16.05, Ronald Glugla..\$307.13, Larry Hardy..\$332.01, Jason Heagley..\$318.73, Ben Hofer..\$266.19, David Kolb..\$7.16, Tom Lammon..\$162.60, Jerry Luce..\$178.61, Joseph Malsam..\$305.66, Bryan Owens..\$192.14, Cordell Rudolph..\$313.88, Richard Schaible..\$325.20, Roger Schaible..\$378.56, Jeff Seiler..\$271.89, Marcus Selzler..\$50.40, Casey Thorstenson..\$42.93, Kendall Titze..\$287.66, Leon Vickers..\$336.00, Michael Wagner..\$202.73, Nicholas Wanna..\$259.19, Mark Wendt..\$321.75, Theodore Brockel..\$142.08; Landfill..\$5376.22, OVERTIME: Carl Wright..\$280.80, Roxanne Varns..\$77.95, Nyle Jenson..\$198.90, Dennis Van Heerde..\$51.73, Michelle Haag..\$37.03;

Supplies & Materials: Best Business..\$54.58, Quality Quick Print..\$1483.18, Office Equipment..\$157.80, D&d Paint..\$1359.45, ProClean..\$50.00, Dakota Supply..\$140.63, Prairieland..\$331.19, Woodman Refrig..\$1891.60, Ameripride..\$31.51, UBC..\$24.35, Mac's..\$61.48, Sherwin-Williams..\$211.38, Heartland Paper..\$1390.45, SD Dept of Rev..\$365.00, SDAAO..\$50.00, Photos Now..\$21.40, RE Huffman..\$25.52, Reg/Deeds..\$10.00, Esmet..\$99.95, Bonnie Bitz..\$168.00, US West Direct..\$15.95, Dakota Electronics..\$261.75, Western Printing..\$695.80, Economy Meat..\$126.26, Kesslers..\$449.37, Starlite..\$.99, SD Retailers..\$110.00, Sewing Shop..\$14.00, NAPA Auto Parts..\$4.99, Aberdeen Lock & Key..\$30.00, Lust..\$162.43, Xerox..\$300.05, Pantorium..\$13.25, Warner Co-Op..\$16.00, Farmers Union..\$10.00, OK Tire..\$10.00, Liebelt..\$17,381.25, Hoven Auto..\$121.07, Bob Barker..\$567.92, Hoggs..\$4372.56, Visa..\$204.14, Taylor Laundry..\$174.52, Sheehan Sales..\$436.01, Safety Service..\$37.50, Newman Signs..\$169.47, Nelson Auto..\$2.73, Menards..\$130.99, Hub City Iron..\$1648.32, Hedahls..\$65.22, Graham Tire..\$877.00, Gelling Auto..\$143.21, Evergreen..\$56.66, Robert Dinger..\$46.90, Diamond Mowers..\$341.62, Dakota Oil..\$1277.45, Dakota Fluid Power..\$742.26, Herb Dabbert Trucking..\$360.00, Al Dabbert Trucking..\$360.00, Crady's Radiator..\$581.20, Cartney Bearing..\$149.96, Aberdeen Equipment..\$54.28, Aberdeen Chrysler..\$1643.59, Aberdeen

Asphalt..\$7527.46, House of Glass..\$485.14, A&M Radio..\$44.50, Ameripride..\$14.53, HC Clark..\$13.52, Swanson Electric..\$2155.75, Ben Hofer Backhoe..\$392.86, Vosika Fencing..\$685.00, Great Western Tire..\$518.26, Century Business Products..\$153.71, ProAg..\$25.00, Aberdeen Lock & Key..\$3.00, Dakota Electronics..\$30.00, Watertown Area Transit..\$101.25, Aberdeen Ride Line..\$303.00, Hay Furniture..\$300.00, Taylor Laundry..\$112.96, Overhead Door..\$160.00, Aberdeen Equip..\$19.72, Brick Propane..\$195.80, OfficeMax..\$440.45, SD Wheat Growers..\$3316.17, Country General..\$374.98, Nelson Auto..\$38.00, Koehn..\$120.00, RE Huffman..\$26.04:

Publications: American News..\$ 291.21, Frederick/Hecla Northstar..\$431.44:

Mileage & Travel: Dennis Feickert..\$17.40, Deb Knecht..\$136.30, Maxine Taylor..\$55.43, Tom Gohn..\$25.00, Kathy Schlecht..\$300.55, Mark Milbrandt..\$533.39:

Utilities: Bureau of Adm..\$51.22, City of Aberdeen..\$507.04, James Valley Co-Op..\$654.57, Town of Frederick..\$18.25, Accent Communications..\$413.11, City of Aberdeen..\$37.10, US West..\$78.65, NWPS..\$266.35, Midcontinent Cable..\$40.00, Dependable Sanitation..\$12,209.32:

Professional Fees: Witness fees..\$20.00, Avera St Lukes..\$1280.68, Cheryl Hairgrove..\$630.00, Stipends..\$10,370.85:

Care of Poor: Rent: 6 recipients.. Leona Villhauer..\$155.00, Mike Crady..\$210.00, Doug Rush..\$170.00, Terry Backous..\$230.00, D&L LLC..\$130.00, Scott Sikkink..\$170.00; Drugs – 2 recipients.. City Drug..\$48.67, Medical Center Pharmacy..\$74.44; Utilities – 1 recipient.. NWPS..\$190.00; Transportation – 1 recipient.. Brown County Public Works..\$5.57. All members present voting aye. Motion carried.

#### PERSONNEL:

Moved by Hansen, seconded by Wiese to approve the following employee step increase, effective September 17, 2000: Ben Hofer @ \$9.54 per hour. All members present voting aye. Motion carried.

Moved by Hansen, seconded by Wiese to approve hiring Carla Rolle and Jennifer Mechaley as part-time Home Detention employees, effective September 17, 2000 at \$8.74 per hour. All members present voting aye. Motion carried.

Moved by Fischbach, seconded by Hansen to acknowledge resignation of Tony Ingemansen as Home Detention Supervisor, effective September 24, 2000. All members present voting aye. Motion carried.

#### QCD:

Moved by Hansen, seconded by Fischbach to approve and authorize the Chairman sign Quit Claim Deed conveying all county interest in the N ½ of Lot 10 and all of Lots 11 & 12, Block 3, Original Plat to the City of Aberdeen, Brown County, South Dakota to the City of Aberdeen. All members present voting aye. Motion carried.

#### AUDITORS REPORT OF ACCOUNT:

Moved by Wiese, seconded by Hansen to approve the following August, 2000 Auditor's Report of Account with the County Treasurer: Total amount of actual cash \$3,348.50, Norwest Bank \$19,633.15, US Bank \$7,752.24, Dacotah Bank \$44,665.16, Petty Cash (Sheriff, Welfare, Museum, Register of Deeds) \$1,500.00, Landfill Change Fund \$100.00, Fund Investments \$8,984,939.91, Outstanding Checks \$151.50 in total amount of \$9,062,090.46. All members present voting aye. Motion carried.

#### PLATS:

Commissioner Wiese offered the following Resolution:

#### RESOLUTION NO. 76-2000

BE IT RESOLVED by the County Commission of Brown County, South Dakota, that the plat showing "Merkel's Outlot A in SE ¼ Sec 33-T126N-R60W 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 Fischbach. Roll call vote: Commissioners Hansen-aye, Feickert-aye, Fischbach-aye, Wiese-aye, Knecht-aye. Resolution adopted.

Commissioner Hansen offered the following Resolution:

RESOLUTION NO. 77-2000

BE IT RESOLVED by the Board of Commissioners of Brown County, South Dakota, that the plat showing "Rix Outlot 1 in the SW  $\frac{1}{4}$  of Sec 6-T124N-R60W 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. Roll call vote: Commissioners Hansen-aye, Feickert-aye, Fischbach-aye, Wiese-aye, Knecht-aye. Resolution adopted.

Commissioner Hansen offered the following Resolution:

RESOLUTION NO. 78-2000

BE IT RESOLVED by the County Commission of Brown County, South Dakota, that the plat showing "Daniels' Tract 2 in the NE  $\frac{1}{4}$  Sec 4-T128N-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 of 1967, Chapter 11-3, and any amendments thereof.

Seconded by Commissioner Wiese. Roll call vote: Commissioners Hansen-aye, Feickert-aye, Fischbach-aye, Wiese-aye, Knecht-aye. Resolution adopted.

Commissioner Hansen offered the following Resolution:

RESOLUTION NO. 79-2000

BE IT RESOLVED by the Board of County Commissioners of Brown County, South Dakota, that the plat showing "Christenson Conservation Easement Tracts 1 and 2 in the SE  $\frac{1}{4}$  of Sec 33-T127N-R60W 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 Fischbach. Roll call vote: Commissioners Hansen-aye, Feickert-aye, Fischbach-aye, Wiese-aye, Knecht-aye. Resolution adopted.

Commissioner Hansen offered the following Resolution:

RESOLUTION NO. 80-2000

BE IT RESOLVED by the Board of County Commissioners of Brown County, South Dakota, that the plat showing "Christenson Conservation Easement Tracts 1 and 2 in the SW  $\frac{1}{4}$  and NW  $\frac{1}{4}$  of Sec 4-T126N-R60W 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 Fischbach. Roll call vote: Commissioners Hansen-aye, Feickert-aye, Fischbach-aye, Wiese-aye, Knecht-aye. Resolution adopted.

Commissioner Hansen offered the following Resolution:

RESOLUTION NO. 81-2000

BE IT RESOLVED by the Board of County Commissioners of Brown County, South Dakota, that the plat showing "Christenson Conservation Easement Tract 1 in the SE ¼ of Sec 27-T127N-R60W 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 Wiese. Roll call vote: Commissioners Hansen-aye, Feickert-aye, Fischbach-aye, Wiese-aye, Knecht-aye. Resolution adopted.

Commissioner Fischbach offered the following Resolution:

RESOLUTION NO. 82-2000

BE IT RESOLVED by the Board of County Commissioners of Brown County, South Dakota, that the plat showing "Lamport Conservation Easement Tract 1 in the NE ¼ of Sec 29-T128N-R60W 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 Hansen. Roll call vote: Commissioners Hansen-aye, Feickert-aye, Fischbach-aye, Wiese-aye, Knecht-aye. Resolution adopted.

Commissioner Wiese offered the following Resolution:

RESOLUTION NO. 83-2000

BE IT RESOLVED by the Board of County Commissioners of Brown County, South Dakota, that the plat showing "Lamport Conservation Easement Tract 1 in the NW ¼ of Sec 28-T128N-R60W 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 Fischbach. Roll call vote: Commissioners Hansen-aye, Feickert-aye, Fischbach-aye, Wiese-aye, Knecht-aye. Resolution adopted.

Commissioner Fischbach offered the following Resolution:

RESOLUTION NO. 84-2000

BE IT RESOLVED by the Board of Commissioners of Brown County, South Dakota, that the plat showing "Thompson Outlot 1 in the NE ¼ of Sec 22-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 of 1967, Chapter 11-3, and any amendments thereof.

Seconded by Commissioner Wiese. Roll call vote: Commissioners Hansen-aye, Feickert-aye, Fischbach-aye, Wiese-aye, Knecht-aye. Resolution adopted.



**BID – SW CONTAINMENT BUILDING:**

Moved by Wiese, seconded by Fischbach to authorize advertising public hearing to open, read and consider bids for the construction of a solid waste containment building at the Brown County Landfill, to be held at 9:30 A.M. on September 26, 2000 in the Commissioner's Chambers, Courthouse Annex, Brown County, South Dakota. All members present voting aye. Motion carried.

**ORDINANCE 014:**

Moved by Wiese, seconded by Fischbach to authorize advertising public hearing to consider Amending Title 4 – Zoning, Second Revision Brown County Ordinances, as amended by adding Chapter 4.34 – Municipal, State and County Use District and amending Chapter 4.0502 – Districts Created to include (M) Municipal, State and County Use District, to be held at 9:45 A.M. on September 26, 2000 in the Commissioner's Chambers, Courthouse Annex, Brown County, South Dakota. All members present voting aye. Motion carried.

**LEASE AGREEMENT:**

Moved by Wiese, seconded by Hansen to approve and authorize the Chairman sign agreement with the Aberdeen Humane Society for lease of the Club House at the Fairgrounds on September 23, 2000. All members present voting aye. Motion carried.

**EM TOWER:**

Jesse Luce, Emergency Management Director discussed option for re-locating the Emergency Management radio tower to the Hutterville Colony. The Commission concurred and requested that negotiations continue.

**EXECUTIVE SESSION:**

Moved by Wiese, seconded by Hansen to go into executive session for personnel discussion with Jesse Luce in attendance. All members present voting aye. Motion carried.

Moved by Wiese, seconded by Feickert to adjourn executive session. All members present voting aye. Motion carried.

Moved by Feickert, seconded by Hansen to go into executive session for personnel discussion with Harvey Oliver in attendance. All members present voting aye. Motion carried.

Moved by Hansen, seconded by Feickert to adjourn executive session. All members present voting aye. Motion carried.

Moved by Feickert, seconded by Wiese to go into executive session for personnel discussion with Mark Milbrandt and Barb Johnson in attendance. All members present voting aye. Motion carried.

Moved by Feickert, seconded by Wiese to adjourn executive session. All members present voting aye. Motion carried.

**MUSEUM PERSONNEL:**

Sue Gates, Museum Director requested permission to advertise open position of Curator of Exhibits. Board concurred.

**ER RELIEF FUNDS:**

Moved by Feickert, seconded by Wiese to approve and authorize the Chairman sign ER Agreement #610899 for County Road 18 – ER 6467(01) PCEMS 300S with the SDDOT. All members present voting aye. Motion carried.

**CHANGE ORDER #1:**

Moved by Feickert, seconded by Wiese to approve and authorize the Chairman sign Change Order No. 1 for County Road 13 Project, to reflect addition of 1" of asphalt concrete Class E Type 1 to provide 4" rather than 3" mat, as per alternate bid specifications. All members present voting aye. Motion carried.

**COUNTY ROAD #13 - PAYMENT REQUEST:**

Moved by Fischbach, seconded by Hansen to approve and authorize the Chairman sign payment request #5 for the Brown County Road #13 Project (Lien Transportation). All members present voting aye. Motion carried.

**PERSONNEL:**

Michele Sitter discussed open position at the Director of Equalization Office. The Commission recommended that Ms. Sitter submit an application for the position.

**AGREEMENT:**

Moved by Hansen, seconded by Wiese to approve and authorize the Chairman sign agreement with Earth Tech, Inc. to provide on-site geologist for drilling oversight of two soil borings at the Brown County Landfill, in amount not to exceed \$9,500.00. All members present voting aye. Motion carried.

**RECESS:**

The Chairman declared the meeting recessed until September 26, 2000.

Maxine Taylor – Brown County Auditor

SEPTEMBER 26, 2000 – JOINT CITY/COUNTY MEETING

The Brown County Commission and the Aberdeen City Commission met in joint session at 8:30 A.M. in the Brown County Commission Chambers, Courthouse Annex, Aberdeen, South Dakota. Present from City were Commissioners Klabo, Pfeifer, Omland, Hurlbert and Mayor Hopper. Present from County were Commissioners Knecht, Hansen, Feickert and Wiese. Absent Commissioner Fischbach.

ORDINANCE NO. 00-09-03/209:

On motion by Pfeifer and seconded by Klabo the City Commission unanimously voted to approve First Reading of Ordinance No. 00-09-03/209.

Moved by Hansen, seconded by Feickert to approve First Reading of Ordinance No. 00-09-03/209, An Ordinance amending Ordinance No. 1164 to rezone certain property from Section 701 (A-1) Agricultural District to Section 714 (M-Ag) Mini-Agricultural District, described as HUD Lot 1 in the NW¼ of Sec 32-T124N-R64W of the 5<sup>th</sup> P.M., Brown County, South Dakota. All members present voting aye. Motion carried.

ORDINANCE NO. 00-09-05/210:

On motion by Omland and seconded by Klabo the City Commission unanimously voted to approve First Reading of Ordinance No. 00-09-05/210.

Moved by Wiese, seconded by Feickert to approve First Reading of Ordinance No. 00-09-05/210, An Ordinance amending Ordinance No. 1164 to rezone certain property from Section 701 (A-1) Agricultural District to Section 710 (I-2) Unrestricted Industrial District, described as Lot 1 of Thorpe Subdivision of the SE¼ of Sec 16-T123N-R64W. The S 1211' of the W 750' of the SE¼ of Sec 16-T123N-R64W. The E 440' of the S 524' of the SW¼ of Sec 16-T123N-R64W. To be platted and known as Lots 1 and 2 of Thorpe Second Subdivision in the SE¼ and SW¼ of Sec 16-T123N-R64W of the 5<sup>th</sup> P.M., Brown County, South Dakota. All members present voting aye. Motion carried.

ORDINANCE NO. 00-09-06/211:

On motion by Pfeifer and seconded by Omland the City Commission unanimously voted to approve First Reading of Ordinance No. 00-09-06/211.

Moved by Hansen, seconded by Wiese to approve First Reading of Ordinance No. 00-09-06/211, An Ordinance amending Ordinance No. 1164 to rezone certain property from Section 701 (A-1) Agricultural District to Section 714 (M-Ag) Mini-Agricultural District, described as The N 283' of the 105.3' W of the E 208.7' of the SE¼ of Sec 24-T123N-R63W. The 74.3' S of the N 208.7' of the 175.7' W of the E 33' of the SE¼ of Sec 24-T123N-R63W. Larson's Outlot 1 in the SW¼ of Sec 24-T123N-R63W. To be platted and known as Siefkes Outlot 1 in the SE¼ of Sec 24-T123N-R63W of the 5<sup>th</sup> P.M., Brown County, South Dakota. All members present voting aye. Motion carried.

The City Commission adjourned and the County Commission continued into their regularly scheduled meeting.

Maxine Taylor – Brown County Auditor

# SEPTEMBER 26, 2000 – GENERAL MEETING

Meeting called to order by Chairman Knecht at 8:45 A.M. in the Commissioner's Chambers, Courthouse Annex, Brown County, South Dakota. Present were Commissioners Hansen, Feickert and Wiese. Absent Commissioner Fischbach.

## MINUTES:

Moved by Feickert, seconded by Wiese to approve the General Meeting minutes of September 12, 2000. All members present voting aye. Motion carried.

## PRESENTATIONS:

The Commission presented Achievement Certificates to Jan Weismantel and Jerry Luce for 25 years of dedicated service as employees of Brown County.

## CLAIMS:

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

Payroll: Commissioners..\$2211.55; Auditor..\$5188.56; Treasurer..\$7173.36; State's Attorney..\$7871.45; Victims Assistance..\$788.47; Data Processing..\$1269.24; Maintenance..\$4270.06; Assessor..\$5900.40; Planning & Zoning..\$887.20, OVERTIME: Mick Waller..\$16.64; Register of Deeds..\$3665.85; Veterans Service Office..\$1950.56, OVERTIME: Kathy Schlecht..\$48.06; Sheriff..\$41737.38, OVERTIME: Craig Anderson..\$164.80, John McQuillen..\$10.30, John Heine..\$10.30, Scott Kolb..\$133.90, Michael Casjens..\$78.04, David Fair..\$195.10, David Hanson..\$144.64, Steven Cogley..\$69.44, Gary Bunt..\$221.00, Ethan Palluck..\$124.48, Mark Jastram..\$112.96, Patrick Rickerl..\$169.44, Dallas Vallery..\$21.18, Cindy Mitchell..\$160.68, Michelle Dvorak..\$53.56, Michael Kuebler..\$104.32, Heather Rystrom..\$130.40, Russell Ochsner..\$149.96, Jason Hamar..\$26.08, Tina Erickson..\$93.80, Kevin Johnson..\$116.49, Amy Lake..\$110.08, Jeffrey Kirnan..\$107.20, Lori Furman..\$133.66; Communications..\$8903.53, OVERTIME: Sheila Anderson..\$286.56, Mary Browning..\$208.32, Alicia Dohn..\$240.04, Janet Dosch..\$360.06, Betty Haar..\$167.16, Nancy Radke..\$235.04, Deanna Thorpe..\$227.04, Lisa Wipf..\$333.90; Welfare Office..\$2299.64; Health..\$2255.20; Museum..\$2831.62; Extension..\$1420.80; Weed..\$2914.64, OVERTIME: Todd Odenbach..\$180.60; Foster Grandparent Program..\$2139.54; Fairgrounds..\$3310.40, OVERTIME: John Weig..\$72.29, Melvin Ernst..\$93.02; Fairboard..\$1545.94; Emergency Management..\$1834.40, OVERTIME: Ginger Walker..\$7.83; Highway..\$32113.64, OVERTIME: Terry Backous..\$36.48, Robert Binfet..\$170.10, Vernon Bitz..\$191.06, David Bruckner..\$244.86, Brian Dargatz ..\$345.03, Ronald Glugla..\$315.00, Larry Hardy..\$173.91, Jason Heagley..\$322.23, John Heidenreich..\$301.22, Ben Hofer..\$7.01, David Kolb..\$128.79, Tom Lammon..\$341.46, Daryl Lloyd..\$171.80, Jerry Luce..\$73.91, Joseph Malsam..\$283.29, Bryan Owens..\$254.96, Cordell Rudolph..\$132.16, Richard Schaible..\$325.20, Roger Schaible..\$378.56, Jeff Seiler..\$271.89, Marcus Selzler..\$210.00, Casey Thorstenson..\$164.57, Kendall Titze..\$193.04, Leon Vickers..\$336.00, Michael Wagner..\$359.55, Nicholas Wanna..\$311.72, Mark Wendt..\$346.50, Theodore Brockel..\$284.16; Landfill..\$4928.55, OVERTIME: Carl Wright..\$359.78, Roxanne Varns..\$148.11, Nyle Jenson..\$53.55, Dennis Van Heerde..\$325.16, Don Fischer..\$89.93; Supplies & Materials: ES&S..\$1495.93, RE Huffman..\$1022.52, William Meink..\$21.15, Computer Specialists..\$705.00, K-Mart..\$281.46, Prairieland..\$613.01, Menards..\$589.87, Heartland Paper..\$8055.51, House of Glass..\$54.48, UBC..\$182.43, Dakota Supply..\$141.45, Taylor Laundry..\$128.68, Phillips 66..\$66.53, Ecolab..\$79.30, Office Equip..\$99.29, Amoco..\$47.67, Safelite Auto Glass..\$29.95, Eddie's Northside..\$60.00, Velvet Uniform..\$49.98, Hoven Auto..\$2102.44, Economy Meats..\$198.24, Walmart..\$251.36, Texaco..\$51.74, Parcel Erickson..\$19.95, Respond..\$136.60, Don Gunther..\$2932.30, Alan Winburn..\$1410.00, SD Concrete..\$4436.20, Koch Materials..\$92,038.81, Fastenal..\$10.75, Herb Dabbert..\$1740.00, Al Dabbert ..\$1720.00, Clark Engineering..\$42,860.93, Aberdeen Transmission..\$325.00, Bridgestone Firestone..\$253.02, County Road

Adv Conference..\$50.00, Creative Sign..\$10.00, Diesel Mach..\$32.92, Diamond Mowers..\$76.69, Robert Dinger..\$49.30, Farm Plan..\$166.85, Harms Oil..\$10,266.00, Howell Trucking..\$1780.00, Larson Blacksmith..\$200.00, Lien Transportation..\$845.53, Midwest Pump & Tank..\$1341.72, Newman Signs..\$376.40, R&R Auto..\$25.00, RDO..\$748.80, Respond..\$305.00, Safety-Kleen..\$96.90, Share Corp..\$97.20, SD Wheat Growers..\$1958.52, Gary's Engine..\$28.70, Mac's..\$405.87, Ken's Fairway..\$532.36, Direct Safety..\$43.17, Boston Fern..\$28.50, Vosika Fencing..\$161.00, LBG..\$246.00, Country Weekly..\$29.95, Best Business..\$330.12, DeWayne Storley..\$200.00, Ameripride..\$13.60, State Property Mgmt..\$36.67, State Bar of SD..\$45.00, Lexis Pub..\$101.03, West Group..\$1744.43, Kesslers..\$154.87, Parcel-Erickson..\$59.85, Hedahls..\$6.39, Ameripride..\$53.94, Pierson Ford..\$323.40, Artz Camera..\$16.05, Chris & Don's..\$235.88, Metz..\$667.76, E-Z Graphics..\$156.00, Chuck Mewing..\$1062.50, Upper Midwest Cons Assoc..\$100.00, McQuillen Design..\$918.87, Dutenhoffer Const..\$372.30, Mac's..\$3.11, Nelson Auto..\$8.87, Dependable Sanitation..\$142.80, Dakota Electronics..\$25.00, Roger Arlt..\$205.00, RDO..\$64.15, Meyers..\$50.00, Town & Country..\$259.46, A-1 Sanitation..\$79.50, SD Wheat Growers..\$526.85, Don's Welding..\$118.50, Livestock Spec..\$55.00, Hedahls..\$15.12, HC Clark..\$159.31, Shopko..\$25.98, Herc-U-Lift..\$62.26, Econofoods..\$26.16, Rohl Bev..\$125.00, Millstone..\$287.50, Quality Stores..\$294.62, Elm Valley Comm Club..\$252.00, Hub City Transit..\$1200.00, A-1 Locksmith..\$103.21, Amy Engelhart..\$281.70, Dakota Bank..\$129.86, Ramkota..\$4491.00, 4-H Leaders..\$5000.00, Swanson Electric..\$12,332.83, Aberdeen Awards..\$226.80, Service Sign..\$1307.40, Don Tschetter..\$100.00, Town & Country..\$107.02, Nelson Auto..\$132.19, Jobbers Moving..\$251.90, Quality Quick Print..\$241.97, Landfill..\$345.45, Dale Campbell..\$225.00, Clark Parmely..\$285.00, Scott Parmely..\$225.00, Mike Thortensen..\$150.00, Billy Campbell..\$25.00, Bob Tong..\$140.00, Skeet Smith..\$50.00, Tim Larsen..\$50.00, Howard Wolf..\$200.00, John Topp..\$200.00, Bill King..\$150.00, Academy..\$40.00, OK Tire..\$184.00, PFT Ice..\$60.00, Graham Tire..\$215.02, Doris Karmendy..\$75.00, Courtney Pray..\$16.66, Tom Erickson..\$16.66, Abby Nipp..\$16.66, Tracy Elsen..\$16.66, Erica Sperry..\$16.66, Aberdeen Senior Citizens..\$180.00, Pierson Ford..\$29.18, Dakota Oil..\$246.12, Pro Ag Supply..\$5.30, Office Max..\$145.37, Nebraska Dept of Ag..\$25.00, HRS Foods..\$53.80, City of Aberdeen..\$16.72, Janitor Supply..\$96.90, Spa's Etc..\$65.96, Earth Tech..\$4000.86, Bridgestone/Firestone..\$167.00, Dakota Air..\$18.00, Palmer Dist..\$90.20, Gemplers..\$286.30, Paul Mardian..\$240.00:

Publications: American News..\$380.20, Dakota Press..\$1111.55, Frederick/Hecla Northstar..\$518.46:

Mileage & Travel: Maxine Taylor..\$115.45, Sheila Enderson..\$97.73, Gene Loeschke..\$193.43, Mark Milbrandt..\$787.00, Gary Erickson..\$248.26, Laura Fliehe..\$26.10, Eileen Hoffart..\$27.84, Mike Scott..\$178.39, Mike Wiese..\$312.43, Carol Sherman..\$119.50, Budget Host..\$64.00, Best Western Ramkota..\$61.00, Lorah Houser Jankord..\$46.98,

Court Appointed Attorney: Brad Borge..\$4500.00, Tonner, Tobin & King..\$4500.00, John Shaeffer..\$618.50, James & Assoc..\$269.62:

Utilities: NWPS..\$29.05, Dependable Sanitation..\$506.00, NWPS..\$9560.02, Cellular One..\$582.19, City of Hecla..\$48.37, Northern Electric..\$520.00, US West..\$2751.09, A-1 Sanitation..\$376.35, Bureau of Admin..\$500.90, Midcontinent Cable..\$203.00, Norcom..\$46.70, Verizon..\$40.77, McLeod..\$17.95:

Professional Fees: Witness fees..\$248.76, Kim Dorsett..\$1500.00, Dr William Pettit..\$146.11, Avera St Lukes..\$1483.49, Sioux Vocational Services..\$120.00, NADRIC..\$2083.37, NE Mental Health..\$351.12, Yankton County Sheriff..\$50.25, Lewis & Clark Mental Illness Center..\$410.00, Donna Dietrich..\$316.24, Marv Ekeren..\$45.00, Don Carlson..\$45.00, Banner Assoc..\$6163.44, Eide Bailly..\$243.75:

Fair Judges: Jeannette Lunders..\$59.58, Don Begalka..\$240.62, Pearl Wilson..\$59.00, Darla Knox..\$67.70, Jon Oster..\$30.00, Carol Storley..\$30.00, Elsie Wells..\$30.00, Marie Schlosser..\$50.88, Kathy Novstrup..\$30.00, Mark Shekore..\$30.00, LaNae Steen..\$71.18, Susan Gerlach..\$36.96, Dana Locken..\$39.63, Char Bachman..\$30.00, Barb Jansen..\$41.60, Judy Guleson..\$30.00, Janene Harry..\$47.40, Kara Dayton..\$44.50, Florence Kraus..\$60.00, Randy Woehl..\$166.00, Dale

Werning..\$235.20, Burt Pfliger..\$271.80, Marv Post..\$179.40, Reynold Loecker..\$195.00, Janna Johnke..\$204.92, Randy Buchholz..\$112.70, Myron Gauger..\$159.10, Roger Dieter..\$109.80:  
Care of Poor: Rent: 5 recipients.. Dave Ochs..\$190.00, Tom Carlson..\$190.00, B&J Investments..\$265.00, D&D Properties..\$95.00, Virgil Pochop..\$195.00; Dr/Hospital –2 recipients.. Avera St Lukes..\$19141.03, Mersco Medical..\$485.50; Drugs – 1 recipient.. Econofoods Pharmacy..\$132.41; Utilities – 1 recipient.. City of Aberdeen..\$190.00; Transportation – 1 recipient.. Aberdeen Adv Care..\$169.53; Insurance – 1 recipient.. Wellmark Blue Cross/Blue Shield..\$653.70. All members present voting aye. Motion carried.

#### PERSONNEL:

Moved by Wiese, seconded by Hansen to approve the following employee step increase, effective October 1, 2000: Lisa Wipf @ \$10.13 per hour. All members present voting aye. Motion carried.

Moved by Feickert, seconded by Wiese to approve hiring Michele Strom as a Dispatcher, effective September 18, 2000 at \$9.41 per hour. All members present voting aye. Motion carried.

Moved by Wiese, seconded by Hansen to correct salary set for part-time employee Ann Bierman in minutes of August 8, 2000 to read \$8.05 per hour, effective September 3, 2000. All members present voting aye. Motion carried.

Moved by Hansen, seconded by Wiese to approve hiring Kathleen Volk as a Dispatcher, effective October 2, 2000 at \$9.17 per hour. All members present voting aye. Motion carried.

#### LEASE AGREEMENT:

Moved by Wiese, seconded by Feickert to approve and authorize the Chairman sign agreement with ND Paint Sale Association for lease of the Expo Addition on September 8 & 9, 2000. All members present voting aye. Motion carried.

#### WAIVE FEE:

Moved by Wiese, seconded by Feickert to authorize the Register of Deeds Office waive filing fees for the Brown County Sheriff Department, effective September 1, 2000. All members present voting aye. Motion carried.

