

JANUARY 3, 2005- JOINT CITY/COUNTY MEETING

The Brown County Commission and the Aberdeen City Commission met in joint session at 5:30 P.M. in the Aberdeen City Commission Chambers, 123 S Lincoln Street, Aberdeen, South Dakota. Present from County were Commissioners Fischbach, Hansen and Wiese. Absent Commissioners Knecht and Feickert. Present from City were Commissioners Klabo, McQuillen, Omland and Mayor Levsen. Absent Commissioner Forkel.

ORDINANCE NO. 04-11-03/302:

On motion by McQuillen and seconded by Omland, the City unanimously voted to approve Second Reading and Adopt Ordinance No. 04-11-03/302.

Moved by Fischbach, seconded by Hansen to approve Second Reading and Adopt Ordinance No. 04-11-03/302, An Ordinance amending Ordinance No. 1164 to rezone the following described property from its present zoning designation of Section 701 (A-1) Agricultural District to Section 704 (R-2) Medium Density Residential District: Kempf Addition in the SW ¼ of Sec 28-T123N-R63W of the 5th P.M., Brown County, SD. Roll call vote: Commissioners Hansen-aye, Fischbach-aye, Knecht-absent, Wiese-aye, Feickert-absent. Ordinance adopted.

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

Maxine Taylor – Brown County Auditor

JANUARY 4, 2005 -REORGANIZATION MEETING

This being the reorganization meeting of the Brown County Commission for year 2005, 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 James Clarke, First Presbyterian Church lead the Pledge of Allegiance and opened with Prayer. Oaths of Office were taken by Sheila Enderson, Deb Knecht and Dennis Feickert.

Maxine Taylor, Brown County Auditor, called for nominations for Brown County Commission Chairman for year 2005, pursuant to SDCL 7-8-15.

Commissioner Knecht nominated Dennis Feickert for Chairman. Moved by Hansen, seconded by Wiese that nominations cease and a unanimous ballot be cast for Dennis Feickert, 2005 Chairman. All members present voting aye. Motion carried.

Commissioner Fischbach nominated Deb Knecht for Vice Chairman. Moved by Hansen, seconded by Fischbach that nominations cease and a unanimous ballot be cast for Deb Knecht, 2005 Vice Chairman. All members present voting aye. Motion carried.

MINUTES:

Moved by Hansen, seconded by Wiese to approve the Joint City/County Meeting minutes and the General Meeting minutes of December 28, 2004. All members present voting aye. Motion carried.

CLAIMS:

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

Professional Fees: Gary Bowker..\$135.00, South Dakota Municipal League..\$85,079.00, South Dakota Public Assurance Alliance..\$140,163.73. All members present voting aye. Motion carried.

PERSONNEL:

Moved by Knecht, seconded by Hansen to approve employee status change for Jan Beckler from Deputy Auditor to Chief Deputy Auditor, effective January 4, 2005 at \$16.81 per hour. All members present voting aye. Motion carried.

Moved by Wiese, seconded by Hansen to approve employee status change for Daryl Lloyd from Highway Labor Grade 4 Step 10 plus longevity to Highway Labor Grade 5 plus longevity, effective January 4, 2005 at \$13.46 per hour. All members present voting aye. Motion carried.

Moved by Wiese, seconded by Knecht to re-appoint Dirk Rogers as Highway Superintendent for an additional two-year term, as per SDCL 33-11-1. All members present voting aye. Motion carried.

COPS 2004 TECHNOLOGY GRANT:

Moved by Fischbach, seconded by Wiese to acknowledge Grant Adjustment Notice approving a no cost extension of the COPS 2004 Technology Grant #2004CKWX0150 in amount of \$247,369.00, from January 23, 2004 – January 22, 2005 to January 23, 2004 – January 22, 2006. All members present voting aye. Motion carried.

CONTRACT:

Moved by Fischbach, seconded by Hansen to approve and authorize the Chairman sign contract with the SD Department of Health to provide community health services at the Brown County Community Health Center, effective January 1, 2005 through December 31, 2005. All members present voting aye. Motion carried.

PARTIAL PAYMENTS:

Moved by Hansen, seconded by Knecht to authorize Sheila Enderson, County Treasurer to accept partial payments for taxes (as authorized by SDCL 10-21-7) in amount of \$165.00 per month Lot 8 Blk 16 Hagerty & Lloyds Addition to Aberdeen, effective February 28, 2005. All members present voting aye. Motion carried.

Moved by Hansen, seconded by Knecht to authorize Sheila Enderson, County Treasurer to accept partial payments for taxes (as authorized by SDCL 10-21-7) in amount of \$45.00 per month Lot 10 Blk 5 Prarieewood Village NE 33-124-63, effective February 4, 2005. All members present voting aye. Motion carried.

BRIDGE DELETION:

Commissioner Wiese offered the following Resolution:

**RESOLUTION NO. 1-05
RESOLUTION TO DELETE BRIDGE FROM NBIS**

The Brown County Board of Commissioners is in agreement with SDDOT that the following structure should be deleted from the National Bridge Inventory System (NBIS) for the following reason:

STRUCTURE ID, LOCATION AND REASON FOR DELETION:

07-330-343 (Bridge #144) 3.0 miles East and 1.3 miles South of Groton, SD. Structure replaced with pipes that no longer meet NBIS criteria.

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 structures will only be added to the Inventory following replacement, using County funds.

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

RIGHT-OF-WAY AGREEMENT:

Moved by Wiese, seconded by Knecht to approve and authorize the Chairman sign Agreement between Avera St Lukes Regional Hospital, grantor to Brown County, grantee for Highway right over and across the following property for the Reconstruction of 24th Avenue adjacent to US 281 Project: Lot H3 in the 500' next West of the East 700' of the North 658' of the NW ¼ of Sec 11-T123N-R64W of the 5th P.M., except Lot H1 thereof, Brown County, SD, containing 1.14 acres (49654 sq. ft), more or less. All members present voting aye. Motion carried.

DESIGNATION OF DEPUTIES:

Commissioner Fischbach offered the following Resolution:

RESOLUTION NO. 2-05

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, 2 Deputies, 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, Fischbach-aye, Knecht-aye, Wiese-aye, Feickert-aye. Resolution adopted.

OFFICIAL NEWSPAPERS:

Moved by Knecht, seconded by Wiese to designate the following as the official Brown County newspapers for year 2005 (SDCL 7-18-3): Aberdeen American News, Aberdeen, SD; Weekly Edition of the Groton Independent, Groton, SD; Dakota Press, Groton, SD. All members present voting aye. Motion carried.

DEPOSITORIES:

Moved by Wiese, seconded by Knecht to designate the following as official depositories for Brown County public funds for year 2005 (SDCL 7-2-13), with funds deposited in the name of Sheila Enderson, Brown County Treasurer: Dacotah Bank; US Bank of Aberdeen; Wells Fargo of Aberdeen; Wells Fargo 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; Plains Commerce Bank of Aberdeen; Home Federal Savings & Loan of Aberdeen; Great Western Bank of Aberdeen; FIT of Sioux Falls; First State Bank of Warner, Lakewood Mall Branch of Aberdeen; Dacotah Bank, East Branch of Aberdeen. All members present voting aye. Motion carried.

INVESTMENT POLICY:

Commissioner Knecht offered the following Resolution:

RESOLUTION NO. 3-05

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

EXPENSE POLICY:

Moved by Knecht, seconded by Hansen to set the following expense rates for Brown County employees for year 2005: Meal reimbursement made only for out of County travel

	In-State	Out-of-State
Breakfast	\$ 5.00	\$ 8.00

Lunch	\$ 9.00	\$11.00
Dinner	<u>\$12.00</u>	<u>\$17.00</u>
	\$26.00	\$36.00

Qualifying time for meal allowances:

Breakfast - leave before 5:31 a.m. - return after 7.59 a.m.

Lunch - leave before 11:30 a.m. - return after 12.59 p.m.

Dinner - leave before 5:31 p.m. - return after 7.59 p.m.

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

Mileage Rate: Reimbursement for use of personal vehicle for County business, as follows:

- 32 cents per mile
- Miles to be determined by the assistance of Map Quest or similar web site
- Odometer readings required for all destinations not available on web site
- Odometer reading only required once to establish routine destination routes, i.e per diem for board members

All members present voting aye. Motion carried.

EXPENSE POLICY - ELECTION OFFICIALS:

Moved by Hansen, seconded by Wiese to set fee of \$100.00 for precinct officials working on Election Day, \$10.00 for precinct officials attending the Election School, \$5.00 for use of personal cell phone on election day (maximum \$5.00 per precinct), and to set minimum mileage at five miles when claimed by precinct official. All members present voting aye. Motion carried.

TAX DEED NOTICES:

Commissioner Knecht offered the following Resolution:

RESOLUTION NO. 4-05

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 Mark McNeary and States Attorney Office personnel to act as agents to process said tax deeds and notices.

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

COMMISSION APPOINTMENTS:

Moved by Hansen, seconded by Wiese to approve the following Commission Committee appointments for 2005: Tom Fischbach - Risk Management Committee, LEPC, County Buildings, Range Fire Suppression, Legislative Contact, Rationing Board, Union Negotiations, Aberdeen/Brown County Regional Railroad Authority Commission; Deb Knecht - Fair Board, SD Public Assurance Alliance, Aberdeen Hockey, CART, Weed & Seed, NECOG; Nancy Hansen - Union Negotiations, Disaster Board, FGP Advisory Board, NE Mental Health Board, Communications Center Council, City Net, SDACC Treasurer, Aberdeen/Brown County Regional Railroad Authority Commission; Mike Wiese - Planning & Zoning Board, Liaison to Welfare, NECOG, Museum Board, Airport Board, SD Public Assurance Alliance, Aberdeen Development Corporation, BID, Boys & Girls Club, Aberdeen Hockey, Glacial Lakes; Dennis Feickert - Communications Center Council, Weed Board, SDACC Catastrophic Legal

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Board, Fair Board, Extension Board, Disaster Board, Resource Management Advisory Board, Ride Line. All members present voting aye. Motion carried.

BOARD APPOINTMENTS:

Moved by Wiese, seconded by Knecht to appoint the following to second term on the Dacotah Prairie Museum Board, effective January 1, 2005 through December 31, 2007: Henry Lussem, Mike Sandsmark and Evelyn Blum. All members present voting aye. Motion carried.

Moved by Wiese, seconded by Knecht to name Dennis Feickert (Commission Chairman), Nancy Hansen (County Commissioner), Mike Levsen (Aberdeen Mayor), Bill McQuillen (City Safety Commissioner) Freddie Robinson (EM Director) and Roland Moerke (member at large) as the Brown County Disaster Board. All members present voting aye. Motion carried.

Moved by Hansen, seconded by Wiese to appoint the following to the Brown County Dive Team, effective January 1, 2005: Rick Adema, Trent Anderson, Mart Farley, Steve Hairgrove, Mike Miller, Tom Tarnowski, Kevin Vaughn, Dave Volek, Brad Waage and Kent Warrey. All members present voting aye. Motion carried.

Moved by Hansen, seconded by Wiese to appoint Jason Warrington to second term on the Brown County Extension Board, effective January 1, 2005 through December 31, 2007. All members present voting aye. Motion carried.

Moved by Wiese, seconded by Fischbach to appoint Barb Crawford, Arnold Dinger, Curt Erickson, Joey Kaven and Brian Sharp to second term on the Brown County Fair Board, effective January 1, 2005 through December 31, 2007. All members present voting aye. Motion carried.

Moved by Hansen, seconded by Knecht to appoint the following to the Local Emergency Planning Committee (LEPC): Harlan Radke, Tonya Peterson, Steve Marquardt, Don Lanphere, Jesse Luce; and further remove the following from LEPC: Mike Nehls, Virginia Newquist, Rod Olerud and Ron VanMeter. All members present voting aye. Motion carried.

Moved by Hansen, seconded by Knecht to appoint Roland Moerke, Freddie Robinson and Gordon Vanauken to second term on the Brown County Citizens Corps Council, effective January 1, 2005 through December 31, 2007. All members present voting aye. Motion carried.

FAIRGROUNDS/YOUTH CAMP RENTAL RATES:

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

FAIRGROUNDS RENTAL RATE - EFFECTIVE JANUARY 1, 2005

Storage Space Rental: October 15 to April 15 - PREPAID LEASE -NO REFUNDS - 4% SALES TAX Campers under 25' (\$120.00 + \$4.80 Tax) Campers 25' and over (\$130.00 + \$5.20 Tax) Pop-up Campers (\$80.00 plus \$3.20 tax) Vehicles, Boats up to 16' (\$80.00 plus \$3.20 tax) Boats over 16' (\$90.00 plus \$3.60 tax) Pontoons, Deck Boats, Cabin Cruisers (\$120.00 plus \$4.80 tax)

Barn Rental: Any person affiliated with NAHR that requests to occupy any building prior to the 12 days preceding the date of such racing will enter into a separate lease with the County. The lessee will be responsible to pay \$100 per barn per month and utilities used until the NAHR lease goes into effect. Lessee will also be responsible for all manure removal. Campground fee of \$12.00 per day is separate.

Club House : 120' X 80' Per day \$250.00 - Per day for days over two \$125.00 - Clean-up additional \$50.00. 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 \$200.00 - Per day for days over two.....\$100.00 If fairgrounds personnel needs to clean up after the activity..... Clean-up/horse shows \$300.00 - Clean-up/other activities.....\$150.00

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Holum Expo Building: 120' x 240' - Per day \$400.00 plus utilities - Per day for days over two...\$200.00 plus utilities. If fairgrounds personnel needs to clean-up after the activity.....Clean-up/horse shows \$300.00 - Clean-up/other Activities....\$150.00

Horse Stalls: Set up fee - per stall. \$7.00

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

Horse Arena: 174' x 240'...\$75.00 per show. Smaller groups will be charged on an individual basis.

Portable Stage: Not to go out of County-except for Governmental Agencies -Per day \$80.00 - Per day for days over one \$40.00

People Movers - \$10.00 per day (lessee is liable for any damage

Bleachers - Large Green - \$50.00 per day, Small Orange - \$25.00 per day Small Orange - \$75.00 per day if leaves Fairgrounds

Campgrounds: \$12.00 per day for pads with power and water. \$15.00 per day for pads with power, water and sewer drops. This includes a 5% State Sales Tax.

232 pads with water and power and 36 with power, water, and sewer. All south campgrounds have both 50 amp and 30 amp plug-ins

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

RICHMOND YOUTH CAMP RENTAL RATES- EFFECTIVE JANUARY 1ST, 2005

Booking fee in the amount of \$100.00 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 (Ages 17 and under.)

Adult Groups: \$7.00 per person per day. (Ages 18 and older)

Deposit: A \$100.00 deposit is required to guarantee all dates. This deposit will only be refunded if the camp is left in a clean and orderly manner and there is no damage done to the camp. If the cleaning costs and damage costs exceed the amount of the deposit, any additional repairs or cleaning costs will be billed. Signed lease, deposit and proof of insurance shall be sent to the Brown County Auditor at 25 Market Street, Aberdeen, SD 57401.

Cleanup: \$50.00 for the Lodge and \$100.00 for the dorms.

All members present voting aye. Motion carried.

2005 SALARY SCHEDULE:

Moved by Wiese, seconded by Knecht to approve the following salaries, effective January 1, 2005:

Annually States Attorney Mark McNeary 54,666; Sheriff Mark Milbrandt 53,847; Auditor Maxine Taylor, Treasurer Sheila Enderson, Register of Deeds Carol Sherman 42,381; Commissioners Tom Fischbach, Dennis Feickert, Nancy Hansen, Mike Wiese, Deb Knecht 13,955 (plus county paid portion of optional insurance coverage); Deputy States Attorney's Lori Ehler, Rachel Wilkins 38,000; Chief Deputy Sheriff Tom Schmitt 48,462; Building Superintendent Mick Palmer 31,632; Museum Director Sue Gates 34,005; Veterans Service Officer Tom Gohn 34,598; EM Director Freddie Robinson 32,718; Fairgrounds Superintendent Kurt Smith 32,473; Welfare Director Charlene Millim 39,939; Highway Superintendent Dirk Rogers 47,020; Director of Equalization Mary Worlie 42,312; Communications Director Drew Bickford 41,400; Landfill Manager Mike Scott 44,534; Computer Programmer/Analyst Bill Meink 43,108; Fair Board Manager Larry Gerlach 23,571; Weed and Seed Coordinator Tabitha Moore \$27,750; Sheriff/JDC Nurse Christine Heidenreich 35,360; Juvenile Detention Supervisor Amy Lake 36,225; Highway Project Coordinator Richard Burns 41,125; Highway Shop Foreman Mark Wendt 33,379; Deputy Director of Equalization Leo Leshner 35,191. **Per Hour** Weed Supervisor Roger Johnson 12.81. Senior Fieldman Gene Loeschke 15.92. Chief Office Deputies (Auditor, Treasurer, Register of Deeds) Jeanette Nietert, Carol Misfeldt, Dorene Borchard, Catherine Lindemann 16.81. Planning/Zoning & Fieldmen Kathy Fischer 11.81, Mick Waller 13.37. Chief Office Deputies (Sheriff, Welfare, States

Attorney, Maintenance, Director of Equalization) Janice Moore, Penny Hart 15.17, Mavis Kempf 15.12, Judy Dosch 15.62. States Attorney's Office Secretaries Tracy Krogman 10.12, Pam Ernst 11.14, Jane Jensen 11.83. Office Deputies, EDS Assistant Director, Museum Curators, Secretaries/Clerk Kimberly Droog, Jackie Ormand 9.97, Danielle Radke 10.18, Jodi Buhl, Polly Rush 10.40, Carol White 10.62, Lora Schaunaman, Sherry Theobald 10.78, Cindy Meyers, Michelle Haag 10.95, Sandra Green 11.44, Jolene Forsting 11.59, Patty Van Meter 11.64, Sherri Rawstern 11.79, Jan Beckler, Ginger Walker 12.14, Karla Hallstrom 12.34, Kathy Schlecht 12.39, Ione Shilman 12.29, Jan Erickson 12.24, Geri Sillman 12.74, Cindy Schwan 12.89. Clerk, Secretary & Maintenance Mickey Schulz 10.17, Monte Podoll 10.55. Sheriff Department Clerical & Cooks Margaret Unser 10.13, Diane Mielke 12.31, Joyce DesCamps 13.16, Carol Wolf 13.11, Kathy Neitzel 13.36. Dispatchers Tricia Jondahl, Nina Smith, Heather Wilkinson 10.68, Melony Flinn, Laurie Dinger, Sarah Jesz 11.22, Sandy Hjermstad 11.50, Alicia Dohn 12.05, Betty Haar, Sheila Anderson 13.45, Mary Browning 13.70. Chief Dispatcher Nancy Radke 15.05. Highway Seasonal with Commercial Drivers License Jon Koeniguer 8.49, Ted Brockel 9.49. Highway (Labor Grade 3) Don Fischer, Roger Johnson 10.69, Kyle Brandner, Nick Fullmer 10.90, Mervyn Heaton 11.12, Jason Heagley 11.50, Ben Hofer, Casey Thorstenson, Melvin Ernst 11.65, Joseph Malsom 11.98, Larry Hardy 12.36, Richard Schaible 12.71, Tom Lammon 12.61, Roger Schaible 12.86, John Weig 13.06. Highway (Labor Grade 4) Jason Stoltenberg 11.23, Dennis VanHeerde 11.94, Bryan Owens 12.12, Kendell Titze 12.27, Nyle Jenson 12.44, Daryl Lloyd 13.24, Carl Wright 13.49. Highway (Labor Grade 5) Cordell Rudolph 12.76, Janet Weismantel 13.61, David Bruckner 13.46, Marcus Selzler 13.31. Highway Mechanics Labor Grade (B) Jason Hammrich 12.60, Ronald Glugla 12.77. Field Deputy Sheriff Damian Bahr 13.49, Brian Koens 14.03, Terrence Evans 14.31, Gary Bunt 14.59, Steve Cogley 15.15, David Fair 16.32, Scott Kolb 16.52, Bryan Locke 16.62, John Heine 16.57, Craig Anderson, John McQuillen 16.67. Jail Deputy/Home Detention Supervisor/Assistant JDC Supervisor Kristal Biegler 12.51, Jennifer Mechaley 12.79. Jailers (Adult and JDC) Joni Gaulrapp, RJ Miller, Delbert Black Bear, Lance Aeschliman, Brandi Hagen, Darin Sinner, Tina Barnes, Harlan Place, Ben Smith, Judith Hauge, Tabitha Moore 10.42, David Koch, Bobbie Olauson, Marjorie Lammon, Paul Alusa 10.70. Shari Schock, Robert Suedmeier, Keith Baker 10.98. Jon Gohn, Matthew Farley, Brenda Hammrich 11.26. Russ Ochsner 11.53, Cindy Mitchell, Jeffrey Kirnan 11.82, Amy Mathiason 12.38, Roxanne Schumacher 13.21. Chief Jailers, Juvenile Detention Supervisor Craig Nelson 13.77, John VanderHoek 16.13. **Part time employees – per hour:** Doris Adler, Robert Heintzman, Bob Gardner, Jacqueline Ormand 7.07, Dean Sinclair, Sally Swanson, Daryl Thomas 7.23, Ron Leighty 7.33, Richard Schooley 7.48, James Crouch 8.10, Irene Gese 8.61, Kay Albrecht, Ann Bierman, Kelly Moinichen, Shawna Everson, Janice Kampfe, Jodi Heller, Traci Freeman, John Schalde, Sam Mouna, Teri Haussler, Jamie Kern, Joel McMaster, Amy Biscard 9.12, Kenneth Thompson, Holly Ann Schumacher, Lisa Brown, Jason Hill 9.83, Joel Weig 10.25, John Hagen \$10.35, Jeffrey Hayes, Sheri Gross 10.61, Jerry Dempsey, Robert Retzer, Leon Vickers 11.89, Melissa Koester, Lorah Houser Jankord 14.71. **Differential Pay: Adult Jailers, JDC Officers, Deputy Sheriffs, Dispatchers:** 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 \$75.00 per day for each trip. All members present voting aye. Motion carried.

CORONER:

Moved by Wiese, seconded by Fischbach to appoint Brandon Leslie as Deputy Brown County Coroner, effective January 2, 2005; and further to set salary for Coroner Kevin Spitzer and all Deputy Coroners appointed at \$100.00 per call. All members present voting aye. Motion carried.

HIGHWAY DISCUSSION:

Carl Howard discussed the intersection of State Highway 37 and 12 in Groton City. The Commission referred Carl to the State DOT.

EXECUTIVE SESSION:

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

The Chairman declared the executive session closed, with no action taken as a result of discussion.

POLICY RESOLUTION:

Commissioner Fischbach offered the following Resolution:

RESOLUTION NO. 05-05

WHEREAS, policies provide a degree of consistency within county government; and

WHEREAS, GASB 2300.106 requires policies in a number of areas be disclosed in the "notes to financial statements";

NOW, THEREFORE BE IT RESOLVED that the Brown County Commission adopt the following policies in compliance with GASB (governmental accounting standards board).

BASIS OF ACCOUNTING: The government-wide financial statements will be prepared using the economic resources measurement focus and the accrual basis of accounting, as will the proprietary fund and fiduciary fund financial statements. Governmental fund financial statements will be reported using the current financial resources measurement focus and the modified accrual basis of accounting. (GASB 1600.103)

REVENUE AVAILABILITY CRITERION: Revenues are considered to be available when they are collectible within the current period or soon enough thereafter to pay liabilities of the current period. For this purpose, Brown County considers revenues to be available if they are collected within (30) thirty days of the end of the current fiscal period.

Property taxes are levied on an annual basis. On the fund financial statements, the portion of the property tax levies that have not been collected by the end of the fiscal year and are not available will be considered deferred revenue. (GASB 1600.106)

CAPITAL ASSETS: Governmental Funds, Non-Governmental Funds and Enterprise Fund. SDCL 5-24 requires all county departments to file a property inventory with the county auditor by January 10th of each year, which shall include all items in the following categories over the stated original cost.

<u>Assets</u>	<u>Years</u>	<u>Depr Method</u>	<u>Capitalization Method</u>
Land and Land Rights	N/A	N/A	All
Buildings	50-200	Straight Line	\$25,000
Improvements Other than Buildings	15-25	Straight Line	\$25,000
Equipment and Vehicles	3-40	Straight Line	\$ 5,000
Infrastructure	5-125	Straight Line	\$25,000

Personal Property Listings – All county departments are required to file an additional list of electronic equipment, furniture, and/or equipment requiring insurance coverage with an original cost less than \$5000. (GASB 1400.102, 104)

OPERATING VS. NONOPERATING REVENUES AND EXPENSES: The Brown County Landfill Fund distinguishes operating revenues and expenses from non-operating items. Operating revenues and expenses generally result from providing services and producing goods relating to the landfill operation.

Principal operating revenues of this operation are tipping fees. Non-operating revenues include grants and interest earned. Operating expenses of the landfill operation include salaries and benefits, supplies and depreciation. The loss on disposal of capital assets is a non-operating cost. (GASB P80.118)

GASB AND/OR FASB: Private sector standards of accounting and financial reporting issued prior to December 1, 1989, generally are followed in both the government-wide and proprietary fund financial statements to the extent that those standards do not conflict with or contradict guidance of the GASB. Governments also have the option of following subsequent private sector guidance for the business-type activities and enterprise funds, subject to the same limitation. Brown County has elected not to follow subsequent private sector guidance. (GASB P80.103)

CASH AND CASH EQUIVALENTS: For the purposes of the proprietary fund statement of cash flows, cash equivalents are defined as short-term, highly liquid investments that are both:

- Readily convertible to known amounts of cash
- So near their maturity that they present insignificant risk of changes in value because of changes in interest rates

Generally, only investments with original maturities of three months or less meet this definition. (GASB 2450.105) Examples of items commonly considered to be cash and cash equivalents are checking, money market, cash change, CD's (three months or less) and internal cash management pools.

Brown County's cash and cash equivalents are considered to be cash on hand, demand deposits, and short-term investments with original maturities of three months or less from the date of acquisition.

RESTRICTED AND UNRESTRICTED RESOURCES: When both restricted and unrestricted resources are available for use, it is Brown County's policy to use restricted resources first and then use unrestricted resources, as they are needed (i.e. E911 Surcharge, Museum Grants). (GASB 2300.106(12))

EXCEPTION: The restricted Snow Removal resources in the Highway Fund shall only be expended on snow removal when the amount spent in a fiscal year exceeds cost for an average years snow removal.

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

ORGANIZATIONAL CODE OF CONDUCT:

Commissioner Fischbach offered the following Resolution:

RESOLUTION NO. 06-05 ANTIFRAUD PROGRAMS AND CONTROLS (SAS 99)

WHEREAS, the Statement of Auditing Standards (SAS) #99 indicates than management is responsible for designing and implementing systems and procedures for the prevention and detection of fraud and for ensuring a culture and environment that promotes honesty and ethical behavior.

NOW, THEREFORE BE IT RESOLVED that the Brown County Commission adopt the following (an expanded version of many may exist in the personnel policy manual):

ORGANIZATIONAL CODE OF CONDUCT: The County and its employees must, at all times, comply with all applicable laws and regulations. The county will not condone the activities of employees who achieve results through violation of the law or unethical business dealings. This includes any payments for illegal acts, indirect contributions, rebates, and bribery. The county does not permit any activity that fails to stand the closest possible public scrutiny.

Employees uncertain about the application or interpretation of any legal requirements should refer the matter to their superior, who, if necessary, should seek legal advice.

GENERAL EMPLOYEE CONDUCT: The County expects its employees to conduct themselves in a businesslike manner. Drinking, gambling, fighting, swearing, and similar unprofessional activities are strictly prohibited while on the job.

Employees must not engage in sexual harassment, or conduct themselves in a way that could be construed as such, for example, by using inappropriate language, keeping or posting inappropriate materials in their work area, or accessing inappropriate materials on their computer.

CONFLICTS OF INTEREST: The County expects that employees will perform their duties conscientiously, honestly, and in accordance with the best interests of the county. Employees must not use their position or knowledge gained as a result of their position for private or personal advantage.

GIFTS, ENTERTAINMENT, AND FAVORS: Employees must not accept significant entertainment, gifts, or personal favors that could, in any way, influence, or appear to influence, business decisions in favor of any person or organization with whom or with which the county has, or is likely to have, business dealings.

KICKBACKS AND SECRET COMMISSIONS: The County strictly prohibits the acceptance of kickbacks and secret commissions from suppliers or others. Any breach of this rule will result in immediate suspension and prosecution to the fullest extent of the law.

COUNTY RESOURCES: Assets of the county are for county purposes only and not for personal benefit. This includes the personal use of organization assets, such as computers and other equipment.

ORGANIZATION RECORDS AND COMMUNICATIONS: The employees responsible for accounting and recordkeeping must fully disclose and record all assets, liabilities or both, and must exercise diligence in enforcing these requirements. Employees must not make or engage in any false record or communication of any kind including false expense, attendance, financial or similar reports and statements.

PRIVACY AND CONFIDENTIALITY: Employees and members of the governing board should be aware of restrictions to public access in areas such as medical records, economic development and executive sessions.

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

SPECIAL MALT BEVERAGE HEARING:

Moved by Wiese, seconded by Fischbach to authorize advertising a public hearing to be held in the Commissioners Chambers, Courthouse Annex, Brown County, SD on January 18, 2005 at 8:45 a.m. to consider the following application for a Special Malt Beverage License: Aberdeen Hockey Association, P.O. Box 515, Aberdeen, S.D. 57401 – Brown County Fairgrounds - SW ¼ Sec1-T123N-R64W (New Hockey Building-map indicating specific building on file with application), effective January 18 & 19, 2005. All members present voting aye. Motion carried.

RECESS:

The Chairman declared the Commission recessed until January 11, 2005.

Maxine Taylor - Brown County Auditor

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JANUARY 11, 2005 – GENERAL MEETING

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

MINUTES:

Moved by Fischbach, seconded by Wiese to approve the Joint City/County Meeting minutes of January 3, 2005 and the General Meeting minutes of January 4, 2005. All members present voting aye. Motion carried.

CLAIMS:

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

Payroll: Commissioners..\$2,683.65; Auditor..\$7,092.25; Treasurer..\$8,630.84; Data Processing..\$1,658.00; State's Attorney..\$8,529.94; Maintenance..\$5,100.32, Assessor..\$7,230.90; Planning & Zoning..\$1,069.60, Register of Deeds..\$4,838.04; Veterans Service Office..\$2,321.89; Sheriff..\$57,861.21; DOJ Grant..\$2,523.20; Communications..\$17,228.49; Welfare Office..\$2,745.72; Museum..\$4,528.68; Fairgrounds & Parks..\$3,225.76, Fairboard..\$1,877.78; Extension..\$1,676.80; Emergency Management..\$2,229.58; Highway..\$26,887.29; Landfill..\$6,494.21; Matching Benefits: FICA..\$10,255.23; Medicare..\$2,398.41:

Supplies: Office Equip..\$35.99, Stephens Peck..\$59.00, Lar-Jos..\$165.05, Gardner Locksmith..\$43.00, Menards..\$51.41, Crescent Elec..\$48.94, Cunningham Elec..\$38.76, SECC..\$5.00, Moore Medical Supply..\$231.08, Dicks..\$10.00, Galls..\$169.99, Parcel-Erickson..\$21.95, Hoven Auto..\$222.19, MOCIC..\$150.00, Accurint..\$9.85, Active Data System..\$1919.00, HRS..\$172.62, Aberdeen Develop Corp..\$20,000.00, DT Pharm..\$2675.99, Christine Heidenreich..\$1703.25, Warner School Dist..\$432.06, High Priority Connections..\$1500.00, City of Groton..\$435.04, Quality Quick Print..\$468.49, Aberdeen Radio Ranch..\$168.00, Warner School Library..\$750.00, Office Max..\$304.37, Walmart..\$7.52, Webster Scale..\$1818.30, It Works..\$92.90, Specialty Mfg..\$1775.50, SDN Tech..\$8770.00, Dakota Electronics..\$2262.00, Lust Chev..\$33,527.09, Best Business..\$48.84, Menards..\$181.38, SD Public Assurance Alliance..\$1401.00, Macs..\$7.72, SD Emergency Mgmt Assoc..\$150.00, Hewlett-Packard..\$1656.00, Mallory Headsets..\$56.77, Super 8..\$330.00, McDonald Supply..\$59.71, Rux Bros..\$41.00, Area IV Nutrition..\$2000.00, Conlin Furniture..\$7589.75, Dakota Electronics..\$37.50, Runnings..\$12.98, SD Dept of Rev..\$2891.54:

Publications: American News..\$219.20, Midland Press..\$25.00:

Professional Fees: witness fees..\$20.00, Avera St Lukes..\$45.00, NE Mental Health Center..\$234.08, Sheriff of Yankton County..\$16.50:

Utilities: Northwestern Elec..\$8362.66, Dependable Sanitation..\$16,032.02, James Valley..\$212.80, Northern Elec..\$37.22, City of Aberdeen..\$874.24, Richmond Lake Sanitary Dist..\$1980.00, Northern Valley..\$71.28:

Care of Poor: Rent – 5 recipients..Circus Rentals..\$100.00, Dan Martin..\$240.00, Leo Olson..\$220.00, Ken Dohn..\$200.00, Tom Appletoft..\$175.00; Dr/Hospital - 1 recipients..Dr Tage Born..\$1008.00, Avera St Lukes..\$5042.13; Utilities – 1 recipient..Northern Elec..\$72.79, BDM Water..\$35.00. All members present voting aye. Motion carried.

PERSONNEL:

Moved by Hansen, seconded by Wiese to approve the following employee step/longevity increase, effective January 2, 2005: Janis Erickson at \$12.29 per hour. All members present voting aye. Motion carried.

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Moved by Fischbach, seconded by Wiese to approve employee status change for Teri Haussler from part-time to full-time Corrections Officer in JDC, effective January 16, 2005 at \$10.42 per hour. All members present voting aye. Motion carried.

Moved by Wiese, seconded by Hansen to approve hiring Larry Harper as full-time Corrections Officer in the Jail, effective January 5, 2005 at \$10.42 per hour. All members present voting aye. Motion carried.

Moved by Hansen, seconded by Wiese to acknowledge resignation of Delbert BlackBear as full-time Corrections Officer in the Jail, effective January 8, 2005. All members present voting aye. Motion carried.

AUDITORS REPORT OF ACCOUNT:

Moved by Hansen, seconded by Wiese to approve the December 2004 Auditor's Report of Account with the County Treasurer in total amount of \$9,040,138.83 (Total amount of actual cash @ \$3,237.40, Wells Fargo Bank @ \$3,694.79, US Bank @ \$10,753.23, Dacotah Bank @ \$280,767.24, Petty Cash @ \$1,700.00, Fund Investments @ \$8,729,623.57, Outstanding Checks @ \$10,362.60. All members present voting aye. Motion carried.

ABATEMENTS:

Moved by Fischbach, seconded by Wiese to approve the following Abatements: Brown County, tax exempt (W 40' Lt 6 Blk 62 2nd Addn) for 2004 @ \$72.48; Charles Price, owner/occupied (Lt 1 Barnard School SD SW NW 13-126-64 (Pt B3 Reynard & unplatted) for 2004 @ \$359.05; Donna Johnson, owner/occupied (BOLS #13 Eisenbeisz Court) for 2003 @ \$33.45, for 2004 @ \$32.06; NSU, incorrect assessment (Lt 3 Lights Addn Blk 1 Normal Addn) for 2004 @ \$445.79; NSU, incorrect assessment (Lt 2 Lights Addn Blk 1 Normal Addn) for 2004 @ \$261.49; NSU, incorrect assessment (Lt 1 Lights Addn Blk 1 Normal Addn) for 2004 @ \$2,435.37; William Wall, owner/occupied (Lt 19-21 Bk 8 Hagerty & Lloyds Addn) for 2004 @ \$296.85; Warren G Grebner, double assessment (Lt 2 D & G 5th Subd Roosevelt Crystal Subd) for 2004 @ \$141.54; William S Schroeder, water factor (NW 18-128-60) for 2004 @ \$223.19; William S Schroeder, water factor (SW 18-128-60) for 2004 @ \$8.85; Thomas S Stehly, water factor (SE 21-128-60) for 2004 @ \$178.35. All members present voting aye. Motion carried.

BID – PALMYRA TOWNSHIP LAND LEASE:

Moved by Hansen, seconded by Wiese to authorize advertising hearing to open, read and consider bids for a one-year Lease with no option on the following County Land in Palmyra Township: Tract 1: SW ¼ of Sec 30 and NW ¼ of Sec 31-T128N-R65W (250 acres more or less), Tract 2: SW ¼ of NW ¼, W ½ of SW ¼ and SE ¼ of SW ¼ of Sec 20-T128N-R65W (120 acres more or less), to be held in the Courthouse Annex Meeting Room at 10:00 a.m. on Monday, January 31, 2005. All members present voting aye. Motion carried.

INTEREST STATEMENT:

Moved by Wiese, seconded by Fischbach to accept for filing the fourth quarter interest statement, submitted by County Treasurer Sheila Enderson. All members present voting aye. Motion carried.

PREVENTION GRANT:

Moved by Wiese, seconded by Fischbach to approve and authorize the Chairman sign Financial Form 269 for October through December 2004 for the Brown County Special Appropriation "Prevention and Intervention Programs for at-risk and detained youth" Grant #2001-JS-FX-0014. All members present voting aye. Motion carried.

Moved by Wiese, seconded by Fischbach to approve Change Order 7.1, 14.1 and 180 switching the JDC nurse from a private contractor to an employee starting January 18, 2005 at \$17 per hour for 20 hrs/week,

to be funded by federal funds from US DOJ Grant #2001-JS-FX-0014, effective October 1, 2004 – September 30, 2005. All members present voting aye. Motion carried.

COPS 2004 TECHNOLOGY GRANT:

Moved by Hansen, seconded by Wiese to approve and authorize the Chairman sign Financial Form 269 for October through December 2004 for the COPS 2004 Technology Grant #2004-CK-WX-0150. All members present voting aye. Motion carried.

COPS 2003 TECHNOLOGY GRANT:

Moved by Hansen, seconded by Fischbach to approve and authorize the Chairman sign Financial Form 269 for October through December 2004 for the COPS 2003 Technology Grant #2003-CK-WX-0177. All members present voting aye. Motion carried.

Moved by Hansen, seconded by Fischbach to approve and authorize the Chairman sign letter of request for a 6-month project period extension from February 19, 2005 to August 19, 2005 for the COPS 2003 Technology Grant #2003-CK-WX-0177. All members present voting aye. Motion carried.

WEED AND SEED:

Moved by Hansen, seconded by Wiese to approve and authorize the Chairman sign Financial Form 269 for October through December 2004 for the Brown County Weed and Seed Grant #2002-WS-QX-0054. All members present voting aye. Motion carried.

Moved by Fischbach, seconded by Hansen to approve and authorize the Chairman sign Memorandum of Understanding between the Brown County Commission and the Brown County Weed and Seed Executive Board in regard to the Weed and Seed Coordinator position. All members present voting aye. Motion carried.

LLEGP APPLICATION:

Moved by Fischbach, seconded by Hansen to approve and authorize the Chairman sign application for Local Law Enforcement Grant Program funding in amount of \$8,196.00 for the purchase of vehicle mounting hardware for a radio/MDT System. Roll call vote: Commissioners Hansen-aye, Fischbach-aye, Knecht-absent, Wiese-nay, Feickert-aye. Motion carried.

CANCEL CHECKS:

Moved by Fischbach, seconded by Wiese to cancel the following outstanding checks, effective January 11, 2005: US Bank: #14179 @ \$2.62 Deanna Nickelson, #71746 @ \$11.16 Christine Rice, #14369 @ \$4.00 DMV, #14422 @ \$5.00 Sarah Anderson, #14583 @ \$11.67 Wheels Inc, #14611 @ \$5.00 Garry Black, #14638 @ \$10.00 Angie Halverson, #14700 @ \$50.00 Harvey Menholt, #14704 @ \$19.89 Robert or Amy Brinson, #14899 @ \$4.17 Valley Imports, #14906 @ \$4.38 Joelyn Sherley. Dacotah Bank: #48044 @ \$.89 Chris Reder, #49228 @ \$4.16 Richard Burns, #52451 @ \$20.00 Amanda Knecht, #12395 \$2.35 George Schaunaman. All members present voting aye. Motion carried.

POLICY RESOLUTIONS:

Commissioner Fischbach offered the following Resolution:

RESOLUTION NO. 07-05

WHEREAS, at various times during the year county related state-wide conferences are held in Aberdeen, and

WHEREAS, at times requests are received for sponsorship of session breaks, and

WHEREAS, sponsoring session breaks is a way to promote the scheduling of conferences in Aberdeen.

NOW, THEREFORE BE IT RESOLVED, that the Brown County Commission set \$300 as the maximum amount to be spent on one or more session breaks when a county related state wide conference is held in Aberdeen, with payment to be made directly to the goods provider (receipts required), not to the conference committee.

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

Commissioner Hansen offered the following Resolution:

RESOLUTION NO. 08-05

WHEREAS, many of the grants awarded to Brown County allow reimbursement for the use of the postage meter, copy machine and fax machine, and

WHEREAS, a standard reimbursement charge for all grant reimbursements is necessary for consistency.

NOW, THEREFORE BE IT RESOLVED, that the Brown County Commission adopt the following fee schedule to be used for grants that allow reimbursement for these particular costs:

Postage	Actual cost from accounting system on postage meter
Copier	\$0.10 per copy, as documented by grant code assigned for use of machine
Fax	\$0.20 per page, as documented by grant code assigned for use of machine

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

DOE PERSONNEL:

Mary Worlie, Director of Equalization expressed the need for overtime for employees to complete office responsibilities. Board concurred.

EXECUTIVE SESSION:

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

The Chairman declared the executive session closed, with no action as a result of the discussion.

EM UPDATE:

Freddie Robinson, EM Director distributed the material used at the Tabletop Exercise held January 7, 2005 by the SD NE Regional Response Team.

RECESS:

The Chairman declared the Commission recessed until January 18, 2005.

Maxine Taylor – Brown County Auditor

JANUARY 18, 2005 – GENERAL MEETING

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

MINUTES:

Moved by Hansen, seconded by Wiese to approve the General Meeting minutes of January 11, 2005. All members present voting aye. Motion carried.

CLAIMS:

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

Supplies: Best Business..\$132.19, Office Equip..\$214.70, RE Huffman..\$1104.00, Lien Transportation..\$341.25, Menards..\$93.91, Quality Welding..\$85.38, Dakota Supply..\$51.62, Nelson Sales..\$22.00, Ecolab..\$69.70, NECOG..\$4895.63, Streichers..\$24.95, K-Mart..\$48.98, Bob Barker..\$1203.78, Earthgrains..\$31.68, Schwaab..\$61.05, Amoco..\$11.07, Bluff City Wholesale..\$64.50, Eddies Northside..\$65.00, City of Groton..\$55.68, NE Mental Health..\$146.30, Avera St Lukes..\$59.00, Career Planning..\$505.75, Tri State Water..\$16.95, Hoven Auto..\$109.31, Quality Welding..\$31.00, Shopko..\$9.99, Parcel Erickson..\$65.85, SD Division of Motor Vehicles..\$13.00, Newman Signs..\$3451.00, New Holland..\$18,272.81, Kansas State Bank..\$13,765.00, Jensen Rock & Sand..\$160,008.68, HF Jacobs..\$15,000.00, Don Gunther..\$13,000.00, City of Hecla..\$81.34, Harms Oil..\$11,007.51, Town of Frederick..\$18.25, Violet Dinger..\$3192.67, Deutsch Trucking..\$4000.00, Ameripride..\$31.28, SD Campground Coalition..\$150.00, Aberdeen Community Theatre..\$275.00, McGarry Elec..\$810.49, Lora Schaunaman..\$7.85, SD 4-H Office..\$25.00, Weed & Pest Conference..\$150.00, Division of Ag Services..\$160.00, Glacial Lakes..\$500.00, Dak Electronics..\$20,346.00, Emergency Film Group..\$185.00, Day County Sales..\$3325.00, Wattco..\$5851.25, SD Dept of Rev..\$6.00, CKS Pro Shop..\$40.82, Macs..\$19.32, Bricks TV..\$412.50, MN Pollution..\$210.00, Praxair..\$15.25, Brown County..\$158.77, Sheehan Mack Sales..\$1573.33, Advanced Weighing..\$1400.00, Ameripride..\$230.46:

Publications: American News..\$400.04, Groton Indep..\$110.88:

Professional Fees: NECOG..\$19,678.86:

Transcriptions: Neal Reporting..\$72.20, Sara Van De Walle..\$22.80:

Travel: Dennis VanHeerde..\$9.00, Nyle Jensen..\$9.00, Mike Scott..\$9.00:

Utilities: Dependable Sanitation..\$371.00, Verizon..\$333.57, Qwest..\$120.00, Northern Valley..\$75.33, Northern Elec..\$725.65, James Valley..\$146.71, Northwestern Energy..\$332.95, NRCTV..\$79.90:

Care of Poor: Rent – 8 recipients..Connie Newell..\$240.00, Chow Main Prop..\$100.00, Danne..\$240.00, Loel Goldade..\$200.00, Kurt Krueger..\$129.00, Caroline Orr..\$200.00, Allen Lipp..\$200.00, Robert Gearey..\$200.00; Dr/Hospital - 1 recipient..Avera St Lukes..\$6158.20. All members present voting aye. Motion carried.

PERSONNEL:

Moved by Wiese, seconded by Hansen to approve the following Employee step/longevity increases, effective January 16, 2005: Penny Hart @ \$15.22 per hour, Craig Anderson @ \$16.72 per hour, Jason Hammrich @ \$12.77 per hour; Patty VanMeter @ \$11.69 per hour, Brenda Hammrich @ \$11.53 per hour, Tricia Jondahl @ \$10.94 per hour, Kathy Neitzel @ \$13.41 per hour, John McQuillen @ \$16.72 per hour, Mickey Schulz @ \$10.39 per hour. All members present voting aye. Motion carried.

Moved by Wiese, seconded by Hansen to approve a \$2000 increase to the pro-rated annual salary of Freddie Robinson, EM Director, for a total pro-rated annual salary of \$34,718.00, effective January 16, 2005. All members present voting aye. Motion carried.

SHERIFF REPORTS:

Moved by Wiese, seconded by Fischbach to approve the following December 2004 Sheriff Reports: Incidents and Offenses, JDC, Prisoner care, Money deposited with the County Treasurer and Monthly activities. All members present voting aye. Motion carried.

SPECIAL MALT BEVERAGE LICENSE HEARING:

Time and place, as advertised to consider approval for the following Special Malt Beverage License application. Moved by Fischbach, seconded by Hansen to approve and authorize the Chairman sign the following Special Malt Beverage License Application: Aberdeen Hockey Association - New Hockey Building, Brown County Fairgrounds, located in the SW ¼ Sec 1-T123N-R64W (map indicating specific building on file with applications), effective January 18 and 19, 2005. All members present voting aye. Motion carried.

HIGHWAY UPDATE:

Dirk Rogers, Highway Superintendent presented update of department activities, personnel plans for the future and relayed a request from the BIA for use of county land to place an asphalt testing mobile lab. Board concurred.

EXECUTIVE SESSION:

Moved by Hansen, seconded by Wiese to go into executive session to review the applications received for the GIS position with Dirk Rogers, Bill Meink, Mary Worlie and Freddie Robinson in attendance. All members present voting aye. Motion carried.

The Chairman declared the executive session closed, with no action as a result of the discussion.

Moved by Fischbach, seconded by Wiese to go into executive session for personnel discussion. All members present voting aye. Motion carried.

The Chairman declared the executive session closed, with no action as a result of the discussion.

TOWER CONTRACT:

Moved by Wiese, seconded by Fischbach to approve and authorize the Chairman sign Contract with Northern Electric Cooperative for antenna mounting space of approximately 290 feet for use by Brown County in consideration of \$1200.00 per year payable to NEC. All members present voting aye. Motion carried.

EXECUTIVE SESSION:

Moved by Fischbach, seconded by Wiese to go into executive session for personnel discussion with the following Fair Board Executive Board members present: Tammy Dennert, Mike Hassebroek and Barb Paepke. All members present voting aye. Motion carried.

The Chairman declared the executive session closed, with no action as a result of the discussion.

FIRE CALL:

Aberdeen Fire Chief Bill Winter informed the Commission that the department responded to a fire call at the Register of Deeds Office Sunday morning (no damage resulted from a candle that had been left burning). The Commission authorized a memo be distributed immediately to address this issue.

RECESS:

The Chairman declared the Commission recessed until January 25, 2005.

Maxine Taylor – Brown County Auditor

JANUARY 25, 2005 – GENERAL MEETING

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

MINUTES:

Moved by Wiese, seconded by Hansen to approve the General Meeting minutes of January 18, 2005. All members present voting aye. Motion carried.

CLAIMS:

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

Payroll: Commissioners..\$2,683.65; Auditor..\$8,391.08; Treasurer..\$8,630.84; Data Processing..\$1,658.00, State's Attorney..\$8,529.94; Maintenance..\$5,303.46; Assessor..\$7,854.32; Planning & Zoning..\$1,069.60; Register of Deeds..\$4,838.04; Veterans Service Office..\$2,439.17; Sheriff..\$58,794.11; DOJ Grant..\$3,356.80; Communications..\$13,691.91; Welfare Office..\$2,745.72; Museum..\$4,760.68; Fairboard..\$906.58; Fairgrounds & Parks..\$3,225.76; Extension..\$1,676.80; Weed..\$145.73; Emergency Management..\$2,229.58; Weed and Seed..\$533.66; Highway..\$27,904.99; Landfill..\$6,471.82; Matching Benefits: FICA..\$14,354.78, Medicare..\$2,423.03, Wellmark BCBS Life..\$659.96, Wellmark BCBS Health..\$51,476.54, Delta Dental..\$3,796.00, SD State Retirement..\$21,597.60:

Supplies: SDACC..\$247.00, Pitney Bowes..\$297.00, McLeod Printing..\$567.50, Sanders Sew 'N Vac..\$79.86, Central Supply..\$70.80, McDonald Supply..\$166.57, Rux Bros..\$40.07, Crescent Elec..\$135.18, Lien Trans..\$190.00, McFarland Supply..\$2.78, CMS Holdings..\$2106.25, Double D Body Shop..\$63.00, Phillips 66..\$26.00, Hoven Auto..\$101.77, Pierson Ford..\$122.20, Lust..\$25.52, Henry Schein..\$230.30, Best Business..\$189.46, Streichers..\$309.80, Dept of Rev..\$185.00, Division of Motor Vehicle..\$16.00, 3-D Spec..\$1890.86, SD Partnership for Hwy Quality..\$25.00, Newman Signs..\$1071.00, Nat'l Assoc of County Engineers..\$400.00, Michael Todd Co..\$62.19, L&O Acres..\$3010.02, John Deere Credit..\$49,449.19, HF Jacobs..\$403.00, NADRIC..\$1666.66, Heartland Paper..\$457.98, Gas & Goodies..\$28.70, Aberdeen Awards..\$12.00, Shopko..\$42.96, Kesslers..\$8.32, Galls..\$46.95, Jungle Logic..\$51.62, Dispatch Monthly Mag..\$20.00, Farm & Home Pub..\$22.00, Dakota Electronics..\$60.00, Aberdeen Youth Network..\$2572.00, Brown County..\$18.79, SDSM&T Business Office..\$1500.00, Active Data..\$5355.92:

Publications: American News..\$1428.08, Groton Indep..\$607.75:

Professional Fees: witness fees..\$130.40, Brian Koens..\$120.00, Shawne Everson..\$120.00, Terry Evans..\$80.00, Gary Bunt..\$70.00, James Loterbauer..\$270.00, Nelva Kooistra..\$30.00, Marv Ekeren..\$30.00, Donna Dietrich..\$247.54, Avera United Clinic..\$83.00, NEOG..\$1666.66, Christine Heidenreich..\$929.25:

Travel: Leo Leshner..\$99.52, Gene Loeschke..\$143.68, Harlan Place..\$402.20:

Court Appointed Attorney: William Gerdes..\$4166.67, Scott Kuck..\$4166.67, Randy Turner..\$4166.67, Christy Serr..\$4166.67, Kelly Marnette..\$234.00:

Utilities: Qwest..\$5979.39, Midcontinent Cable..\$151.17, Cellular One..\$352.27, Northwestern Energy..\$4588.61, Northern Elec..\$181.17, AT&T..\$23.15, Bureau of Admin..\$458.89:

Care of Poor: Rent – 2 recipients..Kurt Krueger..\$129.00, Dakota Square Operations..\$200.00; Medications – 1 recipients..K-Mart..\$43.72; Dr/Hospital – 2 recipients..Northern Plains OMS..\$403.39, Avera St Lukes..\$354.94; Utilities – 2 recipients..NWPS..\$460.00. All members present voting aye. Motion carried.

PERSONNEL:

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Moved by Fischbach, seconded by Wiese to approve the following employee step/longevity increases: Joni Gaulrapp @ \$10.70 per hour, effective January 16, 2005; Bobbie Olauson @ \$10.98 per hour, effective January 30, 2005. All members present voting aye. Motion carried.

ABATEMENTS:

Moved by Hansen, seconded by Fischbach to approve the following abatements: Helen G Larson, incorrect value (Lt 2 Larson's 1st Replat Lts 9-12 Bk 8 Hagerty & Lloyds Addn & E 2' Lt 3 Larson & Schwab Replat Larson's 1st Replat & part Bk 17 Bennett & Thomas Addn) for 2004 @ \$389.90; Midwaet Ag Services, building gone (BOLS RR ROW Huffton) for 2002 @ \$119.50, for 2003 @ \$116.11, for 2004 @ \$104.05; Dennis O & Lucian E Jones, incorrect value (SE 22-123-62 Inc KO Lee Cons Easement Tract 1) for 2004 @ \$427.65; Kent & Treva Oland, taxes uncollectable (BOLS Lt 5 Bk 14 Hecla) for 2001 @ \$195.47, for 2002 @ \$168.76, for 2003 @ \$169.59, for 2004 @ \$167.02. All members present voting aye. Motion carried.

PREVENTION GRANT:

Moved by Wiese, seconded by Hansen to approve and authorize the Chairman sign Categorical Assistance Progress Report for the Brown County "Prevention and Intervention Programs for At-Risk and Detained Youth" Grant #2001-JS-FX-0014 for July 1, 2004 through December 31, 2004. All members present voting aye. Motion carried.

WEED AND SEED:

Moved by Hansen, seconded by Wiese to approve and authorize the Chairman sign letter of requesting a Grant Adjustment Notice (GAN) for Brown County Weed and Seed Grant #2002-WS-QX-0054, extending grant period for six months (3/31/2005 to 9/30/2005) and formally recognize appointment of Tabitha Moore as the Brown County Weed and Seed Coordinator, effective January 10, 2005. All members present voting aye. Motion carried.

Moved by Hansen, seconded by Fischbach to approve and authorize the Chairman sign Categorical Assistance Progress Report for the Brown County Weed and Seed Grant #2002-WS-FX-0054 for July 1, 2004 through December 31, 2004. All members present voting aye. Motion carried.

Moved by Hansen, seconded by Wiese to approve the Brown County Weed and Seed Monthly Expenses for January 2005 (Year Two 2002-WS-QX-0054), in amount of \$4,238.66. All members present voting aye. Motion carried.

Moved by Hansen, seconded by Wiese to approve the Brown County Weed and Seed Monthly Expenses for January 2005 (Year Three 2002-WS-QX-0054), in amount of \$1,518.79. All members present voting aye. Motion carried.

Moved by Fischbach, seconded by Hansen to approve the following Weed and Seed Year Two funding proposals: Aberdeen Police Department (Drug abuse resistance education enhancement, Digital recording equipment), Safe Harbor (Victim services, Children's services), as recommended by the Steering Committee. All members present voting aye. Motion carried.

Moved by Hansen, seconded by Fischbach to approve the following Weed and Seed Year Three funding proposal: Brown County Weed and Seed (Web-based reporting system agreement), as recommended by the Steering Committee. All members present voting aye. Motion carried.

TAX DEED SALE:

Moved by Hansen, seconded by Wiese to declare the following property surplus for sale and further to authorize advertising a Tax Deed Sale to be held at 10:00 a.m. on February 14, 2005 in the Courthouse

Annex Community Room: Lansing Township: N 1/3 of W 1/2 of Lot 2, Block 9; Aberdeen City: E 71' of Lots 23-24 Block 44, Hagerty & Lloyd Addn; W 40' of Lot 6 Block 62, Second Addition; Hoff's OL 1 to Lot 12 Block 3, Addisons Addition; Frederick City: Lot 2, Block 1, Simmons Addition; Prairiewood Township: Lot 6, Block 3 Prairiewood Village SE 33-124-63; Lot 7, Block 3 Prairiewood Village SE 33-124-63; Lot 8, Block 3 Prairiewood Village SE 33-124-63. All members present voting aye. Motion carried.

LEASE AGREEMENT RENEWAL:

Moved by Hansen, seconded by Fischbach to approve and authorize the Chairman sign land lease renewal (year 3 of a 3 year lease) agreement with Jeff Voeller on the NW 1/4 of Sec 14-T123N-R65W of 5th P.M., Brown County, SD 145 acres @ \$52.36 per acre - \$7,592.20. All members present voting aye. Motion carried.

BULLETIN BOARDS:

Commissioner Fischbach offered the following Resolution:

RESOLUTION NO. 09-05

WHEREAS, SDCL 17-3-1 requires the county commissioners to provide a bulletin board which is adequate for the posting of legal notices, and

WHEREAS, the exact location where bulletin boards are to be maintained shall be designated and established by resolution of the board of county commissioners.

NOW, THEREFORE BE IT RESOLVED, that bulletin boards, which are adequate for the posting of legal notices, are located and maintained in the following locations:

- Foyer located at front entrance of the original Courthouse
- Hallway located at west entrance of the Courthouse Annex

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

E911 SURCHARGE:

Commissioner Hansen offered the following Resolution:

RESOLUTION NO. 10-05

WHEREAS, Title 11 – Enhanced 911 Emergency Telephone Reporting System, Second Revision Brown County Ordinances, authorizes Brown County to impose a uniform monthly Enhanced 911 emergency surcharge, and

WHEREAS, Title 11, Chapter 11.0103 requires the Brown County Commission to review the current charge and establish, by resolution, a rate of charge to be effective on the next January first, not to exceed the amount authorized.

BE IT RESOLVED that the Brown County Commission establishes a rate of \$.75 for each local exchange access line, including cellular and enhanced SRM telephone, effective January 1, 2005.

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

INTEREST POLICY:

Commissioner Hansen offered the following Resolution:

RESOLUTION NO. 11-05

WHEREAS, State law allows income from deposits and investments to be credited to either the General Fund or the fund making the investment.

NOW, THEREFORE BE IT RESOLVED, that the Brown County Commission credit all income from deposits and investments to the General Fund except for interest earned on the Landfill Fund restricted cash and the Permanent Funds.

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

BCCHC REPORT:

DeAnna Kyburz presented the Brown County Community Health Center Report for October - December 2004.

RECESS:

The Chairman declared the Commission recessed until February 1, 2005.

Maxine Taylor – Brown County Auditor

FEBRUARY 1, 2005 – GENERAL MEETING

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

MINUTES:

Moved by Fischbach, seconded by Hansen to approve the General Meeting minutes of January 25, 2005. All members present voting aye. Motion carried.

CLAIMS:

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

Supplies: Heartland Paper..\$2097.24, Reserve Acct..\$5000.00, Dakota Reporting..\$52.40, Wells Fargo..\$14.15, New Trends..\$82.43, Exec Mgmt..\$2558.44, Ameripride..\$47.28, Rux Bros..\$123.00, Ecolab..\$74.00, House of Glass..\$18.50, ESRI..\$1000.00, Best Business..\$393.07, RE Huffman..\$99.32, North American Const..\$149,948.77, Herbergers..\$106.78, Pierson Ford..\$44.55, Visa..\$175.00, Dave Fair..\$21.19, Velvet Uniforms..\$196.96, Hoven Auto..\$24.64, Parcel Erickson..\$8.49, Grafix Shoppe..\$1082.50, Dept of Revenue..\$157.00, Grand Central Security..\$105.00, SD Division of Ag..\$40.00, Share Corp..\$84.00, Plastic Works..\$2300.00, North Central Rental..\$2428.00, Newman Signs..\$1338.90, John Deere Credit..\$30,788.37, Farm Power..\$13.78, Diesel Machinery..\$1145.00, Butler Machinery..\$698.47, Bridgestone Firestone..\$172.54, Quality Quick Print..\$124.98, HRS..\$29.10, Store Supply..\$628.83, Dacotah Prairie Museum..\$15.79, Great Getaways..\$450.00, A&M Radio..\$50.00, Lora Schaunaman..\$53.73, George Cassanova..\$98.39, Conlin Furniture..\$1284.72, Office Max..\$539.12, Extension Service..\$683.07, Century Business Products..\$70.08, Burghardt Center..\$2319.96, West Mountain Radio..\$469.26, Menards..\$36.60, Runnings..\$61.95, Tabatha Moore..\$32.52, New World Systems..\$27533.95, Upbeat..\$1088.27, Weed & Pest Conf..\$120.00, Crescent Elec..\$57.72:

Publications: American News..\$299.91, Groton Indep..\$62.86, Dakota Press..\$731.94:

Professional Fees: Sheriff of Stearns County..\$35.00, LCM Pathologists..\$1692.76, Aberdeen Advanced Ambulance..\$201.19, SD Urban Indian Health..\$80.99, Avera St Lukes..\$112.11, Dakota Imaging..\$9.14, Brown County Community Health..\$14.00, Sheriff of Yankton County..\$16.50:

Transcriptions: Tammy Erickson..\$51.10:

Court Appointed Attorney: William Gerdes..\$594.60, Creighton Thurman..\$161.32:

Utilities: Qwest..\$207.45, Cellular One..\$477.04, Midcontinent Cable..\$141.30, Northwestern Energy..\$8885.21, Montana Dakota..\$39.34:

Care of Poor: Rent – 8 recipients..KH Gerving..\$260.00, Chuck Currie..\$220.00, Jim Bird..\$77.36, Loel Goldade..\$345.00, Rockford Apts..\$180.00, Chow Main..\$175.00, Danne..\$200.00, Al Burgard..\$110.00; Medications – 2 recipients..Medical Center Pharm..\$95.64; Dr/Hospital – 1 recipient..Avera St Lukes..\$1785.00; Utilities – 1 recipient..NWPS..\$114.22. All members present voting aye. Motion carried.

PERSONNEL:

Moved by Fischbach, seconded by Hansen to acknowledge resignation of Ione Shilman, effective February 11, 2005. All members present voting aye. Motion carried.

TOWNSHIP BOND REQUIREMENTS:

Moved by Hansen, seconded by Fischbach to set the bond amount for Township Clerks at \$5,000.00, per SDCL 8-6-1; and to set the bond amount for Township Treasurers for the amount approximately equal to the sum of money that the treasurer is expected to receive in any one fiscal year, per SDCL 8-7-1. All members present voting aye. Motion carried.

ABATEMENTS:

Moved by Hansen, seconded by Fischbach to approve the following Abatements: Eugene Conn, incorrect solid waste fee (Lt 1 Lutheran Addn), for 2005 @ \$15.00; Derrick Dinger, incorrect solid waste fee (Lot 7 Blk 1 Homes are Possible) for 2005 @ \$15.00; Tim Sahli, incorrect solid waste fee (Cottrell OL A NW 29-123-64) for 2005 @ \$65.00. All members present voting aye. Motion carried.

LEASE AGREEMENTS:

Moved by Hansen, seconded by Fischbach to approve and authorize the Chairman sign the following Lease Agreements for one year: Tract 1 – SW ¼ of Sec 30 and NW ¼ of Sec 31-T128N-R65W (250 acres more or less) to L.R. Corporation for \$6.50 per acre (\$1,625.00). Tract 2 – SW ¼ of NW ¼, W ½ of SW ¼ and SE ¼ of SW ¼ of Sec 20-T128N-R65W (120 acres more or less) to Thorpe Ranch for \$6.50 per acre (\$780.00). All members present voting aye. Motion carried.

INVENTORY TRANSFERS:

Moved by Hansen, seconded by Fischbach to approve transferring Decal #362 (2002 Chevy Suburban) from Emergency Management to Sheriff with no monetary exchange (current value at \$18,000.00). All members present voting aye. Motion carried.

Moved by Fischbach, seconded by Hansen to declare the following equipment purchased with Homeland Security Funds, surplus property for purpose of transferring to other units of Government: 2005 Polaris ATV to Columbia, 2004 Artic Cat ATV to Hecla and a 2004 Yamaha ATV to Aberdeen Rural Fire District. All members present voting aye. Motion carried.

COPS TECHNOLOGY GRANTS:

Moved by Hansen, seconded by Fischbach to approve and authorize the Chairman sign letter designating Kevin Bain, Northeast Council of Governments as an additional contact point for the Brown County COPS Technology Grants. All members present voting aye. Motion carried.

BID DATES SET - WOOD WASTE GRINDING, SKIDSTEER, PICKUP:

Moved by Fischbach, seconded by Wiese to authorize advertising public hearing to open, read and consider bids for the Brown County Landfill, to be held in the Commissioner's Chambers, Courthouse Annex, Brown County, SD: 2005 Wood Waste Grinding at 8:45 a.m., Skidsteer at 9:00 a.m. and Pickup at 9:15 a.m. on February 22, 2005. All members present voting aye. Motion carried.

LANDFILL SPRING RESIDENTIAL CLEANUP:

Moved by Knecht, seconded by Hansen to approve waiving fees from April 29 thru June 4, 2005 for the Brown County Landfill's Spring Residential Cleanup. Waste types include: tires (no rims or retailers), appliances (with or without freon), construction and demolition debris, all trees, furniture, metals, lead acid batteries, propane tanks, waste oil, antifreeze, paint and other miscellaneous waste. RESIDENTIAL ONLY. All members present voting aye. Motion carried.

VICTIMS ASSISTANCE POSITION DISCUSSED:

Mark McNeary, Brown County States Attorney presented a proposal to the Commission indicting his office would assume the role of Victims' Assistant on a six month trial basis. The compensation requested would be as follows: Kimberly Dorsett a contract amount of \$10,000.00; Penny Hart a wage increase of \$3.50 per hour; and miscellaneous expenses in amount of \$5,000.00. Peri Erdmann and Tammy Wehrman from Safe Harbor were also in attendance. Board agreed.

EXECUTIVE SESSION:

Moved by Knecht, seconded by Wiese to go into executive session for personnel discussion with Dirk Rogers and Roger Johnson in attendance. All members present voting aye. Motion carried.

The Chairman declared the executive session closed, with the following action as a result of the discussion.

PERSONNEL:

Moved by Wiese, seconded by Knecht to approve hiring Robert Jenson as Labor Grade 3 Highway employee, effective February 2, 2005 at \$10.69 per hour. All members present voting aye. Motion carried.

BID DATES SET FOR HIGHWAY:

Moved by Knecht, seconded by Wiese authorize advertising public hearing to open, read and consider the following bids for the Highway Department, to be held in the Commissioner's Chambers, Courthouse Annex, Brown County, SD: Rental of Equipment at 8:45 a.m., Gravel Material at 9:00 a.m. and Hot Mix at 9:15 a.m. on March 1, 2005. All members present voting aye. Motion carried.

BID AWARD – ROAD OIL:

Moved by Wiese, seconded by Hansen to award bid, submitted by Koch Materials Co for furnishing and delivery of Road Oil MC-3000 @ \$1.1316 per unit, CRS-2P @ \$1.0101 per unit as bid by the City of Aberdeen on January 19, 2005; rejecting bid submitted by Jebro Inc – MC-3000 @ \$1.1848 and CRS-2P @ \$1.1226. All members present voting aye. Motion carried.

BID AWARD – CULVERTS:

Moved by Wiese, seconded by Knecht to award bids, submitted by Huron Culvert & Tank Co for furnishing and delivery of Culverts and Bridge Material, (tabulation sheet on file in the Auditor's Office (available for public inspection Monday – Friday, 8:00 a.m. to 5:00 p.m.), as bid by Beadle County on January 11, 2005; rejecting bids submitted by Central Culvert Supply, Pierre. All members present voting aye. Motion carried.

COPS TECHNOLOGY 2003:

Moved by Wiese, seconded by Hansen to award proposal, submitted by Vantek Communications Inc. for a Wireless Mobile Data System Network to be purchased with the COPS 2003 Technology Grant #2003-CK-WX-0177; rejecting proposals submitted by Wireless Matrix Corp and Electronic Systems Technology Inc. All members present voting aye. Motion carried.

Moved by Fischbach, seconded by Hansen to authorize the Chairman sign letter of acceptance and proposal documentation with Vantek Communications Inc. for a Wireless Mobile Data System Network to be purchased with the COPS 2003 Technology Grant #2003-CK-WX-0177. All members present voting aye. Motion carried.

EXECUTIVE SESSION:

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

The Chairman declared the executive session closed, with no action as a result of the discussion.

RECESS:

The Chairman declared the Commission recessed until February 8, 2005.

Maxine Taylor – Brown County Auditor

FEBRUARY 8, 2005 – GENERAL MEETING

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

MINUTES:

Moved by Hansen, seconded by Wiese to approve the General Meeting minutes of February 1, 2005. All members present voting aye. Motion carried.

CLAIMS:

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

Payroll: Commissioners..\$2,683.65; Auditor..\$8,428.44; Treasurer..\$8,634.84; Data Processing..\$1,658.00; State's Attorney..\$8,533.94; Maintenance..\$5,267.57, Assessor..\$7,672.61; Planning & Zoning..\$1,069.60, Register of Deeds..\$4,838.04; Veterans Service Office..\$2,409.85; Sheriff..\$58,774.12; DOJ Grant..\$3,356.80; Communications..\$14,573.79; Welfare Office..\$2,745.72; Museum..\$4,760.68; Fairgrounds & Parks..\$3,225.76, Fairboard..\$906.58; Extension..\$1,676.80; Emergency Management..\$2,306.51; Weed and Seed Grant..\$1,067.31; Highway..\$26,586.75; Landfill..\$6,416.10; Matching Benefits: FICA..\$10,334.54; Medicare..\$2,416.95;

Supplies: Ramkota..\$2391.08, Office Equip..\$22.34, Quality Quick Print..\$247.59, Accurint..\$14.10, Evercom..\$1540.00, OK Tire..\$105.25, Duanes Amoco..\$26.65, Dakota Elec..\$5487.49, Aberdeen Ins..\$150.00, HRS..\$4035.40, Bonnie Bitz..\$120.00, Sirchie..\$232.12, Walmart..\$196.81, Peavey..\$28.80, Telserv..\$514.52, Streichers..\$121.85, Civic Research..\$169.95, Pierson Ford..\$789.52, New Trends..\$60.66, Sewing Shop..\$107.00, Viking Office Products..\$184.51, ProAg..\$42.10, Praxair..\$134.42, Newman Signs..\$864.00, Menards..\$3510.12, Macs..\$142.21, Hecla Impl..\$65.88, Great Western Tire..\$6761.02, Evergreen..\$156.02, Erdmann Oil..\$2039.28, Diesel Machinery..\$320.80, Dakota Oil..\$2529.28, Crawford Trucks..\$384.63, HC Clark..\$17.18, Best Business..\$135.84, Advanced Auto..\$36.88, Heartland Paper..\$2213.11, Sherwin-Williams..\$43.30, Aberdeen Radio Ranch..\$168.00, Glas Consulting..\$156.25, Office Max..\$476.92, Mohr Builders..\$3825.07, HC Clark..\$9900.00, Aberdeen Hockey..\$50,000.00, Weed & Pest Conf..\$15.00, Walmart..\$78.48, Kleins..\$40.15, ProAg..\$108.28, Aberdeen Fire & Hazmat..\$833.98, Godfathers..\$67.05, Rux Bros..\$77.89, Office Max..\$476.92, Streichers..\$839.75, Runnings..\$2972.91, Cunningham Elec..\$452.73, Ecolab..\$67.00, Woodman Refrigeration..\$1257.07, Central Supply..\$1140.05, Rux Bros..\$179.22, Taylor Laundry..\$27.00, Warner School Dist..\$488.91, CSD..\$40.00, Legislative Mail..\$36.81, Sheehan Mack Sales..\$468.14, SD Fed Property..\$1650.00, Hedahls..\$263.36, Aberdeen Equip..\$136.79, Ameripride..\$41.92, Erdmann Fuels..\$3917.67, Farnams..\$33.98, McFarland Supply..\$1.41, Earth Tech..\$917.64, Brick Propane..\$15.00, Cunningham Elec..\$659.62, Pierson Ford..\$616.06, Safety Service..\$133.09, Century Business..\$106.60, Bird-X Inc..\$635.00, MVTL Labas..\$27.20, UBC..\$292.67, SD Dept of Rev..\$2542.60, Sewer Duck..\$100.00, Butler Machinery..\$831.72, Aberdeen Plumbing & Heating..\$1128.29, House of Glass..\$7.20, C&S Motor Sports..\$282.22, Shopko..\$11.96, Sodak..\$75.95, Virginia Mitchell..\$50.00;

Publications: American News..\$469.79;

Professional Fees: Northern Plains OMS..\$53.38, Avera St Lukes..\$96.68, Adv Care Ambulance..\$101.57, US Marshall Service..\$1153.00, Dept of Soc Services..\$10845.00, Sheriff of Yankton County..\$16.50, EideBailly..\$243.00;

Jury: George Eichinger..\$11.28, Ramona Freitag..\$472.80, Gary Funmaker..\$524.08, Ronald Gage..\$575.36, Donald Harmel..\$472.80, Dewayne Holm..\$524.08, Jeremy Hoven..\$11.28, James Johnson..\$11.28, Lora Jundt..\$11.28, Dennis Pelkofer..\$524.08, Derek Robey..\$421.52, Arlene Webb..\$575.36, Scott Wilkins..\$298.40, Tami Zerr..\$524.08;

Travel: Lynn DeYoung..\$205.72, Randy Maddox..\$26.88, Kim Beck..\$38.40, Dale Ringgenberg..\$149.30, Brad Waage..\$118.59, Dennis Feickert..\$159.82, Mike Scott..\$9.00;

Court Appointed Attorney: Kabeiseman & Pollard..\$152.80, Yankton County..\$182.10;

Utilities: Northern Valley..\$142.80, James Valley..\$365.92, Town of Frederick..\$18.25, Web..\$87.51, Verizon..\$27.36, Northwestern Energy..\$9128.35, City of Aberdeen..\$497.68, Dependable..\$14,529.82, Cellular One..\$115.33:

Care of Poor: Rent – 4 recipients..Danne..\$200.00, Kurt Kruger..\$258.00, Dean Salzsieder..\$200.00; Transportation – 3 recipients..-Jefferson Lines..\$187.55; Insurance – 1 recipient..Celtic Ins..\$200.00. All members present voting aye. Motion carried.