#### INCREASE SPENDING AUTHORITY/ESTIMATED REVENUE:

Moved by Hansen, seconded by Feickert to increase spending authority in Fund #201-311-426.30 and increase estimated revenue in Fund #201-331.03 for CDBG funding for the Dam Repair Projects in amount of \$6,163.44. All members present voting aye. Motion carried.

Moved by Feickert, seconded by Wiese to increase spending authority in Fund #201-311-426.30 and increase estimated revenue in Fund #201-331.03 for CDBG funding for the Richmond Lake Spillway Project in amount of \$25,000.00. All members present voting aye. Motion carried.

Moved by Feickert, seconded by Hansen to increase spending authority in Fund #201-311-426.30 and increase estimated revenue in Fund #201-331.03 for CDBG funding for the Dam Repair Projects in amount of \$191,183.50. All members present voting aye. Motion carried.

Moved by Hansen, seconded by Wiese to increase spending authority in Fund #201-311-426.30 and increase estimated revenue in Fund #201-331.03 for CDBG funding for 25% match for South Detroit Township Hazard Mitigation Funds received from FEMA in amount of \$1,181.25. All members present voting aye. Motion carried.

Moved by Feickert, seconded by Hansen to increase spending authority in Fund #201-311-426 in amount of \$88,846.57 and Fund #201-311-426.16 in amount of \$7,401.01 and increase estimated revenue in Fund #201-331.03 for CDBG funding in amount of \$96,247.58. All members present voting aye. Motion carried.

**PLATS:**

Commissioner Wiese offered the following Resolution:

**RESOLUTION NO. 85-2000**

BE IT RESOLVED by the Board of Commissioners of Brown County, South Dakota, that the plat showing "Droog Addition in the SW ¼ of Sec 19-T124N-R64W 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 Hansen. Roll call vote: Commissioners Hansen-aye, Feickert-aye, Fischbach-absent, Wiese-aye, Knecht-aye. Resolution adopted.

Commissioner Wiese offered the following Resolution:

**RESOLUTION NO. 86-2000**

BE IT RESOLVED by the County Commission of Brown County, South Dakota, that the plat showing "Lot 1 & 2 of Ferny Farmers Cooperative Outlot 1 in Sec 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 of 1967, Chapter 11-3, and any amendments thereof.

Seconded by Commissioner Feickert. Roll call vote: Commissioners Hansen-aye, Feickert-aye, Fischbach-absent, Wiese-aye, Knecht-aye. Resolution adopted.

Commissioner Hansen offered the following Resolution:

**RESOLUTION NO. 87-2000**

BE IT RESOLVED by the Board of County Commissioners of Brown County, South Dakota, that the plat showing "Swenson Subdivision in the NE ¼ of Sec 11-T123N-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 Wiese. Roll call vote: Commissioners Hansen-aye, Feickert-aye, Fischbach-absent, Wiese-aye, Knecht-aye. Resolution adopted.

Commissioner Wiese offered the following Resolution:

**RESOLUTION NO. 88-2000**

BE IT RESOLVED by the Board of County Commissioners of Brown County, South Dakota, that the plat showing "Thorpe Second Subdivision in the SE ¼ and SW ¼ of Sec 16-T123N-R64W of the 5<sup>th</sup>

P.M., Brown County, South Dakota, (includes Replat of Thorpe Subdivision)", 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 Hansen-aye, Feickert-aye, Fischbach-absent, Wiese-aye, Knecht-aye. Resolution adopted.

Commissioner Hansen offered the following Resolution:

#### RESOLUTION NO. 89-2000

BE IT RESOLVED by the County Commission of Brown County, South Dakota, that the plat showing "Siefkes' Outlot 1 in SE ¼ Sec 24-T123N-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 of 1967, Chapter 11-3, and any amendments thereof.

Seconded by Commissioner Wiese. Roll call vote: Commissioners Hansen-aye, Feickert-aye, Fischbach-absent, Wiese-aye, Knecht-aye. Resolution adopted.

Commissioner Wiese offered the following Resolution:

#### RESOLUTION NO. 90-2000

BE IT RESOLVED by the Board of Commissioners of Brown County, South Dakota, that the plat showing "Oswald Addition in the NE ¼ of Sec 22-T123N-R64W 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 Hansen. Roll call vote: Commissioners Hansen-aye, Feickert-aye, Fischbach-absent, Wiese-aye, Knecht-aye. Resolution adopted.

#### EXPENDITURE AUTHORIZED:

Moved by Hansen to approve expenditure of \$801.00 to the Boys & Girls Club to subsidize beer sales at the Grandstand during the Brown County Fair. Died for lack of a second.

Moved by Feickert, seconded by Hansen to approve expenditure of \$1000.00 to the Boys & Girls Club to subsidize beer sales at the Grandstand during the Brown County Fair. Roll call vote: Commissioners Hansen-aye, Feickert-aye, Fischbach-absent, Wiese-abstain, Knecht-aye. Motion carried.

#### SWAWA GRANT:

Moved by Wiese, seconded by Hansen to approve and authorize the Chairman sign Stop Violence Against Women Act Grant Award in amount of \$30,000.00 for period of October 1, 2000 to September 30, 2001. All members present voting aye. Motion carried.

#### ENGAGEMENT LETTER:

Moved by Hansen, seconded by Feickert to approve and authorize the Chairman sign engagement letter with EideBailly, LLP to assist the County in the research and calculation of financing options for the Juvenile Detention Center and Brown County Jail remodeling project, with cost of services not exceeding \$7500.00. All members present voting aye. Motion carried.

#### ALCOHOLIC BEVERAGE LICENSE TRANSFERS:



Moved by Hansen, seconded by Feickert to authorize advertising public hearing to consider the following applications for transfer of alcoholic beverage licenses: TRANSFER - RETAIL (ON-SALE) LIQUOR: William G Welk DBA Lighthouse Pub & Brewery to Aberdeen Smoke Shoppe L.L.C. DBA Richmond Resort, P.O. Box 62, Aberdeen, SD, Richmond Resort OL 2, NE ¼ 25-124-65 Brown County, South Dakota. TRANSFER - PACKAGE OFF SALE MALT BEVERAGE: William G Welk DBA Lighthouse Pub & Brewery to Aberdeen Smoke Shoppe L.L.C. DBA Richmond Resort, P.O. Box 62, Aberdeen, SD, Richmond Resort OL 2, NE ¼ 25-124-65 Brown County, South Dakota. Hearing to held at 9:15 A.M. on the 17th day of October, 2000, in the Chambers of the Brown County Commissioners, Brown County, South Dakota. All members present voting aye. Motion carried.

#### SURPLUS PROPERTY:

Moved by Wiese, seconded by Feickert to declare the following items surplus for purpose of sale on September 28, 2000: Decal #4674 Computer, #4676 Copier, #107 Computer, #109 Computer, #114 Computer, #115 Computer, #2136 Computer, #2137 Computer, #2453 Computer, #2454 Computer, #3101 1993 Ford Crown Victoria, #3177 1991 Ford Crown Victoria, #3275 Laser Printer, #1495 1983 Chevy Truck, #1675 1987 Dodge Truck, #1719 1952 FWD Snowblower (minimum bid \$10,000.00), #1389 1978 International Semi Tractor, #1759 1987 Bobcat Skidsteer, #4671 Computer, #4673 Computer, #112 Computer, #310 Computer, #311 Printer and #314 1973 Dodge Van. All members present voting aye. Motion carried.

#### PETITION:

A petition signed by thirty-five Pleasant Valley area resident voters was presented to the Commission requesting an adjacent land owner remove or conceal the accumulation of vehicles on his property. The Commission acknowledged receipt of petition for filing and referred question to the Planning & Zoning Board.

#### LEASE:

Moved by Feickert, seconded by Wiese to approve and authorize the Chairman sign agreement with Hutterville for lease of the radio tower and communications building located on the NE ¼ of Sec 15-T120N-R59W, Oak Gulch Township, Day County, South Dakota for a period of twenty years in exchange for all of Brown County's property from the existing site. All members present voting aye. Motion carried.

#### SURPLUS PROERTY SALE:

Moved by Feickert, seconded by Wiese to declare the following described property surplus for purpose of sale; and further to authorize advertising sale to be held at 2:00 P.M. on October 16, 2000 in the Community Room, Brown County Courthouse Annex, Aberdeen, South Dakota to sell said property at public auction for at least 90% of appraised value: Ordway Township – Hobby Farm North Lot 12, SE ¼ 19-124-63; Warner Township – Lot 5 Remde's Addition; Aberdeen City – Lot 2 Block 5 North Aberdeen Addition; Lot 6 Block 33 Bennett & Thomas Addition; Frederick City – Lot 10 Block 4 OP; Lots 13 & 14 Block 4 OP; Lot 25 Block 44 First Addition; E 24' of the N 142' of Schlosser's Lot B NW ¼ 11-127-64; Claremont Village – Lots 5 & 6 Block 6 OP; Warner City – Lots 1-2-3 Block 1 and the S 33' of vacated 1<sup>st</sup> Street; N 42' of Lots 10-11-12 Block 1 and vacated alley; Prairiewood Village – Lot 18 Block 4; Lot 8 Block 5. All members present voting aye. Motion carried.

#### CAPITAL ACCUMULATION:

Commissioner Feickert offered the following Resolution:

#### RESOLUTION 91-2000

WHEREAS, SDCL 7-21-51 authorizes the accumulation of funds for capital outlay purposes, and

WHEREAS, Brown County desires to build a facility at the Fairgrounds for livestock activities, and

WHEREAS, the total cost for such a facility is extraordinary in nature, exceeding the funding ability of a single-budget year.

NOW, THEREFORE BE IT RESOLVED that a maximum of \$200,000.00 shall be accumulated over a period not exceeding five years for the construction of a facility at the Fairgrounds to be utilized for livestock activities.

Seconded by Commissioner Wiese. Roll call vote: Commissioners Hansen-aye, Feickert-aye, Fischbach-absent, Wiese-aye, Knecht-aye. Resolution adopted.

#### BID – RYC FURNACES-WATER HEATERS:

Moved by Hansen, seconded by Feickert to authorize advertising public hearing to open, read and consider bids for labor and material to remove three (3) fuel oil furnaces and three (3) electric water heaters and replace and install three (3) 155,000 BTU 80% gas furnaces and three (3) 75 gallon gas water heaters in three (3) KO Lee Cabins at the Richmond Youth Camp, to be held in the Brown County Commission Chambers, Courthouse Annex, Brown County, South Dakota at 8:45 A.M. on October 17, 2000. All members present voting aye. Motion carried.

#### BID – RYC FLOORS:

Moved by Hansen, seconded by Feickert to authorize advertising public hearing to open, read and consider bids for labor and material to remove and replace approximately 10,000 square feet of floor tile at the Richmond Youth Camp, to be held in the Brown County Commission Chambers, Courthouse Annex, Brown County, South Dakota at 9:00 A.M. on October 17, 2000. All members present voting aye. Motion carried.

#### WATER DISCUSSION:

Dean Hinrichs discussed the water level of the James River and requested closing the gates. Russ Podoll will inspect area.

#### BID – DEMOLITION/EXCAVATION 11 SE RR AVE:

Time and place, as advertised to open, read and consider bids for the demolition and excavation of the property located at 11 SE RR Ave, Aberdeen, SD. Bids were received from B & B Contracting, Aberdeen; Marvin Lout Excavation Construction, Aberdeen; and Lien Transportation & Construction, Aberdeen. Moved by Hansen, seconded by Wiese to refer all bids to Mick Palmer for review and recommendation. All members present voting aye. Motion carried.

Moved by Feickert, seconded by Wiese to award low bid for demolition and excavation of the property located at 11 SE RR Ave, Aberdeen SD to B & B Contracting in total amount of \$39,715.00 (demolition @ \$19,502.00, excavation @ \$20,213.00); rejecting the following: Marvin Lout Excavation Construction in total amount of \$73,000.00 (demolition @ \$54,400.00, excavation @ \$18,600.00) and Lien Transportation & Construction in total amount of \$59,165.00 (demolition @ 39,500.00, excavation @ \$19,665.00). All members present voting aye. Motion carried.

#### 2001 PROVISIONAL BUDGET CHANGES:

Moved by Wiese, seconded by Hansen to approve the following changes on the 2001 Provisional Budget: increase #101-911 to \$2,407,332 (\$23,376 for additional operating transfer to Fund #207); increase IMS Grant Fund #234-512 in amount of \$14,570.00; decrease SVAWA Fund #234-151 \$920.00; adjust means of finance to reflect increase in budget and minor revenue adjustments. All members present voting aye. Motion carried.

#### 2001 ANNUAL BUDGET:

Commissioner Wiese offered the following Resolution:

#### ANNUAL BUDGET FOR BROWN COUNTY, SD For the Year January 1, 2001 to December 31, 2001

#### RESOLUTION NO. 92-2000

#### 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, 2001 and ending December 31, 2001 and the same is hereby approved and adopted by the Board of County Commissioners of Brown County, South Dakota, this 26th day of September, 2000. 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, 2001 through December 31, 2001.

COUNTY TAX LEVIES WITHIN LIMITED LEVY	Dollars	\$'S/1,000
*General County Purposes (10-12-9)	\$6,293,779	4.47
Fire	14,971	.02
<b>TOTAL TAXES LEVIED BY COUNTY</b>	<b>\$6,308,750</b>	<b>4.49</b>

\*These amounts include the 25% to be distributed to cities.

Seconded by Commissioner Hansen. Roll call vote: Hansen-aye, Feickert-aye, Fischbach-absent, Wiese-aye, Knecht-aye. Resolution adopted.

BID – LANDFILL SW CONTAINMENT BUILDING:

Time and place, as advertised to open, read and consider bids for labor and material for the construction of a Solid Waste Containment Building at the Landfill. Bid received from Cover-All of Northwest Iowa, Sac City, Iowa. Moved by Hansen, seconded by Feickert to refer bid to Mike Scott and Jay Koch for review and recommendation. All members present voting aye. Motion carried.

Moved by Feickert, seconded by Wiese to accept Base Bid, submitted by Cover-All of Northwest Iowa for one 50' x 100' containment building at the Landfill in total amount of \$47,891.02; rejecting Alternate Bid #1, submitted by Cover-All of Northwest Iowa for one 50' x 150' containment building at the Landfill in total amount of \$66,956.22. All members present voting aye. Motion carried.

Moved by Hansen, seconded by Wiese to approve and authorize the Chairman sign Notice of Award to Cover-All Building Systems for the Landfill Solid Waste Containment Building. All members present voting aye. Motion carried.

#### ORDINANCE NO. 014:

Time and place, as advertised for First Reading of Ordinance No. 014, An Ordinance Amending Title 4, Second Revision Brown County Ordinances, to add Municipal, State and County Use District.

Moved by Wiese, seconded by Hansen to approve First Reading of Ordinance No. 014, An Ordinance Amending Title 4 – Zoning, Second Revision Brown County Ordinances, as amended by adding Chapter 4.34 – Municipal, State and County Use District and amending Chapter 4.0502 – District Created to include (M) Municipal, State and County Use District. All members present voting aye. Motion carried.

#### RECONVEYANCE:

Commissioner Hansen offered the following Resolution:

#### RESOLUTION NO. 93-2000

WHEREAS, it appearing to the satisfaction of the Commissioners of Brown County that a Tax Deed was taken on the following described real estate: Lot 1 Block 7 Original Plat, Claremont, Brown County, South Dakota, duly recorded in the Register of Deeds Office in Book 274, page 230 on July 27, 2000.

It further appearing to the satisfaction of the Brown County Commission that taxes, penalty, interest and attorney fees have been deposited with the Brown County Treasurer.

NOW, THEREFORE BE IT RESOLVED that the Brown County Commission hereby reconvey the above listed property and authorizes the Chairman of the Brown County Commission to execute a Quit Claim Deed transferring the interest of Brown County, South Dakota, back to the record owners of said property.

Seconded by Commissioner Feickert. Roll call vote: Commissioners Hansen-aye, Feickert-aye, Fischbach-absent, Wiese-aye, Knecht-aye. Resolution adopted.

#### FAIR DISCUSSION:

Larry Gerlach and Vicki Wilson discussed the 2000 Brown County Fair revenue to date and anticipated expenditures for the rest of the fiscal year.

#### IMS GRANT AWARD:

Sue Gates, Museum Director informed the Commission that Brown County has been awarded an IMS Grant in total amount of \$29,149.00 (grant period from October 1, 2000 to September 30, 2002). All members present voting aye. Motion carried.

**APPLICATION FOR OCCUPANCY:**

Moved by Feickert, seconded by Hansen to approve and authorize the Chairman sign application, submitted by James Valley Telecommunications for occupancy of the following to provide communication needs: Brown County Highway #9 & #18 in Sec 5 & 6-T125N-R61W; Brown County Highway #9 in Sec 32-126N-R62W and Sec 5 & 6-T125N-R62W; Brown County Highway #11 in Sec 28-T125N-R62W, Brown County, South Dakota. Roll call vote: Commissioners Hansen-aye, Feickert-aye, Fischbach-absent, Wiese-abstain, Knecht-aye. Motion carried.

**BRIDGE PROJECTS #36 & #344:**

Moved by Feickert, seconded by Hansen to approve and authorize the Chairman sign consultant work orders with Clark Engineering for Project BRO 8007(39) Bridge #36 (west of Wylie) and Project BRR 6315(04) Bridge #344 (County Road #20 north of Groton) for completion of plan design. All members present voting aye. Motion carried.

**PROJECTS #13 & #6:**

Moved by Wiese, seconded by Feickert to approve additional engineering costs for County Road #13 Project in amount \$1,200.00 and County Road #6 Project in amount of \$3,700.00. All members present voting aye. Motion carried.

**EXECUTIVE SESSION:**

Moved by Wiese, seconded by Hansen to go into executive session for personnel discussion with Mick Waller in attendance. All members present voting aye. Motion carried.

Moved by Feickert, seconded by Wiese to adjourn executive session. All members present voting aye. Motion carried.

Moved by Wiese, seconded by Feickert to go into executive session for personnel discussion. All members present voting aye. Motion carried.

Moved by Wiese, seconded by Feickert to adjourn executive session. All members present voting aye. Motion carried.

**GRANT UPDATE:**

Shirley Schwab, Denise Jung and Mike Brumbaugh met to update the Commission on current Intensive Family Crisis Intervention Grant and time frame for application for next grant cycle.

**ADJOURNMENT:**

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

Maxine Taylor – Brown County Auditor

# OCTOBER 3, 2000 – GENERAL MEETING

The Brown County Commission convened at 8:45 A.M. in the Commissioner's Chambers, Courthouse Annex, Brown County, South Dakota. Present were Commissioner's Knecht, Hansen, Feickert and Fischbach. Absent Commissioner Wiese.

## MINUTES:

Moved by Hansen, seconded by Feickert to approve the Joint City/County Meeting minutes and the General Meeting minutes of September 26, 2000. All members present voting aye. Motion carried.

## CLAIMS:

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

Supplies & Materials: Boys & Girls Club..\$1000.00, West Group..\$4860.25, Lexis..\$41.98, New Trends..\$78.93, Thompson Publishing..\$254.00, Harvey Oliver..\$106.00, Heartland Paper..\$22.77, Dakota Supply Group..\$72.76, Office Equip..\$7.70, D&d Paint..\$23.19, Ecolab..\$67.60, Taylor Laundry..\$104.04, Heartland Paper..\$501.30, Office Max..\$66.63, Bonnie Bitz..\$312.00, Medical Center Pharmacy..\$821.84, Dept of Rev..\$720.00, Rex..\$349.87, Photo X Press..\$18.19, Safety Service..\$1118.75, NRA..\$70.00, Uniform Center..\$80.75, Ins Plus..\$246.00, Esmet..\$3.97, SD Fleet..\$1916.10, Velvet Uniforms..\$133.37, Best Business..\$291.19, Visa..\$350.00, Economy Meats..\$50.74, Walmart..\$174.18, Office Equip..\$1299.85, Black Hills Fed Credit Union..\$44.00, Alan Winburn..\$1090.00, Mike Wagner..\$100.00, SD Wheat Growers..\$159.88, SD DOT..\$12,449.19, Lien Trans..\$1677.90, Lawson Prod..\$189.63, Howell Trucking..\$680.00, Don Gunther..\$609.21, Great Western Tire..\$2029.80, Farm Power..\$50.70, Diamond Mowers..\$166.75, Herb Dabbert..\$360.00, Al Dabbert..\$1440.00, HC Clark..\$19.50, Cellular One..\$167.97, Butler Machinery..\$1384.30, Aberdeen Asphalt..\$57,305.38, RE Huffman..\$74.58, Artel Studio..\$300.00, Century Business..\$173.57, Kleins..\$9.18, Pro Ag Supply..\$123.50, Graham Tire..\$20.34, Quality Stores..\$19.47, CarQuest..\$26.35, Phyllis Voeller..\$19.50, Oriental Trading..\$36.70, US Post Office..\$60.00, Dakota Electronics..\$700.00, Ramada Inn..\$141.04, Ammonia Group..\$727.95, BS Bar & Grill..\$249.50, UBC..\$31.96, Jewett Drug..\$124.40, Radioshack..\$22.32, S&S Communications..\$1210.00, Computer Specialists..\$140.00, SD Dept of Rev..\$2726.51, A-1 Sanitation..\$1410.50, City of Aberdeen..\$478.03, Swanson Elec..\$2425.00, Pheasant County Broadcasting..\$450.00, OK Tire..\$138.50, Keeleys..\$295.15, Western Printing..\$49.95, Sheryl Stroh..\$10.00:

Publications: Frederick/Hecla Northstar..\$45.05, American News..\$916.12:

Transcriptions: Slowey Court Reporting..\$80.00:

Professional Fees: Robert Patterson..\$20.00, Arlys Kluess..\$40.00, Marv Ekeren..\$45.00, Yankton County Sheriff..\$50.25, Don Carlson..\$45.00, Donna Dietrich..\$316.49, Robert Chavis..\$450.00, Denise Jung..\$2010.66, Shirley Schwab..\$495.00:

Court Appointed Attorney: Gary Mikelson..\$168.49:

Mileage & Travel: Dennis Feickert..\$379.10, Comfort Inn..\$606.60, Leo Leshner..\$478.95, Mary Worlie..\$1427.60, Kathy Fischer..\$115.00, Melissa Koester..\$115.00, Kevin Johnson..\$405.53, Mark Milbrandt..\$643.50, Mavis Kempf..\$102.99, Ginger Walker..\$12.18:

Jury: Raymond Bain..\$61.16, Jason Barney..\$10.58, Laurie Baumgartner..\$10.58, Nancy Bellikka..\$26.96, Deanna Blanchard..\$21.16, Scott Buss..\$61.16, Kevin Cantwell..\$26.96, Maureen Cantwell..\$21.16, Pat Carlson..\$61.16, Brandi Christoffer..\$21.16, Wendy Cooper..\$33.20, Barb Cowley..\$72.20, Barb Crawford..\$30.44, Pat Daly..\$49.00, Derrick Dinger..\$50.58, Weston Dinger..\$36.10, Belva Dobberpuhl..\$16.38, Tricia Dornbush..\$65.80, Eloise Eszlinger..\$61.16, John Fider..\$21.16, Jimi Fogle..\$33.92, Amy Forkel..\$101.16, Robert Fortin..\$50.58, Carol Fowler..\$10.58, Robert Friske..\$32.76, Art Gengerke..\$94.80, Richard Graf..\$21.16, Paula Guhin..\$12.90, Dulcy Hamilton..\$10.58, Kandi Hardy..\$10.58, Julie Hermansen..\$21.16, Dean Hinrichs..\$30.30, Anne Jensen..\$10.58, Carol Jerke..\$21.16, Daniel Johnson..\$43.20, Joan Johnson..\$21.16, Cindy Jung..\$21.16,

Russell Keen..\$21.16, Richard Kezar..\$21.16, Joyce Kiesz..\$21.16, Kathryn Kline..\$10.58, Alissa Larson..\$21.16, Carol Laue..\$21.16, Don Lineback..\$15.80, Mark Malchow..\$61.16, Thomas Meyer..\$61.16, Albert Mitchener..\$14.64, Valerie Mork..\$21.16, Terence Nash..\$28.12, Dorene Nelson..\$21.60, Thomas Omland..\$23.48, Tara Ormand..\$61.16, Gerald Osterman..\$138.28, David Peck..\$12.32, Nancy Peterson..\$21.16, Brent Pigors..\$21.16, Benjamin Prouse..\$61.16, Kanya Rieck..\$21.16, Bradley Ronning..\$21.16, Elvira Rosendahl..\$152.20, Ruth Rosin..\$61.16, Lorrie Sanderson..\$68.72, Craig Schaunaman..\$10.58, Lorraine Schneider..\$21.16, Lawrence Shanley..\$45.52, Pat Sieber..\$51.32, Laura Siefkes..\$50.58, Greta Siegel..\$10.58, Cindy Sippel..\$83.20, Shaunn Stanley..\$31.60, Dylan Stearns..\$39.00, Steve Thompson..\$32.76, Bernie Udell..\$24.64, Fay Vaughan..\$10.58, Carina Walz..\$61.16, Maree Wolff..\$71.60, Rhonda Zebroski..\$101.16, Carol Zephier..\$61.16, Karen Wolter..\$21.60, Barbara Griess..\$10.58,

Utilities: Bureau of Admin..\$67.94, US West..\$42.99, Midcontinent Cable..\$140.37, NWPS..\$89.34, Montana Dakota..\$26.43, WEB..\$162.27;

Care of Poor: Rent: 3 recipients..Jon Husby..\$165.00, Rich Thomas..\$190.00, Terry Backous..\$380.00; Dr/Hospital – 2 recipients.. Avera St Lukes..\$7796.91; Drugs – 2 recipients..K-Mart Pharmacy..\$10.26; Utilities – 1 recipient..NWPS..\$210.00; Transportation – 2 recipients..Brown County Highway..\$29.72. All members present voting aye. Motion carried.

#### CONTRACT AGREEMENT:

Moved by Feickert, seconded by Fischbach to approve and authorize the Chairman sign Contract Agreement with B & B Contracting for completion of the Building Demolition/Excavation Project at 11 RR Ave SE. All members present voting aye. Motion carried.

#### PERSONNEL:

Moved by Fischbach, seconded by Feickert to approve employee status change for Jvonne Heard, effective October 3, 2000 from part-time to full-time Home Detention Supervisor at \$10.01 per hour. All members present voting aye. Motion carried.

#### LEASE AGREEMENT:

Moved by Hansen, seconded by Feickert to approve and authorize the Chairman sign agreement with the Aberdeen Rabbit Club for lease of the Club House at the Fairgrounds on October 7 & 8, 2000. All members present voting aye. Motion carried.

#### PLAT:

Commissioner Hansen offered the following Resolution:

#### RESOLUTION NO. 94-2000

BE IT RESOLVED by the County Commission of Brown County, South Dakota, that the plat showing "Vetch Addition in the NE ¼ of Sec 2-T122N-R64W 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 Hansen-aye, Feickert-aye, Fischbach-aye, Wiese-absent, Knecht-aye. Resolution adopted.

#### SHERIFF REPORTS:

Moved by Fischbach, seconded by Hansen to approve the following Sheriff Reports: Incident & Offenses, Prisoner Care, JDC, Money deposited with the County Treasurer and Monthly activities. All members present voting aye. Motion carried.

**ORDINANCE NO. 014:**

Moved by Hansen, seconded by Feickert to approve Second Reading of Ordinance No. 014. All members present voting aye. Motion carried.

Moved by Hansen, seconded by Fischbach to adopt Ordinance No. 014, An Ordinance Amending Title 4, Second Revision Brown County Ordinances, to amend Chapter 4.0502 Establishment of Districts and Chapter 4.34 (M) Municipal, State and County Use District. Roll call vote: Commissioner's Hansen-aye, Feickert-aye, Fischbach-aye, Wiese-absent, Knecht-aye. Ordinance adopted.

**GRANT:**

Moved by Feickert, seconded by Hansen to approve and authorize the Chairman sign application for SDACC OJDP Grant for equipment for the Brown County Home Detention Program. All members present voting aye. Motion carried.

**EXECUTIVE SESSION:**

Moved by Fischbach, seconded by Feickert to go into executive session for personnel discussion with Mary Worlie in attendance. All members present voting aye. Motion carried.

Moved by Feickert, seconded by Fischbach to adjourn executive session. All members present voting aye. Motion carried.

**BUILDING UPDATE:**

Mick Palmer and Judy Dosch presented a building project update and discussed upcoming workshop for boiler maintenance.

**APPLICATION FOR OCCUPANCY:**

Moved by Fischbach, seconded by Feickert to approve and authorize the Chairman sign application, submitted by Midcontinent Communications for occupancy of County Road #10 in Sec 35-T122N-R64W and Sec 2-T123N-R64W, Brown County, South Dakota to provide CATV services. All members present voting aye. Motion carried.

**EQUIPMENT UPDATE:**

Jesse Luce discussed current failure problems with the recording equipment in the Dispatch Center and status of replacement plans.

**EXECUTIVE SESSION:**

Moved by Feickert, seconded by Hansen to go into executive session for discussion of possible litigation. All members present voting aye. Motion carried.

Moved by Fischbach, seconded by Hansen to adjourn executive session. All members present voting aye. Motion carried.

**RECESS:**

The Chairman declared the meeting recessed until October 10, 2000.

Maxine Taylor – Brown County Auditor



OCTOBER 3, 2000 – JOINT CITY/COUNTY MEETING

The Brown County Commission and the Aberdeen City Commission met in joint session at 8:45 A.M. in the Brown County Commission Chambers, Courthouse Annex, Aberdeen, South Dakota. Present from City were Commissioners Klabo, Pfeifer and Hurlbert. Absent Commissioner Omland and Mayor Hopper. Present from County were Commissioners Knecht, Hansen, Feickert and Fischbach. Absent Commissioner Wiese.

ORDINANCE NO. 00-09-03/209:

On motion by Hurlbert and seconded by Pfeifer the City Commission unanimously voted to approve Second Reading of Ordinance No. 00-09-03/209.

On motion by Pfeifer and seconded by Hurlbert the City Commission unanimously voted to adopt Ordinance No. 00-09-03/209.

Moved by Feickert, seconded by Fischbach to approve Second Reading of Ordinance No. 00-09-03/209. All members present voting aye. Motion carried.

Moved by Fischbach, seconded by Hansen to adopt Ordinance No. 00-09-03/209, An Ordinance amending Ordinance No. 1164 to rezone certain property from Section 701 (A-1) Agricultural District to Section 714 (M-Ag) Mini-Agricultural District, described as HUD Lot 1 in the NW¼ of Sec 32-T124N-R64W of the 5<sup>th</sup> P.M., Brown County, South Dakota. Roll call vote: Commissioners Hansen-aye, Feickert-aye, Fischbach-aye, Wiese-absent, Knecht-aye. Ordinance adopted.

ORDINANCE NO. 00-09-05/210:

On motion by Hurlbert and seconded by Pfeifer the City Commission unanimously voted to approve Second Reading of Ordinance No. 00-09-05/210.

On motion by Pfeifer and seconded by Hurlbert the City Commission unanimously voted to adopt Ordinance No. 00-09-05/210.

Moved by Fischbach, seconded by Feickert to approve Second Reading of Ordinance No. 00-09-05/210. All members present voting aye. Motion carried.

Moved by Feickert, seconded by Hansen to adopt Ordinance No. 00-09-05/210, An Ordinance amending Ordinance No. 1164 to rezone certain property from Section 701 (A-1) Agricultural District to Section 710 (I-2) Unrestricted Industrial District, described as Lot 1 of Thorpe Subdivision of the SE¼ of Sec 16-T123N-R64W. The S 1211' of the W 750' of the SE¼ of Sec 16-T123N-R64W. The E 440' of the S 524' of the SW¼ of Sec 16-T123N-R64W. To be platted and known as Lots 1 and 2 of Thorpe Second Subdivision in the SE¼ and SW¼ of Sec 16-T123N-R64W of the 5<sup>th</sup> P.M., Brown County, South Dakota. Roll call vote: Commissioners Hansen-aye, Feickert-aye, Fischbach-aye, Wiese-absent, Knecht-aye. Ordinance adopted.

ORDINANCE NO. 00-09-06/211:

On motion by Hurlbert and seconded by Pfeifer the City Commission unanimously voted to approve Second Reading of Ordinance No. 00-09-06/211.

On motion by Pfeifer and seconded by Hurlbert the City Commission unanimously voted to adopt Ordinance No. 00-09-06/211.

Moved by Hansen, seconded by Feickert to approve Second Reading of Ordinance No. 00-09-06/211. All members present voting aye. Motion carried.

Moved by Feickert, seconded by Fischbach to adopt Ordinance No. 00-09-06/211, An Ordinance amending Ordinance No. 1164 to rezone certain property from Section 701 (A-1) Agricultural District to Section 714 (M-Ag) Mini-Agricultural District, described as The N 283' of the 105.3' W of the E 208.7' of the SE¼ of Sec 24-T123N-R63W. The 74.3' S of the N 208.7' of the 175.7' W of the E 33' of the SE¼ of Sec 24-T123N-R63W. Larson's Outlot 1 in the SW¼ of Sec 24-T123N-R63W. To be platted and known as Siefkes Outlot 1 in the SE¼ of Sec 24-T123N-R63W of the 5<sup>th</sup> P.M., Brown County, South Dakota. Roll call vote: Commissioners Hansen-aye, Feickert-aye, Fischbach-aye, Wiese-absent, Knecht-aye. Ordinance adopted.

On motion by Pfeifer and seconded by Hurlbert the City Commission unanimously voted to set hearing to consider petition to rezone: Ordinance No. 00-10-01/212 (Vetch), Ordinance No. 00-10-02/213 (Habeck) to be held in the Brown County Commission Chambers, Courthouse Annex, Aberdeen, South Dakota at 8:45 A.M. on October 24, 2000.

Moved by Hansen, seconded by Feickert to consider the petition filed by Cathy Vetch, to rezone Lots 1 and 2 of Vetch Addition in the NE ¼ of Sec 2-T122N-R64W of the 5<sup>th</sup> P.M., Brown County, South Dakota from Section 701 (A-1) Agricultural District to Section 714 (M-Ag) Mini-Agricultural District (Ordinance No. 00-10-01/212); petition filed by Clarence Habeck, Jr, to rezone Habeck's Fourth Addition in the SE ¼ of Sec 9-T123N-R63W of the 5<sup>th</sup> P.M., Brown County, South Dakota from Sections 714/710 (M-Ag/I-2) Mini-Agricultural/Unrestricted Industrial Districts to Sections 714/710 (M-Ag/I-2) Mini-Agricultural/Unrestricted Industrial Districts (Ordinance No. 00-10-02/213) to be held in the Brown County Commission Chambers, Courthouse Annex, Aberdeen, South Dakota at 8:45 A.M. on October 24, 2000. All members present voting aye. Motion carried.

The City Commission adjourned and the County Commission continued into their regularly scheduled meeting.

Maxine Taylor – Brown County Auditor

# OCTOBER 10, 2000 – GENERAL MEETING

Meeting called to order by Chairman Knecht at 8:45 A.M. in the Commissioner's Chambers, Courthouse Annex, Brown County, South Dakota. Present were Commissioners Hansen, Feickert, Fischbach and Wiese.

## MINUTES:

Moved by Feickert, seconded by Fischbach to approve the Joint City/County Meeting minutes and the General Meeting minutes of October 3, 2000. All members present voting aye. Motion carried.

## CLAIMS:

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

Payroll: Commissioners..\$2211.55; Auditor..\$5188.56; Treasurer..\$7173.36; State's Attorney..\$7871.45; Victims Assistance..\$788.47; Data Processing..\$1269.24; Maintenance..\$4268.39; Assessor..\$6048.91; Planning & Zoning..\$887.20, OVERTIME: Mick Waller..\$16.64; Register of Deeds..\$3665.85; Veterans Service Office..\$1950.56, OVERTIME: Kathy Schlecht..\$48.06; Sheriff..\$43217.49, OVERTIME: John Heine..\$10.30, Scott Kolb..\$41.20, David Fair..\$165.84, David Hanson..\$18.08, Steven Cogley..\$34.72, Kristal Schumack..\$13.40; Communications..\$9000.19, OVERTIME: Sheila Anderson..\$31.84, Mary Browning..\$69.44, Alicia Dohn..\$28.24, Janet Dosch..\$282.40, Nancy Radke..\$36.16, Deanna Thorpe..\$137.60, Lisa Wipf..\$59.36; Welfare Office..\$2360.04; Health..\$2255.20; Museum..\$2828.60; Extension..\$1420.80; Weed..\$2552.33, OVERTIME: Todd Odenbach..\$30.83, Earl Ruden..\$3.09; Foster Grandparent Program..\$2222.64; Fairgrounds..\$3223.39, OVERTIME: John Weig..\$119.07; Fairboard..\$1545.94; Emergency Management..\$1834.40, OVERTIME: Ginger Walker..\$156.50; Highway..\$31877.90, OVERTIME: Terry Backous..\$319.20, Robert Binfet..\$170.10, David Bruckner..\$34.98, Brian Dargatz ..\$250.56, Ronald Glugla..\$315.00, Larry Hardy..\$205.53, Jason Heagley..\$283.70, Ben Hofer..\$146.68, David Kolb..\$71.55, Tom Lammon..\$357.72, Daryl Lloyd..\$343.60, Jerry Luce..\$169.55, Joseph Malsam..\$149.10, Bryan Owens..\$7.39, Cordell Rudolph..\$272.58, Richard Schaible..\$162.60, Roger Schaible..\$141.44, Jeff Seiler..\$236.12, Marcus Selzler..\$268.80, Casey Thorstenson..\$207.50, Kendell Titze..\$280.09, Leon Vickers..\$302.40, Michael Wagner..\$179.78, Nicholas Wana..\$266.19, Mark Wendt..\$404.25, Theodore Brockel..\$47.36; Landfill..\$4877.44, OVERTIME: Carl Wright..\$250.09, Roxanne Varns..\$89.64, Nyle Jenson..\$539.33, Dennis Van Heerde..\$195.84;

Supplies & Materials: Brown & Saenger..\$22.94, Quality Quick Print..\$1353.90, Office Equip..\$7570.60, Hub City Iron..\$84.42, Menards..\$52.56, Janitor Supply..\$78.25, Lang's..\$35.70, K-Mart..\$80.95, Running Fleet..\$22.00, Woodman Refrig..\$761.52, Rux Bros..\$78.67, Animal Health..\$70.00, Hoggs..\$3788.01, Economy Meats..\$70.80, Computer Dr..\$105.95, Quint City Coin-Ops..\$33.00, Health Dept..\$7.00, Farmers Union..\$27.63, Parcel-Erickson..\$19.95, Dick's..\$72.85, Kendall & Son..\$257.31, OK Tire..\$16.00, Comet..\$25.00, Bob Barker..\$260.85, Hedahls..\$45.29, Sewing Shop..\$17.00, Merle Turnquist..\$110.85, Share Corp..\$97.20, Reuer's Auto..\$207.50, Nelson Auto..\$158.54, Midwest Pump & Tank..\$156.58, Menards..\$51.19, Mathison..\$20.02, Mac's..\$83.66, Lien..\$363.31, Kleins..\$24.21, Huron Culvert..\$2172.72, Hub City..\$775.64, Howell Trucking..\$1040.00, Hedahls..\$139.70, Hecla Impl..\$25.10, Heartland Paper..\$68.97, Harms Oil..\$8781.10, Habeck's..\$278.00, Frey's Electronics..\$688.60, Farnam's..\$65.15, Evergreen..\$175.44, Dakota Oil..\$761.84, Dakota Fluid Power..\$43.73, Al Dabbert..\$720.00, Cunningham Elec..\$218.49, Crady's..\$61.20, Bridgestone Firestone..\$20.00, B&B..\$7254.13, Aberdeen Equipment..\$438.63, Aberdeen Asphalt..\$31,384.31, Shopko..\$21.97, Keeleys..\$239.60, Dakota Supply..\$36.96, Quality Stores..\$124.81, HC Clark..\$10.76, Dakota Electronics..\$357.00, SD Wheat Growers..\$3754.58, Ken's Superfair Foods..\$4.19, RD Huffman..\$389.96, NDSU..\$35.50, Brown County Tres..\$81.84, NAPA..\$75.02, Prairieland..\$80.58, Brick Propane..\$12.00, Dakota Air..\$11.90, Quality Welding..\$561.61, Graham Tire..\$80.00, Artz

Camera..\$38.20, Taylor Laundry..\$20.40, Do Group Inc..\$2397.00, Central Plains Clinic..\$199.00, Aberdeen RideLine..\$609.00, Spink County Public Transit..\$126.00:  
Publications: Frederick/Hecla Northstar..\$307.11, American News..\$133.86, Dakota Press..\$352.89:  
Transcriptions: Betsy Johnson..\$8.70, Tammy Erickson..\$112.00:  
Professional Fees: Witness Fees..\$198.00, Avera St Lukes..\$42.00, NE Mental Health..\$204.82, NADRIC..\$2083.37, Aberdeen Senior Citizens..\$180.00, EideBailly..\$233.75, stipends..\$12,710.55:  
Mileage & Travel: Deb Knecht..\$256.94, Tom Fischbach..\$253.75, Charlene Millim..\$23.82, Jerry Mills..\$365.13:  
Utilities: City of Aberdeen..\$807.04, NWPS..\$6673.35, James Valley..\$648.13, Accent Communications..\$419.39, Qwest..\$3420.55, Cellular One..\$145.87, Midcontinent Cable..\$40.00, Dependable Sanitation..\$12,181.78:  
Care of Poor: Rent: 4 recipients..Bob Schatz..\$210.00, Rich Thomas..\$190.00, D&L LLC..\$130.00, Elizabeth Blade..\$170.00; Utilities -1 recipient.. NWPS..\$161.61. All members present voting aye. Motion carried.

#### PERSONNEL:

Moved by Feickert, seconded by Wiese to approve the following employee step increases, effective October 15, 2000: Kristal Schumack @ \$9.17 per hour, Bryan Owens @ \$9.94 per hour, Nyle Jenson @ \$10.35 per hour. All members present voting aye. Motion carried.

#### AUDITORS REPORT OF ACCOUNT:

Moved by Wiese, seconded by Feickert to approve the September, 2000 Auditor's Report of Account with the County Treasurer: Total amount of actual cash - \$3,297.97, Wells Fargo Bank - \$21,884.02, US Bank - \$7,752.24, Dacotah Bank - \$52,843.74, Petty Cash (Sheriff, Welfare, Museum, RofD) - \$1,500.00, Landfill Change Fund - \$100.00, Fund Investments - \$9,216,756.19, Outstanding Checks - \$202.03 for grand total of \$9,304,336.19. All members present voting aye. Motion carried.

#### INCREASE SPENDING AUTHORITY/ESTIMATED REVENUE:

Moved by Wiese, seconded by Feickert to increase spending authority in Fund #234-211-426.03 and increase estimated revenue in Fund #234-331.04 for Bullet Proof Vest Grant in total amount of \$1,009.55. All members present voting aye. Motion carried.

#### AGREEMENT:

Moved by Wiese, seconded by Fischbach to approve and authorize the Chairman sign agreement with the State of South Dakota for providing community health nursing services in Brown County. All members present voting aye. Motion carried.

#### LEASE AGREEMENT:

Moved by Feickert, seconded by Wiese to approve and authorize the Chairman sign agreement with Second Time Around for lease of the Secretary's Building at the Fairgrounds on October 6, 7 & 8, 2000. All members present voting aye. Motion carried.

#### PLATS:

Commissioner Feickert offered the following Resolution:

#### RESOLUTION NO. 95-2000

BE IT RESOLVED by the County Commission of Brown County, South Dakota, that the plat showing "Grote Outlot A in SW ¼ Sec 32-T125N-R64W of 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 Fischbach. Roll call vote: Commissioner's Hansen-aye, Feickert-aye, Fischbach-aye, Wiese-aye, Knecht-aye. Resolution adopted.

Commissioner Feickert offered the following Resolution:

#### RESOLUTION NO. 96-2000

BE IT RESOLVED by the Board of County Commissioners of Brown County, South Dakota, that the plat showing "Krueger Conservation Easement Tract 1 in the SE ¼, Tract 2 in the SW ¼ and Tract 3 in the NW ¼ of Sec 13-T121N-R61W of 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 Fischbach. Roll call vote: Commissioner's Hansen-aye, Feickert-aye, Fischbach-aye, Wiese-aye, Knecht-aye. Resolution adopted.

Commissioner Feickert offered the following Resolution:

#### RESOLUTION NO. 97-2000

BE IT RESOLVED by the Board of County Commissioners of Brown County, South Dakota, that the plat showing "Krueger Conservation Easement Tract 1 in the SE ¼ of Sec 14-T121N-R61W of 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 Fischbach. Roll call vote: Commissioner's Hansen-aye, Feickert-aye, Fischbach-aye, Wiese-aye, Knecht-aye. Resolution adopted.

#### LETTER OF SUPPORT:

Moved by Hansen, seconded by Feickert to concur with the recommendation of the directors of the Dacotah Prairie Museum and its Foundation that the Museum remain in its current site rather than pursue the Burlington Northern Santa Fe Railroad Depot site. All members present voting aye. Motion carried.

#### LEASE AGREEMENT:

Moved by Feickert, seconded by Fischbach to approve and authorize the Chairman sign agreement with Aberdeen School District 6-1 for lease of the blue steel-framed building located on the E 169' of Railroad Outlot 1 and the N 60' of Railroad Outlot 2 in the SW ¼ of Sec 13-T123-R64, together with the right of ingress and egress to and from said premises over any easements or rights of way appurtenant thereto for a sum of \$690.00 per month (July 1, 2000 – June 30, 2003). All members present voting aye. Motion carried.

#### CONTRACT:

Moved by Fischbach, seconded by Wiese to approve and authorize the Chairman sign contract agreement and notice to proceed agreement with Cover-All of Northwest Iowa for construction of Landfill SW Containment Building; and further to waive performance bond requirement in lieu of letter of credit from bank. All members present voting aye. Motion carried.

#### ABERDEEN TOWNSHIP ROADS:

A delegation of fourteen Aberdeen Township residents met with the Commission requesting the County assume responsibility for three miles of Aberdeen Township Road (two miles west on 8<sup>th</sup> Ave NW and one mile south to 12W) in lieu of the current proposal for connecting 12W to the west by-pass. No action taken at this time.

**PROMAP DEMONSTRATION:**

Jennifer Rover, GIS Project Consultant, ProMap Corporation demonstrated the GIS software and answered questions. Mary Worlie, Dirk Rogers, Jesse Luce, Bill Meink, Loren Fuhrman, Mick Waller and Russ Podoll were also in attendance.

**APPLICATIONS FOR OCCUPANCY:**

Moved by Hansen, seconded by Feickert to approve and authorize the Chairman sign agreement with US West Communications for occupancy of County Hwy #6 in Sec 25-T124N-R65W, Brown County, South Dakota to provide telephone service. Roll call vote: Commissioner's Hansen-aye, Feickert-aye, Fischbach-aye, Wiese-abstain, Knecht-aye. Motion carried.

Moved by Hansen, seconded by Fischbach to approve and authorize the Chairman sign agreement with US West Communications for occupancy of County Hwy #13 in Sec 25-T124N-R65W, Brown County, South Dakota to provide telephone service. Roll call vote: Commissioner's Hansen-aye, Feickert-aye, Fischbach-aye, Wiese-abstain, Knecht-aye. Motion carried.

Moved by Feickert, seconded by Hansen to approve and authorize the Chairman sign agreement with Northern Valley Communications for occupancy of County Hwy #13 in Sec 33-T124N-R63W, Brown County, South Dakota to provide improved communications. Roll call vote: Commissioner's Hansen-aye, Feickert-aye, Fischbach-aye, Wiese-abstain, Knecht-aye. Motion carried.

**RECESS:**

The Chairman declared the meeting recessed until October 17, 2000.

Maxine Taylor – Brown County Auditor

## OCTOBER 17, 2000 – GENERAL MEETING

Meeting called to order by Chairman Knecht at 8:45 A.M. in the Commissioner's Chambers, Courthouse Annex, Brown County, South Dakota. Present were Commissioners Hansen, Feickert, Fischbach and Wiese.

## MINUTES:

Moved by Wiese, seconded by Feickert to approve the General Meeting minutes of October 10, 2000. All members present voting aye. Motion carried.

## CLAIMS:

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

Supplies & Materials: SmithKline Beecham..\$581.25, Best Business Prod..\$1026.98, City of Groton..\$30.00, Brown & Saenger..\$323.06, Computer Specialists..\$270.00, OK Tire..\$5.00, UBC..\$18.71, Langs..\$418.50, Rux Bros..\$63.55, Ameripride..\$22.60, Taylor Laundry..\$53.42, K-Mart..\$35.96, Judy Dosch..\$95.39, RE Huffman..\$153.22, Photos Now..\$35.61, New Trends..\$124.00, Northwestern Communications..\$129.06, Lar-Jos..\$250.00, Kesslers..\$398.83, US West Direct..\$29.91, Aberdeen Adv Care..\$191.92, NE Mental Health..\$248.71, Hoven Auto..\$169.37, Amoco..\$207.85, Photo X Press..\$4.31, Bob Barker..\$1773.47, PSI Healath Care..\$133.00, Walmart..\$91.81, Parcel-Erickson..\$40.00, Western Printing..\$348.11, Economy Meats..\$11.80, Ameripride..\$74.81, Metz..\$618.99, Alan Winburn..\$1452.00, Taylor Laundry..\$217.45, Swanson Elec..\$27.75, SD Wheat Growers..\$1824.01, Sioux Pipe..\$182.82, Safety Service..\$80.00, Safelite Auto..\$60.35, Reuer's Auto..\$253.10, RDO..\$528.61, Prairieland..\$245.27, Newman Signs..\$138.00, Lien..\$281.30, Koch Materials..\$516.00, Howell Trucking..\$1020.00, Fastenal..\$14.79, Farm Plan..\$95.40, Double X..\$117.56, Dakota Filter..\$175.00, Herb Dabbert..\$760.00, Al Dabbert..\$3368.50, Clark Eng..\$29,909.53, Cartney Bearing..\$65.70, Coke..\$268.10, Ramkota..\$208.00, Sherwin-Williams..\$330.24, OK Tire..\$49.00, Paper Warehouse..\$215.67, Aberdeen Glass..\$20.00, A&M Radio..\$44.50, Cunningham Elec..\$34.09, Quality Quick Print..\$828.80, Herc-U-Lift..\$349.63, Office Equip..\$86.77, Quality Stores..\$7.98, Runnings Fleet..\$161.63, Weismantel Rent-All..\$270.00, Aberdeen Awning..\$449.00, Arco Industries..\$381.36, Webster Scale..\$1863.90, DSG..\$32.00, Brick's TV..\$650.00, Artz Equip..\$1.12, Praxair..\$39.78, HF Jacobs..\$583.08, Aberdeen Chrysler..\$43.35, Brucelli Adv..\$72.50, Watertown Area Transit..\$223.75, Galls..\$25.96, Eddie's Northside..\$27.70, Harcourt..\$38.56, Firefighters Bookstore..\$91.35, Shelton State Comm College..\$56.40, Denver US Gov't Bookstore..\$90.00:

Publications: American News..\$1103.32:

Professional Fees: Witness Fees..\$40.00, EideBailly..\$1666.65, Cheryl Hairgrove..\$462.00, Avera St Lukes..\$1877.98, Avera United Clinic..\$62.00:

Mileage & Travel: Thomas Gohn..\$251.90, Eileen Hoffart..\$26.97, Laura Fliehe..\$26.10:

Utilities: City of Aberdeen..\$13.50, NWPS..\$1759.79, Dependable..\$946.50, Midcontinent Cable..\$457.63, US West..\$977.16, Northern Electric..\$251.43, City of Hecla..\$50.91, McLeod's USA..\$19.95, Verizon..\$12.24:

Care of Poor: Rent: 5 recipients..Charles Leidholdt..\$100.00, BoBo Inc..\$190.00, Don Peck..\$150.00, Annette Schwan..\$190.00, Bruce Boschee..\$190.00; Dr/Hospital – 3 recipients..Northern Plains..\$71.16, Dr Gregg Carlson..\$844.88, Avera St Lukes..\$29.71; Drugs – 4 recipients..Medical Center Pharm..\$126.73, Shopko..\$67.19, K-Mart..\$118.80; Utilities – 2 recipients..NWPS..\$334.28; Transportation – 1 recipient..Emergency Poor Fund..\$15.00. All members present voting aye. Motion carried.

## CHANGE ORDER NO. 1 – LANDFILL LIFT STATION:

Moved by Feickert, seconded by Wiese to approve and authorize the Chairman sign Change Order No. 1 for the Brown County Landfill Storm Water Lift Station Project at the Landfill, increasing project by \$5,553.58 (total cost \$29,204.58); and further to approve and authorize Chairman sign pay request. All members present voting aye. Motion carried.

**AGREEMENT:**

Moved by Wiese, seconded by Feickert to acknowledge and approve agreement between the Fair Board and Romeo Entertainment Group. All members present voting aye. Motion carried.

**ABATEMENT:**

Moved by Wiese, seconded by Hansen to approve and authorize the Chairman sign the following Abatement: Oliver Erickson, house vacant (N ½ of NW ¼ 20-122-62) for year 2000 in amount of \$60.00. All members present voting aye. Motion carried.

**SURPLUS PROPERTY SALE:**

Moved by Hansen, seconded by Feickert to approve and authorize the Chairman sign Quit Claim Deeds for the following surplus property sold at public auction on October 16, 2000: Ordway Township: Hobby Farm North Lot 12, SE 1/4 19-124-63 to John (Jack) and Sharon Riley for \$900.00; Aberdeen City: Lot 6, Block 33, Bennett & Thomas Addition to Dean O and Martha E Salzsieder for \$18,000.00; Frederick City: Original Plat Lot 10, Block 4 to Cathy Hanson for \$135.00, Original Plat Lots 13 & 14, Block 4 to Cathy Hanson for \$270.00; Claremont Village: Original Plat Lots 5 & 6, Block 6 to Curtis Merkel & Skye Leshner for \$1,500.00. All members present voting aye. Motion carried.

**RESOLUTION NO. 98-2000:**

Commissioner Wiese offered the following Resolution:

**RESOLUTION 98-2000 BROWN COUNTY****BE IT RESOLVED BY THE BROWN COUNTY COMMISSION:**

THAT, WHEREAS, Brown County has planned the reconstruction, relocation, alteration, and widening of Brown County Proposed 12W, the same being a part of the highway system in Brown County, more particularly described as follows:

Beginning at the intersection of Brown Co. 12W and Brown County 12W B (385<sup>th</sup> Avenue) at the southwest corner of Sec. 15, T123N-R64W; thence northeast on Proposed Brown Co. 12 W for 1.3 miles to the intersection of US Highway 281 at the east quarter corner of Sec. 15, T123N-R64W.

AND, WHEREAS, the construction of said project as planned will require the acquiring of additional land for right-of-way, borrow, cutslopes, fillslopes, impoundments, and channel changes, by voluntary donation, purchase, or condemnation.

AND, WHEREAS, Brown County has been unable to acquire the following described right-of-way necessary for the construction of said project by purchase or agreement with the owner or owners to-wit:

Parcel No. 19 -

Description of the right-of-way for that portion of Brown Co. Proposed 12W that lies within Revised Lot H-2 of the SE1/4 line north of the 66' public highway north and adjacent to the railroad right-of-way, except KABR outlot 1 thereof in Sec. 15, T123N-R64W, Brown County, S.D. Said revised Lot H-2 contains 3.94 acres, more or less.

Description of the right-of-way to be acquired for a temporary easement for that portion of Brown Co. Proposed 12W of the SE quarter line north of the 66' public highway north and adjacent to the



railroad, right-of-way, except KABR outlot 1 thereof in Sec. 15, T123N, R64W, Brown County, SD.

The parcel is more particularly described as follows and shown on the attached construction plan sheet:

STA. 49+99 LT TO STA. 58+00 LT TO

STA. 58+00 LT TO STA. 66+35.8 LT

STA. 49+59 RT TO STA. 58+00 RT TO

STA. 58+00 RT TO STA. 66+35.8 RT

Said parcel contains 3.02 acres more or less.

Parcel No. 21 -

Description of the right-of-way for that portion of Brown County Proposed 12W that lies within revised Lot H-3 of the SE1/4 line north of the 66' public highway north and adjacent to the railroad right-of-way, except KABR outlot 1, Sec. 15, T123N, R64, Brown County, SD. Said Revised Lot H-3 contains 1.95 acres, more or less.

Description of the right-of-way to be acquired for a temporary easement for that portion of Brown County Proposed 12W that lies within the SE1/4 that lies north of the 66' public highway north and adjacent to the railroad right-of-way, except KABR outlot 1, Sec. 15, T123N, R64W, Brown County, South Dakota.

The parcel is more particularly described as follows and shown on the attached construction plan sheet:

STA. 26+90 LT TO STA. 35+00 LT

STA. 38+00 LT TO STA. 43+00 LT

STA. 43+00 LT TO STA. 48+96 LT

STA. 46+29 RT TO STA. 48+15 RT

Said parcel contains 1.86 acres, more or less.

Parcel No. 22 -

Description of the right-of-way for that portion of Brown County Proposed 12W that lies within revised plat H-3 of the SW1/4 of Sec. 15, T123N, R64W lying north of the 66' public highway located north and adjacent to the railroad R-O-W, Brown County, SD. Said revised Lot H-3 contains 3.37 acres, more or less.

Description of the right-of-way to be acquired for a temporary easement for that portion of Brown County Proposed 12W that lies within the SW1/4 of Sec. 15, T123N, R64W, lying north of the 66' public highway located north and adjacent to the railroad R-O-W, Brown County, SD.

The parcel is more particularly described as follows and shown on the attached construction plan sheet:

STA. 0+33 LT TO STA. 13+00 LT

STA. 13+00 LT TO STA. 26+90 LT

Said parcel contains 1.7 acres, more or less.

IT IS HEREBY DECLARED NECESSARY, to obtain said right-of-way by condemnation and the Brown County Commission does hereby authorize and request the States Attorney of Brown County to

institute proceedings for condemnation of said above described land for highway purposes, and if necessary, file a Declaration of Taking in accordance with the provisions of SDCL 31-19 and amendments thereto.

IT IS HEREBY FURTHER DECLARED NECESSARY, to obtain said slope easements by condemnation, which said slope easements shall be a temporary construction easement. The Brown County Commission does hereby authorize and request the States Attorney of Brown County to institute proceedings for condemnation of said above described land for slope easements for highway purposes, and, if necessary, file a Declaration of Taking in accordance with the provisions of SDCL 31-19 and amendments thereto.

ADOPTED THIS 17th DAY OF OCTOBER, 2000

Seconded by Commissioner Feickert. Roll call vote: Commissioners Hansen-aye, Feickert-aye, Fischbach-aye, Wiese-aye, Knecht-aye. Resolution adopted.

#### HECLA AREA DRAINAGE DISTRICT:

Moved by Feickert, seconded by Wiese to acknowledge receipt and approve first draft documents for the Hecla Area Drainage District Flood Control Permit, subject to correction in heading on page 1 of Facility Plan. All members present voting aye. Motion carried.

#### PERSONNEL:

Moved by Hansen, seconded by Feickert to approve hiring Michelle Haag in the Director of Equalization Office, effective October 18, 2000 at \$8.68 per hour. All members present voting aye. Motion carried.

#### BID – FURNACES/WATER HEATERS AT RICHMOND YOUTH CAMP:

Time and place, as advertised for public hearing to open, read and consider bids for labor and material to remove three fuel oil furnaces and three electric water heaters and replace and install three 155,000 BTU 80% gas furnaces and three 75 gallon gas water heaters in three KO Lee Cabins at the Richmond Youth Camp. Bids were received from Haug Plumbing & Heating/Heartland Heating & Cooling, Aberdeen; NWPS, Aberdeen; Risager Plumbing & Heating, Aberdeen. Moved by Fischbach, seconded by Wiese to refer all bids to Randy Bonn, Fairgrounds Superintendent for review and recommendation. All members present voting aye. Motion carried.

Moved by Wiese, seconded by Hansen to accept low bid, submitted by Haug Plumbing Heating/Heartland Heating & Cooling in amount of \$13,163.29; rejecting NWPS in amount of \$15,600.00 and Risager Plumbing & Heating in amount of \$17,138.00. All members present voting aye. Motion carried.

#### BID – RICHMOND YOUTH CAMP FLOORS:

Time and place, as advertised for public hearing to open, read and consider bids for labor and material to remove and replace approximately 10,000 square feet of floor tile at the Richmond Youth Camp. One bid received from Holm Company, Aberdeen. Moved by Wiese, seconded by Feickert to refer bid to Randy Bonn, Fairgrounds Superintendent for review and recommendation. All members present voting aye. Motion carried.

Moved by Wiese, seconded by Hansen to award Richmond Youth Camp Floor Project to Holm Company in amount of \$25,763.76. All members present voting aye. Motion carried.

#### EXECUTIVE SESSION:

Moved by Wiese, seconded by Hansen to go into executive session to discuss possible litigation. All members present voting aye. Motion carried. Moved by Hansen, seconded by Feickert to adjourn executive session. All members present voting aye. Motion carried.

#### TRANSFER ALCOHOLIC BEVERAGE LICENSE:

Time and place, as advertised for public hearing to consider transfer of Retail on-sale liquor and Package off-sale Malt Beverage licenses. Moved by Fischbach, seconded by Wiese to approve the following transfer of Retail (on-sale) Liquor License from William G Welk DBA Lighthouse Pub & Brewery to Aberdeen Smoke Shoppe L.L.C. DBA Richmond Resort, Richmond Resort OL 2, NE 1/4 25-124-65 Brown County, South Dakota and transfer of Package Off Sale Malt Beverage License from William G Welk DBA Lighthouse Pub & Brewery to Aberdeen Smoke Shoppe L.L.C. DBA Richmond Resort, Richmond Resort OL 2, NE 1/4 25-124-65 Brown County, South Dakota. All members present voting aye. Motion carried.

#### EXECUTIVE SESSION:

Moved by Wiese, seconded by Hansen to go into executive session for personnel discussion with Mark Milbrandt and Ron VanMeter in attendance. All members present voting aye. Motion carried. Moved by Feickert, seconded by Wiese to adjourn executive session. All members present voting aye. Motion carried.