PERSONNEL:

Moved by Hansen, seconded by Wiese to approve the following employee step/longevity increases, effective February 13, 2005: Brian Koens @ \$14.31 per hour, Gary Bunt @ \$14.87 per hour, Mary Browning @ \$13.75 per hour. All members present voting aye. Motion carried.

LIEN COMPROMISE DENIED:

Moved by Hansen, seconded by Fischbach to deny request for compromise of lien balance upon payment of \$900.00. All members present voting aye. Motion carried.

TRANSFER:

Moved by Hansen, seconded by Wiese to approve and authorize the following transfer of spending authority and cash, as reflected in the 2005 General Fund #101 Budget: \$85,941.74 to Emergency Management Fund #226, \$193,050.80 to E911 Fund #207 and \$630,807.95 to Road & Bridge Fund #201. All members present voting aye. Motion carried.

ESTABLISH FUND:

Moved by Hansen, seconded by Fischbach to establish Fund #103 – Library Services as part of the consolidated general fund. All members present voting aye. Motion carried.

BID DATE SET:

Moved by Fischbach, seconded by Hansen to authorize advertising public hearing to open, read and consider bids for furnishing and delivery of chemical for the Brown County Weed and Pest Board for 2005, to be held in the Commissioner's Chambers, Courthouse Annex, Brown County, SD at 9:45 A.M. on March 1, 2005. All members present voting aye. Motion carried.

EXTENSION BOARD:

Moved by Hansen, seconded by Fischbach to appoint Michael Elsen to the Brown County Extension Board, effective January 1, 2005 – December 31, 2007 (first term). All members present voting aye. Motion carried.

PREVENTION GRANT:

Moved by Hansen, seconded by Fischbach to approve and authorize the Chairman sign document terminating original agreement dated April 22, 2003 and all addenda that followed with Christine Heidenreich for JDC nursing assistance (status change from contract to employee), to be funded in part by the Department of Justice Prevention and Intervention Programs for At-Risk and Detained Youth Project #2001-JS-FX-0014. All members present voting aye. Motion carried.

COPS 2004 TECHNOLOGY GRANT:

Moved by Fischbach, seconded by Hansen to approve budget modifications for the 2004 COPS Technology Grant #2004-CK-WX-0150. All members present voting aye. Motion carried.

Moved by Hansen, seconded by Fischbach to approve and authorize the Chairman sign letter to the Program Manager requesting budget modifications for the 2004 COPS Technology Grant #2004-CK-WX-0150. All members present voting aye. Motion carried.

ABATEMENTS:

Moved by Wiese, seconded by Hansen to approve the following 2004 Abatements: DM&ERR, tax credits in total amount of \$277.60; BNSFRR, tax credits in total amount of \$7,407.00; Brown County, BID assessment in total amount of \$4,589.81; USA GSA, BID assessment in total amount of \$5,400.00. All members present voting aye. Motion carried.

LOTTERY APPLICATION:

Moved by Hansen, seconded by Fischbach to approve application, submitted by the Stratford Community Theatre for lottery, to be held on February 18-20, February 25-27, and March 11-12, 2005. All members present voting aye. Motion carried.

MAIN MARKET CENTER PROJECT:

Tom Aman, Georgia Smith, Lonnie Helgersen, Jim Barringer and John Aman presented preliminary sketches of the Main Market Center Project proposal, which includes an expansion on the north side of the Museum, retail shops facing Main Street, and a Parking ramp with Market Street access.

BID DATE SET – JAIL CELL LAV/TOILET UNITS:

Mick Palmer and Judy Dosch discussed specs for jail cell lav/toilet units and status of Sheriff Phase II as it affects resurfacing the parking lot north of the Courthouse. Discussion will be continued next week.

Moved by Hansen, seconded by Fischbach to authorize advertising public hearing to open, read and consider bids for furnishing and delivery of Lavatory/Toilet Units for the Brown County Jail, to be held in the Commissioner's Chambers, Courthouse Annex, Brown County, SD at 9:30 A.M. on March 1, 2005. All members present voting aye. Motion carried.

EXECUTIVE SESSION:

Moved by Hansen, seconded by Fischbach to go into executive session for personnel discussion. All members present voting aye. Motion carried.

The Chairman declared the executive session closed, with no action as a result of the discussion.

HIGHWAY 2020 DEVELOPMENT CORPORATION:

Scott Layman, representing the Highway 2020 Development Corporation presented an update on the status of the concept and asked the Commission to sign Resolution in support of the diagonal highway concept. The Commission requested Mr. Layman return next week when all Commissioners would be present.

OVERTIME DISCUSSION:

Drew Bickford and Mark Milbrandt requested County policy be changed in regard to paying overtime based on time worked for the two departments. The Commission suggested they draft such a policy and return at a later date.

EXECUTIVE SESSION:

Moved by Wiese, seconded by Fischbach to go into executive session for personnel discussion. All members present voting aye. Motion carried.

The Chairman declared the executive session closed, with no action as a result of the discussion.

RECESS:

The Vice Chairman declared the Commission recessed until February 15, 2005.

Maxine Taylor – Brown County Auditor

FEBRUARY 15, 2005 GENERAL MEETING

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

MINUTES:

Moved by Wiese, seconded by Knecht to approve the General Meeting minutes of February 8, 2005. All members present voting aye. Motion carried.

CLAIMS:

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

Supplies: Best Business..\$313.76, Adamsoft..\$14,500.00, CDW Govt..\$571.65, McDonald Supply..\$29.59, Menards..\$329.95, Roto Rooter..\$75.00, Kone..\$204.02, Dakota Supply..\$67.18, K-Mart..\$250.00, Artz Equip..\$55.03, New Trends..\$1227.91, IAAO..\$175.00, Regional Dist Center..\$1259.65, ProMap..\$2100.00, Quality Quick Print..\$38.64, Tri-State Water..\$28.25, Kesslers..\$404.46, Peavey..\$34.95, Medtox..\$250.54, Hoven Auto..\$66.54, Cheryl Hairgrove..\$295.00, WI Service Parts..\$15.50, Dawn Woods..\$767.00, Lust..\$516.19, SkillPath Seminars..\$388.00, DT Pharmacy..\$1924.08, Earthgrains..\$525.14, Ray O'Herron..\$36.02, Langs..\$55.00, Gardner Locksmith..\$399.20, BP/Amoco..\$30.57, Parcel Erickson..\$237.12, Bureau of Info..\$2300.00, Office Max..\$501.94, City of Groton..\$296.01, New World Systems..\$5104.64, Wallwork Truck Center..\$80.72, George Sumption..\$200.00, SDACHS..\$195.00, Sheehan Sales..\$42.54, Safelite Auto..\$250.10, Royal Tire..\$2700.00, Outlaw Graphics..\$136.00, Newman Signs..\$473.25, Millbrook Colony..\$14,900.00, Darla Jung..\$500.00, John Hieb Trucking..\$50.00, Hedahls..\$21.61, Harms Oil..\$11,467.21, Freys Electronics..\$550.50, Farm Plan..\$1032.48, JD Evans..\$213.50, Economy Oil..\$1860.89, Dware..\$655.00, Violet Dinger..\$1512.00, Diesel Machinery..\$6723.60, Dakota Fluid Power..\$1417.98, Cunningham Elec..\$133.98, Cass County Heating..\$96.25, Cartney Bearing..\$58.99, CarQuest..\$2000.40, Ameripride..\$127.40, Americinn..\$64.80, Aberdeen Awards..\$12.00, Papa Johns..\$65.94, Upbeat..\$593.93, Jim River Riders..\$30.00, Wild Oats..\$10.99, Farnams Parts..\$15.01, Janitor Supply..\$41.50, Gas & Goodies..\$17.77, Twin City Roofing..\$2645.68, State Radio..\$2050.00, Runnings..\$22.96, RE Huffman..\$13.65, Wireless World..\$24.95:

Publications: American News..\$235.64, Groton Indep..\$224.88:

Professional Fees: witness fees..\$106.08, Avera St Lukes..\$2078.23, Aberdeen Family Physicians..\$107.38, James Loterbauer..\$198.00, Avera Queen of Peace..\$287.50, Yankton County Sheriff..\$16.50, Northeastern Mental Health..\$117.04, Lewis & Clark BHS..\$260.00:

Transcriptions: Neal Reporting..\$72.20:

Travel: Mike Wiese..\$157.80, City of Groton..\$33.28:

Court Appointed Attorney: Kelly Marnette..\$2418.00, Mikelson Law Office..\$546.52:

Utilities: Northwestern Energy..\$6575.98, Dependable Sanitation..\$212.00, Cellular One..\$130.63, Verizon..\$141.72, Qwest..\$2011.34, Tel Serv..\$3077.29, Northern Elec..\$44.66, City of Hecla..\$141.22, Bureau of Admin..\$461.88:

Care of Poor: Rent – 2 recipients..Jim Bird..\$200.00, Ken Dohn..\$140.00; Medications – 6 recipients..Econofoods Pharm..\$64.34, Plaza Pharmacy..\$29.78, Kessler Pharm..\$344.65; Transportation – 2 recipients..Brown County Highway..\$26.56, Erdmann Fuels..\$200.10; Dr/Hospital – 3 recipients..Avera McKennan..\$29,553.81, Avera St Lukes..\$10,859.88. All members present voting aye. Motion carried.

PERSONNEL:

Moved by Wiese, seconded by Knecht to approve hiring Breeann Brandenburger, as part-time employee in the Jail, effective February 14, 2005 at \$9.12 per hour. All members present voting aye. Motion carried.

Moved by Knecht, seconded by Hansen to approve salary change for Penny Hart, States Attorney Secretary from \$15.22 per hour to \$18.72 per hour, effective February 1, 2005 (to assume duties of Victims Assistance Program). All members present voting aye. Motion carried.

Moved by Knecht, seconded by Wiese to approve hiring John Heidenreich as Labor Grade 4 employee at the Highway Department, effective February 28, 2005 at \$10.80 per hour. All members present voting aye. Motion carried.

OVERTIME POLICY AMENDED:

Moved by Wiese, seconded by Hansen to amend the County Overtime Policy, effective February 27, 2005: OVERTIME: Time and one-half the employee's regular rate of pay shall be paid for work under any of the following conditions but that compensation shall not be paid twice for the same hours: (a) all work performed in the excess of regular scheduled workday; (b) all work performed in excess of forty (40) hours in any workweek, where applicable; and (c) all work performed in excess of eighty (80) hours in any two week pay period, where applicable. Holidays shall be considered time worked when computing overtime. Vacation and Sick Leave shall not be used when computing overtime, except for Sheriff Field Deputies, Jail Correction Officers, Juvenile Detention Center Officers, and Communications Center Dispatchers. All members present voting aye. Motion carried.

ABATEMENTS:

Moved by Fischbach, seconded by Knecht to approve the following Abatements: Michael Wilson, house gone (Lot 17-19 Blk 11 Westport) SW for 2005 @ \$65.00; St Marys Church, house gone, (Lot 19-20 Blk 38 Hagerty & Lloyd Addn) SW for 2005 @ \$15.00; Joe Huffman, vacant lot (Lt 6 Blk 4 Stratford) SW for 2005 @ \$65.00; Groton City, tax exempt (Lots 8 - 9 Blk 3 OP Groton) for 2004 @ \$537.86 (Lt 1-6 & 13-24 Blk 44 WB Hayes Addn) for 2004 @ \$701.56; Joan Sahli, owner/occupied (#13 Lt 1 Jungs Golden Acres Addn) for 2004 @ \$760.47; Marla Gerber, house gone (BOLS Country Village #88) for 2004 @ \$228.38; Evan Stugelmeyer, house gone (BOLS Mobile Dwellers #24) for 2004 @ \$324.70; FUMC, Tax exempt (Lts 1 & 2 Blk 29 First Addn) for 2004 @ \$4204.82; William Wiest, house gone (BOLS Mobile Dwellers #40) for 2004 @ \$345.14; Darin or Linda Anderson, house gone (BOLS Country Village #110) for 2004 @ \$543.17; Brent Stugelmeyer, house moved (BOLS Country Village #41) for 2004 @ \$198.54. All members present voting aye. Motion carried.

INVENTORY TRANSFER:

Moved by Hansen, seconded by Knecht to approve inventory transfer of three ATS's purchased through Homeland Security as follows: 2004 Yamaha to Aberdeen Rural Fire Protection District; 2004 Artic Cat to Hecla Rural Fire Department, and 2005 Polaris to Columbia Fire Department. All members present voting aye. Motion carried.

UNDERAGE DRINKING GRANT:

Moved by Wiese, seconded by Fischbach to approve and authorize the Chairman sign application documentation for the funding of PBT's from South Dakota Law Enforcement. All members present voting aye. Motion carried.

TAX DEED SALE:

Moved by Wiese, seconded by Hansen to approve and authorize the Chairman to sign the following Quit Claim Deeds to the successful bidders for the surplus property sold at auction at 10:00 A.M. on February 14, 2005: Prairiewood Village: SE 33-124-63 Lot 6, Block 3 @ \$45.00, Lot 7, Block 3 to Hengel FB LLC @ \$45.00; Lot 8, Block 3, Lot 8 to John and Judy Ewart @ \$45.00. All members present voting aye. Motion carried.

PHASE II SHERIFF REMODEL:

Dean Marske, Mick Palmer and Judy Dosch discussed when and how to proceed with Phase II Sheriff Remodel Project and how this would affect paving the north parking lot. No definite decisions made on Phase II at this time, but was mutually agreed not to pave the north parking lot or the parking lot adjacent to the blue building. Discussion was also held in regard to striping the west parking lot or to placing a barrier along property line.

TAX DISCUSSION:

Steve Smith discussed taxes assessed upon real estate he owns, requesting value adjustment. The Commission could make no change, as the time line for appeal had expired.

EXECUTIVE SESSION:

Moved by Hansen, seconded by Wiese to go into executive session with Bill Meink, Dirk Rogers, Mary Worlie, Freddie Robinson and Drew Bickford in attendance for personnel discussion. All members present voting aye. Motion carried.

The Chairman declared the executive session closed, with no action as a result of the discussion.

HIGHWAY 2020:

Commissioner Wiese offered the following Resolution:

RESOLUTION NO. 12-05

RESOLUTION FOR COOPERATION IN SUPPORT OF THE DIAGONAL HIGHWAY CONCEPT FROM SIOUX FALLS, SD THROUGH ABERDEEN TO BISMARCK, ND (ULTIMATELY CONNECTING ST. LOUIS, MO TO BISMARCK, ND)

We, the Brown County Commission do certify that at its regular weekly meeting on February 15, 2005, at which a quorum of the Commission was present, the following preamble and resolution were adopted by majority consent of members:

WHEREAS, a diagonal highway from Sioux Falls, SD through Aberdeen to Bismarck, ND will create accessibility to the communities of at least 15 East River counties, and

WHEREAS, accessibility brings opportunity for jobs, tourism, and growth, and

WHEREAS, opportunity brings people to live in and visit an area, and

WHEREAS, people bring economic and population growth, and

WHEREAS, a diagonal highway from Sioux Falls, SD through Aberdeen to Bismarck, ND will bring opportunity for existing businesses, and

WHEREAS, a diagonal highway from Sioux Falls, SD through Aberdeen to Bismarck, ND will promote retention of and new opportunities for business and residents and encourage new businesses, and

WHEREAS, a diagonal highway from Sioux Falls, SD through Aberdeen to Bismarck, ND will boost economic development with new business, and

WHEREAS, a diagonal highway from Sioux Falls, SD through Aberdeen to Bismarck, ND will encourage population growth in small communities, and

WHEREAS, a diagonal highway from Sioux Falls, SD through Aberdeen to Bismarck, ND will provide a constructive means to controlling urban sprawl in and around cities, and

WHEREAS, a diagonal highway from Sioux Falls, SD through Aberdeen to Bismarck, ND will enhance K-12 school registration, and

WHEREAS, a diagonal highway from Sioux Falls, SD through Aberdeen to Bismarck, ND will preserve agricultural land, and

WHEREAS, a diagonal highway from Sioux Falls, SD through Aberdeen to Bismarck, ND will preserve communities near the highway, and

WHEREAS, a diagonal highway from Sioux Falls, SD through Aberdeen to Bismarck, ND will encourage travel to newly made accessible destinations, and

WHEREAS, a diagonal highway from Sioux Falls, SD through Aberdeen to Bismarck, ND will boost tourism in these communities, and

WHEREAS, a diagonal highway from Sioux Falls, SD through Aberdeen to Bismarck, ND has merit, and

WHEREAS, a diagonal highway from Sioux Falls, SD through Aberdeen to Bismarck, ND will reduce transportation costs for businesses, agriculture, residents and tourists.

NOW, THEREFORE IT IS HEREBY RESOLVED: That We support and endorse the concept of a diagonal highway from Bismarck, ND through Aberdeen to Sioux Falls, SD to Des Moines, IA and ultimately to St. Louis, MO;

That We encourage the research, study, and design of the mentioned diagonal highway with the intent to construct it;

That We authorize and direct our support to promote our support for this diagonal highway concept to and cooperate with our citizens, the press/media, our local state representatives, other state representatives, other local government entities and individuals and state agencies.

Dated at Aberdeen, SD on this 15th day of February 2005.

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

STRIPING AGREEMENT:

Moved by Wiese, seconded by Knecht to approve and authorize the Chairman to sign agreement with the SD DOT for the striping of county roads within Brown County and provide for their continuing maintenance. All members present voting aye. Motion carried.

COUNTY ROAD #16:

Moved by Hansen, seconded by Wiese to approve and authorize the Chairman to sign agreement with the SD DOT to exchange Federal for State funds for grading, reclamation, and AC surfacing construction of Project P 2651(00), PCN 6718 Brown County from 1N & 1W of Stratford N 9 mi. on County Road #16 (between US 12 and FAS 6176), to be let for construction in FY 2007. All members present voting aye. Motion carried.

EQUIPMENT PURCHASE:

Moved by Wiese, seconded by Hansen to approve purchase of a live bottom trailer from Millbrook Colony in amount of \$14,900.00. All members present voting aye. Motion carried.

ASSESSMENT DISCUSSION:

Mary Worlie gave Commission a map with assessment level comparisons from surrounding counties.

EXECUTIVE SESSION:

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

The Chairman declared the executive session closed, with no action as a result of the discussion.

RECESS:

The Chairman declared the Commission recessed until February 22, 2005.

Maxine Taylor – Brown County Auditor

FEBRUARY 22, 2005 – GENERAL MEETING

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

MINUTES:

Moved by Wiese, seconded by Knecht to approve the General Meeting minutes of February 15, 2005. All members present voting aye. Motion carried.

CLAIMS:

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

Payroll: Commissioners..\$2,683.65; Auditor..\$11,694.51; Treasurer..\$8,634.84; Data Processing..\$1,658.00, State's Attorney..\$8,785.94; Maintenance..\$5,200.45; Assessor..\$7,994.22; Planning & Zoning..\$1,069.60; Register of Deeds..\$4,838.04; Veterans Service Office..\$2,541.79; Sheriff..\$56,960.75; DOJ Grant..\$3,356.80; Communications..\$12,605.82; Welfare Office..\$2,745.72; Museum..\$4,760.68; Fairboard..\$906.58; Fairgrounds & Parks..\$3,225.76; Extension..\$1,676.80; Weed..\$245.16; Emergency Management..\$2,306.51; Weed and Seed..\$1,067.31; Highway..\$27,208.19; Landfill..\$6,139.83; Matching Benefits: FICA..\$10,376.65, Medicare..\$2,426.82, Wellmark BCBS Life..\$659.96, Wellmark BCBS Health..\$51,293.70, Delta Dental..\$3,887.00, SD State Retirement..\$21,427.12:

Supplies: Reserve Acct..\$5000.00, Thomsen West..\$1688.00, Chris Stanley..\$962.10, Custom Sheet Metal..\$683.67, Menards..\$129.35, House of Glass..\$246.32, Gardner Locksmith..\$75.00, Ecolab..\$97.50, Crescent Electric..\$92.11, Ken Wherry..\$1197.80, Behavioral Interventions..\$120.00, Career Planning..\$709.75, Lamb Chev..\$50,988.00, Diane Mielke..\$6.30, Brown County Health..\$10.00, Vantek..\$20.00, Velvet Uniforms..\$91.42, Brown County..\$930.73, NECOG..\$3102.65, JC Penney..\$15.30, Snap-On..\$15.95, Share Corp..\$117.30, RB Upholstery..\$65.00, North Central Rental..\$2756.00, Newman Signs..\$318.14, Lawson Products..\$37.10, Langs..\$45.00, L&O Acres..\$2132.52, HF Jacobs..\$160.80, Fastenal..\$186.37, Farnams Genuine Parts..\$20.45, Diesel Machinery..\$7000.00, Aberdeen Transmission..\$1674.36, Creative Sign..\$100.00, Northern State Univ..\$127.20, Lora Schaunaman..\$16.08, Macs..\$41.91, Office Equip..\$68.74, Quality Quick Print..\$750.86, New Trends..\$129.00, Mohrs Builders..\$7643.07:

Publications: American News..\$403.78:

Professional Fees: NADRIC..\$1666.66, Rich Russman..\$2916.67, Kim Dorsett..\$2083.33, Avera St Lukes..\$595.00, Sheriff of Yankton County..\$16.50, Donna Dietrich..\$139.57, Nelva Kooistra..\$21.00, Marv Ekeren..\$21.00, Northern Plains Psych..\$651.17:

Transcriptions: Neal Reporting..\$174.80:

Travel: Larry Gerlach..\$211.11, Kathy Fischer..\$68.48, Gene Loeschke..\$79.04:

Court Appointed Attorney: Randy Turner..\$4166.67, Christy Serr..\$4166.63, Kuck Law Office..\$4166.67, William Gerdes..\$4166.67:

Utilities: Montana Dakota..\$27.99, Dependable..\$159.00, Qwest..\$69.50, Verizon..\$70.14, Northern Elec..\$319.01:

Care of Poor: Rent – 2 recipients..Brenner Builders..\$310.00, Mel Ros Village Phase I..\$103.00; Medications – 2 recipients..Medical Center Pharm..\$90.43, Walmart Pharm..\$31.36; Transportation – 2 recipients..Aberdeen Adv Care..\$151.57, Jefferson Lines..\$50.60; Dr/Hospital – 2 recipients..Avera St Lukes..\$3784.02, Orthopedic Surgery Spec..\$1401.73; Burial – 2 recipients..Miller-Huebl..\$232.96, Spitzer Funeral Home..\$850.00, City of Aberdeen..\$500.00; Utilities – 2 recipients..NWPS..\$377.65. All members present voting aye. Motion carried.

PERSONNEL:

Moved by Knecht, seconded by Wiese to approve the following employee step/longevity increases, effective February 27, 2005: Jan Weismantel @ \$13.66 per hour, Margaret Unser @ \$10.40 per hour. All members present voting aye. Motion carried.

Moved by Wiese, seconded by Fischbach to approve hiring Jessica Mather as Deputy Auditor/Fair Secretary, effective February 21, 2005 at \$9.97 per hour. All members present voting aye. Motion carried.

Moved by Fischbach, seconded by Wiese to adjust annual pro-rated salary for Larry Gerlach, Fair Manager from \$23,571 to \$24,571, effective February 21, 2005. All members present voting aye. Motion carried.

GUARD FEE POLICY:

Moved by Knecht, seconded by Fischbach to approve the following policy for payment of guards for purpose of prisoner transport, effective February 22, 2005: 1) \$75.00 per day for round trips less than 400 miles; 2) \$100.00 per day for round trips 400 miles or more. All members present voting aye. Motion carried.

PLATS:

Commissioner Fischbach offered the following Resolution:

RESOLUTION NO. 13-05

BE IT RESOLVED by the County Commission of Brown County, SD, that the plat showing "Swenson's Outlots in the SW ¼ Sec 21-T123N-R64W 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 Commission Wiese. Roll call vote: Commissioners Hansen-absent, Fischbach-aye, Knecht-aye, Wiese-aye, Feickert-aye. Resolution adopted.

Commissioner Wiese offered the following Resolution:

RESOLUTION NO. 14-05

BE IT RESOLVED by the County Commission of Brown County, SD, that the plat showing "Frey's First Subdivision in NE ¼ Sec 24-T126N-R60W 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 Commission Knecht. Roll call vote: Commissioners Hansen-absent, Fischbach-aye, Knecht-aye, Wiese-aye, Feickert-aye. Resolution adopted.

LOTTERY APPLICATION:

Moved by Knecht, seconded by Wiese to approve and authorize the Chairman sign application, submitted by Aberdeen Area Modelair's Club for raffle to be held on September 11, 2005. All members present voting aye. Motion carried.

ABATEMENTS:

Moved by Fischbach, seconded by Wiese to approve the following Abatements: John Evelo, double assessment (OL 1 Evelos S2 29-123-63) solid waste for 2005 @ \$65.00; Conesco Finance, house gone

(BOLS #1239 Park Village) for 2003 @ \$635.09, for 2004 @ \$802.04. All members present voting aye. Motion carried.

SHERIFF REPORTS:

Moved by Knecht, seconded by Wiese to approve the following January 2005 Sheriff Reports: Incidents and offenses; Prisoner Care, JDC, Money deposited with the County Treasurer, and Monthly activities. All members present voting aye. Motion carried.

WEED AND SEED:

Moved by Knecht, seconded by Wiese to approve the Brown County Weed and Seed Monthly Expenses for February 2005 (Year Two 2002-WS-QX-0054), in amount of \$1,666.66. All members present voting aye. Motion carried.

Moved by Knecht, seconded by Wiese to approve the Brown County Weed and Seed Monthly Expenses for February 2005 (Year Three 2002-WS-QX-0054), in amount of \$930.73. All members present voting aye. Motion carried.

Moved by Fischbach, seconded by Wiese to approve the following Weed and Seed Year Three funding proposal: Aberdeen School District (Self injurious behaviors training), as recommended by the Steering Committee. All members present voting aye. Motion carried.

BID – WOOD WASTE GRINDING:

Time and place, as advertised to open, read and consider bids to complete 2005 Wood Waste Grinding at the Landfill. Bid received from Dakota Wood-Grinding Inc, Rosemount, MN. Moved by Wiese, seconded by Fischbach to award bid, submitted by Dakota Wood-Grinding Inc in amount of \$350.00 per hour with mobilization in amount of \$500.00 per event to complete 2005 Wood Waste Grinding at the Landfill. All members present voting aye. Motion carried.

Moved by Wiese, seconded by Fischbach to approve and authorize the Chairman sign Contract with Dakota Wood-Grinding, Inc to complete 2005 Wood Waste Grinding at the Landfill. All members present voting aye. Motion carried.

BID – SKIDSTEER FOR LANDFILL:

Time and place, as advertised to open, read and consider bids for furnishing and delivery of a new 2005 Skidsteer Loader for the Landfill. Bids received from HC Clark Implement, RDO Equipment, Butler Cat, and J Gross Equipment. 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 bid, submitted by HC Clark Implement for a 2005 Bobcat S250 Skidsteer in total amount of \$29,590.00; rejecting RDO in amount of \$33,937.00, Butler Cat in amount of \$37,564.00 and J Gross Equipment in amount of \$33,892.00. All members present voting aye. Motion carried.

Moved by Wiese, seconded by Fischbach to approve and authorize the Chairman sign Contract with HC Clark Implement for furnishing and delivery of a 2005 Bobcat Skidsteer for the Landfill. All members present voting aye. Motion carried.

BID – PICKUP FOR LANDFILL:

Time and place, as advertised to open, read and consider bids for furnishing and delivery of a new 2005 4x4 Crew Cab Heavy Duty ½ Ton Short Box Pickup for the Landfill. Bids received from Pierson Ford and Lust Chevrolet. 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

Wiese, seconded by Knecht to award bid, submitted by Pierson Ford for a 2005 4x4 Crew Cab Heavy Duty ½ Ton Short Box Pickup with trade-in at net amount of \$25,744.00; rejecting Pierson Ford with out trade-in at \$26,444.00 and Lust Chevrolet with out trade-in at \$28,492.20, with trade-in at \$27,492.20. All members present voting aye. Motion carried.

Moved by Wiese, seconded by Fischbach to approve and authorize the Chairman sign Contract with Pierson Ford for furnishing and delivery of a 2005 4x4 Crew Cab Heavy Duty ½ Ton Short Box Pickup for the Landfill. All members present voting aye. Motion carried.

SURPLUS PROPERTY:

Moved by Wiese, seconded by Fischbach to declare Decal #4011 1989 Chev Pickup surplus for purpose of trade-in from the Landfill. All members present voting aye. Motion carried.

LANDFILL ANNUAL REPORT:

Mike Scott, Landfill Manager distributed the Brown County Landfill 2004 Annual Report.

LETTER OF SUPPORT:

Moved by Knecht, seconded by Wiese to approve and authorize the Chairman sign letter of support for the Family Crisis Intervention Program. All members present voting aye. Motion carried.

EXECUTIVE SESSION:

Moved by Knecht, seconded by Fischbach to go into executive session for personnel discussion. All members present voting aye. Motion carried.

The Chairman declared the executive session closed, with no action as a result of the discussion.

TRAINING REPORT:

Larry Gerlach, Fair Manager informed the Commission about changes pertaining to the use of forklifts, with training to be scheduled in the spring. Requested permission for Fair Board members to drive County vehicle when attending Zone 4 Fairs and Celebrations Meeting in April. Moved by Knecht, seconded by Fischbach to authorize Fair Board members attending the Zone 4 Fairs and Celebrations Meeting to drive the County owned vehicle. All members present voting aye. Motion carried.

EXECUTIVE SESSION:

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

The Chairman declared the executive session closed, with no action as a result of the discussion.

MUSEUM ANNUAL REPORT:

Sue Gates, Museum Director introduced Amber Heier, Museum Intern and presented the Dacotah Prairie Museum 2004 Annual Report.

CENTRAL DAKOTA RC&D:

Russ Stone presented an overview of Central Dakota Resource Conservation and Development and invited the Commission to a meeting to be held at 1:00 p.m., March 2, 2005 at the Smart Center.

FAIRGROUNDS POLICY:

Commissioner Knecht offered the following Resolution:

RESOLUTION NO. 15-05

By order of the Brown County Commission, the following motorized vehicles will be prohibited from use on the Brown County Fairgrounds.

1. Snowmobiles
2. Any unlicensed vehicle that is designated for off-road use. This includes motorcycles and go-carts.

Four-wheel utility vehicles will be used on the fairgrounds only by the discretion of the Fairgrounds Superintendent or the Fair Board Manager.

All motorized vehicles will stay on the established roadways within the fairgrounds.

Any operator violating these provisions will be found in violation of County Ordinance Chapter 15.06, subsection b.

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

PLANNER/ZONER POSITION:

Mary Worlie discussed the need to advertise for the Planning/Zoning position, due to the unexpected death of Mick Waller. A job description will be drafted and reviewed next week.

RECESS:

The Chairman declared the Commission recessed until March 1, 2005.

Maxine Taylor – Brown County Auditor

MARCH 1, 2005 – GENERAL MEETING

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

MINTUES:

Moved by Wiese, seconded by Hansen to approve the General Meeting minutes of February 22, 2005. All members present voting aye. Motion carried.

CLAIMS:

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

Supplies: SD Safety Council..\$400.00, RE Huffman..\$507.80, Office Equip..\$606.30, Spec Training Services..\$1010.00, Carlson Travel..\$614.61, Menards..\$123.88, Wooden Mallet..\$16.00, House of Glass..\$237.31, State Supply..\$128.90, Lien Transportation..\$458.75, Nelson Sales..\$54.92, New Trends..\$71.20, IAAO..\$175.00, Lar-Jos..\$1180.00, Best Business..\$221.90, AEDEC Intl..\$176.00, Photo Xpress..\$27.35, Dept of Rev..\$1333.00, Exec Mgmt..\$1272.15, Farm Power..\$1034.63, Bridgestone Firestone..\$5285.02, Barnes Dist..\$205.95, Farnams..\$127.90, Aberdeen Area Arts Council..\$169.85, SD Division of Motor Vehicles..\$13.00, Dacotah Prairie Museum..\$44.44, Store Supply..\$249.32, Century Business..\$86.61, Godfather Pizza..\$53.46, RadioShack..\$119.98, Tesco..\$9954.19, DSS..\$45.90, Walmart..\$27.80, E-Zee Supply..\$855.23, Macs..\$69.57, Pierson Ford..\$385.09, Kens Alignment..\$320.67, Tinted Ltd..\$35.49, RDO..\$443.78, PowerPlan..\$1095.17, JD Evans..\$32.07, Carquest..\$14.77, Aberdeen Rural Fire Dept..\$200.00, US Post Office..\$68.00:

Publications: American News..\$837.78, Groton Indep..\$372.60:

Professional Fees: Avera St Lukes..\$2262.84, Avera United Clinic..\$92.70, Dakota Imaging..\$13.09, Nelva Kooistra..\$15.00, Marv Ekeren..\$15.00, Donna Dietrich..\$193.99, Yankton County Sheriff..\$16.50:

Transcriptions: Neal Reporting..\$79.80, Calleen Misterek..\$1663.65:

Travel: Leo Leshner..\$110.72, Tabatha Moore..\$32.00, Mark Wendt..\$10.00, Gary Erickson..\$61.36, Mike Scott..\$350.66, Melissa Koester..\$21.44:

Court Appointed Attorney: Kabeiseman & Pollard..\$171.30:

Utilities: Qwest..\$4294.18, Midcontinent Cable..\$172.10, Cellular One..\$1054.65, Northwestern Energy..\$773.58, AT&T..\$23.53, WEB..\$53.44, Northern Elec..\$914.80, NRCTV..\$80.90:

Care of Poor: Rent – 9 recipients..Rockford Apts..\$240.00, Danne..\$200.00, Ron Erdmann..\$50.00, Jon Holmes..\$94.00, Dallas Niederbaumer..\$130.00, Chuck Currie..\$260.00, Kurt Kruger..\$129.00, Dalat Ent..\$200.00, Chow Main..\$175.00; Transportation – 2 recipients..Brown County Hwy..\$16.23, Aberdeen Ambulance Service..\$549.47; Dr/Hospital – 2 recipients..Avera United Clinic..\$219.92, Aberdeen Family Physicians..\$20.75, Avera St Lukes..\$2457.92. All members present voting aye. Motion carried.

PERSONNEL:

Moved by Fischbach, seconded by Hansen to approve hiring Herbert Aman as temporary summer seasonal w/CDL at the Highway Department, effective March 2, 2005 at \$8.59 per hour. All members present voting aye. Motion carried.

Moved by Hansen, seconded by Wiese to approve hiring Mike Rohrbach as shared Highway/Weed Board employee w/CDL, effective March 14, 2005 at \$10.69 per hour. All members present voting aye. Motion carried.

Moved by Hansen, seconded by Wiese to authorize advertising position of Planning & Zoning/Appraiser position. All members present voting aye. Motion carried.

Moved by Fischbach, seconded by Hansen to acknowledge the resignation of Jodi Buhl from the Register of Deeds Office, effective March 11, 2005; and further authorized advertising to fill the vacant position. All members present voting aye. Motion carried.

ABATEMENTS:

Moved by Hansen, seconded by Wiese to approve the following Abatements: Groton City, house gone (Lt 8-9 Blk 3 OP Groton) solid waste for 2005 @ \$15.00; Madaline Huettl, house gone (Lt 8 Blk 2 Park Addn Westport) solid waste for 2005 @ 65.00. 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 Rental Services of Gravel Trucks and Road Machinery for construction and maintenance repairs on Brown County Road Projects for year 2005. Bids were received from Aberdeen Asphalt, Inc, Aberdeen; Lien Transportation, Aberdeen; HF Jacobs & Son Construction, Aberdeen; Slight Construction, Hecla; Kevin Bourdon, Aberdeen; Hanlon Brothers, Verdon; Howell Trucking, Aberdeen; Fred Ludwig Trucking, Aberdeen; Dabbert Trucking Inc, Aberdeen; Herb Dabbert Trucking, Aberdeen; Lout Excavating, Aberdeen; Hollaway Construction, Mitchell; Cass Trucking, Redfield; Odland Construction & Gravel, Redfield; David Gardner Trucking, Mina; Craig Marten Construction, Aberdeen; Engel Trucking, Aberdeen, R & L Trucking, Faulkton, DMI, Aberdeen, Upper Plains Contracting, Aberdeen. Moved by Hansen, seconded by Fischbach to refer all bids to Dirk Rogers, 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-year supply of road construction and maintenance gravel materials. Bids were received from HF Jacobs & Son Construction Inc, Aberdeen; Hanlon Brothers, Verdon; Lien Transportation, Aberdeen; Violet Dinger, Hecla; Jensen Rock & Sand Inc, Mobridge; Trins Construction, Aberdeen, Fred Ludwig, Aberdeen. Moved by Hansen, seconded by Wiese to refer all bids to Dirk Rogers, Highway Superintendent for review and recommendation. All members present voting aye. Motion carried.

BID AWARD – HOT MIX:

Time and place, as advertised to open, read and consider bids for furnishing and delivery of one-year supply of hot mix. Moved by Fischbach, seconded by Wiese to award bid, submitted by Aberdeen Asphalt for Class "D" Type II (1/2 inch) in amount of \$28.80 per ton; rejecting Lien Transportation @ \$29.95 per ton and Serocki Excavation @ \$29.15 per ton; and further award bid, submitted by Serocki Excavation, Browns Valley, MN for Class "D" Type 1 (3/4 inch) in amount of \$28.25 per ton; rejecting Aberdeen Asphalt @ \$28.80 per ton, Lien Transportation @ \$29.45 per ton and McLaughlin & Schulz, Inc, Marshall, MN @ \$31.90 per ton. All members present voting aye. Motion carried.

BID – JAIL CELL LAVATORY/TOILET UNITS:

Time and place, as advertised to open, read and consider bids for furnishing and delivery of Bradley Stainless Steel Combination Lavatory/Toilet Units, with Zurn Flush Valves. Bids were received from Dakota Supply, McFarland Supply. Moved by Fischbach, seconded by Wiese to refer all bids to Mick Palmer, Maintenance Engineer for review and recommendation. 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 and Pest Board for 2005. Bids were received from Hefty Seed, Aberdeen and VanDiest Supply Company, McCook, NE. Moved by Fischbach, seconded by Hansen to refer all bids to Roger Johnson for review and recommendation. All members present voting aye. Motion carried.

ADC:

Jim Barringer, Aberdeen Development Corporation presented an update on community development.

HIGHWAY UPDATE:

Dirk Rogers, Highway Superintendent outlined tentative load limit dates on county roads.

LANDMARKS COMMISSION ANNUAL REPORT:

Art Buntin presented the Brown County/Aberdeen Landmark Commission for Historic Preservation 2004 Annual Report; and presented list of 2005 Officers.

RECESS:

The Chairman declared the Commission recessed until March 8, 2005.

Maxine Taylor – Brown County Auditor

MARCH 8, 2005 – GENERAL MEETING

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

MINUTES:

Moved by Hansen, seconded by Wiese to approve the General Meeting minutes of March 1, 2005. All members present voting aye. Motion carried.

CLAIMS:

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

Payroll: Commissioners..\$2,683.65; Auditor..\$7,644.64; Treasurer..\$8,634.84; Data Processing..\$1,658.00; State's Attorney..\$8,460.25; Maintenance..\$5,250.69, Assessor..\$7,532.46; Planning & Zoning..\$320.88, Register of Deeds..\$4,838.04; Veterans Service Office..\$2,516.14; Sheriff..\$59,451.06; DOJ Grant..\$3,289.07; Communications..\$12,324.42; Welfare Office..\$2,745.72; Museum..\$4,760.68; Fairgrounds & Parks..\$3,225.76, Fairboard..\$1,125.21; Extension..\$1,676.80; Weed..\$655.07; Emergency Management..\$2,306.51; Weed and Seed Grant..\$1,067.31; Highway..\$28,969.74; Landfill..\$6,065.02; Matching Benefits: FICA..\$10,313.04; Medicare..\$2,411.91; Supplies: RE Huffman..\$40.50, SD Law Review..\$28.30, Robbies..\$100.64, Legislative Mail..\$68.79, West Payment..\$2051.50, Office Equip..\$71.98, New Trends..\$92.99, Quality Quick Print..\$404.85, Office Max..\$523.77, Menards..\$2168.80, Nelson Sales..\$24.51, Quality Welding..\$53.03, SOS Garage Door..\$20.00, Cunningham Elec..\$396.27, McFarland Supply..\$21.78, Taylor Laundry..\$21.00, Sherwin Williams..\$24.95, Kone..\$2673.00, Crescent Elec..\$91.82, Runnings..\$1087.14, Rux Bros..\$275.64, SD Dept of Rev..\$3210.36, UBC..\$13.65, A&M Radio..\$51.50, McQuillen Design..\$196.50, Duanes Amoco..\$25.80, Dicks Westside..\$29.95, Deluxe Car Wash..\$12.37, Langs..\$68.50, Parcel Erickson..\$26.95, Best Business..\$86.79, Herbergers..\$83.58, Accurint..\$15.80, Medtox..\$122.86, HRS..\$3581.75, SD Asphalt..\$170.00, Wallwork..\$40,421.00, 3-D Spec..\$2280.23, SDACHS..\$65.00, S&S Lumber..\$943.34, Macs..\$213.13, David Kampa Const..\$5990.40, HF Jacobs..\$7941.75, Harms Oil..\$11,812.48, Don Gunther..\$6882.85, Great Western Tire..\$7861.00, Evergreen Supply..\$59.50, JD Evans..\$282.25, Erdmann Oil..\$3721.37, Diesel Machinery..\$3500.00, Crawford Trucks..\$820.34, Chris & Dons Tarp..\$52.80, Cartney Bearing..\$56.00, Butler Machinery..\$4784.86, ATSSA..\$190.00, OK Tire..\$18.00, IAFE..\$375.00, Mid West Plan..\$14.00, Daisy Outdoor Products..\$16.25, Pheasantland Ind..\$27.60, MilesTek Corp..\$99.80, CDW Govt..\$678.61, Hewlett-Packard..\$149.00, M&T Fire..\$4780.00, Specialty Mfg..\$5139.00, Dakota Elec..\$1842.20, SD Solid Waste Mgmt..\$330.00, Dakota Fluid Power..\$651.96, Ameripride..\$68.36, AACPC..\$140.00, PowerPlan..\$124.00, MVTL Labs..\$530.00, Great Western Tire..\$239.80, Sheehan Mack Sales..\$93.60, Praxair..\$15.70, Petroleum Partners..\$1479.38, Glas Consulting..\$62.50, Graham Tire..\$2885.82, Ambient..\$363.91, Peripheral Mfg..\$1025.00, North American Const..\$28,161.82, Lutheran Social Services..\$40,048.28, Ramkota..\$172.00, Warner School Dist..\$488.91; Publications: American News..\$910.35, Dakota Press..\$787.42; Professional Fees: Dawn Woods..\$682.00, Avera St Lukes..\$719.00, Eide Bailly..\$271.50; Travel: Deb Knecht..\$224.00, Freddie Robinson..\$187.84, Gordon VanAuken..\$379.04; Court Appointed Attorney: Kelly Marnette..\$2070.00, Yankton County State's Attorney..\$91.05; Utilities: Northwestern Energy..\$13,193.35, City of Aberdeen..\$706.49, Midcontinent Cable..\$93.15, Qwest..\$40.56, Northern Valley Comm..\$143.81, James Valley Co-Op..\$155.44, Town of Frederick..\$28.25, A-1 Sanitation..\$202.55, WEB..\$44.94, Verizon..\$43.42, Dependable Sanitation..\$13,926.82; Care of Poor: Rent – 6 recipients..Mary Anderson..\$275.00, Ken Dohn..\$140.00, Don Gisi..\$220.00, Daniel Brenner..\$200.00, Falcon Rental..\$100.00; Medications – 7 recipients..Econofoods Pharm..\$50.00,

K-Mart Pharm..\$47.24, Kessler Pharm..\$596.51; Dr/Hospital – 2 recipients.. Aberdeen Plastic Surgery..\$2841.34, Avera Queen of Peace..\$6106.54; Burial – 1 recipient..Schrivers Mortuary..\$1200.00; Utilities – 1 recipient..NWPS..\$260.00; Insurance – 1 recipient..Celtic Ins..\$200.00. All members present voting aye. Motion carried.

PERSONNEL:

Moved by Knecht, seconded by Wiese to approve the following employee step/longevity increases, effective March 13, 2005: Carl Wright @ \$13.54 per hour, Marcus Selzler @ \$13.36 per hour, Cindy Mitchell @ \$12.10 per hour, Kyle Brandner @ \$11.12 per hour. All members present voting aye. Motion carried.

Moved by Hansen, seconded by Fischbach to acknowledge the resignation of Laurie Dinger. All members present voting aye. Motion carried.

Moved by Fischbach, seconded by Knecht to authorize Drew Bickford, Communications Center Director to advertise for open Dispatch position. All members present voting aye. Motion carried.

CERT:

Moved by Wiese, seconded by Hansen to approve the following CERT members for work comp purposes: Becky Berreth, Randy Kingery, Tony Jones, Rick Adema, Randy Imberi, Donne Stearns, Tom Kessler, Gordon Vanauken, Dean Sinclair, Rosecathy Thornton, Brian Johnson, Scott Meints, Roland Moerke, Linda Schwabe, Christy Johnson, Donald Hurst, Rich Rainford, Judith Martens, Harry Martens, Kenneth Jones, Robert Janssen, Lois Pletten, Mark Heintzman, Judith Sheldon, Marian Carter, Gwyn Fischbach, Tony Ingemansen, Shane Jung, Zachery Kern, Gloria Kiefer, Janet Malsom, Britt Nelson, Deanna Nelson, Jayne Reuer, Bonnie Siebrecht, Rich Kezar. All members present voting aye. Motion carried.

ABATEMENTS:

Moved by Fischbach, seconded by Knecht to approve the following Abatements: Bernard A Krien, house gone (Lt 1 Walh SD B 33 Northwestern Addn) solid waste for 2005 @ 15.00; St Anthony Catholic Church, tax exempt (Lt 5 Blk 14 Hecla City) for 2004 @ \$16.71; Oakwood Acceptance Corp, house gone (BOLS Country Village #15) for 2004 @ \$477.97. All members present voting aye. Motion carried.

RESCIND ABATEMENT:

Moved by Hansen, seconded by Wiese to rescind action taken February 22, 2005 and deny abatement of solid waste for 2005 @ \$65.00, submitted by John Evelo on OL 1 Evelos S2 29-123-63, as two different properties. All members present voting aye. Motion carried.

2005 LF MONITORING AGREEMENT:

Moved by Fischbach, seconded by Hansen to approve and authorize the Chairman sign the 2005 Landfill Monitoring Agreement with Minnesota Valley Testing Laboratories, Inc. in amount not to exceed \$12,325.30. All members present voting aye. Motion carried.

LOTTERY:

Moved by Hansen, seconded by Wiese to approve and authorize the Chairman sign application, submitted by Aberdeen A.B.A.T.E/Northland Strollers Car Club for raffle to be held on April 16-17, 2005. All members present voting aye. Motion carried.

AMENDMENT:

LOAD LIMIT RESOLUTION:

Commissioner Knecht offered the following Resolution:

RESOLUTION NO. 16-05

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 Highway Department Superintendent to work with the South Dakota Highway Patrol to reduce weight maximums due to the thawing and excessive moisture and until the roads are free of frost and become stable. SDCL 32-22-25

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

SEASONAL LOAD RESTRICTIONS:

Moved by Knecht, seconded by Hansen to approve the following seasonal load restrictions for 2005: The Brown County Highway Department seasonal load restrictions will go into effect Monday, March 11, 2005, 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 Asphalt Roads will be posted at 6-tons per axle 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 #4 from 24th Ave 1 mile to County Road #13.
Road #10 from Road #13 (Prairiewood Road) south 1.0 mile to Road #15.
Road #10 from Road #19 (Melgaard Road) south 0.5 miles to the Livestock Sale Barn.
Road #12 from 24th Ave NE 1 mile to County Road #13.
Road #12W (US Highway #281) west 2.3 miles to County Road #19.
Road #12WA north 1.0 mile.
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 mile to County Road #10.
Road #15 from the West end of Wylie Park - west 0.5 miles.
Road #17 (8th Ave NE) from Road #19 east 1.0 mile to Road #14.
Road #19 starting 0.3 miles east of US Highway #281, thence east 0.7 mile to Road #10.
Road #19 from the Jct of Road #19 and Road #17 (8th Ave NE) north 1.0 mile 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 mile to Barnard and Road #10.
 Road #9 from US Highway #281 east 1.0 mile 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 mile to Warner and Road #10.
 Road #16C from the town of Stratford north 1.0 mile 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.

METH LAB PRESENTATION:

Monica Hale, MAPP SD gave a presentation on Meth Labs.

NESDCAP:

Marcia Erickson and Lori Moen presented the 2004 NESDCAP Annual Report and submitted a funding request for the 2006 budget cycle.

BID AWARD – JAIL CELL LAVATORY/TOILET UNITS:

Moved by Knecht, seconded by Hansen to award bid, submitted by McFarland Supply in amount of \$28,798.00 for labor and material for the Jail Cell Lavatory/Toilet Unit Project; rejecting bid from Dakota Supply in amount of \$31,890.20. All members Present voting aye. Motion carried.

CONTRACT AGREEMENT:

Moved by Hansen, seconded by Knecht to approve and authorize the Chairman sign Contract Agreement with McFarland Supply for the Jail Cell Lavatory/Toilet Unit Project. All members Present voting aye. Motion carried.

EM AWARDS:

Congratulations were extended to Emergency Management Director Freddie Robinson and Assistant Ginger Walker for Awards of Appreciation they received from the Aberdeen Rural Fire District and the Brown County Rural Fire Chiefs Association.

BURN BAN:

Commissioner Hansen offered the following Resolution, as recommended by Freddie Robinson, EM Director and by the Brown County Association of Fire Chiefs:

RESOLUTION NO. 17-05

A RESOLUTION BY THE BROWN COUNTY BOARD OF COMMISSIONERS DECLARING A FIRE DANGER EMERGENCY AND PROHIBITING OPEN BURNING WITHIN THE COUNTY.

BE IT RESOLVED BY BROWN COUNTY, that weather or other conditions exist which make the open burning of any substance unduly hazardous and a danger to public safety, and because of such conditions the Brown County Board of Commissioners by resolution declares a "Fire Danger Emergency"; and

BE IT FURTHER RESOLVED BY BROWN COUNTY, that because a "Fire Danger Emergency" is declared, all open burning of any substance shall be prohibited within any or all of the unincorporated area of Brown County until such time as this resolution declaring the "Fire Danger Emergency" shall be rescinded by appropriate action of the Brown County Board of Commissioners; and

BE IT FURTHER RESOLVED BY BROWN COUNTY, that any person who shall create, commit, maintain or permit to be created, committed or maintained an open burning in violation of this resolution declaring a "Fire Danger Emergency" shall be deemed to have committed a public nuisance in violation and subject to all criminal and civil penalties provided for therein. Any person that maintains, commits, or fails to abate a public nuisance as required under the provisions of this resolution shall be subject to a maximum penalty of thirty (30) days in jail, a \$200 fine, or both. Each and every day that the violation continues may constitute a separate offense.

Section 1. DEFINITION:

"Open burning" the intentional burning of any substance whether natural or manmade, or the intentional casting off of any burning substance, whether natural or manmade, except the burning of such substance, in a container sufficient so as to prohibit the escape of any of the burning substance, or any sparks, flames or hot ashes from the container. The escape of any such burning substance, or the escape of any sparks, flames or hot ashes from any such container shall be deemed prima facie evidence that the container was insufficient so as to meet the exception from the definition of any open burning set forth herein. The maintaining of a fire in any interior fireplace, stove or furnace is specifically excluded from the definition of an open burning as contemplated by this ordinance.

THIS RESOLUTION is declared to be necessary for the immediate preservation of the public safety in accordance with the provision of SDCL 7-18A-8.

Approved this 8th day of March 2005, as authorized by Brown County Ordinance, Second Revision Title 18.

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

ASSESSMENT DISCUSSION:

County resident Paul Fischbach met to discuss the differences between the assessed value of farm land between Brown County and Spink County, stating Spink County was one/half the value of Brown County; and also stated that many farmers are receiving ASC credit for illegally farming the road ditches. Mary Worlie explained that due to lack of sales Spink County was forced by state law to go strictly by the soil survey for their assessment values and also warned the Commission that in a few years Brown County may be forced into a similar situation, as most of the farm land sales can not be considered because the price being paid per acre is so much higher than the assessed value (NAZ law and 150% law).

EXECUTIVE SESSION:

Moved by Knecht, seconded by Wiese to go into executive session for personnel discussion with Mary Worlie, Drew Bickford, Bill Meink, Dirk Rogers and Freddie Robinson in attendance. All members present voting aye. Motion carried.

The Chairman declared the executive session closed, with no action as a result of the discussion.

AWARD BID – RENTAL OF EQUIPMENT:

Moved by Wiese, seconded by Hansen to award the following bids for Rental of Equipment: Dump Trucks to Odland Construction, 17 ton @ \$41.00 per hour, Dump Trucks with Pup Trailer to Kevin Bourdon Trucking, 34 ton @ \$70.00 per hour, Dave Gardner Trucking, 34 ton @ \$70.00 per hour, Semi Tractor/Trailer to Odland Construction, 28 ton @ \$57.00 per hour, Cass Trucking, 28 ton @ \$57.00 per hour; Semi Tractor/Trailer with Pup Trailer to Al Dabbert Trucking, 40 ton @ \$70.00 per hour; Scraper Rental to HF Jacobs & Son Construction, 25 cu yd @ \$133.00 per hour; Bridge Equipment to Hollaway Construction @ \$248.00 per hour; Paving Equipment to Aberdeen Asphalt @ \$230.00 per hour; Patching Equipment to Aberdeen Asphalt @ \$220.00 per hour; Crushing Equipment – Natural Rock to HF Jacobs & Son Construction @ \$1.64 per ton; Crushing Equipment – Recycled Material to HF Jacobs & Son Construction @ \$3.50 per ton; Milling/Reclaiming Equipment to Upper Plains Contracting Inc @ \$0.25 per sq yd. Complete 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.

AWARD BID – GRAVEL MATERIAL:

Moved by Wiese, seconded by Hansen to award bids on Gravel Material to low bidders of each type at each location, 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.

AWARD BID – ROAD OIL:

Moved by Wiese, seconded by Hansen to award Road Oil MC-70, as bid by Edmunds County on March 1, 2005. All members present voting aye. Motion carried.

Moved by Wiese, seconded by Hansen to award CRS-2P, as bid by the City of Aberdeen on January 19, 2005. All members present voting aye. Motion carried.

Moved by Wiese, seconded by Hansen to award Magnesium Chloride (Dust Control), as bid by Marshall County on February 22, 2005. All members present voting aye. Motion carried.

EQUIPMENT PURCHASE:

Moved by Wiese, seconded by Knecht to award bid from JD Evans, Inc for a 2005 New Holland LW 190.B Wheel Loader in total amount of \$160,424.00 (includes 4-yr warranty @ \$3000), to be delivered after January 1, 2006 and to be funded by 2006 Highway Equipment Budget, as bid by Charles Mix County on December 14, 2004. All members present voting aye. Motion carried.

BID AWARD – WEED CHEMICAL:

Moved by Fischbach, seconded by Hansen to award low bid, submitted by VanDiest Supply Company, McCook, NE in total amount of \$39,937.26; rejecting bid submitted by Hefty Seed, Aberdeen, SD in amount of \$40,308.92. All members present voting aye. Motion carried.

SHERIFF RECORDS MANAGEMENT DISCUSSION:

Janice Moore discussed the records management system currently used by the Sheriff's Department and the repercussions to the County if Aberdeen City changes their system again, which would also be different than the new CAD/MDT system. Sheriff Mark Milbrandt, JDC Supervisor Amy Lake, Communications Center Director Drew Bickford and Data Processing Director Bill Meink were also in attendance.

RECESS:

The Chairman declared the Commission recessed until March 15, 2005.

Maxine Taylor – Brown County Auditor

MARCH 15, 2005 – GENERAL MEETING

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

MINUTES:

Moved by Wiese, seconded by Hansen to approve the General Meeting minutes of March 8, 2005. All members present voting aye. Motion carried.

CLAIMS:

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

Supplies: Quality Quick Print..\$152.18, Best Business..\$89.71, Jungle Logic..\$130.00, Office Equip..\$189.69, New Trends..\$14.54, K-Mart..\$21.52, Dakota Supply Group..\$19.55, State Supply..\$66.71, Schwan Welding..\$475.00, Heartland Paper..\$529.15, Crescent Electric..\$21.40, Menards..\$754.32, RE Huffman..\$47.32, Nat'l Assoc of County Vets Service Off..\$30.00, Dicks Westside..\$30.00, Walmart..\$225.20, Safety Service..\$696.12, Dakota Electronics..\$399.50, Office Max..\$236.60, Hoven Auto..\$83.06, Fleet..\$53.96, A&M Radio..\$204.00, SD Human Services..\$67.10, Earthgrains..\$461.72, Parcel Erickson..\$26.95, Brown County..\$7.00, Bonnie Bitz..\$168.00, Cheryl Hairgrove..\$310.00, Schwaab..\$30.05, Kesslers..\$281.28, Tri-State Water..\$28.25, Ameripride..\$169.75, Hagan Ins..\$100.00, SD Division of Motor Vehicle..\$13.00, Share Corp..\$232.00, Safety Service..\$283.26, Runnings..\$939.57, RB Upholstery..\$120.00, Newman Signs..\$270.64, Midwest Pump & Tank..\$1208.99, K-Mart..\$21.97, Economy Oil..\$2753.54, Fastenal..\$41.87, Farm Plan..\$175.06, Dakota Supply..\$31.20, Dakota Riggers..\$342.18, Dakota Oil..\$1265.44, Dakota Fluid Power..\$438.72, Best Business..\$14.94, Avera Queen of Peace..\$53.50, Artz Equip..\$19.94, Lora Schaunaman..\$8.31, Kleins..\$9.06, Boys & Girls Club..\$5000.00, Shopko..\$27.88, Extension Service..\$346.06, SD Weed Super..\$30.00, Assn of SD Weed Bd..\$100.00, NESDCAP..\$2000.00, Hewlett Packard..\$1088.00, Biddle Consulting..\$3015.00, Dakota Electronics..\$625.00, Office Max..\$269.30, Central Supply..\$223.00, GeniusWeb..\$29.97, GCR Tire Center..\$34.70, Finishing Touch..\$42.36, Sherwin Williams..\$249.05, Diesel Machinery..\$14,735.00, Earth Tech..\$1074.80:

Publications: American News..\$150.70:

Professional Fees: McKennan Hosp..\$301.09, Avera St Lukes..\$62.00, Career Planning..\$289.00, Glas Consulting..\$50.00, DAV of SD..\$2,000.00:

Transcriptions: Neal Reporting..\$159.60:

Travel: Dennis Feickert..\$8.96:

Utilities: Dependable Sanitation..\$212.00, Northwestern Energy..\$1139.59, Verizon..\$211.86, Qwest..\$60.00, Northern Elec..\$865.66, City of Hecla..\$117.41, James Valley..\$218.00, Northern Valley..\$80.90:

Care of Poor: Rent – 8 recipients..Danne..\$100.00, Ken Dohn..\$220.00, Kurt Kruger..\$129.00, JAS Properties..\$153.00, Erik Stewart..\$125.00, Lonnie Lyke..\$220.00, Ronald Erdmann..\$220.00, Robert Gearey..\$200.00; Medications – 1 recipient..Medical Center Pharm..\$90.43; Transportation – 1 recipient..Emergency Poor Fund..\$125.00; Dr/Hospital – 4 recipients..Avera St Lukes..\$6080.46; Insurance – 1 recipient..Cobra Plus..\$630.21. All members present voting aye. Motion carried.

PERSONNEL:

Moved by Hansen, seconded by Knecht to approve employee status change for Tina Barnes from full-time adult Jailer to part-time adult Jailer, effective March 27, 2005 @ \$9.12 per hour. All members present voting aye. Motion carried.

Moved by Hansen, seconded by Knecht to approve employee status change for Amy Bisgard from part-time adult Jailer to full-time adult Jailer, effective March 27, 2005@ \$10.42 per hour. All members present voting aye. Motion carried.

Moved by Hansen, seconded by Knecht to approve hiring Douglas Gruenwald, as Highway Labor Grade 3 employee, effective April 4, 2005 at \$10.69 per hour. All members present voting aye. Motion carried.

SPECIAL MALT BEVERAGE HEARING:

Moved by Knecht, seconded by Hansen to authorize advertising a public hearing to be held in the Commissioners Chambers, Courthouse Annex, Brown County, SD on March 29, 2005 at 8:45 a.m. to consider the following application for a Special Malt Beverage License: Aberdeen Hockey Association, P.O. Box 515, Aberdeen, S.D. 57401 – Brown County Fairgrounds - SW ¼ Sec1-T123N-R64W (Holum Expo Building-map indicating specific building on file with application), effective April 8 & 9, 2005. All members present voting aye. Motion carried.

TRANSPORTATION EXPO:

Moved by Hansen, seconded by Wiese to approve use of Fairgrounds property on April 19, 2005 for the Equipment Rodeo held in conjunction with the Northern Plains Transportation Expo 2005. All members present voting aye. Motion carried.

AGREEMENT:

Moved by Knecht, seconded by Wiese to acknowledge Temporary Victim Assistant Contract between Brown County and Kimberly Dorsett, as executed by Mark McNeary for performance of services as a limited Victim's Assistant, effective February 1, 2005. All members present voting aye. Motion carried.

WEED AND SEED:

Moved by Knecht, seconded by Hansen to approve the following Weed and Seed Year Three funding proposal: Volunteers of America, Dakotas (Family Crisis Intervention Program), as recommended by the Steering Committee. All members present voting aye. Motion carried.

RENEWAL OPTION:

Moved by Knecht, seconded by Hansen to approve and authorize the Chairman sign Contract Renewal Option with Dependable Sanitation for Brown County Landfill Solid & Yard Waste Collection Service from Brown County Container Sites. All members present voting aye. Motion carried.

EXECUTIVE SESSION:

Moved by Wiese, seconded by Knecht to go into executive session for personnel discussion with Bill Meink and Dirk Rogers in attendance. All members present voting aye. Motion carried.

The Chairman declared the executive session closed, with no action as a result of the discussion.

CONTRACTS:

Moved by Knecht, seconded by Wiese to authorize the Chairman sign contracts for material, supplies and rental of equipment bid for the Highway Department. All members present voting aye. Motion carried.

EQUIPMENT PURCHASE:

Moved by Wiese, seconded by Knecht to award bid for furnishing and delivery of a second new 2005 Twin Screw Tandem Axle Dump Truck Cab and Chassis from Wallwork Trucks in amount of \$64,621.00 (no trade-in), to be delivered after January 1, 2006 and to be funded by 2006 Highway Equipment Budget, as bid by Brown County on November 9, 2004. All members present voting aye. Motion carried.

EXECUTIVE SESSION:

Moved by Hansen, seconded by Wiese to go into executive session for personnel and legal issue discussion with Dirk Rogers in attendance. All members present voting aye. Motion carried.

The Chairman declared the executive session closed, with personnel action taken (approved hiring Douglas Gruenwald) as a result of the discussion.

FAIR UPDATE:

Larry Gerlach, Fair Manager presented Commission an update on the 2005 Brown County Fair.

DAV VAN:

Moved by Hansen, seconded by Wiese to authorize \$2000.00 donation to the Disabled American Veterans of SD towards purchase of a van. All members present voting aye. Motion carried.

CREDIT CARD LIMIT AMENDED:

Moved by Wiese, seconded by Hansen to amend the Credit Card Limit Policy adopted April 27, 2004, as follows: amend VISA from \$1000 to \$5000, with no other changes to original policy. All members present voting aye. Motion carried.

EXECUTIVE SESSION:

Moved by Wiese, seconded by Hansen to go into executive session to discuss personnel and legal matter with Mark Milbrandt in attendance. All members present voting aye. Motion carried.

The Chairman declared the executive session closed, with no action as a result of the discussion.

RECESS:

The Chairman declared the Commission recessed until March 22, 2005.

Maxine Taylor – Brown County Auditor

MARCH 22, 2005 – GENERAL MEETING

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

MINUTES:

Moved by Wiese, seconded by Fischbach to approve the General Meeting minutes of March 15, 2005. All members present voting aye. Motion carried.

CLAIMS:

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

Payroll: Commissioners..\$2,683.65; Auditor..\$7,844.04; Treasurer..\$8,634.84; Data Processing..\$1,658.00, State's Attorney..\$8,443.54; Maintenance..\$5,290.91; Assessor..\$7,278.71; Register of Deeds..\$5,119.57; Veterans Service Office..\$2,483.15; Sheriff..\$58,047.94; DOJ Grant..\$3,442.77; Communications..\$12,878.40; Welfare Office..\$2,745.72; Museum..\$4,760.68; Fairboard..\$1,388.69; Fairgrounds & Parks..\$3,225.76; Extension..\$1,676.80; Weed..\$253.00; Emergency Management..\$2,306.51; Weed and Seed..\$1,067.31; Highway..\$27,937.52; Landfill..\$6,197.02; Matching Benefits: FICA..\$10,199.08, Medicare..\$2,385.25, Wellmark BCBS Life..\$668.96, Wellmark BCBS Health..\$51,726.26, Delta Dental..\$3,874.00, SD State Retirement..\$21,255.90; Supplies: RE Huffman..\$219.95, Penton Tech..\$49.95, CDW Govt..\$848.56, Central Supply..\$259.50, Dakota Supply..\$243.48, Custom Sheet Metal..\$357.14, Rux Bros..\$223.16, Runnings..\$105.96, Ameripride..\$47.28, Praxair..\$9.96, McFarland Supply..\$24.84, North Wind..\$117.00, Menards..\$77.68, Carol Sherman..\$18.25, Division of Motor Vehicles..\$18.00, City of Groton..\$621.67, Deluxe Checks..\$146.89, Phillips 66..\$151.75, Brown County Comm Health..\$7.00, Best Business..\$189.46, Intoximeters..\$3222.00, Sirchie..\$560.20, Dakota Electronics..\$225.00, Run Source..\$64.22, Parcel-Erickson..\$29.95, Amoco..\$34.70, New Trends..\$949.87, Office Equip..\$311.86, NE Mental Health..\$351.12, Aberdeen School Dist..\$13.07, Treeline..\$1000.00, James Loterbauer..\$252.00, Farm & Home Pub..\$71.00, Carquest..\$1690.39, Lewis & Clark BHS..\$520.00, Farnams..\$10.74, Gas & Goodies..\$4.00, NSU..\$101.76, Coyote Pub..\$318.75, Glas Consulting..\$193.75, Dacotah Prairie Museum..\$4.75, Office Max..\$65.94, Carlson Travel..\$1697.43, Safe Harbor..\$1482.00, NECOG..\$1666.66, Brown County..\$2886.83, Lutheran Social Services..\$18676.64; Publications: American News..\$690.10, Groton Indep..\$528.53; Professional Fees: Behavioral Interventions..\$172.00, Brandon Leslie..\$190.00, Kevin Spitzer..\$233.60; Travel: Steven Gilbert..\$144.09, Mark Milbrandt..\$521.00; Court Appointed Attorney: Kelly Marnette..\$4470.00, Randy Turner..\$9.67; Utilities: Cellular One..\$163.52, Northwestern Energy..\$85.74, Dependable..\$159.00, Northern Elec..\$302.99, Qwest..\$1505.57, Bureau of Admin..\$485.68; Care of Poor: Rent – 8 recipients..Dallas Niederbaumer..\$240.00, Inn Keeper..\$200.00, Justin Shultis..\$200.00, Maureen Wolf..\$200.00, Cheryl Antar..\$220.00, Tom Croymans..\$62.50, Perry Pitz..\$220.00, Tom Appletoft..\$200.00; Dr/Hospital – 6 recipients..Aberdeen Family Physicians..\$153.81, Dakota Imaging..\$159.39, Avera St Lukes..\$9493.79. All members present voting aye. Motion carried.

PERSONNEL:

Moved by Wiese, seconded by Hansen to approve the following employee step/longevity increases, effective March 27, 2005: Danielle Radke @ \$10.40 per hour, Roger Johnson @ \$10.90 per hour, Darin Sinner @ \$10.70 per hour, Mervyn Heaton @ \$11.35 per hour. All members present voting aye. Motion carried.

Moved by Wiese, seconded by Hansen to approve hiring Matthew Kopecky as guard, effective March 22, 2005, for purpose of prisoner transport at flat rate of \$75.00 per day. All members present voting aye. Motion carried.

Moved by Wiese, seconded by Hansen to approve employee status change for Jon Koeniguer from a seasonal highway employee to Labor Grade #3, effective April 4, 2005 at \$10.69 per hour. All members present voting aye. Motion carried.

LEASE AGREEMENT:

Moved by Wiese, seconded by Fischbach to approve and authorize the Chairman sign agreement, submitted by Aberdeen Home Builders Association for lease of the Expo Building on April 2 & 3, 2005. All members present voting aye. Motion carried.

COLUMBIA RIVER BOAT DAYS:

Moved by Fischbach, seconded by Hansen to recognize the resolution adopted by the City of Columbia, designating the third weekend of June as Riverboat Days. All members present voting aye. Motion carried.

LIQUOR LICENSE TRANSFER HEARING:

Moved by Wiese, seconded by Fischbach to authorize advertising public hearing to consider the following Liquor License transfers, to be held at 8:45 A.M. April 5, 2005 in the Commissioners Chambers, Courthouse Annex, Brown County, SD: TRANSFER RETAIL (ON SALE) LIQUOR: Trudi Bain, DBA Mansfield Bar & Grill to Venus & Kit Donley, DBA Mansfield Bar & Grill (Lots 12, 13 & 14, Block 4, Mansfield 32-121-64, Brown County South Dakota). TRANSFER PACKAGE (OFF-SALE) LIQUOR: Trudi Bain, DBA Mansfield Bar & Grill to Venus & Kit Donley, DBA Mansfield Bar & Grill (Lots 12, 13 & 14, Block 4, Mansfield 32-121-64, Brown County South Dakota). All members present voting aye. Motion carried.

INCREASE SPENDING AUTHORITY/ESTIMATED REVENUE:

Moved by Hansen, seconded by Fischbach to increase spending authority and estimated revenue for the Underage Drinking Control Grant #234-331.90 @ \$2,356.29 and #234-211.01-411 @ \$2,037.45, #234-211.01-412.01 @ \$126.32, #234-211.01-412.02 @ \$29.54, #234-211.01-413 @ \$162.98. All members present voting aye. Motion carried.

WEED AND SEED:

Moved by Wiese, seconded by Fischbach to approve the Brown County Weed and Seed Monthly Expenses for March 2005 (Year Two 2002-WS-QX-0054), in amount of \$3,148.66. All members present voting aye. Motion carried.

Moved by Hansen, seconded by Wiese to approve the Brown County Weed and Seed Monthly Expenses for March 2005 (Year Three 2002-WS-QX-0054), in amount of \$2,886.83. All members present voting aye. Motion carried.

Moved by Wiese, seconded by Hansen to approve the following Weed and Seed Year Three funding proposals: Brown County Weed and Seed (Core Competencies, Rapid City Site visit, computer equipment), as recommended by the Steering Committee. All members present voting aye. Motion carried.

AUDITORS REPORT OF ACCOUNT:

Moved by Hansen, seconded by Wiese to approve the February 2005 Auditor's Report of Account with the County Treasurer in total amount of \$8,700,906.41 (Total amount of actual cash @ \$3,368.38, Wells

Fargo Bank @ \$3,694.79, US Bank @ \$6,725.10, Dacotah Bank @ \$132,882.83, Petty Cash @ \$1,700.00, Fund Investments @ \$8,544,103.69, Outstanding Checks @ \$8,431.62; and further approve the January 31, 2005 Auditor's Report of Account with the County Treasurer in total amount of \$9,248,439.77 (Total amount of actual cash @ \$3,409.98, Wells Fargo Bank @ \$3,694.79, US Bank @ \$9,717.56, Dacotah Bank @ \$283,339.43, Petty Cash @ \$1,700.00, Fund Investments @ \$8,938,187.99, Outstanding Checks @ \$8,390.02 and the November 2004 Auditor's Report of Account with the County Treasurer in total amount of \$13,018,195.82 (Total amount of actual cash @ \$3,291.55, Wells Fargo Bank @ \$3,694.79, US Bank @ \$5,016.22, Dacotah Bank @ \$5,480.33, Petty Cash @ \$1,700.00, Fund Investments @ \$12,990,504.48, Outstanding Checks @ \$8,508.45. All members present voting aye. Motion carried.