#### APPLICATION FOR OCCUPANCY:

Moved by Hansen, seconded by Feickert to approve and authorize the Chairman sign application, submitted by Accent Communications Inc for occupancy of Brown County Highway No. 16 in Sec 32 & 33-T128N-R62W, Brown County, South Dakota to improve telephone service for rural Hecla. Roll call vote: Commissioners Hansen-aye, Feickert-aye, Fischbach-aye, Wiese-abstain, Knecht-aye. Motion carried.

#### COUNTY ROAD #13:

Moved by Wiese, seconded by Feickert to approve and authorize the Chairman sign Pay Request #7 in amount of \$8,835.64 to Lien Transportation Company for the County Road #13 Project. All members present voting aye. Motion carried.

#### AGREEMENT:

Moved by Wiese, seconded by Hansen to approve and authorize the Chairman sign Agreement with the SD Game, Fish and Parks for right of ingress and egress in conjunction with the County Road 6J Project. All members present voting aye. Motion carried.

#### DEFERREED COMP PLAN:

Bill Nachatilo, VALIC (member of American General Financial Group) requested permission from the Commission to present a deferred compensation plan to Brown County employees. Moved by Wiese, seconded by Hansen to allow American General Financial Advisors present retirement services to the employees without cost to the County. All members present voting aye. Motion carried.

#### RECESS:

The Chairman declared the meeting recessed until October 24, 2000.

Maxine Taylor – Brown County Auditor

OCTOBER 24, 2000 – JOINT CITY/COUNTY MEETING

The Brown County Commission and the Aberdeen City Commission met in joint session at 8:45 A.M. in the Brown County Commission Chambers, Courthouse Annex, Aberdeen, South Dakota. Present from City were Commissioners Klabo, Hurlbert and Pfeifer. Absent Commissioner Omland and Mayor Hopper. Present from County were Commissioners Knecht, Hansen, Fischbach and Wiese. Absent Commissioner Feickert.

ORDINANCE NO. 00-10-01/212:

On motion by Pfeifer and seconded by Hurlbert the City Commission unanimously voted to approve First Reading of Ordinance No. 00-10-01/212.

Moved by Wiese, seconded by Fischbach to approve First Reading of Ordinance No. 00-10-01/212, An Ordinance amending Ordinance No. 1164 to rezone certain property from Section 701 (A-1) Agricultural District to Section 714 (M-Ag) Mini-Agricultural District, described as Lots 1 and 2 of Vetch Addition in the NE ¼ of Sec 2-T122N-R64W of the 5<sup>th</sup> P.M., Brown County, South Dakota. All members present voting aye. Motion carried.

ORDINANCE NO. 00-10-02/213:

On motion by Hurlbert and seconded by Pfeifer the City Commission unanimously voted to approve First Reading of Ordinance No. 00-10-02/213.

Moved by Wiese, seconded by Hansen to approve First Reading of Ordinance No. 00-10-02/213, An Ordinance amending Ordinance No. 1164 to rezone certain property from Sections 714/710 (M-Ag/I-2) Mini-Agricultural/Unrestricted Industrial Districts to Section 714/710 (M-Ag/I-2) Mini-Agricultural/Unrestricted Industrial Districts, described as Lot 1 and Lot 2 of Habeck's Fourth Subdivision in the SE ¼ of Sec 9-T123N-R63W of the 5<sup>th</sup> P.M., Brown County, South Dakota. All members present voting aye. Motion carried.

The City Commission adjourned and the County Commission continued into their regularly scheduled meeting.

Maxine Taylor – Brown County Auditor

## OCTOBER 24, 2000 – GENERAL MEETING

Meeting called to order by Chairman Knecht at 8:45 A.M. in the Commissioner's Chambers, Courthouse Annex, Brown County, South Dakota. Present were Commissioners Hansen, Feickert, Fischbach and Wiese.

## MINUTES:

Moved by Hansen, seconded by Wiese to approve the General Meeting minutes of October 17 2000. All members present voting aye. Motion carried.

## CLAIMS:

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

Payroll: Commissioners..\$2211.55; Auditor..\$5188.56; Treasurer..\$7173.36; State's Attorney..\$7871.45; Victims Assistance..\$788.47; Data Processing..\$1269.24; Maintenance..\$4273.16; Assessor..\$5259.15; Planning & Zoning..\$887.20, OVERTIME: Mick Waller..\$16.64; Register of Deeds..\$3665.85; Veterans Service Office..\$1950.56, OVERTIME: Kathy Schlecht..\$56.07; Sheriff..\$40739.92, OVERTIME: John McQuillen..\$164.80, John Heine..\$30.90, Scott Kolb..\$164.80, Michael Casjens..\$370.69, David Fair..\$292.65, David Hanson..\$244.08, Steven Cogley..\$69.44, Gary Bunt..\$170.00, John Weaver..\$121.52, Roxanne Schumacher..\$118.64, Craig Nelson..\$120.16, Mark Jastram..\$112.96, Partick Rickerl..\$112.96, Cindy Mitchell..\$107.12, Heather Rystrom..\$104.32, Russell Ochsner..\$273.84, Jason Hamar..\$104.32, Diane Mielke..\$130.23, Kevin Johnson..\$134.14, Jeffrey Kirnan..\$20.10, Lori Furman..\$104.32; Communications..\$10369.13, OVERTIME: Mary Browning..\$69.44, Alicia Dohn..\$112.96, Janet Dosch..\$112.96, Betty Haar..\$127.36, Teresa Monson..\$110.08, Deanna Thorpe..\$116.96, Michele Strom..\$105.90, Lisa Wipf..\$121.60; Welfare Office..\$2299.64; Health..\$2255.20; Museum..\$2831.62; Extension..\$1420.80; Weed..\$1709.74, OVERTIME: Todd Odenbach..\$44.06; Foster Grandparent Program..\$2139.54; Fairgrounds..\$3224.63; Fairboard..\$1545.94; Emergency Management..\$1834.40; Highway..\$31937.49, OVERTIME: Robert Binfet..\$161.60, Vernon Bitz..\$24.39, David Bruckner..\$367.29, Brian Dargatz..\$328.60, Ronald Glugla..\$315.00, Larry Hardy..\$339.92, Jason Heagley..\$287.21, John Heidenreich..\$140.10, Ben Hofer..\$271.89, David Kolb..\$14.31, Tom Lammon..\$357.72, Daryl Lloyd..\$352.19, Jerry Luce..\$178.25, Joseph Malsam..\$149.10, Bryan Owens..\$273.43, Cordell Rudolph..\$363.44, Richard Schaible..\$162.60, Roger Schaible..\$183.04, Jeff Seiler..\$271.89, Marcus Selzler..\$336.00, Casey Thorstenson..\$275.47, Kendell Titze..\$291.45, Leon Vickers..\$462.00, Michael Wagner..\$183.60, Nicholas Wanna..\$521.87, Mark Wendt..\$363.00, Theodore Brockel..\$257.52; Landfill..\$4872.14, OVERTIME: Carl Wright..\$570.38, Roxanne Varns..\$70.16, Nyle Jenson..\$443.70, Dennis Van Heerde..\$291.91, Michelle Haag..\$92.58; Supplies & Materials: NACO..\$652.00, US Post Office..\$5000.00, Pitney-Bowes..\$297.00, Computer Specialists..\$739.00, Office Equip..\$134.70, Office Max..\$49.99, Walmart..\$109.45, Shafer & Feld..\$224.00, US Gov't Bookstore..\$47.00, Aberdeen Insurance Agency..\$60.00, Best Business Products..\$90.54, Lang's..\$33.00, Texaco..\$42.66, Alan Winburn..\$1470.00, Vikings Office Products..\$97.36, Swanson Elec..\$153.86, Spellman Painters..\$482.46, SD Wheat Growers..\$1395.53, Lien Transportation..\$1163.25, Kar Products..\$159.17, Inman & McDowell..\$13.95, Huron Culvert..\$236.64, Howell Trucking..\$1080.00, Heartland Heating..\$54.59, Don Gunther..\$691.25, Robert Dinger..\$858.40, Herb Dabbert..\$380.00, Al Dabbert..\$1674.00, Aberdeen Asphalt..\$66,147.79, Kesslers..\$21.37, Town & Country..\$147.44, Keeleys..\$66.95, Northern State University..\$115.88, Ken's..\$16.95, Remittance Processing Center..\$26.89, Academy..\$55.50, Area IV Nutrition..\$228.50, SD Assoc of Volunteer Leaders..\$50.00, Heiman..\$1416.16, B&B Contracting..\$29,204.58, Vosika Fencing..\$1520.00, Safelite Auto Glass..\$59.56, EMED Co..\$100.18, Southern MN Const..\$23,400.00, Menards..\$159.98, Wright & Sudlow..\$490.00, Maxim Tech.. \$360.00, Earth Tech..\$1508.43,

S&H Uniforms..\$339.64, Quality Quick Print..\$174.23, New Trends..\$409.00, Sherwin-Williams..\$8.54, UBC..\$131.93, Ameripride..\$11.43, Dakota Supply..\$50.89, Honeywell..\$623.20, McFarland..\$13.76, Out on A Limb..\$1990.00, State Supply..\$537.48, Menards..\$77.62, Heartland Paper..\$32.67:

Publications: American News..\$997.50, Frederick/Hecla Northstar..\$264.51, Dakota Press..\$922.09:

Professional Fees: Brown County Sheriff..\$9.60, Lewis & Clark Mental Illness Center..\$550.00, Sioux Vocational Services..\$120.00, Avera St Lukes..\$34.43:

Utilities: NWPS..\$79.31, City of Aberdeen..\$13.50, Town of Frederick..\$18.25, Verizon..\$58.52, US West..\$1588.88, Cellular One..\$179.72, Bureau of Adm..\$582.15:

Care of Poor: Rent: 4 recipients..Jack Ganje..\$230.00, D&L LLC..\$130.00, Rena Hansen..\$230.00, PK Investments..\$140.00:

Dr/Hospital – 7 recipients.. Dr John Adams..\$166.20, Anesthesia Care..\$240.00, Mersco Medical..\$77.00, Avera St Lukes..\$17,046.24; Drugs – 2 recipients..Dakota Square Pharmacy..\$172.37, Shopko Pharmacy..\$207.86; Utilities – 1 recipient..NWPS..\$190.00; Transportation – 1 recipient..Aberdeen Ambulance Service..\$155.47. All members present voting aye. Motion carried.

#### PERSONNEL:

Moved by Feickert, seconded by Fischbach to approve the following employee step increases, effective October 29, 2000: David Hanson @ \$12.29 per hour, Ethan Palluck @ \$10.61 per hour. All members present voting aye. Motion carried.

Moved by Hansen, seconded by Fischbach to approve hiring Jennifer Mechaley as part-time JDC Officer, effective October 24, 2000 at \$8.05 per hour. All members present voting aye. Motion carried.

#### INCREASE SPENDING AUTHORITY/ESTIMATED REVENUE:

Moved by Hansen, seconded by Feickert to increase spending authority in Fund #201-311-426.30 and increase estimated revenue in Fund #201-331.03 for CDBG funding for Dam Repair Projects in amount of \$9,335.90. All members present voting aye. Motion carried.

#### ABATEMENT:

Moved by Wiese, seconded by Feickert to approve the following Abatement: Dakota Partners or Mike Tarrell c/o Lou Ludwig, incorrect taxing district (1971 Artcraft MH) for year 2000 in amount of \$143.24. All members present voting aye. Motion carried.

#### ORDINANCE NO. 015 – REZONE:

Moved by Hansen, seconded by Feickert to authorize advertising public hearing to consider petition filed by William G and Travis G Welk to rezone Richmond Resort Outlot 2, NE ¼ 25-T124N-R65W of 5<sup>th</sup> P.M., Brown County, SD from Agricultural Preservation District (AG-P) to Commercial District (C), to be held in the Commission Chambers, Courthouse Annex, Brown County, South Dakota at 8:45 A.M. on November 7, 2000. All members present voting aye. Motion carried.

#### SHERIFF REPORTS:

Moved by Wiese, seconded by Feickert to approve the following September, 2000 Sheriff Reports: Incident & Offenses, Prisoner Care, JDC, Money deposited with the County Treasurer and Monthly activities. All members present voting aye. Motion carried.

#### PLATS:

Commissioner Wiese offered the following Resolution:

#### RESOLUTION NO. 99-2000

BE IT RESOLVED by the Board of County Commissioners of Brown County, South Dakota, that the plat showing "Lot 1A, Block 13 (Replat of Lots 1 and 2, Block 13) of Prairiewood Village in the NE ¼ of Sec 33-T124N-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 Fischbach. Roll call vote: Commissioners Hansen-aye, Feickert-aye, Fischbach-aye, Wiese-aye, Knecht-aye. Resolution adopted.

Commissioner Hansen offered the following Resolution:

#### RESOLUTION NO. 100-2000

BE IT RESOLVED by the County Commission of Brown County, South Dakota, that the plat showing "Podoll/Nicolaisen First Subdivision in Richmond Heights Subdivision in E ½ of Sec 32-T124N-R64W 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. Roll call vote: Commissioners Hansen-aye, Feickert-aye, Fischbach-aye, Wiese-aye, Knecht-aye. Resolution adopted.

Commissioner Wiese offered the following Resolution:

#### RESOLUTION NO. 101-2000

BE IT RESOLVED by the County Commission of Brown County, South Dakota, that the plat showing "Habeck's Fourth Subdivision in SE ¼ Sec 9-T123N-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 of 1967, Chapter 11-3, and any amendments thereof.

Seconded by Commissioner Hansen. Roll call vote: Commissioners Hansen-aye, Feickert-aye, Fischbach-aye, Wiese-aye, Knecht-aye. Resolution adopted.

#### HOSPITAL CLAIMS:

Jeff Steele and Cheryl Majeske, Avera St. Lukes met with the Commission to discuss four hospital bills. Charlene Millim, Welfare Director was also in attendance.

Moved by Wiese, seconded by Feickert to deny payment of a hospital bill, submitted by Avera St. Lukes in approximate amount of \$14,564.60 for a 42 year old male, as the individual has not provided sufficient information to determine indigency. All members present voting aye. Motion carried.

Moved by Wiese, seconded by Hansen to deny payment of a hospital bill, submitted by Avera St. Lukes in approximate amount of \$4,900.11 for a 38 year old male, as the individual has not provided sufficient information to determine indigency. All members present voting aye. Motion carried.

Moved by Fischbach, seconded by Hansen to deny payment of a hospital bill, submitted by Avera St. Lukes in approximate amount of \$872.47 for a 38 year old deceased male, as sufficient information to determine indigency has not been provided. All members present voting aye. Motion carried.

An additional hospital bill, submitted by Avera St Lukes in approximate amount of \$1,187.08 for a 33 year old male will be reviewed by the Sheriff's Department before action.

**JDC FINANCING:**

Tim Bergstrom, EideBailly LLP presented an analysis of the various financing options available to the County for the construction of a juvenile detention center and remodeling of the existing jail facilities and accumulated information relating to additional operating costs that the two projects would entail. Terry Geisler, Harvey Oliver, Mark McNeary, Judy Dosch, Barb Johnson and Kevin Johnson were also present.

**APPLICATION FOR OCCUPANCY:**

Moved by Hansen, seconded by Feickert to approve and authorize the Chairman sign application, submitted by James Valley Telecommunications for occupancy of Brown County Highway #12E in Sec 25-T123N-R60W, Brown County, South Dakota to provide communication needs. Roll call vote: Commissioners Hansen-aye, Feickert-aye, Fischbach-aye, Wiese-abstain, Knecht-aye. Motion carried.

Moved by Feickert, seconded by Hansen to approve and authorize the Chairman sign application, submitted by NWPS for occupancy of Brown County Highway #13 in Sec 28-T124N-R64W, Brown County, South Dakota to provide gas service. Roll call vote: Commissioners Hansen-aye, Feickert-aye, Fischbach-aye, Wiese-abstain, Knecht-aye. Motion carried.

**AWARD BRIDGE #50 (PROJECT BRF 6176(4):**

Moved by Feickert, seconded by Wiese to award low bid, submitted by Swingen Construction Company, Grand Forks, ND in amount of \$197,720.20 for structure and approach grading on Project BRF 6176(4) Bridge #50 (2.8 miles east of Warner over Moccasin Creek); rejecting Graves Construction @ \$200,425.71, Wanzek Construction @ \$218,078.85, Industrial Builders Inc @ \$219,420.80, Prairie Engineering Inc @ \$259,794.05 and Sioux Falls Construction @ \$302,239.11. All members present voting aye. Motion carried.

**RECESS:**

The Chairman declared the meeting recessed until October 31, 2000.

Maxine Taylor – Brown County Auditor



OCTOBER 31, 2000 – JOINT CITY/COUNTY MEETING

The Brown County Commission and the Aberdeen City Commission met in joint session at 8:45 A.M. in the Brown County Commission Chambers, Courthouse Annex, Aberdeen, South Dakota. Present from City were Commissioners Klabo, Hurlbert and Pfeifer. Absent Commissioner Omland and Mayor Hopper. Present from County were Commissioners Knecht, Hansen, Feickert, Fischbach and Wiese.

ORDINANCE NO. 00-10-01/212:

On motion by Hurlbert and seconded by Pfeifer the City Commission unanimously voted to approve Second Reading of Ordinance No. 00-10-01/212.

On motion by Pfeifer and seconded by Hurlbert the City Commission unanimously voted to adopt Ordinance No. 00-10-01/212.

Moved by Wiese, seconded by Feickert to approve Second Reading of Ordinance No. 00-10-01/212. All members present voting aye. Motion carried.

Moved by Wiese, seconded by Hansen to adopt Ordinance No. 00-10-01/212, An Ordinance amending Ordinance No. 1164 to rezone certain property from Section 701 (A-1) Agricultural District to Section 714 (M-Ag) Mini-Agricultural District, described as Lots 1 and 2 of Vetch Addition in the NE ¼ of Sec 2-T122N-R64W of the 5<sup>th</sup> P.M., Brown County, South Dakota. Roll call vote: Commissioners Hansen-aye, Feickert-aye, Fischbach-aye, Wiese-aye, Knecht-aye. Ordinance adopted.

ORDINANCE NO. 00-10-02/213:

On motion by Pfeifer and seconded by Hurlbert the City Commission unanimously voted to approve Second Reading of Ordinance No. 00-10-02/213.

On motion by Hurlbert and seconded by Pfeifer the City Commission unanimously voted to adopt Ordinance No. 00-10-02/213.

Moved by Fischbach, seconded by Wiese to approve Second Reading of Ordinance No. 00-10-02/213. All members present voting aye. Motion carried.

Moved by Hansen, seconded by Wiese to adopt Ordinance No. 00-10-02/213, An Ordinance amending Ordinance No. 1164 to rezone certain property from Sections 714/710 (M-Ag/I-2) Mini-Agricultural/Unrestricted Industrial Districts to Section 714/710 (M-Ag/I-2) Mini-Agricultural/Unrestricted Industrial Districts, described as Lot 1 of Habeck's Fourth Subdivision in the SE ¼ of Sec 9-T123N-R63W of the 5<sup>th</sup> P.M., Brown County, South Dakota to be zoned as (I-2) Unrestricted Industrial District and Lot 2 of Habeck's Fourth Subdivision in the SE ¼ of Sec 9-T123N-R63W of the 5<sup>th</sup> P.M., Brown County, South Dakota to be zoned as (M-Ag) Mini-Agricultural District. Roll call vote: Commissioners Hansen-aye, Feickert-aye, Fischbach-aye, Wiese-aye, Knecht-aye. Ordinance adopted.

The City Commission adjourned and the County Commission continued into their regularly scheduled meeting.

Maxine Taylor – Brown County Auditor

## OCTOBER 31, 2000 – GENERAL MEETING

Meeting called to order by Chairman Knecht at 8:45 A.M in the Commissioner's Chambers, Courthouse Annex, Brown County, South Dakota. Present were Commissioners Hansen, Feickert, Fischbach and Wiese.

## MINUTES:

Moved by Wiese, seconded by Fischbach to approve the Joint City/County Meeting minutes and the General Meeting minutes of October 24, 2000. All members present voting aye. Motion carried.

## CLAIMS:

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

Supplies & Materials: Parcel-Erickson..\$298.20, Northwestern Communications..\$38.99, Kesslers..\$301.60, Respond..\$153.80, Economy Meats..\$112.10, Western SD Juvenile Service Center..\$295.00, Photo-X-Press..\$2.64, Dakota Electronics..\$397.45, Warner Co-Op..\$16.00, Menards..\$367.21, New Trends..\$79.20, Bob Barker..\$129.82, K-Mart..\$103.16, Medical Center Pharmacy..\$848.27, Office Max..\$167.08, Walmart..\$76.82, Brucelli Advertising..\$49.95, Heartland Paper..\$453.60, Gary's Engine..\$47.17, House of Glass..\$39.89, Ecolab..\$143.70, Taylor Laundry..\$68.14, Dakota Supply..\$22.10, Heiman Fire Equip..\$86.97, Columbia Fire Dept..\$115.50, Ag Communications..\$79.16, MidWest Plan..\$28.00, MarTech..\$99.00, Leo Leshner..\$257.23, Helms & Assoc..\$834.85, Fire & Safety First..\$13.65, New Waste Concepts..\$23,320.00, Johnson Feed..\$1200.00, Sherwin-Williams..\$230.57, RDO..\$574.10, Leggette..\$39.68, Butler..\$2190.50, Marketplace..\$1323.00, RE Huffman..\$61.51, UBC..\$17.58, Western Printing..\$2693.10, SDDOT..\$3291.64, SD Wheat Growers..\$558.39, Snap-On Tools..\$61.81, Share Corp..\$66.00, Reuer's..\$2.95, Lien..\$1695.29, Lawson Products..\$174.13, Lake Sand..\$108,000.00, Harms Oil..\$5911.23, Habeck's..\$70.00, Fire Safety First..\$7.98, JD Evans..\$108.38, Diesel Machinery..\$70.39, Diamond Mowers..\$360.40, Creative Signs..\$25.00, CarQuest..\$962.48, B&B Contracting..\$2172.50, Advance Auto..\$39.70, Aberdeen Asphalt..\$8011.11, Quality Stores..\$93.98, Visa..\$1201.85, SD Assoc of Fairs..\$65.00, Nelson Auto..\$18.53, Runnings Fleet..\$370.99, A-1 Sanitation..\$156.20, Dakota Supply..\$67.02, Dependable Sanitation..\$35.70, Hub City Iron..\$5.75, Herc-U-Lift..\$234.21, Dakota Electronics..\$25.00, Advanced Auto..\$136.44, Richmond Lake Sanitary Dist..\$216.00, Evergreen Supply..\$16.00, Mac's..\$33.31, United Laboratories..\$17.51, HC Clark..\$85.76, Denise Jung..\$2015.52, Shirley Schwab..\$495.00, Risk Services of SD..\$120.00:

Publications: Frederick/Hecla Northstar..\$271.85, American News..\$240.72:

Transcriptions: Cassel Reporting..\$20.00, Jeanne Haug..\$82.80:

Professional Fees: Kevin Spitzer..\$620.63, Robert Chavis..\$180.00, Don Carlson..\$30.00, Joan Kittelson..\$15.00, Donna Dietrich..\$210.91, Sheriff of Yankton County..\$67.00, Kim Dorsett..\$1500.00, Witness fees..\$20.00, Marv Ekeren..\$15.00:

Court Appointed Attorney: Tonner, Tobin & King..\$4500.00, Brad Borge..\$4500.00:

Mileage & Travel: Jodi McQuillen..\$147.61, Barb Jansen..\$39.44, Marge Kolb..\$420.49, Gene Loeschke..\$256.36:

Utilities: Cellular One..\$535.27, US West..\$3338.02, Midcontinent Communications..\$140.35, NWPS..\$5188.53, WEB..\$50.73, Montana Dakota..\$32.86, Northern Electric..\$130.28, Northwestern Communications..\$50.00:

Care of Poor: Rent: 1 recipient..Rena Hansen..\$200.00; Dr/Hospital – 3 recipients.. Avera United Clinic..\$199.10, Inphynet Primary Care..\$229.78, Aberdeen Family Physicians..\$363.20, Orthopedic Surgery Spec..\$335.83, Internal Medicine Assoc..\$527.51, Neurosurgical Assoc..\$8959.58; Utilities – 1 recipient.. NWPS..\$230.00. All members present voting aye. Motion carried.

## LEASE AGREEMENT:

Moved by Hansen, seconded by Fischbach to approve and authorize the Chairman sign agreement with Fischer Auction Company for lease of the Clubhouse at the Fairgrounds on October 28, 2000. All members present voting aye. Motion carried.

Moved by Wiese, seconded by Hansen to approve and authorize the Chairman sign addendum agreement with Aberdeen Hockey Association for lease of the Expo Addition for the 2000/2001 Hockey Season. All members present voting aye. Motion carried.

**PLAT:**

Commissioner Hansen offered the following Resolution:

**RESOLUTION NO. 102-2000**

BE IT RESOLVED by the Board of County Commissioners of Brown County, South Dakota, that the plat showing "Nash Conservation Easement Tract 1 in the W ½ of the SE ¼ of Sec 29-T121N-R64W 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 Wiese. Roll call vote: Commissioners Hansen-aye, Feickert-aye, Fischbach-aye, Wiese-aye, Knecht-aye. Resolution adopted.

**PERSONNEL:**

Barb Johnson, JDC Supervisor and Dallas Vallery, Jailer met with the Commission to discuss hiring a nurse to serve the Jail and JDC and also explained space problem associated with hiring a nurse. No action taken at this time.

Moved by Hansen, seconded by Wiese to acknowledge resignation of Highway Department employee Dave Kolb, effective November 10, 2000. All members present voting aye. Motion carried.

Moved by Feickert, seconded by Wiese to acknowledge resignation of Highway Department employee Dan Glover, effective November 10, 2000. All members present voting aye. Motion carried.

**APPLICATION FOR OCCUPANCY:**

Moved by Feickert, seconded by Wiese to approve and authorize the Chairman sign application, submitted by Jon Locken for occupancy of Brown County Highway #21 in Sec 12-T122N-R63W, Brown County, South Dakota to install an 8 or 10 inch PVC pipe for drainage, on condition Arnie Svarstad owns adjoining property. All members present voting aye. Motion carried.

**EXECUTIVE SESSION:**

Moved by Fischbach, seconded by Wiese to go into executive session to discuss personnel and possible litigation with Russ Podoll in attendance. All members present voting aye. Motion carried.

Moved by Wiese, seconded by Fischbach to adjourn executive session. All members present voting aye. Motion carried.

**ROAD DISCUSSION:**

Don Giles, John Kippley, Arlye Crawford, Jim Whitman, Carl Hansen and Carl Howard met with the Commission to discuss roads in Bath Township in the vicinity of the SD Wheat Growers East terminal on US Hwy 12. Russ Podoll was also in attendance. No action taken at this time.

**EXECUTIVE SESSION:**

Moved by Wiese, seconded by Feickert to go into executive session for personnel discussion with Todd Odenbach, Russ Podoll and Harvey Oliver in attendance. All members present voting aye. Motion carried.

Moved by Wiese, seconded by Feickert to adjourn executive session. All members present voting aye. Motion carried.

RECESS:

The Chairman declared the Commission recessed until November 7, 2000.

Maxine Taylor – Brown County Auditor

# NOVEMBER 7, 2000 – GENERAL MEETING

Meeting called to order by Chairman Knecht at 8:45 A.M. in the Commissioner's Chambers, Courthouse Annex, Brown County, South Dakota. Present were Commissioners Hansen, Feickert, Fischbach and Wiese.

## MINUTES:

Moved by Fischbach, seconded by Wiese to approve the Joint City/County Meeting minutes and the General Meeting minutes of October 31, 2000. All members present voting aye. Motion carried.

## CLAIMS:

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

Payroll: Commissioners..\$2211.55; Auditor..\$5188.56, OVERTIME; Janis Erickson..\$39.13, Janet Malsom..\$93.90, Carol Misfeldt..\$50.48, Jeanette Nietert..\$25.24, Ione Shilman..\$120.15; Treasurer..\$7173.36; State's Attorney..\$7871.45; Victims Assistance..\$788.47; Data Processing..\$1269.24; Maintenance..\$4262.25; Assessor..\$6158.92; Planning & Zoning..\$887.20, OVERTIME: Mick Waller..\$16.64; Register of Deeds..\$3665.85; Veterans Service Office..\$1950.56, OVERTIME: Kathy Schlecht..\$64.08; Sheriff..\$40926.98, OVERTIME: John McQuillen..\$56.65, John Heine..\$82.40, Scott Kolb..\$61.80, Michael Casjens..\$9.76, David Fair..\$234.12, Steven Cogley..\$104.16, Gary Bunt..\$68.00, Roxanne Schumacher..\$14.83, Charlene McAfee..\$28.94, Mark Jastram..\$28.24, Patrick Rickerl..\$7.06, Cindy Mitchell..\$107.12, Diane Mielke..\$50.65, Kevin Johnson..\$21.18, Amy Lake..\$13.76; Communications..\$10176.10, OVERTIME: Mary Browning..\$138.88, Nancy Radke..\$9.04, Lisa Wipf..\$15.20; Welfare Office..\$2299.64; Health..\$2255.20; Museum..\$2828.60; Extension..\$1218.76; Weed..\$815.86, OVERTIME: Todd Odenbach..\$26.45; Foster Grandparent Program..\$2123.94; Fairgrounds..\$3271.52; Fairboard..\$1545.94; Emergency Management..\$1834.40, OVERTIME: Ginger Walker..\$7.83; Highway..\$31864.84, OVERTIME: Robert Binfet..\$327.44, David Bruckner..\$358.55, Brian Dargatz..\$336.82, Dan Glover..\$24.08, Ronald Glugla..\$330.75, Larry Hardy..\$292.49, Jason Heagley..\$196.14, Ben Hofer..\$232.54, David Kolb..\$146.68, Tom Lammon..\$325.20, Daryl Lloyd..\$343.60, Jerry Luce..\$182.60, Joseph Malsam..\$298.20, Bryan Owens..\$156.56, Cordell Rudolph..\$132.16, Richard Schaible..\$308.94, Roger Schaible..\$341.12, Jeff Seiler..\$143.10, Marcus Selzler..\$336.00, Casey Thorstenson..\$7.16, Kendell Titze..\$246.03, Leon Vickers..\$327.60, Michael Wagner..\$7.57, Nicholas Wanna..\$315.23, Mark Wendt..\$404.25, Theodore Brockel..\$85.84; Landfill..\$4635.52, OVERTIME: Carl Wright..\$329.06, Nyle Jenson..\$151.42, Dennis Van Heerde..\$317.77, Michelle Haag..\$87.29:

Supplies & Materials: Brown County Treasurer..\$24.81, Quality Quick Print..\$427.70, Office Equip..\$94.07, Harvey Oliver..\$106.00, Bureau of Admin..\$55.18, New Trends..\$51.36, Woodman..\$1658.48, Cunningham Electric..\$326.40, Grote Sheet Metal..\$5365.00, Dakota Supply..\$253.59, Menards..\$26.78, Ameripride..\$22.60, House of Glass..\$78.86, Rux Bros..\$460.85, Lar-Jos..\$545.00, Photos Now..\$54.40, Dept of Revenue..\$315.00, Parcel-Erickson..\$50.00, Photo X Press..\$12.77, RDR Plumbing..\$124.19, Sewing Shop..\$9.50, Best Business Products..\$189.46, A-1 Locksmith..\$5.00, Aberdeen Lock & Key..\$7.00, Ann Bierman..\$48.30, Dakota Electronics..\$296.79, Exxon-Gecc..\$18.59, Quill..\$151.79, OK Tire..\$127.34, Walmart..\$118.39, SD Fleet..\$1490.40, Office Max..\$199.11, Hoggs..\$4711.18, SD Wheat Growers..\$427.97, SD DOT..\$22,108.18, Runnings Fleet..\$262.51, New Pig Corp..\$97.59, Lien Transportation..\$90,388.34, Huron Culvert..\$1421.13, Hub City Iron..\$782.70, Great Western Tire..\$85.00, Farm Power..\$8.64, Evergreen Supply..\$109.72, Dakota Oil..\$761.20, Butler..\$698.12, Richard Burns..\$13.71, Bridgestone/Firestone..\$786.54, US Post Office..\$200.00, ND Assoc of Fairs..\$1785.00, Brown County Treas..\$134.13, Keeleys..\$17.50, Romeo..\$245.40, Heartland Paper..\$1493.01, Ken's Superfair Foods..\$15.95, Super 8..\$36.83, Shopko..\$39.47, Century Business..\$118.66, Quality Stores..\$17.97, Meyers Auto..\$75.00, Mac's..\$6.99, CarQuest..\$63.04, Farm Power..\$124.20, Evergreen Supply..\$60.48, Eide Balley..\$233.75, Dakota Electronics..\$266.00:

Publications: Next Generation Pub..\$1170.00, American News..\$ 509.80:

Transcriptions: Cheryl Hook..\$13.20:

Professional Fees: Witness Fees..\$40.00, Aberdeen Adv Care..\$101.57, Avera St Lukes..\$84.00:

Court Appointed Attorney: Moody County Auditor..\$339.00:

Mileage & Travel: Deb Knecht..\$81.20, Dennis Feickert..\$20.30, Russ Podoll..\$85.00, Gary Erickson..\$463.55:

Utilities: James Valley Co-Op..\$655.85, Town of Frederick..\$18.25, Accent Communications..\$417.73, City of Aberdeen..\$46.25, WEB Water..\$47.27, NWPS..\$806.54, US West..\$126.58:

Care of Poor: Rent: 3 recipients.. Joop Bollen..\$170.00, Kurt Kruger..\$170.00, Country Village..\$347.58; Dr/Hospital – 9 recipients..Avera St Lukes..\$2582.21, Anesthesia Care..\$672.00, Great Plains Rehab Medicine..\$206.20, Aberdeen Surgical Assoc..\$1565.56, Avera United Clinic..\$5294.70, Internal Medicine Assoc..\$2448.30, Dr Thomas Bunker..\$261.27, Neurosurgical Assoc of Aberdeen..\$327.60; Drugs – 3 recipients..K-Mart Pharmacy..\$145.80, Kesslers Pharmacy..\$61.49; Transportation – 1 recipient..Aberdeen Advanced Care..\$317.30. All members present voting aye. Motion carried.