ABATEMENTS:

Moved by Wiese, seconded by Fischbach to approve the following Abatements: Robert Schaeffer, owner/occupied status (1976 American MH) for 2005 @ \$30.53; Jody Larson, double assessment (1976 Metamora MH) for 2005 @ \$72.75; Leon Voeller, incorrect value (1975 Regal MH) for 2005 @ \$55.36; Max Borchard, incorrect levy (1974 HH MH) for 2005 @ \$32.33. All members present voting aye. Motion carried.

EM AGREEMENT:

Moved by Wiese, seconded by Hansen to approve and authorize the Chairman sign the Emergency Management State and Local agreement (SLA) for FY 2005. All members present voting aye. Motion carried.

NIMS RESOLUTION:

Commissioner Fischbach offered the following Resolution:

RESOLUTION NO. 18-05

DESIGNATION OF THE NATIONAL INCIDENT MANAGEMENT SYSTEM (NIMS) AS THE BASIS FOR ALL INCIDENT MANAGEMENT IN BROWN COUNTY.

WHEREAS, the President in Homeland Security Presidential Directive (HSPD)-5, directed the Secretary of the Department of Homeland Security to develop and administer a National Incident Management System (NIMS), which would provide a consistent nationwide approach for Federal, State, local, and tribal governments to work together more effectively and efficiently to prevent, prepare for, respond to and recover from domestic incidents, regardless of cause, size or complexity;

WHEREAS, the collective input and guidance from all Federal, State, local, and tribal homeland security partners has been, and will continue to be, vital to the development, effective implementation and utilization of a comprehensive NIMS;

WHEREAS, it is necessary and desirable that all Federal, State, local and tribal emergency agencies and personnel coordinate their efforts to effectively and efficiently provide the highest levels of incident management;

WHEREAS, to facilitate the most efficient and effective incident management it is critical that Federal, State, local, and tribal organizations utilize standardized terminology, standardized organizational structures, interoperable communications, consolidated action plans, unified command structures, uniform personnel qualification standards, uniform standards for planning, training, and exercising, comprehensive resource management, and designated incident facilities during emergencies or disasters;

WHEREAS, the NIMS standardized procedures for managing personnel, communications, facilities and resources will improve the County's and State's ability to utilize federal funding to enhance local and state agency readiness, maintain first responder safety, and streamline incident management processes.

WHEREAS, the Incident Command System components of NIMS are already an integral part of various incident management activities throughout the County and State, including fire service certification programs and current emergency management training programs; and

WHEREAS, the National Commission on Terrorist Attacks (9-11 Commission) recommended adoption of a standardized Incident Command System;

WHEREAS, adoption and implementation of the National Incident Management System is a condition of receiving Federal preparedness assistance; and

WHEREAS, Brown County is committed to NIMS implementation and the strengthening of local government to prevent, prepare for, respond to, and recover from emergencies and disasters.

THEREFORE, BE IT RESOLVED that the Brown County Commission does hereby establish the National Incident Management System (NIMS) and NIMS ICS as the County standard for incident management.

Dated this 22nd day of March, 2005.

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

CITIZENS CORPS COUNCIL:

Commissioner Wiese offered the following Resolution:

RESOLUTION NO. 19-05
Brown County Citizen Corps Council

Whereas the Brown County Commission has the responsibility to develop plans to respond to emergencies in Brown County;

Whereas responders to emergencies in Brown County may be overwhelmed in a major incident;

Whereas the residents of Brown County have a long history of neighbor helping neighbor in difficult time small or large;

Therefore be it resolved that the Brown County Commission hereby expands the Brown County Citizen Corps Council by one member.

A Law Enforcement Representative to be appointed for the initial period of 3 years.

The Citizen Corps Council will now consist of ten members:

- 1 - Emergency Management Official
- 1 - Red Cross representative
- 1 - Salvation Army representative

- 1 - Hub Area Radio Club representative
- 1 - Civil Air Patrol representative
- 1 - Medical Community representative
- 1 - Law Enforcement representative
- 3 - At Large representatives

Dated this 22nd day of March 2005.

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

PLATS:

Commissioner Wiese offered the following Resolution:

RESOLUTION NO. 20-05

BE IT RESOLVED by the Board of Commissioners of Brown County, SD, that the plat showing "Julson Addition in the NE ¼ of Sec 17-T122N-R61W 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 Hansen. Roll call vote: Commissioners Hansen-aye, Fischbach-aye, Knecht-absent, Wiese-aye, Feickert-aye. Resolution adopted.

Commissioner Fischbach offered the following Resolution:

RESOLUTION NO. 21-05

BE IT RESOLVED by the Board of County Commissioners of Brown County, SD, that the plat showing "Bagley Subdivision in the NW ¼ of Sec 2-T128N-R61W of the 5th P.M., Brown County, SD", 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, Fischbach-aye, Knecht-absent, Wiese-aye, Feickert-aye. Resolution adopted.

Commissioner Wiese offered the following Resolution:

RESOLUTION NO. 22-05

BE IT RESOLVED by the County Commission of Brown County, SD, that the plat showing "Haas Outlot 2 in NW ¼ Sec 3-T125N-R64W 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 Fischbach. Roll call vote: Commissioners Hansen-aye, Fischbach-aye, Knecht-absent, Wiese-aye, Feickert-aye. Resolution adopted.

RECONVEY DEED:

Commissioner Fischbach offered the following Resolution:

RESOLUTION 23-05

Whereas, it appearing to the satisfaction of the Commissioners of Brown County, SD that a tax Deed was taken on the following described real estate: Lots 5-10 Blk 22 Highland Park Add & 32' v/s (9th Ave SW) & (N2 10th Ave SW), Brown County, SD, duly recorded in the Register of Deeds Office in Book 282, Page 235 on February 14, 2005.

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, SD back to the record owners of said property.

Dated this 22nd day of March 2005.

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

FUND #704:

Moved by Hansen, seconded by Fischbach to establish Fund #704 Law Library in the County Accounting System and transfer all 2005 activity from Fund #239 to Fund #704. All members present voting aye. Motion carried.

APPLICATION FOR OCCUPANCY:

Moved by Wiese, seconded by Hansen to approve and authorize the Chairman sign application, submitted by Midcontinent Communications for occupancy of Brown County Highway #13 in Sections 31, 32 and 33, T123N-R63W, Brown County, SD, to provide CATV Services. All members present voting aye. Motion carried.

P/Z POSITION:

Mary Worlie, Director of Equalization requested two Commissioners meet to review applications for the Planning/Zoning position.

RECESS:

The Chairman declared the Commission recessed until March 29, 2005.

Maxine Taylor – Brown County Auditor

MARCH 29, 2005 - GENERAL MEETING

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

MINUTES:

Moved by Wiese, seconded by Knecht to approve the General Meeting minutes of March 22, 2005. All members present voting aye. Motion carried.

CLAIMS:

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

Supplies: Gardner Locksmith..\$20.00, House of Glass..\$3608.00, Sherwin Williams..\$49.90, McDonald Supply..\$14.98, Ecolab Pest..\$67.60, Heartland Paper..\$594.00, Anderson Agency..\$110.00, Quality Quick Print..\$50.10, Best Business..\$33.20, SDN Tech..\$118.00, DT Pharm..\$1492.59, Streichers..\$54.30, New Trends..\$646.99, Dept of Rev..\$484.00, Service Signs..\$46.92, Parcel Erickson..\$156.95, Lambs Chev..\$94.48, Office Equip..\$4.95, Aberdeen Chrysler..\$37.96, Hewlett Packard..\$656.00, Runnings..\$74.83, Zoll Medical..\$124.00, Photo Xpress..\$9.52, Joyce Descamps..\$5.63, Dicks Westside..\$30.00, Chris & Dons..\$17.50, Harms..\$12375.07, John Heidenreich..\$100.68, Jensen Rock & Sand..\$11,262.00, Light & Siren..\$267.45, North Central Rental..\$2100.00, Snap-On..\$55.30, 3-D Spec..\$378.85, Gemplers..\$34.65, Century Business..\$70.00, A&M Radio..\$51.50, Dacotah Prairie Museum..\$3.94, Sherri Rawstern..\$77.14, Central Supply..\$255.30, Fire Safety First..\$69.44, Link Communications..\$9954.12, Burghardt Amateur Center..\$137.99, Tesco..\$1384.41, Radio Shack..\$28.96, Lust Chev..\$30,564.00, Outlaw Graphics..\$200.00, Office Max..\$60.98, Compustest..\$105.30, Walmart..\$91.02, Dakota Supply Group..\$22.30, McLeod..\$411.81:

Publications: American News..\$173.99, Groton Indep..\$10.70:

Professional Fees: Kim Dorsett..\$3749.99, Richard Russman..\$2916.67, Avera United Clinic..\$28.70, Avera St Lukes..\$990.22, Sheriff of Yankton County..\$16.50, Marv Ekeren..\$15.00, Nelva Kooistra..\$15.00, Donna Dietrich..\$123.77, NADRIC..\$1666.66, NECOG..\$1750.59, Rapid City Regional Hospital..\$4486.23:

Transcriptions: Neal Reporting..\$12.80, Slowey Court Reporting..\$137.50:

Travel: Cordell Rudolph..\$80.00, Casey Thorstenson..\$80.00, Sherry Theobald..\$17.28, Scott Meints..\$399.80, Lois Pletten..\$409.92, Randall Bickford..\$284.08, Sandra Hjermstad..\$181.04, Alicia Dohn..\$189.72, Dennis Feickert..\$35.20:

Court Appointed Attorney: William Gerdes..\$4166.67, Kuck Law Office..\$4166.67, Randy Turner..\$4166.67, Christ Serr..\$4166.67:

Utilities: Qwest..\$300.96, Cellular One..\$749.31, Montana Dakota..\$32.28, Northwestern Energy..\$759.98, Midcontinent Cable..\$55.00:

Care of Poor: Rent – 4 recipients..Kurt Kruger..\$129.00, D&D Properties..\$220.00, Bruce Boschee..\$195.00, Dalat Enterprises..\$200.00; Medications – 3 recipients.. Walmart Phar..\$78.66, Plaza Pharm..\$37.69; Dr/Hospital – 6 recipients..Avera St Lukes..\$8973.53, Anesthesia Care..\$224.00, North Central Heart..\$343.72; Utilities – 3 recipients..City of Aberdeen..\$260.00, NWPS..\$166.48, Erdmann Fuels..\$199.02; Insurance – 1 recipient..South Dakota Risk Pool..\$718.30. All members present voting aye. Motion carried

PERSONNEL:

Moved by Knecht, seconded by Wiese to approve hiring Amy Gill as employee in the Register of Deeds Office, effective April 11, 2005 at \$9.97 per hour. All members present voting aye. Motion carried.

Moved by Wiese, seconded by Fischbach to approve hiring Brook Brown as guard, effective March 29, 2005, for purpose of prisoner transport at flat rate of \$75.00 per day. All members present voting aye. Motion carried.

ABATEMENT:

Moved by Knecht, seconded by Fischbach to approve the following Abatement: Roger Nixon, incorrect fee (Lot 1-2 Blk 2 Bader's Rpl Winstons Addn to Frederick) solid waste for 2005 @ \$50.00. All members present voting aye. Motion carried.

SURPLUS PROPERTY:

Moved by Wiese, seconded by Hansen to declare the following items surplus property from the Landfill for purpose of sale: Decal #4024 1985 Freightliner Semi; Old shop office on running gear. All members present voting aye. Motion carried.

SDDOT WEED CONTROL CONTRACT:

Moved by Knecht, seconded by Wiese to approve and authorize the Chairman sign agreement with the SD DOT for the County to furnish the necessary equipment, material and labor to control the growth of declared noxious weeds within the right-of-way of state routes as designated in agreement, effective May 1, 2005 – October 15, 2005. All members present voting aye. Motion carried.

CONTRACT:

Moved by Knecht, seconded by Wiese to approve and authorize the Chairman sign contract agreement with Van Diest Supply Company for furnishing and delivery of chemical to the Weed Department, effective April 1, 2005 – October 31, 2005. All members present voting aye. Motion carried.

DRAINAGE PERMIT:

Moved by Wiese, seconded by Fischbach to approve and authorize the Chairman sign Drainage Permit, submitted by John Ries to restore the drainage system that was put in place prior to Vested Drainage Rights within the S ½ of the SW ¼ of Sec 19-T124N-R61W of the 5th P.M., Brown County, SD. All members present voting aye. Motion carried.

SPECIAL MALT BEVERAGE HEARING:

Time and place, as advertised to consider approval for the following Special Malt Beverage License application. Moved by Wiese, seconded by Knecht to approve the following Special Malt Beverage License Application, contingent upon proper insurance (general liability and liquor liability) naming Brown County additionally insured or letter from States Attorney exempting liquor liability insurance (no exemption allowed for general liability insurance): Aberdeen Hockey Association – Holum Expo Building, Brown County Fairgrounds, located in the SW ¼ Sec 1-T123N-R64W (map indicating specific building on file with application), effective April 8 and 9, 2005; and further authorizing the Chairman to sign when insurance documents filed at the Auditor's Office. All members present voting aye. Motion carried.

MOSQUITO GRANT:

Will Deline, NECOG and Roger Johnson, Weed Supervisor presented the 2005 Mosquito Prevention and Control Grant application. Moved by Knecht, seconded by Hansen to approve and authorize the Chairman sign application for SD Department of Health 2005 Mosquito Prevention and Control Grant in amount of \$37,216.81. All members present voting aye. Motion carried.

EXECUTIVE SESSION:

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

The Chairman declared the executive session closed, with no action as a result of the discussion.

SHERIFF DEPARTMENT UPDATE:

Mark Milbrandt informed the Commission about the vehicle accident in Colorado involving two deputies when transporting a prisoner from Nevada to South Dakota. The Phase II remodel at the Jail will be put on hold until sufficient funds are available and joint facility discussions are farther along.

EM UPDATE:

The Commission had previously instructed Freddie Robinson, EM Director to inquire if the Rural Fire Chiefs had any concerns in regard to County operations. It was recommended that the Users Committee be reactivated per the Joint Communications Agreement.

HOMELAND SECURITY GRANT:

Moved by Wiese, seconded by Hansen to approve and authorize the Chairman sign reimbursement agreement with the State for Homeland Security Funds for purpose of obtaining siren equipment. All members present voting aye. Motion carried.

SICK LEAVE BANK:

Jeanette Nietert, Deputy Auditor discussed a recommended rule change from the Sick Leave Bank in regard to vacation leave balance. Board concurred.

EXECUTIVE SESSION:

Moved by Fischbach, seconded by Hansen to go into executive session for personnel discussion. All members present voting aye. Motion carried.

The Chairman declared the executive session closed, with no action as a result of the discussion.

ADJOURNMENT:

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

Maxine Taylor – Brown County Auditor

APRIL 5, 2005 – GENERAL MEETING

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

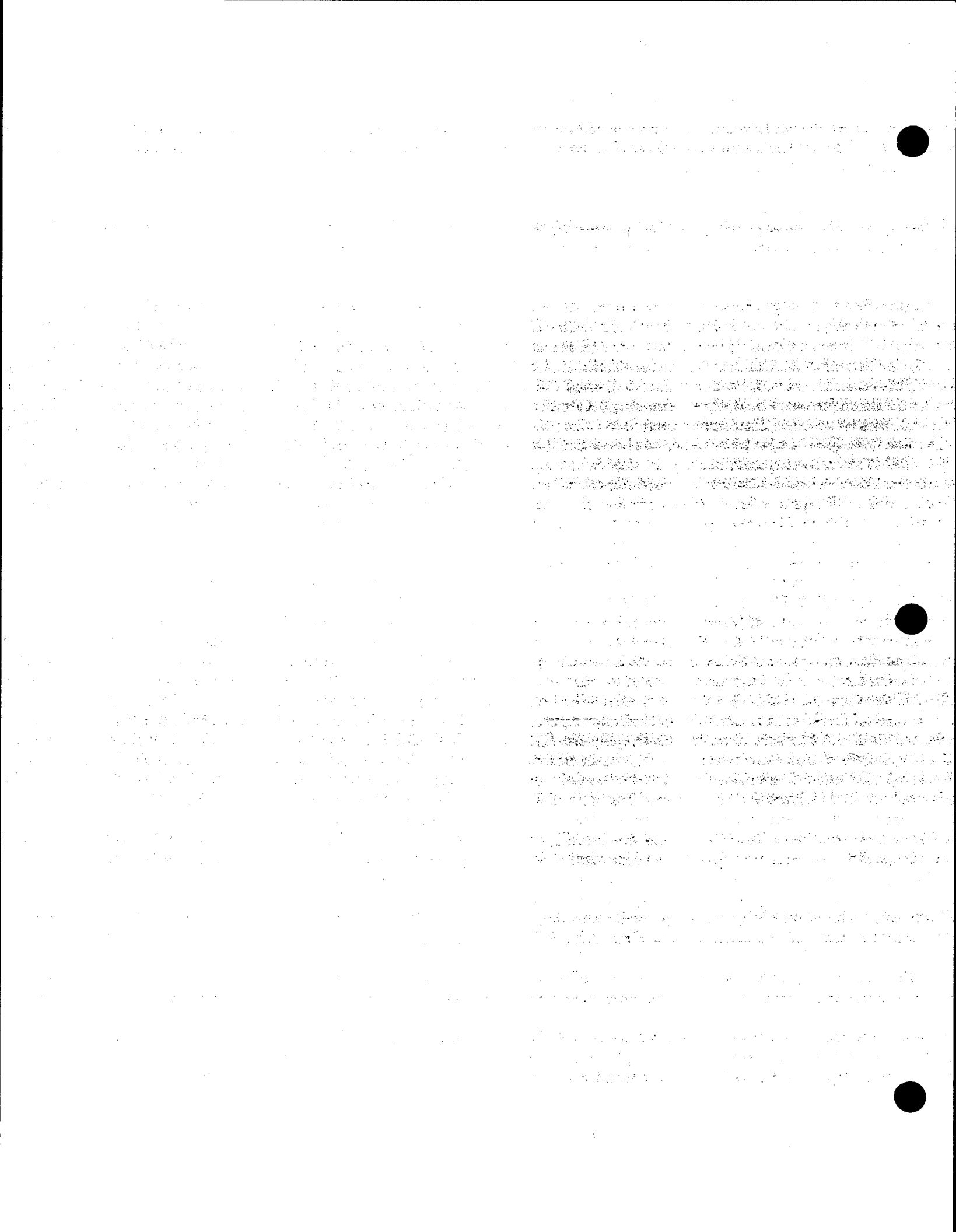
MINUTES:

Moved by Wiese, seconded by Fischbach to approve the General Meeting minutes of March 29, 2005. All members present voting aye. Motion carried.

CLAIMS:

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

Payroll: Commissioners..\$2,683.65; Auditor..\$7,908.09; Treasurer..\$8,634.84; Data Processing..\$1,658.00; State's Attorney..\$8,279.22; Maintenance..\$5,317.73, Assessor..\$7,319.16; Register of Deeds..\$4,006.04; Veterans Service Office..\$2,424.51; Sheriff..\$58,844.18; DOJ Grant..\$3,356.80; Coroner..\$800.00; Communications..\$13,676.95; Welfare Office..\$2,745.72; Museum..\$4,760.68; Fairgrounds & Parks..\$3,225.76, Fairboard..\$1,358.79; Extension..\$1,676.80; Weed..\$272.21; Emergency Management..\$2,306.51; Weed and Seed Grant..\$1,067.31; Highway..\$28,711.92; Landfill..\$6,613.48; Matching Benefits: FICA..\$10,354.77; Medicare..\$2,421.74; Supplies: Office of Attorney General..\$15.00, Quality Quick Print..\$592.99, Rux Bros..\$436.66, Sherwin Williams..\$32.94, Malchows..\$240.00, Kone..\$204.02, Heartland Paper..\$428.17, Woodman Refrigeration..\$10,851.00, Lar-Jos..\$170.00, Brownells..\$65.03, RE Huffman..\$42.33, Evercom..\$1750.00, Ecolab..\$81.50, Tel Serv..\$35.00, Parcel-Erickson..\$71.90, Langs..\$14.99, Exec Mgmt..\$2847.90, Best Business..\$266.99, Dept of Rev..\$2919.19, Time Works..\$575.00, Bob Barker..\$381.19, SDDOT..\$1792.69, S&S Lumber..\$882.34, Ramada..\$356.00, Quill..\$61.02, Newman Signs..\$44.75, Macs..\$120.79, HF Jacobs..\$4323.75, Don Gunther..\$3747.25, Great Western..\$3181.68, Farm Power..\$419.75, Farm & Home Pub..\$35.50, JD Evans..\$246.31, Violet Dinger..\$2760.16, Crawford Trucks..\$3276.12, HC Clark..\$39.16, Bridgestone Firestone..\$112.00, Adv Auto..\$25.32, AAM..\$195.00, Walmart..\$136.91, Glacial Lakes..\$810.00, Alexander Mitchell Library..\$10,000.00, SD Assoc of County Weed & Pest..\$50.00, Office Max..\$462.16, K-Mart..\$57.40, Godfathers Pizza..\$53.46, CDW Govt..\$393.06, Hewlett-Packard..\$1854.00, Runnings..\$622.64, Hedahls..\$595.32, Priority Dispatch..\$620.00, Custom Sheet Metal..\$1471.42, MilesTek..\$79.85, Kelly Inn..\$252.00, Menards..\$194.94, Aberdeen Radio Ranch..\$120.00, Midwest Pump & Tank..\$272.61, Erdmann Fuels..\$2315.35, OK Tire..\$33.00, Butler..\$1552.42, McFarland Supply..\$165.78, MVTL Labs..\$34.40, Praxair..\$14.35, Newman Signs..\$1993.33, Earth Tech..\$3515.48, Nelson Sales..\$783.32, Overhead Door..\$141.78, Bricks TV..\$487.50, Frey Electronics..\$48.00, DSS..\$454.20, Safety Service..\$29.95, McDonald Supply..\$28.94, HKG Architects..\$820.00, House of Glass..\$60.86, Municipal Emergency..\$50.45, Career Planning..\$140.00; Publications: American News..\$1819.16, Dakota Press..\$820.62, Groton Independent..\$506.17, Professional Fees: Avera St Lukes..\$376.78, Aberdeen Surgical Assoc..\$1092.31, Avera United Clinic..\$57.18, Harlow Orthopedics..\$68.60; Transcriptions: Neal Reporting..\$40.80; Travel: Carol Sherman..\$34.20, Kendall Titze..\$21.00, Casey Thorstenson..\$21.00, Marcus Selzler..\$21.00, Cordell Rudolph..\$21.00, Gene Loeschke..\$81.60, Leo Leshner..\$131.84, Tom Fischbach..\$213.24, Mike Wiese..\$39.00; Utilities: Northwestern Energy..\$6651.90, Midcontinent Cable..\$213.97, Qwest..\$4382.23, Vantek..\$20.00, James Valley..\$206.40, Cellular One..\$196.06, WEB..\$95.38, City of Aberdeen..\$659.13; Care of Poor: Rent – 6 recipients..Chow Main Properties..\$175.00, J & L Renters..\$200.00, Falcon Rentals..\$185.00, Tom Croymans..\$175.00, Don Schutte..\$220.00, Kurt Kruger..\$129.00; Medications – 2 recipients..Kesslers Pharm..\$111.49; Dr/Hospital – 1 recipient..Aberdeen Surgical Assoc..\$252.60;



Utilities – 4 recipients..NWPS..\$680.00, Northern Elec..\$240.00. All members present voting aye. Motion carried.

PERSONNEL:

Moved by Wiese, seconded by Hansen to approve the following employee step/longevity increases, effective April 10, 2005: Geri Sillman @ \$12.79 per hour, Diane Mielke @ \$12.86 per hour, Judy Dosch @ \$15.67 per hour, Jeff Kirman @ \$12.10 per hour, David Fair @ \$16.37 per hour, Melvin Ernst @ \$11.83 per hour. All members present voting aye. Motion carried.

Moved by Wiese, seconded by Hansen to acknowledge the following miles driven and amount to be taxed for personal use of County vehicles during November and December 2004 and January and February 2005: Richard Burns – 280 @ \$91.00, Dirk Rogers – 2898 @ \$941.85, Mike Scott – 650 @ \$211.25. All members present voting aye. Motion carried.

ABATEMENTS:

Moved by Wiese, seconded by Hansen to approve the following abatements: Ron Rieck, mobile homes burned (1970 Twin Lakes) for 2005 @ \$5.21, (1974 Schult) for 2005 @ \$7.24; Ronald A Erdmann, mobile home BOLS (1978 Liberty) for 2005 @ \$46.86; Derrick & Kristen Dinger, owner/occupied status (Lt 7 Bk 1 Homes Are Possible) for 2004 @ \$569.18; Andrew & Pat Dolney, home moved (1973 Marshfield) for 2005 @ \$91.06. All members present voting aye. Motion carried.

QCD:

Moved by Fischbach, seconded by Wiese to approve and authorize the Chairman sign Quit Claim Deed to Henry Gabert conveying all Brown County interest in Lt 1-5 Bk 1 Verdon, Lt 11-12 Bk 1 Verdon, OL N 339 x 100 W of RR 31-121-60 Verdon (.78 ac), to complete chain of title from tax deed sale which occurred on October 1, 1945. All members present voting aye. Motion carried.

BID – HOME ARTS BUILDING:

Moved by Wiese, seconded by Fischbach to authorize advertising public hearing to open, read and consider bids for the roofing of The Home Arts Building at the Fairgrounds, to be held at 9:00 A.M. April 26, 2005 in the Commissioner's Chambers, Courthouse Annex, Brown County, SD. All members present voting aye. Motion carried.

AUDITORS REPORT OF ACCOUNT:

Moved by Hansen, seconded by Wiese to approve the March 2005 Auditor's Report of Account with the County Treasurer in total amount of \$8,864,901.39 (Total amount of actual cash @ \$3,288.38, Wells Fargo Bank @ \$3,694.79, US Bank @ \$11,384.15, Dacotah Bank @ \$94,759.23, Petty Cash @ \$1,700.00, Fund Investments @ \$8,749,863.22, Outstanding Checks @ \$211.62. All members present voting aye. Motion carried.

PREVENTION GRANT:

Moved by Hansen, seconded by Wiese to approve Change Order #185.2 to include \$45,000.00 in year four budget to provide for the Aberdeen Underage Drinking Project (AUDP) a comprehensive social norms and environmental management project, to be funded by the Department of Justice Prevention and Intervention Programs for At-Risk and Detained Youth Project #2001-JS-FX-0014. All members present voting aye. Motion carried.

SUBORDINATION AGREEMENT:

Moved by Wiese, seconded by Fischbach to approve and authorize the Chairman sign Subordination Agreement for a Poor Relief Lien with Wells Fargo Financial of SD, Inc. on Lots 1-2, Lincoln's First Rearrangement of Lots 11 and 12 of Mrs. O'Leary's Rearrangement of Block 47, West Aberdeen

Addition, according to the plat thereof of record, Brown County, South Dakota. All members present voting aye. Motion carried.

INTEREST STATEMENT:

Moved by Fischbach, seconded by Wiese to accept for filing the first quarter interest statement, submitted by County Treasurer Sheila Enderson. All members present voting aye. Motion carried.

COMMISSARY:

Moved by Hansen, seconded by Fischbach to add bar soap to items available for inmates to purchase through the Sheriff's Department. All members present voting aye. Motion carried.

BROWN COUNTY WEED AND SEED:

Moved by Hansen, seconded by Wiese to acknowledge receipt of Grant Adjustment Notice (GAN) for Brown County Weed and Seed Grant #2002-WS-QX-0054, extending grant period for six months (10/1/2001 to 9/30/2005) and formally recognizing the appointment of the local Site Coordinator Tabitha Moore, effective January 10, 2005. All members present voting aye. Motion carried.

CLAIM ASSIGNMENT:

Moved by Wiese, seconded by Hansen 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.

SHERIFF REPORTS:

Moved by Fischbach, seconded by Wiese to approve the following February 2005 Sheriff Reports: Incidents & Offenses, Prisoner Care, JDC, Money deposited with the County Treasurer and Monthly activities. All members present voting aye. Motion carried.

AGREEMENT:

Moved by Wiese, seconded by Hansen to approve and authorize the Chairman sign Intergovernmental Agreement, whereby Aberdeen City provides interim Planning and Zoning services to Brown County. All members present voting aye. Motion carried.

ALCOHOLIC BEVERAGE TRANSFER HEARING:

Time and place, as advertised for public hearing to consider transfer of Liquor Licenses. Moved by Fischbach, seconded by Wiese to approve the following: Transfer Retail (On Sale) Liquor License from Trudi Bain, DBA Mansfield Bar & Grill to Venus & Kit Donley, DBA Mansfield Bar & Grill (Lots 12, 13 & 14, Block 4, Mansfield 32-121-64, Brown County South Dakota); and Transfer Package (Off Sale) Liquor License from Trudi Bain, DBA Mansfield Bar & Grill to Venus & Kit Donley, DBA Mansfield Bar & Grill (Lots 12, 13 & 14, Block 4, Mansfield 32-121-64, Brown County South Dakota). All members present voting aye. Motion carried.

EXECUTIVE SESSION:

Moved by Wiese, seconded by Fischbach to go into executive session for personnel discussion. All members present voting aye. Motion carried.

The Chairman declared the executive session closed, with no action as a result of the discussion.

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 2004.

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BRIDGE DELETION:

Commissioner Hansen offered the following Resolution:

**RESOLUTION NO. 24-05
RESOLUTION TO DELETE BRIDGE FROM NBIS**

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 reason:

STRUCTURE ID, LOCATION AND REASON FOR DELETION:

07-177-460 (Bridge #258) 3.00 miles South and 2.3 miles West of Stratford, SD. Structure is not NBIS length (over 20.0').

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 structures will only be added to the Inventory following replacement, using County funds.

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

BRIDGE RE-INSPECTION:

Commissioner Hansen offered the following Resolution:

**RESOLUTION NO. 25-05
BRIDGE REINSPECTION FOR USE WITH SDDOT RETAINER CONTRACTS**

WHEREAS, Title 23, Section 151, United States Code and Title 23, Part 650, Subpart C, Code of Federal Regulations, requires initial inspection of all bridges and re-inspection 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 for the inspection work. SDDOT will secure federal approvals, make payments to the Consulting Engineer for inspection services rendered, and bill the county for 20% of the cost. Brown County will be responsible for the required 20% matching funds.

There are a total of 47 bridges in Brown County that require inspection.

Dated this 5th day of April 2005, at Aberdeen, SD.

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

AWARD FUEL BIDS:

Moved by Fischbach, seconded by Wiese to award bids for Transport Diesel to Energy Alliance LLC (Contract #14520), Transport Gas to Howes Oil Co (Contract #14513), Tankwagon Gas/Diesel to Howes

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Oil Co (Contract #14513), from contracts resulting from State Bid Proposal #22198, effective April 1, 2005 thru March 31, 2006. All members present voting aye. Motion carried.

EXECUTIVE SESSION:

Moved by Hansen, seconded by Wiese to go into executive session to discuss legal matters with Dirk Rogers in attendance. All members present voting aye. Motion carried.

The Chairman declared the executive session closed, with no action as a result of the discussion.

EQUALIZATION PREVIEW:

Mary Worlie distributed copies of the Local Board of Equalization Meeting minutes for review before the Brown County Board of Equalization convenes on April 12, 2005.

EXECUTIVE SESSION:

Moved by Fischbach, seconded by Wiese to go into executive session for personnel discussion with Mary Worlie and Jerry Streckfuss in attendance. All members present voting aye. Motion carried.

The Chairman declared the executive session closed, with no action as a result of the discussion.

BID AWARD – ALTERNATIVE DAILY COVER:

Moved by Wiese, seconded by Hansen to award bid, submitted by Central Fiber Corp for the purchase of Alternative Daily Cover Material for the Brown County Landfill for 2005, as bid by the City of Watertown on December 22, 2004. All members present voting aye. Motion carried.

LANDFILL CONTRACTS:

Moved by Wiese, seconded by Fischbach to approve and authorize the Chairman to sign agreement with Minnesota Valley Testing Laboratories, Inc. (Earth Tech) to provide 2005 Monitoring services for the Brown County Landfill in amount not to exceed \$15,000.00. All members present voting aye. Motion carried.

Moved by Fischbach, seconded by Hansen to approve and authorize the Chairman to sign agreement with Minnesota Valley Testing Laboratories, Inc. (Earth Tech) to provide Geophysical Investigation and Hydrogeological Investigation Work Plan Project for the Brown County Landfill in amount not to exceed \$16,000.00. All members present voting aye. Motion carried.

RENTAL AGREEMENT:

Moved by Wiese, seconded by Hansen to approve and authorize the Chairman to sign contract with the City of Huron for lease of a 2004 Wild Cat Screen 516 Cougar for purpose of screening compost material at the Brown County Landfill, effective April 6 – April 14, 2005 at approximate cost of \$1,000.00. All members present voting aye. Motion carried.

REQUEST DENIED:

Moved by Wiese, seconded by Fischbach to deny request, submitted by H.I. King for compromising one-half of a Poor Relief Lien, as individual assumed full responsibility of lien when application signed and the estate had sufficient funds to pay entire amount of lien after sale of collectibles. All members present voting aye. Motion carried.

RECESS:

The Chairman declared the Commission recessed until April 12, 2005.

Maxine Taylor – Brown County Auditor

APRIL 12, 2005 – BROWN COUNTY BOARD OF EQUALIZATION

This being the second Tuesday, April 12, 2005, the Brown County Commission organized themselves as the Brown County Board of Equalization, in accordance with SDCL 10-22-25, 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, Knecht, Wiese and Fischbach. Mary E. Worlie, Director of Equalization Office was also present. Auditor Taylor called the meeting to order.

Commissioner Wiese nominated Dennis Feickert as Chairman for the 2005 Brown County Board of Equalization. Moved by Fischbach, seconded by Knecht that nominations cease and a unanimous ballot be cast. All members present voting aye. Motion carried.

Commissioner Fischbach nominated Deb Knecht as Vice Chairman for the 2005 Brown County Board of Equalization. Moved by Wiese, seconded by Hansen that nominations cease and a unanimous ballot be cast. All members present voting aye. Motion carried.

Moved by Hansen, seconded by Knecht to deny owner/occupied status on not qualified list (complete list on file and available for public inspection at the Brown County Auditor's Office, 25 Market Street from 8 a.m. to 5 p.m. Monday – Friday). All members present voting aye. Motion carried.

Moved by Fischbach, seconded by Hansen to approve owner/occupied status on accepted list (complete list on file and available for public inspection at the Brown County Auditor's Office, 25 Market Street from 8 a.m. to 5 p.m. Monday – Friday). All members present voting aye. Motion carried.

Moved by Fischbach, seconded by Knecht to approve Paraplegic Tax Exempt Status for the following applications: **Debra K Fickett** on Lt 8 Blk 4 17th Addition of Highland North Addition to Aberdeen; **William Herman** on Lt 1 Bonaccord Estates Subd to Aberdeen; **Beverly M North** on Lt 5 Blk 10 Ashwood Heights Subd to Aberdeen. All members present voting aye. Motion carried.

Moved by Fischbach, seconded by Wiese to approve the following applications to continue 100% Tax Exempt Status: **Aberdeen City #32 Bethlehem Evangelical Lutheran Church**-Lincoln & Boyd's Addn OL 2 Blk F ex E 25' of 255' & Ex Lot 1 Bethlehem Evangelical Lutheran Church Addn SE ¼ 18-123-63 (land and BOLS). **Church of God**-Lot 3 Plat of Church of God 1st Addn. **Church of Christ**-L 2 & N 15' of L 3 Blk 1 Gorders Replat of 4th Addn. **Community Christian Church**-W 67' of Lt 7 & S 12' of W 67' of 8 N 38' of 8 ex the S 12' of the E 30' Bk 6 North Aberdeen. **Evangelical Lutheran Church of Our Savior**-Our Savior Lutheran Church 1st Subd a Replat of Lots 15-24 Blk 9 Hagerty & Lloyds Addn. **Faith United Methodist Church**-Hoffer's 1st Addn Lot 2 Replat of Blk 6 Golden Acres 7th Addn. **First Presbyterian Church**-Lots 7-8 Blk 90 Hagerty & Lloyds Addn. **First Reformed Church**-Lot 47 Blk 2 Plat of a portion of Clark's 1st Addn to Mel Ros & a part of Ganje Addn to Mel Ros. **First United Methodist Church**-Ashwood Heights Subd Lot 1 Blk 8 SW ¼ 8-123-63; Lot 13 Blk 1 Mel Ros Estates 8th Addn; Lt 1 FUMC Corner SD (Bk 30 1st & 2nd Addn); Lts 1 & 2 Blk 29 1st Addn. **First United Pentecostal Church**-Lt 2 Jung's Golden Acre Addn (Meidinger 1st). **Grace Lutheran Church**-Grace Lutheran Church OL 2 Francis Evelo's Addn NE ¼ 19-123-63. **Holly Cross Lutheran Church**-Lot 14 Blk 10 11th Addn to Highland North. **North Highland United Methodist Church**-Lots 11 & 12 Blk 3 1st Addn to Highlands. **Sacred Heart Roman Catholic Church**-Lots 23-24 Blk 80 Hagerty & Lloyds Addn; Lots 6-17 & S ½ of Lot 18 Blk 80 Hagerty & Lloyds Addn. **SD Conference of Seventh Day Adventist**-Lot 4 & the W 13.95' of Lot 3 Blk 1 Francis Evelo's Addn. **St Mark's Episcopal Church**-Lots 1 & 2 Blk 5 Spauldings 4th Addn. **St Mary's Catholic Church**-S 20' of Lt 4 and all of Lts 5-12 Bk 38 Hagerty & Lloyds Addn; E 76' of Lots 13 & 14 Blk 38 Hagerty & Lloyds Addn; Lots 15 & 16 Blk 38 Hagerty & Lloyds Addn; Lots 17 & 22 Blk 38 Hagerty & Lloyds Addn; Lt 1 St Mary's SD Bk 39 Hagerty & Lloyds Addn; Bk 47 Hagerty & Lloyds Addn. **St Paul's Evangelical Lutheran Church**-St Paul SD (Bk 36 2nd

SD); Lt 4 & W 10' of Lt 3 Bk 45 2nd Addn; Lts 1-8 Blk 36 2nd Addn. **St Pauls Lutheran Church**-L 9 & E 15' L 10 Blk 36 2nd Addn. **Trinity Evangelical Lutheran Church**-OL 10 N ½ 19-123-63. **Trinity Lutheran Church**-L 13 & 17' of vac street Blk 21 Coe & Howard Addn; L 12 & 17' of vac street Blk 21 Coe & Howard Addn; Lot 14 & N 17' of vac street Blk 21 Coe & Howard Addn; L 1-5 & 8' of vac alley & 17' of vac street Blk 23 Coe & Howard Addn; E 24' of L 11 & 17' of vac street Blk 21 Coe & Howard Addn. **Zion Christian Fellowship**-Lts 757-760 Lts 767-772 Morning Heights Subd. **Aquinas Student Center**-N 38' of E 52' of Lot 21 & E 52' of Lot 22 Blk 1 Normal Addn. **NSU Foundation** - Lots 9-12 Blk 24 Corrected Plat of the Highlands. **Catholic Chancery Office**-Lots 1-3 Blk 1 Normal Addn. **Aberdeen Catholic School Systems Inc (Roncalli)**-Lot 1 Central Catholic High School Addn. **Hub Area Multi-District Vocational Center**-595' of OL 5 Ex E 50' of S 25' lying N of S 220' of OL 5 Reese's OL E ½ NE ¼ 23-123-64. **Presentation Sisters College**-NW ¼ 12-123-63 Presentation Heights; Presentation Heights Addn OL A Blk 1; N 75' of Lots 19-24 Blk 14 Corrected Plat of the Highlands; Lt 1 Russo Addn (NW 12-123-64 25.42 ac). **Sacred Heart School**-Lots 1-5 Lager's 1st Rearr of Lots 20 to 24 inc Blk 81 Hagerty & Lloyds Addn; Lots 1-10 & vac alley Blk 81 Hagerty & Lloyds Addn; Lot 13-19 & vac alley & vac E ½ of Arch Street Blk 81 Hagerty & Lloyds Addn; Lots 11-12 & vac alley Blk 81 Hagerty & Lloyds Addn. **The Alano Society of Aberdeen**-W 8' of Lot 3 all of Lots 4-9 Blk 1 Thomas Addn Lot 12 & W 115' of the S 8.5' of Lot 13 & E 27' of Lots 13 & 14 Pierce's Subd & vac alley of Blk 103 Hagerty & Lloyds Addn. **Adjustment Training Center**-E 77' of Lots 1 & 2 Blk 19 Thomas Addn; Lots 849-852 Morning Heights Ext Addn; Lots 7 -8 & Lots 11-12 Blk 47 Bennett & Thomas Addn (ATC 1st Subd); Berkshire Addition Lot 3; N 100' of the W 150' of OL B of Lawson's OLS in Lot 8 of Bonaccord Heights Subd; N ½ of Lot 193 and all of Lots 194-196 Morning Star Subd. **Northeastern Mental Health Center**-N 78' of W 34' of Lot 12 & N 78' of Lot 13 & N 78' of E 16' of Lot 14 Blk 53 Second Addn; W 34' of Lot 11 & E 16' of Lot 12 Blk 53 Second Addn; S 150' of Lot 5 of St. Lukes Replat of Blk 83 Hagerty & Lloyds Addn; That portion of Lot 2 St. Lukes Replat that was formerly described as Lots 8 & 9, 13-17 together with vac alley between said Lots 8 & 17, 9 & 16. **Northeastern Mental Health Foundation**-Lt 2B of 1st Subd of Lt 2 Auto Plaza Addn in NE 14-123-64. **Resource Center for Women**-Lots 15-16 & S 9' of Lot 17 Blk 89 Hagerty & Lloyds Addn. **The American National Red Cross** - Lots 3 & 4 of Nelson & Rohrbach's Replat of Lot C Lawson's OLS of Lot 8 Bonaccord Heights 19-123-63. **Family Y**-Lots 1-5 Narragand's Subd of Lots 5 & 6 & the S 5' of vac alley Blk 27 First Addn; Lots 7-12 & S 32' of Lot 44 & all of Lots 45-47 & N 16' of Lot 48 Blk A 1st Addn Blk 92 Hagerty & Lloyds Addn. **Salvation Army**-Lot 11 Blk 5 Third Addn of Forrest Acres; Lot A Blk 3 Garden Park Addn NW ¼ 23-123-64; Salvation Army 1st Addn replat of Rehfeld's replat Blk 1 Pleasant Hill Addn. **New Beginnings Center**-BOLS Lincoln & Boyds Addn OL 2 Blk F SE ¼ 18-123-63. **Knights of Columbus**-Lots 4-5 & 6 Ex the E 90' Blk 3 OP Aberdeen. **Masonic Temple Assoc**-Lots 8-12 Blk 30 1st Addn. **Elks Lodge #1046**-Lt 26 Plat of Auto Plaza Addn to Aberdeen; **Quint City Trades & Labor**-Lt 2 Restaurant Growth 2nd Addn to Aberdeen; **Mother Joseph Manor**-S 732' of the W 336' of Highland OL 3 SE ¼ 12-123-64. **Good Samaritan Health Services**-Lt 1 & 2 Good Samaritan Subd Meadowbrooke Estates. **Aberdeen Catholic School System Inc**-Lots 3 & 4 & N 3' 8" of the E 40' of Lot 2 of Roche's 4th Subd of Lots 11-14 & N 63.8' of L 16 Roche's 3rd Rearr of Lot 11-12 Blk 8 North Abdn. **Avera St Lukes Hospital**-Lots 1-4 Lagers 2nd Rearr of Lots 1-3 Blk 88 Hagerty & Lloyds Addn; Lots 4-9, 13-14 & S ½ of Lot 15 & Lots 20-24 Blk 88 Hagerty & Lloyds Addn; N 12 ½' of Lt 16 and all of Lts 17-19 and N 12 ½' of Lt 15 and S 12 ½' of Lt 16 Blk 88 Hagerty & Lloyds Addn; Lots 1-6 Blk 95 Hagerty & Lloyds Addn; A trapezoidal parcel in Vaughn's Lot 2 plat of St Lukes Midland Regional Medical Center Addn; Lots 1-24 Blk 82 Hagerty & Lloyd Addn; Lots 1,3,4,5,7,8 Ex E 7' of Lot 11 & 12 of plat of SLMRMC; OL 1 in the NW ¼ 11-123-64 ex Lot A & ex bike trail Lot 1; S 60' of Highland School Lot SE ¼ of 12-123-64; Unit 8B a/k/a Suite W260; Unit 6B & 7B a/k/a Suite W210; Unit 4B a/k/a Suite W290 all located in Physician's Plaza, being a part of Lots 1 & 2 St Lukes Replat of Blk 83 Hagerty & Lloyds Addn. **Bath Twp #19 Sunset Memorial Gardens**-1st Addn to Sunset Memorial Gardens Lts 2-5 15-123-63; NW corner of SW 14-123-63. **Aberdeen Twp #20 Melgaard Park Baptist Church**-E 108.7' of Lot 1 NE 25-123-64; **Avera St Luke's Hospital**-500' next W of E 700' of N 658' NW ¼ 11-123-64 ex Lot H1 & Lot H2; **Adjustment Training Center**-E 540' of N 403.33' of NE ¼ 28-123-64;

Aberdeen Area Humane Society-Janusz OL 1 SW 27-123-64. **Spurs Therapeutic Riding Center**-Lt 1 (land and structures) and Lt 2 (land only) Spurs Addn NW 6-123-63; **Aberdeen Motocross Association**-Lt 3 Wolff's 1st Addn N ½ 21-123-64. **Warner Twp #23 Mansfield Community Betterments**-N 100' of Lt 1 and all of Lts 2 & 3 Blk 4 Town of Mansfield. **East Hanson Twp #25 St Paul's Lutheran Church**-All Blk 15 of Subd Entitled Blks 14,15,16 & OL H,I,J,K & S 60' of Lots 7-12, Blk 9 of Subd Entitled Blks 9-13 of OL E & F. **Groton City #33 Groton Alliance Church**-S 12'13" of Lot 3 Blk 59 Third Addition; **St John's Lutheran Church**-OP Lots 11 & 12 Blk 14; **United Methodist Church**-Randall's Addn Lts 1-16 Blk 22 ex .045 acres of Lts 11 & 12; **Masonic Lodge**-OP Lots 1-4 Blk 9. **Highland Twp #35 St John's Lutheran Church**-St John's Evangelical Lutheran Church OL Lts 1 & 2 SW ¼ 24-122-65; St John Evangelical Lutheran Church OL 1 SE 23-122-65. **Frederick City #38 St Paul's Lutheran Church**-Curtis 1st Rearr of S ½ of Blk 14 1st Addn Lot 5 Blk 14. **Hecla City #40 St Anthony Catholic Church**-Lt 5 Blk 14; **Prince of Peace Lutheran Church**-L4 Blk 24; **St John's Lutheran Church**-Lot 2 Blk 14; **Brown Marshall Soil Conservation**-S 47 ½' of S 95' of Lts 17 & 18 Blk 3. **Claremont City #42 United Methodist Church**-Dinsmore's 1st Addn Lot 1 of OL E & Dinsmore's 2nd Addn Lots 13-18 Blk 1; Claremont 1st Methodist Episcopal Church Subd of OL F Dinsmore's 1st Addn; Leonard's Subd Lot 1; **American Legion Post #262**- Lots 11 & 12 Blk 10 OP; **Masonic Building Co**-OP Lots 7-10 Blk 10. **Columbia City #43 St John's Evangelical Lutheran Church**-Lake Boulevard Peck's 1st Addn Lots 18,20,22,24,26,28; James Street Peck's 1st Addn Lots 26 & 28; **American Legion Post #58**-Broadway Peck's First Addn Lots 102,104,106,108,110,112,114,116,118,120,122,124,126,128; **American Legion Baseball**-Mill Street Peck's 1st Addn Lots 107,109,111,113,115,117,121,125,127. **Putney Twp #48 Granary Memorial Gallery**-Sieh's OL 1 N ½ of NE ¼ 29-124-61. All members present voting aye. Motion carried.

Moved by Fischbach, seconded by Hansen to deny Tax Exempt status for **Floyd Mertz** (Library) on E 10' of Lot 18 and all of Lot 19 Blk 2 OP Houghton (10% requested). All members present voting aye. Motion carried.

Moved by Wiese, seconded by Hansen to approve 64% Tax Exempt status for the **First United Methodist Church** on Lts 1-5 & S 10' of W 56' of vac alley lying adj to the N boundary of Lts 2 & 3, as formerly platted now vacated; all in Foster's 3rd Rearr, being a Rearr of Lts 14-16 of the Sudd of Lt 5 and other property in Blk 29 1st Addn to Aberdeen and Lts 14-16 Blk 29 2nd Addn to Aberdeen. All members present voting aye. Motion carried.

Moved by Wiese, seconded by Hansen to approve 33% Tax Exempt status for the **First United Methodist Church** on Lts 12 & 13 Blk 29 Subd of Lts 4 & 5 Blk 29 1st Addn and Lts 12 & 13 Blk 29 2nd Addn to Aberdeen. All members present voting aye. Motion carried.

Moved by Hansen, seconded by Wiese to approve 100% Tax Exempt status, as requested on the following: **Aberdeen City #32 Aberdeen Development Corp (Aberdeen Area Career Planning Center)** on Lt 1 Abdn Dev Corp 1997-1 SD NE 17-123-63 (Industrial Park). **Avera St Lukes Hospital** on Lt L Parking Avera St Lukes (.T 7-12 Blk 73 Hagerty & Lloyds Addn. **Dakota Baptist Convention (Formerly Dakota Southern Baptist Fellowship)** on Dakota Southern Baptist Fellowship Lts 10 & 12 Gugins 1st SD SW 6-123-63. **Northeast Regional Health & Fitness Center, Inc** on Lts 1 & 2 Hagerty & Lloyds 3rd Subd in SE 13-123-64. **Savo Twp #30 Apostolic Lutheran Pioneer Church and North Savo Cemetery** on 10 acres in SE 3-128-63; **Savo Hall Association** on 3 acres in SW corner 22-128-63. All members present voting aye. Motion carried.

Moved by Fischbach, seconded by Wiese to approve partial Tax Exempt Status for the following applications: **Aberdeen City #32 Montessori School %Eric Hofer** @ 25% Tax Exempt on Lot 10 Blk 3 Thomas Addn; **Resource Center for Women** @ 58% Tax Exempt on Lots 5 & 6 Blk 90 Hagerty & Lloyds Addn; **CC Croal Post #17 VFW** @ 50% Tax Exempt on Lt 18 Plat of Auto Plaza Addn to

Aberdeen; **VFW CC Croal Post #17** @ 50% Tax Exempt on Lt 19 Auto Plaza Addn to Aberdeen; **Loyal Order of Moose #590** @ 80% Tax Exempt on Lots 1-8 and all of vac alley Blk 54 Second Addn; **Yelduz Temple** @ 90% Tax Exempt on Lots 1-3 Blk 50 Second Addn; **Fraternal Order of Eagles** @ 50% Tax Exempt on Lts 7-12 Blk 22 First Addn (60% requested). **Avera St Luke's Hospital** @ 95.45% Tax Exempt on Blk 87 Hagerty & Lloyds Addn & vac Lloyd St & vac 4th Ave SE & Lots 1-8 & 17-24 Blk 96 Hagerty & Lloyds Addn & vac 5th Ave SE; **Avera St Lukes Hospital** @ 15.40% on Dakota Square Building located in Blk 69 & 70 Hagerty & Lloyds Addn; **Sacred Heart School** @ 50% Tax Exempt on the N ½ of Lt 21 & all of Lt 22 Bk 80 Hagerty & Lloyds Addn; **Warner Twp #23 Foundation for Youth Firearms Safety Inc** @ 75% on the N 820' of SE 15-122-64 ex Hwy lying E of CNW RR. **Frederick City #38 Frederick Lounge, Inc** @ 50% on Lt 6-9 Blk 9 OP. **Groton City #33 American Legion Post #39** @ 60% on Lots 22-25 Blk 11 OP. All members present voting aye. Motion carried.

Moved by Fischbach, seconded by Knecht to remove Tax Exempt status from the following: **Aberdeen City #32 Aberdeen Alliance Church**-Lt 12 Blk 20 Ganje Addn of Mel Ros Estates. **Children's House of Montessori**-Lts 7-9 Blk 89 Hagerty & Lloyd's Addn. All members present voting aye. Motion carried.

RECESS:

The Chairman declared the County Board of Equalization recessed until 10:05 on April 19, 2005.

Maxine Taylor – Brown County Auditor

APRIL 12, 2005 – CONSOLIDATED BOARD OF EQUALIZATION

Members of the Brown County Commission, Aberdeen City Commission and Aberdeen School District 6-1 organized themselves as the 2005 Consolidated Board of Equalization, in accordance with SDCL 10-11-66 at 1:00 P.M. on April 12, 2005 in the Commissioner's Chambers, Courthouse Annex, Brown County, South Dakota. Oaths of Office were taken by Tom Fischbach, Deb Knecht, Dennis Feickert, Duane Alm and Mike Levsen. Mary E Worlie, Director of Equalization was also in attendance. Auditor Taylor called the meeting to order and called for nominations for Chairman.

Commissioner Fischbach nominated Commissioner Feickert as Chairman for the 2005 Consolidated Board of Equalization. Moved by Levsen, seconded by Alm that nominations cease and a unanimous ballot be cast. All members present voting aye. Motion carried.

Commissioner Knecht nominated Mayor Levsen as Vice Chairman for the 2005 Consolidated Board of Equalization. Moved by Fischbach, seconded by Knecht that nominations cease and a unanimous ballot be cast. All members present voting aye. Motion carried.

Moved by Alm, seconded by Fischbach to approve the following recommendations from the Director of Equalization: **1.Faye Blue Earth**-Lt 1 Easton's SD of Lt 1-6 Bk 41 Bennett & Thomas Addn from 56,230 to 54,140, adjust after review. **2.Arlo Clemensen**-Lt 9 Blk 2 Inman's 3rd Addn from 175,610 to 153,180, adjust after review. **3.Sharon Clobes**-Lt 19 Blk 2 2nd Addn Wylie Park Estates from 115,693 to 115,330, adjust after review. **4.Steven Cwach**-Lot 10 Blk 1 1st Rpl Rolling Hills Village from 252,785 to 245,570, adjust after review. **5.Loren Leonard c/o Robert Gasco**-50' next E of the W 42' of Lt 7 & 50' of the S 12 ½' next E of W 42' of Bk 40 Bennett & Thomas Addn from 18,260 to 14,785, adjust after review. **6.Tom & Joyce Hinz**-Lt 5 Nelson-Rohrbachs Rpl of Lt C Lawson OL of Lt B Bonaccord Hts 19-123-63 from 59,420 to 55,040, adjust after review. **7.Charmaine D Hoff**-Lot 2 & all of Lot 4 Larson & Schwabs Rpl of part of Bl 8 Hagerty & Lloyds Addn & part of Blk 17 Bennett & Thomas Addn from 52,945 to 46,995, adjust after review. **8.Irene Howell**-Lt 10 B 2 Inman's 3rd Addn from 175,610 to 153,910, adjust after review. **9.Roger Huff**-Lts 567-571 & 598-602 ex H1 Morning Heights SD from 611,515 to 428,290, adjust after review. **10.Jason & Jennifer Jorgenson**-Lt 5 Bk 3 Bader & Hyde 1st Addn at 90,548, no change after review. **11.Steven J King**-Lt 39 & E 5' Lt 40 Bk 53 2nd Addn from 28,878 to 25,678, adjust after review. **12.Frances Lamont**-NW ¼ of NW ¼ 20-123-63 ex land deeded from 290,925 to 281,485, adjust after review. **13.Robet B Lamont II**-Lt 5 Blk 3 Willowwood 1st from 217,000 to 201,040, adjust after review. **14.Craig P & Irene Mickelson**-Lts 10-11-12 Blk 31 Bennett & Thomas Addn from 75,470 to 66,395, adjust after review. **15.Robert Muldoon**-S 11.5' of Lt 2 & N 39.5' of Lt 3 Bk 49 Bennett & Thomas Addn from 37,380 to 23,805, adjust after review. **16.Jonathan Phillips & Jennilee Miller**-Lt 2 Bk 4 Homes Are Possible (KO Lee SD) from 121,370 to 102,965, adjust after review. **17.Pat Preston**-W 46' of Lt 13 & a strip on west side adj 34 x 142 Blk 31 Thomas Addn from 114,800 to 80,295, adjust after review. **18.Richard Schaible**-Lt 9 & the W ½ Lt 10 & the next 32' lying adj to 9th Ave SW Bk 20 Highland Park Addn from 48,980 to 41,910, correct error. **19.Charles Sudlow**-Lt 1 Hedgers 1st Subd NW 18-123-63 from 42,033 to 38,000, adjust after review. **20.Avera St Lukes**-Lt 3 Hagerty & Lloyds 3rd SD SE ¼ 13-123-64 from 163,770 to 65,770, correct error. **21.Physicians Plaza Council**-Lt 2 avera Land-O-Lakes SD (Bk 72 Hagerty & Lloyds) from 175,734 to 159,289, adjust after review. **22.J&D Development**-Lt 10 Bk 1 Ashwood Heights from 37,640 to 2,400, adjust after review. **23.Stiles & Byron Partnership**-S 560' of W ½ W ½ NW NW 20-123-63 from 50,820 to 20,000, adjust after review. **24.Quest Aviation**-BOLS Hanger at Airport A from 431,705 to 286,184, split property. **25.Quest Aviation**-BOLS Hanger at Airport B from 0 to 145,518, split property. **26.Edwin & Verona Mintz**-Lt 5 Blk 46 Second Addn at 47,640 no change after review. **27.Roy James Fry**-Lt 8-9 Bk 91 Hagerty & Lloyds Addn at 29,875, no change after review. **28.Walter W Galbrecht**-Lot 6 and N ½ Lot 7 Morning Heights Addn at 40,330, no change after review. **29.Lloyd Richardson & Company**-Lots 1 & 2 Blk 11,

OP to City of Aberdeen at 313,765, no changer after review. **30. Lucille Sauck-Lt 675-685 Morning Heights Addn** at 549,360, no change after review.

The Chairman declared the Consolidated Board of Equalization recessed until 10:00 A.M., April 19, 2005.

Maxine Taylor – Brown County Auditor

APRIL 19, 2005 – CONSOLIDATED BOARD OF EQUALIZATION

Meeting called to order by Chairman Feickert at 10:00 a.m. in the Commissioner's Chambers, Courthouse Annex, Brown County, SD. Present were Fischbach, Knecht, Levsen and Nikolas. Oath of Office was taken by Robert Nikolas.

Moved by Fischbach, seconded by Levsen to approve the following recommendation from the Director of Equalization: **31. Andrew Fischer**-Lt 1 & S 21' Lt 2 Blk 41 Second Addn to Aberdeen from 71,468 to 65,290, adjust after review. All members present voting aye. Motion carried.

Moved by Fischbach, seconded by Levsen to approve the following recommendation from the Director of Equalization: **32. Lonnie J Bartell**-Lt 11 Blk 44 Second Addn to Aberdeen from 85,290 to 79,275, adjust after review. All members present voting aye. Motion carried.

ADJOURNMENT:

Moved by Levsen, seconded by Knecht to adjourn the 2005 Consolidated Board of Equalization. All members present voting aye. Motion carried.

Maxine Taylor – Brown County Auditor

APRIL 19, 2005 – BROWN COUNTY BOARD OF EQUALIZATION

Meeting called to order by Chairman Feickert at 10:15 A.M. in the Commissioner's Chambers, Courthouse Annex, Brown County, SD. Present were Commissioners Hansen, Fischbach, Knecht and Weise. Mary Worlie, Director of Equalization was also in attendance.

Moved by Fischbach, seconded by Knecht to approve all qualified senior freeze applications for 2005. All members present voting aye. Motion carried.

Moved by Fischbach, seconded by Wiese to approve the following recommendation from the Director of Equalization: Carlisle Twp #13 1. Joseph A Berbos-Lt 1 Krage's First Subd NE 22-125-65 @ 138,401, taking no action on Carlisle Township Board request to split structure between lots. All members present voting aye. Motion carried.

Moved by Hansen, seconded by Wiese to approve the following recommendation from the Director of Equalization: Riverside Twp #16 2. Robert J Howard-NE 33-124-60 from 169,850 to 191,983, maintain equalization. All members present voting aye. Motion carried.

Moved by Fischbach, seconded by Hansen to approve the following recommendation from the Director of Equalization: Groton Twp #17 3. Clinton I Jacobson-Lts 1 – 7 Sunset Ridges Estates 1st Ext NE 29-123-60 from 4,350 to 20,000, maintain equalization. All members present voting aye. Motion carried.

Moved by Fischbach, seconded by Hansen to approve the following recommendations from the Director of Equalization: Franklyn Twp #36 4-8. William O & Karen L Edwards-SE 10-126-65 @ 57,770; SW 13-126-65 @ 59,250, SE 13-126-65 @ 53,773, NW 13-126-65 @ 64,079, NE 13-126-65 @ 56,159, uphold local board. All members present voting aye. Motion carried.

Moved by Knecht, seconded by Wiese to approve the following recommendation from the Director of Equalization: Aberdeen City #32 9. Paul Hurst-Lt 3 Blk 4 North Aberdeen, classification change from NAD/NAD1 to NADS/NAD1S. All members present voting aye. Motion carried.

Moved by Wiese, seconded by Fischbach to approve the following recommendation from the Director of Equalization: Aberdeen City #32 10. Marie and James Hovland-Lt 4 Blk 4 Northview 5th Addn, classification change from NAD to NADS. All members present voting aye. Motion carried.

Moved by Wiese, seconded by Fischbach to approve the following recommendations from the Director of Equalization: Richland Twp #37 11. Robert Comstock-E2 NE & NE SE 36-127-63 from 52,064 to 39,209, split property. Westport City #51 12. Karna Cutler-Lt 5 Blk 2 Park Addn from 28,345 to 27,625, adjust after review. Aberdeen Twp #20 13. Lou Ludwig-BOLS Lakeside from 6,915 to 1,500, adjust after review. North Detroit Twp #9 14. Charles Estee, from 70,900 to 48,597, correct error. Portage Twp #1 15. Charles R Estee et al from 40,497 to 32,936, correct error. Stratford City #45 16-17. Ronald Glugla-Lts 7-10 Blk 20 OP Stratford from 0 to 20,090, correct error; All Blk 21 OP Stratford from 20,090 to 0, correct error. Carlisle Twp #13 18-20. Homer Huettl-NW 3-125-65 from 54,956 to 46,275, adjust crop/grass; SW 3-125-65 from 60,355 to 45,982, adjust crop/grass; NE 4-125-65 from 50,925 to 45,982, adjust crop/grass. Aberdeen Twp #20 21. Angela Huffman-BOLS Lakeside from 28,260 to 21,500, adjust after review. Carlisle Twp #13 22. Harold Krage-Lt 2 Krages 1st Sub NE 22-125-65, taking no action on Carlisle Township Board request to split structure between lots. Warner Twp #23 23. Robert Kuntz-NW NW & S2 NW & N2 SW 16-122-64, classification change from AGA to AGSL. Claremont Twp #10 24-25. Earl W Lowry-N2 SW 36-125-61, from 89,000 to 90,040, no water form; NE 25-125-61 from 100,000 to 123,260, no water form. Henry Twp #18 26. Jacky & Elvera McKiver-McKivers OL 1 SE 25-123-62 from 161,925 to 112,410, adjust after review. Liberty Twp #31 27. Paul Meyers-BOLS NE 35-

128-62 from 500 to 0, bin gone. Richland Twp #37 **28. Mark Nixon**-SE SE 36-127-63 from 0 to 14,278, split property. Aberdeen Twp #20 **29. Walter Schott-Schott** OL SE 6-123-63, classification change from NAC to AGC/AGC1. **30. Louis Chavez**-BOLS Lakeside from 11,390 to 1,500, adjust after review. Riverside Twp #16 **31. Allen Zoellner**-NW 29-124-60 ex land deeded from 157,596 to 158,770, adjust after review. Shelby Twp #8 **32. Congregational Church**-W 88' Lt 2 Bk 12 Houghton from 2,745 to 200, adjust after review. Henry Twp #18 **33. Holum Farms**-Lt 1 Holum 1st SD SE 12-123-62 from 221,019 to 53,300, correct error. Aberdeen Twp #20 **34. XL Homes Corporation**-BOLS Lakeside from 7,760 to 0, mobile home gone. Cambria #15 **35. Kenneth & Lois Davis**-SW 7-124-62 from 13,440 to 29,912, uphold local board. Liberty Twp #31 **36. Richard O Rovang**-Lt 2 9-128-61 from 4,010 to 3,275, adjust after review; **37. Mitchell-Broadview LLP**-SW 5-128-61 from 126,375 to 112,450, adjust after review; **38. Donald Krause**-SW 11-128-62 from 114,172 to 111,856, adjust after review; **39. Ralph Schroeder**-SW 35-128-62 from 92,572 to 87,395, adjust after review. Ravinia Twp #34 **40-41. Jeff Seward**-Lts 37-38 Lutgen & Davis NE 25-124-65 from 296,945 to 34,930, adjust after review; Lt 2 Berry-Davis Addn & Lt 36 Lutgen Davis NE 25-124-65 from 18,300 to 290,575, adjust after review. North Detroit Twp #9 **42. Doug Hubert**-N2 SE 9-127-60 from 77,020 to 44,021, correct error. Ordway Twp #14 **43. Lonnie & Dixie Garrett**-Lt 1 & 2 Hagemann 1st Subd SE 26-124-63 from 0 to 33,560, correct error. Portage Twp #1 **44-46. Donald Miller**-E2 NW 4-128-60 from 23,389 to 37,452, adjust crop/grass; NE 3-128-60 from 51,617 to 90,851, adjust crop/grass; SW 3-128-60 from 65,382 to 66,806, adjust crop/grass. Riverside Twp #16 **47. Dennis Johnson**-W2 SE 11-124-60 from 90,218 to 97,178, maintain equalization. Frederick City #38 **48. Frederick Lounge Inc**-Lts 6-9 Blk 9 OP Frederick from 94,000 to 133,480, maintain equalization. Franklyn Twp #36 **49. Howard Anderson**-NW 14-126-65 from 44,179 to 45,689, correct error. Lansing Twp #5 **50. Logan Enterprises Inc**-SE 11-127-61 from 63,630 to 138,349, adjust crop/grass; **51-52. Dean Pulfrey**-NE 23-127-61 from 72,340 to 100,650, adjust crop/grass; SE 23-127-61 E 5.03 ac for Hwy from 75,623 to 101,877, adjust crop/grass. Portage Twp #1 **53. Allan Kenny**-SW 20-128-60 from 49,730 to 69,264, adjust crop/grass; **54. Spencer Stearns**-SW 19-128-60 from 51,812 to 91,184, adjust crop/grass. Frederick City #38 **55-56. Darrel Napton**-Lt 16 Blk 34 First Addn from 0 to 11,240, correct error; Lt 15 Blk 34 First Addn from 11,470 to 230, correct error. Groton Twp #17 **57. Carl & Robert Howard**-W2 SW 20-123-60 N & E of Hwy ex strip 4 rods wide on S end and ex Hwy from 6,460 to 13,443, maintain equalization. Hecla Twp #50 **58-61. Todd J Daniels**-SW 3-128-61 from 95,000 to 105,620, no water form; N2 NW 10-128-61 from 40,000 to 48,780, adjust crop/grass; N 26 rods 14' NE 4-128-61 from 9,000 to 13,824 adjust crop/grass; 26 Rods S of N 26 rods & 14' NE 4-128-61 from 9,000 to 13,224, adjust crop/grass. Liberty Twp #31 **62. Clayton Colestock**-NW 27-128-62 from 57,479 to 98,378, adjust crop/grass; **63. Allen Siefkes**-W2 NW 20-128-62 from 35,644 to 37,455 adjust crop/grass. Lansing Twp #5 **64. Bonnie Olson**-SE 22-127-61 ex 6.48 ac for Hwy from 45,162 to 88,661, adjust crop/grass; **65. Eugene L Mitchell**-SW 21-127-61 from 57,843 to 67,743, adjust crop/grass; **66. Dinger Farms Inc**-NE 25-127-61 ex Hwy from 56,746 to 115,760, adjust crop/grass. All members present voting aye. Motion carried.

Moved by Fischbach, seconded by Wiese to adjourn the 2005 Brown County Board of Equalization. All members present voting aye. Motion carried.

Maxine Taylor – Brown County Auditor

APRIL 12, 2005 – GENERAL MEETING

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

MINUTES:

Moved by Wiese, seconded by Hansen to approve the General Meeting minutes of April 5, 2005. All members present voting aye. Motion carried.

CLAIMS:

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

Supplies: Office Equip..\$139.10, SD Continuing Legal Ed..\$150.00, Shafer & Feld..\$296.95, Aberdak Travel..\$470.40, New Trends..\$97.32, Penny Hart..\$7.96, ProMap..\$2100.00, Office Max..\$1092.28, Quality Quick Print..\$302.00, Bonnie Bitz..\$177.00, Dawn Woods..\$682.00, Bus Systems..\$50.60, Parcel Erickson..\$204.20, Walmart..\$272.63, Runnings..\$2339.59, Cheryl Hairgrove..\$434.00, Accurint..\$16.95, Kesslers..\$316.34, HRS..\$4407.44, Dakota Electronics..\$158.65, Avera St Lukes..\$45.00, Darrels Sinclair..\$38.95, Safety Service..\$423.68, Tri State Water..\$11.30, Career Planning..\$361.25, 3-D Spec..\$1834.44, Hagan Ins..\$100.00, Sheehan Mack Sales..\$188.18, Safety Service..\$401.15, Pierson Ford..\$462.36, North Central Rental..\$1817.50, North Central Farmers Elev..\$14,844.80, Midwest Pump & Tank..\$34.95, Menards..\$257.13, Lust Chev..\$26.40, James Loterbauer..\$216.00, Interstate Battery System..\$71.95, House of Glass..\$15.36, Hedahls..\$8.45, Hecla Impl..\$17.75, Harms Oil..\$13,328.30, Habeck Radiator..\$480.00, Farnams..\$76.26, Farm Plan..\$3443.20, Exhaust Pros..\$237.95, JD Evans..\$71.83, Evergreen Supply..\$78.60, Erdmann Oil..\$2407.04, Economy Oil..\$2178.40, Violet Dinger..\$1842.23, Diesel Machinery..\$3020.88, Dakota Fluid Power..\$73.13, Cunningham Elec..\$334.59, Chris & Dons Tarp..\$17.50, Cartney Bearing..\$9.05, Butler Machinery..\$465.40, Best Business..\$24.73, Dakota Supply Group..\$295.52, McFarland..\$59.27, HC Clark..\$29,605.46, Macs..\$18.99, Farm Power..\$44.16, Evergreen Supply..\$56.50, Mohr Const..\$3500.00, Best Western..\$650.00, Creative Signs..\$66.00, Glas Consulting..\$212.50, D&d Paint..\$321.00, Meyers Auto..\$25.00, Brown County..\$100.12, Gemplers..\$542.20, Ameripride..\$79.08, SD Federal Property..\$157.25, Brick Propane..\$13.50, Midland Press..\$295.31, Air Tech..\$2765.00, Dakota Elec..\$6690.22, Best Business..\$784.59, Quality Quick Print..\$1650.00, Schwan Welding..\$1089.30, Northern State Univ..\$100.00, City of Groton..\$849.16, Warner School..\$545.76, NECOG..\$1460.36:

Publications: American News..\$160.29, Groton Indep..\$240.21:

Professional Fees: Sheriff of Linn County..\$18.75, Dakota Imaging..\$9.84, Yankton County Sheriff..\$93.55, NE Mental Health Center..\$87.78, Avera St Lukes..\$1785.00, Eide Bailly..\$267.00:

Transcriptions: Neal Reporting..\$34.00:

Travel: William Meink..\$56.00, Mark McNeary..\$160.00, Markus Selzler..\$37.00, Charlene Millim..\$7.68, Larry Gerlach..\$162.15, Mike Hassebroek..\$114.00, Curt Erickson..\$39.00, Tammy Dennert..\$84.00, Marlys Volzke..\$39.00, Tabatha Moore..\$9.09:

Utilities: Cellular One..\$252.19, Verizon..\$185.12, Northern Valley..\$71.18, James Valley Co-Op..\$142.58, Town of Frederick..\$28.25, Northwestern Energy..\$706.72, Northern Elec..\$806.93, Northern Wireless Comm..\$80.90, Dependable Sanitation..\$15,166.02:

Care of Poor: Rent – 6 recipients..JAS Properties..\$175.00, 5th Ave Apts..\$161.00, Mary Anderson..\$140.00, Daniel Brenner..\$200.00, Dallas Niederbaumer..\$240.00, Lonnie Lyke..\$220.00; Medications – 1 recipient..Medical Center Pharm..\$73.54; Transportation – 1 recipient..Brown County Highway..\$21.39; Dr/Hospital – 6 recipients..Avera St Lukes..\$2582.74, Harbert Orthopedics..\$1085.24, Anesthesia Care..\$256.00, Dakota Imaging..\$209.49, Eckrich Urology..\$1252.34, Dr Wm Goumas..\$149.56; Burial – 1 recipient..Spitzer Funeral Home..\$1431.47; Utilities – 1 recipients..NWPS..\$260.00. All members present voting aye. Motion carried.