#### PERSONNEL:

Moved by Wiese, seconded by Hansen to approve the following employee step increases, effective November 12, 2000: Steven Cogley @ \$11.81 per hour, Sheila Anderson @ \$10.85 per hour, Nicholas Wanna @ \$9.54 per hour. All members present voting aye. Motion carried.

Moved by Wiese, seconded by Fischbach to approve hiring Derrick Kessler as part-time JDC Officer, effective November 6, 2000 at \$8.05 per hour. All members present voting aye. Motion carried.

#### LEASE AGREEMENT:

Moved by Hansen, seconded by Wiese to approve and authorize the Chairman sign agreement with Second Time Around for lease of the Club House at the Fairgrounds on November 10-12, 2000. All members present voting aye. Motion carried.

#### ABATEMENT:

Moved by Feickert, seconded by Wiese to approve the following abatement: Jon J Husby, house fire (E 90.2' of Lot 4 & W 55' of Lot 1 and W 40' of Lot 2 & W 40' of the N 6' of Lot 3 Wheeldon's Subd Block 10 Francis J Evelos Addition) for year 1999 in amount of \$285.93. All members present voting aye. Motion carried.

#### INVENTORY TRANSFER:

Moved by Wiese, seconded by Hansen to transfer Decal #3108 Fax Machine from the Sheriff Department to Extension. All members present voting aye. Motion carried.

#### SET HEARING DATE:

Moved by Wiese, seconded by Hansen to authorize advertising public hearing to consider the following petitions for rezone: Ordinance No. 00-11-01/214 (Lots 5 & 6, Block 1, Richmond Heights Subdivision in the E ½ of Sec 32-T124N-R64W to be platted and known as Lots 1 & 2 of Podoll/Nicolaisen First Subdivision in E ½ Sec 32-T124N-R64W of the 5<sup>th</sup> P.M., Brown County, SD) from Section 701 (A-1) Agricultural District to Section 714 (M-Ag) Mini-Agricultural District; and Ordinance No. 00-11-02-215 (Lot 2 Swenson Subdivision in the NE ¼ of Sec 11-T123N-R63W of the 5<sup>th</sup> P.M., Brown County, South Dakota) from Section 701 (A-1) Agricultural District to Section 714 (M-Ag) Mini-Agricultural District; to be held at 8:45 a.m. on November 28, 2000 in the County Commission Chambers, Courthouse Annex, Brown County, South Dakota. All members present voting aye. Motion carried.

#### ORDINANCE NO. 015:

Time and place, as advertised for public hearing to consider petition, submitted by William G and Travis G Welk to rezone certain property.

Moved by Wiese, seconded by Fischbach to approve First Reading of Ordinance No. 015, An Ordinance Amending Title 4, Second Revision Brown County Ordinances as amended to rezone Richmond Resort Outlot 2, located in the NE ¼ of Sec 25-T124N-R65W of the 5<sup>th</sup> P.M., Brown County, South Dakota from Chapter 4.06 Agricultural Preservation District (Ag-P) Chapter 4.13 to Commercial District (C). All members present voting aye. Motion carried.

#### EQUIPMENT PURCHASE:

Moved by Fischbach, seconded by Feickert to authorize purchase of truck from Federal Surplus for the Weed Department. All members present voting aye. Motion carried.

#### INMATE PHONE DISCUSSION:

John VanderHoek, Chief Jailer met with the Commission to discuss proposal from the existing inmate phone provider for phone cards. Additional research will be completed before action taken.

#### RIGHT-OF-WAY AGREEMENT:

Moved by Wiese, seconded by Feickert to approve and authorize the Chairman sign Right-Of-Way Agreement with the South Dakota Department of Game, Fish and Parks for the Road #6 construction project. All members present voting aye. Motion carried.

#### APPLICATION FOR OCCUPANCY:

Moved by Feickert, seconded by Hansen to approve application, submitted by Northern Electric Cooperative for occupancy of Brown County Road #19, in Sec 4 & 9-T125-R61 for installation of cable. Roll call vote: Commissioners Hansen-aye, Feickert-aye, Fischbach-aye, Wiese-abstain, Knecht-aye. Motion carried.

#### SERVICE AGREEMENT:

Moved by Feickert, seconded by Hansen to approve and authorize the Chairman sign internet agreement for the Highway Department with Northern Valley Communications. Roll call vote: Commissioners Hansen-aye, Feickert-aye, Fischbach-aye, Wiese-abstain, Knecht-aye. Motion carried.

#### MOBILE HOME DISCUSSED:

Vincent Friedman discussed his mobile home with the Commission. No action taken.

#### RECESS:

The Chairman declared the Commission recessed until November 14, 2000.

Maxine Taylor – Brown County Auditor

NOVEMBER 9, 2000 – CANVASS OF NOVEMBER 7, 2000 COMBINED GENERAL/ABERDEEN  
SCHOOL BOND ELECTION

Brown County Commissioners Deb Knecht, Tom Fischbach and Dennis Feickert; Aberdeen School Board Members David Bunsness, Bradley Olson, Laura Hilgemann and Mike Miller convened for purpose of canvassing the November 7, 2000 Combined General/Aberdeen School Bond Election, as authorized by SDCL 12-20-36. Dr. Brad Meeks, Penny Dix and Ruth Nelson, representing Aberdeen School District were also in attendance.

ABERDEEN CITY PRECINCTS

#001	Poll Book Count	1309
	Ballots Counted	1305
#002	Poll Book Count	1215
	Ballots Counted	1221
#003	Poll Book Count	1050
	Ballots Counted	1048
#004	Poll Book Count	1188
	Ballots Counted	1188
#005	Poll Book Count	764
	Ballots Counted	762
#006	Poll Book Count	1289
	Ballots Counted	1280
#008	Poll Book Count	774
	Ballots Counted	784
#009	Poll Book Count	1038
	Ballots Counted	1037
#010	Poll Book Count	730
	Ballots Counted	731
#011	Poll Book Count	944
	Ballots Counted	943
#012	Poll Book Count	1191
	Ballots Counted	1191

RURAL PRECINCTS

#013	Poll Book Count	363
	Ballots Counted	363
#014	Poll Book Count	312
	Ballots Counted	312
#015	Poll Book Count	282
	Ballots Counted	283
#016	Poll Book Count	264
	Ballots Counted	264
#017	Poll Book Count	407
	Ballots Counted	407
#018	Poll Book Count	241
	Ballots Counted	242
#019	Poll Book Count	829
	Ballots Counted	828
#020	Poll Book Count	644
	Ballots Counted	644
#021	Poll Book Count	523
	Ballots Counted	523
#022	Poll Book Count	425
	Ballots Counted	425
#023	Poll Book Count	536
	Ballots Counted	537
#024	Poll Book Count	267
	Ballots Counted	267
#025	Poll Book Count	172
	Ballots Counted	172

Moved by Fischbach, seconded by Feickert to adjourn the Canvass Meeting for the November 7, 2000 Combined General Election. All members present voting aye. Motion carried.

Maxine Taylor – Brown County Auditor



# NOVEMBER 14, 2000 – GENERAL MEETING

Meeting called to order by Chairman Knecht at 8:45 A.M. in the Commissioner's Chambers, Courthouse Annex, Brown County, South Dakota. Present were Commissioners Hansen, Feickert, Fischbach and Wiese.

## MINUTES:

Moved by Hansen, seconded by Wiese to approve the General Meeting minutes of November 7, 2000 and the Combined General Election Canvass Meeting minutes of November 9, 2000. All members present voting aye. Motion carried.

## CLAIMS:

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

Supplies & Materials: Brown County Treasurer..\$23.66, Brown County Community Health..\$301.00, Intab..\$118.97, Office Max..\$269.99, Quality Farm & Fleet..\$7.98, Parcel-Erickson..\$45.90, Bob Barker..\$143.12, Dakota Electronics..\$91.80, A-A Towing..\$60.00, Custom Sheet Metal..\$26.18, Economy Meats..\$23.60, Phillips 66..\$54.51, Metz..\$633.71, Pantorium..\$9.55, Avera St Lukes..\$38.00, Office Equipment..\$178.50, Lust..\$799.19, Kesslers..\$504.98, Northwest Divers..\$224.25, Safety Service..\$776.26, Dept of Revenue..\$490.00, Hedahls..\$179.90, Roger Zastrow..\$1650.00, Zastrow Conoco..\$107.95, Taylor Laundry..\$364.32, SD Wheat Growers..\$11846.02, Sheehan..\$44.40, Safety Service..\$18.25, Ramkota..\$128.00, Quality Welding..\$17.50, Menards..\$168.30, Lien Transportation..\$4595.67, Graham Tire..\$167.97, Farm Plan..\$13.80, Clark Engineering..\$25,376.59, Aberdeen Asphalt..\$4104.60, Aberdeen Equipment..\$942.71, Larson Blacksmith..\$78.00, Huron Culvert..\$22,652.58, Hecla Implement..\$20.45, Medibadge..\$55.90, Dacotah Prairie Merchantile..\$19.95, Kleins..\$2.69, Sherwin-Williams..\$59.06, A&M Radio..\$43.00, Ken's Superfair Foods..\$7.67, Ameripride..\$12.98, Photo X Press..\$39.14, Western Printing..\$170.50, Shopko..\$19.98, Aberdeen Chrysler..\$40.26, Brucelli Advertising..\$307.20, Watertown Area Transit..\$573.25, Quality Quick Print..\$330.72, Spink County Public Transit..\$74.00, Aberdeen Ride Line..\$592.50, Troy McQuillen..\$23.75, Anthony Jewelers..\$213.00, Ramkota..\$2393.73, Waste Recovery..\$1372.17, Artz Camera..\$10.85, Direct Technology..\$113.00, Dept of Revenue..\$2895.35, Nyle Jensen..\$25.00, Pro Ag Supply..\$442.49, Hub City Iron..\$31.72, A-1 Sanitation..\$8897.00, D&D Paint..\$289.00, Brick Propane..\$12.00, Graham Tire..\$90.00, Dakota Oil..\$248.20, Nelson Auto..\$112.40, Runnings Fleet..\$123.08, Dependable Sanitation..\$12,287.46, West Group..\$1750.00, State Property Mgmt..\$54.50, Office Max..\$97.36, House of Glass..\$106.80, Best Carpet Cleaning..\$75.00, Sherwin-Williams..\$4.64, A&M Radio..\$372.00, Sue Gates..\$21.29, Dacotah Prairie Museum..\$6.29, Office of Financial Aid..\$122.32, Walmart..\$21.40, ES&S..\$809.93:

Publications: American News..\$719.88, Frederick/Hecla Northstar..\$134.58:

Professional Fees: Witness fees..\$48.13, Mark McNeary..\$2500.00, Brown County Sheriff..\$8.55, Cheryl Hairgrove..\$756.00, PSI..\$146.00, Northern Plains..\$150.43, Donna Dietrich..\$621.32, Yankton County Sheriff..\$33.50, Don Carlson..\$60.00, Joan Kittelson..\$45.00, Marv Ekeren..\$15.00, Hughes County Auditor..\$90.00, Sacred Heart Hospital..\$504.39, EideBailly..\$3395.00:

Court Appointed Attorney: Michael Thompson..\$1287.99, Marcia Brevik..\$120.23, Robert Chavis..\$180.00, Kettering Law Office..\$208.20, Doyle & Kennedy..\$103.70:

Mileage & Travel: Mabel Morgan..\$26.39, Jean Welke..\$28.42:

Utilities: Qwest..\$92.00, Norcom..\$65.79, NWPS..\$63.43, Midcontinent Cable..\$40.00:

Election Workers: Joan Freudenthal..\$95.00, Mavis Hoffman..\$95.00, Virginia Lacher..\$95.00, Sharon Deilke..\$95.00, Janet Deuel..\$90.00, Bonnie Vaux..\$95.58, Linda Miles..\$95.00, Jean Rahja..\$95.00, Diane Hickenbotham..\$100.00, Marilyn Lahr..\$95.00, Maggie Zenker..\$100.58, Phyllis Becker..\$95.00, Edward Gehring..\$95.00, Ann Bierman..\$95.00, Janice Diegel..\$95.00, Catherine Clinton..\$95.00, Shirley Bakke..\$95.00, Leone Hansen..\$95.00, Charlotte Bohling..\$95.00, Rene Graf..\$95.00, Bonnie Van de

Rostyne..\$95.00, Joanne Mielke..\$85.00, Viola Tesky..\$95.00, Shirley Gellhaus..\$95.00, Ardyth Herrick..\$95.00, Ethel Bakken..\$95.58, Esther Smith..\$95.00, Helen Reuer..\$95.00, Evelyn Holdhusen..\$95.00, LaVina Hopf..\$95.00, Ann Salzer..\$95.00, Fern Preston..\$95.00, Laida Pleinis..\$95.00, Janel Ludwig..\$95.00, Barb Donbraska..\$100.00, Rebecca Jeschke..\$95.00, Peggy Letcher..\$95.00, Larae Carlson..\$95.00, Marlys Suttan..\$85.00, Rita Sebert..\$95.00, Maryann Bierman..\$100.00, Lori Grewe..\$85.00, Norma Fredrickson..\$95.00, Barbara Masgai..\$95.00, Helen Plumage..\$95.00, Edna Frey..\$100.00, Lucille Kushman..\$95.00, Linda Judd..\$95.00, Gladys Braun..\$95.00, Marietta Buntrock..\$95.00, Yolanda Jahraus..\$95.00, Melanie Leenderts..\$100.00, Shirley Ochsner..\$95.00, Karen Mogen..\$100.00, Albert Sebert..\$95.00, Merna Treeby..\$85.00, Karen Lunzman..\$95.00, Mary Beck..\$95.00, Melva Gladum..\$95.00, Betty Wolff..\$95.00, Marie Schlosser..\$95.00, June Friske..\$100.80, Mildred Bauer..\$95.00, Mildred Kessler..\$95.00, Gloria Gooding..\$95.00, Viola Pence..\$95.00, Peggy Cruse..\$85.00, Margaret Dehoet..\$95.00, Doris Dennert..\$95.00, Cynthia Larson..\$95.00, Kathryn Vitense..\$100.00, Alice Elliott..\$95.00, Joan Thompson..\$100.00, Kathryn Cutler..\$95.00, Darcy Leshner..\$95.00, Jill Krueger..\$95.00, J Lorraine Anderson..\$95.00, Marion Mydland..\$95.00, Twila Ruden..\$95.00, Carol Sombke..\$95.00, Connie Howard..\$97.67, Linda Siebrasse..\$95.00, Linda Fisk..\$95.00, Pauline Peterson..\$95.00, Pam Larson..\$95.00, Eleanor Haar..\$95.00, Vonda Hinz..\$85.00, Mavis Schroh..\$95.00, Caroline Lowe..\$100.00, Jane Ristau..\$100.80, Karelyn Farrand..\$95.00, Berdina Kalt..\$95.00, Pam Erickson..\$95.00, Maryl Anderson..\$95.00, Sharon Lee..\$95.00, Marion Potter..\$95.00, MaryJane Jark..\$85.00, Myrna Stange..\$95.00, H Jeanne Fischbach..\$85.00, Lois Krueger..\$95.00, Peggy Fliehs..\$95.00, Leslie Ann Pigors..\$95.00:

Care of Poor: Dr/Hospital – 6 recipients..Avera St Lukes..\$9973.02, Avera McKennan..\$5401.07, Physicians Laboratory..\$174.21, Yankton Medical Clinic..\$447.43, North Central Heart..\$2373.96; Rent – 7 recipients.. Harlan Pease..\$210.00, Diane Zahn..\$190.00, Rich Thomas..\$420.00, Elizabeth Blade..\$170.00, D&L LLC..\$40.00, Annette Schwan..\$230.00; Drugs – 1 recipient..Medical Center Pharmacy..\$91.53. All members present voting aye. Motion carried.

#### APPOINTMENT:

Moved by Hansen, seconded by Wiese to appoint the following Fair Board Members to a second three-year term: Ray Miller, Ann Huettl, Vicki Wilson, Fae Dayton and Tom Paepke. All members present voting aye. Motion carried.

Moved by Fischbach, seconded by Wiese to acknowledge resignation of Bruce Mitchell as an Aberdeen Rural Fire District Board Member and to appoint John Aman to complete term. All members present voting aye. Motion carried.

#### AUDITOR'S REPORT OF ACCOUNT:

Moved by Hansen, seconded by Wiese to approve the October, 2000 Auditor's Report of Account with the County Treasurer: Total amount of actual cash @ \$3,370.39, Wells Fargo Bank @ \$7,511.01, Dacotah Bank @ \$4,366.45, Dacotah Bank @ \$60,202.61, Petty Cash (Sheriff, Welfare, Museum, Register of Deeds) @ \$1,500.00, Landfill Change fund @ \$100.00, Fund Investments @ \$15,300,937.93, Outstanding Checks @ \$129.61 (Grand total @ \$15,378,118.00). All members present voting aye. Motion carried.

#### INVENTORY TRANSFER:

Moved by Wiese, seconded by Feickert to transfer Decal #4677 Fax Machine from Extension to Central Storage. All members present voting aye. Motion carried.

#### SHERIFF REPORTS:

Moved by Fischbach, seconded by Wiese to approve the following October, 2000 Sheriff Reports: Incidents & Offenses, Prisoner Care, JDC, Money deposited with the County Treasurer and Monthly activities. All members present voting aye. Motion carried.

#### ORDINANCE NO. 015:

Moved by Hansen, seconded by Wiese to approve Second Reading of Ordinance No. 015. All members present voting aye. Motion carried.

Moved by Wiese, seconded by Fischbach to adopt Ordinance No. 015, An Ordinance Amending Title 4, Second Revision Brown County Ordinances as amended to rezone Richmond Resort Outlot 2, located in the NE ¼ of Sec 25-T124N-R65W of the 5<sup>th</sup> P.M., Brown County, South Dakota from Chapter 4.06 Agricultural Preservation District (Ag-P) Chapter 4.13 to Commercial District (C). Roll call vote: Commissioners Hansen-aye, Feickert-aye, Fischbach-aye, Wiese-aye, Knecht-aye. Ordinance adopted.

#### STATES ATTORNEY PERSONNEL:

Mark McNeary, States Attorney Elect, met to request approval to begin hiring process for Deputy States Attorney positions. Board concurred.

#### BCCHC REPORT:

Merri Nelson presented the Brown County Community Health Center Report for July, August and September, 2000.

#### ROAD PROJECT #6:

Moved by Feickert, seconded by Wiese to approve and authorize the Chairman sign pay request #3 for Jacobs Construction for Road Project #6. All members present voting aye. Motion carried.

#### EXECUTIVE SESSION:

Moved by Hansen, seconded by Wiese to go into executive session for personnel discussion with Sue Gates in attendance. All members present voting aye. Motion carried.

Moved by Wiese, seconded by Hansen to adjourn executive session. All members present voting aye. Motion carried.

#### PERSONNEL:

Moved by Feickert, seconded by Hansen to approve hiring Lora Schaunaman as full-time Museum employee, effective November 27, 2000 at \$8.68 per hour. All members present voting aye. Motion carried.

Moved by Hansen, seconded by Wiese to acknowledge resignation of Sheriff Department employees Mark Jastram, effective November 23, 2000 and Patrick Rickerl, effective November 19, 2000. All members present voting aye. Motion carried.

#### RECESS:

The Chairman declared the Commission recessed until November 21, 2000.

Maxine Taylor -- Brown County Auditor

## NOVEMBER 21, 2000 GENERAL MEETING

Meeting called to order by Chairman Knecht at 8:45 A.M. in the Commissioner's Chambers, Courthouse Annex, Brown County, South Dakota. Present were Commissioners Hansen, Feickert, Fischbach and Wiese.

## MINUTES:

Moved by Wiese, seconded by Feickert to approve the General Meeting minutes of November 14, 2000. All members present voting aye. Motion carried.

## CLAIMS:

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

Payroll: Commissioners..\$2211.55; Auditor..\$5188.56, OVERTIME; Janis Erickson..\$258.23, Janet Malsom..\$250.40, Carol Misfeldt..\$317.99, Jeanette Nietert..\$323.04, Ione Shilman..\$244.31; Treasurer..\$7173.36; State's Attorney..\$7871.45; Victims Assistance..\$788.47; Data Processing..\$1269.24; Maintenance..\$4228.03, OVERTIME: Judy Dosch..\$40.14; Assessor..\$6091.93; Planning & Zoning..\$887.20, OVERTIME: Mick Waller..\$16.64; Register of Deeds..\$3665.85; Veterans Service Office..\$1950.56, OVERTIME: Kathy Schlecht..\$104.13; Sheriff..\$40908.35, OVERTIME: Bryan Locke..\$123.60, John McQuillen..\$164.80, John Heine..\$206.00, Scott Kolb..\$412.00, Michael Casjens..\$312.16, David Fair..\$117.06, Steven Cogley..\$208.32, Gary Bunt..\$238.00, John Weaver..\$121.52, Charlene McAfee..\$115.76, Mark Jastram..\$112.96, Partick Rickerl..\$112.96, Cindy Mitchell..\$107.12, Michelle Dvorak..\$107.12, Heather Rystrom..\$104.32, Jason Hamar..\$104.32, Diane Mielke..\$115.76, Kevin Johnson..\$70.60, Kristal Schumack..\$137.60, Jeffrey Kirnan..\$67.00, Lori Furman..\$153.22; Communications..\$10385.06; OVERTIME: Sheila Anderson..\$31.84, Mary Browning..\$399.28, Alicia Dohn..\$169.44, Janet Dosch..\$240.04, Betty Haar..\$31.84, Teresa Monson..\$206.40, Nancy Radke..\$135.60, Vicki Bruce..\$41.28, Deanna Thorpe..\$165.12, Michele Strom..\$28.24, Lisa Wipf..\$273.60; Welfare Office..\$2299.64; Health..\$2255.20; Museum..\$2831.62; Extension..\$995.54; Weed..\$1101.97, OVERTIME: Todd Odenbach..\$57.30; Foster Grandparent Program..\$2123.94; Fairgrounds..\$3212.61, OVERTIME: John Weig..\$102.06; Fairboard..\$1545.94; Emergency Management..\$1834.40, OVERTIME: Ginger Walker..\$15.65; Highway..\$32065.92, OVERTIME: Robert Binfet..\$34.02, Vernon Bitz..\$69.11, David Bruckner..\$21.86, Brian Dargatz..\$36.97, Ronald Glugla..\$31.50, Larry Hardy..\$11.86, Jason Heagley..\$7.01, John Heidenreich..\$7.01, David Kolb..\$7.16, Tom Lammon..\$20.33, Daryl Lloyd..\$34.36, Jerry Luce..\$13.04, Joseph Malsam..\$7.46, Donald Maunu..\$24.65, Bryan Owens..\$22.37, Richard Schaible..\$48.78, Roger Schaible..\$29.12, Jeff Seiler..\$17.89, Casey Thorstenson..\$17.89, Kendell Titze..\$37.85, Leon Vickers..\$16.80, Michael Wagner..\$15.14, Nicholas Wanna..\$7.01, Mark Wendt..\$90.75; Landfill..\$4824.22, OVERTIME: Carl Wright..\$289.58, Nyle Jenson..\$376.60, Dennis Van Heerde..\$184.75, Michelle Haag..\$87.29; Supplies & Materials: Quality Quick Print..\$213.14, Wm Meink..\$39.00, Imation..\$916.07, Western SD Juvenile Service Center..\$295.00, Amoco..\$84.92, Bob Barker..\$65.26, Medical Center Pharmacy..\$1310.83, Farmers Union Co-Op..\$10.00, Bonnie Bitz..\$144.00, Best Business..\$189.46, US Marshal Service..\$800.00, Parcel-Erickson..\$22.95, Avera Pace..\$350.00, Ameripride..\$64.35, Texaco..\$41.12, Pierson Ford..\$284.46, Sodak Sport & Bait..\$66.97, Kmart..\$56.12, Economy Meats..\$35.40, SD Wheat Growers..\$3529.02, Schwan Welding..\$38.50, Rux Bros..\$43.81, RDO..\$557.19, Reliable..\$61.76, Newman Signs..\$134.65, Midwest Pump & Tank..\$596.55, Donald Manun..\$1867.50, Macs..\$125.53, Light & Siren..\$223.58, Lake Sand..\$29,400.00, HF Jacobs..\$2181.79, Huron Culvert..\$141.13, Dakota Filter..\$76.00, Caspers Hwd..\$23.84, Quality Stores..\$2.07, Heartland Heating..\$13,163.29, Western States Fire..\$180.00, Menards..\$39.95, Sams Sound..\$775.00, Runnings..\$33.95, Dakota Electronics..\$25.00, Lust Chevrolet..\$1142.12, Safety Service..\$9.70, UBC..\$97.64, Aberdeen Senior Citizens..\$180.00, Randy Volzke..\$459.00, OK Tire..\$21.00, Sherwin-Williams..\$158.32, Nelson Auto..\$8.16, HC Clark..\$8.20, Menards..\$706.13, Runnings..\$43.94, RE Huffman..\$57.50, NDSU..\$110.70, SD County Ag Agents Assoc..\$60.00, Martech..\$52.56, Century

Business..\$155.97, Earth Tech..\$6861.89, Praxair..\$36.95, Taylor Laundry..\$140.14, Honeywell..\$10,894.00, Heartland Paper..\$341.88, Dakota Supply..\$435.10, A&M Radio..\$558.00, Dahme Construction..\$1057.00, House of Glass..\$9734.08, Smith & Loveless..\$286.12, Court Street Lighting..\$34.76, Empire Clock..\$70.56, Gardner Locksmith..\$10.00, Ecolab..\$97.50, Wright & Sudlow..\$1244.00, Heiman..\$809.50, Dept of Revenue..\$6.00:

Publications: American News..\$177.22, Frederick/Hecla Northstar..\$222.13, Comet..\$202.84:

Transcriptions: Betsy Johnson..\$66.00:

Professional Fees: Witness fees..\$20.00, Charles Benson..\$312.00, Forensic Science Assoc..\$1286.90, Avera St Lukes..\$136.46, Aberdeen Advanced Care..\$191.92, NADRIC..\$2083.33, Sioux Vocational Services..\$120.00:

Court Appointed Attorney: William Gerdes..\$2498.35:

Mileage & Travel: Maxine Taylor..\$128.85, Mike Scott..\$7.00, Betty Haar..\$16.00, Michele Strom..\$16.00, Mary Browning..\$114.60, Kathleen Gibson..\$178.60, Teresa Monson..\$80.00, Lisa Wipf..\$114.60:

Utilities: Midcontinent..\$246.04, Northern Electric..\$498.17, City of Hecla..\$51.99, City of Aberdeen..\$423.55, Dependable..\$356.00, NWPS..\$1423.24, Qwest..\$9.50, Verizon..\$44.99, McLeod USA..\$19.95:

Care of Poor: Dr/Hospital – 1 recipient..Aberdeen Family Physicians..\$267.50; Rent – 7 recipients..Golden West..\$86.00, Innkeeper..\$55.90, Scott Sikkink..\$170.00, Arnie Isaak..\$190.00, D&L LLC..\$415.00; Drugs – 2 recipients.. Walmart Pharmacy..\$56.54, Plaza Pharmacy..\$20.59; Transportation – 1 recipient..Aberdeen Advanced Care..\$151.57. All members present voting aye. Motion carried.

#### ABATEMENT:

Moved by Wiese, seconded by Feickert to approve the following Abatements: Susan Burt, mobile home destroyed (1963 Rollohome) for year 2000 in amount of \$28.83; Alfred C Sandvig and Lloyd C Richardson, tax exempt (KABR OL 1 SE ¼ 15-123-64 ex H2& H3) for year 1999 in amount of \$66.72. All members present voting aye. Motion carried.

#### CLAIM ASSIGNMENT:

Moved by Hansen, seconded by Fischbach to approve and authorize the Chairman sign documentation to assign a claim against an individual to L.F. Noll Inc. for purpose of collecting a lien. All members present voting aye. Motion carried.

#### PLATS:

Commissioner Feickert offered the following Resolution:

#### RESOLUTION NO. 103-2000

BE IT RESOLVED by the Board of County Commissioners of Brown County, South Dakota, that the plat showing "Dennert Conservation Easement Tract 1 in the NW ¼ of Sec 35-T126N-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 Wiese. Roll call vote: Commissioners Hansen-aye, Feickert-aye, Fischbach-aye, Wiese-aye, Knecht-aye. Resolution adopted.

Commissioner Wiese offered the following Resolution:

#### RESOLUTION NO. 104-2000

BE IT RESOLVED by the County Commission of Brown County, South Dakota, that the plat showing "Luedeke Outlot A in NE ¼ Sec 19-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 of 1967, Chapter 11-3, and any amendments thereof.

Seconded by Commissioner Fischbach. Roll call vote: Commissioners Hansen-aye, Feickert-aye, Fischbach-aye, Wiese-aye, Knecht-aye. Resolution adopted.

Commissioner Fischbach offered the following Resolution:

#### RESOLUTION NO. 105-2000

BE IT RESOLVED by the County Commission of Brown County, South Dakota, that the plat showing "First Replat of Ingerson Outlot 1 in the SW ¼ of Sec 19-T124N-R64W 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. Roll call vote: Commissioners Hansen-aye, Feickert-aye, Fischbach-aye, Wiese-aye, Knecht-aye. Resolution adopted.

Commissioner Wiese offered the following Resolution:

#### RESOLUTION NO. 106-2000

BE IT RESOLVED by the County Commission of Brown County, South Dakota, that the plat showing "Krages First Subdivision in NE ¼ Sec 22-T125N-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 of 1967, Chapter 11-3, and any amendments thereof.

Seconded by Commissioner Hansen. Roll call vote: Commissioners Hansen-aye, Feickert-aye, Fischbach-aye, Wiese-aye, Knecht-aye. Resolution adopted.

#### INCREASE SPENDING AUTHORITY/ESTIMATED REVENUE:

Moved by Hansen, seconded by Wiese to increase spending authority in Fund #101-215-427 and increase estimated revenue in Fund #101-331.99 in amount of \$458.22 for Juvenile Accountability Incentive Block Grant Funds. All members present voting aye. Motion carried.

Moved by Fischbach, seconded by Hansen to increase spending authority in Fund #201-311-426.30 and increase estimated revenue in Fund #201-331.03 in amount of \$215,939.43 for CDBG Funds for Dam Repair Projects. All members present voting aye. Motion carried.

#### PERSONNEL:

Moved by Feickert, seconded by Fischbach to approve the following employee step increases, effective November 26, 2000: Betty Haar @ \$10.85 per hour, Michelle Porter @ \$9.08 per hour, Roxanne Varns @ \$10.54 per hour, Nancy Radke @ \$12.29 per hour, Deanna Thorpe @ \$9.41 per hour. All members present voting aye. Motion carried.

Moved by Fischbach, seconded by Feickert to approve hiring Jim Downie as part-time scale operator at the Landfill, effective November 21, 2000 at \$7.05 per hour. All members present voting aye. Motion carried.

#### SET LIQUOR LICENSE RENEWAL HEARING:

Moved by Feickert, seconded by Fischbach to authorize advertising public hearing to consider the following applications for liquor license to operate outside of the municipality, to be held in the Commissioner's Chambers, Courthouse Annex, Brown County, South Dakota at 9:00 A.M. on December 5, 2000: TRANSFER OF RETAIL ON-SALE LIQUOR: Nancy Upton, DBA Mansfield Bar & Grill to Steve & Trudi Bain, DBA Mansfield Bar & Grill, (Lots 12, 13, 14, Block 4, Mansfield, 32-121-64). TRANSFER OF PACKAGE (OFF-SALE) LIQUOR: Nancy Upton, DBA Mansfield Bar & Grill to Steve & Trudi Bain, DBA Mansfield Bar & Grill, (Lots 12, 13, 14, Block 4, Mansfield, 32-121-64). PACKAGE OFF-SALE LIQUOR: Marge Frohling DBA The Connection (Lots 13, 14, & 15, Block 2, Houghton, 31-127-61); William Dean Mundhenke DBA Ferney Farmers Bar (Lots 4 & 5, Block 5, Ferney, 31-122-60); Steve & Trudi Bain, DBA Mansfield Bar & Grill (Lots 12, 13, 14, Block 4, Mansfield 32-121-64). RETAIL ON-SALE AND SUNDAY LIQUOR: William Dean Mundhenke DBA Ferney Farmers Bar (Lots 4 & 5, Block 5, Ferney, 31-122-60); Aberdeen Links, Inc. (NW 1/4 ex. OL 1 and .24A. to Hwy, 14-123-64); TCR Inc. DBA Helen's California Kitchen (Rotts OL 1, NW 1/4 25-123-64); Moccasin Creek Country Club, Inc. (Prairiewood Village OL 7, 33-124-63) Elm Lake Resort Inc. (Lot 1, Elm Lake Subdivision in the SE 1/4 of 8-128-65); James R. Schumacher DBA Westside Bait and Tackle, (Replat of Evelo's Subdivision N 218' of Lot A NW 1/4 21-123-64); Aberdeen Smoke Shoppe L.L.C. DBA Richmond Resort, (Richmond Resort OL 2, NE 1/4 25-124-65); Steve & Trudi Bain, DBA Mansfield Bar & Grill (Lots 12, 13, 14, Block 4, Mansfield 32-121-64). All members present voting aye. Motion carried.

#### FLEX BENEFIT PLAN:

Moved by Fischbach, seconded by Feickert to restate the Flexible Benefits Plan Document and Summary Plan Description (SPD) in accordance with IRS rulings and authorize chairman to sign same. All members present voting aye. Motion carried.

#### PERSONNEL DISCUSSION:

Paul Aylward, AFSCME, Tom Lammon, Local 162 President and States Attorney Harvey Oliver met with the Commission to discuss status of weed supervisor position. No action taken at this time.

#### CONGRESSIONAL VISIT:

The Honorable Senator Tim Johnson met with the Commission to discuss national issues affecting the residents of Brown County and Senator Johnson gathered information about various local issues. Sharon Stroschein was also present.

#### COUNTY ROAD #13 PROJECT:

Moved by Wiese, seconded by Fischbach to approve and authorize the Chairman sign the following documents for County Road #13 Project: Change Order #2 (total project @ \$1,089,112.71, decrease of \$91,509.15); Pay Request #8; and Certificate of final completion. All members present voting aye. Motion carried.

#### EXECUTIVE SESSION:

Moved by Feickert, seconded by Fischbach to go into executive session to discuss possible litigation with Russ Podoll and Lonnie Anderson in attendance. All members present voting aye. Motion carried.

Moved by Feickert, seconded by Wiese to adjourn executive session. All members present voting aye. Motion carried.

#### RECESS:

The Chairman declared the Commission recessed until November 28, 2000.

Maxine Taylor – Brown County Auditor

NOVEMBER 28, 2000 – JOINT CITY/COUNTY MEETING

The Brown County Commission and the Aberdeen City Commission met in joint session at 8:45 A.M. in the Brown County Commission Chambers, Courthouse Annex, Aberdeen, South Dakota. Present from City were Commissioners Klabo, Pfeifer and Mayor Hopper. Absent Commissioners Omland and Hurlbert. Present from County were Commissioners Knecht, Hansen, Feickert, Fischbach and Wiese.

ORDINANCE NO. 00-11-01/214:

On motion by Pfeifer and seconded by Klabo the City Commission unanimously voted to approve First Reading of Ordinance No. 00-11-01/214.

Moved by Wiese, seconded by Fischbach to approve First Reading of Ordinance No. 00-11-01/214, An Ordinance amending Ordinance No. 1164 to rezone certain property from Section 701 (A-1) Agricultural District to Section 714 (M-Ag) Mini-Agricultural District, described as Lots 5 and 6, Block 1, Richmond Heights Subdivision in the E ½ of Sec 32-T124N-R64W to be platted and known as Lots 1 and 2 of Podoll/Nicolaisen First Subdivision in Richmond Heights Subdivision in E ½, Sec 32-T124N-R64W of the 5<sup>th</sup> P.M., Brown County, South Dakota. All members present voting aye. Motion carried.

ORDINANCE NO. 00-11-02/215:

On motion by Klabo and seconded by Pfeifer the City Commission unanimously voted to approve First Reading of Ordinance No. 00-11-02/215.

Moved by Feickert, seconded by Wiese to approve First Reading of Ordinance No. 00-11-02/215, An Ordinance amending Ordinance No. 1164 to rezone certain property from Section 701 (A-1) Agricultural District to Section 714 (M-Ag) Mini-Agricultural District, described as Lot 2, Swenson Subdivision in the NE ¼ of Sec 11-T123N-R63W of the 5<sup>th</sup> P.M., Brown County, South Dakota. All members present voting aye. Motion carried.

The City Commission adjourned and the County Commission continued into their regularly scheduled meeting.

Maxine Taylor – Brown County Auditor



# NOVEMBER 28, 2000 – GENERAL MEETING

Meeting called to order by Chairman Knecht at 8:45 A.M. in the Commissioner's Chambers, Courthouse Annex, Brown County, South Dakota. Present were Commissioners Hansen, Feickert, Fischbach and Wiese.

## MINUTES:

Moved by Fischbach, seconded by Feickert to approve the General Meeting minutes of November 21, 2000. All members present voting aye. Motion carried.

## CLAIMS:

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

Supplies & Materials: Brown & Saenger..\$13.02, Debbie Bouchie..\$51.00, Harvey Oliver..\$123.71, Bureau of Administration..\$54.08, New Trends..\$9.09, Best Business..\$900.00, Lar-Jos..\$26.80, Artz Camera..\$21.05, Economy Meats..\$135.70, Langs..\$60.98, Farmers Union..\$28.67, Double D Body Shop..\$169.00, Warner Co-op..\$16.00, Glock..\$7.00, Parcel Erickson..\$22.95, RE Huffman..\$2194.01, Best Business..\$75.56, Walmart..\$77.41, SD Wheat Growers..\$278.19, Lawson Products..\$78.57, L & O Acres..\$1498.21, Fordham Signs..\$176.34, Ameripride..\$11.74, Nat'l Register Publishing..\$13.13, Shopko..\$145.72, Office Max..\$802.63, NEAFCS-SD..\$85.00, Central Supply Services..\$3.71, Quality Stores..\$4.58, CarQuest..\$13.30, Evergreen Supply..\$32.90, SD Federal Property..\$36.00, Jodi McQuillen..\$50.63, Phyllis Voeller..\$19.75, Boston Fern..\$116.00, K-Mart..\$19.75, SWANA..\$189.00, Menards..\$46.26, LBG..\$1487.53, Farm Power..\$761.07, Taylor Laundry..\$41.60, New Trends..\$15.98:

Publications: American News..\$159.37:

Transcriptions: Tammy Erickson..\$154.20:

Professional Fees: Kim Dorsett..\$1500.00, Aberdeen Advanced Care..\$101.57, Dr Cliff Matushin..\$97.83, Avera St Lukes..\$33.33, NE Mental Health..\$775.39, Donna Dietrich..\$115.24, Lewis & Clark Mental Health Center..\$550.00, Joan Kittelson..\$15.00, Nelva Kooistra..\$15.00, Yankton County Sheriff..\$16.75:

Court Appointed Attorney: Brad Borge..\$4500.00, Tonner, Tobin & King..\$4500.00, Robert Chavis..\$90.00, John Billings..\$90.00, Harmelink & Fox..\$186.41:

Mileage & Travel: Kendall Titze..\$23.00, Roger Schaible..\$23.00, Sherry Theobald..\$21.75, Gary Erickson..\$125.45, Jerry Dempsey..\$79.01, Barb Jansen..\$136.70, Jodi McQuillen..\$40.00, Eileen Hoffart..\$27.55, Tom Gohn..\$148.62:

Utilities: Qwest..\$1594.55, Cellular One..\$485.34, NWPS..\$1711.92, Verizon..\$30.94, WEB..\$48.58, Bureau of Administration..\$496.93:

Care of Poor: Dr/Hospital – 1 recipient..Anesthesia Care..\$128.00; Rent – 3 recipients..Tom Barondeau..\$100.00, D&L LLC..\$40.00, David Mitzel..\$170.00; Utilities – 1 recipient..NWPS..\$90.00; Transportation – 1 recipient..Brown County Public Works..\$20.64. All members present voting aye. Motion carried.

## TOWNSHIP BOND:

Moved by Wiese, seconded by Feickert to approve Westport Township Treasurer's Bond for Guyna Dehne. All members present voting aye. Motion carried.

## PLATS:

Commissioner Feickert offered the following Resolution:

### RESOLUTION NO: 107-2000

BE IT RESOLVED by the Board of County Commissioners of Brown County, South Dakota, that the plat showing "Taylor Tract A in the NE ¼ of Sec 11-T126N-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 Wiese. Roll call vote: Commissioners Hansen-aye, Feickert-aye, Fischbach-aye, Wiese-aye, Knecht-aye. Resolution adopted.

Commissioner Wiese offered the following Resolution:

RESOLUTION NO: 108-2000

BE IT RESOLVED by the County Commission of Brown County, South Dakota, that the plat showing "Face Outlot A in SW ¼ of Sec 26-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 of 1967, Chapter 11-3, and any amendments thereof.

Seconded by Commissioner Fischbach. Roll call vote: Commissioners Hansen-aye, Feickert-aye, Fischbach-aye, Wiese-aye, Knecht-aye. Resolution adopted.

Commissioner Feickert offered the following Resolution:

RESOLUTION NO: 109-2000

BE IT RESOLVED by the Board of Commissioners of Brown County, South Dakota, that the plat showing "Fliehs Subdivision of Lot 1, Lowary Addition in the NE ¼ of Sec 25-T125N-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 of 1967, Chapter 11-3, and any amendments thereof.

Seconded by Commissioner Wiese. Roll call vote: Commissioners Hansen-aye, Feickert-aye, Fischbach-aye, Wiese-aye, Knecht-aye. Resolution adopted.

Commissioner Hansen offered the following Resolution:

RESOLUTION NO: 110-2000

BE IT RESOLVED by the County Commission of Brown County, South Dakota, that the plat showing "Worrell First Subdivision in SE ¼ NE ¼ Sec 22-T123N-R64W 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. Roll call vote: Commissioners Hansen-aye, Feickert-aye, Fischbach-aye, Wiese-aye, Knecht-aye. Resolution adopted.

Commissioner Fischbach offered the following Resolution:

RESOLUTION NO: 111-2000

BE IT RESOLVED by the County Commission of Brown County, South Dakota, that the plat showing "Tick's Subdivision in the SE ¼ of Sec 28-T124N-R64W 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. Roll call vote: Commissioners Hansen-aye, Feickert-aye, Fischbach-aye, Wiese-aye, Knecht-aye. Resolution adopted.

Commissioner Wiese offered the following Resolution:

## RESOLUTION NO: 112-2000

BE IT RESOLVED by the County Commission of Brown County, South Dakota, that the plat showing "Robert's Radio Addition in the SE ¼ Sec 36-T123N-R64W, 5<sup>th</sup> P.M., Brown County, South Dakota" having been examined, is hereby approved in accordance with the provisions of SDCL of 1987, Chapter 11-6, and any amendments thereof.

Seconded by Commissioner Feickert. Roll call vote: Commissioners Hansen-aye, Feickert-aye, Fischbach-aye, Wiese-aye, Knecht-aye. Resolution adopted.

Commissioner Feickert offered the following Resolution:

## RESOLUTION NO: 113-2000

BE IT RESOLVED by the County Commission of Brown County, South Dakota, that the plat showing "South Dakota Wheat Growers Addition in the S ½ of Sec 14-T123N-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 of 1967, Chapter 11-3, and any amendments thereof.

Seconded by Commissioner Wiese. Roll call vote: Commissioners Hansen-aye, Feickert-aye, Fischbach-aye, Wiese-aye, Knecht-aye. Resolution adopted.

Commissioner Wiese offered the following Resolution:

## RESOLUTION NO: 114-2000

BE IT RESOLVED by the County Commission of Brown County, South Dakota, that the plat showing "Bebos Outlot 1 in the NW ¼ of Sec 2-T123N-R64W 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 Hansen. Roll call vote: Commissioners Hansen-aye, Feickert-aye, Fischbach-aye, Wiese-aye, Knecht-aye. Resolution adopted.

## INVENTORY TRANSFER:

Moved by Feickert, seconded by Fischbach to transfer Decal #7024 Fax Machine from Extension to Central Storage and Decal #2974 Radio from Sheriff to Central Storage. All members present voting aye. Motion carried.

## RELIEF LIEN RESOLUTION:

Commissioner Hansen offered the following Resolution:

## RESOLUTION NO. 115-2000

WHEREAS, Brown County has filed Relief Liens against an individual in total amount of \$111.78 dated 12-6-72, and

WHEREAS, another individual has the same married name as the recipient of the initial liens and acknowledges and accepts responsibility for all subsequent liens filed, and

WHEREAS, sufficient evidence has been presented to confirm that the second individual only shares the same name and is not responsible for the liens dated 12-6-72 in total amount of \$111.78.

NOW, THEREFORE BE IT RESOLVED that the liens in total amount of \$111.78 dated December 6, 1972 should be separated from the liens in amount of \$409.55 dated November 13, 1984 through July 11, 1997 with notation of different addresses, maiden name and any other pertinent information that separates the individuals.

Seconded by Commissioner Feickert. Roll call vote: Commissioners Hansen-aye, Feickert-aye, Fischbach-aye, Wiese-aye, Knecht-aye. Resolution adopted.

#### WEED & SEED PROGRAM GRANT APPLICATION:

Moved by Wiese, seconded by Hansen to approve and authorize the Chairman sign application for official recognition of Brown County as a Weed and Seed site. All members present voting aye. Motion carried.

#### PERSONNEL DISCUSSION:

Tom Gohn, Veterans Service Officer met with the Commission to discuss workload in the office. The Commission suggested that Mr. Gohn research the possibility of an intern to eliminate the overtime situation.

#### CONTRACTS:

Moved by Hansen, seconded by Wiese to approve and authorize the Chairman sign Contract with Herges, Kirchgasser, Geisler & Associates, Inc for architectural services for Phase 1, States Attorney/Sheriff's Remodeling and Addition Project in base amount of \$87,000.00. All members present voting aye. Motion carried.

Moved by Hansen, seconded by Wiese to approve and authorize the Chairman sign Contract with Herges, Kirchgasser, Geisler & Associates, Inc for architectural services for Juvenile Detention Center Project in base amount of \$335,000.00. All members present voting aye. Motion carried.

#### PROFESSIONAL MAILING SERVICE:

John Bomar and Gene Kopetsky, Professional Mailing Service met with the Commission to propose Brown County use their services. No action taken.

#### PERSONNEL:

Sheriff Deputy David Hansen and a delegation of 18 presented wage statistics comparing Brown County to other entities. No action taken.

#### TAX DEED PROPERTY REVIEW:

Sheila Enderson, Brown County Treasurer presented copies of potential tax deed properties for review. Moved by Wiese, seconded by Fischbach to authorize the County Treasurer to proceed with tax deed procedure for all properties reviewed. All members present voting aye. Motion carried.

#### TEMPORARY CONSTRUCTION EASEMENTS:

Moved by Feickert, seconded by Hansen to approve and authorize the Chairman sign Agreement for Voluntary Temporary Construction Easement Donation with Don and Mylo Mitzel (station 26+45 to station 51+11 in the SE ¼ of Sec 23-T123-R65W, Brown County, SD containing 1.42 acres, more or less) and with Lowell W and Geraldine V McIntire (station 0+51 to station 3+51 RT in the NE ¼ of Sec 23-T124N-R65W, Brown County, SD containing 0.17 acres, more or less) for Project 379<sup>th</sup> Ave Reconstruction from US 12 north to Brown County 12W. All members present voting aye. Motion carried.

#### RECESS:

The Chairman declared the Commission recessed until December 5, 2000.

Maxine Taylor – Brown County Auditor

DECEMBER 5, 2000 – JOINT CITY/COUNTY MEETING

The Brown County Commission and the Aberdeen City Commission met in joint session at 8:45 A.M. in the Brown County Commission Chambers, Courthouse Annex, Aberdeen, South Dakota. Present from City were Commissioners Klabo, Pfeifer, Hurlbert and Mayor Hopper. Absent Commissioner Omland. Present from County were Commissioners Knecht, Feickert, Fischbach and Wiese. Absent Commissioner Hansen.

ORDINANCE NO. 00-11-01/214:

On motion by Pfeifer and seconded by Klabo the City Commission unanimously voted to approve Second Reading of Ordinance No. 00-11-01/214.

On motion by Hurlbert and seconded by Klabo the City Commission unanimously voted to adopt Ordinance No. 00-11-01/214.

Moved by Feickert, seconded by Fischbach to approve Second Reading of Ordinance No. 00-11-01/214. All members present voting aye. Motion carried.

Moved by Fischbach, seconded by Feickert to adopt Ordinance No. 00-11-01/214, An Ordinance amending Ordinance No. 1164 to rezone certain property from Section 701 (A-1) Agricultural District to Section 714 (M-Ag) Mini-Agricultural District, described as Lots 5 and 6, Block 1, Richmond Heights Subdivision in the E ½ of Sec 32-T124N-R64W to be platted and known as Lots 1 and 2 of Podoll/Nicolaisen First Subdivision in Richmond Heights Subdivision in E ½, Sec 32-T124N-R64W of the 5<sup>th</sup> P.M., Brown County, South Dakota. Roll call vote: Commissioners Hansen-absent, Feickert-aye, Fischbach-aye, Wiese-aye, Knecht-aye. Motion carried.

ORDINANCE NO. 00-11-02/215:

On motion by Pfeifer and seconded by Klabo the City Commission unanimously voted to approve Second Reading of Ordinance No. 00-11-02/215.

On motion by Klabo and seconded by Hurlbert the City Commission unanimously voted to adopt Ordinance No. 00-11-02/215.

Moved by Fischbach, seconded by Feickert to approve Second Reading of Ordinance No. 00-11-02/215. All members present voting aye. Motion carried.

Moved by Feickert, seconded by Fischbach to adopt Ordinance No. 00-11-02/215, An Ordinance amending Ordinance No. 1164 to rezone certain property from Section 701 (A-1) Agricultural District to Section 714 (M-Ag) Mini-Agricultural District, described as Lot 2, Swenson Subdivision in the NE ¼ of Sec 11-T123N-R63W of the 5<sup>th</sup> P.M., Brown County, South Dakota. Roll call vote: Commissioners Hansen-absent, Feickert-aye, Fischbach-aye, Wiese-aye, Knecht-aye. Motion carried.

The City Commission adjourned and the County Commission continued into their regularly scheduled meeting.

Maxine Taylor – Brown County Auditor

## DECEMBER 5, - GENERAL MEETING

Meeting called to order by Chairman Knecht at 8:45 A.M. in the Commissioner's Chambers, Courthouse Annex, Brown County, South Dakota. Present were Commissioners Feickert, Fischbach and Wiese. Absent Commissioner Hansen.

## MINUTES:

Moved by Wiese, seconded by Feickert to approve the Joint City/County Meeting minutes and the General Meeting minutes of November 28, 2000. All members present voting aye. Motion carried.

## CLAIMS:

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

Payroll: Commissioners..\$2211.55; Auditor..\$5188.56; Treasurer..\$7173.36; State's Attorney..\$7871.45; Victims Assistance..\$788.47; Data Processing..\$1269.24; Maintenance..\$4132.73; Assessor..\$6544.18; Planning & Zoning..\$887.20, OVERTIME: Mick Waller..\$16.64; Register of Deeds..\$3665.85; Veterans Service Office..\$2317.11, OVERTIME: Kathy Schlecht..\$8.01; Sheriff..\$42815.04, OVERTIME: John Heine..\$206.00, Scott Kolb..\$206.00, Michael Casjens..\$19.51, David Fair..\$195.10, Steven Cogley..\$194.92, Gary Bunt..\$331.50, Roxanne Varns..\$252.11, Craig Nelson..\$120.16, Charlene McAfee..\$115.76, Mark Jastram..\$112.96, Dallas Vallery..\$70.60, Amy Mathiason..\$165.12, Michelle Dvorak..\$107.12, Michael Johnson..\$117.36, Russell Ochsner..\$39.12, Jason Hamar..\$130.40, Tina Erickson..\$93.80, Barbara Johnson..\$112.74, Kevin Johnson..\$42.36, Amy Lake..\$110.08, Kristal Schumack..\$27.52, Jeffrey Kirnan..\$137.35, Lori Furman..\$29.34; Communications..\$10413.33; OVERTIME: Sheila Anderson..\$195.36, Mary Browning..\$69.44, Alicia Dohn..\$112.96, Janet Dosch..\$112.96, Betty Haar..\$127.36, Teresa Monson..\$110.08, Deanna Thorpe..\$165.12, Lisa Wipf..\$60.80; Welfare Office..\$2299.64; Health..\$2255.20; Museum..\$2831.62; Extension..\$1064.41; Foster Grandparent Program..\$2123.94; Parks..\$2979.17; Fairboard..\$1545.94; Emergency Management..\$1834.40, OVERTIME: Ginger Walker..\$7.83; Highway..\$30453.77, OVERTIME: Terry Backous..\$127.68, Robert Binfet..\$153.09, Vernon Bitz..\$239.84, David Bruckner..\$166.16, Brian Dargatz..\$188.95, Ronald Glugla..\$94.50, Larry Hardy..\$102.77, Jason Heagley..\$70.05, John Heidenreich..\$87.56, Ben Hofer..\$78.71, Tom Lammon..\$97.56, Daryl Lloyd..\$103.08, Joseph Malsam..\$156.56, Donald Maunu..\$98.58, Bryan Owens..\$141.65, Todd Odenbach..\$119.09, Richard Schaible..\$97.56, Roger Schaible..\$108.16, Jeff Seiler..\$150.26, Marcus Selzler..\$134.40, Casey Thorstenson..\$85.86, Kendell Titze..\$15.14, Leon Vickers..\$100.80, Michael Wagner..\$105.98, Mark Wendt..\$198.00; Landfill..\$4898.25, OVERTIME: Carl Wright..\$280.80, Nyle Jenson..\$194.13, Dennis Van Heerde..\$110.85, Michelle Haag..\$84.64;

Supplies & Materials: NACO..\$652.00, SDACC..\$26,978.08, SDACO..\$4283.30, St Paul Lutheran Church..\$50.00, Eagle Business Forms..\$40.42, Element K Journals..\$49.00, Office Max..\$175.95, Hub City Iron..\$27.78, Gardner Locksmithing..\$25.00, Ameripride..\$38.87, McFarland..\$19.32, Artz Equipment..\$228.76, Kesslers..\$59.01, Tru Green Chem Lawn..\$235.52, Kendall & Son..\$775.19, Taylor Laundry..\$81.38, Dakota Supply..\$667.78, Sanders..\$67.00, Heartland Paper..\$69.79, Rux Bros..\$597.94, A&M Radio..\$269.00, Walmart..\$139.37, Walmart Charge..\$173.08, Runnings Fleet..\$14.36, Warner Co-Op..\$16.00, Dept of Revenue..\$210.00, SD Fleet..\$1087.20, Pierson Ford..\$162.48, Visa..\$271.41, RE Huffman..\$17.70, SD Fed Property..\$10.00, SD Wheat Growers..\$6739.77, Safety-Kleen..\$177.90, Bryan Owens..\$95.35, Overhead Door..\$91.83, Lien Transportation..\$2530.32, L&O Acres..\$746.13, Harms Oil..\$8992.40, Don Gunther..\$1289.54, Great Western Tire..\$31.66, Farm Power..\$9.57, Robert Dinger..\$51.60, CarQuest..\$185.76, Butler Machinery..\$15,775.10, Firestone..\$159.45, Lora Schaunaman..\$7.98, Dacotah Prairie Museum..\$12.21, Kleins..\$7.98, Sue Gates..\$30.55, Galls..\$456.75, OK Tire..\$11.00, Spink County Public Transit..\$66.00, Brucelli Advertising..\$228.35, Connecting Point..\$3958.60, Newman Signs..\$42.20, Farm Home Publishers..\$19.70, Eide Bailly..\$233.75, Dependable..\$11,486.24, RDO..\$256.58, Quality Quick Print..\$307.63, Hub City Iron..\$124.60,

Praxair..\$15.33, Graham Tire..\$10.00, Braun..\$4938.25, Nelson Auto..\$18.88, Cover-All..\$44,299.19, SD Dept of Revenue..\$2626.65, Hedahls..\$84.21, House of Glass..\$61.24, Artz Equipment..\$3.16, Denise Jung..\$2022.00, Shirley Schwab..\$495.00, Penny Hart..\$202.64:

Publications: American News..\$3873.87, Frederick/Hecla Northstar..\$181.45:

Transcriptions: Betsy Johnson..\$114.00:

Professional Fees: HKG Architects..\$85,702.50, Witness Fees..\$74.50, Inphynet Prim Care..\$9.76, Avera St Lukes..\$2641.04:

Court Appointed Attorney: Kelly Marnette..\$361.83:

Mileage & Travel: Deb Knecht..\$162.40, Dennis Feickert..\$17.40, Gene Loeschke..\$172.84, Best Western Ramkota..\$122.00:

Utilities: Northwestern..\$7869.78, Midcontinent Cable..\$140.37, Qwest..\$4213.02, NWPS..\$48.07, Montana Dakota..\$38.20:

Care of Poor: Dr/Hospital – 5 recipients..Dr Khristine Lindo..\$504.00, Dr SZ Abu-Ghazaleh..\$1392.50, Avera St Lukes..\$14,495.27; Rent – 1 recipient..Mel Ros Village..\$170.00; Drugs – 2 recipients..Walmart..\$172.95; Utilities – 1 recipient..NWPS..\$230.00; Transportation – 2 recipients..Brown County Public Works..\$17.94. All members present voting aye. Motion carried.

#### ABATEMENTS:

Moved by Wiese, seconded by Fischbach to approve the following AbateMENTS: Western Wireless, Court ruling (centrally assessed) for year 1999 in amount of \$4,403.67; SD 3 McPherson Limited, Court ruling (centrally assessed) for year 1999 in amount of \$21,222.35. All members present voting aye. Motion carried.

#### INVENTORY TRANSFER:

Moved by Fischbach, seconded by Wiese to approve transferring Decal #2873 (Photograph Enlarger) and Decal #2874 (Photograph Timer) from the Sheriff Department to Central Storage and declare Decal #3251 (Canon Typewriter) from the Aberdeen Foster Grandparent Program surplus for purpose of donation to the Watertown Foster Grandparent Program. All members present voting aye. Motion carried.

#### QCD:

Moved by Wiese, seconded by Fischbach to approve and authorize the Chairman sign Quit Claim Deed to Mark E and Sharla R Welter for tax deed property described as the E 24' of the N 142' of Schlosser's Lot B, located in the NW ¼ 11-127-64, Frederick, Brown County, South Dakota. All members present voting aye. Motion carried.

#### PERSONNEL:

Moved by Wiese, seconded by Fischbach to approve employee step increase, effective December 10, 2000 for Amy Mathiason @ \$9.41 per hour. All members present voting aye. Motion carried.

#### INCREASE SPENDING AUTHORITY/ESTIMATED REVENUE:

Moved by Fischbach, seconded by Feickert to increase spending authority in Fund #201-311-426.30 and increase estimated revenue in Fund #201-331.03 in amount of \$245,875.09 for CDBG Funds for Dam Repair Projects. All members present voting aye. Motion carried.

#### WAIVE SHERIFF FEES:

Moved by Wiese, seconded by Fischbach to waive the following Sheriff Fees: #00-02 @ \$17.55; #00-03 @ \$17.55; #00-04 @ \$17.55; #00-05 @ \$5.00; #00-06 @ \$17.50 and #00-07 @ \$70.00. All members present voting aye. Motion carried.

#### AUDITORS REPORT OF ACCOUNT:

Moved by Wiese, seconded by Fischbach to approve the following November, 2000 Auditor's Report of Account: Total amount of actual cash @ \$2,938.28, Wells Fargo Bank @ \$14,786.78, US Bank @ \$3,381.07, Dacotah Bank @ \$195,276.58, Petty Cash (Sheriff, Welfare, Register of Deeds) @ \$1,500.00, Landfill Change Fund @ \$100.00, Fund Investments @ \$13,689,983.84 and Outstanding Checks @ \$561.72 for a grand total of \$13,908,528.27. All members present voting aye. Motion carried.