PERSONNEL:

64
Moved by Fischbach, seconded by Wiese to approve hiring Penny Malsam as Deputy Register of Deeds, effective April 18, 2005 at \$9.97 per hour. All members present voting aye. Motion carried.

Moved by Knecht, seconded by Hansen to approve employee status change for Kathy Fischer from full-time Appraiser to Appraiser/Planner Zoning Coordinator, effective April 18, 2005 at \$14.70 per hour. All members present voting aye. Motion carried.

Moved by Hansen, seconded by Knecht to approve setting \$10.00 per hour salary for Coroner and Deputy Coroner for reimbursement of time provided in addition to \$100.00 fee for viewing body. All members present voting aye. Motion carried.

OFFICE HOURS:

Commissioner Knecht offered the following Resolution:

RESOLUTION NO. 26-05

WHEREAS, SDCL 7-7-2 requires the Board of County Commissioners to establish the hours of operation for each county government office, except for the offices of the sheriff and state's attorney, and

WHEREAS, SDCL 7-7-2 also requires the county auditor's office to remain open for special, primary and general elections, and if requested for school and municipal elections, until the closing of polls and the tabulation of votes for each election.

NOW, THEREFORE BE IT RESOLVED that the hours of operation for the administrative offices of the Auditor (except as provided for elections), Treasurer, Register of Deeds and Director of Equalization shall be from 7:00 A.M. to 5:00 P.M., Monday through Friday of each week, except on those days declared legal holidays or as given by the Board of County Commissioners of Brown County.

AND FURTHER RESOLVE that the aforementioned schedule will be in effect from May 23, 2005 through September 9, 2005, at which time the hours of operation will revert to 8:00 A.M. to 5:00 P.M., Monday through Friday, unless reviewed for extension or modification. Employees to flex time within a single 40-hour work week. Each employee must take at least a half-hour lunch break between 11:00 A.M. and 2:00 P.M.

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

SET HEARING DATE:

Moved by Wiese, seconded by Hansen to set public hearing for 5:30 p.m. on May 2, 2005 in the Aberdeen City Commission Chambers, 123 S Lincoln for First Reading of the following: Ordinance No. 05-05-01/308, An Ordinance Amending Subsection E of Section 5 of Part II of Ordinance No. 1164, as amended, known as the Zoning Ordinance of the City of Aberdeen, South Dakota, adding subsection 5. Electronic Message Board Signs. All members present voting aye. Motion carried.

PREVENTION GRANT:

Moved by Wiese, seconded by Fischbach to approve and authorize the Chairman sign Financial Form 269 for January through March 2005 for the Brown County Special Appropriation "Prevention and Intervention Programs for at-risk and detained youth" Grant #2001-JS-FX-0014. All members present voting aye. Motion carried.

COPS 2003 TECHNOLOGY GRANT:

Moved by Wiese, seconded by Hansen to approve and authorize the Chairman sign Financial Form 269 for January through March 2005 for the COPS 2003 Technology Grant #2003-CK-WX-0177. All members present voting aye. Motion carried.

COPS 2004 TECHNOLOGY GRANT:

Moved by Hansen, seconded by Wiese to approve and authorize the Chairman sign Financial Form 269 for January through March 2005 for the COPS 2004 Technology Grant #2004-CK-WX-0150. All members present voting aye. Motion carried.

WEED AND SEED:

Moved by Wiese, seconded by Knecht to approve and authorize the Chairman sign Financial Form 269 for January through March 2005 for the Brown County Weed and Seed Grant #2002-WS-QX-0054. All members present voting aye. Motion carried.

CORE SERVICE AGENCY:

Moved by Knecht, seconded by Wiese to approve and authorize the Chairman sign document naming NADRIC as the Core Service Agency providing alcohol and drug prevention and treatment services in Brown County, SD. All members present voting aye. Motion carried.

WEED & PEST GRANT AGREEMENT:

Moved by Knecht, seconded by Wiese to acknowledge and authorize the Chairman co-sign the Weed and Pest Grant Agreement with the SD Department of Agriculture for funding not to exceed \$3,800.00 (50% County match required), effective July 1, 2005 – June 1, 2006. All members present voting aye. Motion carried.

EMERGENCY PURCHASE:

Moved by Fischbach, seconded by Hansen to declare an emergency and authorize the Sheriff obtain quotes and purchase a used vehicle to replace the vehicle declared a total loss as a result of the accident which occurred in Colorado while transporting a prisoner. All members present voting aye. Motion carried.

PRECINCT BOUNDARIES AND DESIGNATED POLLING PLACES:

Commissioner Fischbach offered the following Resolution:

RESOLUTION NO. 27-05

WHEREAS, the board of County Commissioners shall by resolution provide for election precincts throughout this county and shall designate polling places for all precincts, as per SDCL 12-14-1, and

WHEREAS, this Resolution shall replace all prior actions whereby the Board of County Commissioners set precinct boundaries and polling places.

NOW, THEREFORE BE IT RESOLVED that the election precinct boundaries and designated polling places for such precincts throughout Brown County are as follows (note: all references to streets in the descriptions listed hereafter are intended to reference the centerline of the streets):

Precinct No. 001 – consisting of all that part of Aberdeen City bounded on the south by the main track of what was the Chicago, Milwaukee, St. Paul and Pacific Railroad Company main line running east and west; bounded on the west by Main Street North or any prolongation of Main Street North; bounded on the east by State Street North or any prolongation of State Street North, with polling place located at the Washington Street Gym, 401 N Washington Street, Aberdeen, SD

Precinct No. 002 – consisting of all that part of Aberdeen City bounded on the south by the main track of what was the Chicago, Milwaukee, St. Paul and Pacific Railroad Company main line running east and west; bounded on the west by State Street North or any prolongation of State Street North; bounded on the east by Dakota Street North or any prolongation of Dakota Street North, with polling place located at the Washington Street Gym, 401 N Washington Street, Aberdeen, SD

Precinct No. 003 – consisting of all that part of Aberdeen City bounded on the south by Sixth Ave SW or any prolongation of Sixth Ave SW; bounded on the east by Main Street North or any prolongation of Main Street North, with polling place located at the Strode Activity Center, Presentation College, 1500 N Main, Aberdeen, SD

Precinct No. 004 – consisting of all that part of Aberdeen City bounded on the north by the main track of what was the Chicago, Milwaukee, St. Paul and Pacific Railroad Company main line running east and west; bounded on the south by Sixth Ave SE; bounded on the east by Moccasin Creek; bounded on the west by Main Street South, with polling place located at the Courthouse Community Room, 25 Market Street, Aberdeen, SD

Precinct No. 005 – consisting of all that part of Aberdeen City bounded on the north by Sixth Ave SE; bounded on the south by Twelfth Ave SE; bounded on the west by Washington Street South; bounded on the east by Dakota Street South, with polling place located at the Alexander Mitchell Library, 519 S Kline Street, Aberdeen, SD

Precinct No. 006 – consisting of all that part of Aberdeen City bounded on the north by a line commencing at a point where Sixth Ave SE and Dakota Street South intersect, thence east on Sixth Ave SE to Lawson Street South, thence south on Lawson Street South to Ninth Ave SE, thence east on the prolongation of Ninth Ave SE to McCoy Street South, thence south on McCoy Street South or any prolongation of McCoy Street South to the prolongation of Tenth Ave SE, thence east on a prolongation of Tenth Ave SE to the prolongation of Norwood Street South, thence south on the prolongation of Norwood Street South; bounded on the west by Dakota Street South or any prolongation of Dakota Street South, with polling place located at the Senior Citizens Center, 1303 7th Ave SE, Aberdeen, SD

Precinct No. 007 – consisting of all that part of Aberdeen City bounded on the south by the main track of what was the Chicago, Milwaukee, St. Paul and Pacific Railroad Company main line running east and west; bounded on the west by Dakota Street North or any prolongation of Dakota Street North; bounded on the east by Roosevelt Street North or any prolongation of Roosevelt Street North, with polling place located at the National Guard Armory, 115 S Roosevelt Street, Aberdeen, SD

Precinct No. 008 – consisting of all that part of Aberdeen City bounded on the north by Sixth Ave SW or any prolongation of Sixth Ave SW; bounded on the east by a line commencing at a point where Sixth Ave SW and Main Street South intersect, thence south on Main Street South to Twelfth Ave SW, thence west to the main track of what was the Chicago, Milwaukee, St. Paul and Pacific Railroad Company main line running north and south, thence south on the main track of what was the Chicago, Milwaukee, St. Paul and Pacific Railroad Company main line running north and south to the prolongation of Thirteenth Ave SW, thence west on the prolongation of Thirteenth Ave SW to the prolongation of Twelfth Street South, thence south on the prolongation of Twelfth Street South, with polling place located at the Salvation Army Community Center, 1003 6th Ave SW, Aberdeen, SD

Precinct No. 009 – consisting of all that part of Aberdeen City bounded on the north by a line commencing at a point where the prolongation of Thirteenth Ave SW and the prolongation of Twelfth Street South intersect, thence east on the prolongation of Thirteenth Ave SW to the main track of what

was the Chicago, Milwaukee, St. Paul and Pacific Railroad Company main line running north and south, thence north on the main track of what was the Chicago, Milwaukee, St. Paul and Pacific Railroad Company main line running north and south to Twelfth Ave SW, thence east on Twelfth Ave SW to Main Street South, thence south on Main Street South to Melgaard Road SE; thence east on Melgaard Road SE to Kline Street South; thence south on Kline Street South or any prolongation of Kline Street South; bounded on the west by a line commencing at a point of where the prolongation of Twelfth Street South and the prolongation of Thirteenth Ave SW intersect, thence south on the prolongation of Twelfth Street South, with polling place located at the Hub Area Multi District Vocational Center, 640 9th Ave SW, Aberdeen, SD

Precinct No. 010 – consisting of all that part of Aberdeen City bounded on the north by a line commencing at a point where Main Street South and Sixth Ave SE intersect, thence east on Sixth Ave SE to Washington Street South, thence south on Washington Street South, thence east on Twelfth Ave SE or any prolongation of Twelfth Ave SE; bounded on the west by a line commencing at a point where Main Street South and Sixth Ave SE intersect, thence south on Main Street South to Melgaard Road SE, thence east on Melgaard Road SE to Kline Street South, thence south on Kline Street South or any prolongation of Kline Street South; bounded on the east by a line commencing at a point where the prolongation of Twelfth Ave SE and Dakota Street South intersect, thence south on Dakota Street South or any prolongation of Dakota Street South, with polling place located at the SD School for the Blind and Visually Impaired, 423 17th Ave SE, Aberdeen, SD

Precinct No. 011 – consisting of all that part of Aberdeen City bounded on the north by a line commencing at a point where the main track of what was the Chicago, Milwaukee, St. Paul and Pacific Railroad Company main line running east and west and Moccasin Creek intersect, thence east on the main track of what was the Chicago, Milwaukee, St. Paul and Pacific Railroad company main line running east and west to Roosevelt Street North, thence north on Roosevelt Street North or any prolongation of Roosevelt Street North; bounded on the west by a line commencing at a point where Moccasin Creek and the main track of what was the Chicago, Milwaukee, St. Paul and Pacific Railroad Company main line running east and west intersect, thence south on Moccasin Creek to Sixth Ave SE, thence east on Sixth Ave SE to Lawson Street South, thence south on Lawson Street South to Ninth Ave SE, thence east on the prolongation of Ninth Ave SE to McCoy Street South, thence south on McCoy Street South or any prolongation of McCoy Street South to the prolongation of Tenth Ave SE, thence east on a prolongation of Tenth Ave SE to the prolongation of Norwood Street South, thence south on the prolongation of Norwood Street South, with polling place located at the National Guard Armory, 115 S Roosevelt, Aberdeen, SD

Precinct No. 012 – consisting of Prairiewood, Bath and East Aberdeen Townships, with polling place located at Northern Electric Cooperative, Bath, SD

Precinct No. 013 – consisting of Columbia City, Shelby, Columbia, Cambria and Ordway Townships, with polling place located at the Columbia Fire Hall, Columbia, SD

Precinct No. 014 – consisting of the Town of Westport, Oneota, Brainard, Westport and Garland Townships, with polling place located at the Westport Town Hall, Westport, SD

Precinct No. 015 – consisting of Lincoln, Franklyn, Carlisle, Ravinia and Mercier Townships, with the polling place located at Avera St. Lukes Midland Campus, N Hwy 281 and 15th Ave NW, Aberdeen, SD

Precinct No. 016 – consisting of West Aberdeen Township, with polling place located at the Aberdeen Rural Fire Station, 2424 S 5th Street, Aberdeen, SD

Precinct No. 017 – consisting of Warner City, Highland, New Hope and Warner Townships, with the polling place located at the Warner Community Center, Warner, SD

Precinct No. 018 – consisting of the Town of Stratford, Gem, West Rondell and East Rondell Townships, inclusive and that part of Henry Township described as the N ½ of SW ¼ of Sec 35-T123N-R62W and that part of West Hanson Township described as the NW ¼ of Sec 18-T122N-R61W and the SW ¼ of Sec 7-T122N-R61W, with polling place located at the Stratford Community Center, Stratford, SD

Precinct No. 019 – consisting of Groton City, Verdon Village, Riverside, Putney, Groton, Henry (except the N ½ of SW ¼ of Sec 35-T123N-R62W), West Hanson (except the NW ¼ of Sec 18-T122N-R61W and the SW ¼ of Sec 7-T122N-R61W), East Hanson, Garden Prairie and Bates Townships, with polling place located at the Groton Community Center, Groton, SD

Precinct No. 020 – consisting of Claremont City, South Detroit and Claremont Townships, with polling place located at the Claremont Fire Station, Claremont, SD

Precinct No. 021 – consisting of Hecla City, Portage, Hecla, Liberty, Greenfield, Lansing and North Detroit Townships, with polling place located at the Hecla Community Center, Hecla, SD

Precinct No. 022 – consisting of Frederick City, Savo, Osceola, Palmyra, Allison, Frederick and Richland Townships, with polling place located at the Frederick Community Center, Frederick, SD

Dated this 12th day of April 2005

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

CENTENNIAL VILLAGE ANNUAL REPORT:

Don Gisi presented the 2004 Annual Expenditure/Revenue Report for Centennial Village.

COMMUNICATIONS UPDATE:

Drew Bickford, Communications Director discussed the Standards Committee as established in the Joint Communications Agreement.

EXECUTIVE SESSION:

Moved by Fischbach, seconded by Knecht to go into executive session for personnel discussion with Dirk Rogers, Bill Meink, Mary Worlie, Freddie Robinson, Drew Bickford and Maxine Taylor in attendance. All members present voting aye. Motion carried.

The Chairman declared the executive session closed, with no action as a result of the discussion.

SURPLUS PROPERTY:

Moved by Knecht, seconded by Hansen to declare the following items surplus for purpose of sale: Decal #1862 1993 Dodge Truck, Decal #1761/1794 1987 International Truck w/utility box from the Highway Department; and further declare miscellaneous personal property items from various departments surplus for sale. All members present voting aye. Motion carried.

APPLICATION FOR OCCUPANCY:

Moved by Wiese, seconded by Hansen to approve applications, submitted by John Ries for occupancy of Brown County Highway #18 in Sec 19-T124N-R61W of 5th P.M., Brown County, SD to clean and restore road ditch. All members present voting aye. Motion carried.

JAG - PUBLIC INPUT HEARING/INTERGOVERNMENTAL AGREEMENT:

Time and place, as advertised for a public hearing to receive any public input for the use of the Byrne Justice Assistance Grant Program (JAG) funds in amount of \$11,030, to be shared 50/50 between the City and the County. No one appeared with comments or concerns. Moved by Fischbach, seconded by Hansen to approve and authorize the Chairman sign Interlocal Agreement between the City of Aberdeen and Brown county for the receipt and expenditure of the JAG award for the 2005 Byrne Justice Assistance Grant in amount of \$11,030 (50/50 share). All members present voting aye. Motion carried.

EXECUTIVE SESSION:

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

The Chairman declared the executive session closed, with no action as a result of the discussion.

RECESS:

The Chairman declared the Commission recessed until April 19, 2005.

Maxine Taylor – Brown County Auditor

APRIL 19, 2005 – GENERAL MEETING

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

MINUTES:

Moved by Wiese, seconded by Hansen to approve the General Meeting minutes, the Brown County Board of Equalization Meeting minutes and the Consolidated Board of Equalization Meeting minutes of April 12, 2005. All members present voting aye. Motion carried.

CLAIMS:

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

Payroll: Commissioners..\$2,683.65; Auditor..\$12,092.77; Treasurer..\$8,634.84; Data Processing..\$1,658.00; State's Attorney..\$8,279.22; Maintenance..\$5,239.39, Assessor..\$7,466.27; Register of Deeds..\$4,031.26; Veterans Service Office..\$2,380.53; Sheriff..\$56,446.53; DOJ Grant..\$3,379.20; Coroner..\$190.00; Communications..\$14,641.65; Welfare Office..\$2,805.99; Museum..\$4,760.68; Fairgrounds & Parks..\$3,493.06, Fairboard..\$1,343.84; Extension..\$1,676.80; Weed..\$717.36; Emergency Management..\$2,361.14; Weed and Seed Grant..\$1,067.31; Highway..\$29,562.05; Landfill..\$6,313.80; Matching Benefits: FICA..\$21,308.63; Medicare..\$2,491.69;

Supplies: West Payment..\$1078.50, SDAAO..\$270.00, Mary Worlie..\$12.75, SD Sheriff Assn..\$50.00, Walmart..\$73.82, Mobile Electronic Service..\$255.02, Fleet Mgmt..\$196.41, Amoco..\$227.36, Earthgrains..\$529.33, Sewing Shop..\$8.00, DT Pharm..\$478.74, Hoven Auto..\$17.14, DSS..\$65.85, ITC..\$29.75, Cartney Bearing..\$34.80, Dicks Westside..\$30.00, Parcel-Erickson..\$90.12, Pierson Ford..\$34,935.00, Outlaw Graphics..\$40.00, Meyers Tractor..\$50.00, Kens Alignment..\$86.52, Dave Kampa Const..\$2509.24, Habecks..\$277.00, Fastenal..\$185.90, Farm & Home Pub..\$35.50, Violet Dinger..\$690.56, Carquest..\$1477.49, Best Western Ramkota..\$148.00, Ameripride..\$185.86, Dakota Electronics..\$37.50, OK Tire..\$170.00, Erdmann Fuels..\$871.85, Gas & Goodies..\$8.00, Evergreen Supply..\$56.50, Farnams Genuine Parts..\$45.87, Menards..\$1552.58, A&M Radio..\$51.50, Dacotah Prairie Museum..\$2.79, Dons Builders Hwd..\$5.00, Larry Gerlach..\$76.24, Town & Country..\$49.24, Glas Consulting..\$56.25, Graham Tire..\$45.59, Farm Power..\$9.72, Nasco..\$151.43, Kesslers..\$18.45, Macs..\$5.71, UBC..\$5.29, Runnings..\$17.52, Keypoints Training..\$150.00, McLeods..\$506.36, Best Business..\$153.59, Pitney Bowes..\$297.00, Ecolab..\$69.70, UBC..\$7.99, Sanders Sew 'N Vac..\$71.91, Central Supply..\$197.30, Fastenal..\$29.20, Indoff..\$67.86, Chris Stanley..\$798.00, Finishing Touch..\$26.40, Simplex..\$159.00, Cunningham Elec..\$1757.70, Taylor Laundry..\$22.50, OK Tire..\$20.00, Rux Bros..\$423.27, Roger Nixon..\$17.50, Pierson Ford..\$25,744.00, Reed-Joseph Int'l..\$542.00, Newman Signs..\$438.80, Western Printing..\$1511.28, Gemplers..\$215.05, Dakota Wood Grinding..\$15,865.00, Lust Chevrolet..\$14,950.00;

Publications: American News..\$294.55;

Professional Fees: witness fees..\$60.00, Avera St Lukes..\$59.00, Prairie Lakes Healthcare..\$590.00, NE Mental Health..\$512.05, Human Service Center..\$90.00, Lutheran Social Services..\$106.46, Clinical Lab..\$1765.62, Avera Queen of Peace..\$160.50;

Jury: Shawne Anderson..\$22.56, Dennis Arment..\$23.84, Lynn Arment..\$23.84, Stanley Brnum..\$22.56, Morgan Beveridge..\$50.72, Robert Buechler..\$23.84, Mary Campton..\$113.84, George Carrico..\$22.56, Wayne Cutler..\$177.20, Lynn Delzer..\$39.20, Scott Dreis..\$22.56, Michelle Eisenbeisz..\$22.56, Jeremy Ewalt..\$102.56, Richard Faflak..\$22.56, Mary Fordham..\$23.44, Rachel Gasco..\$12.56, Mary Goehring..\$26.40, Joseph Gustafson..\$35.60, Joy Hahne..\$11.28, Paul Hamik..\$22.56, Nancy Hartung..\$205.12, Patricia Harty..\$23.84, Carol Hilgemann..\$23.84, Roxanne Hinze..\$113.84, Sharon Hoffman..\$113.84, James Hovrud..\$22.56, Paul Janish..\$22.56, Christine Johnson..\$251.20, Brandee Joseph..\$22.56, Sandra Kallenberger..\$22.56, Danny Kimball..\$45.60, Steven Kjenstad..\$115.76, Patrick Knettel..\$22.56, John Koerner..\$11.28, Nida Krokkel..\$22.56, Bruce Kvernevig..\$138.80, Bradley

Labounty..\$23.84, Annette Leberman..\$138.80, Mary Lipp..\$11.28, Laree Livermont..\$11.28, Johanna Maisch..\$113.84, Thelma Mathes..\$11.28, Karen Minard..\$113.84, Lyncee Monson..\$158.00, Ronald Nehls..\$71.20, Carol Nelson..\$22.56, Mary Nelson..\$154.16, Greg Nielson..\$11.92, Marjorie Ormand..\$11.28, Wanda Ottenbacher..\$121.52, Connie Otterstetter..\$113.84, Casandra Peck..\$22.56, Daniel Pennington..\$27.68, Debra Pfitzer..\$148.40, Daniel Remily..\$11.28, Louise Roth..\$22.56, Ted Sanchez..\$113.84, Darlene Schumacher..\$119.60, Keith Seurer..\$22.56, Leeanna Severson..\$22.56, Georgia Smith..\$129.20, Rebecca Stucker..\$27.68, Bonita Sumption..\$22.56, Terry Thaden..\$22.56, Tracy Thares..\$119.60, Nella Thompson..\$11.28, Darrold Wagner..\$113.84, Corrine Walworth..\$138.80, Jonathan Webb..\$22.56, Craig Wells..\$115.76, Debra Winburn..\$64.80, Maria Zinter..\$11.28:

Transcriptions: Michelle Gaikowski..\$119.60, Cheryl Hook..\$20.40:

Travel: Jennifer Mechaley..\$65.92, Deb Knecht..\$201.60:

Utilities: Qwest..\$1612.88, Northwestern Energy..\$6117.11, Northern Elec..\$45.29, City of Hecla..\$116.81, Dependable Sanitation..\$380.00, Cellular One..\$99.98, Northern Valley Communications..\$68.37, Tel Serv Communications..\$331.78, Bureau of Admin..\$485.68, Verizon..\$70.17:

Care of Poor: Rent – 6 recipients..Scott Sikkink..\$260.00, Kurt Kruger..\$134.00, Danne..\$120.00, Dale Bain..\$110.00, Wanzek Family..\$155.00, Ken Dohn..\$140.00; Transportation – 1 recipient..Aberdeen Advanced Care..\$211.83; Dr/Hospital – 8 recipients..Dr Cliff Matushin..\$581.98, Dakota Imaging..\$444.03, Aberdeen Family Physicians..\$484.31, Aberdeen Nephrology..\$81.69, Anesthesia Care..\$336.00, Avera St Lukes..\$10,425.89; Utilities – 3 recipients..NWPS..\$622.83. All members present voting aye. Motion carried.

PERSONNEL:

Moved by Wiese, seconded by Hansen to approve the following employee step/longevity increases, effective April 24, 2005: Matthew Farley @ \$11.53 per hour, Ron Glugla @ \$12.93 per hour. All members present voting aye. Motion carried.

Moved by Wiese, seconded by Hansen to approve hiring Rodney Johnson as part-time Home Detention Officer, effective April 25, 2005 at \$9.83 per hour. All members present voting aye. Motion carried.

FAIR BOARD BYLAW AMENDMENT:

Moved by Wiese, seconded by Hansen to approve the Brown County Fair Board By-Laws, as amended, as adopted by the Fair Board on April 13, 2005. All members present voting aye. Motion carried.

RELIEF LIEN:

Moved by Wiese, seconded by Hansen acknowledge that the bankruptcy payment plan in amount of \$1,080.00 has been satisfied by the estate of an individual, therefore the lien is released. All members present voting aye. Motion carried.

AGREEMENTS:

Moved by Wiese, seconded by Fischbach to approve the following agreements: lease of the Holum Expo Building by Aberdeen ABATE, effective April 16 & 17, 2005; lease of the Clubhouse by The Aberdeen Human Society, effective April 23, 2005. All members present voting aye. Motion carried.

SPECIAL MALT BEVERAGE LICENSE HEARING:

Moved by Hansen, seconded by Fischbach to authorize advertising public hearing to consider the following Special Malt Beverage License Applications, to be held at 8:45 A.M. May 10, 2005 in the Commissioners Chambers, Courthouse Annex, Brown County, SD: Northeast Area Horse Racing Inc - Brown County Fairgrounds (Clubhouse) SW ¼ Sec 1-T123N-R64W, effective May 12, 14 & 15, 2005. Northeast Area Horse Racing Inc- Brown County Fairgrounds (Grandstand) SW ¼ Sec 1-T123N-R64W, effective May 14 & 15, 2005. Northeast Area Horse Racing Inc- Brown County Fairgrounds (Clubhouse)

SW ¼ Sec 1-T123N-R64W, effective May 21, 22, 28, 29 & 30, 2005. Northeast Area Horse Racing Inc - Brown County Fairgrounds (Grandstand) SW ¼ Sec 1-T123N-R64W, effective May 21, 22, 28, 29 & 30, 2005 (maps indicating specific buildings on file with applications). All members present voting aye. Motion carried.

SHERIFF REPORTS:

Moved by Fischbach, seconded by Wiese to approve the following March 2005 Sheriff Reports: Incidents & Offenses, Prisoner Care, JDC, Money deposited with the County Treasurer and Monthly activities. All members present voting aye. Motion carried.

SURPLUS PROPERTY:

Moved by Wiese, seconded by Fischbach to declare miscellaneous computer equipment from various departments surplus for sale (complete list on file with sale information). All members present voting aye. Motion carried.

RELIEF LIEN:

Moved by Wiese, seconded by Fischbach to accept \$3,000.00 as full payment of relief lien dated December 7, 1982 through May 9, 1995 in lieu of re-opening bankruptcy file to include County Relief Lien; and further to accept full payment for relief lien dated May, 20, 2000 through August 27, 2003 in amount of \$5,559.27. All members present voting aye. Motion carried.

EXECUTIVE SESSION:

Moved by Fischbach, seconded by Wiese to go into executive session for personnel discussion. All members present voting aye. Motion carried.

The Chairman declared the executive session closed, with no action as a result of the discussion.

FAIRGROUNDS DISCUSSION:

Jim Thares and Terry Voeltz met with the Commission to discuss the possible separation of the car and horse tracks, by relocating the car track to the east in the future with partial funding from the state racing commission. Kurt Smith was also in attendance. The Commission took no formal action, but indicated they support the concept.

LAND TRANSFER:

Commissioner Wiese offered the following Resolution:

RESOLUTION NO. 28-05 BROWN COUNTY

BE IT RESOLVED BY THE BROWN COUNTY COMMISSION:

THAT, WHEREAS, the land as described below was previously deeded from the County to the City in approximately 1988. Said land was previously declared surplus by the County. Said County entered into a like kind exchange with the City of Aberdeen. In return for receiving said real property, City provided labor and machinery to improve said real property.

AND WHEREAS, the real property in question in the prior legal description which is the same as the Amended Owner's Certificate is as follows:

Lost 1 of Kruger's First Subdivision in the Northeast Quarter of Section 7, Township 123 North, Range 63 West of the 5th P.M., Brown County, SD

AND WHEREAS, the deed was never filed with the Brown County Register of Deeds.

AND, WHEREAS, the purpose of this resolution is to again declare this real property County surplus.

IT IS HEREBY RESOLVED that the County agrees to deed the real property in question, said real property having been platted with the following legal description:

Drainage Lot A, Mehlhoff's Eleventh Addition to North Plains Subdivision to the City of Aberdeen, Brown County, SD, and any and all interest they may have in Lots One through Eight (1-8), Block One (1), Mehlhoff's Eleventh Addition to North Plains Subdivision to the City of Aberdeen, Brown County, SD, according to the plat thereof of record, subject to easements, restrictions and reservations of record, if any, to the City, and

BE IT FURTHER RESOLVED that the Commission approved the signing of the Amendment to Owner's Certificate Mehlhoff's Eleventh Addition to North Plains Subdivision and said deed to the City.

Adopted this 19th day of April 2005.

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

EMPLOYEE HEALTH INSURANCE:

Gary Welter, BCBS presented option information for renewal of the Wellmark BCBS Health Insurance Package for Brown County Employees.

RECESS:

The Chairman declared the Commission recessed until April 26, 2005.

Maxine Taylor - Brown County Auditor

APRIL 26, 2005 – GENERAL MEETING

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

MINUTES:

Moved by Wiese, seconded by Fischbach to approve the General Meeting Minutes, the Brown County Board of Equalization Meeting Minutes and the Consolidated Board of Equalization Meeting Minutes of April 19, 2005. All members present voting aye. Motion carried.

CLAIMS:

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

Supplies: West Payment..\$553.00, RE Huffman..\$1111.36, Office Equip..\$111.99, SD Assoc of County Officials..\$300.00, SDACC..\$300.00, Indoff..\$420.00, Vision Video..\$30.00, Sec of State..\$25.00, SD Continuing Ed..\$45.00, Exec Mgmt..\$3038.93, New Trends..\$25.29, House of Glass..\$621.67, Rux Bros..\$12.60, Ecolab..\$74.00, Central Supply..\$79.50, Gardner Locksmith..\$25.00, Grote Roofing..\$562.10, McFarland Supply..\$1842.40, Lar-Jos..\$186.60, GB Products..\$83.00, Nat'l Target..\$171.72, Medical Waste Transport..\$64.57, Dept of Revenue..\$840.00, Double D..\$264.00, Bob Barker..\$41.11, Medtox..\$250.54, Eddies Northside..\$101.00, Dicks Westside..\$38.50, Pacer Service..\$20.91, Parcel Erickson..\$582.02, Ultramax..\$185.00, Aberdeen Chrysler Center..\$55.43, Best Business..\$429.80, Phillips 66..\$267.88, Gary Bowker..\$100.00, Vantek..\$20.00, Velvet Uniforms..\$102.14, Sirchie..\$149.96, Z&S Dust Control..\$500.00, Traffic Tech..\$204.00, SD Division of Motor Vehicles..\$26.00, Ramada..\$84.00, Quality Welding..\$63.70, Pierson Ford..\$225.00, Outlaw Graphics..\$161.00, Newman Signs..\$1968.25, Huron Culvert..\$687.50, Gary's Auto..\$689.90, Ben Hofer..\$606.29, Violet Dinger..\$1695.46, Diesel Machinery..\$44,900.00, Anthony Motel..\$70.00, Kleins..\$9.18, Northern State Univ..\$79.76, Kens Superfair Food..\$58.16, Runnings..\$23.50, Twin City Roofing..\$1145.86, Schwan Welding..\$4788.00, Mohr Construction..\$3762.63, Dakota Supply..\$109.74, MarTech Systems..\$25.00, ProAg Supply..\$225.00, Graham Tire..\$229.64, SD Planners..\$20.00, Overhead Door..\$76.53, Superior Jetting..\$3361.82, Walmart..\$9.88, Waste Recovery..\$1679.24, Hewlett Packard..\$264.00, Custom Advertising..\$31.94, Quality Welding..\$76.71, CDW Govt..\$14,482.98, NEOCG..\$1666.66, Safe Harbor..\$482.83, Brown County..\$4600.25, Aberdeen Police Dept..\$990.80, New World Systems..\$71,798.80, Amtech Electrocircuits..\$300.00, Omnitrend..\$98.95, North American Construction Services..\$22,659.90:

Publications: American News..\$838.44, Groton Indep..\$151.96:

Professional Fees: Kim Dorsett..\$2916.66, Rich Russman..\$2916.67, Volk Investigation..\$225.00, Dr John Carrels..\$30.14, Dakota Imaging..\$48.28, Avera St Lukes..\$1229.20, Avera United Clinic..\$28.70, Lewis & Clark BHS..\$130.00, NADRIC..\$1666.66:

Transcriptions: Neal Reporting..\$129.20:

Travel: Mark McNeary..\$1238.70, Rich Russman..\$747.70, City of Groton..\$64.96, Kevin Spitzer..\$134.40, Bryan Owens..\$45.00, Nyle Jensen..\$18.00, Dennis Feickert..\$119.60:

Court Appointed Attorney: Randy Turner..\$4166.67, Christy Serr..\$4166.67, Kuck Law Office..\$4166.67, William Gerdes..\$4166.67, Gary Mikelson..\$177.71:

Utilities: Qwest..\$236.85, Cellular One..\$807.28, Midcontinent Cable..\$124.32, Northwestern Energy..\$28.64, Montana Dakota..\$28.56, Northern Elec..\$284.75:

Care of Poor: Rent – 3 recipients..Milbert Schaffer..\$110.00, Ron Erdmann..\$146.00, Dale Bain..\$200.00; Dr/Hospital – 6 recipients..Community Memorial Hosp..\$590.36, Dakota Plains Surgical Center..\$486.16, Avera St Lukes..\$12,885.69, Dr Joe Chang..\$86.30; Utilities – 6 recipients..NWPS..\$794.68, Montana Dakota..\$132.24. All members present voting aye. Motion carried.

PERSONNEL:

ABATEMENTS:

Moved by Fischbach, seconded by Wiese to approve the following Abatements: J&D Development Corporation, incorrect value (Lt 3 Kwasnieski Addn Bk 10 Ashwood) for 2004 @ \$479.35, (Lt 4 Kwasnieski Addn Bk 10 Ashwood) for 2004 @ \$479.35; Masonic Temple Association, tax exempt (Lt 8-10 Bk 30 1st Addn) BID for 2005 @ \$710.00. All members present voting aye. Motion carried.

SURPLUS PROPERTY:

Moved by Wiese, seconded by Fischbach to declare the following surplus for sale: Decal #3134 1995 Ford Crown Victoria; Decal #3240 1998 Ford Crown Victoria; Decal #3236 1995 Oldsmobile Achieva; Decal #3221 (not on fixed assets) 1986 Ford E350 Ambulance. All members present voting aye. Motion carried.

WEED AND SEED:

Moved by Wiese, seconded by Fischbach to approve the Brown County Weed and Seed Monthly Expenses for April 2005 (Year Two 2002-WS-QX-0054), in amount of \$1,196.80. All members present voting aye. Motion carried.

Moved by Knecht, seconded by Wiese to approve the Brown County Weed and Seed Monthly Expenses for April 2005 (Year Three 2002-WS-QX-0054), in amount of \$6,543.74. All members present voting aye. Motion carried.

Moved by Knecht, seconded by Wiese to approve the following Weed and Seed Year Three funding proposals: Brown County Weed and Seed (Lending Library), NECOG (administrative services), as recommended by the Steering Committee. All members present voting aye. Motion carried.

Moved by Hansen, seconded by Wiese to approve and authorize the Chairman sign Agreement with NECOG in amount of \$5,000.00, to provide assistance in meeting the administrative requirements of the Brown County Weed and Seed Project #2002-WS-QX-0054, effective April 1, 2005 – June 30, 2005. All members present voting aye. Motion carried.

Moved by Hansen, seconded by Wiese to approve and authorize the Chairman sign Agreement with Volunteers of America, Dakotas in amount of \$24,981.00, to provide guidance and support to interventionists as they work with families through the Brown County Weed and Seed Project #2002-WS-QX-0054, effective April 1, 2005 – September 30, 2005. All members present voting aye. Motion carried.

PLATS:

Commissioner Wiese offered the following Resolution:

RESOLUTION NO. 29-05

BE IT RESOLVED by the County Commission of Brown County, SD, that the plat showing "Easton's Outlot 1 in SW ¼ Sec 2-T121N-R65W 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 Knecht. Roll call vote: Commissioners Hansen-aye, Fischbach-aye, Knecht-aye, Wiese-aye, Feickert-aye. Resolution adopted.

Commissioner Wiese offered the following Resolution:

RESOLUTION NO. 30-05

BE IT RESOLVED by the County Commission of Brown County, SD, that the plat showing "Everson's 2nd Subdivision in SW ¼ Sec 22-T124N-R62W 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 Hansen. Roll call vote: Commissioners Hansen-aye, Fischbach-aye, Knecht-aye, Wiese-aye, Feickert-aye. Resolution adopted.

Commissioner Knecht offered the following Resolution:

RESOLUTION NO. 31-05

BE IT RESOLVED by the Board of Commissioners of Brown County, SD, that the plat showing "Zoellner Addition in the SW ¼ of Sec 19-T123N-R61W 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 Fischbach. Roll call vote: Commissioners Hansen-aye, Fischbach-aye, Knecht-aye, Wiese-aye, Feickert-aye. Resolution adopted.

Commissioner Knecht offered the following Resolution:

RESOLUTION NO. 32-05

BE IT RESOLVED by the County Commission of Brown County, SD, that the plat showing "Thorpe's Fourth Elm Lake Subdivision in E 1/2 Sec 17-T128N-R65W 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 Hansen. Roll call vote: Commissioners Hansen-aye, Fischbach-aye, Knecht-aye, Wiese-aye, Feickert-aye. Resolution adopted.

Commissioner Fischbach offered the following Resolution:

RESOLUTION NO. 33-05

BE IT RESOLVED by the County Commission of Brown County, SD, that the plat showing "Sperry's First Subdivision in NE ¼ Sec 30-T123N-R62W 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 Hansen-aye, Fischbach-aye, Knecht-aye, Wiese-aye, Feickert-aye. Resolution adopted.

Commissioner Wiese offered the following Resolution:

RESOLUTION NO. 34-05

BE IT RESOLVED by the County Commission of Brown County, SD, that the plat showing "Young's South Park Addition to Aberdeen, SD", having been examined, is hereby approved in accordance with the provisions of SDCL of 1967, Chapter 11-3, and any amendments thereof.

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

Commissioner Wiese offered the following Resolution:

RESOLUTION NO. 35-05

BE IT RESOLVED by the County Commission of Brown County, SD, that the plat showing "Young's Railroad Addition in W ½ of Sec 25-T123N-R64W 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 Hansen-aye, Fischbach-aye, Knecht-aye, Wiese-aye, Feickert-aye. Resolution adopted.

SIZZLIN SUMMER NIGHTS:

Georgia Smith, Aberdeen Downtown Association requested use of the west parking lot for food vendors during Sizzlin Summer Nights, to be held on August 27, 2005. Board concurred.

BID – HOME ARTS BUILDING ROOFING PROJECT:

Time and place, as advertised to open, read and consider bids for the Home Arts Building Roofing Project. No bids were received. Other options will be researched.

BCCHC REPORT:

DeAnna Kyburz presented the Brown County Community Health Center Report for January - March 2005.

FAIR UPDATE:

Larry Gerlach, Fair Manager presented Commission an update on the 2005 Brown County Fair.

APPLICATIONS FOR OCCUPANCY:

Moved by Wiese, seconded by Fischbach to approve the following applications, submitted by James Valley Telecommunications for occupancy of the following Brown County Roads to provide communication services: Hwy #20 in Sec 2,3,10,11,14,15,22,23,26,27,34,35 T125N-R60W and Sec 2,3,10,11,14,15,22,23,26,27 T124N-R60W. Hwy #27 in Sec 6-T120N-R63 and Sec 31-T121N-R63W. Hwy #13 in Sec 13,24 T124N-R62W. Hwy #7 in Sec 3 & 2 T126N-R61. Hwy #16 in Sec 28,29,32,33 T125N-R62W and Sec 4 & 5 T124N, R62 W, Brown County, SD. All members present voting aye. Motion carried.

HLS GRANT APPLICATIONS/LETTER OF INTENT:

Moved by Hansen, seconded by Wiese to approve and authorize the Chairman sign the following Homeland Security Grant Documents: application for Citizen Corp Program funding in amount of \$4,425.98; application for Equipment Grant Program funding in amount of \$315,809.08; and Letter of Intent for Training Award in amount of \$16,099.17. All members present voting aye. Motion carried.

RECESS:

The Chairman declared the Commission recessed until May 3, 2005.

Maxine Taylor – Brown County Auditor

MAY 2, 2005 - JOINT CITY/COUNTY MEETING

The Brown County Commission and the Aberdeen City Commission met in joint session at 5:30 P.M. in the Aberdeen City Commission Chambers, 123 S Lincoln Street, Aberdeen, South Dakota. Present from City were Commissioners Omland, Klabo, McQuillen, Hodgin and Mayor Levsen. Present from County were Commissioners Hansen, Fischbach, Wiese and Feickert. Absent Commissioner Knecht.

ORDINANCE NO. 05-05-01/308:

On motion by Omland and seconded by Klabo, the City unanimously voted to approve First Reading of Ordinance No. 05-05-01/308.

Moved by Fischbach, seconded by Hansen to approve First Reading of Ordinance No. 05-05-01/308, An Ordinance amending Subsection E of Section 5 of Part II of Ordinance No. 1164, as amended, known as the Zoning Ordinance of the City of Aberdeen, South Dakota, adding subsection 5. Electronic Message Board Signs. All members present voting aye. Motion carried.

SET HEARING DATE:

On motion by Hodgin and seconded by McQuillen to City unanimously voted to set public hearing for 5:30 p.m. on May 23, 2005 for First Reading of Ordinance No. 05-05-02/309 and Ordinance No. 05-05-03/310.

Moved by Hansen, seconded by Wiese to set public hearing for 5:30 p.m. on May 23, 2005 in the Aberdeen City Commission Chambers, 123 S Lincoln Street for First Reading of Ordinance No. 05-05-02/309, An Ordinance to rezone the following property from Section 701 (A-1) Agricultural District to Section 706 (C-1) Neighborhood Commercial District: Lots 1 and 2, Young's South Park Addition in Aberdeen, SD, located in the NW ¼ of Sec 25-T123N-R64W of the 5th P.M., Brown County, SD; and First Reading of Ordinance No. 05-05-03/310, An Ordinance to rezone the following described property from its present zoning designation of Section 701 (A-1) Agricultural District to Section 714 (M-AG) Mini-Agricultural District: Lot 1, Young's Railroad Addition in the W ½ of Sec 25-T123N-R64W of the 5th P.M., Brown County, SD. All members present voting aye. Motion carried.

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

Maxine Taylor – Brown County Auditor

MAY 3, 2005 – GENERAL MEETING

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

MINUTES:

Moved by Hansen, seconded by Wiese to approve the General Meeting minutes of April 26, 2005. All members present voting aye. Motion carried.

CLAIMS:

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

Payroll: Commissioners..\$2,683.65; Auditor..\$6,499.24; Treasurer..\$8,638.84; Data Processing..\$1,658.00, State's Attorney..\$8,279.22; Maintenance..\$5,269.74; Assessor..\$7,026.96; Planning & Zoning..\$615.56; Register of Deeds..\$5,147.61; Veterans Service Office..\$2,395.19; Sheriff..\$57,798.38; DOJ Grant..\$3,379.20; Coroner..\$925.00; Communications..\$10,963.31; Welfare Office..\$2,745.72; Museum..\$4,760.68; Fairboard..\$1,343.84; Fairgrounds & Parks..\$3,626.67; Extension..\$1,712.00; Weed..\$1,063.23; Emergency Management..\$2,347.48; Weed and Seed..\$1,067.31; Highway..\$30,716.56; Landfill..\$7,334.07; Matching Benefits: FICA..\$11,035.85, Medicare..\$2,580.92, Wellmark BCBS Life..\$673.46, Wellmark BCBS Health..\$52,317.12, Delta Dental..\$3,848.00, SD State Retirement..\$32,074.59:

Supplies: Quality Quick Print..\$1678.11, RE Huffman..\$300.71, Nat'l Auto Research..\$48.00, Office Max..\$344.99, Ameripride..\$48.53, Crescent Elec..\$226.43, Custom Sheet Metal..\$55.00, Clark Engineering..\$760.81, Menards..\$56.21, Fire Safety First..\$378.04, New Trends..\$5.68, Dept of Rev..\$2970.59, Parcel-Erickson..\$26.95, Custom Micro Inc..\$5400.00, Bonnie Bitz..\$96.00, Inventory Trading..\$876.00, OK Tire..\$708.84, Lab Safety..\$55.21, Langs..\$103.00, Visa..\$727.21, Viking Office..\$79.38, SDDOT..\$152.93, Safety Service..\$20,867.73, Michael Todd..\$481.90, David Kampa Const..\$443.70, Farm Power..\$31.54, Violet Dinger..\$2049.19, Diesel Machinery..\$9260.00, Crawford Trucks..\$2043.96, Butler Machinery..\$1627.74, Bridgestone Firestone..\$112.00, SD State Historical Soc..\$45.00, Walmart..\$27.29, Eddie's Northside..\$115.45, Ext Services..\$466.44, Direct Safety..\$63.01, Patterson Repair..\$200.00, Roger Johnson..\$75.66, Jerry Dempsey..\$29.00, CDW Govt..\$338.10, Hewlett-Packard..\$1924.00, Godfather's Pizza..\$67.05, Runnings..\$4.39, Macs..\$3.79, Millborn Seeds..\$12,490.00, Central Supply..\$83.75, HC Clark..\$809.03, Powerplan..\$417.30, Swanson Elec..\$627.67, HC Clark..\$88.11:

Publications: American News..\$486.35, Groton Indep..\$605.80:

Professional Fees: witness fee..\$20.00, Donna Dietrich..\$279.14, Nelva Kooistra..\$30.00, Joan Kittelson..\$30.00, Lutheran Social Services..\$37,115.28:

Transcriptions: Kristi Kost..\$1097.10:

Travel: Leo Leshar..\$111.36, Gene Loeschke..\$138.56, Mark Milbrandt..\$708.04, Gary Erickson..\$215.42, Drew Bickford..\$111.97, Mike Wiese..\$7.04:

Court Appointed Attorney: Fox, Youngberg & Lewno..\$334.60:

Utilities: Northwestern Energy..\$5231.12, Cellular One..\$385.55, Midcontinent Cable..\$148.15, WEB..\$99.36, Qwest..\$8274.73, AT&T..\$48.66:

Care of Poor: Rent – 3 recipients..Kurt Kruger..\$175.00, Ken Dohn..\$220.00; Medications – 8 recipients..K-Mart Pharm..\$12.91, Plaza Pharm..\$212.77, Walmart Pharm..\$61.64, Kessler Pharm..\$622.92, Economy Pharm..\$210.00; Transportation – 1 recipient..Aberdeen Adv Care Ambulance..\$211.83; Dr/Hospital – 6 recipients..Avera St Lukes..\$10,426.61, Aberdeen Surgical Assoc..\$373.60, Dr William Goumas..\$615.50, Northern Plains OMS..\$39.14; Utilities – 2 recipients..NWPS..\$335.97. All members present voting aye. Motion carried.

PERSONNEL:

Moved by Hansen, seconded by Wiese to approve the following employee step/longevity increases, effective May 8, 2005: Janice Moore @ \$15.22 per hour, Ginger Walker @ \$12.19 per hour, Cordell Rudolph @ \$12.81 per hour, Carol Wolf @ \$13.16 per hour, Larry Hardy @ \$12.41 per hour, John Weig @ \$13.11 per hour, Joseph Malsam @ \$12/.16 per hour, Monte Podoll @ \$10.72 per hour. All members present voting aye. Motion carried.

Moved by Hansen, seconded by Wiese to acknowledge the following resignations from the Sheriff's Department: Jon Gohn effective May 12; Jennifer Mechaley effective May 20; Brandi Hagen effective May 13; Amy Bisgard effective May 12; Paul Alusa effective April 26; Ann Bierman effective April 28 and Janice Kampfe effective April 30, 2005. All members present voting aye. Motion carried.

Moved by Hansen, seconded by Wiese to approve Lance Aeschliman's transfer from the Jail to JDC, effective May 12, 2005 at \$10.42 per hour. All members present voting aye. Motion carried.

Moved by Wiese, seconded by Hansen to approve hiring Matthew Kopecky, effective May 2 and Marissa Anne McDermand, effective May 4 as full time Corrections Officers in the Jail at \$10.42 per hour. All members present voting aye. Motion carried.

Moved by Wiese, seconded by Hansen to approve employee status change from part-time to full-time for Breeann Brandenburger, effective May 8, 2005 at \$10.42 per hour. All members present voting aye. Motion carried.

Moved by Wiese, seconded by Hansen to approve hiring Erick McElroy as part-time JDC Corrections Officer, effective May 16, 2005 at \$9.12 per hour. All members present voting aye. Motion carried.

SURPLUS CASH REPORT:

Moved by Hansen, seconded by Wiese to approve the following General Fund Surplus Cash Analysis Reports: September 2004 @ \$982,915.32 (10.42%), December 2004 @ \$1,859,178.68 (19.71%), and March 2005 @ \$455,960.89 (4.84%). All members present voting aye. Motion carried.

ABATEMENTS:

Moved by Hansen, seconded by Wiese to approve the following Abatements: Eunice Herrbach, incorrect value (1967 New Moon MH) for 2005 @ \$24.52; Kenneth Erdmann, tax exempt status prorated (W ½ Lt 13 Bk 17 Hagerty & Lloyds Addn) real estate for 2004 @ \$198.48 and solid waste for 2005 @ \$15.00; Douglas Cox, incorrect solid waste fee (Lt 3-5 and balance Lt 6 James OL James) for 2004 @ \$65.00 and 2005 @ \$65.00. All members present voting aye. Motion carried.

CERT MEMBERS:

Moved by Hansen, seconded by Wiese to approve the following CERT Members for work comp purposes: Ruth M Sayler, Jodi McQuillen, Shirley Nikodym, Martha Smith, Audrey E Kann, Cindy Beard, Tabatha Moore, Viola Benting. All members present voting aye. Motion carried.

JURY APPRECIATION WEEK:

Commissioner Hansen offered the following Resolution:

RESOLUTION NO. 36-05 THE AMERICAN JURY: WE THE PEOPLE IN ACTION

WHEREAS, the right to a trial by jury is one of the core values of American citizenship; and

WHEREAS, the obligation and privilege to serve as a juror are as fundamental to our democracy as the right to vote; and

WHEREAS, our court depends upon citizens to serve as jurors; and

WHEREAS, service by citizens as jurors is indispensable to the judicial system; and

WHEREAS, all citizens should be encouraged to respond when summoned for jury service; and

WHEREAS, a continuing and imperative goal for the courts, the bar, and the broader community is to ensure that jury selection and jury service are fair, effective, and not unduly burdensome on anyone; and

WHEREAS, one of the most significant actions a court system can take is to show appreciation for the jury system and for the hundreds of citizens who annually give their time and talents to serve on juries.

BE IT RESOLVED that Brown County, together with the court in the Fifth Judicial Circuit, is committed to the following goals:

- educating the public about jury duty and the importance of jury service;
- applauding the efforts of jurors who fulfill their civic duty;
- ensuring that the responsibility of jury service is shared fairly by supporting employees who are called upon to serve as jurors;;
- ensuring that the responsibility of jury service is shared fairly among citizens and that fair cross section of the community is called for jury service;
- ensuring that all jurors are treated with respect and that their service is not unduly burdensome;
- providing jurors with tools that will assist their decision making; and
- continuing to improve the jury system by encouraging productive dialogue between jurors and court officials.

BE IT FURTHER RESOLVED that the week of May 2-6, 2005 be designated "Jury Appreciation Week" in Brown County and that the undersigned supports the celebration of this Week.

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

Commissioner Hansen offered the following Resolution:

RESOLUTION NO. 37-05

WHEREAS, Brown County of the Fifth Judicial Circuit is proud to join the Court in honoring citizens who serve as jurors in Brown County; and

BE IT RESOLVED, that Brown County also extends sincere thanks and appreciation to all employers who support the jury system by paying their employees for jury service. In honoring the excellent service and commitment of citizens who perform jury duty, we hope to reinforce public confidence in the justice system, improve communication with jurors and employers, and disseminate an important and positive message about jury service.

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

PREVENTION GRANT:

Moved by Hansen, seconded by Wiese to approve Change Order #185.2a, in amount of \$4,500.00 to include 10% indirect costs for the Aberdeen Underage Drinking Project (AUDP) a comprehensive social norms and environmental management project, to be funded by the Department of Justice Prevention and Intervention Programs for At-Risk and Detained Youth Project #2001-JS-FX-0014. All members present voting aye. Motion carried.

SURPLUS PROPERTY SALE:

Moved by Wiese, seconded by Hansen to approve and declare all items sold at public auction in total amount of \$14,858.23 (less expenses) surplus property. All members present voting aye. Motion carried.

EXECUTIVE SESSION:

Moved by Hansen, seconded by Wiese to go into executive session with Mark McNeary, Kurt Smith, Dirk Rogers and Lonnie Anderson in attendance to discuss possible litigation. All members present voting aye. Motion carried.

The Chairman declared the executive session closed, with no action as a result of the discussion.

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

The Chairman declared the executive session closed, with no action as a result of the discussion.

RECESS:

The Chairman declared the Commission recessed until May 10, 2005.

Maxine Taylor – Brown County Auditor

MAY 9, 2005 - JOINT CITY/COUNTY MEETING

The Brown County Commission and the Aberdeen City Commission met in joint session at 5:30 P.M. in the Aberdeen City Commission Chambers, 123 S Lincoln Street, Aberdeen, South Dakota. Present from City were Commissioners Omland, Klabo, McQuillen, Hodgins and Mayor Levens. Present from County were Commissioners Hansen, Fischbach and Wiese. Absent Commissioners Feickert and Knecht.

ORDINANCE NO. 05-05-01/308:

On motion by Omland and seconded by Klabo, the City unanimously voted to approve Second Reading and Adoption of Ordinance No. 05-05-01/308.

Moved by Hansen, seconded by Wiese to approve Second Reading and Adoption of Ordinance No. 05-05-01/308, An Ordinance amending Subsection E of Section 5 of Part II of Ordinance No. 1164, as amended, known as the Zoning Ordinance of the City of Aberdeen, South Dakota, adding subsection 5. Electronic Message Board Signs. Roll call vote: Commissioners Hansen-aye, Wiese-aye, Fischbach-aye. Ordinance adopted.

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

Maxine Taylor – Brown County Auditor

MAY 10, 2005 – GENERAL MEETING

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

MINUTES:

Moved by Wiese, seconded by Knecht to approve the Joint City/County Meeting minutes of May 2, 2005 and the General Meeting minutes of May 3, 2005. All members present voting aye. Motion carried.

CLAIMS:

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

Supplies: Quality Quick Print..\$2783.53, Kaleidoscope..\$364.99, Office Equip..\$96.60, Shafer & Feld..\$20.00, Executive Mgmt..\$32.19, McFarland Supply..\$27064.20, Dakota Supply..\$97.87, Heartland Paper..\$286.11, Sewer Duck..\$85.00, Taylor Laundry..\$21.00, Menards..\$9662.68, Sanders Sew 'N Vac..\$54.98, Brick Propane..\$13.00, Runnings..\$1014.89, House of Glass..\$87.88, Regional Dist Center..\$1259.30, RE Huffman..\$96.45, Lust Chev..\$33.00, Safety Service..\$320.19, IANCI..\$75.00, Behavioral Interventions..\$152.00, OK Tire..\$32.00, Dakota Electronics..\$232.75, Accurint..\$10.90, Parcel Erickson..\$105.00, Pierson Ford..\$347.42, Cheryl Hairgrove..\$434.00, Office Equip..\$52.00, Office Max..\$580.89, HRS..\$4077.98, JC Penney..\$60.27, Walmart Pharm..\$29.08, City of Groton..\$863.65, Sec of State..\$14.00, S&S Lumber..\$1172.67, Ramada..\$135.52, Newman Signs..\$489.60, Midwest Pump & Tank..\$912.84, Macs..\$80.21, James Loterbauer..\$126.00, Lien..\$517.84, Koch Materials..\$7256.16, Keeley..\$593.52, Interstate Battery..\$71.95, Hecla Impl..\$50.26, Great Western Tire..\$3392.91, Evergreen Supply..\$28.10, Erdmann Oil..\$1581.29, Energy Alliance..\$12995.77, Violet Dinger..\$1073.67, Diesel Machinery..\$19,880.00, Clark Engineering..\$394.73, Cartney Bearing..\$28.70, Ramkota..\$324.50, Best Business..\$199.51, Advanced Auto..\$19.80, Dakota Oil..\$2178.05, GLAS Consulting..\$700.00, Aberdeen Radio Ranch..\$1836.00, SD Magazine..\$217.00, Century Business..\$70.00, Insurance Plus..\$75.00, Kesslers..\$16.63, US Postal Service..\$150.00, Freys Electronics..\$315.00, Crawford Trucks..\$3.25, Habecks Radiator..\$232.40, HC Clark..\$14.31, Warner School Dist..\$500.28, Medtronic..\$7111.75, Fire Safety First..\$143.58, Dakota Electronics..\$1920.00, Douglas Cox..\$65.00, Swanson Elec..\$20.84, Spec Mfg..\$2.59, Brick Propane..\$15.00, Pierson Ford..\$306.24, Ameripride..\$47.90, Praxair..\$15.70, McFarland Supply..\$44.74, Cunningham Elec..\$264.84, Fire Safety First..\$131.93, Cole Papers..\$784.16, SD Fed Property..\$25.00, OK Tire..\$174.00, Erdmann Fuel..\$6381.21, Schwan Welding..\$298.04, Ken's Alignment..\$824.94, CDW Govt..\$69267.00:

Publications: American News..\$3483.02, Carus Pub..\$43.95, Dakota Press..\$1078.80,

Professional Fees: witness fees..\$20.00, Sheriff of Wilkin County..\$82.50, Avera St Lukes..\$1486.00, Karen Runyon..\$437.50, SD Urban Indian Health..\$37.20, Aberdeen Family Physicians..\$50.90, Harlow Orthopedics..\$49.00, EideBailley..\$258.00, Avera Queen of Peace..\$160.50, Milbank Communications..\$264.00:

Transcriptions: Kristi Kost..\$63.60:

Travel: Mary Worlie..\$192.64, Kathy Fischer..\$64.00, Tricia Jondahl..\$191.12:

Court Appointed Attorney: Yankton County..\$187.10:

Utilities: City of Aberdeen..\$1096.12, Northwestern Energy..\$5409.36, Verizon..\$190.22, Northern Valley..\$146.17, James Valley..\$154.71, Town of Frederick..\$28.25, Qwest..\$292.91, Northern Wireless..\$110.85, Dependable Sanitation..\$17,061.62:

Care of Poor: Rent – 12 recipients..Nichols Mgmt..\$240.00, Wanzek Family..\$155.00, Rockford Apts..\$370.00, Dale Bain..\$200.00, Falcon Rentals..\$180.00, Daniel Brenner..\$200.00, Ken Dohn..\$220.00, Ron Erdmann..\$390.00, Kurt Kruger..\$190.00, Lowell Punt..\$260.00; Dr/Hospital – 5 recipients..Sioux Valley Hospital..\$411.11, SVC Surgical Assoc..\$20.75, Aberdeen Family Physicians..\$153.81, Aberdeen Surgical Assoc..\$799.90, Dakota Imaging..\$64.92; Utilities – 1

recipient..NWPS..\$145.50; Insurance –1 recipient..Celtic Ins..\$194.42. All members present voting aye. Motion carried.

PERSONNEL:

Moved by Knecht, seconded by Fischbach to approve hiring Natasha Dahl as part-time JDC Corrections Officer, effective May 16, 2005 at \$9.12 per hour. All members present voting aye. Motion carried.

Moved by Hansen, seconded by Knecht to approve employee status change for Shawna Everson from part-time to full-time Corrections Officer in the Jail, effective May 8, 2005 at \$10.42 per hour. All members present voting aye. Motion carried.

Moved by Knecht, seconded by Wiese to acknowledge resignation of Michelle Haag, effective May 31, 2005. All members present voting aye. Motion carried.

AGREEMENT:

Moved by Wiese, seconded by Hansen to approve and authorize the Chairman sign Agreement with Aberdeen Development Corporation for housing, maintenance and use of the Brown County Satellite Dish. All members present voting aye. Motion carried.

INCREASE SPENDING AUTHORITY/ESTIMATED REVENUE:

Moved by Wiese, seconded by Knecht to increase spending authority in Fund #234-211.01-426 and increase estimated revenue in Fund #234-331.19 in amount of \$3,222.00 for unanticipated reimbursement for purchase of Portable Breath Testing units (PBT) for the Sheriff's Department. All members present voting aye. Motion carried.

AUDITOR'S REPORT OF ACCOUNT:

Moved by Hansen, seconded by Wiese to approve the April 2005 Auditor's Report of Account with the County Treasurer in total amount of \$17,626,713.64 (total amount of actual cash @ \$3,063.99, Wells Fargo Bank @ \$3,694.79, US Bank @ \$35,461.48, Dacotah Bank @ \$82,273.21, Petty Cash @ \$1,700.00, Fund Investments @ \$17,495,684.16, Outstanding Checks @ \$4,836.01). All members present voting aye. Motion carried.

SET HEARING DATE – MALT BEVERAGE LICENSES:

Moved by Wiese, seconded by Knecht to authorize advertising public hearing to consider the following applications, to be held in the Brown County Commission Chambers, Courthouse Annex at 8:45 a.m. on May 31, 2005: Retail (On-Off Sale) Malt Beverage Ken Schumacher DBA Bait Shop Bar & Grill. 38401 133rd St, Aberdeen, SD – N218' of Lot A, Replat of Evelo's Subdivision in NW ¼ Sec 21-T123N-R64W, Brown County, South Dakota. Marge Frohling DBA The Connection, Main Street, Box 62, Houghton, SD – Lots 10-11-12-13-&14, Block 2, Sec 31-T127-R61. Alan Lanphere DBA Bath Quick Stop, RR 1, Box 96, Bath, SD – Lot B Weismantel's First Subd of Lot 1 ex N 12' Jenkins Subd E ½ of SE ¼ Sec.18-123-62. Daniel Brandenburger DBA Elm Lake Resort, 37594 102nd St, Forbes ND – Lot 1, Elm Lake Resort Subd in the SE ¼ of Sec 8-128-65, ex that portion of Road r/o/w. Moccasin Creek Country Club, Inc. 39084 130th St., Aberdeen, SD – Prairiewood Village Outlot 7 Sec 33-124-63. Terry Voeltz DBA T's Promotion Inc., 2622 13 Ave SE, Aberdeen, SD – Brown County Fairgrounds Grandstand limited to drawing on file - SW ¼ Sec 1-T123N-R64W, Brown County, SD. All members present voting aye. Motion carried.

PROPERTY TRANSFER:

Moved by Fischbach, seconded by Wiese to approve and authorize the Chairman sign agreements with the following entities who received Tesco I Battery Chargers and related equipment from the 2004 ODP Equipment Grant Program: Hutterville Fire Department, Stratford Fire Department, Columbia Fire

Department, Aberdeen City Fire Department, Hecla Fire Department, Bath Fire Department, Claremont Fire Department, Aberdeen Rural Fire Department, Groton Fire Department. All members present voting aye. Motion carried.

MOSQUITO CONTROL GRANT AGREEMENT:

Moved by Wiese, seconded by Hansen to approve and authorize the Chairman sign Mosquito Control Grant Agreement with the State of SD Department of Health in amount not to exceed \$18,608.41. All members present voting aye. Motion carried.

BID – MOSQUITO CONTROL CHEMICAL:

Moved by Wiese, seconded by Hansen to authorize advertising public hearing to open, read and consider bids for furnishing and delivery of mosquito control chemical, to be held in the Brown County Commission Chambers, Courthouse Annex at 9:15 a.m. on May 31, 2005. All members present voting aye. Motion carried.

CAPITAL ACCUMULATION OF FUNDS:

Commissioner Wiese offered the following Resolution:

RESOLUTION 38-05

WHEREAS, SDCL 7-21-51 authorizes the accumulation of funds for capital outlay purposes, and

WHEREAS, Brown County, as authorized by Resolution 91-2000, accumulated funds for the construction of a facility at the Fairgrounds for livestock activities, and

WHEREAS, SDCL 7-21-51 requires accumulated funds be expended within sixty months from the date of the resolution or the funds shall revert to the fund from which they were originally appropriated.

NOW THEREFORE, BE IT RESOLVED that the funds in total amount of \$252,000.00 accumulated for the construction of a facility at the Fairgrounds for livestock activities shall revert to the General Fund.

WHEREAS, Brown County desires to re-define the use of the existing funds and accumulate additional funds for the construction a multi-use facility at the Fairgrounds, and

WHEREAS, the total cost for such a facility is extraordinary in nature, exceeding the funding currently available and exceeding the ability of a single-budget year.

NOW, THEREFORE BE IT RESOLVED that \$252,000.00 be designated for the construction of a multi-use facility at the Fairgrounds, and that an additional \$248,000.00 shall be accumulated over a period not exceeding five years for the construction of said multi-use facility at the Fairgrounds.

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

SPECIAL MALT BEVERAGE LICENSE HEARING:

Time and place, as advertised for public hearing to consider application for Special Malt Beverage Licenses for the 2005 Northeast Area Horse Racing Season at the Fairgrounds. Moved by Wiese, seconded by Knecht to approve the following applications for Special Malt Beverage License, submitted by Northeast Area Horse Racing, Inc: Brown County Fairgrounds (Clubhouse) SW ¼ Sec 1-T123N-R64W, effective May 12, 14 and 15, 2005. Brown County Fairgrounds (Grandstand) SW ¼ Sec 1-T123N-R64W, effective May 14 & 15, 2005. Brown County Fairgrounds (Clubhouse) SW ¼ Sec 1-

T123N-R64W, effective May 21, 22, 28, 29 and 30, 2005. Brown County Fairgrounds (Grandstand) SW ¼ Sec 1-T123N-R64W, effective May 21, 22, 28, 29 and 30, 2005 (map indicating specific buildings on file with applications). All members present voting aye. Motion carried.

OWNER/OCCUPIED STATUS:

Moved by Wiese, seconded by Fischbach to deny request, submitted by Bo Herrick for owner/occupied status for 2004 payable 2005, as records in the Register of Deeds Office did not reflect ownership change for 2004 payable 2005. All members present voting aye. Motion carried.

APPLICATION FOR OCCUPANCY:

Moved by Wiese, seconded by Hansen to approve application, submitted by Qwest for occupancy of Brown County #13 (379th Ave) in Sec 24-T124N-R65W, Brown County, SD to provide telephone service. All members present voting aye. Motion carried.

EMPLOYEE HEALTH INSURANCE DISCUSSION:

Paul Aylward, AFSCME, Tom Lammon and Dave Bruckner, Local 162 officers met to discuss changes in the employee health insurance program, proposing Option 2 with a 25 cent pay increase for all employees, effective July 1, 2005.

Moved by Fischbach, seconded by Hansen to go into executive session to discuss personnel. All members present voting aye. Motion carried.

The Chairman declared the executive session closed, with the following action as a result of the discussion.

Moved by Wiese, seconded by Fischbach to deny request for pay increase and further to renew the Brown County Employee Health Insurance Plan with Wellmark Blue Cross and Blue Shield of SD with the following changes: Premium – Single \$356.70 per month, Family @ \$904.60 per month and Two-Party @ \$657.68 per month. Benefit period deductible @ \$1000 Single, \$2000 Two-person, \$3000 Family (with employee reimbursement for deductible paid over the prior year \$500 Single limit). Increase office visit PPO co-pay from \$15.00 to \$20.00. Increase prescription drug three-tier co-payment from \$10/\$20/\$30 to \$10/\$25/\$40 plus \$100/\$200 deductible (deductible waived for generic drugs). The Insurance plan coverage effective July 1, 2005 through June 30, 2006. Continuing coverage for retirees, who have completed twenty-years of continuous service and have reached the age of 55 years old, from date of retirement until qualified for Medicare coverage (retiree paying 100% of premium). All members present voting aye. Motion carried.

REZONE APPLICATION:

Kathy Fischer, Planning/Zoning informed the Commission about a hearing to be held May 17, 2005 in regard to an application to rezone property adjacent to County owned land in Palmyra Township.

PERSONNEL DISCUSSION:

Mary Worlie discussed advertising for positions vacated by transfer of Kathy Fischer and resignation of Michelle Haag. Moved by Knecht, seconded by Hansen to authorize advertising two positions at salaries not within the step plan. All members present voting aye. Motion carried.

MOBILE HOME TITLE DISCUSSION:

Sheila Enderson informed the Commission about 16 mobile homes that do not have Certificates of Titles on file at the Assessors Office. Mary Worlie said that the office cannot force the people to file appropriate documentation.

An individual offered \$25.00 as compromise on condition a relative's lien be released. The compromise was not approved and the lien shall remain filed, but the collection agency will be advised not to contact the recipient.

REMOVE BURN BAN:

Commissioner Knecht offered the following Resolution:

RESOLUTION 39-05

WHEREAS, Resolution No. 17-05, A Resolution by the Brown County Board of Commissioners declaring a fire danger emergency and prohibiting open burning within the County, was adopted on March 8, 2005, and

WHEREAS, Resolution No. 17-05 authorizes the Brown County Board of Commissioners to rescind the "Fire Danger Emergency", and

WHEREAS, the public shall continue to exercise extreme caution in the conduct of open burning, as current estimates of green-up vegetation are between 15% - 20%, due to recent rains.

NOW THEREFORE, BE IT RESOLVED that the Brown County Board of Commissioners rescinds Resolution No. 17-05, removing the open burn ban, effective May 10, 2005, with the stipulation that the Brown County Communications Center be notified prior to an open burn.

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

RECESS:

The Chairman declared the Commission recessed until May 17, 2005.

Maxine Taylor – Brown County Auditor

May 17, 2005 – GENERAL MEETING

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

MINUTES:

Moved by Wiese, seconded by Fischbach to approve the Joint City/County Meeting minutes of May 9, 2005 and the General Meeting minutes of May 10, 2005. All members present voting aye. Motion carried.

CLAIMS:

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

Payroll: Commissioners..\$2,683.65; Auditor..\$6,499.24; Treasurer..\$9,000.23; Data Processing..\$1,658.00; State's Attorney..\$8,362.77; Maintenance..\$5,184.71, Assessor..\$6,374.36; Planning & Zoning..\$1,176.00; Register of Deeds..\$5,601.24; Veterans Service Office..\$2,424.51; Sheriff..\$59,038.92; DOJ Grant..\$3,379.20; Communications..\$12,159.27; Welfare Office..\$2,745.72; Museum..\$4,760.68; Fairgrounds & Parks..\$3,560.11, Fairboard..\$1,343.84; Extension..\$1,694.40; Weed..\$2,600.23; Emergency Management..\$2,306.51; Weed and Seed Grant..\$1,067.31; Highway..\$30,460.72; Landfill..\$6,941.72; Matching Benefits: FICA..\$10,603.23; Medicare..\$2,479.80;

Supplies: Ramkota..\$129.00, RE Huffman..\$102.99, Brown & Saenger..\$45.48, Western Printing..\$353.10, Vision Video..\$16.00, Exec Mgmt..\$33.45, Jane Jensen..\$11.64, New Trends..\$154.24, Heartland Paper..\$290.33, McFarland Supply..\$143.28, Ringgenberg Elec..\$45.00, Time Works..\$14.95, Sterling Solutions..\$600.00, Career Planning..\$238.00, Hedahls..\$82.00, Photo X-press..\$64.56, Moore Medical..\$248.45, Earthgrains..\$569.84, Dawn Woods..\$715.00, Tri-State Water..\$28.25, Amoco..\$52.77, Aberdeen Insurance..\$75.00, Dakota Farm Service..\$10.00, Walmart..\$315.25, Kesslers..\$428.03, Regional Health..\$237.00, Tractor Salvage..\$1120.00, Serocki Escavating..\$3838.33, Wallwork..\$21.93, 3-D Specialties..\$406.71, Sheehan Mack Sales..\$304.29, Share Corp..\$434.30, Safety Service..\$6263.00, Runnings..\$166.24, Praxair..\$250.36, Lien Transportation..\$31,400.91, Koch Materials..\$5144.89, J Gross..\$750.00, Fastenal..\$1518.73, Farm Plan..\$66.01, Economy Oil..\$501.60, Dakota Fluid..\$2818.38, Dakota Air..\$6.95, Carquest..\$950.17, Biersbach Equip..\$239.90, Ameripride..\$176.01, Sue Gates..\$25.31, A&M Radio..\$51.50, Farnams..\$29.25, North Star Amusements..\$317.10, Quality Quick Print..\$129.71, Office Max..\$19.07, Northern Tool..\$76.14, Jessi Mather..\$14.87, Brookings Inn..\$84.00, VanDiest..\$9384.94, Farm Power..\$253.00, Cartney Bearing..\$17.40, Patterson Repair..\$100.00, Menards..\$101.05, Reuers Auto..\$48.32, Lab Safety..\$93.65, CDW Govt..\$37,940.00, Federal Signal..\$14,558.50, City of Huron..\$975.00, CDW Govt..\$746.40, New Trends..\$29.10, Sheraton Sioux Falls..\$249.48, Crescent Elec..\$37.80, Kone..\$640.21, Parkview Nursery..\$629.60, Gas & Goodies..\$26.20, Weismantel Rental..\$90.00, Runnings..\$57.44, Farnams..\$39.60;

Publications: American News..\$556.57, King County Journal..\$239.50, Midland Press..\$126.56;

Professional Fees: Avera St Lukes..\$4760.00;

Transcriptions: Michelle Gaikowski..\$28.00, Kristi Kost..\$30.00;

Travel: Charlene Millim..\$102.40, Carol Sherman..\$135.12, Sheila Enderson..\$135.12, Maxine Taylor..\$178.72, Nancy Hansen..\$187.12;

Court Appointed Attorney: Christy Serr..\$18.89;

Utilities: Northwestern Energy..\$2370.76, Qwest..\$182.10, Northern Elec..\$637.65, City of Hecla..\$83.28, Dependable Sanitation..\$374.00, Verizon..\$70.17;

Care of Poor: Rent – 3 recipients..Dakota Square..\$103.00, Ken Dohn..\$200.00, Norman Brown..\$220.00; Dr/Hospital – 3 recipients..Northern Plains..\$39.01, Aberdeen Family Physicians..\$254.55, Avera United Clinic..\$132.83; Utilities – 1 recipient..NWPS..\$140.21; Transportation – 1 recipient..Brown County Highway..\$32.11. All members present voting aye. Motion carried.

PERSONNEL:

Moved by Knecht, seconded by Fischbach to approve the following employee step/longevity increases, effective May 22, 2005: Tom Lammon @ \$12.66 per hour, Roger Schaible @ \$12.91 per hour, Bryan Locke @ \$16.67 per hour, Richard Schaible @ \$12.76 per hour, David Bruckner @ \$13.51 per hour, John Vander Hoek @ \$16.18 per hour. All members present voting aye. Motion carried.

Moved by Fischbach, seconded by Wiese to approve hiring Heidi Erickson as part-time scale operator at the Brown County Landfill, effective May 13, 2005 at \$10.61 per hour. All members present voting aye. Motion carried.

Moved by Fischbach, seconded by Wiese to approve hiring Jennifer Sandquist as Summer Assistant at the Brown County Extension Office, effective May 25, 2005 at \$6.41 per hour. All members present voting aye. Motion carried.

Moved by Hansen, seconded by Fischbach to acknowledge the resignation of part-time jailer Tina Barnes, effective May 20, 2005. All members present voting aye. Motion carried.

LEASE AGREEMENT:

Moved by Wiese, seconded by Knecht to approve and authorize the Chairman sign agreement with the Aberdeen Area Chamber of Commerce (Northern Plains Livestock Day) for lease of the Expo Addition on June 11, 2005. All members present voting aye. Motion carried.

INCREASE SPENDING AUTHORITY/ESTIMATED REVENUE:

Moved by Hansen, seconded by Wiese to increase spending authority and estimated revenue for the Underage Drinking Control Grant #234-331.90 @ \$2,300.06 and #234-211.01-411 @ \$1,988.80, #234-211.01-412.01 @ \$123.30, #234-211.01-412.02 @ \$28.84, #234-211.01-413 @ \$159.12; and further to increase spending authority and estimated revenue for the FY 2004 Cops Technology Grant #234-331.19 and #234-211.05-426 in amount of \$2,305.38. All members present voting aye. Motion carried.

ABATEMENTS:

Moved by Hansen, seconded by Knecht to approve the following Abatements: James I & Marie T Hovland, owner/occupied status (Lt 4 Blk 4 Northview 5th Addn) for year 2003 in amount of \$72.84 and year 2004 in amount of \$99.74. All members present voting aye. Motion carried.

BID AWARD/INVENTORY TRANSFER:

Moved by Fischbach, seconded by Knecht to award bid for the purchase of a 2005 Chevrolet PU in amount of \$30,654.00 with Homeland Security Funds, as bid by Aberdeen City; and further to approve donating a 2005 Chevrolet PU to Aberdeen City Fire/Rescue/Hazmat Department. All members present voting aye. Motion carried.

EXECUTIVE SESSION:

Moved by Fischbach, seconded by Hansen to go into executive session with Mark McNeary in attendance to discuss personnel. All members present voting aye. Motion carried.

The Chairman declared the executive session closed, with no action as a result of the discussion.

PARTNERS IN COMMUNITY PRIDE/SPRING CLEANUP:

Chamber of Commerce representatives Tom Agnitsch and Laure Swanson discussed current Partners in Community Pride Projects and commended NSU for participation; and further complimented everyone involved with the 2005 Spring Residential Cleanup. Mike Scott, Landfill Manager will present a full report at the end of the Spring Residential Cleanup period, which expires June 4th. Dan Ostrander,

Aberdeen City Forester discussed the search for grants to replace the trees lost to Dutch elm disease. Tanya Peterson, representing Senator Tim Johnsons Office was also in attendance.

BID – WASTE TIRE REMOVAL:

Moved by Hansen, seconded by Wiese to authorize advertising public hearing to open, read and consider bids for the 2005 Brown County Waste Tire Cleanup, to be held at 8:45 a.m. on June 7, 2005 in the Commissioner's Chambers, Courthouse Annex, Brown County, SD. All members present voting aye. Motion carried.

APPLICATION FOR OCCUPANCY:

Moved by Knecht, seconded by Wiese to approve application, submitted by Northern Election for occupancy of Brown County Hwy #12E in Sec 20-T123N-R60W, Brown County, SD, to provide electrical service. All members present voting aye. Motion carried.

HIGHWAY UPDATE:

Dirk Rogers, Highway Superintendent discussed current projects and Road 12W.

FAIR UPDATE:

Larry Gerlach, Fair Manager presented update on the 2005 Fair, discussed campground expansion proposal and portable stage to be inspected for purchase at the SD Federal Property Agency.

FAIRGROUNDS POLICY FOR THE BROWN COUNTY FAIR:

Moved by Wiese, seconded by Knecht to approve amending the policies governing use of the Fairgrounds for the Brown County Fair. All members present voting aye. Motion carried.

HOSPITAL BILLS:

Moved by Knecht, seconded by Hansen to deny payment of the following hospital bills, submitted by Avera St Lukes Hospital, as the individuals have not provided sufficient information to determine indigency: 53 year old male @ \$9,442.29, 25 year old female @ \$10,774.00, 32 year old female @ \$10,428.87, 32 year old male @ \$13,293.74, 22 year old male @ \$18,454.06, 36 year old male @ \$8,532.19. All members present voting aye. Motion carried.

ASSESSOR PERSONNEL:

Mary Worlie questioned procedure for filling open appraiser position. The Commission referred the question to the States Attorney.

RECESS:

The Chairman declared the Commission recessed until May 24, 2005.

Maxine Taylor – Brown County Auditor

MAY 23, 2005 - JOINT CITY/COUNTY MEETING

The Brown County Commission and the Aberdeen City Commission met in joint session at 5:30 P.M. in the Aberdeen City Commission Chambers, 123 S Lincoln Street, Aberdeen, South Dakota. Present from City were Commissioners Omland, Klabo, McQuillen, Hodgins and Mayor Levsen. Present from County were Commissioners Hansen, Wiese and Knecht. Absent Commissioners Fischbach and Feickert.

ORDINANCE NO. 05-05-02/309:

On motion by Hodgins and seconded by McQuillen, the City unanimously voted to approve First Reading of Ordinance No. 05-05-02/309.

Moved by Hansen, seconded by Wiese to approve First Reading of Ordinance No. 05-05-02/309, An Ordinance amending Ordinance No. 1164 to rezone the following described property from its present zoning designation of Section 701 (A-1) Agricultural District to Section 706 (C-1) Neighborhood Commercial District: Lots 1 and 2, Young's South Park Addition in Aberdeen, SD, located in the NW ¼ of Sec 25-T123N-R64W of the 5th P.M., Brown County, SD. All members present voting aye. Motion carried.

ORDINANCE NO. 05-05-03/310:

On motion by Omland and seconded by Hodgins, the City unanimously voted to approve First Reading of Ordinance No. 05-05-03/310.

Moved by Hansen, seconded by Wiese to approve First Reading of Ordinance No. 05-05-03/310, An Ordinance amending Ordinance No. 1164 to rezone the following described property from its present zoning designation of Section 701 (A-1) Agricultural District to Section 714 (M-AG) Mini-Agricultural District: Lot 1, Young's Railroad Addition in the W ½ of Sec 25-T123N-R64W of the 5th P.M., Brown County, SD. All members present voting aye. Motion carried.

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

Maxine Taylor – Brown County Auditor

MAY 24, 2005 – GENERAL MEETING

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

MINUTES:

Moved by Knecht, seconded by Fischbach to approve the General Meeting minutes of May 17, 2005. All members present voting aye. Motion carried.

CLAIMS:

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

Supplies: Days Inn..\$126.00, Reserve Acct..\$5000.00, ES&S..\$54.19, CDW Govt..\$556.75, Crescent Elec..\$101.91, Runnings..\$19.23, Ecolab..\$72.00, Matz Saw..\$14.55, K-Mart..\$55.95, Menards..\$30.88, Sodak..\$7.47, SD Federal Property..\$20.00, Office Equip..\$30.50, Evercom..\$2500.00, Best Business..\$189.46, DSS..\$554.25, Dept of Rev..\$464.00, Avera St Lukes..\$124.00, DT Pharm..\$709.94, 3-D Spec..\$156.87, Ramada..\$51.52, Lien Trans..\$158,575.11, Koch Materials..\$6616.31, Jensen Rock..\$1057.39, Diesel Machinery..\$763.48, Central Supply..\$167.50, Aberdeen Asphalt..\$24,687.65, Aberdeen Arts Council..\$169.85, Lora Schaunaman..\$9.94, Northern State University..\$135.44, Kens Superfair Foods..\$100.82, North Central 4-H Camp..\$120.00, Macs..\$15.54, Farm Power..\$652.75, Van Diest..\$568.00, C&S Motor Sports..\$26.33, Century Business..\$95.00, Dakota Electronics..\$35.00, Nat'l Assoc of Town Watch..\$4100.48, Warner School Dist..\$158.13, Safe Harbor..\$373.25, City of Aberdeen..\$12,005.00, Brown County..\$4085.14, NECOG..\$1666.66, Volunteers of America..\$1573.34, University of Louisville..\$995.00:

Publications: American News..\$349.35, Groton Indep..\$320.92:

Professional Fees: Lewis & Clark BHS..\$130.00, Marv Ekeren..\$15.00, Nelva Kooistra..\$15.00, Donna Dietrich..\$123.27:

Transcriptions: Cheryl Hook..\$1764.20, Kristi Kost..\$10.60:

Travel: Mary Worlie..\$69.48, Leo Leshar..\$224.64, Lorah Houser Jankord..\$79.36, Gene Loeschke..\$202.56, City of Groton..\$63.68, Charlene Millim..\$9.60, Sherry Theobald..\$12.16, Duane Kavanaugh..\$405.80, Tabatha Moore..\$826.38, Amy Lake..\$125.00, Mark Milbrandt..\$280.80, Jeanette Nietert..\$75.56, Dennis Feickert..\$135.40:

Court Appointed Attorney: Randy Turner..\$23.57:

Utilities: Cellular One..\$54.83, Montana Dakota..\$26.41, Qwest..\$1539.87, Bureau of Admin..\$563.17:

Care of Poor: Rent – 4 recipients..Prairie Heart Guest House..\$78.15, Carolyn Brockel..\$130.00, Lowell Punt..\$125.00, Brenner Builders..\$155.00; Dr/Hospital – 3 recipients..Avera St Lukes..\$5239.63, Avera United Clinic..\$37.20, Aberdeen Nephrology..\$44.70; Utilities – 3 recipients..NWPS..\$549.85; Medication - 5 recipients..Medical Center Phar..\$133.50, Econofoods Pharm..\$10.00, Kessler Pharm..\$196.14. All members present voting aye. Motion carried.

PERSONNEL:

Moved by Wiese, seconded by Fischbach to approve employee status change for Brenda Hammrich from full-time Home Detention Officer to Home Detention Supervisor, effective May 23, 2005 at \$11.96 per hour; and further to change funding source for full-time Home Detention Officer R Jacob Miller from DOJ Project "Prevention and Intervention Programs for At-Risk and Detained Youth" Special Appropriation #2001-JS-FX-0014 to County funding, effective May 23, 2005 at \$10.42 per hour. All members present voting aye. Motion carried.

SPECIAL MALT BEVERAGE LICENSE HEARING:

Moved by Knecht, seconded by Hansen to authorize advertising public hearing to consider the following Special Malt Beverage License Application, to be held at 8:45 A.M. June 14, 2005 in the Commissioners Chambers, Courthouse Annex, Brown County, SD: Aberdeen Area Community Foundation – Lot 1 Parkview Nursery Addn NE ¼ Sec 25-T123N-R64W, effective June 23, 2005. All members present voting aye. Motion carried.

PREVENTION GRANT:

Moved by Hansen, seconded by Wiese to approve and authorize the Chairman sign Contract with Northern State University to provide programs to reduce underage drinking among youth and young people in Aberdeen, SD, through a social norms and environmental management project, effective until September 30, 2005 in amount of \$49,500, to be funded by the Department of Justice Prevention and Intervention Programs for At-Risk and Detained Youth Project #2001-JS-FX-0014. All members present voting aye. Motion carried.

CLAIM ASSIGNMENT:

Moved by Fischbach, seconded by Wiese 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.

LOTTERY:

Moved by Knecht, seconded by Wiese to approve and authorize the Chairman sign application, submitted by Bide-A-Wee Extension Club for raffle to be held on September 12, 2005. All members present voting aye. Motion carried.

WEED AND SEED:

Moved by Knecht, seconded by Wiese to approve the Brown County Weed and Seed Monthly Expenses for May 2005 (Year Two 2002-WS-QX-0054), in amount of \$12,005.00. All members present voting aye. Motion carried.

Moved by Hansen, seconded by Wiese to approve the Brown County Weed and Seed Monthly Expenses for May 2005 (Year Three 2002-WS-QX-0054), in amount of \$9,336.37. All members present voting aye. Motion carried.

Moved by Knecht, seconded by Wiese to approve the following guidelines and forms for the Brown County Weed and Seed Program #2002-WS-QX-0054: Guidelines for Weed and Seed Funding Proposals; Weed and Seed Funding Proposal Form; Usage Agreement for Laptop & Projector Form; and Brown County Weed and Seed Mission for Sustainability Statement. All members present voting aye. Motion carried.

SHERIFF REPORTS:

Moved by Wiese, seconded by Hansen to approve the following April 2005 Sheriff Reports: Incident and offenses, JDC, Prisoner care, Money deposited with the County Treasurer and Monthly activities. All members present voting aye. Motion carried.

TOWNSHIP BONDS:

Moved by Fischbach, seconded by Wiese to approve the following Township Bonds (Treasurer and Clerk): PORTAGE #1- Tom Stehly; GREENFIELD #2 - Carol Luttrell, Karen Lunzman; FREDERICK #3 - Dan Rahja, Jill Gisi; ALLISON #4 - Dillon Cutler, Arlene Hixon; LANSING #5 - Dixie Clark; ONEOTA #6 - Karla Engelhart; BRAINARD #7 - Charles Dennert, Diane Bruns; SHELBY #8 - Karen Mettler, Brent Miller; CLAREMONT #10 – Donald Wegleitner; COLUMBIA #11 – Lloyd Buntrock, Patricia Daly; WESTPORT #12 - Guyna

Dehne, Doug Fjeldheim; CARLISLE #13 - Sally Waltman, Alfred Waltman; ORDWAY #14 - Kerry Howell, Mike McHugh; RIVERSIDE #16 - Steve Simon, Bruce Sippel; GROTON #17 - Jerry Locke; HENRY #18 - Ellen Leonhardt, Janet Lehman; BATH #19 - Monte McNickle, Ronald Ringgenberg; ABERDEEN #20 - Tom Eilers, Darlys Jensen; MERCIER #21 - Jerry Streckfuss; NEW HOPE #22 - Alan Borchard, Milton Haselhorst; WARNER #23 - Bev Graham; GEM #24 - Loel Schott, Mary Jane Schott; EAST RONDELL #27 - Dennis Rossow, Kathy Williams; PALMYRA #28 - Sarah Monroe, Margaret Strand; OSCEOLA #29 - John Peldo; SAVO #30 - Calvin Raisanen; LIBERTY #31 - Ben Willhaus, Rollin Stearns; RAVINIA #34 - Lisa Berbos, Patrick Keatts; HIGHLAND #35 - Dan Misslitz, Deanna Nelson; FRANKLYN #36 - Sharon Bain, Jeff Stein; RICHLAND #37 - Margaret Sumption, Deb Heine; LINCOLN #39 - Loren Harms, Casey Black; BATES #44 - Kathy Dobberpuhl; GARLAND #46 - Martin Weismantel, Dwain Buntrock; WEST HANSON #49 - Tom Paepke, Arnold Bahr; HECLA #50 - Cindy Bagley, Sharon Schroeder; PRAIRIEWOOD #53 - Richard Niebuhr, Craig McFarland; WEST RONDELL #57 - Allen Ryckman, Larry Ihde; SOUTH DETROIT #59 - Mark Perkins, Mark Hoines. All members present voting aye. Motion carried.

SECTION 125 CAFETERIA PLAN:

Moved by Fischbach, seconded by Hansen to increase maximum claim amount for Unreimbursed Medical Claim portion of Section 125 Cafeteria Plan from \$2500 to \$3000, effective July 1, 2005. All members present voting aye. Motion carried.

QCD:

Moved by Hansen, seconded by Wiese to approve and authorize the Chairman sign Quit Claim Deed to Annette Gross and Dennis Curry to correct tax deed executed in May 1944 to include all that portion of vacated alley lying adjacent to Lot 1, Block 4, Garden Park Addition, Aberdeen, Brown County, SD. All members present voting aye. Motion carried.

LEASE AGREEMENT:

Moved by Wiese, seconded by Knecht to approve and authorize the Chairman sign agreement with Northeast Area Horse Racing for lease of various areas of the Brown County Fairgrounds to conduct horse racing activities on May 14, 15, 21, 22, 28, 29 and 30, 2005. All members present voting aye. Motion carried.

ABATEMENT:

Moved by Hansen, seconded by Wiese to approve the following Abatement: Margie Newton and Robert Gasco, taxes uncollectible (1973 Homette mobile home) for year 2002 @ \$26.67, for year 2003 @ \$105.76, for year 2004 @ \$103.49, for year 2005 @ \$102.28. All members present voting aye. Motion carried.

PLATS:

Commissioner Wiese offered the following Resolution:

RESOLUTION NO. 40-05

BE IT RESOLVED by the Board of Commissioners of Brown County, SD, that the plat showing "Schroeder Addition in the SW ¼ of Sec 27-T128N-R61W 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 Knecht. Roll call vote: Commissioners Hansen-aye, Fischbach-aye, Knecht-aye, Wiese-aye, Feickert-aye. Resolution adopted.

Commissioner Hansen offered the following Resolution:

RESOLUTION NO. 41-05

BE IT RESOLVED by the Board of County Commissioners of Brown County, SD, that the plat showing "Nixon Subdivision in the SW ¼ of Sec 11-T128N-R63W of the 5th P.M., Brown County, SD", 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, Fischbach-aye, Knecht-aye, Wiese-aye, Feickert-aye. Resolution adopted.

Commissioner Wiese offered the following Resolution:

RESOLUTION NO. 42-05

BE IT RESOLVED by the County Commission of Brown County, SD, that the plat showing "Siefkes Outlot 1 in SW ¼ Sec 23-T123N-R60W 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 Hansen. Roll call vote: Commissioners Hansen-aye, Fischbach-aye, Knecht-aye, Wiese-aye, Feickert-aye. Resolution adopted.

Commissioner Hansen offered the following Resolution:

RESOLUTION NO. 43-05

BE IT RESOLVED by the County Commission of Brown County, SD, that the plat showing "Emmett's Outlot 1 in SE ¼ Sec 30-T124N-R64W 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 Wiese. Roll call vote: Commissioners Hansen-aye, Fischbach-aye, Knecht-aye, Wiese-aye, Feickert-aye. Resolution adopted.

Commissioner Wiese offered the following Resolution:

RESOLUTION NO. 44-05

BE IT RESOLVED by the County Commission of Brown County, SD, that the plat showing "Stokes First Addition to Prairiewood Village, in the SW ¼ of Sec 33-T124N-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 Hansen. Roll call vote: Commissioners Hansen-aye, Fischbach-aye, Knecht-aye, Wiese-aye, Feickert-aye. Resolution adopted.

POOR RELIEF LIEN:

Commissioner Hansen offered the following Resolution:

RESOLUTION NO. 45-05

WHEREAS, Brown County has filed a Poor Relief Lien in total amount of \$14,959.19, which was subject to a Bankruptcy, and

WHEREAS, Brown County has been ordered by the Court to release certain property from the effect of said lien, upon condition that the lien shall stay filed against individual.

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

Lot 8, Block 17, Simmon's First Addition to Aberdeen, according to the plat thereof of record, Brown County, South Dakota.

is hereby released from the effect and force of said lien, upon condition that the lien shall stay filed against the individual.

Dated this 24th day of May 2005.

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

ORDINANCE 030 - SET HEARING DATE:

Moved by Hansen, seconded by Fischbach to set public hearing for 9:00 a.m. on June 14, 2005 in the Commission Chambers, Courthouse Annex, Brown County, SD for First Reading of Ordinance No. 030, An Ordinance to rezone the following property from Agricultural Preservation District (AG-P) to Commercial District (C): Lots 3 and 4 in the SW ¼ of Sec 31, except lake, Township 128N, Range 65W, Brown County, SD, subject to Lake Easement Contract of record for purpose of building a hunting lodge. All members present voting aye. Motion carried.

COMPUTER SOFTWARE UPDATE:

Bill Meink and Pete Adams informed the Commission that as soon as the records conversion is proofed the year to date tax posting and apportionment entries will be duplicated to compare for accuracy.

TAXES – UNCOLLECTIBLE:

Moved by Knecht, seconded by Wiese to declare the 2004 taxes (\$103.53) and the 2005 taxes (\$118.02) on a 1974 Moduline Mobile Home uncollectible. All members present voting aye. Motion carried.

Moved by Fischbach, seconded by Wiese to declare the 2003 taxes (\$106.37), the 2004 taxes (\$103.53) and the 2005 taxes (\$131.77) on a 1973 Great Lakes Mobile Home uncollectible. All members present voting aye. Motion carried.

Moved by Knecht, seconded by Wiese to declare the 2003 taxes (\$93.32), the 2004 taxes (\$90.87) and the 2005 taxes (\$89.67) on a 1972 Adrian Mobile Home uncollectible. All members present voting aye. Motion carried.

PROPERTY TRANSFER:

Moved by Hansen, seconded by Wiese to approve donating the following equipment and authorize the Chairman sign agreements with the entities who received the equipment from the 2004 ODP Equipment Grant Program: Frederick Fire Department (Tesco I Battery Chargers), Warner Fire Department (Tesco I Battery Chargers), Aberdeen Regional Hazmat (10 MDT's), Brown County Fairgrounds (AED). All members present voting aye. Motion carried.

APPLICATION FOR OCCUPANCY:

Moved by Wiese, seconded by Hansen to approve application, submitted by Midcontinent Communications for occupancy of West Shore Drive (portion of Brown County Highway #06) in Sec 22, 23 and 14-T124N-R65W, Brown County, SD, to provide cable TV and date services. All members present voting aye. Motion carried.

SPEED ZONES:

Commissioner Wiese offered the following Resolution:

RESOLUTION NO. 46-05

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, and

WHEREAS, Resolution No. 56-2000, as amended by Resolution No. 19-2001, No. 19-02, No. 56-03 and No. 10-04, shall be null and void, upon adoption of Resolution No. 46-05, dated May 24, 2005.

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 5th 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 5th PM, then east seven-tenths of a mile, 35 MPH; (Hecla West), beginning from southeast corner of Section 22, T128, R61W of the 5th PM, then west seven-tenths of a mile, 25 MPH; **County Road 6**, beginning eight-tenths of a mile north of the southwest corner of Section 30 and the intersection of Road 6 and Road 13, T124N, R64W of the 5th P.M., then north across Richmond Dam and Spillway four-tenths of a mile, 35 MPH; (Richmond North Bridge), beginning three-tenths of a mile west of the northeast corner of Section 13, T124N, R65W of the 5th P.M., then west three-tenths of a mile across bridge, 35 MPH; **County Road 6A** (Biegler Road), beginning at the southeast corner of Section 13, T124, R65W of the 5th 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 5th 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 5th 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 5th 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 5th 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 5th 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 5th 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 5th 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 5th 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 5th 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 5th PM, north four-tenths of a mile, 30 MPH; (Town of Warner), beginning at the northwest corner of Section 1, T121, R64W of the 5th 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 5th PM, then north one mile, 45 MPH; **County Road 10** (from Melgaard Road South), beginning at the northeast corner of Section 26, T123, R64W of the 5th 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 5th 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 5th 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 5th 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 5th PM, then south one mile to the intersection of County Road 12 and County Road 17 (8th 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 5th 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 5th 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 5th 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 5th 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 5th 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 5th 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 16** (Town of Columbia), beginning at the intersection of Road 16 and Road 11 in Section 28, T125N, R62W of the 5th PM,

(a) north four-tenths of a mile, 35 MPH; (b) beginning four-tenths of a mile north of the intersection of Road 16 and Road 11, then north three-tenths of a mile, 25 MPH; (c) beginning seven-tenths of 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 5th PM, then east five-tenths of a mile, 25 MPH; **County Road 17** (132nd Street), beginning at the intersection of Road 14 and Road 17 between Sections 10 and 15, T123N, R63W of the 5th P.M., (a) east one mile, 35 MPH; (b) continuing east three miles to intersection of Road 16 and Road 17, 45 MPH; **County Road 19**, beginning at the southwest corner of Section 9, T123, R63W of the 5th 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 5th 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 5th 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 5th 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 5th 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 5th 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 5th 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 5th PM, then east four-tenths of a mile, 20 MPH.

WHEREAS, the Brown County Commission may determine and establish speed zones upon all or any part of the highways under its jurisdiction and upon streets and highways on the request of and after any other local authority having charge of the maintenance of the highway has declared its intention to post speed zone, as authorized by SDCL 32-25-9.1, and

WHEREAS, Chapter 6.03 Speed Zones of the Second Revision Brown County Ordinances, as amended has been enacted for this purpose, and

WHEREAS, the Groton Township Board of Supervisors adopted a Resolution on March 2, 2004 declaring their intention to post speed zone and are requesting formal action by Brown County to set 40 MPH as the speed limit on 134th Street from 404th Ave to ½ mile west of Highway 37 (boundary of Groton Township and City of Groton) and on 404th Ave from 134th Street to Highway 12, and

WHEREAS, the Henry Township Board of Supervisors adopted a Resolution on March 2, 2004 declaring their intention to post speed zone and are requesting formal action by Brown County to set 40 MPH as the speed limit on 134th Street from 398th Ave to 404th Ave (boundary of Henry and Groton Township) and on 404th Ave from 134th Street to Highway 12, and

WHEREAS, it is deemed to be in the best interest of the residents of Brown County, to establish speed zones on roads maintained by Groton Township and Henry Township.

NOW, THEREFORE BE IT RESOLVED that the speed limits on the following sections of Groton Township and Henry Township Roads shall be 40 miles per hour.

134th Street, beginning one-half mile west of US Highway 37 (boundary of Groton Township and city of Groton) and extending east to 398th Ave; **404th Ave**, beginning at 134th Street and extending north to US Highway 12.

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

ASSESSOR POSITION:

Moved by Wiese, seconded by Hansen to authorize Mary Worlie advertise for an additional office Chief Deputy. All members present voting aye. Motion carried.

DISPATCH POSITION:

Moved by Wiese, seconded by Hansen to authorize Drew Bickford advertise for an assistant Director of Communications. All members present voting aye. Motion carried.

RECESS:

The Chairman declared the Commission recessed until May 31, 2005.

Maxine Taylor – Brown County Auditor

MAY 31, 2005 - 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 Omland, Klabo, Hodgins and Mayor Levens. Present from County were Commissioners Hansen, Fischbach, Wiese and Knecht. Absent Commissioner Feickert.

ORDINANCE NO. 05-05-02/309:

On motion by Omland and seconded by Klabo, the City unanimously voted to approve Second Reading and Adoption of Ordinance No. 05-05-02/309.

Moved by Fischbach, seconded by Wiese to approve Second Reading and Adoption of Ordinance No. 05-05-02/309, An Ordinance amending Ordinance No. 1164 to rezone the following described property from its present zoning designation of Section 701 (A-1) Agricultural District to Section 706 (C-1) Neighborhood Commercial District: Lots 1 and 2, Young's South Park Addition in Aberdeen, SD, located in the NW ¼ of Sec 25-T123N-R64W of the 5th P.M., Brown County, SD. Roll call vote: Commissioners Hansen-aye, Fischbach-aye, Knecht-aye, Wiese-aye, Feickert-absent. Ordinance adopted.

ORDINANCE NO. 05-05-03/310:

On motion by Hodgins and seconded by Omland, the City unanimously voted to approve Second Reading and Adoption of Ordinance No. 05-05-03/310.

Moved by Hansen, seconded by Wiese to approve Second Reading and Adoption of Ordinance No. 05-05-03/310, An Ordinance amending Ordinance No. 1164 to rezone the following described property from its present zoning designation of Section 701 (A-1) Agricultural District to Section 714 (M-AG) Mini-Agricultural District: Lot 1, Young's Railroad Addition in the W ½ of Sec 25-T123N-R64W of the 5th P.M., Brown County, SD. Roll call vote: Commissioners Hansen-aye, Fischbach-aye, Knecht-aye, Wiese-aye, Feickert-absent. Ordinance adopted.

The Aberdeen City Commission adjourned and the County Commission continued into regular meeting.

Maxine Taylor – Brown County Auditor

MAY 31, 2005 – GENERAL MEETING

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

MINUTES:

Moved by Hansen, seconded by Fischbach to approve the Joint City/County Meeting minutes of May 23 and the General Meeting minutes of May 24, 2005. All members present voting aye. Motion carried.

CLAIMS:

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

Payroll: Commissioners..\$2,683.65; Auditor..\$6,499.24; Treasurer..\$9,000.23; Data Processing..\$1,658.00; State's Attorney..\$8,362.77; Maintenance..\$5,184.71, Assessor..\$6,374.36; Planning & Zoning..\$1,176.00; Register of Deeds..\$5,601.24; Veterans Service Office..\$2,424.51; Sheriff..\$59,038.92; DOJ Grant..\$3,379.20; Communications..\$12,159.27; Welfare Office..\$2,745.72; Museum..\$4,760.68; Fairgrounds & Parks..\$3,560.11, Fairboard..\$1,343.84; Extension..\$1,694.40; Weed..\$2,600.23; Emergency Management..\$2,306.51; Weed and Seed Grant..\$1,067.31; Highway..\$30,460.72; Landfill..\$6,941.72; Matching Benefits: FICA..\$10,603.23; Medicare..\$2,479.80; Supplies: RE Huffman..\$12.95, Best Business..\$173.99, Dicks Westside..\$25.95, Mobile Electronic Service..\$82.50, Tel Serv..\$102.23, Ultramax..\$573.00, Hoven Auto..\$127.45, Mark Milbrandt..\$195.00, Galls..\$262.41, CDW Govt..\$3312.40, Vantek Comm..\$20.00, Nat'l Sheriff Assn..\$100.00, Dept of Revenue..\$455.00, Radioshack..\$59.98, 3-D Specialties..\$1573.98, Newman Signs..\$554.58, MR Signs..\$374.45, Lien Transportation..\$107,007.16, Heartland..\$777.15, Fire Safety First..\$321.87, Farm Power..\$522.10, JD Evans..\$486.54, Diesel Machinery..\$2960.00, Diamond Mowers..\$652.33, Barnes Dist..\$159.89, Aberdeen Asphalt..\$6622.54, NADRIC..\$1666.66, Mohr Const..\$7767.15, Evergreen Supply..\$35.00, HC Clark..\$18.34, Aberdeen Equip..\$44.07, Runnings..\$125.98, Nature Watch..\$83.80, Office Max..\$39.67, Farm Power..\$76.82, Van Diest..\$200.55, Reuers Auto..\$91.14, Menards..\$16.95, Hewlett Packard..\$1760.00, Claritus..\$339.00, Streichers..\$54.85, Pizza Ranch..\$50.94; Publications: American News..\$ 238.38; Professional Fees: witness fees..40.00, Volk Investigation..\$1771.22, Avera St Lukes..\$2477.11, NECOG..\$1460.23, Northern Plains Psych..\$129.72, Sheriff of Yankton County..\$16.50; Travel: Mark Milbrandt..\$691.43, Deb Knecht..\$283.80; Court Appointed Attorney: Randy Turner..\$ 12,166.67, Richard Russman..\$2916.67, Kim Dorsett..\$2916.66, Christy Serr..\$4166.67, Kuck Law Office..\$4166.67, William Gerdes..\$4166.67; Utilities: Qwest..\$134.47, Northwestern Energy..\$611.85, Cellular One..\$211.10, Northern Elec..\$100.00, Midcontinent Cable..\$79.17; Care of Poor: Rent – 4 recipients..Ron Erdmann..\$240.00, Milbert Schaffer..\$130.00, White House Inn..\$35.10, George Marshall..\$150.00; Dr/Hospital – 2 recipients..North Central Heart..\$132.75, Avera St Lukes..\$4103.59. All members present voting aye. Motion carried.

PERSONNEL:

Moved by Wiese, seconded by Fischbach to approve the following employee step/longevity increases, effective June 5, 2005: Harlan Place @ \$10.70 per hour, Melony Flinn @ \$11.50 per hour, Kendell Titze @ \$12.44 per hour. All members present voting aye. Motion carried.

Moved by Fischbach, seconded by Wiese to approve hiring Amanda Mollman as Seasonal Highway Employee, effective June 6, 2005 at \$8.37 per hour. All members present voting aye. Motion carried.

Moved by Wiese, seconded by Hansen to approve hiring Scott Madsen, as GIS Coordinator, effective June 27, 2005 at an annual pro-rated salary of \$44,000.00 and a one-time moving reimbursement in

amount not to exceed \$1,000.00 (actual receipts required). All members present voting aye. Motion carried.

SPECIAL MALT BEVERAGE LICENSE HEARING:

Moved by Fischbach, seconded by Hansen to authorize advertising public hearing to consider the following Special Malt Beverage License Application, to be held at 9:15 A.M. June 14, 2005 in the Commissioners Chambers, Courthouse Annex, Brown County, SD: NSU Foundation, Inc - Brown County Fairgrounds (new Hockey Building) SW ¼ Sec 1-T123N-R64W, effective June 17 & 18, 19, 2005. All members present voting aye. Motion carried.

ANNUAL MALT BEVERAGE LICENSE RENEWAL HEARING:

Time and place as advertised for public hearing to consider applications for renewal of Annual Malt Beverage Licenses Applications.

Moved by Hansen, seconded by Fischbach to approve the following applications: Retail (On-Off Sale) Malt Beverage: Ken Schumacher DBA Bait Shop Bar & Grill, Marge Frohling DBA The Connection, Alan Lanphere DBA Bath Quick Stop, Terry Voeltz, DBA T's Promotions, Daniel Brandenburger DBA Elm Lake Resort, Moccasin Creek Country Club, Inc. All members present voting aye. Motion carried.

BID – MOSQUITO CONTROL CHEMICAL:

Time and place, as advertised for public hearing to consider bids for furnishing and delivery of Mosquito Control Chemical for use by the Weed and Pest Department in 2005.

Moved by Hansen, seconded by Wiese to award bid, submitted by VanDiest Supply Company for Anvil 2+2 (or equivalent): 2x2 ½ gal/case @ \$52.60 per unit, 55 gal @ \$51.20 per unit; rejecting bid, submitted by Hefty Seed Company for Anvil 2+2 (or equivalent): 2x2 ½ gal/case @ \$63.15 per unit, 55 gal @ \$62.50 per unit. All members present voting aye. Motion carried.

CONTRACT:

Moved by Wiese, seconded by Fischbach to approve and authorize Chairman sign Contract Agreement with VanDiest Supply Company for furnishing and delivery of Mosquito Control Chemical for use by the Weed and Pest Department in 2005. All members present voting aye. Motion carried.

MAINTENANCE PROJECTS:

Mick Palmer and Judy Dosch discussed several projects and requested Commission input for preparation of the 2006 budget request.

RECESS:

The Chairman declared the Commission recessed until June 7, 2005.

Maxine Taylor – Brown County Auditor

JUNE 7, 2005 – GENERAL MEETING

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

MINUTES:

Moved by Wiese, seconded by Knecht to approve the Joint City/County Meeting minutes and the General Meeting minutes of May 31, 2005. All members present voting aye. Motion carried.

CLAIMS:

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

Supplies: Reserve Acct..\$5000.00, Quality Quick Print..\$1305.32, McLeods..\$58.38, Crescent Elec..\$8.51, Ecolab..\$102.50, Kone..\$155.01, Woodman Refrigeration..\$528.57, Indoff..\$41.34, Youngs..\$44.94, Taylor Laundry..\$24.00, Schwan Welding..\$43.70, A&M Radio..\$110.00, Cartney Bearing..\$11.92, Gardner Locksmith..\$20.00, McFarland Supply..\$638.16, New Trends..\$15.70, Comfort Inn..\$204.00, Central Supply..\$112.60, Active Data..\$128.37, RE Huffman..\$148.14, Best Business..\$142.35, Carol Sherman..\$33.70, Office Max..\$233.40, Visa..\$791.35, Crawford Trucks..\$2626.18, Van Diest..\$11,498.25, SD Trucking Assn..\$19.10, SD Dept of Trans..\$1523.15, Share Corp..\$122.40, Serocki Excavating..\$51,657.67, S&S Lumber..\$1005.33, Pro Ag..\$77.63, Bryan Owens..\$74.15, Newman Signs..\$198.16, Nelson Sales..\$14.02, Menards..\$485.70, Macs..\$111.53, Lien Trans..\$132,015.36, Keeleys..\$13.65, Interstate Battery..\$308.80, Habecks..\$84.00, Hecla Impl..\$17.25, Great Western Tire..\$4079.09, Garys Auto..\$119.90, Freys Electronics..\$155.00, Farnams..\$27.55, Evergreen Supply..\$13.85, Erdmann Oil..\$1590.72, Energy Alliance..\$11,775.00, Dakota Supply..\$1.97, Dakota Oil..\$112.70, Crawford MS&F..\$527.92, Butler Machinery..\$635.14, Bridgestone..\$146.10, Biersbach Equip..\$19.12, Best Business..\$16.49, Advanced Auto..\$6.96, Jungle Logic..\$65.00, Runnings..\$571.29, Butler Cat..\$12,149.96, Glas Consulting..\$181.75, Eddies Northside..\$30.11, SD Fed Property..\$650.00, Dakota Supply..\$971.28, Gas 'N Goodies..\$4.00, Beadle Floral..\$209.86, Dakota Oil..\$39.96, Advanced Auto..\$4.56, Roger Johnson..\$1.88, BioQuips..\$79.42, Tel Serv..\$35.00, Dakota Electronics..\$9.20, Nat'l Interagency Fire Center..\$251.43, Erdmann Oil..\$4490.56, Fastenal..\$466.17, Monarch Photo..\$12.60, Aberdeen Radio Ranch..\$1350.00, Firestone..\$1074.50, North Central Farmers Elevator..\$95.41, OK Tire..\$17.00, MVTL Labs..\$6639.30, Genius Web..\$29.97, Praxair..\$15.25, Powerplan..\$164.87, Central Supply..\$83.75, Bricks TV..\$290.00, Dakota Fluid Power..\$59.17, Earth Tech..\$594.36, Carmike Theatre..\$1385.00, Warner School Dist..\$341.10, Pratt Audio..\$3902.61, EideBailly..\$234.00, ES&S..\$553.40:

Publications: American News..\$1397.85, Dakota Press..\$666.33, Groton Indep..\$292.15, Dickey County Leader..\$60.00, Midland Press..\$299.00:

Professional Fees: witness fees..\$32.80, Donna Dietrich..\$409.06, Sheriff of Yankton County..\$49.50, Marv Ekeren..\$45.00, Nelva Kooistra..\$45.00, Joan Kittelson..\$15.00, Cathy Reh fuss..\$15.00:

Travel: Deb Knecht..\$14.16, Kathy Fischer..\$117.00, Leo Leshner..\$47.00, Mary Worlie..\$95.85, Kurt Smith..\$10.00:

Court Appointed Attorney: Miller & Swier..\$148.00, Yankton County..\$411.20, Brevik Law Office..\$157.74:

Utilities: City of Aberdeen..\$1648.12, Northwestern Energy..\$6494.05, Cellular One..\$433.22, Northern Valley..\$143.67, James Valley..\$139.45, Town of Frederick..\$28.25, WEB..\$121.77, Qwest..\$168.87, Midcontinent Cable..\$148.15, Dependable Sanitation..\$16,724.82:

Care of Poor: Rent – 6 recipients..Clyde Lehr..\$240.00, Chuck Currie..\$220.00, Lonnie Lyke..\$100.00, Kurt Kruger..\$190.00, Fred Marnette..\$260.00, Tree House Properties..\$180.00; Dr/Hospital – 4 recipients..Dr Richard Conklin..\$256.86, Dr John Adams..\$166.22, Avera St Lukes..\$2380.00, Sioux Valley Clinic..\$143.64; Utilities – 2 recipients.NWPS..\$397.25; Transportation – 2 recipients..Aberdeen Advanced Care..\$211.83, Jefferson Lines..\$117.15. All members present voting aye. Motion carried.

PERSONNEL:

Moved by Wiese, seconded by Hansen to approve hiring Jim Payne as full-time Appraiser, effective June 14, 2005 at \$13.52 per hour. All members present voting aye. Motion carried.

Moved by Hansen, seconded by Knecht to approve employee status change for Polly Rush from Office Deputy to Chief Office Deputy, effective June 6, 2005 at \$11.88 per hour. All members present voting aye. Motion carried.

Moved by Knecht, seconded by Fischbach to approve hiring Tara Sanders as guard, effective May 24, 2005, for purpose of prisoner transport. All members present voting aye. Motion carried.

SALARY SCHEDULE AMENDMENT FOR 2005:

Moved by Hansen to split Planning/Zoning & Fieldmen into two categories and raise wages in both categories. Motion died for lack of a second.

Moved by Wiese, seconded by Knecht to amend 2005 Salary Schedule by renaming Planning/Zoning & Fieldmen Category to Planning/Zoning & Appraisers Category, and further to adjust the wage per hour per step as follows: Step 1 from 10.76 to 12.00; Step 2 from 11.03 to 13.52; Step 3 from 11.28 to 13.82; Step 4 from 11.54 to 14.10; Step 5 from 11.81 to 14.39; Step 6 from 12.07 to 14.70; Step 7 from 12.32 to 15.00; Step 8 from 12.59 to 15.30; Step 9 from 12.85 to 15.60; Step 10 from 13.37 to 15.92. All members present voting aye. Motion carried.

SET HEARING DATES:

Moved by Wiese, seconded by Fischbach to set public hearing for 5:30 p.m. on June 27, 2005 in the Aberdeen City Commission Chambers, 123 S Lincoln Street for First Reading of Ordinance No. 05-06-02/311, An Ordinance to rezone the following property from Section 701 (A-1) Agricultural District to Section 704 (R-2) Medium Density Residential District: Smith's Lot 1 in the NE ¼, SE ¼ of Sec 20-T123N-R63W of the 5th P.M., Brown County, SD; and First Reading of Ordinance No. 05-06-03/312, An Ordinance to rezone the following described property from its present zoning designation of Section 710 (I-2) Unrestricted Industrial District to Section 714 (M-AG) Mini-Agricultural District: West 150' and the East 150' of Lot 7 Except Lot 7A, Evelo's Subdivision of the NE ¼ Sec 21-T123N-R64W of the 5th P.M., Brown County, SD. All members present voting aye. Motion carried.

AUDITORS REPORT OF ACCOUNT:

Moved by Fischbach, seconded by Hansen to approve the May 2005 Auditor's Report of Account with the County Treasurer in total amount of \$14,731,626.74 (total amount of actual cash @ \$3,047.52, Wells Fargo Bank @ \$3,694.79, US Bank @ \$69,561.18, Dacotah Bank @ \$21,425.55, Petty Cash @ \$1,700.00, Fund Investments @ \$14,631,245.22, Outstanding Checks @ \$952.48). All members present voting aye. Motion carried.

PERMIT TO LAND AIRCRAFT:

Moved by Fischbach, seconded by Knecht to approve and authorize the Chairman sign Permit to land Aircraft on Brown County Highways, submitted by Dakota Airspray, Inc. for purpose of aerial application of chemical or fertilizer materials. All members present voting aye. Motion carried.

HLS GRANT AGREEMENT:

Moved by Hansen, seconded by Fischbach to approve and authorize the Chairman sign Grant Reimbursement Agreement for Office for Domestic Preparedness FY 2004 Exercise Grant Program between Brown County and the SD Department of Public Safety in amount not to exceed \$8,697.66. All members present voting aye. Motion carried.

PROPERTY TRANSFER:

Moved by Hansen, seconded by Knecht to approve and authorize the Chairman sign agreements with the following entities who received equipment from the 2004 ODP Equipment Grant Program: Hutterville FD (mobile radios), Groton FD (mobile radio), Hecla FD (AED, portable radio), Aberdeen FD (AED's), Aberdeen Regional Hazmat (AED), Faulk County (mobile and portable radios), Aberdeen Ambulance (AED), ARFPD (radio batteries). All members present voting aye. Motion carried.

ABATEMENTS:

Moved by Wiese, seconded by Fischbach to approve the following Abatements: John J Gluscic and Christine M Lang, owner/occupied (Lt 13-18 Bk 10 Corrected Plat of Highlands) for year 2002 @ \$1,000.46; for 2003 @ \$1,223.13, for 2004 @ \$1,183.34. All members present voting aye. Motion carried.

BID – BROWN COUNTY WASTE TIRE CLEANUP:

Time and place, as advertised to open, read and consider bids for Brown County Waste Tire Cleanup. Moved by Fischbach, seconded by Knecht to award bid, submitted by New Deal Tire, Groton @ \$115.00 per ton for 2005 Brown County waste tire cleanup; rejecting bid submitted by Greenman Technologies, Savage, MN @ \$118.00 per ton. All members present voting aye. Motion carried.

Moved by Hansen, seconded by Wiese to approve and authorize the Chairman sign Contract for 2005 Brown County Waste Tire Cleanup with New Deal Tire. All members present voting aye. Motion carried.

EXECUTIVE SESSION:

Moved by Fischbach, seconded by Knecht to go into executive session to discuss possible litigation with Mike Scott in attendance. All members present voting aye. Motion carried.

The Chairman declared the executive session adjourned, with no action as a result of discussion.

WEED AND SEED SPECIAL EMPHASIS GRANT APPLICATION:

Moved by Wiese, seconded by Fischbach to approve and authorize the Chairman sign grant application documents for an additional FY 2005 funding opportunity for Weed and Seed sites with Anti-Drug/Anti-Alcohol as special emphasis in amount of \$80,000.00. Tabitha Moore, Weed and Seed Coordinator and Barb Gunderson, NADRIC explained the program to be implemented if funding is approved.

MOBILE HOME PROCEDURE:

Sheila Enderson and Mary Worlie explained procedure implemented to secure title information on mobile homes, which are placed on permanent foundations.

APPLICATION FOR OCCUPANCY:

Moved by Wiese, seconded by Knecht to approve and authorize the Chairman sign application, submitted by NorthWestern Energy for occupancy of Brown County Highway #27 in Sec 31-T121N-R63W, Brown County, SD for installation of natural gas pipeline. All members present voting aye. Motion carried.

RECESS:

The Chairman declared the Commission recessed until June 14, 2005.

Maxine Taylor – Brown County Auditor

JUNE 14, 2005 – GENERAL MEETING

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

MINUTES:

Moved by Knecht, seconded by Fischbach to approve the General Meeting minutes of June 7, 2005. All members present voting aye. Motion carried.

CLAIMS:

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

Payroll: Commissioners..\$2,683.65; Auditor..\$6,536.63; Treasurer..\$8,638.84; Data Processing..\$1,658.00; State's Attorney..\$8,371.13; Maintenance..\$5,173.01, Assessor..\$7,279.86; Planning & Zoning..\$588.00; Register of Deeds..\$5,521.48; Veterans Service Office..\$2,446.50; Sheriff..\$59,406.70; DOJ Grant..\$2,545.60; Communications..\$12,678.31; Welfare Office..\$2,745.72; Museum..\$4,760.68; Fairgrounds & Parks..\$3,602.25, Fairboard..\$1,362.53; Extension..\$1,170.08; Weed..\$4,375.37; Emergency Management..\$2,310.51; Weed and Seed Grant..\$1,067.31; Highway..\$37,151.31; Landfill..\$7,415.40; Matching Benefits: FICA..\$11,087.03; Medicare..\$2,592.86; Supplies: West Payment Center..\$1856.19, Office Equip..\$163.86, RE Huffman..\$131.15, Indoff..\$142.58, SDN..\$207.00, New Trends..\$148.53, Jane Jensen..\$21.19, Exec Mgmt..\$3038.88, Dept of Revenue..\$33.00, UBC..\$18.35, Vosika Fencing..\$63.00, McFarland Supply..\$72.35, Central Supply..\$62.00, Menards..\$1819.89, Fire Safety First..\$70.92, Ameripride..\$51.03, Kone..\$155.01, Lar-Jos..\$200.00, Electronic Security..\$3027.14, Dawn Woods..\$162.50, Accurint..\$38.10, Hoven Auto..\$18.14, Office Max..\$133.35, Dicks..\$25.95, Bonnie Bitz..\$72.00, Double D Body Shop..\$80.80, Brown County..\$7.00, Medical Waste Transport..\$83.93, Radioshack..\$98.93, Safety Service..\$1057.70, Kathy Neitzel..\$101.12, Streichers..\$78.90, Walmart..\$261.03, Cheryl Hairgrove..\$868.00, Phillips 66..\$24.24, Fleet..\$32.00, Amoco..\$252.93, HRS..\$3548.53, Dakotas Division..\$45.00, Best Business..\$107.82, Kesslers..\$387.15, Galls..\$124.70, Evercom..\$1750.00, Dakota Electronics..\$458.30, Parcel Erickson..\$80.85, NECOG..\$1385.68, City of Groton..\$573.74, Warner School Dist..\$341.87, SD Fed Property..\$510.00, SDDOT..\$5563.92, Snap On Tools..\$99.95, Sheehan Mack Sales..\$287.78, Serocki Excavating..\$61,576.81, Runnings..\$400.24, Plastic Works..\$2400.00, Newman Signs..\$32.75, M-R Signs..\$250.80, Lyle Signs..\$126.37, Lien Trans..\$30,336.50, Koch Materials..\$12,764.37, Hedahls..\$1.92, Dave Gardner Trucking..\$286.00, 4 Seasons..\$17.95, Dakota Fluid Power..\$218.18, Cole Papers..\$127.40, Cartney Bearing..\$91.59, Clark Engineering..\$7988.76, Kevin Bourdon..\$286.00, Ameripride..\$307.05, Chrysler Center..\$7.80, Dallas Sombke..\$18.69, Glas Consulting..\$162.50, SD Fed Property..\$250.00, Brown County Weed Board..\$120.45, Parkview Nursery..\$1054.49, Butler Machinery..\$1394.67, Extension Service..\$516.44, Reuers..\$1350.04, Pro Ag..\$292.96, Van Diest..\$1055.72, Monarch Photo..\$19.93, Sheehan Mack Sales..\$135.58, Creative Signs..\$175.00, CDW Govt..\$229.48, Vantek Comm..\$15,122.50, Pizza Ranch..\$50.94, Michael Thompson..\$480.00; Publications: American News..\$41.10;

Professional Fees: Aberdeen Ambulance..\$101.57, NE Mental Health Center..\$146.30, Avera St Lukes..\$144.01;

Travel: Mike Scott..\$9.00, Ginger Walker..\$72.00;

Elections: Mary Lou Adams..\$110.00, Sharon Deilke..\$110.00, Joan Freudenthal..\$115.00, Fran Butch..\$110.00, Diane Hickenbotham..\$115.00, Jean Rahja..\$110.00, Dorothy O'Keefe..\$110.00, Barb Rogers..\$115.00, Wendy Schaunaman..\$110.00, Catherine Clinton..\$110.00, Rene Graf..\$110.00, Marlis Nack..\$110.00, Joanne Mielke..\$110.00, Fern Preston..\$110.00, Mary Wylie..\$110.00, Ethel Bakken..\$110.00, Evelyn Holdhusen..\$110.00, Helen Reuer..\$110.00, Yolanda Jahraus..\$115.00, Mary Ann Ochs..\$110.00, Angie Padgett..\$110.00, Virginia Klitz..\$110.00, Donna Lout..\$110.00, Barb Walker..\$110.00, Cathy Emmett..\$110.00, Rebecca Jeschke..\$115.00, Marlys Suttan..\$100.00, Maryann

Bierman..\$115.00, Barbara Masgai..\$100.00, Shirley Gellhaus..\$110.00, Gladys Braun..\$110.00, Lucille Kushman..\$110.00, Donna Swanhorst..\$110.00, Joyce Beckler..\$110.00, Linda Siebrasse..\$117.56, Linda Siefkes..\$110.00, Margaret DeHoet..\$100.00, Kathy Vitense..\$127.80, Lila Wockenfass..\$110.00, Gloria Gooding..\$110.00, Pauline Schaunaman..\$110.00, Kathy Schaunaman..\$129.60, Eleanor Haar..\$110.00, Pam Larson..\$100.00, Pauline Peterson..\$110.00, Carol Erdmann..\$100.00, Vonda Hinz..\$110.00, Marilyn Gramlow..\$110.00, Deb Droog..\$110.00, Pam Erickson..\$121.40, Ellen Wiedebush..\$110.00, Charlean Erickson..\$125.88, Sharon Lee..\$110.00, Donna Seaton..\$110.00:

Utilities: Northwestern Energy..\$1812.91, Dependable Sanitation..\$212.00, Cellular One..\$509.26, Midcontinent Cable..\$38.15, Qwest..\$60.00, A-1 Sanitation..\$474.18, Northern Elec..\$463.40, Northern Wireless..\$110.85, Verizon..\$113.61:

Care of Poor: Rent – 8 recipients..Bruce Boschee..\$100.00, Harold Sorkness..\$240.00, Ron Erdmann..\$210.00, Danie Brenner..\$200.00, Tom Hinz..\$141.00, Golden West..\$215.09, Bill Mount..\$260.00, Goehring Apts..\$200.00; Dr/Hospital – 2 recipients..Avera St Lukes..\$2377.29, Avera United Clinic..\$120.02; Burials – 1 recipient..Carlsen Funeral Home..\$1105.10; Utilities – 1 recipient..NWPS..\$188.00; Transportation – 1 recipient..Brown County..\$24.97; Medication - 2 recipients..Econofoods Pharm..\$54.34, K-Mart..\$39.06. All members present voting aye. Motion carried.

PERSONNEL:

Moved by Wiese, seconded by Knecht to approve the following employee step/longevity increases, effective June 19, 2005: Cindy Meyers @ \$11.11 per hour, Damian Bahr @ \$13.77 per hour, Casey Thorstenson @ \$11.83 per hour, Sherry Theobald @ \$10.95 per hour, Tracy Krogman @ \$10.35 per hour. All members present voting aye. Motion carried.

Moved by Wiese, seconded by Knecht to approve hiring Daniel Kaiser as guard, effective June 7, 2005, for purpose of prisoner transport. All members present voting aye. Motion carried.

Moved by Fischbach, seconded by Knecht to amend motion in minutes of March 29, 2005 appointing Brook Brown as guard to reflect correct compensation per 2005 salary schedule. All members present voting aye. Motion carried.

TREE DISPOSAL FEE WAIVED:

Moved by Wiese, seconded by Knecht to waive tree disposal fee, effective June 8 through June 13, 2005, due to wind damage, as recommended by Mike Scott, Landfill Manager. All members present voting aye. Motion carried.

PLAT:

Commissioner Wiese offered the following Resolution:

RESOLUTION NO. 47-05

BE IT RESOLVED by the Board of County Commissioners of Brown County, SD, that the plat showing plat of "Nash Subdivision in the NW ¼ of Sec 10-T124N-R64W of the 5th P.M., Brown County, SD", 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-absent, Fischbach-aye, Knecht-aye, Wiese-aye, Feickert-aye. Resolution adopted.

URBAN BOUNDARY MAP:

Moved by Knecht, seconded by Wiese to approve and authorize the Chairman sign adjusted Urban Boundary Map adding 8th Ave NE from Brown County 19 to Brown County 14 to the City's Urban System and removing same from the County System. 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 Aberdeen ABATE for raffle to be held on July 16, 2005. All members present voting aye. Motion carried.

PROPERTY TRANSFER:

Moved by Wiese, seconded by Fischbach to approve and authorize the Chairman sign agreements with the following entities who received equipment from the 2004 ODP Equipment Grant Program: McPherson County (mobile and portable radios), Bath FD (mobile radio), Eureka PD (AED), Stratford FD (portable radio). All members present voting aye. Motion carried.

FIREWORKS PERMITS:

Moved by Knecht, seconded by Fischbach to approve and authorize the Chairman sign Fireworks Public Display Permit, submitted by Paston Neil Hannahs, 502 E Melgaard Road, Aberdeen, SD for a Class C Common Fireworks Display to be held on June 24, 2005 at 37925 Youth Camp Road, Aberdeen, SD. All members present voting aye. Motion carried.

SPECIAL MALT BEVERAGE LICENSE HEARING:

Time and place, as advertised for public hearing to consider application for Special Malt Beverage License. Moved by Wiese, seconded by Fischbach to approve the following application for Special Malt Beverage License, submitted by Aberdeen Area Community Foundation – Lot 1 Parkview Nursery Addn NE ¼ Sec 25-T123N-R64W, effective June 23, 2005. All members present voting aye. Motion carried.

EXECUTIVE SESSION:

Moved by Fischbach, seconded by Wiese to go into executive session to discuss personnel. All members present voting aye. Motion carried.

The Chairman declared the executive session closed, with no action as a result of the discussion.

ORDINANCE NO. 030:

Time and place, as advertised for First Reading of Ordinance No. 030 Cutler Rezone. Moved by Knecht, seconded by Fischbach to approve First Reading of Ordinance No. 030, An Ordinance amending Title 4, Second Revision Brown County Ordinances, as amended to rezone Lots 3 and 4 in the SW ¼ of Sec 31, except lake, Township 128N, Range 65W, Brown County, SD, subject to Lake Easement Contract of record for purpose of building a hunting lodge from Chapter 4.06 (AG-P) Agricultural Preservation District to Chapter 4.13 (C) Commercial District. All members present voting aye. Motion carried.

SPECIAL MALT BEVERAGE LICENSE HEARING:

Time and place, as advertised for public hearing to consider application for Special Malt Beverage License. Moved by Fischbach, seconded by Wiese to approve the following application for Special Malt Beverage License, submitted by NSU Foundation, Inc - Brown County Fairgrounds (new Hockey Building) SW ¼ Sec 1-T123N-R64W, effective June 17 & 18, 19, 2005. All members present voting aye. Motion carried.

NADRIC 2006 BUDGET:

NADRIC representatives Julie Pfeifer and Jan Patterson presented statistics and program information in regard to the 2006 NADRIC Budget request.

VICTIMS ASSISTANCE PROGRAM:

Mark McNeary, Kim Dorsett and Penny Hart presented a positive evaluation of the Victims Assistance Program being administered through the States Attorney's Office. Moved by Knecht, seconded by Wiese to continue administering the Victims Assistance Program through the States Attorney's Office until December 31, 2005, at which time the program procedure will be reevaluated. All members present voting aye. Motion carried.

FGP 2006 BUDGET:

Foster Grandparent Program Director Jodi McQuillen presented statistics program information in regard to the 2006 FGP Budget request.

GLACIAL LAKES 2006 BUDGET:

Glacial Lakes representative Leif Erickson presented visitor statistics and related information in regard to the 2006 Glacial Lakes Budget request.

FAIR UPDATE:

Larry Gerlach, Fair Board Manager presented monthly update and requested approval to proceed with new campground area west of the 4-H campground. Board authorized Fair Board and Fairgrounds to proceed with new campground area west of the 4-H campground.

EM UPDATE:

Freddie Robinson, EM Director presented flood stage update in Brown County and surrounding areas due to recent rains.

RECESS:

The Chairman declared the Commission recessed until June 21, 2005.

Maxine Taylor – Brown County Auditor

JUNE 21, 2005 – GENERAL MEETING

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

MINUTES:

Moved by Wiese, seconded by Knecht to approve the General Meeting minutes of June 14, 2005. All members present voting aye. Motion carried.

CLAIMS:

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

Supplies: Best Business..\$246.42, Office Equip..\$1047.65, Quality Quick Print..\$10.68, RE Huffman..\$11.01, Runnings..\$62.35, McFarland Supply..\$157.82, Golden Hills Inn..\$192.00, IAAO..\$440.00, New Trends..\$144.95, Tri-State Water..\$11.80, Wylie Thunder Road..\$999.00, Village Bowl..\$550.00, Career Planning..\$357.00, Exec Mgmt..\$2059.20, Grafix Shoppe..\$117.23, Parcel-Erickson..\$26.95, Lust..\$28.08, Radio Shack..\$59.98, Photo Xpress..\$29.13, City of Groton..\$38.08, Phillips 66..\$261.89, Best Business..\$189.46, Earthgrains..\$519.88, SD Human Services Center..\$69.50, Velvet Uniforms..\$96.02, CDW Govt..\$5092.96, Lutheran Social Services..\$17,955.64, Fluff City Wholesale..\$46.95, Dept of Revenue..\$139.00, LCM Pathologists..\$1844.87, NASRO Conf..\$550.00, CD Exchange..\$89.90, Aberdak Travel..\$614.90, 3-D Spec..\$459.40, SDACHS..\$30.00, Serocki Excavating..\$74,687.13, Plastic Works..\$230.00, Meyers Tractor Salvage..\$20.00, Lien Trans..\$664.10, Langs..\$129.99, Howes Oil..\$13,916.00, Hecla Impl..\$71.86, Harry Impl..\$3800.00, Habecks Radiator..\$256.00, Doug Gruenwald..\$27.54, Fastenal..\$231.97, Farm Plan..\$1091.14, D&L Diesel..\$553.83, Cole Papers..\$412.40, Caspers Hwd..\$73.67, Carquest..\$1297.13, Brock White Co..\$982.25, Aberdeen Asphalt..\$8117.86, Foster Grandparents..\$1000.00, Race West..\$33.50, Creative Signs..\$60.00, ASDM..\$100.00, Sherwin Williams..\$47.45, Ameripride..\$75.69, Store Supply..\$265.14, Northern State University..\$800.00, Overhead Door..\$65.00, Farnam's..\$9.29, Gary's Engine..\$9.95, Butler Machinery..\$58.82, Reuers Auto..\$453.75, Carquest..\$122.23, Kleins..\$12.66, Bioquips..\$79.68, University of Calif..\$28.00, Office Max..\$110.93, RadioShack..\$10.98, Pierson Ford..\$125.10, Kirks Auto..\$22.00, Meister Media..\$170.00, New World Systems..\$43,574.74, Qwest Interprise..\$3227.00, Vantek Comm..\$5695.35:

Publications: American News..\$1402.00, Groton Independent..\$341.26, Mobridge Tribune..\$115.00:

Professional Fees: Kevin Spitzer..\$34.24, Avera Queen of Peace..\$73.50, Avera St Lukes..\$1379.45, Sheriff of Yankton County..\$33.00, Lewis & Clark BHS..\$520.00:

Transcriptions: Cheryl Hook..\$285.00, Neal Reporting..\$22.00:

Travel: Michael Wiese..\$7.68, Gene Loeschke..\$181.44, Mary Worlie..\$110.12, Melissa Koester..\$78.08, Ginger Walker..\$38.08:

Court Appointed Attorney: Randy Turner..\$23.00, Fox, Youngberg..\$416.00:

Utilities: Verizon..\$141.78, Cellular One..\$33.99, Northwestern Energy..\$1334.36, Northern Elec..\$162.73, Dependable Sanitation..\$159.00, Qwest..\$1626.14, A-1 Sanitation..\$159.00, Bureau of Admin..\$485.96:

Care of Poor: Rent – 3 recipients..Hecla City Economic Corp..\$250.00, Zumbaum Property Mgmt..\$200.00, Kurt Kruger..\$190.00; Dr/Hospital – 6 recipients..Avera St Lukes..\$14,024.98, Dakota Plains Surgical Center..\$10,425.13, Orthopedic Surgery Spec..\$1064.70, Avera Heart Hospital..\$15.00, Avera United Clinic..\$153.81; Burials – 2 recipients..Spitzer Funeral Home..\$3468.00; Utilities – 3 recipients..NWPS..\$649.40; Transportation – 1 recipient..Aberdeen Advanced Care..\$101.57. All members present voting aye. Motion carried.

PERSONNEL:

Moved by Wiese, seconded by Hansen to approve hiring Shannon Evans as guard, effective June 17, 2005, for purpose of prisoner transport. All members present voting aye. Motion carried.

Moved by Knecht, seconded by Wiese to approve hiring Tiffany Peper at the Assessor's Office, effective July 5, 2005 at \$9.97 per hour. All members present voting aye. Motion carried.

PROPERTY TRANSFER:

Moved by Knecht, seconded by Wiese to approve and authorize the Chairman sign agreements with the following entities who received equipment from the 2004 ODP Equipment Grant Program: Columbia FD (AED and mobile radios), City of Warner (Federal Siren), Marshall County (mobile and portable radios), Sunset FD (AED). All members present voting aye. Motion carried.

PREVENTION GRANT:

Moved by Fischbach, seconded by Wiese to approve Change Order No. 185.1b in amount of \$34,583.32; and further to approve and authorize the Chairman sign Addendum No. 3 to contract with Lutheran Social Services for School Based and Wrap Around Program at Aberdeen Central High School in total amount of \$101,783.32 (increased by change order 185.1b), effective October 1, 2004 - September 30, 2005, to be funded by DOJ Special Appropriation Grant #2001-JS-FX-0014-Year Four. All members present voting aye. Motion carried.

SHERIFF REPORTS:

Moved by Wiese, seconded by Knecht to approve the following May 2005 Sheriff Reports: Incidents and Offenses, Prisoner Care, JDC, Money deposited with the County Treasurer and Monthly activities. All members present voting aye. Motion carried.

RELIEF LIEN:

Commissioner Wiese offered the following Resolution:

RESOLUTION NO. 48-05

WHEREAS, Brown County has filed a Court Appointed Attorney Lien against an individual in amount of \$140.00, dated February 4, 1991; and

WHEREAS, said individual was residing at the Sands Motel at the time of the lien; and

WHEREAS, another individual who has always resided in Kingsbury County (DOB 2/28/76) has the same first and last name as the lien recipient; and

WHEREAS, sufficient evidence has been presented to confirm that the individual who has always resided in Kingsbury County is not the same individual receiving assistance.

NOW, THEREFORE BE IT RESOLVED that the Court Appointed Attorney Lien in amount of \$140.00 is the responsibility of the individual who resided at the Sands Motel and not against the individual who has always resided in Kingsbury County and was too young for a court appointed attorney lien at the time of filing.

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

ORDINANCE NO. 030:

Time and place, as advertised for Second Reading and possible Adoption of Ordinance No. 030 - Cutler Rezone. Moved by Knecht, seconded by Wiese to approve Second Reading and Adopt Ordinance No. 030, An Ordinance amending Title 4, Second Revision Brown County Ordinances, as amended to rezone

Lots 3 and 4 in the SW ¼ of Sec 31, except lake, Township 128N, Range 65W, Brown County, SD, subject to Lake Easement Contract of record for purpose of building a hunting lodge from Chapter 4.06 (AG-P) Agricultural Preservation District to Chapter 4.13 (C) Commercial District. Roll call vote: Commissioners Hansen-aye, Fischbach-aye, Knecht-aye, Wiese-aye, Feickert-aye. Ordinance adopted.

CLOSING AUDIT CONFERENCE:

Kay Fredrick, Department of Legislative Audits met with the Commission for closing conference for audit of fiscal year 2004.

HIGHWAY UPDATE:

Dirk Rogers, Highway Superintendent discussed intersection of 130th Street and Brown County #10 and presented a draft agreement for location of a BIA materials testing lab at the Brown County road maintenance yard to be considered at a later date.

TAXES – UNCOLLECTIBLE:

Moved by Fischbach, seconded by Hansen to declare the 2003 taxes (\$102.02), the 2004 taxes (\$99.30) and the 2005 taxes (\$97.98) on a 1971 Star Mobile Home uncollectible. All members present voting aye. Motion carried.

PARTIAL PAYMENTS CANCELLED:

Moved by Hansen, seconded by Knecht to authorize Sheila Enderson, County Treasurer to cancel partial payments for taxes (as authorized by SDCL 10-21-7) on the E 92' of Lots 1 & 2, Blk 32 Hagerty & Lloyds Addition, due to non-payment and proceed with tax deed process. All members present voting aye. Motion carried.

CITIZENS CORPS COUNCIL:

Commissioner Wiese offered the following Resolution:

**RESOLUTION NO. 49-05
Brown County Citizen Corps Council**

Whereas the Brown County Commission has the responsibility to develop plans to respond to emergencies in Brown County;

Whereas responders to emergencies in Brown County may be overwhelmed in a major incident;

Whereas the residents of Brown County have a long history of neighbor helping neighbor in difficult time small or large;

Therefore be it resolved that the Brown County Commission expand the Brown County Citizen Corps Council by two members.

Two additional at large representatives to be appointed for the initial periods of 2 and 1 year terms respectively.

The Citizen Corps Council will now consist of twelve members:

- 1 - Emergency Management Official
- 1 - Red Cross representative
- 1 - Salvation Army representative
- 1 - Hub Area Radio Club representative

- 1 - Civil Air Patrol representative
- 1 - Medical Community representative
- 1 - Law Enforcement representative
- 5 - At Large representatives

Dated this 21st day of June 2005.

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

CITIZEN CORPS COUNCIL:

Moved by Wiese, seconded by Knecht to amend the Brown County Citizen Corps Council, as follows: At Large Representative – Gwyn Fischbach (replacing Gordon Vanauken) with term ending December 31, 2007; Red Cross Representative – Marilee Frankenberger (replacing Gary King) with term ending December 31, 2005; At Large Representative – Rich Kezar with term ending December 31, 2005; At Large Representative – Lois Pletten with term ending December 31, 2006; Law Enforcement Representative – Keith Theroux with term ending December 31, 2007. All members present voting aye. Motion carried.

EXECUTIVE SESSION:

Moved by Knecht, seconded by Wiese to go into executive session for personnel discussion with Mary Worlie and Kathy Fischer in attendance. All members present voting aye. Motion carried.

The Chairman declared the executive session closed, with no action as result of the discussion.

RECESS:

The Chairman declared the Commission recessed until June 28, 2005.

Maxine Taylor – Brown County Auditor

JUNE 27, 2005 - JOINT CITY/COUNTY MEETING

The Brown County Commission and the Aberdeen City Commission met in joint session at 5:30 P.M. in the Aberdeen City Commission Chambers, 123 S Lincoln Street, Aberdeen, South Dakota. Present from City were Commissioners Omland, Klabo, McQuillen, Hodgin and Mayor Levsen. Present from County were Commissioners Hansen, Wiese and Fischbach. Absent Commissioners Knecht and Feickert.

ORDINANCE NO. 05-06-02/311:

On motion by McQuillen and seconded by Klabo, the City unanimously voted to approve First Reading of Ordinance No. 05-06-02/311.

Moved by Wiese, seconded by Hansen to approve First Reading of Ordinance No. 05-06-02/311, An Ordinance amending Ordinance No. 1164 to rezone the following described property from its present zoning designation of Section 701 (A-1) Agricultural District to Section 704 (R-2) Medium Density Residential District: Smith's Lot 1 in the NE ¼ of the SE ¼ of Sec 20-T123N-R63W of the 5th P.M., Brown County, SD. All members present voting aye. Motion carried.

ORDINANCE NO. 05-06-03/312:

On motion by Hodgin and seconded by Omland, the City unanimously voted to approve First Reading of Ordinance No. 05-06-03/312.

Moved by Hansen, seconded by Wiese to approve First Reading of Ordinance No. 05-06-03/312, An Ordinance amending Ordinance No. 1164 to rezone the following described property from its present zoning designation of Section 710 (I-2) Unrestricted Industrial District to Section 714 (M-AG) Mini-Agricultural District: West 150' of Lot 7, Except Lot 7A, Evelo's Subdivision in the NE ¼ of Sec 21-T123N-R64W and the East 150' of Lot 7, Except Lot 7A, Evelo's Subdivision in the NE ¼ of Sec 21-T123N-R64W of the 5th P.M., Brown County, SD. 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

JUNE 28, 2005 – GENERAL MEETING

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

MINUTES:

Moved by Wiese, seconded by Fischbach to approve the General Meeting minutes of June 21, 2005. All members present voting aye. Motion carried.