#### CHRISTMAS CLOSING:

Moved by Fischbach, seconded by Wiese to close Tuesday, December 26, 2000, with the following policy: each employee will be compensated for eight hours regular pay for December 26, 2000, if an employee is required to work a full shift, eight hours will be added to their vacation record – under no circumstances will premium pay be paid for these eight hours. All members present voting aye. Motion carried.

#### PUBLIC HEARING – ALCOHALIC BEVERAGE LICENSE TRANSFER/RENEWAL:

Time and place, as advertised to consider applications for transfer and/or renewal for Liquor License to operate outside of the Municipality, which have been presented to the Board of County Commissioners and filed in the County Auditor's Office.

Moved by Fischbach, seconded by Wiese to deny the following applications, as per SDCL 35-2-6.2, upon recommendation by the Brown County Sheriff: TRANSFER OF RETAIL ON-SALE LIQUOR: Nancy Upton, DBA Mansfield Bar & Grill to Steve & Trudi Bain, DBA Mansfield Bar & Grill, (Lots 12, 13, 14, Block 4, Mansfield, 32-121-64). TRANSFER OF PACKAGE (OFF-SALE) LIQUOR: Nancy Upton, DBA Mansfield Bar & Grill to Steve & Trudi Bain, DBA Mansfield Bar & Grill, (Lots 12, 13, 14, Block 4, Mansfield, 32-121-64). PACKAGE OFF-SALE LIQUOR for 2001: Steve & Trudi Bain, DBA Mansfield Bar & Grill (Lots 12, 13, 14, Block 4, Mansfield 32-121-64). RETAIL ON-SALE AND SUNDAY LIQUOR for 2001: Steve & Trudi Bain, DBA Mansfield Bar & Grill (Lots 12, 13, 14, Block 4, Mansfield 32-121-64). All members present voting aye. Motion carried.

Moved by Feickert, seconded by Wiese to approve the following applications for Liquor License to operate outside of the Municipality: PACKAGE OFF-SALE LIQUOR: Marge Frohling DBA The Connection (Lots 13, 14, & 15, Block 2, Houghton, 31-127-61), William Dean Mundhenke DBA Ferney Farmers Bar (Lots 4 & 5, Block 5, Ferney, 31-122-60). RETAIL ON-SALE AND SUNDAY LIQUOR: William Dean Mundhenke DBA Ferney Farmers Bar (Lots 4 & 5, Block 5, Ferney, 31-122-60), Aberdeen Links, Inc. (NW 1/4 ex. OL 1 and .24A. to Hwy, 14-123-64), TCR Inc. DBA Helen's California Kitchen (Rotts OL 1, NW 1/4 25-123-64), Moccasin Creek Country Club, Inc. (Prairiewood Village OL 7, 33-124-63), Elm Lake Resort Inc. (Lot 1, Elm Lake Subdivision in the SE 1/4 of 8-128-65), James R. Schumacher DBA Westside Bait and Tackle, (Replat of Evelo's Subdivision N 218' of Lot A NW 1/4 21-123-64), Aberdeen Smoke Shoppe L.L.C. DBA Richmond Resort, (Richmond Resort OL 2, NE 1/4 25-124-65). All members present voting aye. Motion carried.

#### DEPUTY STATES ATTORNEY INTRODUCED:

Mark McNeary, States Attorney Elect introduced James Billion and requested Mr. Billion be hired as full-time Deputy States Attorney, effective December 4, 2000.

Moved by Feickert, seconded by Wiese to approve hiring James Billion as full-time Deputy States Attorney, effective December 4, 2000 at pro-rated annual salary of \$30,000.00. All members present voting aye. Motion carried.

#### P.W. REPORT:



Russell Podoll, P.W. Superintendent and representatives from Jacobs Construction discussed the Road 6 & 6J Construction Projects. Mr. Podoll discussed other items pertinent to the Highway Department

**INSURANCE PRESENTATION:**

Curt Mitchell and Paul Guhin, representatives from GE Financial Assurance explained their Companies Voluntary Security Program (VSP) as a payroll deduction plan for employee at no cost to the employer and requested permission to present program to Brown County Employees. Board concurred.

**FAIRGROUNDS DISCUSSION:**

Randy Bonn, Fairgrounds Superintendent discussed projects completed on the Fairgrounds by the Highway Department that did not have his direct approval, therefore the reimbursement cost not included in the Fairgrounds budget. Board will review options.

**WESTPORT ROAD DISCUSSION:**

Mr. & Mrs. John Dumire met with the Commission to discuss whose jurisdiction the road they live on falls under. The Westport Township Officials will be contacted and the matter will be discussed.

**SALES RATIO:**

Mary Worlie, Director of Equalization presented sales ratio figures for the 2001 values on ag land. The Department of Revenue will audit the figures next year for final approval.

**RECESS:**

The Chairman declared the meeting recessed until December 12, 2000.

Maxine Taylor – Brown County Auditor

# DECEMBER 12, 2000 – GENERAL MEETING

Meeting called to order by Chairman Knecht at 8:45 A.M. in the Commissioner's Chambers, Courthouse Annex, Brown County, South Dakota. Present were Commissioners Hansen, Feickert, Fischbach and Wiese.

## MINUTES:

Moved by Wiese, seconded by Fischbach to approve the Joint City/County Meeting minutes and the General Meeting minutes of December 5, 2000. All members present voting aye. Motion carried.

## CLAIMS:

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

Supplies & Materials: Brown County Health..\$42.00, Semaphore Corp..\$168.00, Megahaus..\$62.00, Computer Spec..\$197.50, Quality Quick Print..\$348.02, Office Equip..\$216.88, Lexis Pub..\$24.88, West Group..\$175.00, RE Huffman..\$194.22, Photos Now..\$54.41, US Post Office..\$64.00, OK Tire..\$1427.82, Dakota Electronics..\$551.60, CMI..\$1910.00, A-1 Locksmith..\$5.00, Bonnie Bitz..\$96.00, Kesslers..\$393.60, Respond..\$426.02, HRS..\$3396.35, Dept of Revenue..\$385.00, Avera St Lukes..\$126.00, Bob Barker..\$339.56, Economy Meats..\$23.60, Skaggs..\$441.13, Hub City Iron..\$922.60, Hoven Auto..\$619.65, Zastrow Conoco..\$200.25, Tractor Salvage..\$1123.20, Taylor Laundry..\$256.10, SD Wheat Growers..\$1329.31, Safety Service..\$871.00, RDO..\$4758.64, Office Max..\$11.56, Midwest Pump & Tank..\$34.22, Dware..\$1600.00, Menards..\$124.28, Macs..\$46.92, Harms Oil..\$9879.30, Frey's Electronics..\$494.00, Fire Safety First..\$22.50, Farm Plan..\$15.26, Dakota Oil..\$1878.15, Dakota Fluid Power..\$902.82, Cartney Bearing..\$4.47, Aberdeen Glass..\$12.00, Cunningham Elec..\$94.86, Clark Engineering..\$12,865.70, Senior Citizens..\$420.87, A&M Radio..\$43.00, Shopko..\$11.34, Dacotah Prairie Museum..\$75.51, Sherwin-Williams..\$917.55, Kleins..\$3.63, McQuillen Design..\$1802.41, Center Revolving Acct..\$20.00, Extension Service..\$594.76, Century Business..\$98.25, Walmart..\$540.16, Ag Communications..\$129.88, UBC..\$4.99, Runnings..\$281.31, A-1 Sanitation..\$3092.25, Safety Service..\$105.50, Swanson Elec..\$37.23, SD Fed Property..\$63.50, Dan Lingor..\$153.60, Gelling Auto..\$513.71, Kone..\$1081.92, Gary's Engine..\$20.54, Flooring America..\$239.00, Keeleys..\$84.90, D&D Paint..\$1910.93, House of Glass..\$46.25, Northwind Machine..\$227.50, Dakota Supply..\$249.48, Farm Power..\$19.96, Hedahls..\$6.13, Herc-u-lift..\$66.42, Dakota Electronics..\$46.00, OK Tire..\$31.00, CarQuest..\$18.94, Nelson..\$17.90, UBC..\$118.41, Brown County Treas..\$27.57, Danko..\$222.94, Office Systems Inc..\$579.70, Watertown Area Transit..\$331.25, Phyllis Voeller..\$19.25, Aberdeen Ride Line..\$541.50:

Publications: American News..\$336.07, Frederick/Hecla Northstar..\$808.42, Dakota Press..\$1172.47, Reporter & Farmer..\$22.64:

Transcriptions: Cheryl Hook..\$594.30, Tammy Erickson..\$35.65:

Professional Fees: Witness fees..\$80.00, Laramie County Sheriff..\$5.00, Brown County Sheriff..\$15.00, Cheryl Hairgrove..\$546.00, NE Mental Health..\$175.56, Mark McNeary..\$2500.00, stipends..\$13,958.70:

Mileage & Travel: State Motel..\$32.95, Cordell Rudolph..\$12.00, Dirk Rogers..\$45.00, Jerry Mills..\$1140.23, Barnie Bain..\$644.70, Dennis Weidebush..\$447.44, Mark Hoven..\$350.00, Ethel Miller..\$56.55, Mike Wiese..\$8.70:

Utilities: Midcontinent Cable..\$218.63, James Valley Co-Op..\$640.83, City of Hecla..\$92.06, Town of Frederick..\$18.25, Accent Communications..\$420.46, City of Aberdeen..\$509.33, Qwest..\$1238.72, NWPS..\$8180.10, McLeod..\$19.95, Cellular One..\$119.89, Web Water..\$49.25, Northwestern Communications..\$40.00:

Care of Poor: Dr/Hospital – 2 recipients..Aberdeen Surgical Assoc..\$523.42, Avera St Lukes..\$482.84; Rent – 5 recipients..Elizabeth Blade..\$170.00, Terry Backous..\$170.00, Rich Thomas..\$170.00, Tom Carlson..\$170.00, ZPM..\$190.00; Drugs – 5 recipients..Dakota Square..\$262.54, K-Mart..\$6.90,

Walmart..\$66.46; Transportation – 1 recipient..Brown County Public Works..\$15.33. All members present voting aye. Motion carried.

**LEASE AGREEMENT:**

Moved by Feickert, seconded by Wiese to approve and authorize the Chairman sign agreement with Second Time Around for lease of the Club House on December 8, 9 & 10, 2000. All members present voting aye. Motion carried.

**BUDGET SUPPLEMENTS:**

Commissioner Wiese offered the following Resolution:

**RESOLUTION NO. 116-2000**

WHEREAS, due to the failure to provide adequate spending authority within the Brown County Highway Department Budget for year 2000, to enable the Highway to complete the County Road #13 Project in the following amount:

County Road #13 Project-----\$489,112.71

WHEREAS, the County has chosen to incur this obligation and expenditure by supplementing the 2000 fiscal Brown County Highway Department Budget #201-311 in the amount of \$489,112.71, and to fund same from the following:

HBR Restricted Cash #201-107.02-----	\$345,853.99
General Fund Unobligated Surplus Cash #101-101-----	\$143,258.72
Total-----	\$489,112.71

THEREFORE, BE IT RESOLVED, that notice of hearing for said supplement shall be published in the Official County Newspapers and the public hearing shall be held on December 28, 2000 at 9:15 A.M. in the Commissioner's Chambers, Courthouse Annex, Brown County, South Dakota, at which time any persons may appear to support or oppose the adoption of same.

Seconded by Commissioner Fischbach. Roll call vote: Commissioners Hansen-aye, Feickert-aye, Fischbach-aye, Wiese-aye, Knecht-aye. Resolution adopted.

Commissioner Hansen offered the following Resolution:

**RESOLUTION NO. 117-2000**

WHEREAS, due to the failure to provide adequate spending authority within the Brown County Dacotah Prairie Museum Budget for year 2000, to enable the Museum to complete program planning in the following amount:

Program Planning-----	\$5,000.00
Total	\$5,000.00

WHEREAS, the County has chosen to incur this obligation and expenditure by supplementing the 2000 fiscal Brown County Dacotah Prairie Museum Budget #101-512 in the amount of \$5,000.00, and to fund same from the following:

Aberdeen City Contribution-----\$5,000.00  
Total \$5,000.00

THEREFORE, BE IT RESOLVED, that notice of hearing for said supplement shall be published in the Official County Newspapers and the public hearing shall be held on December 28, 2000 at 8:45 A.M. in the Commissioner's Chambers, Courthouse Annex, Brown County, South Dakota, at which time any persons may appear to support or oppose the adoption of same.

Seconded by Commissioner Feickert. Roll call vote: Commissioners Hansen-aye, Feickert-aye, Fischbach-aye, Wiese-aye, Knecht-aye. Resolution adopted.

**LIQUOR LICENSE HEARING SET:**

Moved by Wiese, seconded by Feickert to authorize advertising public hearing to consider the following applications for liquor license to operate outside of the municipality, to be held in the Commissioner's Chambers, Courthouse Annex, Brown County, South Dakota at 9:00 A.M. on December 28, 2000: TRANSFER OF RETAIL ON-SALE LIQUOR: Nancy Upton, DBA Mansfield Bar & Grill to Trudi Bain, DBA Mansfield Bar & Grill, (Lots 12, 13, 14, Block 4, Mansfield, 32-121-64). TRANSFER OF PACKAGE (OFF-SALE) LIQUOR: Nancy Upton, DBA Mansfield Bar & Grill to Trudi Bain, DBA Mansfield Bar & Grill, (Lots 12, 13, 14, Block 4, Mansfield, 32-121-64). PACKAGE OFF-SALE LIQUOR: Trudi Bain, DBA Mansfield Bar & Grill (Lots 12, 13, 14, Block 4, Mansfield 32-121-64). RETAIL ON-SALE AND SUNDAY LIQUOR: Trudi Bain, DBA Mansfield Bar & Grill (Lots 12, 13, 14, Block 4, Mansfield 32-121-64). All members present voting aye. Motion carried.

**PERSONNEL:**

Moved by Hansen, seconded by Fischbach to acknowledge resignation of Mike Johnson from the Sheriff Department, effective December 3, 2000. All members present voting aye. Motion carried.

**PLANNING & ZONING BOARD:**

Moved by Feickert, seconded by Fischbach to appoint Christine Brunes to a first term and Audrey Jacobson to a second term on the Planning & Zoning Board. Roll call vote: Commissioners Hansen-abstain, Feickert-aye, Fischbach-aye, Wiese-aye, Knecht-aye. Motion carried.

**DONATION ACCEPTED:**

Moved by Feickert, seconded by Wiese to accept the Clock Tower and Statue of Justice Lighting as a gift to Brown County. All members present voting aye. Motion carried.

**LIBRARY AGREEMENT:**

Moved by Hansen, seconded by Wiese to approve and authorize the Chairman sign agreement with the City of Aberdeen (Alexander Mitchell Library) for purpose of providing library services for the residents of Brown County. All members present voting aye. Motion carried.

**PLATS:**

Commissioner Fischbach offered the following Resolution:

**RESOLUTION NO. 118-2000**

BE IT RESOLVED by the County Commission of Brown County, South Dakota, that the plat showing "Stange Outlot A in SE ¼ SE ¼ Sec 9-T121N-R62W of 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 Hansen-aye, Feickert-aye, Fischbach-aye, Wiese-aye, Knecht-aye. Resolution adopted.

Commissioner Wiese offered the following Resolution:

#### RESOLUTION NO. 119-2000

BE IT RESOLVED by the County Commission of Brown County, South Dakota, that the plat showing "Jones Outlot A in NE ¼ Sec 27-T123N-R62W of 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 Hansen. Roll call vote: Commissioners Hansen-aye, Feickert-aye, Fischbach-aye, Wiese-aye, Knecht-aye. Resolution adopted.

Commissioner Wiese offered the following Resolution:

#### RESOLUTION NO. 120-2000

BE IT RESOLVED by the County Commission of Brown County, South Dakota, that the plat showing "Badger's Subdivision in the SE ¼ of Sec 24-T124N-R65W of 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 Fischbach. Roll call vote: Commissioners Hansen-aye, Feickert-aye, Fischbach-aye, Wiese-aye, Knecht-aye. Resolution adopted.

#### OPERATING TRANSFER:

Moved by Feickert, seconded by Wiese to approve the operating transfer, in accordance with the 2000 Budget, from Fund #101-191 to Fund #201-371 in amount of \$847,250.00. All members present voting aye. Motion carried.

#### UNIVERSAL LIFE PLAN:

Curt Mitchell, GE Life and Annuity Assurance Company requested permission from the Commission to present a universal life insurance plan to Brown County employees. Moved by Hansen, seconded by Wiese to allow GE Life and Annuity Assurance Company representatives present universal life insurance services to the employees without cost to the County. All members present voting aye. Motion carried.

#### BID – SHERIFF SUV:

Moved by Feickert, seconded by Wiese to authorize advertising public hearing to open, read and consider bids for one new 2001 ¾ Ton Model Sport Utility Vehicle for the Sheriff's Department, to be held in the Commissioner's Chambers, Courthouse Annex, Brown County, South Dakota at 9:15 A.M., January 9, 2001. All members present voting aye. Motion carried.

#### CANCEL PARTIAL PAYMENT CONTRACT:

Moved by Wiese, seconded by Hansen to authorize Sheila Enderson, Brown County Treasurer to terminate contract for partial payment of taxes for non-payment on Lot 7 of Gugels 2<sup>nd</sup>, located in Sec 6-

T123-R64, Brown County, South Dakota and begin process to obtain tax deed. All members present voting aye. Motion carried.

**POOR RELIEF – RELEASE OF PROPERTY:**

Commissioner Hansen offered the following Resolution:

**RESOLUTION NO. 121-2000**

WHEREAS, Brown County has filed a Poor Relief Lien in total amount of \$3,672.51 dated February 6, 1997 through February 6, 1998, 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 liens, upon payment of \$1,836.26 and on condition balance of liens will stay filed against individual.

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

Lots 1, 2 and 3 Block 25 First Addition to Stratford, according to the plat of record, Brown County, South Dakota

is hereby released from the effect and force of said liens, upon payment of \$1,836.26 and condition that balance of liens will stay filed against the individual.

Dated this 12th day of December, 2000.

Seconded by Commissioner Feickert. Roll call vote: Commissioners Hansen-aye, Feickert-aye, Fischbach-aye, Wiese-aye, Knecht-aye. Resolution adopted.

**EXECUTIVE SESSION:**

Moved by Feickert, seconded by Wiese to go into executive session with Mark McNeary and Mark Milbrandt in attendance to discuss possible litigation. All members present voting aye. Motion carried. Moved by Feickert, seconded by Hansen to adjourn executive session. All members present voting aye. Motion carried.

**P.W. REPORT:**

Russell Podoll, P.W. Superintendent met to discuss Bridge #44, the 2000 Budget, Truck #38 insurance status and water levels.

**EXECUTIVE SESSION:**

Moved by Wiese, seconded by Fischbach to go into executive session with Mark McNeary and Russ Podoll in attendance to discuss possible litigation. All members present voting aye. Motion carried. Moved by Wiese, seconded by Feickert to adjourn executive session. All members present voting aye. Motion carried.

**WEED & SEED PROGRAM GRANT & COMMUNITY PROSECUTION GRANT:**

Faye Kann, NECOG presented a brief status overview on the Weed & Seed Program. Ms. Kann, Kirsten Krueger, NECOG and Mark McNeary, States Attorney Elect discussed the Community Prosecution Grant application. Moved by Wiese, seconded by Hansen to authorize NECOG officials proceed with the Community Prosecution Grant Application. All members present voting aye. Motion carried.

**GIS CONTRACT:**

Moved by Hansen, seconded by Wiese to approve and authorize the Chairman sign contract with PMC ProMap Corporation, Ames, Iowa for services to provide Geographic Information System (GIS) products and services for Brown County. All members present voting aye. Motion carried.

**RECESS:**

The Chairman declared the Commission recessed until December 19, 2000.

Maxine Taylor – Brown County Auditor

## DECEMBER 19, 2000 GENERAL MEETING

Meeting called to order by Chairman Knecht at 8:45 A.M. in the Commissioner's Chambers, Courthouse Annex, Brown County, South Dakota. Present were Commissioners Hansen, Feickert, Fischbach and Wiese.

## MINUTES:

Moved by Wiese, seconded by Hansen to approve the General Meeting minutes of December 12, 2000. All members present voting aye. Motion carried.

## CLAIMS:

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

Payroll: Commissioners..\$2211.55; Auditor..\$5188.56; Treasurer..\$7173.36; State's Attorney..\$8403.30; Victims Assistance..\$788.47; Data Processing..\$1269.24; Maintenance..\$4250.66; Assessor..\$6432.81; Planning & Zoning..\$887.20, OVERTIME: Mick Waller..\$16.64; Register of Deeds..\$3665.85; Veterans Service Office..\$1950.56, OVERTIME: Kathy Schlecht..\$48.06; Sheriff..\$39792.71, OVERTIME: John Heine..\$61.80, Scott Kolb..\$30.90, David Fair..\$234.12, Steven Cogley..\$35.44, Gary Bunt..\$93.50, Roxanne Schumacher..\$74.15, Craig Nelson..\$67.59, Charlene McAfee..\$267.70, Amy Mathiason..\$75.68, Cindy Mitchell..\$100.43, Michelle Dvorak..\$53.56, Heather Rystrom..\$104.32, Russell Ochsner..\$52.16, Jason Hamar..\$104.32, Kevin Johnson..\$88.25, Kristal Schumack..\$34.40, Jeffrey Kirnan..\$16.75, Lori Furman..\$39.12, Jvonne Heard..\$135.18; Communications..\$9862.86; OVERTIME: Sheila Anderson..\$32.56, Mary Browning..\$208.32, Alicia Dohn..\$28.24, Janet Dosch..\$169.44, Betty Haar..\$97.68, Teresa Monson..\$82.56, Nancy Radke..\$110.64, Vickie Bruce..\$82.56, Michele Strom..\$141.20, Lisa Wipf..\$60.80, Kathleen Gibson..\$82.56; Welfare Office..\$2299.64; Health..\$2250.66; Museum..\$3320.68; Extension..\$1121.16; Weed..\$135.13; Foster Grandparent Program..\$2178.39; Fairgrounds..\$3004.89; Fairboard..\$1545.94; Emergency Management..\$1834.40, OVERTIME: Ginger Walker..\$89.99; Highway..\$30308.59, OVERTIME: Terry Backous..\$264.48, Vernon Bitz..\$357.72, David Bruckner..\$323.57, Brian Dargatz..\$324.49, Ronald Glugla..\$244.13, Larry Hardy..\$134.39, Jason Heagley..\$175.13, John Heidenreich..\$182.13, Ben Hofer..\$85.86, Tom Lammon..\$227.64, Daryl Lloyd..\$197.57, Jerry Luce..\$34.78, Joseph Malsam..\$201.29, Donald Maunu..\$271.10, Bryan Owens..\$402.57, Todd Odenbach..\$196.14, Cordell Rudolph..\$144.55, Richard Schaible..\$211.38, Roger Schaible..\$282.88, Jeff Seiler..\$271.89, Marcus Selzler..\$285.60, Casey Thorstenson..\$221.81, Kendell Titze..\$143.83, Leon Vickers..\$268.80, Michael Wagner..\$249.81, Nicholas Wanna..\$3.58, Mark Wendt..\$330.00; Landfill..\$4859.13, OVERTIME: Carl Wright..\$228.15, Roxanne Varns..\$114.62, Nyle Jenson..\$97.06, Dennis Van Heerde..\$343.64; Supplies & Materials: SD Assoc of County Commissioners..\$294.00, Reserve Postage Acct..\$5000.00, Legislative Documents Room..\$50.00, Quality Quick Print..\$42.46, Direct Tech..\$99.00, Nat'l Dist Atty Assoc..\$305.00, SD State's Attorney Assoc..\$550.00, State Bar of SD..\$820.00, Jane Jensen..\$5.75, Penny Hart..\$5.29, Taylor Laundry..\$56.86, Sanders..\$141.00, Northwind Machine..\$20.00, Dakota Supply..\$142.66, Heartland Papers..\$590.04, Flooring America..\$168.00, Honeywell..\$130.00, Runnings..\$12.99, Gary's Engine..\$74.49, Chet's Janitorial..\$114.00, US Gov't Bookstore..\$40.00, Best Business..\$219.46, Dakota Electronics..\$4465.70, Direct Tech..\$99.00, Nat'l Dist Atty Assoc..\$305.00, SD State's Attorney Assoc..\$550.00, State Bar of SD..\$820.00, Jane Jensen..\$5.75, Penny Hart..\$5.29, Amoco..\$205.72, RE Huffman..\$179.90, K-Mart..\$272.81, Civic Research Institute..\$159.95, Ecolab..\$79.30, Photo Xpress..\$9.16, OK Tire..\$6.00, Metz..\$611.37, Ameripride..\$80.27, Postmaster..\$114.00, Country General..\$7.98, Bob Barker..\$671.08, Town of Warner..\$4634.20, SD Wheat Growers..\$1162.56, SDDOT..\$524,457.83, RDO..\$313.59, Praxair..\$7.10, Midwest Pump & Tank..\$270.45, Huron Culvert..\$4101.60, Helms & Assoc..\$7788.40, Farnam's..\$44.08, Fair Mfg..\$395.18, Dakota Filter..\$83.00, Bridgestone/Firestone..\$111.45, Fox Valley Systems..\$169.20, Best Western Ramkota..\$104.00, Regalia..\$634.68, Brown County Treas..\$20.00, Academy..\$149.00, Vosika



Fencing..\$236.00, Photos Now..\$79.90, Shopko..\$49.43, Amy Engelhart..\$64.83, Menards..\$1424.02, Quality Stores..\$14.30, Herc-U-Lift..\$194.94, House of Glass..\$154.10, MicroLife..\$56.60, Extension Service..\$127.89, S&H Uniforms..\$26.58, US Postmaster..\$66.00, Anthony Jewelers..\$29.25, 60's Plus Dining..\$46.50, Leaping Ware..\$500.00, Walmart..\$28.48, Area IV Senior Nutrition..\$41.25, Response Co..\$4898.43, S&S Communications..\$2280.00, SDEMA..\$60.00, New Trends..\$187.62, Cunningham Elec..\$179.89, State Supply..\$3556.78, Fordham Sign..\$3997.20, UBC..\$2.08, Kleins..\$27.54, Office Max..\$262.53, Sherwin-Williams..\$82.36, Ameripride..\$20.69, D&d Paint..\$138.30, Dick Schooley..\$15.25, Office of Financial Aid..\$47.64, Kesslers..\$229.97, Shopko..\$229.98, Ron Jacobson..\$250.00, Les Frohling..\$200.00, Jeff Hedges..\$250.00, Bonnie Bitz..\$24.00, Hoggs..\$1878.46, Metz..\$361.98, Lust..\$21.20, Phillips 66..\$35.05, Mac's..\$1.25, BSN Sports Connection..\$1142.86, Columbia Fire Dept..\$2000.00:

Publishing: American News..\$1179.85:

Travel & Mileage: Tom Gohn..\$ 25.00, Sheila Enderson..\$94.54, Larry Gerlach..\$1358.00, Vicki Wilson..\$1261.00, Radisson Inn..\$3008.10, Hub City Transit..\$900.00, Lynn Heupel..\$39.15, Marj Kolb..\$212.01, Brookings Fairfield Inn..\$248.40, Barbara Jansen..\$199.39, Jodi McQuillen..\$210.45:

Transcriptions: Maxine Risty..\$102.00:

Professional Fees: Eide Bailly..\$723.75, St Lukes..\$1457.69, NE Mental Health..\$73.15, PSI Health Care Inc..\$146.00, Robert Chavis..\$180.00, Bob Walser..\$15.00, Don Carlson..\$15.00, Donna Dietrich..\$160.76, Sheriff of Yankton County..\$16.75, NADRIC..\$4166.38, Lewis & Clark Mental Illness..\$220.00, Sacred Heart Hospital..\$117.32, Aberdeen Family Physicians..\$298.49, Avera United Clinic..\$96.30, Aberdeen Advanced Care..\$203.14, Harbert Orthopedics..\$86.44:

Court Appointed Attorney: William Gerdes..\$844.20, Christy Griffin Serr..\$878.00, Harmelink & Fox..\$85.35:

Mileage & Travel: Sheila Enderson..\$94.54, Mark Milbrandt..\$547.42:

Utilities: NWPS..\$3298.86, Dependable Sanitation..\$356.00, US West..\$1545.72, Northern Electric..\$14.20, Cellular One..\$248.02, City of Aberdeen..\$4033.85, Verizon Wireless..\$8.91, Bureau of Administration..\$543.64:

Care of Poor: Dr/Hospital – 5 recipients..Avera St Lukes..\$4968.59, Sioux Valley..\$7400.33; Rent – 7 recipients..Loren Leonard..\$230.00, Ward Hotel..\$170.00, Ron Bolduan..\$175.00, D&L LLC..\$390.00; Drugs – 2 recipients..Medical Center Pharmacy..\$165.01, K-Mart..\$19.78; Transportation – 1 recipient..Brown County Public Works..\$6.36; Utilities – 1 recipient..NWPS..\$145.87. All members present voting aye. Motion carried.

#### PUBLIC HEARING DATE SET:

Moved by Fischbach, seconded by Wiese to authorize advertising public hearing for consideration of the following petitions to rezone by the Aberdeen City Commission and the Brown County Commission in joint session at City Hall (123 S Lincoln) at 9:00 A.M., January 16, 2001. Petition filed by Stanley H. Beckler to rezone the E. 363' of the S 330' of the NE ¼ of Sec 23-T123N-R63W to be platted and known as S & J Outlot in the NE ¼ of Sec 23, T123N, R63W from Section 701 (A-1) Agricultural District to Section 714 (M-Ag) Mini-Agricultural District (Ordinance No. 00-12-01/216). Petition filed by Al Nordstrom to rezone Lots 7, 8, 9, and 10 of Ham's East Richmond Road Subdivision in the SE ¼ of Sec 28, T124N, R64W from Section 701 (A-1) Agricultural District to Section 714 (M-Ag) Mini-Agricultural District (Ordinance No. 00-12-02/217). Petition filed by Nick Berbos to rezone Berbos Outlot 1 in the NW ¼ of Sec 2-T123N-R64W of the 5<sup>th</sup> P.M., Brown County, South Dakota from Section 701 (A-1) Agricultural District to Section 714 (M-Ag) Mini-Agricultural District (Ordinance No. 00-12-03/218). Petition filed by Roberts Radio Borrower L.L. C. to rezone the N 610' of the S 1052' of the E 1160' of the SE ¼ of Sec 36-T123N-R64W of the 5<sup>th</sup> P.M., Brown County, South Dakota to be platted and known as Robert's Radio Addition in the SE ¼ of Sec 36-T123N-R64W of the 5<sup>th</sup> P.M., Brown County, South Dakota from Section 701 (A-1) Agricultural District to Section 714 (M-Ag) Mini-Agricultural District (Ordinance No. 00-12-04/219). All members present voting aye. Motion carried.

**EXTENSION BOARD:**

Moved by Hansen, seconded by Fischbach to appoint Deb Munger and Christie Lawler to the Brown County Extension Board. All members present voting aye. Motion carried.

**SDPAA CONTRACT AMENDMENT:**

Moved by Hansen, seconded by Fischbach to approve and authorize the Chairman sign Amendment of Article XI of the Intergovernmental Contract with South Dakota Public Assurance Alliance, for a three year contribution guarantee for liability coverage. All members present voting aye. Motion carried.