CLAIMS:

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

Payroll: Commissioners..\$2,683.65; Auditor..\$7,171.11; Treasurer..\$8,638.84; Data Processing..\$1,658.00, State's Attorney..\$8,552.15; Maintenance..\$5,252.47; Assessor..\$6,915.70; Planning & Zoning..\$588.00; Register of Deeds..\$5,085.64; Veterans Service Office..\$2,461.16; Sheriff..\$58,841.53; DOJ Grant..\$2,545.60; Communications..\$12,740.21; Welfare Office..\$2,745.72; Museum..\$4,760.68; Fairboard..\$1,343.84; Fairgrounds & Parks..\$3,624.82; Extension..\$1,311.10; Weed..\$4,812.44; Emergency Management..\$2,374.49; Weed and Seed..\$1,067.31; Highway..\$37,652.77; Landfill..\$6,502.85; Coroner..\$650.00; Matching Benefits: FICA..\$11,135.50, Medicare..\$2,604.20, Wellmark BCBS Life..\$673.46, Wellmark BCBS Health..\$54,251.30, Delta Dental..\$3,900.00, SD State Retirement..\$22,617.36;

Supplies: SDACC..\$7221.00, Exec Mgmt..\$27.57, New Trends..\$54.99, IAAO..\$175.00, Crucial Tech..\$330.12, RE Huffman..\$25.56, Best Business..\$33.20, Aberdeen School Dist..\$414.94, Bruce Petrie..\$5000.00, NECOG..\$1666.68, Brown County..\$7263.22, Groton Police..\$1499.99, Volunteers of America..\$1824.57, Dodge Co..\$236.36, Electronic Security..\$338.00, Bob Barker..\$230.86, Radio Shack..\$133.94, Safety Service..\$347.28, Parcel Erickson..\$477.65, Medical Center Pharm..\$14.61, Velvet Uniforms..\$3260.40, Vantek..\$23.00, Dept of Revenue..\$984.00, Aberdeen Chrysler Center..\$294.79, Barb Masgai..\$10.00, 3-D Specialties..\$83.00, Spec Mfg..\$46.60, Share Corp..\$484.80, Serocki Excavating..\$103,886.35, M-R Sign..\$563.37, Lyle Sign..\$220.29, Flint Hills..\$7280.04, Farm Power..\$330.70, Energy Alliance..\$13,702.50, Diesel Machinery..\$3006.06, Aries Graphics..\$1000.00, Mayo Clinic Health Letter..\$27.00, Kleins..\$16.16, Century Business Products..\$70.00, Van Diest..\$21,838.05, London Fog..\$156.50, Reuers Auto..\$217.67, Pro Ag..\$6764.00, Sec of State..\$25.00, IMT Ins..\$50.00, Cunningham Elec..\$38.76, Aberdeen Plumbing..\$215.80, Crescent Elec..\$15.91, Menards..\$77.54, Grote Roofing..\$232.50, Time Works..\$59.80, Western States Fire..\$566.81, Heartland Paper..\$450.72, Evergreen Supply..\$35.00, Farnams..\$13.52, Macs..\$10.34, Jacobson Elec..\$2394.63;

Publications: American News..\$258.93, Groton Independent..\$337.96, Dakota Press..\$332.54;

Professional Fees: City of Aberdeen..\$2000.00, witness fees..\$28.64, Kim Dorsett..\$2916.66, Richard Russman..\$2916.67, Kelly Marnette..\$5120.00, Avera St Lukes..\$62.00, Bob Walser..\$15.00, Nelva Kooistra..\$15.00, Donna Dietrich..\$127.27, NADRIC..\$1666.66;

Transcriptions: Tammy Erickson..\$34.85;

Travel: Mark McNeary..\$1154.94, Lori Ehlers..\$37.80, Golden Hills..\$72.00, Leo Leshner..\$237.44, George Hansen..\$91.20, Stan Beckler..\$56.64, Audrey Jacobson..\$45.60, Erling Podoll..\$10.00, Harley Gage..\$70.72, Jerry Streckfuss..\$68.16;

Court Appointed Attorney: Randy Turner..\$4166.67, Christy Serr..\$4166.67, Kuck Law Office..\$4166.67, William Gerdes..\$4166.67;

Utilities: Qwest..\$301.78, Cellular One..\$862.25, Cellular One..\$131.80, Midcontinent Cable..\$192.67, Northwestern Energy..\$182.58, Montana Dakota..\$29.93, Northern Elec..\$40.18;

Care of Poor: Rent – 4 recipients..Innkeeper..\$125.00, Maureen Wolf..\$170.00, Lowell Punt..\$100.00, George Marshall..\$220.00; Dr/Hospital – 4 recipients..Dakota Imaging..\$385.91, Aberdeen Family Physicians..\$511.69, Siouxland Anesthesia..\$160.00, Avera St Lukes..\$5214.80; Utilities – 1 recipient..City of Aberdeen..\$108.26; Insurance – 1 recipient..South Dakota Risk Pool..\$675.00, Medication – 1 recipient..Walmart Pharm..\$753.74. All members present voting aye. Motion carried.

PERSONNEL:

Moved by Wiese, seconded by Knecht to approve the following employee step/longevity increases, effective July 3, 2005: Sandy Green @ \$11.59 per hour, Joyce DesCamps @ \$13.21 per hour, Craig Nelson @ \$14.03 per hour. All members present voting aye. Motion carried.

Moved by Fischbach, seconded by Hansen to acknowledge resignation of Joel Weig, Mosquito Spray Operator, effective June 28, 2005. All members present voting aye. Motion carried.

WEED AND SEED:

Moved by Knecht, seconded by Wiese to approve for filing the Year #3 Evaluation Report (October 1, 2003 – September 30, 2004) for the Brown County Weed and Seed Grant #2002-WS-QX-0054, prepared by Dr. Bruce Petrie, Ph.D. All members present voting aye. Motion carried.

Moved by Knecht, seconded by Wiese to approve the Brown County Weed and Seed Monthly Expenses for June 2005 (Year Two 2002-WS-QX-0054), in amount of \$3,577.18. All members present voting aye. Motion carried.

Moved by Fischbach, seconded by Wiese to approve the Brown County Weed and Seed Monthly Expenses for June 2005 (Year Three 2002-WS-QX-0054), in amount of \$13,827.28. All members present voting aye. Motion carried.

Moved by Wiese, seconded by Knecht to approve the following Weed and Seed Year Three funding proposal: Brown County Weed and Seed (CADCA National Academy Coalition attendance), as recommended by the Steering Committee. All members present voting aye. Motion carried.

CLAIM ASSIGNMENT:

Moved by Fischbach, seconded by Wiese 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.

DOC CONTRACT:

Moved by Wiese, seconded by Hansen to approve and authorize the Chairman sign contract with the SD Department of Corrections for housing juveniles under the jurisdiction of the State at the Brown County Juvenile Detention Center, effective July 1, 2005 through June 30, 2006. All members present voting aye. Motion carried.

AGREEMENT:

Moved by Wiese, seconded by Hansen to approve and authorize the Chairman sign cooperative agreement with Aberdeen School District 6-1 to establish an educational program for youth placed in the Juvenile Detention Center, effective July 1, 2005 through June 30, 2006. All members present voting aye. Motion carried.

FIREWORKS PERMIT:

Moved by Wiese, seconded by Fischbach to approve and authorize the Chairman sign Fireworks Public Display Permit, submitted by Terry Voeltz DBA T' Promotions, 2622 13th Ave SE, Aberdeen, SD for a Class B Fireworks Display to be held on July 1, 2005 at the Brown County Fairgrounds. All members present voting aye. Motion carried.

PLATS:

Commissioner Wiese offered the following Resolution:

RESOLUTION NO. 50-05

BE IT RESOLVED by the County Commission of Brown County, SD, that the plat showing "Whitetail Meadows First Subdivision in NW¼ Sec 26-T123N-R65W 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 Hansen. Roll call vote: Commissioners Hansen-aye, Fischbach-aye, Knecht-aye, Wiese-aye, Feickert-aye. Resolution adopted.

Commissioner Fischbach offered the following Resolution:

RESOLUTION NO. 51-05

BE IT RESOLVED by the County Commission of Brown County, SD, that the plat showing "Schaeffer First Subdivision in NW¼ Sec 2-T121N-R64W 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 Hansen. Roll call vote: Commissioners Hansen-aye, Fischbach-aye, Knecht-aye, Wiese-aye, Feickert-aye. Resolution adopted.

Commissioner Wiese offered the following Resolution, subject to stipulation that access to Lot 2 is provided through Lot 1:

RESOLUTION NO. 52-05

BE IT RESOLVED by the County Commission of Brown County, SD, that the plat showing "Mitzel Subdivision in the NW¼ of Sec 21-T123N-R64W 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 Fischbach. Roll call vote: Commissioners Hansen-aye, Fischbach-aye, Knecht-aye, Wiese-aye, Feickert-aye. Resolution adopted.

Commissioner Hansen offered the following Resolution:

RESOLUTION NO. 53-05

BE IT RESOLVED by the County Commission of Brown County, SD, that the plat showing "Smith Lot 1 in NE¼ SE¼ Sec 20-T123N-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 Knecht. Roll call vote: Commissioners Hansen-aye, Fischbach-aye, Knecht-aye, Wiese-aye, Feickert-aye. Resolution adopted.

LEASE AGREEMENT:

Moved by Fischbach, seconded by Wiese to approve agreement, submitted by Tap Enterprises, Inc. for lease of the Expo Building on July 10, 2005. All members present voting aye. Motion carried.

AGREEMENTS:

Moved by Wiese, seconded by Knecht to approve and authorize the Chairman sign agreement with the Bureau of Indian Affairs for locating a BIA materials testing lab at the Brown County road maintenance yard. All members present voting aye. Motion carried.

TECHNOLOGY GRANT (CAD):

Moved by Wiese, seconded by Hansen to approve and authorize the Chairman sign agreement with New World Systems for additional software applications and licensing. All members present voting aye. Motion carried.

AREA IV NUTRITION 2006 BUDGET:

Area IV Nutrition Program Director Rick Pesek presented program information in regard to the 2006 Area IV Nutrition Program Budget request.

WEED & PEST CHEMICAL UPDATE:

Mark Hoven, Gary Erickson, Roger Johnson and VanDiest Chemical representative Dan Prospt met to discuss the procedure required for purchase of the chemical plateau, which is used to combat leafy spurge.

ORDINANCE NO 031 - SET HEARING DATE:

Moved by Wiese, seconded by Hansen to set public hearing for 9:00 a.m. on July 19, 2005 in the Commission Chambers, Courthouse Annex, Brown County, SD for First Reading of Ordinance No. 031, An Ordinance to rezone the following property from Agricultural Preservation District (AG-P) to Lake Front Residential District (R-3): Lots 1-31, Thorpe's 4th Elm Lake Subdivision in E ½ Sec 17-T128N-R65W, Brown County, SD. All members present voting aye. Motion carried.

ORDINANCE NO 032 - SET HEARING DATE:

Moved by Wiese, seconded by Hansen to set public hearing for 9:15 a.m. on July 19, 2005 in the Commission Chambers, Courthouse Annex, Brown County, SD for First Reading of Ordinance No. 032, An Ordinance to rezone the following property from Agricultural Preservation District (AG-P) to Mini-Agricultural District (M-AG): Whitetail Meadows First Subdivision in NW ¼ Sec 26-T123N-R65W, Brown County, SD. All members present voting aye. Motion carried.

FAIRGROUNDS CAMPGROUND:

Larry Gerlach, Fair Manager reported that five commitments have been received for the proposed new campground. The Commission put project on hold for 2005.

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

JULY 5, 2005 - JOINT CITY/COUNTY MEETING

The Brown County Commission and the Aberdeen City Council met in joint session at 10:00 A.M. in the Brown County Commission Chambers, 25 Market Street, Aberdeen, South Dakota. Present from City were Council Members Agnitsch, Aman, Bunsness, Campbell, Hodgins, McQuillen, Rux and Mayor Levsen. Council Member Mitchell was absent. Present from County were Commissioners Hansen, Fischbach, Knecht, Wiese and Feickert.

ORDINANCE NO. 05-06-02/311:

On motion by McQuillen and seconded by Bunsness, the City unanimously voted to approve Second Reading and Adoption of Ordinance No. 05-06-02/311.

Moved by Wiese, seconded by Fischbach to approve Second Reading and Adoption of Ordinance No. 05-06-02/311, An Ordinance amending Ordinance No. 1164 to rezone the following described property from its present zoning designation of Section 701 (A-1) Agricultural District to Section 704 (R-2) Medium Density Residential District: Smith's Lot 1 in the NE ¼ of the SE ¼ of Sec 20-T123N-R63W of the 5th P.M., Brown County, SD. Roll call vote: Commissioners Hansen-aye, Fischbach-aye, Knecht-aye, Wiese-aye, Feickert-aye. Ordinance adopted.

ORDINANCE NO. 05-06-03/312:

On motion by Rux and seconded by McQuillen, the City unanimously voted to approve Second Reading and Adoption of Ordinance No. 05-06-03/312.

Moved by Wiese, seconded by Hansen to approve Second Reading and Adoption of Ordinance No. 05-06-03/312, An Ordinance amending Ordinance No. 1164 to rezone the following described property from its present zoning designation of Section 710 (I-2) Unrestricted Industrial District to Section 714 (M-AG) Mini-Agricultural District: West 150' of Lot 7, Except Lot 7A, Evelo's Subdivision in the NE ¼ of Sec 21-T123N-R64W and the East 150' of Lot 7, Except Lot 7A, Evelo's Subdivision in the NE ¼ of Sec 21-T123N-R64W of the 5th P.M., Brown County, SD. Roll call vote: Commissioners Hansen-aye, Fischbach-aye, Knecht-aye, Wiese-aye, Feickert-aye. Ordinance adopted.

SET HEARING DATE:

On motion by McQuillen and seconded by Hodgins to City unanimously voted to set public hearing for 8:45 a.m. on July 26, 2005 for First Reading of Ordinance No. 05-07-01/313.

Moved by Wiese, seconded by Knecht to set public hearing for 8:45 a.m. on July 26, 2005 in the Brown County Commission Chambers, 25 Market Street for First Reading of Ordinance No. 05-07-01/313, An Ordinance to rezone the following property from Section 701 (A-1) Agricultural District to Section 714 (M-AG) Mini-Agricultural District: Wagner's Outlot A except the N 217' in the SE¼ of Sec 35-T124N-R64W of the 5th P.M., Brown County, SD. All members present voting aye. Motion carried.

The City Council adjourned and the County continued into their regular meeting.

Maxine Taylor – Brown County Auditor

JULY 5, 2005 – GENERAL MEETING

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

MINUTES:

Moved by Wiese, seconded by Fischbach to approve the Joint City/County Meeting minutes of June 27, 2005 and the General Meeting minutes of June 28, 2005. All members present voting aye. Motion carried.

CLAIMS:

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

Supplies: Heartland Paper..\$204.16, Menards..\$138.83, Walmart..\$414.07, PLF Inc..\$223.47, Galls..\$41.94, Visa..\$105.84, DocuSource..\$98.36, DT Pharmacy..\$812.92, Langs..\$230.00, Best Business..\$265.33, Hoven Auto..\$440.42, Parcel Erickson..\$31.95, Radio Shack..\$29.98, Bob Barker..\$284.92, Vantek..\$16,537.50, US Post Office..\$201.94, Heartland Paper..\$136.83, Kone..\$3280.00, Respond..\$24.25, UBC..\$48.10, McFarland..\$147.01, Aberdeen Plumbing & Heating..\$105.06, Rob Waltman..\$750.00, Sherwin Williams..\$49.90, SDAAO..\$1220.00, Office Max..\$347.95, New Trends..\$7.70, Scott Madsen..\$995.04, Serocki Excavating..\$117,591.60, Macs..\$184.39, M-R Signs..\$250.55, Lien Trans..\$17,347.43, Keeley Lumber..\$77.55, Habecks Radiator..\$725.00, Diesel Machinery..\$1147.50, Crawford Trucks..\$1098.29, HC Clark..\$139.80, Clark Engineering..\$1967.98, Butler Machinery..\$1436.75, Bridgestone/Firestone..\$28.00, Barnes Dist..\$273.47, Sherri Rawstern..\$14.63, Quality Quick Print..\$1135.90, Walmart..\$65.50, McGarry Elec..\$204.08, A&M Radio..\$51.50, Van Diest..\$11,539.00, Roto Rooter..\$80.00, Pizza Ranch..\$50.94, Lab Safety..\$550.39, Hedahls..\$30.86, Aberdeen Plumbing & Heating..\$1482.26:

Publications: Groton Independent..\$280.80, Parks & Recreation..\$75.00, American News..\$225.28:

Professional Fees: Sheriff of Yankton County..\$16.50, NE Mental Health..\$585.20, Harlow Orthopedics..\$47.95, Avera United Clinic..\$100.83, Avera St Lukes..\$1479.91, SD Urban Indian Health..\$20.75, witness fees..\$60.00:

Transcriptions: Shepherd Reporting..\$25.00, Neal Reporting..\$117.80:

Travel: Deb Knecht..\$201.60, Patty VanMeter..\$126.48:

Utilities: Midcontinent Cable..\$76.30, Qwest..\$40.59:

Care of Poor: Rent – 6 recipients..Falcon Rentals..\$185.00, Lakeside Estates..\$158.00, Ron Erdmann..\$322.50, Bryce Loudon..\$200.00; Dr/Hospital – 2 recipients..Orthopedic Surgery Spec..\$2417.59, Dr Tage Born..\$1008.00; Burials – 2 recipients..Sunset Memorial Gardens..\$425.00, Carlsen Funeral Home..\$2064.75, Miller Huebl Funeral Home..\$1200.00; Utilities – 2 recipients..City of Aberdeen..\$156.65, NWPS..\$152.11; Transportation - 1 recipient..Jefferson Lines..\$99.80. All members present voting aye. Motion carried.

PERSONNEL:

Moved by Wiese, seconded by Hansen to approve hiring John Burkard as part-time JDC Officer, effective July 3, 2005 at \$9.12 per hour. All members present voting aye. Motion carried.

PREVENTION GRANT:

Moved by Wiese, seconded by Hansen to approve employee status change for David Koch from full-time Community Resource Coordinator (funded by the Brown County Special Appropriation "Prevention and Intervention Programs for at-risk and detained youth" Grant #2001-JS-FX-0014) to full-time Home Detention Officer, effective July 3, 2005 at \$10.70 per hour. All members present voting aye. Motion carried.

Moved by Hansen, seconded by Wiese to approve and authorize the Chairman sign Financial Form 269 for April through June 2005 for the Brown County Special Appropriation "Prevention and Intervention Programs for at-risk and detained youth" Grant #2001-JS-FX-0014. All members present voting aye. Motion carried.

COPS 2003 TECHNOLOGY GRANT:

Moved by Knecht, seconded by Hansen to approve and authorize the Chairman sign Financial Form 269 for April through June 2005 for the COPS 2003 Technology Grant #2003-CK-WX-0177. All members present voting aye. Motion carried.

COPS 2004 TECHNOLOGY GRANT:

Moved by Wiese, seconded by Fischbach to approve and authorize the Chairman sign Financial Form 269 for April through June 2005 for the COPS 2004 Technology Grant #2004-CK-WX-0150. All members present voting aye. Motion carried.

WEED AND SEED:

Moved by Knecht, seconded by Hansen to approve and authorize the Chairman sign Financial Form 269 for April through June 2005 for the Brown County Weed and Seed Grant #2002-WS-QX-0054. All members present voting aye. Motion carried.

LEASE AGREEMENT:

Moved by Fischbach, seconded by Wiese to approve and authorize the Chairman sign agreement with the Jark/Worlie Auction Service for lease of the Clubhouse, effective July 10, 2005. All members present voting aye. Motion carried.

LOTTERY APPLICATION:

Moved by Knecht, seconded by Hansen to approve and authorize the Chairman sign application, submitted by the VFW for a raffle to be held on July 22, 2005. All members present voting aye. Motion carried.

APPLICATION FOR OCCUPANCY:

Moved by Wiese, seconded by Hansen to approve and authorize the Chairman sign application, submitted by James Valley Telecommunications for occupancy of Brown County Highway #13 in Sec 16 & 21-T124N-R61W, Brown County, SD to provide communications services. All members present voting aye. Motion carried.

RECESS:

The Chairman declared the Commission recessed until July 12, 2005.

Maxine Taylor – Brown County Auditor

JULY 12, 2005 – GENERAL MEETING

Meeting called to order by Chairman Feickert at 8:45 A.M. in the Commissioner's Chambers, Courthouse Annex, Brown County, SD. Present were Commissioners Hansen, Fischbach, Knecht 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, 2005. All members present voting aye. Motion carried.

CLAIMS:

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

Payroll: Commissioners..\$2,683.65; Auditor..\$6,499.24; Treasurer..\$8,651.64; Data Processing..\$1,658.00; State's Attorney..\$8,960.45; Maintenance..\$5,313.52, Assessor..\$7,473.92; Planning & Zoning..\$588.00; Register of Deeds..\$4,480.31; Veterans Service Office..\$2,508.81; GIS..\$846.16; Sheriff..\$56,541.74; DOJ Grant..\$2,545.60; Communications..\$13,097.17; Welfare Office..\$2,810.30; Museum..\$4,760.68; Fairgrounds & Parks..\$3,631.74, Fairboard..\$1,343.84; Extension..\$1,283.04; Weed..\$4,801.21; Emergency Management..\$2,470.55; Weed and Seed Grant..\$1,067.31; Highway..\$38,216.28; Landfill..\$6,730.95; Matching Benefits: FICA..\$11,042.10; Medicare..\$2,582.45;

Supplies: Best Business..\$1264.09, CDW Govt..\$1034.59, Runnings..\$2766.59, Woodman Refrigeration..\$1005.83, House of Glass..\$112.00, Matthew Bender..\$76.15, OK Tire..\$7.00, Menards..\$1181.20, Sanders Sew 'N Vac..\$54.36, New Trends..\$164.92, Duanes Amoco..\$57.85, Dicks Westside..\$49.90, Ecolab..\$81.50, Career Planning..\$467.50, Velvet Uniforms..\$216.67, Best Western Ramkota..\$186.70, Accurint..\$10.10, Sirchie..\$110.53, Kesslers..\$289.05, OK Tire..\$12.00, HRS..\$4610.29, Warner School Dist..\$1705.50, Spec Mfg..\$15.95, Sheehan Mack Sales..\$418.42, Serocki Excavating..\$48,080.94, Safety Service..\$2541.41, S&S Lumber..\$1464.37, Pro Ag Supply..\$79.40, Office Max..\$458.51, Newman Signs..\$712.50, Nelson Sales..\$8.33, Midwest Pump & Tank..\$274.19, M-R Signs..\$5518.28, Lust Chev..\$22.34, Loup Valley Supply..\$158.80, James Loterbauer..\$90.00, Lien Transportation..\$7128.67, Interstate Battery..\$71.95, Huron Culvert..\$137.50, Great Western Tire..\$6362.41, Farnams..\$540.09, Farm Plan..\$117.33, Farm & Home Pub..\$248.50, Evergreen Supply..\$84.26, JD Evans..\$73.76, Erdmann Oil..\$2058.19, Energy Allilance..\$14,550.90, Dakota Oil..\$1349.85, Dakota Fluid Power..\$666.72, Cartney Bearing..\$661.03, Barnes Dist..\$640.56, Ameripride..\$199.64, Aberdeen Chrysler..\$156.00, SD Magazine..\$217.00, Lora Schaunaman..\$9.28, Glas Consulting..\$25.00, UBC..\$63.60, Cunningham Elec..\$193.80, Hedahls..\$7.10, Donna Hoffman..\$20.00, Alexander Mitchell Library..\$10,000.00, Hewlett Packard..\$245.00, Aberdeen Radio Ranch..\$850.00, APCO..\$175.00, Nat'l Emergency Number Assoc..\$25.00, Travel Host..\$168.00, Farm & Home Pub..\$240.00, Dakota Electronics..\$1202.80, A&M Radio..\$510.78, Rockhurst University..\$169.00, 2005 Western Terr. Conf..\$100.00, Sportsman Sales..\$83.00, Successful Events..\$514.35, JD Evans..\$245.22, RDO Equip..\$8995.00, Ameripride..\$64.90, Safety-Klein..\$296.15, Brown County..\$110.91, Praxair..\$15.70, Powerplan..\$224.32, Erdmann Fuel..\$3343.17, OK Tire..\$575.00, Sheehan Mack Sales..\$97.80, House of Glass..\$205.14, SD Dept of Rev..\$3389.33, Bricks..\$1802.50, Safety Service..\$289.85, Earth Tech..\$3169.92, Butler Machinery..\$1327.07, Overhead Door..\$126.48, Walmart..\$58.62, MVTL Lab..\$34.40, UBC..\$47.56;

Publications: American News..\$1900.18;

Professional Fees: Judy Albrecht..\$100.00, SD Urban Indian Health..\$20.75, Avera St Lukes..\$3570.69, Northern Plains Psychological Assoc..\$94.04, NE Mental Health..\$58.52, Gene Wolter..\$656.12, Jesse Luce Jr..\$782.72, Don Hurst..\$75.00, Loy Stange..\$116.34, Paula Beckler..\$75.00, EideBailly..\$234.00, Aberdeen City Treasurer..\$18,571.42;

Transcriptions: Neal Reporting..\$54.40;

Travel: Dennis Feickert..\$121.60, Jim Payne..\$48.64, Gene Loeschke..\$166.40, Sherry Theobald..\$12.16, Danielle Radke..\$25.60, Sarah Jesz..\$158.40, Betty Haar..\$122.12, Sandy Hjermstad..\$21.00;

Utilities: Midcontinent Cable..\$135.15, City of Aberdeen..\$813.42, Northwestern Energy..\$8004.53, Northern Valley Comm..\$72.77, Northern Elec..\$408.42, James Valley Co-Op..\$561.40, Town of Frederick..\$28.25, WEB..\$149.40, Cellular One..\$272.29, AT&T..\$48.84, Verizon..\$43.44, Northern Wireless..\$110.85, Dependable Sanitation..\$22,242.02:

Care of Poor: Rent – 8 recipients..Paula Jerke..\$260.00, Don Gisi..\$185.00, Daniel Brenner..\$200.00, Dallas Niederbaumer..\$130.00, White House Inn..\$32.00, Aberdeen Housing Authority..\$142.00, Thomas Croymans..\$165.00, Kurt Kruger..\$190.00; Dr/Hospital –2 recipients..Avera United Clinic..\$28.70, Northern Plains OMS..\$132.21; Medications – 6 recipients..Lewis Family Drug..\$204.08, K-Mart Pharm..\$3.99, Kessler Pharm..\$195.32, Medical Center Pharm..\$303.35; Utilities – 3 recipients..NWPS..\$488.55; Transportation - 1 recipient..Brown County..\$18.31. All members present voting aye. Motion carried.

PERSONNEL:

Moved by Wiese, seconded by Knecht to approve the following employee step/longevity increases, effective July 17, 2005: Pam Ernst @ \$11.32 per hour, Jason Heagley @ \$11.65 per hour. All members present voting aye. Motion carried.

Moved by Wiese, seconded by Knecht to approve hiring Nathan Locken as Seasonal Highway Employee without a CDL, effective July 18, 2005 at \$7.59 per hour. All members present voting aye. Motion carried.

DISASTER DECLARATION:

Commissioner Knecht offered the following Resolution:

RESOLUTION 54 -05

RESOLUTION FOR DECLARATION OF EMERGENCY/DISASTER

WHEREAS, Brown County, South Dakota has suffered severe damage due to flooding during the week of June 26th, 2005;

WHEREAS, this flooding has made county and township roads impassable on a daily basis for school busses, emergency vehicles, and regular commerce;

WHEREAS, Brown County has committed all available resources and taken all possible actions within the jurisdictional boundaries to combat and to alleviate the disaster, local resources are not adequate to cope with the situation, and help from other sources is needed.

NOW, THEREFORE, BE IT RESOLVED by the Brown County Commission at a regular meeting held on July 12, 2005, it is hereby requested that the Governor declare a disaster to exist in the County of Brown.

Adopted this 12th day of July 2005.

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

DIVE TEAM:

Moved by Wiese, seconded by Hansen to appoint the following to the Brown County Dive Team, effective June 28, 2005: Rick Adema, Trent Anderson, Matt Farley, Steve Hairgrove, Mike Miller, Tom

Tarnowski, Kevin Vaughn, Dave Volek, Brad Waage and Kent Warrey, Barry Smith, Lynn Hovel, Brent Swenson, Lee Swenson. All members present voting aye. Motion carried.

AUDITORS REPORT OF ACCOUNT:

Moved by Hansen, seconded by Fischbach to approve the June 2005 Auditor's Report of Account with the County Treasurer in total amount of \$9,828,290.95 (total amount of actual cash @ \$3,300.21, Wells Fargo Bank @ \$3,694.79, US Bank @ \$235,132.71, Dacotah Bank @ \$28,197.98, Petty Cash @ \$1,700.00, Fund Investments @ \$9,556,065.47, Outstanding Checks @ \$199.79). All members present voting aye. Motion carried.

LETTER OF SUPPORT:

Moved by Hansen, seconded by Wiese to approve and authorize the Chairman sign letter of support for the Northeast South Dakota Community Action Program. All members present voting aye. Motion carried.

CANCEL CHECKS:

Moved by Wiese, seconded by Fischbach to cancel the following outstanding checks, effective July 12, 2005: Dacotah Bank: #12563 @ \$1.63 Gene Wolter, #12676 @ \$1.53 Franjo Inc, #12714 @ \$1.00 Ann Benson, #12753 @ \$29.40 Brenda Delaney, #12911 @ \$1.59 Clark Title or Allen Arndt, #62360 @ \$194.06 Robert Lindell, #64459 @ \$22.56 Shaun Snyder, #64463 @ \$22.56 Caroline Thorsen; US Bank: #53759 @ \$26.80 MVT Lab, #55294 @ \$13.48 Donnie Schumacher, #57864 @ \$167.00 James Lickfelt, #59496 @ \$10.58 Anthony Janusz, #59519 @ \$12.90 Lance Smith, #15353 @ \$6.00 Sunstrust, #15388 @ \$8.10 Steven Melby. All members present voting aye. Motion carried.

INTEREST STATEMENT:

Moved by Wiese, seconded by Knecht to accept for filing the second quarter interest statement, submitted by County Treasurer Sheila Enderson. All members present voting aye. Motion carried.

PLAT:

Commissioner Hansen offered the following Resolution:

RESOLUTION NO. 55-05

BE IT RESOLVED by the Board of County Commissioners of Brown County, SD, that the plat showing "Knudsen Conservation Easement Tracts 1, 2 and 3 in the NW ¼ and NE ¼ of Sec 14-T123N-R62W of the 5th P.M., Brown County, SD", 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, Fischbach-aye, Knecht-aye, Wiese-aye, Feickert-aye. Resolution adopted.

SHERIFF REPORTS:

Moved by Wiese, seconded by Knecht to approve the following June 2005 Sheriff Reports: Incidents and Offenses, Prisoner Care, JDC, Money deposited with the County Treasurer and Monthly activities. All members present voting aye. Motion carried.

AMBULANCE DISCUSSION:

Mayor Levsen, Karl Alberts and Bill Winter met to discuss the county cost share of the Aberdeen Advanced Care Ambulance Service in amount of \$18,571.42. The Commission approved payment.

EXECUTIVE SESSION:

Moved by Wiese, seconded by Knecht to go into executive session for contract discussion with Kurt Smith and Beth Smith in attendance. All members present voting aye. Motion carried.

The Chairman declared the executive session closed, with no action as a result of the discussion.

SHERIFF DEPARTMENT UPDATE:

Sheirff Mark Milbrandt and Chief Jailer Craig Nelson discussed shift officers and plans for next phase of department remodel. Judy Dosch was also in attendance.

URBAN BOUNDARY MAP:

Commissioner Wiese offered the following Resolution:

**RESOLUTION NO. 56-05
APPROVING THE SOUTH DAKOTA DEPARTMENT OF TRANSPORTATION
PROPOSED FUNCTIONAL CLASSIFICATION**

WHEREAS, there are identified specific types of roads and corresponding functions of those roads, some of which have not been updated for several years; and

WHEREAS, the Federal Highway Administration (FHWA), has prescribed rules governing the functional classification of roadways within Brown County; and

WHEREAS, the South Dakota Department of Transportation (SDDOT) has verified all roadway mileage for Brown County, and

WHEREAS, SDDOT has recommended that changes be made to specific roadways based upon functional classification standards as prescribed by FHWA.

NOW, THEREFORE, BE IT RESOLVED, that the Board of County Commissioners hereby approve those changes recommended by SDDOT as evidenced in the document entitled "SDDOT Proposed Functional Classification Modifications" for Brown County.

Adopted this 12th day of July 2005.

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

RECESS:

The Chairman declared the Commission recessed until July 19, 2005.

Maxine Taylor – Brown County Auditor

JULY 19, 2005 – GENERAL MEETING

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

MINUTES:

Moved by Wiese, seconded by Knecht to approve the General Meeting minutes of July 12, 2005. All members present voting aye. Motion carried.

CLAIMS:

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

Supplies: Office Max..\$784.25, Langs..\$50.00, Kaleidoscope Media..\$737.00, Thompson West..\$345.00, Office Equip..\$223.14, New Trends..\$44.29, UBC..\$5.37, Dakota Supply..\$19.05, Crescent Electric..\$32.10, Ecolab..\$75.00, Taylor Laundry..\$24.00, Menards..\$359.41, Western Printing..\$843.80, Schatz Ins..\$50.00, Best Business..\$35.00, Civil Air Patrol..\$195.00, Hecla Ambulance..\$200.00, Langs..\$38.00, Hoven Auto Repair..\$24.64, Dakota Electronics..\$6248.04, Galls..\$60.98, DT Pharmacy..\$1564.32, Parcel Erickson..\$27.95, West Payment..\$1106.64, Earthgrains..\$575.83, Photo Xpress..\$24.28, Amoco..\$83.30, Fleet..\$86.50, Bonnie Bitz..\$238.00, TriState Water..\$23.60, Quality Quick Print..\$1674.88, Sioux Equip..\$297.30, Safelite Auto..\$40.00, Old Dominion Brush..\$738.64, Newman Signs..\$72.23, Mathison..\$28.27, Lighthouse Pointe..\$50.00, Lien Trans..\$9065.89, Larson Blacksmith..\$15.00, Huron Culvert..\$18.17, Fastenal..\$183.14, Violet Dinger..\$48.62, Carquest..\$1984.72, Aberdeen Asphalt..\$121,114.38, Parks & Rec..\$75.00, Central Supply..\$60.38, Ameripride..\$38.39, Dacotah Prairie Museum..\$5.33, Lora Schaunaman..\$6.34, Aberdeen Hockey..\$1054.90, HC Clark..\$460.88, Dakota Supply..\$29.08, TSC..\$21.93, Jacobson Elec..\$1309.68, OK Tire..\$15.00, Parkview Nursery..\$46.13, Farnams..\$49.52, Meyers..\$75.00, Runnings..\$313.70, Brown County 4-H Leaders..\$5000.00, DI/AN Ent..\$3732.00, GLAS Consulting..\$106.25, Mike Hassebrook..\$180.00, Shopko..\$28.42, Paper Warehouse..\$6.58, Creative Signs..\$441.00, Larry Gerlach..\$156.80, Graham Tire..\$34.00, Sec of State..\$25.00, Mark Milbrandt..\$10.04, Brown County Weed..\$35.31, Reserve Acct..\$5000.00, Aberdeen Plumbing..\$62.35, Walmart..\$11.91:

Publications: American News..\$295.77, Groton Indep..\$164.61, Midland Press..\$380.00:

Professional Fees: Northeastern Mental Health..\$234.08, Avera St Lukes..\$595.00, Gene Carr..\$120.00, Jean Hommel..\$115.00, Nelva Kooistra..\$15.00, Cathy Rehfuss..\$15.00, Donna Dietrich..\$125.77:

Transcriptions: Michelle Gaikowski..\$98.60:

Travel: Mark Milbrandt..\$595.00, Tom Fischbach..\$170.24:

Court Appointed Attorney: Yankton County..\$93.55:

Utilities: Dependable Sanitation..\$371.00, Northwestern Energy..\$2162.58, Verizon..\$211.85, Qwest..\$1769.70, City of Hecla..\$64.30, City of Aberdeen..\$1675.75, Northern Valley Comm..\$71.28, Northern Elec..\$308.23, A-1 Sanitation..\$159.00, Bureau of Admin..\$525.85:

Care of Poor: Rent – 7 recipients..Danne..\$200.00, Vern Lindgren..\$189.00, Chuck Currie..\$240.00, Jim Lorenz..\$130.00, Kurt Kruger..\$190.00, Eddy Falcon..\$200.00, Donald Peck..\$260.00; Dr/Hospital – 2 recipients..Avera St Lukes..\$8917.52; Utilities – 1 recipient..NWPS..\$195.00. All members present voting aye. Motion carried.

PERSONNEL:

Moved by Wiese, seconded by Fischbach to approve employee status change for Marjorie Lammon from full-time to part-time corrections officer in the Jail, effective August 1, 2005 at \$9.12 per hour. All members present voting aye. Motion carried.

Moved by Wiese, seconded by Knecht to acknowledge the following miles driven and amount to be taxed for personal use of County vehicles during March, April, May and June 2005: Richard Burns – 284 @

\$92.30, Dirk Rogers – 2340 @ \$760.50, Mike Scott – 604 @ \$196.30. All members present voting aye. Motion carried.

LOTTERY APPLICATION:

Moved by Fischbach, seconded by Wiese to approve the following application, submitted by Rondell Robins 4-H Club for raffle to be held August 21, 2005. All members present voting aye. Motion carried.

LEASE AGREEMENT:

Moved by Knecht, seconded by Wiese to approve the following agreement, submitted by the Jim River Riders for lease of the Open Horse Arena on August 14, 2005. All members present voting aye. Motion carried.

CANCEL CHECKS:

Moved by Hansen, seconded by Wiese to cancel the following checks from the Sheriff Department: #3137 @ \$.70; #3279 @ \$1.40; #3302 @ \$.64; #3951 @ \$.35. All members present voting aye. Motion carried.

TOWNSHIP BONDS:

Moved by Wiese, seconded by Knecht to approve the following Township Bonds: LANSING #5 – Sharon Lehr (Treasurer); ONEOTA #6 – Neil Schaunaman (Clerk); NORTH DETROIT #9 – Sandy Dinger (Treasurer), Cindy Olson (Clerk); CLAREMONT #10 – Justin Wegleitner (Clerk); CAMBRIA #15 – Ronald Ringgenberg (Clerk), Monte McNickle (Treasurer); GROTON #17 – Jeff Howard (Clerk); MERCIER #21 – Randy Bauer (Clerk); EAST HANSON #25 – Lance Larsen (Clerk), Dennis Pigors (Treasurer); GARDEN PRAIRIE #26 – Steve Dunker (Treasurer), Todd Osterman (Clerk); OSCEOLA #29 – Chris Sumption (Clerk); PUTNEY #48 – Kevin Pharis (Clerk), Bill Schuelke (Treasurer). All members present voting aye. Motion carried.

ORDINANCE NO. 031:

Time and place, as advertised for First Reading of Ordinance No. 031 Thorpe Rezone. Moved by Fischbach, seconded by Wiese to approve First Reading of Ordinance No. 031, An Ordinance amending Title 4, Second Revision Brown County Ordinances, as amended to rezone Lots 1-31, Thorpe's 4th Elm Lake Subdivision in E ½ Sec 17-T128N-R65W, Brown County, SD for proposed housing development from Chapter 4.06 (AG-P) Agricultural Preservation District to Chapter 4.10 (R-3) Lake Front Residential District. All members present voting aye. Motion carried.

ORDINANCE NO. 032:

Time and place, as advertised for First Reading of Ordinance No. 032 Didreckson Rezone. Moved by Fischbach, seconded by Hansen to approve First Reading of Ordinance No. 032, An Ordinance amending Title 4, Second Revision Brown County Ordinances, as amended to rezone Whitetail Meadows 1st Subdivision in NW ¼ Sec 26-T123N-R65W, Brown County, SD for proposed housing development from Chapter 4.06 (AG-P) Agricultural Preservation District to Chapter 4.07 (M-AG) Mini-Ag District. All members present voting aye. Motion carried.

APPLICATION FOR OCCUPANCY:

Moved by Fischbach, seconded by Wiese to approve application, submitted by NorthWestern Energy for occupancy of Brown County Highway #12 in Sec 15, 16, 21 & 22-T123N-R64W Brown County, SD for installation of a natural gas pipeline. All members present voting aye. Motion carried.

BID – ROAD #27:

Moved by Hansen, seconded by Knecht to authorize advertising public hearing to be held at 9:00 a.m. on August 9, 2005 in the Commissioner's Chambers, Courthouse Annex to open, read and consider bids for

gravel base, pulverizing and asphalt concrete pavement on 3.5 miles of Brown County Road 27. The project begins at the Brown County/Edmunds County line then going east 3.0 miles to a point 4.5 miles west of Mansfield, then continuing thru Mansfield beginning west of the DM&E Railroad track, then going east 0.5 miles to the beginning of the in-place County bridge just east of Mansfield. The work includes grade preparation, gravel base, pulverizing, asphalt concrete pavement, seeding and fertilizing. All members present voting aye. Motion carried.

EXECUTIVE SESSION:

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

The Chairman adjourned executive session, with no action as a result of the discussion.

FAIR BOARD:

Barb Paepke and Tammy Dennert invited the Commission and spouses to the 2005 Friends of the Fair Picnic, to be held Tuesday, July 26, 2005.

EXECUTIVE SESSION:

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

The Chairman adjourned executive session, with no action as a result of the discussion.

WEED AND SEED GRANT AWARD:

Moved by Knecht, seconded by Wiese to approve and authorize the Chairman sign FY 2004 Grant Award and Special Condition documentation for continuation of Brown County Weed and Seed Grant #2005-WS-Q5-0089, effective until September 30, 2005 in amount of \$175,000.00. All members present voting aye. Motion carried.

RECESS:

The Chairman declared the Commission recessed until July 26, 2005.

Maxine Taylor – Brown County Auditor

JULY 26, 2005 - JOINT CITY/COUNTY MEETING

The Brown County Commission and the Aberdeen City Council 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 Council Members Agnitsch, Aman, Campbell, Hodgin, McQuillen and Mayor Levsen. Absent Council Members Bunsness, Mitchell and Rux. Present from County were Commissioners Hansen, Fischbach, Knecht, Wiese and Feickert.

ORDINANCE NO. 05-07-01/313:

On motion by McQuillen and seconded by Hodgin, the City unanimously voted to approve First Reading of Ordinance No. 05-07-01/313.

Moved by Knecht, seconded by Fischbach to approve First Reading of Ordinance No. 05-07-01/313, An Ordinance amending Ordinance No. 1164 to rezone the following described property from its present zoning designation of Section 701 (A-1) Agricultural District to Section 714 (M-AG) Mini-Agricultural District: Wagner's Outlot A Except the N 217' in the SE ¼ of Sec 35-T124N-R64W of the 5th P.M., Brown County, SD. All members present voting aye. Motion carried.

The City Council adjourned and the County continued into their regular meeting.

Maxine Taylor – Brown County Auditor

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JULY 26, 2005 – GENERAL MEETING

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

MINUTES:

Moved by Knecht, seconded by Wiese to approve the General Meeting minutes of July 19, 2005. All members present voting aye. Motion carried.

CLAIMS:

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

Payroll: Commissioners..\$2,683.65; Auditor..\$6,499.24; Treasurer..\$8,795.53; Data Processing..\$1,658.00, State's Attorney..\$9,147.05; Maintenance..\$5,291.99; Assessor..\$8,074.07; Planning & Zoning..\$593.51; Register of Deeds..\$4,585.00; Veterans Service Office..\$2,475.82; GIS..\$1,692.31; Sheriff..\$59,316.44; DOJ Grant..\$2,545.60; Communications..\$13,562.60; Welfare Office..\$2,745.72; Museum..\$4,760.68; Fairboard..\$1,343.84; Fairgrounds & Parks..\$3,596.09; Extension..\$1,329.51; Weed..\$4,384.09; Emergency Management..\$2,493.41; Weed and Seed..\$1,067.31; Highway..\$37,073.76; Landfill..\$6,583.85; Matching Benefits: FICA..\$11,279.88, Medicare..\$2,638.05, Wellmark BCBS Life..\$682.46, Wellmark BCBS Health..\$55,060.30, Delta Dental..\$3,952.00, SD State Retirement..\$22,816.77:

Supplies: Pitney Bowes..\$297.00, Sams Sound Service..\$136.70, West Payment..\$2065.59, Hewlett Packard..\$5.00, CDW Govt..\$715.80, Ecolab..\$79.00, Menards..\$41.33, Sanders..\$39.96, Gardner Locksmith..\$55.40, Academy..\$8.00, Hotel at Gateway Center..\$231.84, NECOG..\$1671.91, SD Dept of Rev..\$245.00, Avera Health..\$350.00, Mark Milbrandt..\$111.88, Pierre Police Dept..\$30.00, SD Sheriff Assn..\$47.75, SD Federal Property..\$113.50, Dawn Woods..\$128.00, Evercom..\$1000.00, Best Business..\$189.46, Tel Serv..\$35.00, Phillips 66..\$216.76, Velvet Uniforms..\$168.46, Aberdeen Asphalt..\$95,729.75, Z&S Dust..\$4620..50, Van Diest..\$2710.40, SD Dept of Trans..\$6846.04, Palmer Dist..\$75.00, Lien Transportation..\$992.63, Larson Blacksmith..\$15.00, Kens Alignment..\$267.26, K-Mart..\$21.99, Diesel Machinery..\$2960.00, Caspers Hwd..\$25.77, NADRIC..\$1666.66, Century Business..\$79.47, Cartney Bearing..\$54.96, Dakota Oil..\$115.37, Hedahls..\$41.75, Van Diest..\$11,284.25, ProAg Supply..\$967.85, New Trends..\$120.06, M&T Fire..\$2290.00, Burghardt Amateur Center..\$1428.40, Wireless World..\$300.00, Postive Promotions..\$688.85, DSS Image Apparel..\$149.25, HF Jacobs..\$8662.99, Nelson Auto..\$15.36, Earth Tech..\$6112.44, Brown County..\$7078.42, SD Dept of Rev..\$3190.81, Sewer Duck..\$100.00, Brick Propane..\$15.00, NECOG..\$1666.68, Volunteers of America..\$3329.30, City of Groton..\$453.06, Lutheran Social Services..\$30,766.28, HC Clark..\$284.23, Twin City Roofing..\$6890.00, Walmart..\$29.32, Macs..\$50.94, TSC..\$172.83, Safe Harbor..\$335.97:

Publications: American News..\$321.95, Groton Indep..\$276.07:

Professional Fees: Richard Russman..\$2916.67, Kim Dorsett..\$2916.68, Avera St Lukes..\$488.14, Dakota Imaging..\$406.07, witness fees..\$40.00:

Transcriptions: Neal Reporting..\$85.00:

Travel: Leo Leshner..\$222.72, Mary Worlie..\$176.92, Gene Loeschke..\$140.48, Carol Sherman..\$64.00, Scott Madsen..\$47.00, Judy Hauge..\$775.00, City of Groton..\$77.12, Gary Erickson..\$75.55, Marg Zastrow..\$344.00, Tabatha Moore..\$56.00, Jason Lemke..\$365.76:

Court Appointed Attorney: Christy Serr..\$4244.28, William Gerdes..\$4166.67, Kuck Law Office..\$4166.67, Randy Turner..\$4166.67:

Utilities: Qwest..\$93.92, Cellular One..\$611.56, Midcontinent Cable..\$82.67, Northwestern Energy..\$1643.54, Montana Dakota Utilities..\$27.21, Northern Elec..\$100.00:

Jury: Kristi Ackerson..\$11.28, Brian Ambuehl..\$11.28, Ronald Anderson..\$127.68, Debra Backous..\$125.12, Heather Bakeberg..\$11.28, Lori Baldwin..\$33.84, Deanna Basham..\$11.28, Lonald Bauer..\$15.76, Michael Bertsch..\$11.28, Jerry Bjerke..\$22.80, Myrna Blake..\$49.20, Larry

Braun..\$17.68, Donna Bretsch..\$11.28, Mary Brink..\$35.76, Jeffrey Brockel..\$33.84, Thomas Butch..\$11.28, James Callum..\$33.84, Lisa Carlsen..\$33.84, Tiffany Christ..\$68.40, Andrea Cox..\$11.28, Vaneta Diede..\$68.40, Maxine Dinger..\$73.84, Austin Dockter..\$33.84, James Dosch..\$11.28, Sandra Eaton..\$62.56, Melinda Eikamp..\$68.40, James Ewing..\$125.12, William Feist..\$22.80, Donna Fiedler..\$16.40, Joseph Fischer..\$11.28, Tim Fleming..\$125.12, Dianne Fuehrer..\$11.28, Judy Gelling..\$11.28, Kristi Gienger..\$11.28, Lorraine Gilland..\$22.56, Ruby Golz..\$13.84, Jessie Guthmiller..\$11.92, Pearl Hagans..\$73.84, Kristi Hainy..\$123.44, Phillip Hamak..\$28.96, Robert Heier..\$11.28, Violet Heupel..\$33.84, Stephanie Huettl..\$127.68, Stephanie Jacobson..\$11.28, Arvella Japs..\$22.56, Jennifer Johnson..\$167.60, Maryann Johnson..\$33.84, Charles Johnston..\$22.56, Richard Karjalainen..\$179.12, Lynnette Karrigan..\$73.84, Daniel Kaup..\$11.28, Mabel Keefe..\$33.84, Betty Kelzer..\$47.28, Adam Kendall..\$11.28, Sandra Ketterling..\$125.12, Elaine Klein..\$11.28, Shannon Koens..\$22.16, Lori Kolb..\$73.84, Kristi Kumpf..\$11.28, Darrell Laducer..\$11.28, Lois Leicht..\$73.84, Tammy Lindseth..\$11.92, Linda Locken..\$22.80, Jean Lorenz..\$75.76, Orland Lunzman..\$30.48, Morris Mack..\$73.84, Brian Mader..\$62.56, Gordon Malsom..\$22.56, Gertrude Mangan..\$11.28, Patricia Manning..\$127.68, Gail Martin..\$125.12, Amber Marzenell..\$11.28, Dustin McNeil..\$52.00, Richard McPartland..\$22.56, Stella Merkel..\$13.20, Trisha Merkel..\$33.84, Marian Mettler..\$97.20, Gloria Miller..\$20.24, Daniel Mohr..\$113.84, Bonny Morris..\$97.20, Reuben Mullis..\$33.84, Abby Neal..\$11.28, Trista Nickelson..\$58.40, Eileen Nikolas..\$33.84, Joel Nitschke..\$87.68, Allan Norby..\$11.28, Gayle Osman..\$22.56, Monica Palmer..\$22.56, Amy Parkin..\$113.84, Joann Petersen..\$11.28, Michael Radke..\$85.12, Sheila Rahja..\$151.68, Gene Reich..\$176.40, Daniel Richardt..\$85.12, Linda Ringgenberg..\$22.80, Sheryl Ruckman..\$85.12, Leonard Scherr..\$125.12, Amelia Schilling..\$33.84, Fenius Schnaidt..\$11.28, Boyd Schnaser..\$11.28, Marvin Schott..\$33.84, Eugene Schwan..\$11.28, Jeanine Severson..\$11.92, Julie Smith..\$33.84, Michelle Snyder..\$79.20, Myra Sommers..\$33.84, William Stolle..\$22.80, Angela Tarbox..\$11.28, Troy Telin..\$32.40, Bradly Tewksbury..\$70.32, David Tewksbury..\$64.56, Kevin Thomas..\$62.56, Greta Thorpe..\$64.56, Kelly Tracy..\$11.28, Judy Ulrich..\$62.56, Christopher Urlacher..\$11.92, Linda Vandervorst..\$22.56, Carol Wald..\$73.84, Thomas Watson..\$11.28, Chad Weber..\$11.28, Kristina Wendt..\$11.92, Paula West..\$45.12, Warren Wetzler..\$73.84, Jeremy Wieseler..\$131.20, Margaret Worthy..\$29.20, Charyl Zacher..\$25.12, Bruce Zastrow..\$22.80:

Care of Poor: Rent – 3 recipients..Kurt Kruger..\$190.00, MelRos Village..\$176.00, Jeremy Lozenski..\$110.00; Dr/Hospital – 3 recipients..Dakota Imaging..\$261.50, Anesthesia Care..\$208.00, Aberdeen Surgical Assoc..\$396.26; Medications – 1 recipient..Loris Pharm..\$77.70; Utilities – 1 recipient..NWPS..\$88.38. All members present voting aye. Motion carried.

PERSONNEL:

Moved by Wiese, seconded by Knecht to approve the following employee step-longevity increases, effective July 31, 2005: Russell Ochsner @ \$11.82 per hour. All members present voting aye. Motion carried.

Moved by Wiese, seconded by Fischbach to approve hiring the following part-time employees to work during the Fair at the Fairgrounds: Jason Weig, Tim Norton, Daniel Greely, Sarah Greely, Mary Greely, Mike Sievers, Gab Young at \$7.53 per hour; Jason Sander at \$7.48 per hour. All members present voting aye. Motion carried.

PREVENTION GRANT:

Moved by Hansen, seconded by Knecht to amend motion in general meeting minutes of July 5, 2005 to clarify full-time position of David Koch as Home Detention Officer is to be funded by the Brown County Special Appropriation "Prevention and Intervention Programs for at-risk and detained youth" Grant #2001-JS-FX-0014. All members present voting aye. Motion carried.

Moved by Hansen, seconded by Knecht to approve and authorize the Chairman sign Categorical Assistance Progress Report for the Brown County "Prevention and Intervention Programs for At-Risk and Detained Youth" Grant #2001-JS-FX-0014 for January 1, 2005 through June 30, 2005. All members present voting aye. Motion carried.

Moved by Wiese, seconded by Hansen to approve and authorize the Chairman sign letter requesting a twelve-month project period extension for the "Prevention and Intervention Programs for at-risk and detained youth" Grant #2001-JS-FX-0014, extending current expiration date of September 30, 2005 to September 30, 2006. All members present voting aye. Motion carried.

WEED AND SEED:

Moved by Wiese, seconded by Knecht to approve and authorize the Chairman sign Categorical Assistance Progress Report for the Brown County Weed and Seed Grant #2002-WS-QX-0054 for January 1, 2005 through June 30, 2005. All members present voting aye. Motion carried.

Moved by Knecht, seconded by Hansen to approve the Brown County Weed and Seed Monthly Expenses for July 2005 (Year Three 2002-WS-QX-0054), in amount of \$12,675.84. All members present voting aye. Motion carried.

Moved by Hansen, seconded by Wiese to approve the following Weed and Seed Year Three funding proposals: NECOG (administrative services); Weed & Seed (2005 National Conference, Coordinator salary/benefits); Aberdeen PD (Community policing supplies), as recommended by the Steering Committee. All members present voting aye. Motion carried.

Moved by Knecht, seconded by Wiese to approve and authorize the Chairman sign letter requesting a twelve-month project period extension for the Brown County Weed and Seed Grant #2005-WS-Q5-0089, extending current expiration date of September 30, 2005 to September 30, 2006. All members present voting aye. Motion carried.

Moved by Knecht, seconded by Fischbach to approve and authorize the Chairman sign Agreement with NECOG in amount of \$5,000.00, to provide assistance in meeting the administrative requirements of the Brown County Weed and Seed Project #2002-WS-QX-0054, effective July 1, 2005 – September 30, 2005. All members present voting aye. Motion carried.

Moved by Hansen, seconded by Fischbach to approve and authorize the Chairman sign the Equal Employment Opportunity Plan (EEOP) for Brown County and Policies and Procedures of the Brown County Steering Committee for the Brown County Weed and Seed Grant #2005-WS-Q5-0089. 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: Jim River Riders for lease of the Open Horse Arena on July 10, 2005; ABATE for lease of the Club House on August 27 & 28, 2005. All members present voting aye. Motion carried.

SPECIAL MALT BEVERAGE LICENSE HEARING DATE SET:

Moved by Hansen, seconded by Wiese to authorize advertising public hearing to consider the following Special Malt Beverage License Applications (maps indicating specific buildings on file with applications): Aberdeen Hockey Association – Brown County Fairgrounds (Clubhouse) SW ¼-Sec 1-T123N-R64W, effective August 16, 17, 18, 19, 20 & 21, 2005; Centennial Village Inc - Brown County Fairgrounds (Centennial Village) SW ¼ Sec 1-T123N-R64W, effective August 16, 17, 18, 19, 20, 21, 2005; Boys & Girls Club - Brown County Fairgrounds (Grandstand) SW ¼ Sec 1-T123N-R64W, Special

License effective August 15,16,17, 18, 19, 20, 21, 2005; Aberdeen Abate - Brown County Fairgrounds (Club House) SW ¼ Sec 1-T123N-R64W, effective August 27 and 28, 2005, to be held in the Commission Chambers, Courthouse Annex at 8:45 A.M. on the 9th day of August, 2005. All members present voting aye. Motion carried.

PLATS:

Commissioner Knecht offered the following Resolution:

RESOLUTION NO. 57-05

BE IT RESOLVED by the County Commission of Brown County, SD, that the plat showing "Prairie Lake Second Subdivision in E ½ W ½ Sec 23-T124N-R65W 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 Wiese. Roll call vote: Commissioners Hansen-aye, Fischbach-aye, Knecht-aye, Wiese-aye, Feickert-aye. Resolution adopted.

Commissioner Hansen offered the following Resolution:

RESOLUTION NO. 58-05

BE IT RESOLVED by the Board of County Commissioners of Brown County, SD, that the plat showing "Green Subdivision in the NE ¼ of Sec 9-T123N-R65W of the 5th P.M., Brown County, SD", 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 Hansen-aye, Fischbach-aye, Knecht-aye, Wiese-aye, Feickert-aye. Resolution adopted.

Commissioner Fischbach offered the following Resolution:

RESOLUTION NO. 59-05

BE IT RESOLVED by the Board of Commissioners of Brown County, SD, that the plat showing "Schuring Addition in the SW ¼ of Sec 23-T123N-R60W 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 Hansen-aye, Fischbach-aye, Knecht-aye, Wiese-aye, Feickert-aye. Resolution adopted.

ORDINANCE NO. 031:

Time and place, as advertised for Second Reading and possible Adoption of Ordinance No. 031 - Thorpe Rezone. Moved by Wiese, seconded by Fischbach to approve Second Reading and Adopt Ordinance No. 031, An Ordinance amending Title 4, Second Revision Brown County Ordinances, as amended to rezone Lots 1-31, Thorpe's 4th Elm Lake Subdivision in E ½ Sec 17-T128N-R65W, Brown County, SD from Chapter 4.06 (AG-P) Agricultural Preservation District to Chapter 4.10 (R-3) Lake Front Residential District. Roll call vote: Commissioners Hansen-aye, Fischbach-aye, Knecht-aye, Wiese-aye, Feickert-aye. Ordinance adopted.

ORDINANCE NO. 032:

Time and place, as advertised for Second Reading and possible Adoption of Ordinance No. 032 - Didreckson Rezone. Moved by Fischbach, seconded by Hansen to approve Second Reading and Adopt Ordinance No. 032, An Ordinance amending Title 4, Second Revision Brown County Ordinances, as amended to rezone Whitetail Meadows 1st Subdivision in NW ¼ Sec 26-T123N-R65W, Brown County, SD from Chapter 4.06 (AG-P) Agricultural Preservation District to Chapter 4.07 (M-AG) Mini-Ag District. Roll call vote: Commissioners Hansen-aye, Fischbach-aye, Knecht-aye, Wiese-aye, Feickert-aye. Ordinance adopted.

BCCHC REPORT:

DeAnna Kyburz presented the Brown County Community Health Center Report for April - June 2005.

NEMHC REPORT:

Mike Forgy, Laura Boone and Lisa German presented the Northeastern Mental Health Center Annual Report (July 1, 2004 through June 30, 2005).

RIDE LINE/GROTON TRANSPORTATION PROGRAM 2006 BUDGET:

Dave Osborn discussed the 2006 Budget request for Ride Line and explained 2006 funding needs for the Groton Transportation Program recently activated.

FAIR UPDATE:

Larry Gerlach, Fair Board Manager presented monthly update and was joined by Fair Board member John Aman to explain the availability of portable power panels to provide approximately 77 temporary camp sites for use at the 2005 Fair at an estimated cost of \$7,000.00. Board authorized Fair Board to proceed with temporary camp areas.

EXECUTIVE SESSION:

Moved by Knecht, seconded by Hansen to go into executive session for personnel discussion with Dirk Rogers and Roger Johnson in attendance. All members present voting aye. Motion carried.

The Chairman declared the executive session closed, with no action as a result of the discussion.

TAXES – UNCOLLECTIBLE:

Moved by Wiese, seconded by Fischbach to declare the 2005 taxes (\$69.86) on a 1974 Windsor Mobile Home uncollectible. All members present voting aye. Motion carried.

ABATEMENT:

Moved by Wiese, seconded by Hansen to approve the following Abatement: Mike Reimer Jr., Mobile Home destroyed (1974 Windsor) for year 2005 in amount of \$69.86. All members present voting aye. Motion carried.

RECESS:

The Chairman declared the Commission recessed until August 2, 2005.

Maxine Taylor – Brown County Auditor

AUGUST 2, 2005 – GENERAL MEETING

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

MINUTES:

Moved by Wiese, seconded by Fischbach to approve the Joint City/County Meeting minutes and the General Meeting minutes of July 26, 2005. All members present voting aye. Motion carried.

CLAIMS:

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

Supplies: Farm & Home Pub..\$2423.50, Exec Mgmt..\$2538.56, Best Business..\$282.76, Vantek..\$23.00, Dept of Rev..\$175.00, Cheryl Hairgrove..\$186.00, Dicks Westside..\$24.95, Exhaust Pros..\$59.93, Eide Bailly..\$264.00, Visa..\$1166.83, Dave Fair..\$183.20, PMI..\$201.05, WorldPoint..\$186.75, Micks Scuba..\$125.00, SDN..\$94.00, Diane Mielke..\$39.77, RB Upholstery..\$155.00, Huron Culvert..\$1740.80, Howes Oil..\$14,124.00, HC Clark..\$356.94, Garys Auto..\$19.95, Farm Power..\$37.05, Crawford Trucks..\$1859.70, Butler Machinery..\$105.63, Bridgestone/Firestone..\$427.20, Town & Country..\$25.14, George Casanova..\$38.95, Aberdeen Awards..\$6.00, Kleins..\$30.04, A&M Radio..\$51.50, No-Till Farmer..\$37.95, Office Max..\$13.45, Pizza Ranch..\$43.95, Janitors Closet..\$539.00, Grote Roofing..\$111.50, McFarland Supply..\$128.75, Sanders Sew 'N Vac..\$399.99, Dakota Supply..\$38.62, Ameripride..\$51.03, Custom Sheet Metal..\$390.00, Indoff..\$59.98, Spellman Painters..\$354.75, HC Clark..\$21.78, Runnings..\$220.55, Macs..\$13.38, TSC..\$24.02, Jacobson Elec..\$215.04, Fordham Signs..\$105.00, Climate Control..\$1105.00, Fedex..\$46.81, Office Max..\$10.49, OK Tire..\$54.00, Cole Paper..\$53.79, MVTL Labs..\$1120.00, Earth Tech..\$1365.57, Quality Quick Print..\$179.95, Graham Tire..\$145.00, Helms & Assoc..\$1328.85:

Publications: American News..\$458.25, Groton Indep..\$153.70:

Professional Fees: witness fees..\$40.00, Sheriff of Yankton County..\$16.50, Lewis & Clark BHS..\$130.00:

Travel: Melissa Koester..\$81.12, Kathy Fischer..\$360.56, Polly Rush..\$14.00, Nancy Hansen..\$64.00:

Utilities: Cellular One..\$674.78, Midcontinent..\$190.42, Qwest..\$9262.61, Northwestern Energy..\$7685.50, WEB..\$229.58, A-1 Sanitation..\$76.20, AT&T..\$25.65:

Care of Poor: Transportation - 1 recipient..Brown County..\$8.72; Medications - 3 recipients..Lewis Drug..\$325.06, K-Mart Pharm..\$10.05, KCI USA Inc..\$2457.00; Utilities - 2 recipients..NWPS..\$422.66. All members present voting aye. Motion carried.

PERSONNEL:

Moved by Knecht, seconded by Wiese to approve hiring the following part-time Fair Office Employees, effective August 14, 2006 at \$7.69 per hour: Bobbie Bierman, LaVonne Wolf and Laura Boone. All members present voting aye. Motion carried.

Moved by Wiese, seconded by Fischbach to approve hiring Michael Ernst as full-time Corrections Officer in the Jail, effective August 11, 2005 at \$10.42 per hour. All members present voting aye. Motion carried.

GRANT APPLICATION:

Moved by Knecht, seconded by Fischbach to approve and authorize the Chairman sign application documentation for Stop Violence Against Women Act Grant Funding. All members present voting aye. Motion carried.

CONTINGENCY TRANSFERS:

Moved by Knecht, seconded by Hansen to approve the following Contingency Transfers (spending authority only): Fund #101-154 Abused & Neglect @ \$5,918.17; Fund #101-169 @ \$5,174.51. All members present voting aye. Motion carried.

TRANSFER:

Moved by Wiese, seconded by Knecht to approve and authorize the following transfer of spending authority and cash, as reflected in the 2005 General Fund #101 Budget: \$50,000.00 to Courthouse & Jail Fund #233, \$1,000,000.00 to Road & Bridge Fund #201. All members present voting aye. Motion carried.

CONTRACT:

Moved by Knecht, seconded by Wiese to approve and authorize the Chairman sign Brown County Event Center Project Manager Contract with Beth Smith for 500 hours of work at \$25.00 per hour. All members present voting aye. Motion carried.

ORDINANCE NO 033 - SET HEARING DATE:

Moved by Wiese, seconded by Fischbach to set public hearing for 9:00 a.m. on August 23, 2005 in the Commission Chambers, Courthouse Annex, Brown County, SD for First Reading of Ordinance No. 033, An Ordinance to rezone the following property from Agricultural Preservation District (AG-P) to Lake Front Residential District (R-3): Lots 1 and 2 Prairie Lake Second Subdivision in E ½ W ½ Sec 23-T124N-R65W of the 5th P.M., Brown County, SD. All members present voting aye. Motion carried.

AUDITORS REPORT OF ACCOUNT:

Moved by Hansen, seconded by Knecht to approve the July 2005 Auditor's Report of Account with the County Treasurer in total amount of \$9,338,710.89 (total amount of actual cash @ \$3,407.20, Wells Fargo Bank @ \$3,694.79, US Bank @ \$234,535.86, Dacotah Bank @ \$40,369.59, Petty Cash @ \$1,700.00, Fund Investments @ \$9,054,910.65, Outstanding Checks @ \$92.80). All members present voting aye. Motion carried.

ADC 2006 BUDGET:

Aberdeen Development Corporation representatives Jim Barringer, Dennis Maloney and Larry Frost presented statistics and project information in support of the 2006 ADC Budget request.

LEASE AGREEMENT:

Moved by Wiese, seconded by Fischbach to approve and authorize the Chairman sign agreement with Tammy Erickson and Charles Leidholdt for lease of the following County owned property at \$200.00 per month: Lots 8 & 9 Howell's Addition to Frederick E ½ Sec 11-T127-R64W of 5th P.M., Brown County, SD. All members present voting aye. Motion carried.

RECESS:

The Chairman declared the Commission recessed until August 9, 2005.

Maxine Taylor – Brown County Auditor

AUGUST 9, 2005 – GENERAL MEETING

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

MINUTES:

Moved by Wiese, seconded by Hansen to approve the Joint City/County Meeting minutes and the General Meeting minutes of August 2, 2005. All members present voting aye. Motion carried.

CLAIMS:

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

Payroll: Commissioners..\$2,683.65; Auditor..\$6,499.24; Treasurer..\$8,663.64; Data Processing..\$1,658.00; State's Attorney..\$9,203.22; Maintenance..\$5,248.46; Assessor..\$8,646.62; Planning & Zoning..\$665.18; Register of Deeds..\$4,570.04; Veterans Service Office..\$2,606.20; GIS..\$1,692.31; Sheriff..\$57,746.84; DOJ Grant..\$2,545.60; Communications..\$12,411.81; Welfare Office..\$2,745.72; Museum..\$4,760.68; Fairgrounds & Parks..\$3,613.26, Fairboard..\$1,343.84; Extension..\$1,994.98; Weed..\$3,745.35; Emergency Management..\$2,310.51; Weed and Seed Grant..\$1,067.31; Highway..\$37,377.43; Landfill..\$6,459.90; Matching Benefits: FICA..\$11,098.57; Medicare..\$2,595.68;

Supplies: Presentation College Soccer..\$850.00, Schwan Welding..\$660.00, HRS..\$41.40, TBA..\$80,000.00, A-1 Locksmith..\$16.00, AAHA..\$400.00, Westport Catholic Church..\$500.00, Uffda Brudders..\$500.00, TSC..\$62.86, 4-H Performing Arts..\$700.00, Marlys Voelzke..\$18.84, Academy..\$15.00, CarQuest..\$29.31, Frederick Community Club..\$7375.00, TMS..\$13500.00, Boy Scouts..\$2609.00, Bethlehem Lutheran Church..\$2000.00, Service Master..\$3900.00, Korkow Rodeo..\$19900.00, Brown County..\$100.00, Sams Sound..\$5350.00, Amy Engelhart..\$730.00, Specialized Communications..\$1582.00, Three Seasons Tents..\$6800.00, Aberdeen Advanced Care..\$2346.00, Westport Little League..\$50.00, Aberdeen Jaycees..\$1350.00, Midwest Golf Cars..\$6283.50, Geffdog..\$1364.40, DSS Image Apparel..\$255.70, Oak Ridge Boys..\$32,500.00, Jim River Riders..\$1500.00, Civil Air Patrol..\$900.00, Independence..\$350.00, Carl Perry..\$200.00, Red Cross..\$50.00, Midland Press..\$380.00, KSFY..\$850.00, Jamestown Sun..\$120.00, Watertown Public Opinion..\$233.26, Midcontinent Communications..\$876.00, SDNA Dist 4..\$800.00, Cross Country..\$87.78, Kens Superfair Foods..\$24.00, Bricks Roto Rooter..\$3600.00, Jessi Mather..\$150.00, Quality Quick Print..\$1893.95, Linda Emery..\$30.00, Char Bachman..\$30.00, Kesslers..\$10.28, Menards..\$1668.31, Upbeat..\$1011.94, Brown & Saenger..\$246.74, Best Business..\$214.22, Pizza Ranch..\$51.11, NADA..\$60.00, Aberdeen Ins..\$75.00, Heartland Paper..\$419.22, Aberdeen Plumbing & Heating..\$164.45, Kone..\$106.01, Cunningham Elec..\$50.59, Taylor Laundry..\$22.50, K-Mart..\$41.28, Ecolab..\$174.50, GB Products..\$171.70, Office Max..\$753.37, Carmike 9..\$1660.00, Sewing Shop..\$85.50, HRS..\$4403.09, Bonnie Bitz..\$72.00, Walmart..\$386.09, State Radio..\$4200.00, Hoven Auto..\$123.60, Quality Quick Print..\$1589.19, Moore Medical..\$234.93, Parcel-Erickson..\$42.46, Pierson Ford..\$12.00, Jungle Logic..\$40.00, Hill County Sheriff..\$104.22, Great Western Tire..\$5565.49, Flint Hills Resources..\$62,250.81, Farnams..\$91.60, Evergreen Supply..\$42.90, Erdmann Oil..\$3895.20, Energy Allilance..\$12,878.20, Dakota Oil..\$1525.86, Clark Engineering..\$8207.29, Barnes Dist..\$187.86, Advanced Auto..\$65.62, Aberdeen Chrysler..\$81.19, Trins Const..\$204.08, SD Federal Property..\$2525.00, Share Corp..\$194.40, S&S Lumber..\$93.47, Pro Ag Supply..\$810.00, Newman Signs..\$399.70, Macs..\$252.85, M-R Signs..\$2250.18, Lien Transp..\$325.26, Jensen Rock & Sand..\$4127.20, Interstate Battery..\$127.20, Ben Hofer Backhoe..\$102.04, Runnings..\$359.62, Dakota Supply..\$123.18, Premier Auto..\$673.60, TSC..\$429.11, Bower Tree Service..\$500.00, ProAg..\$896.20, Van Diest..\$8813.85, Adv Auto..\$33.48, SD Assn of Weed Board..\$331.52, Farm Power..\$160.96, Reuers Auto..\$360.21, Abdak..\$2620.60, Rockhurst Univ..\$155.80, New World Systems..\$45,253.56, Racom..\$1100.00, APCO..\$380.00, Thompson West..\$224.66, Warner School Dist..\$1478.10, NECOG..\$1763.77, McFarland Supply..\$103.84, Christ Stanley..\$905.85, OK Tire..\$7.00,

Praxair..\$15.25, Ameripride..\$46.96, New Deal Tire..\$33,833.00, SDSWMA..\$750.00, Runnings..\$957.40, Pierson Ford..\$33.16, HC Clark..\$129.40, SD Dept of Rev..\$3049.04, Cunningham Elec..\$38.76, GLAS Consulting..\$58.00, Erdmann Fuels..\$5761.28, Aberdeen Asphalt..\$79,539.40, MVTL Labs..\$631.90, Powerplan..\$309.48:

Publications: American News..\$895.20, Groton Dakota Press..\$1144.52, Groton Indep..\$231.51:

Professional Fees: witness fees..\$20.00, Avera St Lukes..\$67.00, Avera United Clinic..\$28.70, Aberdeen Advanced Care..\$209.88:

Transcriptions: Neal Reporting..\$120.60, Cheryl Hook..\$88.20:

Travel: Patty VanMeter..\$129.04, Gene Loeschke..\$123.20, Gwen Fischbach..\$988.70, Mike Wiese..\$10.24:

Court Appointed Attorney: Tamara Lee..\$160.65, Christy Serr..\$8.55:

Utilities: Northwestern Energy..\$1374.89, City of Aberdeen..\$1976.85, Verizon..\$184.98, Town of Frederick..\$28.25, Northern Valley Comm..\$143.06, James Valley Co-op..\$372.10, Tel Serv..\$129.00, Qwest..\$1885.51, Northern Wireless..\$110.85, Dependable Sanitation..\$17,032.02:

Care of Poor: Rent – 9 recipients..Allen Lipp..\$200.00, Zumbaum Property..\$175.00, White House Inn..\$232.01, BMI..\$200.00, Lydia Ehresmann..\$260.00, Goehring Apts..\$200.00, Lakeside Estates..\$180.00, Aberdeen Finance..\$100.00, Mary Anderson..\$100.00; Transportation – 4 recipients..Aberdeen Advanced Care..\$383.84, Aberdeen Family Physicians..\$198.35, Anesthesia Care..\$160.00, Avera St Lukes..\$4774.58; Medications – 3 recipients..Kessler Pharm..\$228.73; Utilities – 2 recipients..City of Aberdeen..\$447.03; Burials – 1 recipient..Spitzer Funeral Home..\$1200.00. All members present voting aye. Motion carried.

PERSONNEL:

Moved by Wiese, seconded by Fischbach to approve the following employee step/longevity increases, effective August 14, 2005: Sherri Rawstern @ \$11.84 per hour, John Heine @ \$16.62 per hour, Scott Kolb @ \$16.57 per hour, Dennis VanHeerde @ \$12.12 per hour. All members present voting aye. Motion carried.

Moved by Wiese, seconded by Hansen to approve hiring Francis Bosch as part-time Mosquito Spray Operator, effective August 8, 2005 at \$10.25 per hour. All members present voting aye. Motion carried.

APPOINTMENT:

Moved by Wiese, seconded by Knecht to appoint Gloriane Yost and Linda Dillavou as Brown County representatives on the Regional Council On Aging. All members present voting aye. Motion carried.

INCREASE SPENDING AUTHORITY/ESTIMATED REVENUE:

Moved by Knecht, seconded by Fischbach to increase spending authority and estimated revenue for the Underage Drinking Control Grant #234-331.90 @ \$4,025.88 and #234-211.01-411 @ \$3,477.73, #234-211.01-412.01 @ \$217.15, #234-211.01-412.02 @ \$50.77, #234-211.01-413 @ \$280.23. All members present voting aye. Motion carried.

LOTTERY APPLICATIONS:

Moved by Wiese, seconded by Fischbach to approve the application, submitted by Children's Miracle Network/Walmart for raffle to be held August 17-21, 2005. All members present voting aye. Motion carried.

Moved by Wiese, seconded by Knecht to approve the application, submitted by Aberdeen Area Horseman's Association for raffle to be held on November 5, 2005. All members present voting aye. Motion carried.

WAIVE FEES – FALL CLEANUP:

Moved by Wiese, seconded by Knecht to approve waiving fees for all materials at the Landfill ONLY from September 2 thru September 24, 2005 for the Fall Residential Cleanup. All members present voting aye. Motion carried.

PLAT:

Commissioner Fischbach offered the following Resolution:

RESOLUTION NO. 60-05

BE IT RESOLVED by the Board of County Commissioners of Brown County, SD, that the plat showing "Knecht Subdivision in the SE ¼ of Sec 32-T127N-R61W of the 5th P.M., Brown County, SD", 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, Fischbach-aye, Knecht-abstain, Wiese-aye, Feickert-aye. Resolution adopted.

SPECIAL MALT BEVERAGE LICENSE HEARING:

Time and place, as advertised to consider approval for the following Special Malt Beverage License applications. Moved by Wiese, seconded by Fischbach to approve and authorize the Chairman sign the following Special Malt Beverage License Applications for use at the Brown County Fairgrounds, located in the SW ¼ Sec 1-T123N-R64W (map indicating specific buildings on file with applications): Aberdeen Hockey Association at the Clubhouse, effective August 16, 17, 18, 19, 20 and 21, 2005 (contingent upon insurance); Centennial Village Inc at Centennial Village, effective August 16, 17, 18, 19, 20 and 21, 2005; Boys & Girls Club at the Grandstand, effective August 15, 16, 17, 18, 19, 20 and 21, 2005; Aberdeen Abate at the Clubhouse, effective August 27 & 28, 2004. All members present voting aye. Motion carried.

BID ROAD #27 – MANSFIELD:

Moved by Hansen, seconded by Knecht to approve Addendum #1 to the specifications and contract documents for Brown County No. 27 – Mansfield Project. All members present voting aye. Motion carried.

Time and place, as advertised to open, read and consider bids for Brown County Road #27 – Mansfield Project. Bids were received from Aberdeen Asphalt, Inc. and Lien Transportation Co. Moved by Wiese, seconded by Knecht to refer all bids to Dirk Rogers, Highway Superintendent and Lonnie Anderson, Clark Engineering for review and recommendation. All members present voting aye. Motion carried.

Moved by Fischbach, seconded by Hansen to award Schedule "B", as submitted by Aberdeen Asphalt in amount of \$109,318.00 for the Brown County Road #27 – Mansfield Project; rejecting Schedule "A" in amount of \$457,768, as submitted by Aberdeen Asphalt; and rejecting Schedule "A" in amount of \$491,130 and Schedule "B" in amount of \$125,246, submitted by Lien Transportation Co. All members present voting aye. Motion carried.

APPLICATION FOR OCCUPANCY:

Moved by Wiese, seconded by Hansen to approve and authorize the Chairman sign application, submitted by Northern Electric Cooperative for occupancy of Brown County #6J in Sec 25-T124N-R65W of 5th P.M., Brown County, SD to install a single phase underground cable crossing. All members present voting aye. Motion carried.

BID – COURTHOUSE ANNEX CHILLER:

Moved by Hansen, seconded by Wiese to authorize advertising public hearing to open, read and consider bids for labor and material to install a 110 ton air-cooled rotary scroll Chiller, disconnect old condensing unit, piping, and chiller bundle at the Brown County Courthouse Annex, to be held on August 30, 2005 at 9:15 A.M. in the Commissioner's Chambers, Courthouse Annex, Brown County, SD. All members present voting aye. Motion carried.

QUASQUICENTENNIAL BUDGET REQUEST:

Bobbie Dempsey and Jan Beckler representing the Quasquicentennial Committee explained purposes for funding requested in the 2006 budget.

SHERIFF DEPARTMENT:

Mark Milbrandt, John VanderHoek and Craig Nelson explained the need for shift commanders in the adult jail to insure proper paperwork is complete.

RECESS:

The Chairman declared the Commission recessed until August 16, 2005.

Maxine Taylor – Brown County Auditor

AUGUST 16, 2005 – GENERAL MEETING

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

MINUTES:

Moved by Wiese, seconded by Hansen to approve the General Meeting minutes of August 9, 2005. All members present voting aye. Motion carried.

CLAIMS:

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

Supplies: Office Equip..\$345.33, RE Huffman..\$51.54, New Trends..\$102.58, Fleet Mgmt..\$54.59, Amoco..\$18.58, NE Mental Health..\$307.23, Photo Xpress..\$16.98, Hollands Auto..\$43.00, Evercom..\$1750.00, Wylie Thunder Road..\$300.00, DT Pharm..\$1641.16, Office Max..\$302.31, Matthew Bender..\$91.15, Brown County..\$3007.00, Parcel Erickson..\$26.95, Duanes Amoco..\$63.50, Lust Chev..\$100.00, Kesslers..\$339.38, Earthgrains..\$596.28, Dakota Electronics..\$4850.04, Monarch Photo..\$599.99, Dicks Westside..\$52.15, Mobile Electronic Service..\$394.52, Career Planning..\$374.00, Yankton County..\$93.55, Kleins..\$93.77, Quality Quick Print..\$1431.11, Ameripride..\$39.47, Glas Consulting..\$114.25, House of Glass..\$5.80, Brennan Traveler..\$200.00, Frey Electronics..\$270.00, Tel Serv..\$219.00, Carquest..\$32.96, Menards..\$89.95, Extension Service..\$417.43, Cummins Central Power..\$108.11, Priority Dispatch..\$6105.00, Racom..\$3100.00, Amtech Elect..\$4525.00, Freys Electronics..\$2400.00, Palmer Dist..\$100.00, Weismantel Rental..\$250.00, Pam Ernst..\$8.99, Penny Hart..\$6.03, Lexis/Nexis..\$26.45, Mark McNeary..\$100.00, DTS Pedal Pulls..\$125.00, Uffda Bros..\$500.00, Korkow Rodeo..\$2500.00:

Publications: American News..\$1169.46:

Professional Fees: Avera St Lukes..\$9347.26, Dawn Woods..\$469.00, Lewis & Clark BHS..\$260.00, Sheriff of King County..\$575.25, Sheriff of Hennepin County..\$38.20:

Transcriptions: Sara VanDeWalle..\$496.80:

Utilities: Qwest..\$1920.70, Northern Valley..\$25.90, Northern Elec..\$388.14, Verizon..\$72.90, Bureau of Admin..\$571.29:

Care of Poor: Rent – 5 recipients..Kurt Kruger..\$100.00, Zumbaum Property..\$125.00, Dean Salzsieder..\$260.00, Danne..\$200.00, Don Gisi..\$180.00; Medical - 4 recipients..Avera St Lukes..\$6415.08, Aberdeen Surgical Assoc..\$244.40, Dr William Goumas..\$453.43; Transportation – 1 recipient..Emergency Poor Fund..\$80.00; Medications – 1 recipient..Avera St Lukes Pharm..\$75.94; Utilities – 3 recipients..NWPS..\$560.67. All members present voting aye. Motion carried.

PERSONNEL:

Moved by Wiese, seconded by Hansen to approve employee status change for David Koch from full-time Home Detention Officer to full-time Community Resource Coordinator (CRC) for Warner Public Schools, effective August 29, 2005 at \$10.70 per hour and to approve employee status change for Samiuela "Sam" Mouna from part-time JDC Officer to full-time Home Detention Officer, effective August 29, 2005 at \$10.42 per hour, both positions to be funded by the Brown County Special Appropriation "Prevention and Intervention Programs for at-risk and detained youth" Grant #2001-JS-FX-0014. All members present voting aye. Motion carried.

Moved by Wiese, seconded by Hansen to approve hiring Nathan Scott Smith as full-time Corrections Officer, effective August 23, 2005 at \$10.42 per hour and approve hiring Jesse Milbrandt as part-time Corrections Officer, effective August 23, 2005 at \$9.12 per hour. All members present voting aye. Motion carried.

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Moved by Wiese, seconded by Hansen to acknowledge the following resignations: Ben Smith, effective August 26, 2005, John Schalde, effective August 18, 2005 and Lisa Brown, effective August 19, 2005. All members present voting aye. Motion carried.

SHERIFF REPORTS:

Moved by Wiese, seconded by Hansen to approve the following July 2005 Sheriff Reports: Incident & Offenses, Prisoner Care, JDC, Monthly activities and Money deposited with the County Treasurer. All members present voting aye. Motion carried.

FIREWORKS PERMIT:

Moved by Wiese, seconded by Hansen to approve and authorize the Chairman sign Fireworks Public Display Permit, submitted by Larry Gerlach, Brown County Fair, 25 Market Street, Aberdeen, SD for a Class B Fireworks Display to be held on August 20, 2005 at the Brown County Fairgrounds. All members present voting aye. Motion carried.

PROPERTY TRANSFER:

Moved by Wiese, seconded by Hansen to approve and authorize the Chairman sign agreements with the following entities who received equipment from the 2002 ODP Equipment Grant Program: Edmunds County (mobile and portable radios), Hosmer FD (AED), Bowdle FD (AED); 2003 Part I ODP Equipment Grant Program: City of Groton (PPE kits), Aberdeen Regional Airport (PPE kits), Hutterville FD (PPE kits), Groton FD (PPE kits), Frederick Ambulance (PPE kits), Brown County Sheriff (PPE kits), Groton PD (PPE kits), Hecla Ambulance (PPE kits), Aberdeen FD (PPE kits), Bath FD (PPE kits); 2003 Part II ODP Equipment Grant Program: Dive Team (mobile radio), Bath FD (portable radios), Hecla FD (portable radios), Groton PD (binoculars, mirror, range finder), Brown County Sheriff (binoculars, mirrors, range finder), Frederick Ambulance (AED), Hutterville FD (portable radios), Groton FD (mobile and portable radios); 2004 ODP Equipment Grant Program: Groton PD (UHF radio/antenna), City of Aberdeen (computer software), BCDP (computer software), Hecla FD (scope, radios, base station), Bath FD (portable radios, scope), Aberdeen Regional Hazmat (scope, trailer, med-bed, mobile radio/lightbar), Brown County Dive Team (underwater communication), BCSO (portable camera, mobile radios), Groton FD (scope, pass alarms, portable radios/antenna), Hutterville FD (scope, portable radios/antenna), Avera St. Lukes Hospital (portable radios/antenna). All members present voting aye. Motion carried.

NOTICE OF AWARD – ROAD PROJECT #27:

Moved by Wiese, seconded by Hansen to approve and authorize the Chairman sign Notice of Award to Aberdeen Asphalt for the Brown County Road 27 – Gravel Base & Asphalt Surfacing Project in amount of \$109,318.00. All members present voting aye. Motion carried.

PRIVATE PROPERTY RIGHTS:

Commissioner Wiese offered the following Resolution:

RESOLUTION NO. 61-05
BOARD OF COUNTY COMMISSIONERS
BROWN COUNTY, SOUTH DAKOTA

RESOLUTION: PROTECTING THE PRIVATE PROPERTY RIGHTS

WHEREAS, the United States Constitution, in Article 5 of the Bill of Rights expressly provide for the protection of the private property rights of its citizens; and

WHEREAS, the power of eminent domain has been reserved to the local, state and federal governments for the sole purpose of acquiring private property through the use of condemnation proceedings when said privately held properties are needed for public purposes; and

WHEREAS the United States Supreme Court recently handed down a decision upholding what they maintain is a local government's ability to take private property for a vaguely defined "public good" such as economic development, or increased tax revenues to the local government itself; and

WHEREAS, this Supreme Court decision put at risk the very right of private individuals to be free from government interference in their right to keep and enjoy their private property; and

WHEREAS, this action by the Supreme Court is contrary to and contravenes the aforementioned constitutional protections against such capricious and willful attacks by any governmental body upon the rights of the citizens.

NOW, THEREFORE, we the Brown County Board of Commissioners recognize and support the original concept of the framers of the constitution wherein the power of the eminent domain shall be used only as a last resort to acquire private property for a public project, and that any such public project can be demonstrated to be necessary to accomplish the general welfare of the citizens of that jurisdiction.

FURTHER, this board deems any departure from the original principles of eminent domain to be an assault on our basic foundations of liberty and a threat to the rights of private property ownership; and again strongly urge all municipal jurisdictions within the State of South Dakota to encourage the South Dakota State Legislature to use all means necessary to strengthen the original purpose of the Rights of Eminent Domain within the State Constitution.

Dated this 16th day of August 2005.

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

2006 PROVISIONAL BUDGET:

Moved by Knecht, seconded by Wiese to approve the 2006 Provisional Budget and authorize advertising public hearing to be held in the Commissioner's Chambers, Courthouse Annex, at 9:00 A.M. on September 6, 2005. Roll call vote: Commissioners Hansen-aye, Fischbach-aye, Knecht-aye, Wiese-aye, Feickert-aye. Motion carried.

GIS REPORT:

Scott Madsen, GIS Coordinator presented timeline of tasks completed to date and GIS Needs Assessment and Implementation Plan for Brown County.

SHERIFF DEPARTMENT:

Mark Milbrandt, Drew Bickford, Bill Meink, Janice Moore and John McQuillen discussed the options available for interfacing the CAD/MDT System with the Records Management System currently in use or changing systems as proposed by Aberdeen City. After discussion it was decided to retain current Justice Records Management System for the Sheriff Department/Jail/JDC Complex and purchase the necessary equipment and software to complete interface process between the Justice Records Management System and the New World CAD System. Greg Parks, New World Representative was also in attendance.

AGREEMENT:

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Moved by Wiese, seconded by Hansen to approve and authorize the Chairman sign agreement presented by New World Systems for the purchase of additional CAD View software (in-car mapping) and services in amount not to exceed \$33,750.00. All members present voting aye. Motion carried.

EXECUTIVE SESSION:

Moved by Hansen, seconded by Knecht to go into executive session for personnel discussion with Jeanette Nietert in attendance. All members present voting aye. Motion carried.

The Chairman declared the executive session closed, with no action taken as a result of the discussion.

CAR RACE TRACK:

Terry Voeltz explained the need for additional dirt/clay be placed on the car race track, as through the seasons the ratio of sand has become too high and requested assistance of County personnel and material for the project. Request will be forwarded to Dirk Rogers, Highway Superintendent for recommendation.

RECESS:

The Chairman declared the Commission recessed until August 23, 2005.

Maxine Taylor – Brown County Auditor

AUGUST 23, 2005 - JOINT CITY/COUNTY MEETING

The Brown County Commission and the Aberdeen City Council 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 Council Members Aman, Bunsness, Hodgins, McQuillen, Rux and Mayor Levsen. Absent from City were Council Members Agnitsch, Campbell and Mitchell. Present from County were Commissioners Hansen, Fischbach, Knecht, Wiese and Feickert.

ORDINANCE NO. 05-08-03/314:

On motion by McQuillen and seconded by Aman, the City unanimously voted to approve First Reading of Ordinance No. 05-08-03/314.

Moved by Knecht, seconded by Wiese to approve First Reading of Ordinance No. 05-08-03/314, An Ordinance amending Ordinance No. 1164 to rezone the following described property from its present zoning designation of Section 710 (I-2) Unrestricted Industrial District to Section 714 (M-AG) Mini-Agricultural District: Gisi's Lot A of Outlot 1, Ex. Rd., Winters Outlots, N ½, Sec 22-T123N-R64W of the 5th P.M., Brown County, SD. All members present voting aye. Motion carried.

The City Council adjourned and the County continued into their regular meeting.

Maxine Taylor – Brown County Auditor

AUGUST 23, 2005 – GENERAL MEETING

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

MINUTES:

Moved by Wiese, seconded by Fischbach to approve the General Meeting minutes of August 16, 2005. All members present voting aye. Motion carried.

CLAIMS:

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

Payroll: Commissioners..\$2,683.65; Auditor..\$6,499.24; Treasurer..\$8,668.02; Data Processing..\$1,658.00, State's Attorney..\$9,203.22; Maintenance..\$5,313.59; Assessor..\$8,381.84; Planning & Zoning..\$588.00; Register of Deeds..\$4,570.04; Veterans Service Office..\$2,571.11; GIS..\$1,692.31; Sheriff..\$56,796.95; DOJ Grant..\$1,962.08; Communications..\$12,117.84; Welfare Office..\$2,745.72; Museum..\$4,760.68; Fairboard..\$1,343.84; Fairgrounds & Parks..\$4,267.99; Extension..\$1,822.17; Weed..\$3,722.04; Emergency Management..\$2,310.51; Weed and Seed..\$1,067.31; Highway..\$37,427.74; Landfill..\$6,455.24; Matching Benefits: FICA..\$10,999.34, Medicare..\$2,572.42, Wellmark BCBS Life..\$686.96, Wellmark BCBS Health..\$55,417.00, Delta Dental..\$3,978.00, SD State Retirement..\$22,549.35;

Supplies: SD Assoc of County Commissioners..\$10,103.52, Brown & Saenger..\$81.60, House of Glass..\$71.50, Central Supply..\$125.00, Floor to Ceiling..\$4040.00, North Wind Machine..\$147.87, McFarland Supply..\$116.69, Fastenal..\$220.93, Best Business..\$189.46, Auto Glass Solutions..\$195.13, Parcel Erickson..\$26.95, Account Services Processing Center..\$114.47, Phillip 66..\$55.50, Vantek..\$23.00, City of Groton..\$349.84, SD Dept of Rev..\$167.00, Team Lab Chemical..\$108.25, Spec Mfg..\$70.90, Sioux Equip..\$223.53, Share Corp..\$244.80, Safety Service..\$17,774.66, Safelite Auto..\$374.36, Runnings..\$37.78, Praxair..\$76.72, Palmer Dist..\$8.50, Office Max..\$96.12, Lyle Signs..\$841.70, Lien Trans..\$59,951.90, Lawson Prod..\$394.49, Larson Blacksmith..\$130.00, Jensen Rock & Sand..\$7448.00, Huron Culvert..\$19,152.00, Gelling Racing..\$8.00, Flint Hills..\$119,498.23, Dakota Fluid Power..\$1304.82, Cartney Bearing..\$4.70, Carquest..\$2808.63, Brick Propane..\$19.80, Ameripride..\$103.89, Aberdeen Asphalt..\$3193.63, A&M Radio..\$204.00, Indoff..\$174.98, Promap..\$2205.00, Salvation Army..\$1000.00, GCR Tire..\$16.00, Hewlett-Packard..\$406.00, Macs..\$7.36, Service Signs..\$49.37, Brick Propane..\$15.00, Delta Controls..\$1643.17, Electronic Security..\$10,442.92, North America Construction Services..\$12,206.19, Volunteers of America..\$3499.45, Brown County..\$2958.68, NECOG..\$1666.66, New Trends..\$510.00, North Star Amusements..\$8,750.83;

Publications: American News..\$321.95, Groton Indep..\$310.50;

Professional Fees: Francine Sippel..\$520.00, Bill Schott..\$500.00, Stage Pros..\$6316.25;

Transcriptions: Neal Reporting..\$74.80;

Travel: City of Groton..\$40.64;

Court Appointed Attorney: Randy Turner..\$13.90;

Utilities: Dependable Sanitation..\$371.00, Qwest..\$80.00, Northwestern Energy..\$1202.00, Northern Elec..\$7.10, City of Hecla..\$59.65, Cell One..\$270.62;

Care of Poor: Rent – 2 recipients..Chow Main Properties..\$100.00, Diane Millard..\$130.00; Medical – 11 recipients..Anesthesia Care..\$144.00, Avera St Lukes..\$1294.59, Aberdeen Family Physicians..\$68.67, Dakota Imaging..\$58.02, United Clinic..\$89.96, Dr John Carrels..\$111.34; Transportation – 1 recipient..Aberdeen Adv Care..\$101.57; Medications – 3 recipients..Walmart..\$375.65, Econofoods Pharm..\$140.62, K-Mart Pharm..\$28.89; Utilities – 1 recipient..NWPS..\$260.00. All members present voting aye. Motion carried.

PERSONNEL:

Moved by Hansen, seconded by Wiese to approve the following employee step/longevity increases, effective August 28, 2005: Alicia Dohn @ \$12.31 per hour, Kimberly Droog @ \$10.18 per hour, Don Fischer @ \$10.90 per hour. All members present voting aye. Motion carried.

Moved by Hansen, seconded by Wiese to approve hiring Michelle Thex as part-time JDC Officer, effective September 2, 2005 at \$9.12 per hour. All members present voting aye. Motion carried.

WEED AND SEED:

Moved by Hansen, seconded by Fischbach to approve the Brown County Weed and Seed Monthly Expenses for August 2005 (Year Three 2002-WS-QX-0054), in amount of \$8,124.79. All members present voting aye. Motion carried.

Moved by Wiese, seconded by Hansen to approve the following Weed and Seed Year Three funding proposals: Brown County Sheriff's Department (GPS surveillance); Aberdeen School District (SEARCH survey); Brown County Weed and Seed (Filing cabinet and office supplies); NADRIC (Community prevention supplies); Division of Child Protection DSS (Digital recording equipment), as recommended by the Steering Committee. All members present voting aye. Motion carried.

ORDINANCE NO 034 - SET HEARING DATE:

Moved by Wiese, seconded by Fischbach to set public hearing for 9:30 a.m. on September 6, 2005 in the Commission Chambers, Courthouse Annex, Brown County, SD for First Reading of Ordinance No. 034, An Ordinance to rezone the following property from Chapter 4.06 Agricultural Preservation District (AG-P) to Chapter 4.13 Commercial District (C): Lot 4 Schaeffer Richmond Lake 2nd Addition in NW ¼ & NE ¼ Sec 25-T124N-R65W of the 5th P.M., Brown County, SD. All members present voting aye. Motion carried.

PLATS:

Commissioner Wiese offered the following Resolution:

RESOLUTION NO. 62-05

BE IT RESOLVED by the Board of County Commissioners of Brown County, SD, that the plat showing "S & K Conservation Easement Tracts 1, 2 and 3 in the NW ¼ and NE ¼ of Sec 14-T123N-R62W of the 5th P.M., Brown County, SD", 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, Fischbach-aye, Knecht-aye, Wiese-aye, Feickert-aye. Resolution adopted.

Commissioner Wiese offered the following Resolution:

RESOLUTION NO. 63-05

BE IT RESOLVED by the County Commission of Brown County, SD, that the plat showing "Pierson Addition in the SE ¼ of Sec 1-T124N-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 Knecht. Roll call vote: Commissioners Hansen-aye, Fischbach-aye, Knecht-aye, Wiese-aye, Feickert-aye. Resolution adopted.

Commissioner Knecht offered the following Resolution:

RESOLUTION NO. 64-05

BE IT RESOLVED by the County Commission of Brown County, SD, that the plat showing "First Replat of Lot 1, Mitzel Subdivision in the NW ¼ of Sec 21-T123N-R64W 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 Hansen-aye, Fischbach-aye, Knecht-aye, Wiese-aye, Feickert-aye. Resolution adopted.

AGREEMENT/NOTICE TO PROCEED - ROAD PROJECT #27:

Moved by Wiese, seconded by Fischbach to approve and authorize the Chairman sign Agreement/Notice to Proceed with Aberdeen Asphalt for the Brown County Road 27 – Gravel Base & Asphalt Surfacing Project in amount of \$109,318.00. All members present voting aye. Motion carried.

INCREASE SPENDING AUTHORITY/ESTIMATED REVENUE:

Moved by Wiese, seconded by Hansen to increase spending authority (Fund #101-211-434) and estimated revenue (Fund #101-373.01) in amount of \$12,571.00 for unanticipated insurance reimbursement for Sheriff vehicle involved in an accident. All members present voting aye. Motion carried.

ORDINANCE NO. 033 – FIRST READING:

Moved by Knecht, seconded by Wiese to approve First Reading of Ordinance No. 033, An Ordinance amending Second Revision Brown County Ordinances to rezone the following described property from its present zoning designation of Chapter 4.06 (AG-P) Agricultural Preservation District to Chapter 4.10 Lake Front Residential District (R-3): Lots 1 and 2 Prairie Lake Second Subdivision in E ½ W ½ Sec 23-T124N-R65W of the 5th P.M., Brown County, SD. All members present voting aye. Motion carried.

LIEN COMPROMISE DENIED:

Mary Holsing met to request a prior owner's relief lien be forgiven on property purchased without a title search by her father. The request was denied.

PURCHASE OPTION:

Vic Schumacher met to discuss a 1999 purchase option held by Brown County on property owned by Mr. Schumacher. The decision to waive the option or purchase the property will be determined at a later date.

APPLICATION FOR OCCUPANCY:

Moved by Hansen, seconded by Wiese to approve application, submitted by James Valley Telecommunications for occupancy of Brown County Highway No. 11 in Sec 25, 26, 27 & 28-T125N-R62W of the 5th P.M., Brown County, SD to provide communications. All members present voting aye. Motion carried.

RECESS:

The Chairman declared the Commission recessed until August 30, 2005.

Maxine Taylor – Brown County Auditor

AUGUST 30, 2005 - JOINT CITY/COUNTY MEETING

The Brown County Commission and the Aberdeen City Council 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 Council Members Aman, Bunsness, Campbell, McQuillen, Agnitsch and Mayor Levsen. Absent from City were Council Members Hodgin, Rux and Mitchell. Present from County were Commissioners Hansen, Fischbach, Knecht, Wiese and Feickert.

ORDINANCE NO. 05-08-03/314:

On motion by McQuillen and seconded by Aman, the City unanimously voted to approve Second Reading and Adoption of Ordinance No. 05-08-03/314.

Moved by Wiese, seconded by Fischbach to approve Second Reading and Adopt Ordinance No. 05-08-03/314, An Ordinance amending Ordinance No. 1164 to rezone the following described property from its present zoning designation of Section 710 (I-2) Unrestricted Industrial District to Section 714 (M-AG) Mini-Agricultural District: Gisi's Lot A of Outlot 1, Ex. Rd., Winters Outlots, N ½, Sec 22-T123N-R64W of the 5th P.M., Brown County, SD. Roll call vote: Commissioners Hansen-aye, Fischbach-aye, Knecht-aye, Wiese-aye, Feickert-aye. Ordinance adopted.

The City Council adjourned and the County continued into their regular meeting.

Jan Beckler – Deputy Brown County Auditor

AUGUST 30, 2005 – GENERAL MEETING

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

MINUTES:

Moved by Wiese, seconded by Fischbach to approve the Joint City/County Meeting minutes and the General Meeting minutes of August 23, 2005. All members present voting aye. Motion carried.

CLAIMS:

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

Supplies: RE Huffman..\$28.07, Best Business..\$180.71, CDW Govt..\$296.91, Veterans Info Services..\$45.00, SDACC..\$12.00, Langs..\$14.99, Runnings..\$269.75, Macs..\$311.79, Velvet Uniforms..\$92.09, Dept of Revenue..\$891.00, New Trends..\$77.61, Lar Jos..\$35.00, Exhaust Pros..\$64.64, Bob Barker..\$257.96, Flint Hills..\$111,500.44, Heartland Paper..\$269.77, 3-D Specialties..\$1209.02, SD Public Assurance..\$289.00, Sound Decisions..\$14.99, Share Corp..\$160.00, Lien Trans..\$85,137.30, HF Jacobs..\$11,000.00, AASLH..\$100.00, A&M Radio..\$51.50, Dacotah Prairie Merchantile..\$29.95, D&d Paint..\$186.40, Arts Council..\$169.85, Walmart..\$88.75, Climate Control..\$4907.50, Gompf Display..\$1822.50, Judie Bruse..\$8.47, OK Tire..\$72.00, HC Clark..\$111.36, Western States Fire..\$130.00, Tractor Supply..\$234.53, RDO Equip..\$28.09, DSS Image Apparel..\$99.50, Weismantel Rent-All..\$254.00, Farnams..\$38.13, Town & Country..\$31.98, BioQuip..\$78.42, Extension Service..\$231.92, Extension Service..\$32.45, Midwest Plan..\$20.00, Vosika Fencing..\$92.50, Van Diest..\$5290.45, Farm Power..\$31.00, SDEMA..\$5.00, Cummins Central Power..\$2940.00, City of Hecla..\$750.00, Menards..\$85.68, SDCLE..\$360.00, Legislative Mail..\$52.38, Mathew Bender..\$26.45, West Payment..\$1348.69, Gardner Locksmith..\$25.00, Office Max..\$608.89, Indoff..\$127.95:

Publications: American News..\$475.77, Groton Indep..\$145.00:

Professional Fees: Aberdeen Family Physicians..\$22.20, Avera St Lukes..\$963.72, Marjorie Lammon..\$500.00, Janice Moore..\$500.00, Avera Queen of Peace..\$528.00, Sheriff of Yankton County..\$49.50, NADRIC..\$1666.66, Rich Russman..\$2916.67, Kim Dorsett..\$2083.33, Eide Bailly..\$264.00:

Transcriptions: witness fee..\$20.00:

Travel: Gene Loeschke..\$183.04:

Court Appointed Attorney: Kelly Marnette..\$3496.50, Kennedy, Rokahr..\$150.19, William Gerdes..\$4166.67, Kuck Law Office..\$4166.67, Randy Turner..\$4166.67, Christy Serr..\$4166.67:

Utilities: Qwest..\$4579.21, Midcontinent Cable..\$232.88, Cellular One..\$916.86, City of Aberdeen..\$10.00, Northwestern Energy..\$9715.96, Montana Dakota..\$47.27, Northern Elec..\$264.27, A-1 Sanitation..\$121.00, Northern Elec..\$100.00, James Valley..\$207.60:

Care of Poor: Rent – 6 recipients..Wayne Ackerman..\$240.00, Jeanne Hardin..\$240.00, Kurt Kruger..\$190.00, Rockford Apts..\$76.00, Beverly Halvorson..\$200.00, Park Village Mobile Home Court..\$172.00; Medical – 2 recipients..Avera St Lukes..\$985.57, Avera United Clinic..\$569.73; Transportation – 2 recipients..Brown County Highway..\$22.05; Medications – 4 recipients..Kesslers Pharm..\$665.00. All members present voting aye. Motion carried.

ORDINANCE NO. 033:

Moved by Wiese, seconded by Fischbach to approve Second Reading and Adopt Ordinance No. 033, An Ordinance amending Second Revision Brown County Ordinances to rezone the following described property from its present zoning designation of Chapter 4.06 (AG-P) Agricultural Preservation District to Chapter 4.10 Lake Front Residential District (R-3): Lots 1 and 2 Prairie Lake Second Subdivision in E ½ W ½ Sec 23-T124N-R65W of the 5th P.M., Brown County, SD. Roll call vote: Commissioners Hansen-aye, Fischbach-aye, Knecht-aye, Wiese-aye, Feickert-aye. Ordinance adopted.

EXECUTIVE SESSION:

Moved by Wiese, seconded by Fischbach to go into executive session for personnel discussion. All members present voting aye. Motion carried.

The chairman declared the executive session closed, with no action as a result of the discussion.

BID – COURTHOUSE ANNEX CHILLER:

Motion by Hansen, seconded by Knecht to approve addendum to Chiller Bid. All members present voting aye. Motion carried.

Time and place, as advertised to open, read and consider bids for labor and materials to Install: A 110 Ton Air-Cooled Rotary Scroll Chiller, disconnect old condensing unit, piping, and chiller bundle. Bids received from Woodman Refrigeration, \$94,500.00, Honeywell \$104,957.00 and Johnson Controls \$89,799.00. Motion by Knecht, seconded by Wiese to refer all bids to Mick Palmer, Maintenance Supervisor for review and recommendation. All members present voting aye. Motion carried.

EXECUTIVE SESSION/PERSONNEL:

Moved by Knecht, seconded by Wiese to go into executive session with Landfill Manager Mike Scott in attendance to discuss personnel. All members present voting aye. Motion carried.

The chairman declared the executive session closed, with the following action taken as a result of the discussion.

Moved by Knecht, seconded by Wiese to approve classification change from Labor grade 3/Step 2 to Labor grade 5/Step 2 for Don Fischer @ \$11.24 per hour, effective August 29, 2005. All members present voting aye. Motion carried.

PERSONNEL:

Motion by Wiese, seconded by Hansen, to approve Marge Lammon as part time/full time effective August 29, 2005 @\$10.70 per hour. All members present voting aye. Motion carried.

Motion by Wiese, seconded by Knecht to approve pay rate of \$16 per hour for the following fair security personnel at the Brown County Fair: Kay Albrecht, William Antonides, Roland Barvels, Brook Brown, Justin Cleveland, Mary Clawson, Matthew Farley, Michael Flanigan, Brenda Hammrich, Judy Hauge, Tanner Jondahl, David Koch, Amy Lake, Trenton Lunstrum, Marissa McDermond, Jacob Miller, Kelly Moinichen, Samual Mouna, Kathy Neitzel, Russell, Ochsner, Bobbie Clauson, Harlan Radke, Erik L Red Hill, Bruce Sahli, Darin Sinner, Daryl VanDover and Michael Waldrop. All members present voting aye. Motion carried.

APPROVE CONTAINER PURCHASE & BID SPECS:

Discussion to approve purchase of a new 50 yard open top container for the landfill. Also gave approval to write bid specifications for the purchase of a new spring suspension tandem axle truck.

FREE RESIDENTIAL CLEANUP:

Free county residential cleanup starts Friday, September 2 and runs through September 24.

BUILDING PERMIT FEES:

Commissioner Wiese offered the following Resolution:

RESOLUTION NO. 65-05

WHEREAS, by authority of Chapter 4.26 Second Revision Brown County Ordinances, the Brown County Commission may alter or amend the schedule of fees, charges and expenses and a collection procedure for building permits, and

WHEREAS, it has been determined that the flat fee currently in place should be replaced with a sliding scale fee schedule based upon value of the unit to be built.

NOW THEREFORE, BE IT RESOLVED by authority of Chapter 4.26 Second Revision Brown County Ordinances, the following fee schedule for building permits is hereby approved and adopted to be effective September 1, 2005:

<u>Cost Range of Unit</u>		<u>Fee</u>
\$0	\$1,000.00	\$5.00
\$1001.00	\$5,000.00	\$25.00
\$5,001.00	\$10,000.00	\$35.00
\$10,001.00	\$25,000.00	\$40.00
\$25,001.00	\$50,000.00	\$50.00
\$50,001.00	\$75,000.00	\$60.00
\$75,001.00	\$100,000.00	\$70.00
\$100,001.00	\$125,000.00	\$80.00
\$125,001.00	\$150,000.00	\$90.00
\$150,001.00	Over	\$100.00

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

AGREEMENT:

Discussed proposed agreement between Brown County Jail/JDC and United Clinic for the provision of medical services to the inmates of the Brown County Jail/JDC. Instructed Christine Heidenreich, JDC/Jail Nurse to proceed with the details of the agreement.

FEDERAL BUDGET UPDATE:

Senator Tim Johnson was welcomed to the meeting where he proceeded to present federal budget updates to the commission.

DRAINAGE DITCH:

Mr. & Mrs. Orville Crawford appeared before the commission to discuss a drainage ditch. Present were Mark Milbrandt, Kathy Fischer and Mark McNeary. The commission instructed the States Attorney to take appropriate action.

EXECUTIVE SESSION:

Motion by Wiese, seconded by Knecht to go into executive session with States Attorney Mark McNeary in attendance to discuss personnel. All members present voting aye. Motion carried.

The chairman declared the executive session closed, with no action taken as a result of the discussion.

FAIR UPDATE:

Fair Manager Larry Gerlach and President Tammy Dennert presented revenue figures from this year's Brown County Fair. The Fair Board was congratulated on a very successful fair. The Commission was also advised the entertainment stage has outlived its life expectancy and must be replaced.

Larry advised the commission as to the changes made to the Brown County Fair By-laws ARTICLE II. Motion by Knecht, seconded by Fischbach to approve By-law changes of the Brown County Fair Board. All members present voting aye. Motion carried.

Also informed the commission that Sandy Bierman, wife of Chad Bierman who was called to active duty, will be acting Board Member in his absence.

PURCHASE OPTION:

Vic Schumacher appeared before the commission to further discuss a 1999 purchase option held by Brown County on property owned by Mr. Schumacher. The commission instructed Maintenance Supervisor Mick Palmer and Judy Dosch to meet with the current tenant to discuss details.

CHILLER BID AWARDED:

Motion by Hansen, seconded by Fischbach to award bid, submitted by Johnson Controls in the amount of \$89,799.00 (contingent on having original signed bid in the county's possession instead of faxed copy) to provide a 110 Ton Air-Cooled Rotary Scroll Chiller and disconnecting old condensing unit, piping, and chiller bundle; rejecting the following bids: Woodman Refrigeration @ \$94,500.00 and Honeywell @ \$104,957.00. All members present voting aye. Motion carried.

LOTTERY APPLICATION:

Moved by Wiese, seconded by Fischbach to approve the application submitted by the Aberdeen Soccer Association for raffle to be held on September 10, 2005. All members present voting aye. Motion carried.

RECESS:

The Chairman declared the Commission recessed until September 6, 2005.

Jan Beckler – Deputy County Auditor

SEPTEMBER 6, 2005 – GENERAL MEETING

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

MINUTES:

Moved by Knecht, seconded by Hansen to approve the Joint City/County Meeting minutes and the General Meeting minutes (with corrections) from August 30, 2005. All members present voting aye. Motion carried.

CLAIMS:

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

Payroll: Commissioners..\$2,683.65; Auditor..\$6,499.24; Treasurer..\$8,663.64; Data Processing..\$1,658.00; State's Attorney..\$9,203.22; Maintenance..\$5,275.76; Assessor..\$8,617.20; Planning & Zoning..\$588.00; Register of Deeds..\$4,567.55; Veterans Service Office..\$2,508.81; GIS..\$1,692.31; Sheriff..\$57,768.99; DOJ Grant..\$2,545.60; Communications..\$12,793.01; Welfare Office..\$2,745.72; Museum..\$4,764.68; Fairgrounds & Parks..\$8,895.22, Fairboard..\$13,962.18; Extension..\$2,257.43; Weed..\$4,553.13; Emergency Management..\$2,310.51; Weed and Seed Grant..\$1,067.31; Coroner..\$1050.00; Highway..\$37,383.27; Landfill..\$6,711.89; Matching Benefits: FICA..\$12,379.41; Medicare..\$2,895.20;

Supplies: Compuvest..\$316.40, New Trends..\$190.66, RE Huffman..\$319.33, Warner School Dist..\$659.46, Dave Murphy..\$350.00, Bob & Beachcombers..\$500.00, CDW Govt..\$244.11, Van Diest..\$1772.25, Pro Ag..\$137.10, Meyer Tractor Salvage..\$50.00, Curts Motorsports..\$204.50, Walmart..\$171.55, Office Max..\$388.97, Century Business..\$157.47, SD State Archives..\$20.00, Sherri Rawstern..\$34.00, Academy Trophy..\$200.00, Western Printing..\$316.50, Outlaw Graphics..\$1064.66, Best Business..\$87.93, Kirks Auto..\$22.00, Safety Service..\$2808.00, Keeleys..\$265.50, Pierson Ford..\$162.97, Overhead Door..\$126.43, Earth Tech..\$7826.55, Artz Camera..\$626.26, Aberdeen C&F..\$147.37, Taylor Laundry..\$ 22.50, Heartland Paper..\$247.50, Menards..\$11.92, SOS Garage..\$165.00, Central Supply..\$612.80, Woodman Refrigeration..\$616.70, Sanders Sew 'N Vac..\$13.00, Chris Stanley..\$75.00, Sec of State..\$7.00, Office Equipment..\$284.22, ITC..\$65.25, Polk City Directories..\$390.00, Best Business..\$107.82, Towing Plus..\$230.00, Tel Serv Communications..\$7.50, Gardner Locksmith..\$51.00, Inventory Trading..\$83.00, Exhaust Pros..\$76.45, Moore Medical..\$157.98, Christine Heidenreich..\$5.57, Bonnie Bitz..\$467.00, Terry Evans..\$48.98, Farnams..\$14.07, Hedahls..\$16.40, Runnings..\$40.49, Macs..\$200.15, Dakota Fluid Power..\$77.80, HC Clark..\$187.99, Gas 'N Goodies..\$9.06, Heartland Paper..\$111.67, NADA..\$220.00, Wallwork..\$8608.65, Markus Selzler..\$20.95, S&S Lumber..\$505.49, North Central Rental..\$800.00, Meyers Auto..\$75.00, Larson Blacksmith..\$60.00, HF Jacobs..\$3782.51, Huron Culvert..\$376.41, Flint Hills..\$89,413.54, Farm Power..\$403.61, Energy Alliance..\$16,584.00, Dware..\$60.00, Clark Engineering..\$1920.85, Butler Machinery..\$125.86, Bridgestone Firestone..\$52.00, Brick Propane..\$7.95, Ameripride..\$173.15;

Publications: American News..\$276.74;

Professional Fees: Avera St Lukes..\$134.00, Dr John Carrels..\$472.17;

Transcriptions: Sara Van De Walle..\$20.40, Michelle Gaikowski..\$08.80;

Travel: Gail Martin..\$58.88, Larry Gerlach..\$127.01, Joyce DesCamps..\$500.00, Dennis Feickert..\$19.20, Heather Wilkinson..\$464.80, Randall Bickford..\$216.00, Jim Payne..\$78.72, Lorah Houser Jankord..\$104.96, Leo Leshner..\$300.48;

Court Appointed Attorney: Kettering Law Office..\$77.20, Brevik Law Office..\$185.99;

Utilities: Cellular One..\$33.20, WEB..\$251.56, City of Aberdeen..\$988.02, Northwestern Energy..\$1278.77, Midcontinent Cable..\$40.21, Qwest..\$197.03, A-1 Sanitation..\$92.30,

Care of Poor: Dr/Hospital – 7 recipients..Orthopedic Surgery..\$79.10, Dr William Goumas..\$60.00, Dakota Plains Surgical Center..\$596.00, Kamerud Chiropractic Clinic..\$49.00, Neurospine..\$5537.40, Dr Joe Chang..\$57.40, SD Urban Indian Health..\$20.75; Rent – 4 recipients..Zumbaum Property..\$220.00,

Lakeside Estates..\$175.00, White House Inn..\$64.00, Kurt Kruger..\$100.00. All members present voting aye. Motion carried.

PERSONNEL:

Moved by Fischbach, seconded by Wiese to approve hiring Stacie Wasem as part-time Home Detention Officer, effective September 7, 2005 at \$9.83 per hour. All members present voting aye. Motion carried.

Moved by Wiese, seconded by Knecht to approve the following employee step/longevity increases, effective September 11, 2005: Ben Hofer @ \$11.83 per hour, David Koch @ \$10.98 per hour. All members present voting aye. Motion carried.

Moved by Wiese, seconded by Fischbach to approve Sheriff personnel to volunteer for a two-week location project in New Orleans, LA to assist in the aftermath of hurricane Katrina, with the County providing straight wages, vehicle, equipment, food and water. All members present voting aye. Motion carried.

ORD 315 – SET HEARING:

Moved by Knecht, seconded by Wiese to set public hearing for 8:45 a.m. on September 27, 2005 in the Brown County Commission Chambers, 25 Market Street for First Reading of Ordinance No. 05-09-04/315, An Ordinance to rezone the following property from Section 712 (R-5) Trailers, Trailer Parks and Planned Residential Area (Trailers) District to Section 707 (C-2) Highway Commercial District: Starting 150' North of the Southwest property pin of Graves Outlot A, thence traveling East 150', thence North 1,180', thence West 150', thence commencing South 1,180' to the point of beginning. All points located within Graves Outlot A, in the SW ¼ of Sec 34-T124N-R64W of the 5th P.M., Brown County, SD. All members present voting aye. Motion carried.

CONTINGENCY TRANSFERS:

Moved by Wiese, seconded by Hansen to approve the following Contingency Transfers (spending authority only): Fund #101-154 Abused & Neglect @ \$4,030.40; Fund #101-169 @ \$4,635.51; Fund #101-445 Mental Illness Board @ \$6,267.46. All members present voting aye. Motion carried.

WAIVE FEES – FALL CLEANUP:

Moved by Wiese, seconded by Hansen to approve waiving fees for residential waste materials at the Landfill ONLY from September 2 thru September 24, 2005 for the Fall RESIDENTIAL Cleanup. All members present voting aye. Motion carried.

APPOINTMENT:

Moved by Wiese, seconded by Knecht to appoint Sandy Bierman as temporary Fair Board member while Chad Bierman is on active duty in Iraq. All members present voting aye. Motion carried.

AMEND MINUTES:

Moved by Hansen, seconded by Wiese to amend minutes of August 30, 2005 to include rejected bids on chiller unit. All members present voting aye. Motion carried.

ABATEMENTS/UNCOLLECTIBLE MH TAXES:

Moved by Wiese, seconded by Fischbach to approve the following abatements of uncollectible taxes on mobile homes: Etheleen Jewett @ \$481.58 (1997), Ed Iverson @ \$117.12 (2003), Barbara Lacompe @ \$63.56 (1998) and \$96.64 (1999), Michael Barton @ \$93.30 (2001); and further note that the following taxes plus interest remain on the uncollectible list: Mike Moss @ \$273.86, James Freed @ \$299.30, Alex Bichler @ \$341.67 and \$221.55. All members present voting aye. Motion carried.

SOLID WASTE SPECIAL ASSESSMENT FEES - 2006
Commissioner Fischbach offered the following Resolution:

RESOLUTION NO. 66-05

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, 2006 through December 31, 2006, 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 @ \$15.00 per year
2. Households within Incorporated Cities or Civil Townships that do not require curb service @ \$65.00 per year
3. Condominiums taxed as single units within Incorporated Cities or Civil Townships that require curb service @ \$15.00 per year
4. Condominiums taxed as single units within Incorporated Cities or Civil Townships that do not require curb service @ \$65.00 per year
5. Apartment Units within incorporated Cities that require curb service @ \$ 7.00 per unit per year
6. Seasonal Lake Cabins @ \$25.00 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 @ \$15.00 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 @ \$65.00 per unit per year

Dated this 6th day of September 2005.

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

SW EQUALIZATION NOTICE:

Moved by Wiese, seconded by Hansen to authorize advertising the Solid Waste Special Assessment Equalization Notice. All members present voting aye. Motion carried.

2006 PROVISIONAL BUDGET HEARING:

Time and place, as advertised for public hearing for the 2006 Provisional Budget. No one appeared.

ORDINANCE NO. 034:

Time and place, as advertised for First Reading of Ordinance No. 034 Schaeffer Rezone. Moved by Wiese, seconded by Knecht to approve First Reading of Ordinance No. 034, An Ordinance amending Title 4, Second Revision Brown County Ordinances, as amended to rezone Lot 4 Schaeffer Richmond Lake 2nd Addition in NW ¼ and NE ¼ Section 25-T124N-R65W of the 5th P.M., Brown County, SD from

Chapter 4.06 (AG-P) Agricultural Preservation District to Chapter 4.13 (C) Commercial District. All members present voting aye. Motion carried.

PROPERTY DISCUSSION:

Judy Dosch met with the Commission to discuss property on Railroad Avenue.

DRAINAGE DISCUSSION:

Orville and Oriett Crawford met to discuss drainage issue. States Attorney Mark McNeary will be contacted.

RECESS:

The Chairman declared the Commission recessed until September 13, 2005.

Maxine Taylor – Brown County Auditor

SEPTEMBER 13, 2005 – GENERAL MEETING

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

MINUTES:

Moved by Fischbach, seconded by Wiese to approve the General Meeting minutes of September 6, 2005. All members present voting aye. Motion carried.

CLAIMS:

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

Supplies: Brown County Tres..\$13.00, Best Business..\$214.36, Reserve Acct..\$5000.00, Kaleidoscope..\$358.99, Exec Mgmt..\$2380.25, State Bar..\$90.00, New Trends..\$24.88, Office Equip..\$115.50, Quality Quick Print..\$520.40, Photos Now..\$29.85, Civic Research Institute..\$39.95, Avera St Lukes..\$45.00, Sewing Shoppe..\$187.00, Medtox Diagnostics..\$250.54, HRS..\$4534.12, Kesslers..\$431.39, Office Max..\$565.40, Runnings..\$936.12, Duanes..\$56.85, OK Tire..\$177.00, Animal Health..\$25.00, Hoven Auto..\$20.64, LSS..\$15,477.79, Zastrow Service..\$51.26, Wallwork..\$1041.45, Specialty Mfg..\$96.48, SD Division of Motor Vehicles..\$13.00, Sheehan Mack Sales..\$233.90, Praxair..\$36.02, Pierson Ford..\$549.33, Newman Signs..\$1209.50, Midwest Pump & Tank..\$15.41, Menards..\$881.86, James Loterbauer..\$54.00, Lien Trans..\$4607.63, Lawson Products..\$230.00, Larson Blacksmith..\$35.00, Interstate Battery..\$143.90, Hedahls..\$346.12, Hecla Impl..\$50.49, Great Western Tire..\$4036.63, Freys Elec..\$1214.40, Farnams Parts..\$63.43, Farm Plan..\$671.43, Exhaust Pros..\$98.05, Evergreen Supply..\$61.70, Erdmann Oil..\$9623.54, Diesel Machinery..\$1672.71, Dakota Oil..\$1632.58, Dakota Fluid Power..\$1066.04, Crawford Trucks..\$1419.49, Cartney Bearing..\$109.08, Aberdeen Equip..\$19.12, Aberdeen Chrysler..\$934.31, D&d Paint..\$186.40, SD Magazine..\$217.00, Adam & Eve Styling Salon..\$32.00, Glas Consulting..\$225.00, OK Tire..\$102.00, Quality Quick Print..\$49.74, Conlin Furniture..\$387.26, Parcel Erickson..\$50.00, Hockey Assoc..\$5087.50, Ameripride..\$189.95, Robert Retzer..\$29.67, BLR..\$320.08, RDJ Spec..\$1606.61, Farm & Home Pub..\$160.00, NECOG..\$1605.48, City of Groton..\$2355.26, Bricks TV..\$780.00, Graham Tire..\$625.45, MVTL Lab..\$34.40, Dakota Fluid Power..\$56.41, Cunningham Elec..\$77.52, OK Tire..\$32.00, Service Signs..\$127.50, Frey's Elec..\$1066.05, Butler Machinery..\$296.88, House of Glass..\$54.12, Radio Ranch..\$295.00, SD Dept of Revenue..\$3439.97, Waste Recovery..\$1762.54, Dakota Electronics..\$540.00, Genius Web.Com..\$29.97, New World..\$22,150.00, Victor and Joan Schumacher..\$12,480.00:

Publications: American News..\$1446.03, Sisseton Courier..\$24.57, Midland Press..\$157.50:

Professional Fees: Dawn Woods..\$134.00, NE Mental Health..\$58.52:

Transcriptions: Sara VanDeWalle..\$47.60, Tammy Erickson..\$222.98, Slowey Court Reporting..\$240.00:

Travel: Kathy Fischer..\$174.64, Gene Loeschke..\$167.04, Melissa Tennant..\$81.60, Kathy Schlecht..\$352.17, Sherry Theobald..\$18.88, Marjorie Zastrow..\$450.72:

Court Appointed Attorney: Creighton Thurman..\$161.32:

Utilities: Northern Valley..\$72.79, James Valley Co-Op..\$397.87, Town of Frederick..\$28.25, Flint Hills..\$14,348.12, City of Aberdeen..\$1535.00, Northwestern Energy..\$296.05, Qwest..\$689.34, Northern Wireless..\$110.85, Dependable Sanitation..\$16,522.02:

Care of Poor: Rent – 2 recipients..Ron Erdmann..\$130.00, Rich Thomas..\$260.00; Utilities – 3 recipient..NWPS..\$666.08. All members present voting aye. Motion carried.

PERSONNEL:

Moved by Knecht, seconded by Wiese to approve hiring Cynthia Schwan as part-time employee in the Register of Deeds Office, effective September 13, 2005 at \$14.71 per hour. All members present voting aye. Motion carried.

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Moved by Knecht, seconded by Wiese to approve hiring Todd Harder as part-time scale operator at the Landfill, effective September 13, 2005 at \$10.61 per hour. All members present voting aye. Motion carried.

Moved by Wiese, seconded by Fischbach to approve employee status change for Jesse Milbrandt from part-time to full-time Corrections Officer, effective September 11, 2005 at \$10.42 per hour. All members present voting aye. Motion carried.

Moved by Hansen, seconded by Knecht to approve hiring Debra Anderson as Guard for purpose of transporting prisoners. All members present voting aye. Motion carried.

Moved by Hansen, seconded by Knecht to approve hiring Jennifer Himes as Dispatcher, effective September 9, 2005 at \$10.68 per hour. All members present voting aye. Motion carried.

PROPERTY TRANSFER:

Moved by Wiese, seconded by Fischbach to approve and authorize the Chairman sign agreements with the following entities who received equipment from the 2003 DOJ Equipment Grant Program: Warner FD (PPE kits, portable and mobile radios), Aberdeen Police Department (PPE kits, range finder, inspection mirrors); and 2004 ODP Equipment Grant Program: Warner FD (scope, portable radios, rescue saw, trailer). All members present voting aye. Motion carried.

CONTRACT AGREEMENT:

Moved by Hansen, seconded by Fischbach to approve and authorize the Chairman sign Contract Agreement with Johnson Controls Inc to furnish and install a M#30RB-11056-OC32C (R410A) 110 ton air-cooled rotary scroll chiller for the Courthouse Annex in amount of \$89,799.00. All members present voting aye. Motion carried.

BROWN COUNTY WEED AND SEED:

Moved by Knecht, seconded by Wiese to acknowledge receipt of Grant Adjustment Notice No. 1 (GAN) for Brown County Weed and Seed Grant #2005-WS-Q5-0089, extending grant period from 10/1/2004 – 9/30/2005 to 10/1/2004 – 9/30/2006; and further to change grant manager from Michael Connor to Erin A. Holbert. All members present voting aye. Motion carried.

LOTTERY APPLICATION:

Moved by Fischbach, seconded by Hansen to approve and authorize the Chairman sign application, submitted by the Granary Memorial Gallery, Inc. for a lottery to be held on October 4, 2005. All members present voting aye. Motion carried.

TOWNSHIP BONDS:

Moved by Fischbach, seconded by Wiese to approve the following Township Bonds: Portage Treasurer Susan Gerdes; Bath Clerk Scott Sperry and Treasurer David E Stahl, Warner Clerk Robert Seaton, Savo Clerk Mary Ann Luoma and Treasurer Calvin Raisanen, Bates Clerk Roger Ball. All members present voting aye. Motion carried.

INCREASE SPENDING AUTHORITY/ESTIMATED REVENUE:

Moved by Knecht, seconded by Fischbach to increase spending authority (Fund #101-211-426) and estimated revenue (Fund #101-373.01) in amount of \$3,031.69 for unanticipated insurance reimbursement for engine replacement in Sheriff vehicle. All members present voting aye. Motion carried.

ORDINANCE NO. 034:

An Ordinance amending Title 4, Second Revision Brown County Ordinances, as amended to rezone Lot 4 Schaeffer Richmond Lake 2nd Addition in NW ¼ and NE ¼ Section 25-T124N-R65W of the 5th P.M., Brown County, SD from Chapter 4.06 (AG-P) Agricultural Preservation District to Chapter 4.13 (C) Commercial District. Roll call vote: Commissioners Hansen-aye, Fischbach-aye, Knecht-aye, Wiese-aye, Feickert-aye. Ordinance adopted.

GIS POLICY:

Scott Madsen, GIS Coordinator presented department update and proposed work schedule. Moved by Wiese, seconded by Knecht to approve work schedule for Scott Madsen, GIS Coordinator. All members present voting aye. Motion carried.

CELL PHONE DISCUSSION:

Mark McNeary, States Attorney explained circumstances requiring a higher than normal reimbursement request for use of his cell phone.

AGREEMENT:

Moved by Knecht, seconded by Wiese to approve and authorize the Chairman sign agreement for professional services, submitted by Helms and Associates for the Highway 12W from County 19 to one mile east and County 19 from Highway 12W to US 12 Project in amount not to exceed \$37,500.00. All members present voting aye. Motion carried.

EXECUTIVE SESSION:

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

The Chairman declared the executive session closed, with no action as a result of the discussion.

PURCHASE AGREEMENT:

Moved by Wiese, seconded by Knecht to approve and authorize the Chairman sign Real Estate Purchase Agreement with Victor and Joan M Schumacher for the purchase of RR OL #5 in the SW ¼ of Sec 13-T123N-R64W of the 5th P.M., Brown County, SD in total amount of \$124,800.00; and further authorize payment of 10% down (\$12,480.00). All members present voting aye. Motion carried.

RECESS:

The Chairman declared the Commission recessed until September 27, 2005 (no meeting September 20, 2005 due to SD County Convention).

Maxine Taylor – Brown County Auditor

SEPTEMBER 27, 2005 - JOINT CITY/COUNTY MEETING

The Brown County Commission and the Aberdeen City Council 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 Council Members Aman, Campbell, Hodgin, McQuillen, Mitchell and Mayor Levsen. Absent from City were Council Members Agnitsch, Bunsness and Rux. Present from County were Commissioners Hansen, Fischbach, Knecht, Wiese and Feickert.

ORDINANCE NO. 05-09-04/315:

On motion by McQuillen and seconded by Hodgin, the City unanimously voted to deny approval of First Reading of Ordinance No. 05-09-04/315.

Moved by Knecht, seconded by Wiese to deny approval of First Reading of Ordinance No. 05-09-04/315, An Ordinance amending Ordinance No. 1164 to rezone the following described property from its present zoning designation of Section 712 (R-5) Trailers, Trailer Parks and Planned Residential Area (Trailers) District to Section 707 (C-2) Highway Commercial District: Starting 150' North of the Southwest property pin of Graves Outlot A, thence traveling East 150', thence North 1,180', thence West 150', thence commencing South 1,180' to the point of beginning. All points located within Graves Outlot A, in the SW ¼ of Sec 34-T124N-R64W of the 5th P.M., Brown County, SD. Roll call vote: Commissioners Hansen-aye, Fischbach-aye, Knecht-aye, Wiese-aye, Feickert-aye. Ordinance denied.

The City Council adjourned and the County continued into their regular meeting.

Maxine Taylor - Brown County Auditor

SEPTEMBER 27, 2005 - GENERAL MEETING

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

MINUTES:

Moved by Wiese, seconded by Fischbach to approve the General Meeting minutes of September 13, 2005. All members present voting aye. Motion carried.

CLAIMS:

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

Payroll: Commissioners..\$2,683.65; Auditor..\$6,516.04; Treasurer..\$8,667.81; Data Processing..\$1,658.00; State's Attorney..\$9,203.22; Maintenance..\$5,270.42; Assessor..\$8,058.22; Planning & Zoning..\$588.00; Register of Deeds..\$4,570.04; Veterans Service Office..\$2,607.76; GIS..\$1,692.31; Sheriff..\$60,912.86; DOJ Grant..\$3,426.09; Communications..\$13,422.65; Welfare Office..\$2,745.72; Museum..\$4,764.68; Fairgrounds & Parks..\$3,575.08, Fairboard..\$1,343.84; Extension..\$1,416.80; Weed..\$3,898.67; Emergency Management..\$2,397.39; Weed and Seed Grant..\$1,067.31; Highway..\$37,525.31; Landfill..\$7,437.60; Matching Benefits: FICA..\$11,444.09; Medicare..\$2,676.49;

Supplies: UBC..\$20.77, Ecolab..\$73.00, House of Glass..\$121.59, Heartland Paper..\$517.52, Grote Roofing..\$342.00, K-Mart..\$233.64, Crescent Elec..\$512.94, Central Supply..\$1537.35, Indoff..\$26.98, Aberdeen Plumbing..\$56.12, Tom Gohn..\$25.00, Polk Directory..\$495.00, Fleet Mgmt..\$81.08, Wanderwerff Impl..\$2375.00, SD LTAP..\$120.00, Snap-On..\$16.10, Share Corp..\$210.40, McFarland Supply..\$61.38, James Loterbauer..\$36.00, Lien Trans..\$71,243.97, Huron Culvert..\$359.39, Gelling Auto..\$8.00, Frey Electronics..\$6504.00, Best Business..\$259.60, Adam & Eve Salon..\$32.00, Sherri Rawstern..\$83.14, Kelly Face..\$20.00, SD for the Arts..\$125.00, Lori Mattheis..\$225.00, Ride Line..\$2250.00, Quality Quick Print..\$302.54, Van Diest..\$1841.00, Pro Ag..\$123.00, Tesco..\$1282.83, Vantek..\$3920.00, RE Huffman..\$425.68, Menards..\$727.45, Fire Safety First..\$215.00, Tri-Combined Resources..\$830.20, Pizza Ranch..\$43.95, Ameripride..\$196.26, Carquest..\$1264.14, Runnings..\$391.93, RDR Plumbing..\$4259.13, Swanson Electric..\$20,488.02, Kens Superfair Foods..\$1811.50, AmericInn..\$150.00, Service Signs..\$738.70, A-1 Locksmith..\$41.73, Aberdeen Flying Service..\$82.25, Brown County..\$1047.03, Country Weekly..\$26.01, Creative Signs..\$105.84, DI/AN..\$1324.00, Dietrich Bus..\$1806.11, Eddie's Northside..\$45.00, Geffdog Designs..\$54.12, Hog Wild Saloon..\$152.50, Jewett Drug..\$128.80, Kiwanis..\$175.00, Millstone..\$362.50, Photo Xpress..\$80.62, TBA..\$1858.08, SD Fairs..\$150.00, Sewer Duck..\$325.00, Shopko..\$42.94, Specialized Communications..\$193.31, TSC..\$22.00, Howard Anderson..\$30.00, Angela Artz..\$30.00, Brenda Artz..\$30.00, Char Bachman..\$30.00, Alice Bartell..\$45.00, Bobbie Bierman..\$30.00, Marsha Braun..\$45.00, Ruth Cassanova..\$30.00, Lois Davis..\$30.00, Bill Dennert..\$30.00, Pat Dennert..\$30.00, Phyllis Donat..\$30.00, Doug Dreyer..\$30.00, Marilee Engelbrecht..\$100.00, Shari Elsen..\$25.00, Pam Erickson..\$60.00, Wayne Fischer..\$125.00, Vicki Forkel..\$45.00, Susan Gerlach..\$30.00, Judy Gulleeson..\$50.00, Kylee Habeck..\$25.00, Lynn Heupel..\$30.00, Jane Hommel..\$125.00, Barb Hoops..\$30.00, Jeannie Huettl..\$60.00, Blaine Hyde..\$115.00, Barb Jansen..\$30.00, Duane Jark..\$60.00, Florence Kraus..\$30.00, Marjorie Krueger..\$30.00, Carrie Lashly..\$30.00, Susan Lehr..\$30.00, Jeanette Lunders..\$45.00, Sheri Mack..\$45.00, Julie Milbrandt..\$30.00, Norma Miller..\$50.00, Steven Muller..\$160.00, Kathy Novstrup..\$30.00, Brett Oelke..\$190.00, Elsa Olson..\$30.00, Jon Oster..\$30.00, Kara Paulson..\$30.00, Dave Pearson..\$210.00, Irene Plumer..\$30.00, Nancy Schlichenmayer..\$30.00, Marie Schlosser..\$30.00, Randy Schweer..\$115.00, Chris Smith..\$335.00, Evie Smith..\$60.00, Brad Sharp..\$30.00, Gretchen Sharp..\$30.00, Letitia Smith..\$25.00, Emily Sperry..\$25.00, Carol Storley..\$30.00, Chris Styles..\$125.00, Jeff VanderWal..\$150.00, Ellen Weber..\$25.00, Elsie Wells..\$60.00, Vicki Wilson..\$30.00, Randy Wirt..\$210.00, Academy Trophy..\$30.00, Bonn Express..\$63.87, Bricks Roto Rooter..\$450.00, Kesslers..\$14.32, Jessi Mather..\$135.30, Northern Valley Comm..\$255.89, Jerry Schley..\$40.00,

Schumacher Sales..\$154.00, Hagan Benefits..\$200.00, Specialty Mfg..\$9.95, UPS..\$43.97, Marlys Volzke..\$53.39, Van Diest..\$385.20, Walmart..\$80.82, Kyle Cronin..\$10.50, Walmart..\$62.20, Ramada Inn..\$859.91, Ramkota Inn..\$943.00, Heartland Paper..\$1918.86, Aberdeen Plumbing..\$293.65, RE Huffman..\$104.10, Quill..\$115.16, Crescent Elec..\$401.18, CDW Govt..\$3390.94, Chris Stanley..\$300.00, Division of Hajoca..\$4.08, Aberdeen Home Builders..\$240.00, SD Abstractors..\$80.00, Dept of Rev..\$1234.00, Hoven Auto Repair..\$4072.00, PMI..\$42.27, Dakota Electronics..\$396.95, DT Pharmacy..\$2250.06, Velvet Uniforms..\$129.44, SD Sheriff Assn..\$130.00, Tel Serv..\$60.00, Exhaust Pros..\$100.64, Earthgrains..\$593.31, Photo Xpress..\$19.96, Parcel Erickson..\$28.95, Tri State Water..\$11.80, Orion Electronics..\$11,914.00, Z&S Dust Control..\$2318.50, SDDOT..\$9780.52, Lyle Signs..\$451.04, Lien Trans..\$14,288.46, Lawson Products..\$62.35, Howes Oil..\$16,407.75, Fastenal..\$411.36, Erdmann Oil..\$2642.76, Caspers Hwd..\$1325.67, Dacotah Bank..\$85.87, HRS..\$256.25, Rohl Beverage..\$789.60, Macs..\$59.91, Holiday Inn..\$1430.00, Dex Media East..\$110.09, Shopko..\$12.96, Dacotah Prairie Merchantile..\$74.75, Menards..\$134.00, Central Supply..\$36.50, Kens Superfair Foods..\$36.57, Hedahls..\$14.35, Farm Power..\$5.20, Runnings..\$448.99, Fays Refrigeration..\$103.18, Gas 'N Goodies..\$4.00, Office Max..\$48.97, Van Diest Supply..\$9706.25, Nat'l 4-H Council..\$48.50, Century Business..\$130.56, Brown County..\$2863.32, NECOG..\$1666.66, Volunteers of America..\$4580.48, Vantek Comm..\$3220.50, Hedges Auto..\$600.00, RDJ Specialties..\$1557.41, Menards..\$85.50, Walmart..\$15.64:

Publications: American News..\$332.91, Groton Indep..\$368.25, Dakota Press..\$806.85:

Professional Fees: Avera St Lukes..\$1363.33, SD Dept of Legislative Audit..\$14,070.88, Kim Dorsett..\$2916.68, Rich Russman..\$2916.67, Dr John Carrels..\$118.66, United Clinic..\$101.48, SD Urban Indian Health..\$26.65, Dakota Imaging..\$29.20, Northeastern Mental Health..\$497.42, Career Planning..\$522.75, Lewis & Clark BHS..\$260.00, NADRIC..\$1666.66, Tabatha Moore..\$500.00:

Transcriptions: Michelle Gaikowski..\$583.80:

Travel: Gary Erickson..\$122.32, Maxine Taylor..\$110.30, Sheila Enderson..\$118.35, Carol Sherman..\$123.12, Scott Madsen..\$141.76, City of Groton..\$48.00, Charlene Millim..\$21.12, Barb Gunderson..\$804.30, Wendy Mette..\$120.00, Brown County..\$2020.20, Tabatha Moore..\$612.20, Dennis Feickert..\$121.92, Deb Knecht..\$195.00, Nancy Hansen..\$138.24:

Court Appointed Attorney: Kelly Marnette..\$346.00, Randy Turner..\$4206.67, Christy Serr..\$4216.67, Kuck Law Office..\$4166.67, William Gerdes..\$4166.67, May & Johnson..\$2263.35:

Open Class Premiums: Adam Anderson..\$10.50, Alex & Brooke Jung..\$5.00, All Shook Up Montadales..\$63.00, Al-Shar Holsteins..\$21.00, Anderson Family..\$75.00, Ashley Pigors..\$10.50, Bailly Ringgenberg..\$18.00, Bill Fuller..\$93.50, BJ Hansen..\$28.50, Brittany Bruns..\$18.00, Brittany Traxinger..\$10.50, Brooke & Cassandra Olson..\$18.00, Bruce Hoffman..\$249.50, Cody Edgar..\$10.50, David Juntunen..\$80.00, David Reppel..\$116.00, Derrek Tuszke..\$7.50, Donald Juntunen..\$25.00, Duane Juntunen..\$71.00, Dustin Treftz..\$10.50, Emma Schaunaman..\$12.50, Fae Dayton..\$10.50, Frey-View Dairy..\$11.00, Fritz-Bruckner Montadales..\$154.50, Harmony Suffolks..\$124.50, Jan Houghtaling..\$145.50, Jared Anderson..\$21.00, Jeremy Skoglund..\$10.50, Jody Fuller..\$201.50, Jordan Miller..\$10.50, Kali Krohmer..\$18.00, Kelsey Houghtaling..\$15.00, Kelsie DeJong..\$10.50, Kristi Anderson..\$7.50, Krohmer Family..\$169.00, Kyle Cronin..\$10.50, Lacey Caffee..\$10.50, Marshall Rambouilletts..\$67.00, Nathan Munger..\$10.50, Paulson Dairy..\$31.00, Rennich Family..\$85.50, Ryan Heilman..\$10.50, Shari Rossow..\$78.50, Thorpe Family Suffolks..\$145.50, Thyen Farms..\$42.00, Tollefson Wollie Acres..\$52.00, Troy & Heather Opdahl..\$49.50, Tyler Kolb..\$5.00, Willman Family..\$22.00, Wolff's Suffolks..\$29.00, Wolkow Girls..\$407.50, Wyatt Sombke..\$3.00:

Utilities: Mark McNeary..\$173.80, City of Hecla..\$70.33, Verizon..\$255.14, Northwestern Energy..\$9436.40, Qwest..\$2500.90, Northern Electric..\$405.22, Dependable Sanitation..\$371.00, Bureau of Admin..\$671.20, City of Aberdeen..\$387.75, Montana-Dakota..\$19.46, Midcontinent Cable..\$86.17, Cellular One..\$567.88, A-1 Sanitation..\$92.30:

Care of Poor: Rent – 8 recipients..Nicholas Mgmt..\$117.50, Erik Stewart..\$220.00, Foxridge Apts..\$240.00, Key Investments..\$240.00, Beverly Halvorson..\$200.00, Milbert Schaffer..\$195.00, Tom Croymans..\$190.00, Dean Rott..\$220.00; Transportation – 2 recipients..Brown County..\$23.89,

Emergency Poor Fund..\$120.00; Medication -6 recipients.. Kessler Pharm..\$236.04, Emergency Poor Fund..\$30.00; Dr/Hospital – 3 recipients..Avera St Lukes..\$3110.47, Avera Heart Hospital..\$3111.58, 7 recipients..Avera St Lukes..\$16,710.82, North Central Heart..\$1038.01, Anesthesia Care..\$448.00; Utilities – 1 recipients..NWPS..\$137.30. All members present voting aye. Motion carried.