**SDML WORKERS COMPENSATION FUND:**

Moved by Wiese, seconded by Feickert to approve and authorize the Chairman sign Agreement with the South Dakota Municipal League for continued membership in the Worker's Compensation Fund. All members present voting aye. Motion carried.

**INSURANCE QUOTES:**

Moved by Feickert, seconded by Fischbach to accept low quote, submitted by Hagan Insurance Group for coverage of Brown County Property and Boiler, Machinery Coverage in total amount of \$22,982.00; rejecting quotes submitted by Anderson Agency in amount of \$34,961.00 and Insurance Plus in amount of \$33,571.00. All members present voting aye. Motion carried.

**LOTTERY APPLICATION:**

Moved by Wiese, seconded by Hansen to approve and authorize the Chairman sign application, submitted by Aberdeen Amateur Hockey Association for raffle to be held on March 11, 2001. All members present voting aye. Motion carried.

**PERSONNEL:**

Moved by Feickert, seconded by Wiese to approve employee step increase, effective December 24, 2000 for Jan Erickson @ \$10.68 per hour. All members present voting aye. Motion carried.

Moved by Feickert, seconded by Wiese to approve hiring Jason Hammrich as mechanic at the Highway Department, effective January 2, 2001 at \$10.50 per hour. All members present voting aye. Motion carried.

**BID SHERIFF VEHICLE:**

Moved by Wiese, seconded by Fischbach to authorize the Brown County Sheriff purchase one new patrol vehicle through the State Bid process, with delivery to be in 2001. All members present voting aye. Motion carried.

**SHERIFF REPORTS:**

Moved by Wiese, seconded by Fischbach to approve the following November, 2000 Sheriff Reports: Incidents & Offenses, Prisoner Care, JDC, Money deposited with the County Treasurer and Monthly activities. All members present voting aye. Motion carried.

**SHERIFF FEE REMITTANCE:**

Commissioner Feickert offered the following Resolution:

**RESOLUTION NO. 122-2000  
FOR THE ESTABLISHMENT OF FEE REMITTANCE FOR THE  
OFFICE OF SHERIFF**

BE IT RESOLVED by the Board of Brown County Commissioners:

SECTION ONE – ESTABLISHMENT:

Pursuant to SDCL 7-12-19.1, the Board of Brown County Commissioners hereby directs that the office of the Sheriff shall deposit with the County Treasurer the total amount of fees and other collections received within fifteen days after the expiration of each calendar month, unless otherwise directed by law.

SECTION TWO – IMPLEMENTATION:

The Brown County Sheriff shall begin this fee remittance effective January 1, 2001 as set forth in SDCL 7-12-19.1.

Seconded by Commissioner Hansen. Roll call vote: Commissioners Hansen-aye, Feickert-aye, Fischbach-aye, Wiese-aye, Knecht-aye. Resolution adopted.

INCREASE SPENDING AUTHORITY/ESTIMATED REVENUE:

Moved by Hansen, seconded by Feickert to increase spending authority in Fund #201-311-426.30 and increase estimated revenue in Fund #201-331.03 in amount of \$12,067.73 for CDBG Funds for Dam Repair Projects. All members present voting aye. Motion carried.

COMMUNITY PROSECUTION GRANT:

Moved by Feickert, seconded by Fischbach to approve and authorize the Chairman sign documentation for Community Prosecution Grant Application. All members present voting aye. Motion carried.

JDC UPDATE:

Barb Johnson, JDC Supervisor informed the Commission that the JDC Open House for County employees and the Aberdeen Area League of Women Voters was very successful, with over 40 people attending. Additional Open House activities are being planned for January for the public and various groups. Mick Palmer and Judy Dosch, Maintenance Department discussed expanding (squaring off) the proposed basement area on the current JDC plans.

SHERIFF DEPARTMENT:

Mark Milbrandt and Tom Schmitt read a thank you letter from the Aberdeen Rural Fire District volunteers for the use of the Command Van when fighting a recent house fire. Sheriff Department statistics were distributed in regard to salaries for 2001.

TOWNSHIP ROAD DISCUSSED:

Merle Kjer, Westport Township resident discussed the snow removal on the township road he resides on. The Commission will visit with the Township Officials, but the road is under Township jurisdiction.

ROAD 6 AND 6J PROJECTS:

Moved by Wiese, seconded by Feickert to approve and authorize the Chairman sign Engineering Agreement with Helms and Associates for the County Road 6 & 6J Projects in amount not exceeding \$11,000.00. Approve and authorize the Chairman sign pay request #3 to Jacobs Construction for the County Road 6J Project. Approve and authorize the Chairman sign pay request #4 to Jacobs Construction for County Road 6 Project. Approve and authorize the Chairman sign Change Order #1 for Project #6 increasing Contract price by \$31,674.70 for total project cost of \$571,376.86. All members present voting aye. Motion carried.

Moved by Wiese, seconded by Feickert to deny request from Jacobs Construction to lower project retainer from 10% to 5%. All members present voting aye. Motion carried.

**FAIR BOARD BUDGET DISCUSSED:**

Larry Gerlach and the Executive Committee for the Fair Board met to discuss expenditures for work done by the Highway Department and clarification on which department is responsible for the common area in front of the grandstands for each event.

**RECESS:**

The Chairman declared the Commission recessed until December 28, 2000.

Maxine Taylor – Brown County Auditor

# DECEMBER 28, 2000 – GENERAL MEETING

Meeting called to order by Chairman Knecht at 8:45 A.M. in the Commissioner's Chambers, Courthouse Annex, Brown County, South Dakota. Present were Commissioners Hansen, Feickert and Fischbach. Absent Commissioner Wiese.

## MINUTES:

Moved by Hansen, seconded by Fischbach to approve the General Meeting minutes of December 19, 2000. All members present voting aye. Motion carried.

## CLAIMS:

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

Supplies & Materials: Academy..\$57.00, Quality Quick Print..\$1415.61, Stephen Peck..\$52.00, Windows 2000 Magazine..\$49.95, RE Huffman..\$5172.30, Office Max..\$1393.46, Element K Journals..\$99.00, New Trends..\$114.56, Office Equip..\$209.25, Harvey Oliver..\$111.30, B&B Contracting..\$19,502.00, Ecolab..\$67.60, Heartland Paper..\$212.85, Dakota Supply..\$513.55, Walmart..\$223.81, Sanders Sew 'N Vac..\$62.28, Gardner Locksmith..\$50.00, Flooring America..\$462.11, Menards..\$177.27, OK Tire..\$512.00, UBC..\$2457.51, Langs..\$54.00, Cole Papers..\$197.76, Gelling Auto..\$127.02, House of Glass..\$269.35, CMS..\$19,032.00, Northwestern..\$1.02, PMC..\$19,776.00, Western Printing..\$382.20, Civic Research..\$196.90, Hogs..\$1029.35, Medical Center Pharmacy..\$1584.75, Metz..\$62.62, Kesslers..\$124.88, Dakota Electronics..\$2642.00, Dept of Revenue..\$560.00, House of Glass..\$483.33, Best Business..\$184.00, SDEMA..\$30.00, Qwest Direct..\$9.58, Lexis Pub..\$42.88, Ameripride..\$40.06, Service Sign..\$858.00, SD Wheat Growers..\$3915.40, Quality Stores..\$15.98, Runnings..\$414.23, Taylor..\$139.54, SD Div of Motor Vehicles..\$6.00, Safelite Auto..\$64.54, Reuer's Auto..\$55.55, Little Falls Machine..\$286.67, L&O Acres..\$2143.19, Hub City Iron..\$206.59, Harms Oil..\$8806.00, Great Western Tire..\$1825.40, Fastenal..\$12.70, Farm Power..\$101.69, Evergreen Supply..\$153.78, Dickey County..\$34,274.69, Dakota Oil..\$50.05, Farnams Parts..\$18.05, Dakota Fluid..\$317.14, Crawford Trucks..\$17,545.54, HC Clark..\$26.04, Cartney Bearing..\$190.77, CarQuest..\$149.53, Butler..\$162.70, Bridgestone Firestone..\$41.70, Minnehaha County Auditor..\$518.30, NE Mental Health..\$13,815.88, Sheriff of Yankton County..\$16.75, Kleins..\$68.63, Aberdeen Chamber..\$175.00, Lora Schaunaman..\$14.88, Schott Apiary..\$25.00, Richmond Sanitary Dist..\$96.00, Shopko..\$36.30, House of Glass..\$19.99, IAFE..\$350.00, Bad River Art..\$168.16, Kesslers..\$15.54, National Target..\$146.79, New Trends..\$100.99, Cole Papers..\$1065.00, US Post Office..\$10.50, MapleLeaf Press..\$38.83, Cellular One..\$45.00, Watertown Area Transit..\$228.75, Spink County Transit..\$50.00, Aberdeen Ride Line..\$499.50, Area IV Senior Nutrition..\$94.50, Respond 1<sup>st</sup> Aid..\$28.00, Avera United Clinic..\$62.00, Paul Mardian..\$902.65, Praxair..\$355.35, Farm Power..\$24.60, ProAg Supply..\$86.64, Taylor Laundry..\$66.50, Hedahls..\$173.84, EarthTech..\$1395.85, Artz Camera..\$67.87, Direct Tech..\$498.00, Graham Tire..\$40.00, Fire Safety First..\$13.40, Frey's Electronics..\$334.55, Milbank Winwater Works..\$238.16, Helms..\$5916.62, K-Mart..\$20.97, Sam's Sound..\$395.00, CCI Camera City..\$1337.00, Wells Fargo Bank..\$409.98, West Pub..\$1764.38, Lexis Pub..\$14.38, Grote Roofing..\$77.50, Ameripride..\$41.10, B&B Contracting..\$20,213.00, Best Business..\$84.59, Warner Co-Op..\$16.00, Texaco..\$202.81, Metz..\$114.20, D&d Paint..\$50.84, Dacotah Prairie Museum..\$19.76, RDO..\$188.04, Butler Machinery..\$2297.93, RL Polk..\$1434.50, Cole Paper..\$867.93, Taylor Laundry..\$105.50, Cunningham Elec..\$813.41, Equifax City Directory..\$100.00, Century Business Prod..\$51.73, SD Federal Property..\$12,300.00, Contact East Inc..\$268.79, UBC..\$49.10, Bridgestone Firestone..\$11.71, Dakota Oil..\$256.30, Hecla Implement..\$32.16, Safety Kleen..\$147.62, SDACHS..\$340.00, SD Wheat Growers..\$2620.14, Taylor Laundry..\$45.56, Drake Equip..\$4500.00, Photo X Press..\$2.97, Bob Barker..\$413.86, Kessler..\$16.41, Matthew Bender..\$64.90, Office Equip..\$263.39, Brown County Treas..\$1563.86, CMS Holdings..\$1384.01, Haug Plumbing..\$285.58, West Group..\$2641.50, State Property Mgmt..\$28.26, Safety Service..\$869.61:

Jury: Sheryl Arlt..10.58, Dennis Arment..10.58, Bev Belden..10.58, Anthony Bergstrom..10.58, Phyllis Biegler..21.16, Russell Brandt..10.58, Mary Campbell..14.06, Robert Carlson..10.58, Valerie Christians..10.58, Mary Ann Compton..10.58, Norman Deyo..50.58, Michael Dix..11.74, Burton Elliott..12.90, Ricky Endres..10.58, Claudia Fast..21.16, Marian Finwall.. 51.74, Carmen Fischer..50.58, Delwin Griffin..50.58, Michelle Gunderson..10.58, Jon Hansen..21.16, Loretta Hart..10.58, Diane Hassebroek..10.58, Gregory Heier..10.58, Sylvia Heinrich..10.58, Kelly Huffman..0.58, George Imbery...58, Delphine Janusz..10.58, Kenneth Kabrud..50.58, Merle Klein..10.58, Frances Lacher..12.32, Tim Larson..10.58, Lenora Leibel..10.58, Dale Lundquist..13.48, Wayne Mardian..10.58, Patti Merkel..50.58, Jerry Mills..21.16, Louis O'Donnell..10.58, Brandi Rasmussen..10.58, Fred Retzlaff..12.32, Lenora Roseland..10.58, Robert Rott..10.58, Ann Salzer..10.58, Thomas Scheid..50.58, Jaclyn Schley..25.08, Rosalie Schultz..50.58, Laura Schuster..21.60, Steven Schwan..21.60, Angela Sombke..62.18, Susan Stewart..14.06, Sharon Tebben..12.32, Leslie Thiery..10.58, Pete Thrash..12.32, Cheryl Walth..50.58, Walter Weisser..50.58, Frank Zerr..10.58, Lorraine Padley..\$10.58, William Chris Schanzenbach, Gerald Stuchl..\$10.58:

Publishing: American News..\$501.33, Frederick/Hecla Northstar..\$241.60, Dakota Press..\$496.84:

Travel & Mileage: Leo Leshar..\$360.47, Melissa Koester..\$156.89, Lorah Houser Jankord..\$28.42, Gene Loeschke..\$191.98, Russ Podoll..\$26.00, Charlene Millim..\$14.50, Gary Erickson..26.14, Kristi Erickson..\$12.61, Jerry Mills..\$10.50, Peggy Kalt..\$15.08, Barb Zinter..\$8.12, Janet Elsen..\$46.40, Jay Gunther..\$78.88, Monte Mason..\$23.20, Todd Odenbach..\$20.00, Nancy Kiesz..\$44.64, Jerry Streckfuss..\$196.56, Audrey Jacobson..\$194.40, Clarence Erickson..\$108.00, Erling Podoll..\$80.00, Harley Gage..\$152.64, Ethel Miller..\$52.20, Phyllis Voeller..\$19.50, Barb Jansen..\$10.15, Tom Fischbach..\$197.20, Deb Knecht..\$121.80, Dennis Feickert..\$20.30:

Transcriptions: Cheryl Hook..\$608.40:

Professional Fees: Kim Dorsett..\$1500.00, Witness fees..\$90.00, stipends..\$13,494.60, Cheryl Hairgrove..\$546.00, Kevin Spitzer..\$348.00, Denise Jung..\$2016.66, Shirley Schwab..\$495.00, Inphynet Primary Care..\$16.64, Brown County State's Attorney..\$1,900.00:

Court Appointed Attorney: Brad Borge..\$4500.00, Tonner Tobin & King..\$4500.00, Bantz, Gosch, Cremer..\$104.73:

Utilities: Midcontinent Cable..\$223.04, Bureau of Admin..\$69.48, Cellular One..\$849.14, Northern Electric..\$789.28, NWPS..\$13,2136.74, Northwestern Communications..\$570.00, Verizon..\$1.20, A-1 Sanitation..\$550.00, Qwest..\$3477.53, WEB..\$51.39, Montana Dakota..\$53.44:

Care of Poor: Dr/Hospital – 12 recipients.. EMSA Primary Care..\$636.29, Aberdeen Surgical Asst..\$1610.40, Anesthesia Care..\$1312.60, Inphynet Prim Care..\$343.74, Dr Bryce Iwerks..\$317.50, Avera St Lukes..\$8583.33, Anesthesia Care..\$729.00, Orthopedic Surgery..\$3009.92; Rent – 7 recipients..Mike Harmon..\$170.00, Dakota Square..\$210.00, Park Village..\$270.00, Catherine Allred..\$197.50, Dakota Properties..\$150.00, Johanna Goebel..\$226.25, Tom Suedmeier..\$170.00; Drugs – 3 recipients..Kesslers Pharmacy..\$343.77; Transportation – 1 recipient..Brown County Highway..\$6.36; Utilities – 1 recipient.. NWPS..\$80.00. All members present voting aye. Motion carried.

#### EMERGENCY PURCHASE:

Moved by Feickert, seconded by Fischbach to approve an emergency purchase, as per SDCL 5-18-3.1 of a truck to replace truck #38 involved in an accident on November 30, 2000 from Crawford Trucks in amount of \$17,500.00 (1993 Int'l); rejecting quote from Boyer Trucks in amount of \$19,900.00 (1985 Ford). All members present voting aye. Motion carried.

#### RELIEF LIEN:

Commissioner Hansen offered the following Resolution:

#### RESOLUTION NO. 123-2000

WHEREAS, Brown County has filed a Poor Relief Lien in total amount of \$21,618.07 dated November 7, 2000 through December 7, 2000, 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 liens, upon payment of \$4,310.63 and on condition balance of liens will stay filed against individual.

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

Lots 7 and 8 Block 40 West Aberdeen Addition to Aberdeen, according to the plat of record, Brown County, South Dakota

is hereby released from the effect and force of said liens, upon payment of \$4,310.63 and on condition that balance of liens will stay filed against the individual.

Dated this 28th day of December, 2000.

Seconded by Commissioner Fischbach. Roll call vote: Commissioners Hansen-aye, Feickert-aye, Fischbach-aye, Wiese-absent, Knecht-aye. Resolution adopted.

PLATS:

Commissioner Hansen offered the following Resolution:

RESOLUTION NO. 124-2000

BE IT RESOLVED by the County Commission of Brown County, South Dakota, that the plat showing "Lynn Outlot A in SW ¼ Sec 4-T124N-R64W of 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 Fischbach. Roll call vote: Commissioners Hansen-aye, Feickert-aye, Fischbach-aye, Wiese-absent, Knecht-aye. Resolution adopted.

Commissioner Feickert offered the following Resolution:

RESOLUTION NO. 125-2000

BE IT RESOLVED by the County Commission of Brown County, South Dakota, that the plat showing "First Greenwood Lane Subdivision in Prairiewood Village, 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 Fischbach. Roll call vote: Commissioners Hansen-aye, Feickert-aye, Fischbach-aye, Wiese-absent, Knecht-aye. Resolution adopted.

Commissioner Fischbach offered the following Resolution:

RESOLUTION NO. 126-2000

BE IT RESOLVED by the County Commission of Brown County, South Dakota, that the plat showing "S & J Outlot in the NE ¼ of Sec 23-T123N-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 of 1967, Chapter 11-3, and any amendments thereof.

Seconded by Commissioner Hansen. Roll call vote: Commissioners Hansen-aye, Feickert-aye, Fischbach-aye, Wiese-absent, Knecht-aye. Resolution adopted.

#### INCREASE SPENDING AUTHORITY/ESTIMATED REVENUE:

Moved by Hansen, seconded by Feickert to increase spending authority in Fund #101-611-426.07 and increase estimated revenue in Fund #101-331.96 for State Reimbursement for Extension Postage and Supplies in amount of \$4,371.48. All members present voting aye. Motion carried.

Moved by Feickert, seconded by Fischbach to increase spending authority in Fund #234-151.03-429 and increase estimated revenue in Fund #234-331.98 for OJJDP Grant Funds in amount of \$22,529.24 for the Intensive Family Crisis Intervention Program. All members present voting aye. Motion carried.

Moved by Hansen, seconded by Fischbach to increase spending authority in Fund #234-512.01-422 and increase estimated revenue in Fund #234-331.30 for MAP III Museum Grant Funds in amount of \$1,620.00. All members present voting aye. Motion carried.

#### AGREEMENT:

Moved by Fischbach, seconded by Hansen to approve and authorize the Chairman sign agreement with Clark Title Company for electronic access to the Treasurer's tax records. All members present voting aye. Motion carried.

#### ABERDEEN-BROWN COUNTY REGIONAL RAILROAD AUTHORITY AMENDMENT:

Commissioner Hansen offered the following Resolution:

#### RESOLUTION NO. 127-2000

WHEREAS, the Brown County Commission joined the Aberdeen-Brown County Regional Railroad Authority on July 9, 1991 (Resolution No. 28-91), and

WHEREAS, it has been deemed in the best interest of Brown County to execute an amendment to the original agreement establishing the Aberdeen-Brown County Regional Railroad Authority.

NOW, THEREFORE BE IT RESOLVED, that the Chairman is hereby authorized and directed to execute the amendment to the original agreement establishing the Aberdeen-Brown County Regional Railroad Authority (ABRRA).

Seconded by Commissioner Fischbach. Roll call vote: Commissioners Hansen-aye, Feickert-aye, Fischbach-aye, Wiese-absent, Knecht-aye. Resolution adopted.

#### MUSEUM BOARD APPOINTMENTS:

Moved by Hansen, seconded by Fischbach to appoint Pat Hilpert, Tracy Russman, Troy McQuillen and Nan Reiersen to a first three year term on the Dacotah Prairie Museum Board of Directors beginning January of 2001 and appoint Bill Hild for a second three year term beginning January of 2001. All members present voting aye. Motion carried.



**PUBLIC HEARING DATE SET:**

Moved by Hansen, seconded by Fischbach to authorize advertising public hearing for consideration of the following petitions to rezone by the Brown County Commission in regular session in the Commissioner's Chambers, Courthouse Annex at 9:45 A.M., January 16, 2001. Petition filed by Brown County to rezone the NE ¼ of Sec 14-T123N-R65W of the 5<sup>th</sup> P.M., Brown County, SD from Chapter 4.06 (Ag-P) Agricultural Preservation District to Chapter 4.34 (M) Municipal, State and County Use District (Ordinance No. 016). Petition filed by Brown County to rezone the NW ¼ of Sec 14-T123N-R65W of the 5<sup>th</sup> P.M., Brown County, SD from Chapter 4.06 (Ag-P) Agricultural Preservation District to Chapter 4.34 (M) Municipal, State and County Use District (Ordinance No. 017). Petition filed by Brown County to rezone Brown County Lot A of Outlot E, Dinsmore's First Addition to Claremont, Brown County, SD from Chapter 4.11 (RU) Rural Urban District to Chapter 4.34 (M) Municipal, State and County Use District (Ordinance No. 018). Petition filed by Brown County and Aberdeen City to rezone the SW ¼ of Sec 24-T124N-R65W of the 5<sup>th</sup> P.M., Brown County SD from Chapter 4.17 (CN) Conservation District to Chapter 4.34 (M) Municipal, State and County Use District (Ordinance No. 019). All members present voting aye. Motion carried.

**PUBLIC HEARING DATE SET:**

Moved by Fischbach, seconded by Feickert to authorize advertising public hearing for consideration by the Aberdeen City Commission and the Brown County Commission in joint session at City Hall (123 S Lincoln) at 6:30 P.M., January 22, 2001 of a petition to rezone filed by Kenneth and Joyce Hoffman to rezone the N. 5 acres of the S. 20 acres of the W ½ of the SW ¼ except Lot 2-B thereof in Sec 21-T123N-R63W of the 5<sup>th</sup> P.M., Brown County, South Dakota from Section 701 (A-1) Agricultural District to Section 714 (M-Ag) Mini-Agricultural District (Ordinance No. 01-01-01/220). All members present voting aye. Motion carried.

**SURPLUS PROPERTY:**

Moved by Hansen, seconded by Fischbach to declare Decal #2649 Canon Copier (Auditor) and Decal #2109 Esper Cash Register (Treasurer) surplus for purpose of trade in; transfer Decal #2534 Burroughs Signature Protector (Auditor), Decal #3108 Fax Machine (Extension) and Decal #2619 Canon Copier (Veterans) to Central Storage; declare surplus and delete Decal #93 Canon Typewriter (Assessor) from inventory list as was previously sold; delete used Hazmat Suits (Decals #321,322 and 340 – 346) from inventory of Emergency Management. All members present voting aye. Motion carried.

**HEARING NOTICE-DELETE ROAD #15A FROM SYSTEM:**

Moved by Fischbach, seconded by Hansen to authorize advertising public hearing to be held in the Commissioner's Chambers, Courthouse Annex in regular session at 10:00 A.M., January 16, 2001 for purpose of deleting County Road #15A, located within the Brown County Fairgrounds (SW ¼ of Sec 1-T123N-R64W of the 5<sup>th</sup> P.M., Brown County, SD) from the Brown County Highway System. All members present voting aye. Motion carried.

**HIGHWAY DEPARTMENT:**

Commissioner Hansen offered the following Resolution:

**RESOLUTION NO. 128-2000**

WHEREAS, a Resolution was adopted by the Brown County Commission on January 11, 1980 designating the Brown County Highway Department as the Brown County Public Works Department to include the existing Highway Department, Shredder and Landfill operations, and

WHEREAS, said Resolution also changed the title of Highway Superintendent to Superintendent of Public Works, and

WHEREAS, the Shredder operation has ceased to exist and the Landfill operation has been designated as an Enterprise Fund, and

WHEREAS, it is in the best interest of Brown County to maintain separate identities and management for the Highway Department and the Sanitary Landfill.

NOW THEREFORE, BE IT RESOLVED that the Brown County Public Works Department here in after be known as the Brown County Highway Department and that the Brown County Sanitary Landfill be classified as a separate unit within the Fund structure of Brown County, and

BE IT FURTHER RESOLVED that the present position of Superintendent of Public Works here in after be known as the Highway Superintendent and the position of Landfill Manager continue under current practice.

Seconded by Commissioner Fischbach. Roll call vote: Commissioners Hansen-aye, Feickert-aye, Fischbach-aye, Wiese-absent, Knecht-aye. Resolution adopted.

Commissioner Fischbach offered the following Resolution:

#### RESOLUTION NO. 129-2000

WHEREAS, a Resolution was adopted by the Brown County Commission of February 24, 1982 assigning responsibility of the maintenance of the roads, parking lots, drainage and grounds at the Fairgrounds to the Superintendent of Public Works, and

WHEREAS, with the establishment of the new Highway Fund #201 and billing of county departments for work done by the Highway Department, these duties do not fit, and

WHEREAS, a public hearing has been set to delete County Road 15A (approximately 2 miles of road within the Fairgrounds) from the County System.

NOW, THEREFORE BE IT RESOLVED that the maintenance of the roads, parking lots, drainage and grounds at the Fairgrounds be the responsibility of the Fairgrounds Superintendent.

Seconded by Commissioner Hansen. Roll call vote: Commissioners Hansen-aye, Feickert-aye, Fischbach-aye, Wiese-absent, Knecht-aye. Resolution adopted.

#### JAIL COMMISSARY POLICY:

Moved by Hansen, seconded by Fischbach to approve and adopt the following Brown County Jail Commissary Policy submitted by Mark Milbrandt, Brown County Sheriff:

Inmate commissary is available to inmates daily (unless denied as a part of a disciplinary action) to purchase approved items that are not furnished by the facility. Funds from the commissary are controlled using standard accounting procedures and are audited independently.

1. Commissary is available to inmates daily. The 1600-2400 hour shift is to place a commissary list in each cellblock during their shift. The commissary list is to be picked up before the end of the same shift. The commissary slips are to be given to the 0000-0800 hour shift to fill.
2. A list of the items available through commissary and their current prices are to be on each commissary sheet and posted in each cell block. Inmates who wish to purchase items from the commissary need to complete and sign the commissary slip and return it to the jail staff.

The commissary clerk will:

1. Check the inmates account and obtain an account balance.
2. Deduct the necessary funds from the inmate's account to cover the cost of the inmate's purchase.
3. Enter the amount of the purchase on the inmate's daily money account sheet.
4. Fill out a receipt with the name of the inmate and the amount of the purchase on it.
5. Fill out the commissary receipt envelope, place money in the commissary envelope and place the commissary envelope with the money in the bond box in the jail office.
6. Upon delivery of the commissary to an inmate, the inmate is to sign the inmate daily money sheet.
7. The responsible officer is to maintain an adequate inventory of the commissary supplies to meet the needs of the facility
8. The staff members are prohibited from purchasing items from the inmate commissary.

All members present voting aye. Motion carried.

#### BUDGET SUPPLEMENT:

Time and place, as advertised for public hearing to consider a budget supplement for year 2000, to enable Brown County to provide adequate spending authority for funds received from Aberdeen City for the Dacotah Prairie Museum. Moved by Hansen, seconded by Feickert to approve the following Budget Supplement for year 2000 in Fund #101-512 Dacotah Prairie Museum, to enable Brown County to complete program planning in total amount of \$5,000.00, funding same from Aberdeen City contribution in amount of \$5,000.00. All members present voting aye. Motion carried.

#### TRANSFER/RENEWAL OF ALCOHOLIC BEVERAGE LICENSE HEARING:

Time and place, as advertised to consider application for transfer of Retail On-Sale Liquor and Package Off-Sale Liquor Licenses and Renewal of said Licenses for year 2001.

Moved by Feickert, seconded by Hansen to approve transfer of Retail On-Sale Liquor License from Nancy Upton, DBA Mansfield Bar & Grill to Trudi Bain, DBA Mansfield Bar & Grill; transfer of Package (Off-Sale) Liquor License from Nancy Upton, DBA Mansfield Bar & Grill to Trudi Bain, DBA Mansfield Bar & Grill; approve 2001 Package Off-Sale Liquor License and Retail On-Sale and Sunday Liquor License in name of Trudi Bain, DBA Mansfield Bar & Grill. Roll call vote: Commissioners Hansen-aye, Feickert-aye, Fischbach-nay, Wiese-absent, Knecht-aye. Motion carried.

#### BUDGET SUPPLEMENT:

Time and place, as advertised for public hearing to consider a budget supplement for year 2000, to provide adequate spending authority within the Brown County Highway Department to complete County Road #13 Project. Moved by Feickert, seconded by Fischbach to approve the following Budget Supplement for year 2000 in Fund #201-311 Brown County Highway Department, to enable Brown County to complete the County Road #13 Project in total amount of \$489,112.71, funding same from HBR Restricted Cash in amount of \$345,853.99 and General Fund Unobligated Surplus Cash in amount of \$143,258.72. All members present voting aye. Motion carried.

**DRAINAGE DISCUSSED:**

Jesse Luce and Mick Waller discussed request from the Hecla area for a drainage permit. Mr. Waller will assist with the application process for a Drainage Permit.

**2001 ASSESSMENT PLAN:**

Mary Worlie, Director of Equalization presented the 2001 Assessment Plan. Moved by Hansen, seconded by Feickert to receive and approve the 2001 Assessment Plan. All members present voting aye. Motion carried.

**PAYROLL AUDIT:**

Jeanette Nietert, Deputy County Auditor answered questions in regard to the recent payroll audit of time records conducted in the Auditor's Office. The Commission will address all issues at a future department meeting.

**CONTINGENCY TRANSFERS:**

Moved by Hansen, seconded by Feickert to approve the following Contingency Transfers from Fund #101-112-422.99 in total amount of \$145,093.98 to General Fund Accounts as follows: Commission @ \$65,259.33, Elections @ \$3,649.56, Auditor @ \$3,717.79, Treasurer @ \$2,485.83, States Attorney @ \$3,761.81, A&N @ \$1,195.28, Register of Deeds @ \$14,626.76, Veterans @ \$291.31, Sheriff @ \$22,643.11, Coroner @ \$1,582.89, JDC @ \$11,035.31, Nurse @ \$859.28, Mental Illness Board @ \$854.33, Weed @ \$13,131.39; and further approve Contingency Transfer from Fund #101-112-422.99 to Highway Department Fund #201 in amount of \$92,367.68. All members present voting aye. Motion carried.

**TRANSFER:**

Moved by Feickert, seconded by Hansen to transfer cash from the General Fund (#101-101) to Courthouse and Jail Improvement Fund (#233-101) for purpose of maintenance projects in amount of \$100,000.00. All members present voting aye. Motion carried.

**WORK STUDY HOURS:**

Moved by Fischbach, seconded by Hansen to approve 160.5 hours of work study hours completed by Rachel L Kercher for 4<sup>th</sup> quarter work comp purposes. All members present voting aye. Motion carried.

**ADJOURNMENT:**

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

Maxine Taylor – Brown County Auditor