PERSONNEL:

Moved by Fischbach, seconded by Knecht to approve the following employee step/longevity increases: Marjorie Lammon @ \$10.98 per hour, effective September 11, 2005; Kathy Schlecht @ \$12.44 per hour, RJ Miller @ \$10.70 per hour, effective September 25, 2005. All members present voting aye. Motion carried.

LEASE AGREEMENT:

Moved by Knecht, seconded by Wiese to approve and authorize the Chairman sign agreement with Ron Erickson DBA Road Kill Cafe for lease of the Clubhouse on October 21 & 22, 2005. All members present voting aye. Motion carried.

Moved by Fischbach, seconded by Wiese to approve and authorize the Chairman sign agreement with Carol Erickson for lease of the Open Horse Arena on September 17, 2005. All members present voting aye. Motion carried.

LIQUOR LICENSE TRANSFER:

Moved by Hansen, seconded by Fischbach to authorize advertising public hearing to consider application, submitted by Ron Erickson for transferring the Road Kill Cafe Retail Liquor License from present location for a one-day event and then back to original location, as follows: TRANSFER RETAIL (ON SALE) LIQUOR: Road Kill Café to Road Kill Café (SW ¼, Sec.1, T123N, R64 in the clubhouse, Brown County, South Dakota) TRANSFER RETAIL (ON-SALE) LIQUOR: Road Kill Café to Road Kill Café (Erickson & Meier First Subdivision Lot 6 SE ¼, Sec. 16, T123, R64W, Brown County, South Dakota). Public hearing to be held at 9:00 AM on October 11, 2005, in the Commissioners Chambers, Courthouse Annex, Brown County, South Dakota. All members present voting aye. Motion carried.

WAIVE SHERIFF FEE:

Moved by Wiese, seconded by Fischbach to waive the following Sheriff Fees: #05-02 @ \$465.00. All members present voting aye. Motion carried.

SHERIFF REPORTS:

Moved by Wiese, seconded by Fischbach to approve the following August 2005 Sheriff Reports: Incidents & Offenses, Prisoners Care, JDC, Money deposited with the County Treasurer and Monthly activities. All members present voting aye. Motion carried.

INDIGENT COUNSEL AGREEMENT:

Moved by Wiese, seconded by Fischbach to approve and authorize the Chairman sign Indigent Counsel Agreement with William Gerdes, Scott Kuck, Christy Serr, Randy Turner and Kelly Marnette in amount of \$250,000.00 for year 2006 and \$250,000.00 for year 2007. All members present voting aye. Motion carried.

ORDINANCE NO 035 - SET HEARING DATE:

Moved by Hansen, seconded by Wiese to set public hearing for 9:00 a.m. on October 18, 2005 in the Commission Chambers, Courthouse Annex, Brown County, SD for First Reading of Ordinance No. 035, An Ordinance to rezone the following property from Chapter 4.08 Residential District (R-1) to Chapter 4.13 Commercial District (C): Lot 1 Palmer's Richmond Resort Subdivision, being a subdivision of

Outlot 1 of Richmond Resort Outlots 1 and 2 in NW ¼ Sec 30-T124N-R64W and NE ¼ Sec 25-T124N-R65W, of the 5th P.M., Brown County, SD. All members present voting aye. Motion carried.

PLATS:

Commissioner Wiese offered the following Resolution:

RESOLUTION NO. 67-05

BE IT RESOLVED by the County Commission of Brown County, SD, that the plat showing "Bettmann 1st Subdivision in NE ¼ Sec 3-T122N-R64W 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 Hansen. Roll call vote: Commissioners Hansen-aye, Fischbach-aye, Knecht-aye, Wiese-aye, Feickert-aye. Resolution adopted.

Commissioner Wiese offered the following Resolution:

RESOLUTION NO. 68-05

BE IT RESOLVED by the County Commission of Brown County, SD, that the plat showing "Wetenkamp First Subdivision in SW ¼ Sec 10-T128N-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 Knecht. Roll call vote: Commissioners Hansen-aye, Fischbach-aye, Knecht-aye, Wiese-aye, Feickert-aye. Resolution adopted.

WEED AND SEED:

Moved by Wiese, seconded by Hansen to approve the Brown County Weed and Seed Monthly Expenses for September 2005 (Year Three 2002-WS-QX-0054), in amount of \$9,110.46. All members present voting aye. Motion carried.

Moved by Knecht, seconded by Wiese to approve the Brown County Weed and Seed Monthly Expenses for September 2005 (Year Four 2005-WS-Q5-0089), in amount of \$3,556.70. All members present voting aye. Motion carried.

Moved by Wiese, seconded by Hansen to approve the following Weed and Seed Year Three funding proposal: NADRIC (matrix model of care), as recommended by the Steering Committee. All members present voting aye. Motion carried.

Moved by Hansen, seconded by Fischbach to approve the following Weed and Seed Year Four funding proposals: Brown County Weed and Seed (full-time coordinator salary, Office supplies and local travel), Bruce Petrie (year four evaluation), NECOG (administrative assistance), Brown County Weed and Seed (CADCA National Academy Coalition attendance), as recommended by the Steering Committee. All members present voting aye. Motion carried.

Moved by Hansen, seconded by Wiese to approve the following guidelines and forms for the Brown County Weed and Seed Year Four 2005-WS-Q5-0089: Memorandum of Understanding for Brown County Weed and Seed Membership; Procedure for Brown County Weed and Seed Funding Proposals. All members present voting aye. Motion carried.

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Moved by Knecht, seconded by Wiese to approve and authorize the Chairman sign Agreement with NECOG in amount of \$20,000.00, to provide assistance in meeting the administrative requirements of the Brown County Weed and Seed Project #2005-WS-Q5-0089, effective October 1, 2005 – September 30, 2006. All members present voting aye. Motion carried.

Moved by Wiese, seconded by Hansen to approve and authorize the Chairman sign Agreement with Dr. Bruce Petrie to provide outside evaluation services for Year Four of the Department of Justice Program known as Brown County Weed and Seed #2005-WS-Q5-0089, in amount of \$5,000.00, effective October 1, 2005 through September 30, 2006. All members present voting aye. Motion carried.

EMERGENCY MANAGEMENT AGREEMENT:

Moved by Wiese, seconded by Knecht to approve and authorize Chairman sign Emergency Management FFY2006 State and Local Agreement (SLA) between the State of South Dakota and Brown County. All members present voting aye. Motion carried.

PROPERTY TRANSFER:

Moved by Knecht, seconded by Hansen to approve and authorize the Chairman sign agreements with the following entities who received equipment from the 2003 DOJ Equipment Grant Program: Aberdeen Rural Fire Protection District (PPE kits, AED, portable radios); and 2004 ODP Equipment Grant Program: Aberdeen Rural Fire Protection District (scope, portable radios). All members present voting aye. Motion carried.

BID – LANDFILL TRUCK:

Moved by Wiese, seconded by Fischbach to authorize advertising public hearing to open, read and consider bids for the purchase and delivery of a New Tandem Axle Truck Chassis with optional new Hook Lift System, to be held at 9:15 a.m. on October 11, 2005 in the Commissioner's Chambers, Courthouse Annex, Brown County, SD. All members present voting aye. Motion carried.

BROWN COUNTY HIGHWAY #10 R/O/W – WARNER:

States Attorney Mark McNeary explained that highway right/of/way ownership on Brown County #10 in Warner needs clarification and ultimately deeds will need to be issued to Brown County at an approximate cost of \$2,000.00.

SHERIFF – NEW POSITION:

John VanderHoek and Mark Milbrandt presented a job description for the position of Correction Sergeant at the Brown County Jail. Moved by Wiese, seconded by Knecht to approve new position of Correction Sergeant and the Commission will determine the salary for this position, which will depend on experience when names are submitted. All members present voting aye. Motion carried.

FAIR – UPDATE:

Larry Gerlach, Fair Manager presented update on activities, Fairs and Celebrations Convention information and progress in determining options for reconstructing the stage.

EXECUTIVE SESSION:

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

The Chairman declared the executive session closed, with no action taken as a result of the discussion.

PERSONNEL DISCUSSION:

Auditor Maxine Taylor, accompanied by other Department Heads met to inquire about 2006 wages for employees on the step plans not previously addressed. No action taken at this time.

GIS UPDATE:

Scott Madsen, GIS Coordinator presented update on GIS Assessment and requested hiring a consultant to assist in assessment review with fee not to exceed \$1500.00. Board concurred.

EVENT CENTER UPDATE:

Beth Smith presented an update on contacts and possible grant funding for the Brown County Event Center. Kurt Smith was also in attendance.

2006 ANNUAL BUDGET:

Commissioner Wiese offered the following Resolution:

**ANNUAL BUDGET FOR BROWN COUNTY, SD
For the Year January 1, 2006 to December 31, 2006**

RESOLUTION NO. 69-05

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, 2006 and ending December 31, 2006 and the same is hereby approved and adopted by the Board of County Commissioners of Brown County, South Dakota, this 27th day of September, 2005. 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, 2006 through December 31, 2006.

COUNTY TAX LEVIES WITHIN LIMITED LEVY	Dollars	\$'S/1,000
*General County Purposes (10-12-9)	\$8,060,945	4.24
Fire	19,233	.02
Library	24,104	.03
TOTAL TAXES LEVIED BY COUNTY	\$8,104,282	4.29

*These amounts include the 25% to be distributed to cities.

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

DRAINAGE:

Orville Crawford met to inquire about a drainage issue. Appropriate representatives are researching.

APPLICATION FOR OCCUPANCY:

Moved by Wiese, seconded by Fischbach to approve the following applications, submitted by Northern Electric for occupancy of Brown County Highway #18 in Sec 36-T124N-R62W and Sec 31-T124N-R61, Brown County, SD; and occupancy of Brown County Highway #7 and #10 in Sec 11 & 13-T126N-R64W, Brown County, SD to provide primary electrical cable. All members present voting aye. Motion carried.

Moved by Wiese, seconded by Fischbach to approve the following application, submitted by James Valley Telecommunication for occupancy of Brown County Highway #18 in Sec 19-T124N-R61W and in Sec 24-T124N-R62W, Brown County, SD to provide communications. All members present voting aye. Motion carried.

EXECUTIVE SESSION:

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

The Chairman declared the executive session closed, with no action taken on discussion.

ADJOURNMENT:

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

Maxine Taylor – Brown County Auditor

OCTOBER 4, 2005 – GENERAL MEETING

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

MINUTES:

Moved by Knecht, seconded by Fischbach to approve the Joint City/County Meeting minutes and the General Meeting minutes of September 27, 2005. All members present voting aye. Motion carried.

CLAIMS:

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

Payroll: Commissioners..\$2,683.65; Auditor..\$6,516.04; Treasurer..\$8,663.64; Data Processing..\$1,658.00, State's Attorney..\$9,203.22; Maintenance..\$5,242.56; Assessor..\$9,128.37; Planning & Zoning..\$670.69; Register of Deeds..\$4,843.32; Veterans Service Office..\$2,413.52; GIS..\$1,692.31; Sheriff..\$58,499.97; DOJ Grant..\$3,448.49; Communications..\$12,472.91; Welfare Office..\$2,745.72; Museum..\$4,764.68; Fairboard..\$1,343.84; Fairgrounds & Parks..\$3,655.49; Extension..\$1,333.60; Weed..\$3,328.35; Emergency Management..\$2,310.51; Weed and Seed..\$1,067.31; Highway..\$38,623.82; Landfill..\$7,319.79; Matching Benefits: FICA..\$12,004.98, Medicare..\$2,807.57, Wellmark BCBS Life..\$686.96, Wellmark BCBS Health..\$55,417.00, Delta Dental..\$4,030.00, SD State Retirement..\$35,255.81:

Supplies: Victor & Joan Schumacher..\$111,136.53, Office Equipment..\$97.30, Dakota Disc..\$500.00, Exec Mgmt..\$47.75, New Trends..\$32.28, Office Max..\$144.50, Best Business..\$423.71, Dakota Electronics..\$175.50, Dicks Westside..\$10.00, Parcel Erickson..\$90.16, Accurint..\$19.95, Vantek..\$8762.00, Chris & Dons..\$30.00, SDN Tech..\$137.00, CDW Govt..\$208.17, Bonnie Bitz..\$432.00, Evercom..\$1750.00, OK Tire..\$7.00, Lien Trans..\$14,373.95, Farm Power..\$708.39, Erdmann Oil..\$1139.65, Violet Dinger..\$410.80, Diesel Machinery..\$4840.40, Dakota Riggers..\$131.78, Bridgestone Firestone..\$1487.42, Ameripride..\$138.52, House of Glass..\$11.57, Wright & Sudlow..\$720.00, BioQuip Products..\$47.38, Habecks Radiator..\$138.55, Macs..\$50.64, Ryans Candy..\$72.00, DSS Image Apparel..\$1790.00, Dave Shultis..\$600.00, Quality Quick Print..\$4527.84, Tractor Supply..\$399.99, Positive Promotions..\$688.85, Tri-Combined Resources..\$14.13, Successful Events..\$943.32, Claritus..\$486.00, Control Tech..\$23,000.00, Graham Tire..\$126.14, Runnings..\$292.60, Hedahls..\$60.34, Tabatha Moore..\$9.88, Eide Bailly..\$259.50, Lab Safety..\$4375.70, House of Glass..\$169.88, Superior Specialty..\$296.73, Heartland Paper..\$44.55, Menards..\$62.03, Eilers..\$67.50, McFarland Supply..\$8.50, Taylor Laundry..\$25.00, Days Inn..\$200.00, Memory Suppliers..\$28.33, Hewlett-Packard..\$313.00, Butler Machinery..\$1891.19, Macs..\$116.37, Walmart..\$45.78, Brown County Tres..\$625.91, Artz Camera..\$58.50, Webb Shoes..\$174.95, Western Printing..\$1246.43, Nick Fischer..\$285.00, Olympic Sales..\$8300.00, Sheehan Sales..\$8370.26:

Publications: American News..\$2302.38, Groton Independent..\$117.03, Midland Press..\$472.50:

Professional Fees: witness fees..\$20.00, Custer County Sheriff..\$5.00, Boyd County Sheriff..\$15.50, Avera St Lukes..\$550.76, United Clinic..\$134.25, Cathy Reh fuss..\$15.00, Nelva Kooistra..\$15.00, Donna Dietrich..\$123.77, Sheriff of Yankton County..\$16.50, William Meink..\$1000.00:

Transcriptions: Kristi Kost..\$33.75, Cheryl Hook..\$51.00, Neal Reporting..\$155.80:

Travel: Michael Wiese..\$251.78, Gene Loeschke..\$144.00, Jim Payne..\$137.28, Leo Leshner..\$161.28, Mark Milbrandt..\$696.97, Sherri Rawstern..\$42.00, Scott Madsen..\$64.00:

Court Appointed Attorney: Kabeiseman & Pollard..\$152.80:

Utilities: Qwest..\$197.03, Midcontinent Cable..\$190.42, Cellular One..\$895.89, Northwestern Energy..\$7622.00, Montana Dakota..\$43.67, Web Water..\$156.06, City of Aberdeen..\$1178.71, Northern Elec..\$365.39:

Care of Poor: Rent – 3 recipients..Tamera Bower..\$120.00, Kurt Kruger..\$190.00, Dakota Square..\$220.00; Transportation – 1 recipient..Brown County Highway..\$9.19; Medication – 4 recipients..Kessler Pharm..\$331.44, Jones Drug..\$81.91, Walmart Pharm..\$637.71; Dr/Hospital – 2

recipients..Dr Lynch..\$112.75, Dr Gregg Carlson..\$335.80; Utilities – 3 recipients..NWPS..\$272.45, City of Aberdeen..\$87.82; Insurance – 1 recipient..Twin City Fan..\$251.37. All members present voting aye. Motion carried.

EMPLOYEE YEARS OF SERVICE AWARDS:

Certificates of Achievement and Appreciation were presented to Janis Erickson and John VanderHoek for 25 years of dedicated service to Brown County on September 30th, 2005.

PERSONNEL:

Moved by Knecht, seconded by Fischbach to approve the following employee step/longevity increases, effective October 9, 2005: Daryl Lloyd at \$13.51 per hour, Terrence Evans @ \$14.59 per hour, Bryan Owens @ \$12.27 per hour, Sandra Hjermstad @ \$11.78 per hour. All members present voting aye. Motion carried.

Moved by Fischbach, seconded by Knecht to approve the following employee status changes: Bobbie Olauson from full to part-time JDC Corrections Officer, effective October 1, 2005 at \$9.12 per hour and Kelly Moinichen from part to full-time JDC Corrections Officer, effective October 3, 2005 at \$10.42 per hour. All members present voting aye. Motion carried.

Moved by Fischbach, seconded by Knecht to approve hiring William Horner as full-time Jail Corrections Officer, effective October 11, 2005 at \$10.42 per hour; and further to acknowledge the resignation of Breeann Brandenburger, effective October 21, 2005 as Jail Corrections Officer. All members present voting aye. Motion carried.

SET HEARING DATE:

Moved by Fischbach, seconded by Knecht to set public hearing for 8:45 a.m. on October 25, 2005 in the Brown County Commission Chambers, 25 Market Street for First Reading of the following: Ordinance No. 05-10-01/316, An Ordinance to rezone the following property from Section 701 (A-1) Agricultural District to Section 714 (M-AG) Mini-Agricultural District: Bettmann 1st Subdivision in the NE ¼ of Sec 3-T122N-R64W of the 5th P.M., Brown County, SD; Ordinance No. 05-10-02/317, An Ordinance to rezone the following property from Section 704 (R-2) Medium Density Residential District to Section 707 (C-2) Highway Commercial District: Lot 1, Haug Subdivision in the NE ¼ of Sec 22-T123N-R64W of the 5th P.M., Brown County, SD; Ordinance No. 05-10-04/318, An Ordinance to rezone the following property from Section 701 (A-1) Agricultural District to Section 704 (R-2) Medium Density Residential District: Lots 4, 5, 7, 9 10 and 11, Auditor's Second Subdivision in the SE ¼ of Sec 27-T123N-R64W of the 5th P.M., Brown County, SD. All members present voting aye. Motion carried.

E911 SURCHARGE:

Commissioner Fischbach offered the following Resolution:

RESOLUTION NO. 70-05

WHEREAS, Title 11 – Enhanced 911 Emergency Telephone Reporting System, Second Revision Brown County Ordinances, authorizes Brown County to impose a uniform monthly Enhanced 911 emergency surcharge, and

WHEREAS, Title 11, Chapter 11.0103 requires the Brown County Commission to review the current charge and establish, by resolution, a rate of charge to be effective on the next January first, not to exceed the amount authorized.

BE IT RESOLVED that the Brown County Commission establishes a rate of \$.75 for each local exchange access line, including cellular and enhanced SRM telephone, effective January 1, 2006.

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

LETTER OF SUPPORT:

Moved by Knecht, seconded by Fischbach to approve and authorize the Chairman sign Letter of Support for Northeast Council of Governments. All members present voting aye. Motion carried.

PREVENTION GRANT:

Moved by Knecht, seconded by Fischbach to acknowledge Grant Adjustment Notice approving a no cost extension of Grant #2001-JS-FX-0014 from 10/10/2001 – 9/30/2005 to 10/10/2001 – 9/30/2006. All members present voting aye. Motion carried.

WEED AND SEED:

Moved by Knecht, seconded by Fischbach to approve and authorize the Chairman sign application letter for the John S and James L Knight Foundation Donor-Advised Fund Grant to fund Brown County Weed and Seed in amount of \$1,116.00 for educational purposes. All members present voting aye. Motion carried.

INTEREST STATEMENT:

Moved by Fischbach, seconded by Knecht to accept for filing the third quarter interest statement, submitted by County Treasurer Sheila Enderson. All members present voting aye. Motion carried.

SVAWA GRANT:

Moved by Knecht, seconded by Fischbach to approve and authorize the Chairman sign Stop Violence Against Women Act Grant Award documentation with the SD Department of Social Services, effective October 1, 2005 – June 30, 2006 in amount of \$18,526.00. All members present voting aye. Motion carried.

APPLICATION FOR OCCUPANCY:

Moved by Knecht, seconded by Fischbach to approve and authorize the Chairman sign applications, submitted by Qwest for occupancy of the following Brown County Highways to provide telephone service: 127th Street in Sec 14-T124N-R65W, Brown County, SD; West Shore Drive in Sec 14-T124N-R65W, Brown County, SD; 392nd Ave/Brown County 14E in Sec 27-T123N-R62W, Brown County, SD. All members present voting aye. Motion carried.

EXECUTIVE SESSION:

Moved by Fischbach, seconded by Knecht to go into executive session for personnel and legal discussion with Dirk Rogers in attendance. All members present voting aye. Motion carried.

The Chairman declared the executive session closed, with no action as a result of the discussion.

BID – EM COMMAND TRAILER:

Moved by Fischbach, seconded by Knecht to authorize advertising public hearing to open, read and consider bids for the purchase and delivery of one new 2005 Command Trailer, to be funded by Homeland Security Grant Funds, to be held at 9:15 A.M. on October 25, 2005 in the Commissioner's Chambers, Courthouse Annex, Brown County, SD. All members present voting aye. Motion carried.

RECESS:

The Chairman declared the Commission recessed until October 11, 2005.

Maxine Taylor – Brown County Auditor

OCTOBER 11, 2005 – GENRAL MEETING

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

MINUTES:

Moved by Knecht, seconded by Wiese to approve the General Meeting minutes of October 4, 2005. All members present voting aye. Motion carried.

CLAIMS:

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

Supplies: Thomsen West..\$1117.69, Language Lines..\$182.60, State Property Mgmt..\$43.99, Office Equip..\$48.03, Kelly Inn..\$118.00, Kone..\$1462.44, Woodman Refrig..\$1273.04, McDonald Supply..\$544.97, Menards..\$361.62, Nelson Auto..\$68.50, Crescent Elec..\$55.58, Heartland Supply..\$505.89, SD Law Review..\$56.60, SD Planners Assn..\$70.00, Holiday Inn Express..\$60.00, CDW Govt..\$24.17, Sewing Shoppe..\$40.00, Evercom..\$1750.00, Hoven Auto..\$588.02, OK Tire..\$23.50, Gardner Locksmith..\$203.54, Pierson Ford..\$142.30, Esmet..\$228.08, Brown County..\$14.00, Exec Mgmt..\$2709.30, PMI..\$78.62, Visa..\$91.83, Walmart..\$278.10, Safety Service..\$239.25, Intoximeters..\$94.00, City of Groton..\$1812.23, S&S Lumber..\$626.28, Runnings..\$412.93, Northern Truck..\$147.60, Midwest Pump & Tank..\$106.48, Macs..\$112.91, Lyle Signs..\$203.95, Lust Chev..\$354.83, James Loterbauer..\$90.00, Lien Trans..\$35,879.89, Lawson Products..\$294.69, Hecla Impl..\$27.71, Great Western Tire..\$2898.84, General Irrigation..\$252.18, Farnams..\$94.97, Exhaust Pros..\$16.00, Evergreen Supply..\$39.95, JD Evans..\$6400.00, Energy Alliance..\$36,707.51, Diamond Mowers..\$681.35, Dakota Oil..\$1263.96, Dakota Farm Services..\$7.47, Cunningham Elec..\$1014.72, Crawford Trucks..\$4926.98, Clark Engineering..\$2804.94, Cartney Bearing..\$591.62, Butler Machinery..\$51.35, Artz Equip..\$2096.76, Aberdeen Equip..\$79.32, Aberdeen Asphalt..\$89,514.92, Aberdeen Asphalt..\$1703.66, Herges, Kirchgasler..\$5157.40, Dakota Elec..\$10,728.54, RDO..\$56.90, Tractor Supply..\$47.50, Quality Quick Print..\$210.81, D&D Paint..\$466.10, McQuillen Designs..\$276.23, Glas Consulting..\$25.00, Menards..\$60.12, SD Assoc of Fairs..\$2070.00, BioQuip..\$26.15, Van Diest..\$5769.50, Pro Ag..\$212.86, Dakota Oil..\$36.06, Ed M Feld Equip..\$500.00, Tesco..\$1556.83, Natl Emergency Number Assoc..\$25.00, Digitell..\$155.00, K-Log..\$2043.42, Praxair..\$15.70, Aberdeen Rural Fire Dept..\$150.00, Cedar Shore..\$149.90, SD Dept of Rev..\$3091.36, Midwest Pump & Tank..\$64.50, Cole Papers..\$153.35, Erdmann Oil..\$6147.63, Petroleum Partners..\$835.33, Aberdeen Radio Ranch..\$1975.00, Sheehan Sales..\$644.53, Graham Tire..\$128.33, OK Tire..\$69.00, House of Glass..\$215.39, Powerplan..\$418.61:

Publications: American News..\$264.71, Groton Indep..\$206.55, Dakota Press..\$545.29:

Professional Fees: Avera United Clinic..\$83.00:

Travel: Mike Scott..\$54.00:

Utilities: City of Aberdeen..\$1258.47, Northwestern Energy..\$716.25, Northern Valley..\$143.85, James Valley..\$378.84, City of Hecla..\$79.07, Town of Frederick..\$28.25, Verizon..\$48.38, Dependable Sanitation..\$17,185.82:

Care of Poor: Rent – 6 recipients..Erik Stewart..\$260.00, Aberdeen Finance..\$200.00, Mary Anderson..\$80.00, Jim Bird..\$260.00, Brian Boettcher..\$80.00, Zumbaum Property..\$260.00; Transportation – 1 recipient..Aberdeen Adv Care..\$151.57; Medication – 2 recipients.. Econofoods Pharm..\$100.00, Medical Center Pharm..\$174.94; Dr/Hospital – 8 recipients..Aberdeen Surgical Assoc..\$1271.63, Anesthesia Care..\$256.00, Northern Plains OMS..\$161.18, Avera St Lukes..\$14,065.51; Utilities – 1 recipient..NWPS..\$197.98. All members present voting aye. Motion carried.

PERSONNEL:

Moved by Wiese, seconded by Fischbach to acknowledge the resignation of Drew Bickford as Communications Center Director, effective October 21, 2005. All members present voting aye. Motion carried.

Moved by Wiese, seconded by Knecht to approve work schedule for Emergency Management. All members present voting aye. Motion carried.

WEED AND SEED:

Moved by Knecht, seconded by Wiese to approve and authorize the Chairman sign Financial Form 269 for July through September 2005 for the Brown County Weed and Seed Grant #2002-WS-QX-0054. All members present voting aye. Motion carried.

Moved by Knecht, seconded by Wiese to approve and authorize the Chairman sign Financial Form 269 for 10/1/2004 to 12/31/2005 for the Brown County Weed and Seed Grant #2005-WS-Q5-0089. All members present voting aye. Motion carried.

SURPLUS CASH REPORT:

Moved by Fischbach, seconded by Wiese to approve the following General Fund Surplus Cash Analysis Report: September 2005 @ \$1,954,392.67 (19.69%). All members present voting aye. Motion carried.

TRAVEL REQUEST:

Scott Madsen and Drew Bickford met to discuss attendance at the GIS related NENA Conference to be held in October. The Commission approved Scott Madsen's attendance with reimbursement from the Communications Center Budget.

ALCOHOLIC BEVERAGE LICENSE TRANSFER:

Time and place, as advertised for public hearing to consider applications for transfer of alcoholic beverage license locations. The following action ensued: Moved by Wiese, seconded by Knecht to approve the following Alcoholic Beverage License Location Transfers: RETAIL (ON SALE) LIQUOR from Road Kill Cafe (Erickson & Meier First Subdivision Lot 6 SE ¼ Sec 16-T123R64W, Brown County, SD) to Road Kill Cafe (SW ¼ Sec-1-T123N-R64W in the Clubhouse, Brown County South Dakota); RETAIL (ON SALE) LIQUOR from Road Kill Cafe (SW ¼ Sec-1-T123N-R64W in the Clubhouse, Brown County South Dakota) to Road Kill Care (Erickson & Meier First Subdivision Lot 6 SE ¼ Sec 16-T123R64W, Brown County, SD). All members present voting aye. Motion carried.

BID – SEMI TRUCK FOR LANDFILL:

Time and place, as advertised to open, read and consider bids for the purchase and delivery of a New Tandem Axle Truck Chassis with optional new Hook Lift System for the Brown County Landfill. Bids were received from Crawford Trucks, Boyer Trucks, Wallwork Trucks and Sheehans. Moved by Fischbach, seconded by Wiese to refer all bids to Mike Scott, Landfill Manager for review and recommendation.

Moved by Wiese, seconded by Fischbach to award low bid in amount of \$82,904.00, submitted by Wallwork Trucks for the purchase and delivery of a 2006 New Tandem Axle Truck Chassis (Cat Engine) with optional new Hook Lift System (\$113,004.00 less trade in \$30,100.00); rejecting the following: Option 1 - Wallwork Trucks @ \$84,419 (Cat engine), \$82,929 (Mercedes engine does not meet specs); Crawford Trucks @ \$92,740; Boyer Trucks @ \$82,479; Sheehans @ \$87,728.36; Option 2 – Wallwork Trucks @ 81,414 (Mercedes engine does not meet specs); Crawford Trucks @ \$92,440; Boyer Trucks @ \$103,079; Sheehans @ \$88,028.36. All members present voting aye. Motion carried.

EMPLOYEE FLU VACCINE:

Christine Heidenreich requested permission to obtain and administer flu shots to all county employees at county expense. Board concurred.

CONTRACT:

Moved by Wiese, seconded by Knecht to approve and authorize the Chairman sign agreement between Brown County and United Clinic to provide assistance to the JDC/Jail Nurse. All members present voting aye. Motion carried.

EXECUTIVE SESSION:

Moved by Wiese, seconded by Knecht to go into executive session to discuss possible litigation with Mark Milbrandt in attendance. All members present voting aye. Motion carried.

The Chairman declared the executive session closed, with no action as a result of the discussion.

ATM MACHINE:

Sheila Enderson, County Treasurer discussed placing an ATM in the Courthouse for public use. Board concurred. Larry Gerlach, Fair Manager will research possibility of obtaining an ATM for use during the fair each year.

PREVENTION GRANT:

Eric Senger and Kevin Bain, NECOG presented budget line items for use of the remaining funds available in the Brown County "Prevention and Intervention Programs for At-Risk and Detained Youth" Grant #2001-JS-FX-0014. Board concurred.

EXECUTIVE SESSION:

Moved by Knecht, seconded by Fischbach to go into executive session to discuss personnel with Larry Gerlach in attendance. All members present voting aye. Motion carried.

The Chairman declared the executive session closed, with no action as a result of the discussion.

RECESS:

The Chairman declared the Commission recessed until October 18, 2005.

Maxine Taylor – Brown County Auditor

OCTOBER 18, 2005 – GENERAL MEETING

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

MINUTES:

Moved by Fischbach, seconded by Wiese to approve the General Meeting minutes of October 11, 2005. All members present voting aye. Motion carried.

CLAIMS:

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

Payroll: Commissioners..\$2,683.65; Auditor..\$6,516.04; Treasurer..\$8,663.64; Data Processing..\$1,658.00; State's Attorney..\$9,203.22; Maintenance..\$5,295.38; Assessor..\$8,220.03; Planning & Zoning..\$588.00; Register of Deeds..\$5,121.66; Veterans Service Office..\$2,457.83; GIS..\$1,692.31; Sheriff..\$57,514.06; DOJ Grant..\$3550.09; Communications..\$13,059.31; Welfare Office..\$2,745.72; Museum..\$4,764.68; Fairgrounds & Parks..\$3,583.77, Fairboard..\$1,343.84; Extension..\$1,708.00; Weed..\$3,116.72; Emergency Management..\$2,310.51; Weed and Seed Grant..\$1,067.31; Highway..\$31,144.55; Landfill..\$7,160.71; Matching Benefits: FICA..\$10,795.67; Medicare..\$2,524.84;

Supplies: Best Business..\$280.36, SDDOT..\$2076.00, SDN Tech..\$208.00, Northwind Machine..\$364.25, McFarland Supply..\$42.97, Crescent Elec..\$168.99, Midwest Alarm..\$1044.00, Comfort Inn..\$129.00, RE Huffman..\$39.90, High Priority Connections..\$1500.00, Streichers..\$152.85, FedEx..\$18.36, Diane Mielke..\$8.47, Earthgrains..\$598.58, Shopko..\$44.99, Medtox..\$250.48, Aberdeen Insurance Agency..\$75.00, Pierson Ford..\$129.80, Photo Xpress..\$7.84, Office Equip..\$52.00, BP/Amoco..\$18.97, HRS..\$2012.98, Dicks Westside..\$37.20, Dakota Electronics..\$905.95, Fleet Mgmt..\$34.30, Kesslers..\$448.52, Radio Shack..\$7.99, Office Max..\$537.40, Ecolab..\$81.50, DT Pharm..\$3348.28, Z&S Dust Control..\$2374.05, Upper Plains Contracting..\$13,790.40, 3-D Spec..\$1475.34, SD Division of Motor Vehicles..\$13.00, Share Corp..\$126.40, R B Upholstery..\$161.50, Bryan Owens..\$31.67, M-R Sign..\$91.68, Larson Blacksmith..\$29.00, K-Mart..\$9.98, HF Jacobs..\$48.10, Huron Culvert..\$3600.00, Hollands Auto Care..\$4.99, Farm Plan..\$572.10, Economy Propane..\$1853.22, Diesel Machinery..\$2838.88, Dakota Supply..\$38.21, Dakota Riggers..\$74.27, Dakota Fluid Power..\$675.03, Carquest..\$757.83, Kleins..\$3.22, Ameripride..\$183.76, Upper Midwest Conservation..\$100.00, Sewer Duck..\$217.50, Menards..\$564.98, Runnings..\$13.57, Macs..\$19.95, Paper Warehouse..\$70.15, Cole Papers..\$492.40, Central Supply..\$2007.70, Jessi Mather..\$48.05, Shopko..\$18.95, Larry Gerlach..\$52.46, AmericInn..\$1650.00, UPS..\$8.75, Heartland Paper..\$1598.85, US Postal Service..\$720.00, Tufts University..\$28.00, Consumer Reports..\$26.00, Graham Tire..\$24.38, APCO..\$175.00, CDW Govt..\$53.67, Millborn Seeds..\$12,987.50, Earth Tech..\$1485.90, Dakota Wood Grinding..\$22,795.00, Brown County..\$141.02, UPS..\$12.68, Pizza Ranch..\$43.95, Nat'l Crime Prevention..\$513.25, Kirks Auto..\$424.50, SDPA..\$85.00; Safety Benefits..\$100.00;

Publications: American News..\$27.40;

Professional Fees: Northeastern Mental Health Center..\$599.83, Aberdeen Family Physicians..\$28.70, Regional Health..\$618.00, NECOG..\$1613.91, Avera St Lukes..\$1228.96;

Transcriptions: Sara Van De Walle..\$34.00, Accurate Reporting..\$40.30;

Travel: Kathy Schlecht..\$142.76, Aberdak Travel..\$423.80, Freddie Robinson..\$99.20;

Court Appointed Attorney: Randy Turner..\$24.85, Kelly Marnette..\$166.50, Yankton County..\$295.45;

Utilities: FSH Communications..\$58.30, Dependable Sanitation..\$371.00, Northwestern Energy..\$3247.17, Qwest..\$4265.59, Northern Elec..\$602.04, Northern Wireless Communications..\$60.90, Verizon..\$70.14;

Care of Poor: Rent – 2 recipients..Danne..\$200.00, Falcon Rentals..\$200.00; Transportation – 2 recipients..Emergency Poor Fund..\$120.00; Dr/Hospital – 2 recipients..North Central Heart Institute..\$219.90, Dr P H Lynch..\$25.35. All members present voting aye. Motion carried.

PERSONNEL:

Moved by Wiese, seconded by Hansen to approve the following employee step/longevity increase, effective October 23, 2005: Mavis Kempf @ \$15.17 per hour. All members present voting aye. Motion carried.

Moved by Wiese, seconded by Fischbach to approve hiring Angela Senger and Brock Schifel as Guards for purpose of transporting prisoners. All members present voting aye. Motion carried.

THANKSGIVING CLOSING:

Moved by Wiese, seconded by Fischbach to close Friday, November 25th, with the following policy: each employee will be compensated for eight hours regular pay for November 25, if an employee is required to work a full shift on November 25th, 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.

CONTRACT:

Moved by Wiese, seconded by Hansen to approve and authorize the Chairman sign Contract with Wallwork Truck Center for purchase and delivery of Semi Truck for the Landfill. All members present voting aye. Motion carried.

SURPLUS PROPERTY:

Moved by Hansen, seconded by Wiese to declare Decal #4057 1990 Kenworth Truck surplus for purpose of trade in upon delivery of new unit. All members present voting aye. Motion carried.

AUDITORS REPORT OF ACCOUNT:

Moved by Hansen, seconded by Wiese to approve the August 2005 Auditor's Report of Account with the County Treasurer in total amount of \$9,063,133.80 (total amount of actual cash @ \$2,938.19, Wells Fargo Bank @ \$3,694.79, US Bank @ \$120,604.07, Dacotah Bank @ \$94,716.40, Petty Cash @ \$1,700.00, Fund Investments @ \$8,838,668.54, Outstanding Checks @ \$811.81). All members present voting aye. Motion carried.

Moved by Fischbach, seconded by Wiese to approve the September 2005 Auditor's Report of Account with the County Treasurer in total amount of \$8,110,046.69 (total amount of actual cash @ \$3,079.78, Wells Fargo Bank @ \$3,694.79, US Bank @ \$12,815.19, Dacotah Bank @ \$85,624.84, Petty Cash @ \$1,700.00, Fund Investments @ \$8,002,711.87, Outstanding Checks @ \$420.22). All members present voting aye. Motion carried.

PREVENTION GRANT:

Moved by Wiese, seconded by Fischbach to approve and authorize the Chairman sign Financial Form 269 for July through September 2005 for the Brown County Special Appropriation "Prevention and Intervention Programs for at-risk and detained youth" Grant #2001-JS-FX-0014. All members present voting aye. Motion carried.

COPS 2004 TECHNOLOGY GRANT:

Moved by Wiese, seconded by Hansen to approve and authorize the Chairman sign Financial Form 269 for July through September 2005 for the COPS 2004 Technology Grant #2004-CK-WX-0150. All members present voting aye. Motion carried.

PLAT:

Commissioner Fischbach offered the following Resolution:

RESOLUTION NO. 71-05

BE IT RESOLVED by the County Commission of Brown County, SD, that the plat showing "Perkins First Subdivision in S 1/2 SE 1/4 Sec 23-T126N-R60W 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 Wiese. Roll call vote: Hansen-aye, Fischbach-aye, Knecht-aye, Wiese-aye, Feickert-absent. Resolution adopted.

RACE TRACK LEASE ADDENDUM:

Moved by Fischbach, seconded by Wiese to approve and authorize the Chairman sign Lease Option Renewal Addendum for the car racing facilities at the Brown County Fairgrounds with Terry L Voeltz, DBA T's Promotions for year 2006 (year four of the five one-year options). All members present voting aye. Motion carried.

FIRE/SAFETY PLAN:

Moved by Hansen, seconded by Wiese to approve the Brown County Courthouse Complex Fire and Safety Plan. All members present voting aye. Motion carried.

LANDFILL EXPANSION:

Moved by Wiese, seconded by Hansen to approve and authorize the Chairman sign Agreement with Earth Tech, Inc to perform Hydrogeological Investigation for Brown County Landfill Expansion at estimated cost of \$52,305. All members present voting aye. Motion carried.

WELFARE:

Charlene Millim, Welfare Director inquired about an amendment to the agreement with United Clinic and requested the opportunity to review. Board concurred.

ORDINANCE NO. 035 – FIRST READING:

Moved by Fischbach, seconded by Hansen to approve First Reading of Ordinance No. 035, An Ordinance amending Second Revision Brown County Ordinances to rezone the following described property from its present zoning designation of Chapter 4.08 Residential District (R-1) to Chapter 4.13 Commercial District (C): Lot 1 Palmer's Richmond Resort Subdivision, being a subdivision of Outlot 1 of Richmond Resort Outlots 1 and 2 in SW 1/4 Sec 30-T124N-R64W and NE 1/4 Sec 25-T124N-R65W of the 5th P.M., Brown County, SD. All members present voting aye. Motion carried.

BCCHC REPORT:

DeAnna Kyburz presented the Brown County Community Health Center Report for July – September 2005.

EXECUTIVE SESSION:

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

The Chairman declared the executive session closed, with not action as a result of the discussion.

RECESS:

The Chairman declared the Commission recessed until October 25, 2005.

Maxine Taylor – Brown County Auditor

OCTOBER 25, 2005 - JOINT CITY/COUNTY MEETING

The Brown County Commission and the Aberdeen City Council 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 Council Members Aman, Campbell, McQuillen, Mitchell, Rux and Mayor Levsen. Absent from City were Council Members Agnitsch, Bunsness and Hodgin. Present from County were Commissioners Hansen, Fischbach, Knecht, Wiese and Feickert.

ORDINANCE NO. 05-10-01/316:

On motion by McQuillen and seconded by Campbell, the City unanimously voted to approve First Reading of Ordinance No. 05-10-01/316.

Moved by Fischbach, seconded by Wiese to approve First Reading of Ordinance No. 05-10-01/316, An Ordinance amending Ordinance No. 1164 to rezone the following described property from its present zoning designation of Section 701 (A-1) Agricultural District to Section 714 (M-AG) Mini-Agricultural District: Bettmann 1st Subdivision in the NE ¼ of Sec 3-T122N-R64W of the 5th P.M., Brown County, SD. All members present voting aye. Motion carried.

ORDINANCE NO. 05-10-02/317:

On motion by Rux and seconded by Mitchell, the City unanimously voted to approve First Reading of Ordinance No. 05-10-02/317.

Moved by Knecht, seconded by Wiese to approve First Reading of Ordinance No. 05-10-02/317, An Ordinance amending Ordinance No. 1164 to rezone the following described property from its present zoning designation of Section 704 (R-2) Medium Density Residential District to Section 707 (C-2) Highway Commercial District: Lot 1, Haug Subdivision in the NE ¼ of Sec 22-T123N-R64W of the 5th P.M., Brown County, SD. All members present voting aye. Motion carried.

ORDINANCE NO. 05-10-04/318:

On motion by Aman and seconded by Campbell, the City unanimously voted to approve First Reading of Ordinance No. 05-10-04/318.

Moved by Hansen, seconded by Wiese to approve First Reading of Ordinance No. 05-10-04/318, An Ordinance amending Ordinance No. 1164 to rezone the following described property from its present zoning designation of Section 701 (A-1) Agricultural District to Section 704 (R-2) Medium Density Residential District: Lots 4, 5, 7, 9, 10 and 11, Auditor's Second Subdivision in the SE ¼ of Sec 27-T123N-R64W of the 5th P.M., Brown County, SD. All members present voting aye. Motion carried.

The City Council adjourned and the County continued into their regular meeting.

Maxine Taylor - Brown County Auditor

OCTOBER 25, 2005 – GENERAL MEETING

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

MINUTES:

Moved by Knecht, seconded by Hansen to approve the General Meeting minutes of October 18, 2005. All members present voting aye. Motion carried.

CLAIMS:

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

Supplies: Dakota Milling & Shipping Equip..\$4895.00, Pitney Bowes..\$297.00, Office Equip..\$181.31, Quality Quick Print..\$56.40, Heartland Paper..\$339.80, Menards..\$82.31, Ecolab..\$154.00, Nelson Auto..\$41.00, OK Tire..\$7.00, Aberdeen Plumbing..\$72.07, McFarland Supply..\$84.17, Lar-Jos..\$38.00, Warner School Dist..\$454.80, DT Pharm..\$2643.56, David Fair..\$12.98, Pacer Service Center..\$15.04, Best Business..\$184.91, Safety Service..\$31.95, Phillips 66..\$109.84, Tri-State Water..\$41.30, Ameripride..\$55.95, NSU..\$154.00, RE Huffman..\$123.38, House of Glass..\$11.92, Lora Schaunaman..\$7.99, Artz Camera..\$38.48, Sheri Rawstern..\$204.76, Dacotah Prairie Merchantile..\$19.99, Midwest Golf Cars..\$698.16, Van Diest..\$2928.30, Beth Smith..\$1000.00, Scott Madsen..\$445.00, FedEx..\$13.00, Motorola..\$2291.72, NAACS..\$30.00, Trophy & Engraving..\$50.00, Volunteers of America..\$4316.92, Safe Harbor..\$91.00, Aberdeen School Dist..\$3410.00, NECOG..\$1666.74, Brown County..\$16,812.07, Walmart..\$491.63, Bricks TV..\$362.50, Office of Weights & Measures..\$75.00, Safety Benefits..\$150.00:

Publications: American News..\$905.57, Groton Indep..\$186.68:

Professional Fees: Rich Russman..\$2916.67, Kim Dorsett..\$2916.68, witness fees..\$40.00, Avera St Lukes..\$2119.27, Sheriff of Brookings County..\$153.58, United Clinic..\$118.20, John Carrels..\$70.67, Northern Plains Psy..\$75.60, Dakota Imaging..\$11.08, Lutheran Social Services..\$378.45, Career Planning..\$459.00, NADRIC..\$1666.66:

Transcriptions: Neal Reporting..\$158.40, Cheryl Hook..\$41.80:

Travel: Gene Loeschke..\$176.32, City of Groton..\$59.20, Jan Weismantel..\$154.02, Dennis Feickert..\$16.00:

Court Appointed Attorney: William Gerdes..\$4166.67, Kuck Law Office..\$4166.67, Randy Turner..\$4166.67, Christy Serr..\$4166.67:

Utilities: City of Frederick..\$158.25, Midcontinent Cable..\$192.67, Cellular One..\$909.27, Verizon..\$141.60, Northwestern Energy..\$10.00, Qwest..\$2208.58, Northern Elec..\$100.00, Bureau of Admin..\$607.80:

Jury: Tammy Allbee..\$216.40, Justin Antonides..\$22.56, Richard Bachmeier..\$125.12, David Bacon..\$33.84, Joshua Baltzell..\$11.28, Kristi Bauer..\$121.76, Lisa Beaty..\$125.12, Dustin Beck..\$39.60, Carol Bender..\$33.84, Richard Bergman..\$33.84, Nancy Bittner..\$33.84, Ronald Bretsch..\$45.12, Kelly Brugman..\$22.56, Marjorie Campbell..\$33.84, Erik Carlsgaard..\$60.96, Michael Cliff..\$33.84, Cully Conn..\$80.96, Pamela Connor..\$113.84, Angela Crawford..\$136.40, Dennis Dahme..\$33.84, Johanna Davis..\$11.92, Jess Dillavou..\$216.40, William Donaldson..\$119.60, Michael Duch..\$77.68, Paul Dummer..\$33.84, Karen Dunker..\$78.40, Leonard Eikamp..\$125.60, Tyrell Ellestad..\$136.40, Arlene Elliott..\$113.84, Mary Fischer..\$125.12, Valerie Fliehs..\$184.00, Jamie Furman..\$22.56, Melissa Gilbert..\$52.00, Barbara Goehring..\$125.12, Debbie Graves..\$22.56, Darlene Grebner..\$176.40, Stacy Hansen..\$35.76, Kandace Harty..\$33.84, Jeremy Head..\$33.84, Jennie Hoffman..\$176.40, Michael Hogg..\$41.52, Kimberly Hoose..\$125.12, Cynthia Igl..\$11.28, Christi Johnson..\$150.72, Dennis Kamen..\$40.48, Matilda Kiesz..\$136.40, John Kokales..\$127.68, John Kokales..\$125.12, Alvin Kolb..\$33.84, Kim Kram..\$136.40, Phyllis Kringen..\$267.68, Helge Larson..\$67.36, Kelan Lechner..\$43.44, Gayle Lloyd..\$235.20, Julie McGannon..\$33.84, Jan Mendoza..\$16.40, George Meyers..\$43.44, Shirley Morgan..\$145.60, Harvey Oliver..\$11.28, Gayle Opp..\$296.80, Kathleen

Pearce..\$127.68, Dwight Pehl..\$45.12, Barbara Peterson..\$216.40, Judith Pierson..\$146.80, Margo Price..\$125.12, Angela Prissel..\$39.20, Reed Rasmussen..\$22.56, Timothy Ray..\$65.60, Troy Roettele..\$45.12, Alex Schaeffer..\$36.64, Grant Schnabel..\$11.28, Dewayne Siebrasse..\$12.56, Ryan Smith..\$136.40, Paula Vogel..\$33.84, Salona Wachs..\$33.84, Walter Weber..\$33.84, Alfred Were..\$137.92, Mark White..\$85.12, Karen Young..\$145.60, Karen Youngman..\$127.68:

Care of Poor: Rent – 2 recipients..Lakeside Estates..\$170.00, Goehring Apts..\$90.00; Medication – 3 recipients..Kessler Pharm..\$343.28; Dr/Hospital – 9 recipients..Heart Hospital..\$11,922.86, Avera St Lukes..\$16,307.84, North Central Heart..\$265.65. All members present voting aye. Motion carried.

PERSONNEL:

Moved by Wiese, seconded by Fischbach to acknowledge the resignation of Tricia Jondahl from Dispatch Center, effective October 26, 2005. All members present voting aye. Motion carried.

Moved by Wiese, seconded by Knecht to approve hiring Tricia Jondahl as part-time Corrections Officer in the Jail, effective October 31, 2005 at \$9.12 per hour. All members present voting aye. Motion carried.

Moved by Wiese, seconded by Hansen to approve hiring Jerry Mayo as Assistant Communications Director, effective November 28, 2005 at a pro-rated annual salary of \$30,000.00. All members present voting aye. Motion carried.

Moved by Hansen, seconded by Wiese to approve hiring Curtis Phillips as Dispatcher, effective November 14, 2005 at \$10.68 per hour. All members present voting aye. Motion carried.

AGREEMENT:

Moved by Wiese, seconded by Knecht to approve and authorize the Chairman sign Agreement with Braun Intertec to provide drilling, monitoring well installation and geotechnical services at the Brown County Landfill expansion site at an estimated cost of \$53,975.00. All members present voting aye. Motion carried.

PLATS:

Commissioner Hansen offered the following Resolution:

RESOLUTION NO. 72-05

BE IT RESOLVED by the Board of County Commissioners of Brown County, SD, that the plat showing "Rennolet Conservation Easement Tract 1, in the NW ¼, Tract 2 in the NE ¼, Tract 3 in the SW ¼, all in Sec 21-T122N-R64W of the 5th P.M., Brown County, SD" 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, Fischbach-aye, Knecht-aye, Wiese-aye, Feickert-aye. Resolution adopted.

Commissioner Fischbach offered the following Resolution:

RESOLUTION NO. 73-05

BE IT RESOLVED by the County Commission of Brown County, SD, that the plat showing "Jones 2nd Subdivision in SE ¼ Sec 22-T123N-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 Hansen-aye, Fischbach-aye, Knecht-aye, Wiese-aye, Feickert-aye. Resolution adopted.

Commissioner Hansen offered the following Resolution:

RESOLUTION NO. 74-05

BE IT RESOLVED by the Board of Commissioners of Brown County, SD, that the plat showing "Schanzenbach Addition in the SW ¼ of Sec 14-T124N-R64W 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 Knecht. Roll call vote: Commissioners Hansen-aye, Fischbach-aye, Knecht-aye, Wiese-aye, Feickert-aye. Resolution adopted.

Commissioner Wiese offered the following Resolution:

RESOLUTION NO. 75-05

BE IT RESOLVED by the Board of County Commissioners of Brown County, SD, that the plat showing "Keatts Fourth Subdivision in the W ½ of the NW ¼ of Sec 23-T124N-R65W of the 5th P.M., Brown County, SD" 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, Fischbach-aye, Knecht-aye, Wiese-aye, Feickert-aye. Resolution adopted.

Commissioner Hansen offered the following Resolution:

RESOLUTION NO. 76-05

BE IT RESOLVED by the Board of County Commissioners of Brown County, SD, that the plat showing "Bledsoe Second Subdivision in the SW ¼ of Sec 14-T124N-R64W of the 5th P.M., Brown County, SD" 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, Fischbach-aye, Knecht-aye, Wiese-aye, Feickert-aye. Resolution adopted.

WEED AND SEED:

Moved by Wiese, seconded by Hansen to approve the Brown County Weed and Seed Monthly Expenses for October 2005 (Year Three 2002-WS-QX-0054), in amount of \$20,050.80. All members present voting aye. Motion carried.

Moved by Hansen, seconded by Wiese to approve the Brown County Weed and Seed Monthly Expenses for October 2005 (Year Four 2005-WS-Q5-0089), in amount of \$6,245.48. All members present voting aye. Motion carried.

Moved by Hansen, seconded by Fischbach to approve the following Weed and Seed Year Four funding proposal: Brown County Weed and Seed (publicity), as recommended by the Steering Committee. All members present voting aye. Motion carried.

FAIR BOARD UPDATE:

Larry Gerlach, Fair Manager presented update on activities, potential 2006 fair entertainers; and informed the Board that a bid for hosting the 2006 Fairs and Celebrations Convention in Aberdeen has been submitted.

ORDINANCE NO. 035:

Moved by Knecht, seconded by Wiese to approve Second Reading and Adopt Ordinance No. 035, An Ordinance amending Second Revision Brown County Ordinances to rezone the following described property from its present zoning designation of Chapter 4.08 Residential District (R-1) to Chapter 4.13 Commercial District (C): Lot 1 Palmer's Richmond Lake Resort Subdivision, being a subdivision of Outlot 1 of Richmond Resort Outlots 1 and 2 in SW ¼ Sec 30-T124N-R64W and NE ¼ Sec 25-T124N-R65W of the 5th P.M., Brown County, SD. Roll call vote: Commissioners Hansen-aye, Fischbach-aye, Knecht-aye, Wiese-aye, Feickert-aye. Ordinance adopted.

BID – COMMAND TRAILER:

Time and place, as advertised to open, read and consider bids for furnishing and delivery of one new 2005 Command Trailer. Bid received from Surrey Fire Safety House, Napoleon, OH. Moved by Knecht, seconded by Hansen to refer bid to Freddie Robinson, EM Director for review and recommendation. All members present voting aye. Motion carried.

Moved by Wiese, seconded by Hansen to award bid, submitted by Surrey Fire Safety House for furnishing and delivery of one new 2005 Command Trailer in amount of \$56,324.00. All members present voting aye. Motion carried.

EXECUTIVE SESSION:

Moved by Hansen, seconded by Knecht to go into executive session for personnel discussion with Freddie Robinson in attendance. All members present voting aye. Motion carried.

The Chairman declared the executive session closed, with the following action taken as a result of the discussion.

Moved by Wiese, seconded by Hansen to approve hiring Freddie Robinson, as Interim Communications Center Director, effective October 23, 2005 at a salary of \$500.00 per pay period. All members present voting aye. Motion carried.

EXECUTIVE SESSION:

Moved by Fischbach, seconded by Knecht to go into executive session with Mark McNeary in attendance to discuss union contract. All members present voting aye. Motion carried.

The Chairman declared the executive session closed, with no action taken as a result of the discussion.

APPLICATIONS FOR OCCUPANCY:

Moved by Hansen, seconded by Knecht to approve application, submitted by James Valley Telecommunications for occupancy of Brown County Highway #18 in Sec 19-T124N-R61W of 5th P.M., Brown County, SD to provide communications. All members present voting aye. Motion carried.

Moved by Knecht, seconded by Wiese to approve application, submitted by NorthWestern Energy for occupancy of Brown County Highway #12 in Sec 16 and 21-T123N-R64W of 5th P.M., Brown County, SD to install underground electrical and gas cables. All members present voting aye. Motion carried.

Moved by Wiese, seconded by Hansen to approve application, submitted by NorthWestern Energy for occupancy of Brown County Highway #27 in Sec 35-T121N-R64W of 5th P.M., Brown County, SD (also Sec 3-T120N-R64W of 5th P.M. Spink County), to install underground electrical cables. Roll call vote: Commissioners Hansen-aye, Fischbach-nay, Knecht-aye, Wiese-aye, Feickert-aye. Motion carried.

RECESS:

The Chairman declared the Commission recessed until November 1, 2005.

Maxine Taylor – Brown County Auditor

NOVEMBER 1, 2005 - JOINT CITY/COUNTY MEETING

The Brown County Commission and the Aberdeen City Council 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 Council Members Agnitsch, Aman, Bunsness, Campbell, Rux and Mayor Levsen. Absent from City were Council Members Hodgins, McQuillen and Mitchell. Present from County were Commissioners Hansen, Fischbach, Knecht, Wiese and Feickert.

ORDINANCE NO. 05-10-01/316:

On motion by Rux and seconded by Agnitsch, the City unanimously voted to approve Second Reading and Adopt Ordinance No. 05-10-01/316.

Moved by Fischbach, seconded by Wiese to approve Second Reading and Adopt Ordinance No. 05-10-01/316, An Ordinance amending Ordinance No. 1164 to rezone the following described property from its present zoning designation of Section 701 (A-1) Agricultural District to Section 714 (M-AG) Mini-Agricultural District: Bettmann 1st Subdivision in the NE ¼ of Sec 3-T122N-R64W of the 5th P.M., Brown County, SD. Roll call vote: Commissioners Hansen-aye, Fischbach-aye, Knecht-aye, Wiese-aye, Feickert-aye. Ordinance adopted.

ORDINANCE NO. 05-10-02/317:

On motion by Bunsness and seconded by Aman, the City unanimously voted to approve Second Reading and Adopt Ordinance No. 05-10-02/317.

Moved by Hansen, seconded by Knecht to approve Second Reading and Adopt Ordinance No. 05-10-02/317, An Ordinance amending Ordinance No. 1164 to rezone the following described property from its present zoning designation of Section 704 (R-2) Medium Density Residential District to Section 707 (C-2) Highway Commercial District: Lot 1, Haug Subdivision in the NE ¼ of Sec 22-T123N-R64W of the 5th P.M., Brown County, SD. Roll call vote: Commissioners Hansen-aye, Fischbach-aye, Knecht-aye, Wiese-aye, Feickert-aye. Ordinance adopted.

ORDINANCE NO. 05-10-04/318:

On motion by Bunsness and seconded by Campbell, the City unanimously voted to approve Second Reading and Adopt Ordinance No. 05-10-04/318.

Moved by Knecht, seconded by Wiese to approve Second Reading and Adopt Ordinance No. 05-10-04/318, An Ordinance amending Ordinance No. 1164 to rezone the following described property from its present zoning designation of Section 701 (A-1) Agricultural District to Section 704 (R-2) Medium Density Residential District: Lots 4, 5, 7, 9, 10 and 11, Auditor's Second Subdivision in the SE ¼ of Sec 27-T123N-R64W of the 5th P.M., Brown County, SD. Roll call vote: Commissioners Hansen-aye, Fischbach-aye, Knecht-aye, Wiese-aye, Feickert-aye. Ordinance adopted.

The City Council adjourned and the County continued into their regular meeting.

Maxine Taylor - Brown County Auditor

NOVEMBER 1, 2005 – GENERAL MEETING

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

MINUTES:

Moved by Knecht, seconded by Fischbach to approve the Joint City/County Meeting minutes and the General Meeting minutes of October 25, 2005. All members present voting aye. Motion carried.

CLAIMS:

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

Payroll: Commissioners..\$2,683.65; Auditor..\$6,516.04; Treasurer..\$8,663.64; Data Processing..\$1,658.00, State's Attorney..\$9,203.22; Maintenance..\$5,173.46; Assessor..\$8,054.54; Planning & Zoning..\$659.66; Register of Deeds..\$4,490.28; Veterans Service Office..\$2,465.16; GIS..\$1,692.31; Sheriff..\$59,190.30; DOJ Grant..\$3,421.32; Communications..\$15,894.78; Welfare Office..\$2,745.72; Museum..\$4,764.68; Fairboard..\$1,343.84; Fairgrounds & Parks..\$3,244.16; Extension..\$1,708.00; Weed..\$2,647.73; Emergency Management..\$2,347.09; Weed and Seed..\$1,067.31; Coroner..\$850.00; Highway..\$29,886.14; Landfill..\$7,225.14; Matching Benefits: FICA..\$10,942.23, Medicare..\$2,559.10, Wellmark BCBS Life..\$677.96, Wellmark BCBS Health..\$54,703.60, Delta Dental..\$3,926.00, SD State Retirement..\$22,316.42:

Supplies: FP Mailing Solutions..\$504.00, RE Huffman..\$26.80, Office Equip..\$122.29, New Trends..\$101.56, Academy Trophy..\$15.00, Photography by Debby..\$20.16, Gary's Engine..\$21.72, Heartland Paper..\$216.25, Best Business..\$33.20, Gary Bowker..\$120.00, Best Business..\$400.54, Dawn Woods..\$201.00, Civic Research..\$169.95, FedEx..\$6.26, Parcel-Erickson..\$26.95, Vantek..\$23.00, Dept of Revenue..\$665.00, SD Federal Property..\$353.00, Ramkota Hotel..\$292.00, New Pig..\$111.47, Lyle Signs..\$230.76, Lien Trans..\$5166.18, Lawson Products..\$551.61, Farm Power..\$378.05, Erdmann Oil..\$3255.86, Violet Dinger..\$4000.36, HC Clark..\$8.82, Ameripride..\$145.52, Americinn..\$98.00, Aberdeen Asphalt..\$17,056.66, McQuillen Design..\$197.86, Kleins..\$13.03, Lora Schaunaman..\$7.95, Sherri Rawstern..\$62.21, Walmart..\$156.13, Central Supply..\$177.50, Runnings..\$19.38, Matz Service..\$36.85, Brookings Inn..\$387.00, Office Max..\$581.99, Extension Services..\$1238.95, Farm Power..\$10.00, Graham Tire..\$24.38, Dakota Electronics..\$4972.00, Indoff..\$189.00, Dakota Electronics..\$185.80, MES..\$3671.00, Vantek..\$29,807.50, Quality Quick Print..\$482.89, New World Systems..\$6400.00, OK Tire..\$16.00, Butler Machinery..\$1347.79, Tel Serv..\$105.85, Runnings..\$196.53, McDonald Supply..\$75.61, Taylor Laundry..\$22.50:

Publications: American News..\$282.22, Groton Indep..\$203.24, Dakota Press..\$590.46:

Professional Fees: Sheriff of Lawrence County..\$15.72, Sheriff of Custer County..\$18.60, Nat'l Dist Attorney Assoc..\$155.00, witness fees..\$20.00, Aberdeen Family Physicians..\$28.70, Michael Thompson..\$188.80, Avera St Lukes..\$595.00, Lutheran Social Services..\$18,277.64:

Travel: Leo Leshner..\$306.24, Jim Payne..\$142.40, Gary Erickson..\$153.40, Marjorie Zastrow..\$229.00:

Utilities: Montana Dakota..\$41.47, Qwest..\$113.16, Midcontinent Cable..\$80.42, Northwestern Energy..\$8530.42, Cellular One..\$242.41, FSH Communications..\$116.60, WEB..\$124.42:

Care of Poor: Rent – 3 recipients..Northview Mobile Manor..\$135.00, T&S Investments..\$200.00, Kurt Kruger..\$323.00; Transportation – 1 recipient..Aberdeen Advanced Care..\$103.52; Dr/Hospital – 5 recipients..Northern Plains Psychological Assoc..\$174.26, Avera St Lukes..\$4483.88, Orthopedic Surgery Specialists..\$438.50, United Clinic..\$196.19; Utilities – 1 recipient..NWPS..\$200.00; Insurance – 1 recipient..Twin City Fan..\$311.37. All members present voting aye. Motion carried.

PERSONNEL:

Moved by Knecht, seconded by Wiese to approve the following employee step/longevity increases, effective November 6, 2005: Steven Cogley @ \$15.43 per hour, Nick Fullmer @ \$11.12 per hour, Sheila

Anderson @ \$13.50 per hour, Lance Aeschlimann @ \$10.70 per hour. All members present voting aye. Motion carried.

SHERIFF REPORTS:

Moved by Wiese, seconded by Knecht to approve for filing the following September Sheriff Reports; Incidents and offences, Prisoner Care, JDC, Money deposited with the County Treasurer and Monthly activities. All members present voting aye. Motion carried.

VACATE PLAT HEARING:

Moved by Wiese, seconded by Knecht to authorize publishing public hearing to consider approval of petition to vacate a plat, described as Ervin Smith's Lots in the SW ¼ of Sec 29-T128N-R65W of the 5th P.M., Brown County, SD, to be held at 9:00 A.M. on November 22, 2005 in the Commissioner's Chambers, Courthouse Annex, Brown County, SD. All members present voting aye. Motion carried.

PROPERTY TRANSFER:

Moved by Wiese, seconded by Hansen to approve and authorize the Chairman sign agreements with the following entities who received equipment from the 2003 DOJ Equipment Grant Program: Columbia FD (portable radios, PPE kits), Frederick FD (PPE kits, portable radios), Stratford (PPE kits, portable and mobile radios, AED); and 2004 ODP Equipment Grant Program: Columbia FD (scope, portable radios, rescue tools), Frederick FD (scope), Stratford FD (portable radios, scope, microphones), Bath FD (microphones). All members present voting aye. Motion carried.

PREVENTION GRANT:

Moved by Wiese, seconded by Knecht to acknowledge and review "Most of US Social Norms Report and Survey" conducted in conjunction with the Department of Justice Prevention and Intervention Programs for At-Risk and Detained Youth Project #2001-JS-FX-0014. All members present voting aye. Motion carried.

GRANT APPLICATION:

Moved by Hansen, seconded by Wiese to approve and authorize the Chairman sign application for a grant to combat underage drinking in amount of \$15,000.00 from the SD Office of Highway Safety. All members present voting aye. Motion carried.

EXECUTIVE SESSION:

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

The Chairman declared the executive session closed, with no action taken as a result of the discussion.

FAIR STAGE:

Larry Gerlach, Fair Manager and Dirk Rogers, Highway Superintendent discussed options for reconstruction of stage in front of the grandstand at the Fairgrounds. No action taken at this time.

RECESS:

The Chairman declared the Commission recessed until November 8, 2005.

Maxine Taylor – Brown County Auditor

NOVEMBER 8, 2005 – GENERAL MEETING

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

MINUTES:

Moved by Wiese, seconded by Knecht to approve the Joint City/County Meeting minutes and the General Meeting minutes of November 1, 2005. All members present voting aye. Motion carried.

CLAIMS:

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

Supplies: Office Equip..\$54.00, Semaphore Corp..\$211.00, SDN Tech..\$350.00, Mgmt Services..\$50.00, House of Glass..\$81.40, Cunningham Elec..\$122.40, Ecolab..\$174.50, UBC..\$18.49, Gardner Locksmith..\$15.00, Cartney Bearing..\$19.04, Clark Title..\$603.97, Heartland Paper..\$452.13, Crescent Elec..\$21.87, Nelson Auto..\$113.15, New Trends..\$479.74, Quality Quick Print..\$251.33, RE Huffman..\$333.38, Lar-Jos..\$42.00, Brown County..\$121.25, Best Business..\$111.44, Walmart..\$439.24, Langs..\$66.60, Northview Video..\$35.00, Bonnie Bitz..\$168.00, Dakota Electronics..\$919.20, Matthew Bender..\$53.45, Hollands Auto Care..\$14.25, Exec Mgmt..\$2514.96, Dakota Farm Services..\$10.00, Exhaust Pros..\$142.72, Bob Barker..\$119.87, Moore Medical..\$642.54, Sewing Shoppe..\$55.00, Sheriff of Beadle County..\$200.00, Career Planning..\$569.50, Tri-State Water..\$30.25, HRS..\$4455.53, Vanderwerff Impl..\$20.71, Specialty Mfg..\$25.49, S&S Lumber..\$491.33, Runnings..\$299.24, Praxair..\$90.35, Nelson Auto..\$2.68, Menards..\$166.77, M-R Signs..\$249.32, Lust Chev..\$93.98, James Loterbauer..\$252.00, HF Jacobs..\$295.53, Interstate Battery..\$71.95, Hecla Impl..\$22.35, Habecks..\$84.25, Great Western Tire..\$1884.16, Freys Electronics..\$121.70, Farnams..\$15.58, Exhaust Pros..\$42.95, Evergreen Supply..\$71.70, Erdmann Oil..\$3696.20, Economy Propane..\$732.25, Violet Dinger..\$2932.15, Diesel Machinery..\$58.93, Dakota Oil..\$172.40, Dakota Fluid..\$162.14, Dakota Farm Service..\$1.56, Cunningham Elec..\$57.94, Crawford Trucks..\$634.55, Clark Engineering..\$1919.88, Cartney Bearing..\$43.07, Bridgestone Firestone..\$676.87, Artz Equip..\$2000.00, Americinn..\$98.00, Aberdeen Equip..\$246.80, Lora Schaubman..\$5.81, Kleins..\$6.46, Parcel-Erickson..\$40.00, Glas Consulting..\$218.75, Kesslers..\$42.96, SDCAA..\$180.00, Century Business..\$70.00, Pro Ag Supply..\$58.57, Macs..\$12.69, Van Diest..\$261.30, Sheraton..\$384.51, Hewlett Packard..\$8146.00, CDW Govt..\$452.85, Pizza Ranch..\$61.95, Ameripride..\$49.23, Overhead Door..\$161.22, Praxair..\$15.25, Erdmann Fuels..\$6957.80, Cole Papers..\$1843.69, SD Dept of Revenue..\$3218.23, SWANA..\$235.00, Bricks TV..\$895.00, Powerplan..\$1507.95, Janitors Closet..\$314.76, Aberdeen Plumbing..\$330.95, Language Lines..\$226.60, West Payment Center..\$1348.69:

Publications: American News..\$717.56:

Professional Fees: witness fees..\$20.00, Northeastern Mental Health..\$87.78:

Transcriptions: Michelle Gaikowski..\$50.60:

Travel: Tom Fischbach..\$186.24, Deb Knecht..\$156.80, Mike Wiese..\$268.88, Gene Loeschke..\$230.72, Scott Madsen..\$358.52, Jerry Mills..\$858.42:

Utilities: FSH Communications..\$58.30, City of Aberdeen..\$601.28, Northwestern Energy..\$4995.89, Northern Valley Communications..\$72.80, James Valley..\$365.90, Town of Frederick..\$29.03, Dependable Sanitation..\$23,509.42:

Care of Poor: Rent – 4 recipients..Jim Bird..\$220.00, Linda Liebe..\$220.00, Danne..\$136.00, Sundown Motel..\$64.80; Transportation – 3 recipients..Brown County..\$10.42, Jefferson Lines..\$118.30; Dr/Hospital – 3 recipients..Avera St Lukes..\$6088.18, Harbert Orthopedics..\$88.10; Utilities – 3 recipients..NWPS..\$435.27. All members present voting aye. Motion carried.

AUDITORS REPORT OF ACCOUNT:

Moved by Fischbach, seconded by Knecht to approve the October 2005 Auditor's Report of Account with the County Treasurer in total amount of \$16,936,976.84 (total amount of actual cash @ \$3,021.93, Wells Fargo Bank @ \$3,694.79, US Bank @ \$22,591.42, Dacotah Bank @ \$20,029.26, Petty Cash @ \$1,700.00, Fund Investments @ \$16,885,461.37, Outstanding Checks @ \$478.07). All members present voting aye. Motion carried.

CONTINGENCY TRANSFERS:

Moved by Fischbach, seconded by Wiese to approve the following Contingency Transfers (spending authority only): Fund #101-154 Abused & Neglect @ \$512.50; Fund #101-169 @ \$11,076.44; Fund #101-445 Mental Illness Board @ \$3,407.29. All members present voting aye. Motion carried.

SURPLUS PROPERTY:

Moved by Wiese, seconded by Fischbach to declare Decal #3306 2003 Ford Crown Victoria (2FAFP71W93X199840) surplus for purpose of disposal with insurance company. The vehicle was destroyed in a motor vehicle accident while parked at the scene of another motor vehicle accident. All members present voting aye. Motion carried.

INCREASE SPENDING AUTHORITY/ESTIMATED REVENUE:

Moved by Wiese, seconded by Knecht to increase spending authority (Fund #101-211-426) and estimated revenue (Fund #101-373.01) in amount of \$10,125.00 for unanticipated insurance reimbursement for replacement of Sheriff vehicle. All members present voting aye. Motion carried.

ORD 319 – SET HEARING:

Moved by Wiese, seconded by Fischbach to set public hearing for 8:45 a.m. on November 29, 2005 in the Brown County Commission Chambers, 25 Market Street for First Reading of Ordinance No. 05-11-01/319, An Ordinance to rezone the following property from Section 701 (A-1) Agricultural District to Section 713 (M) Municipal, State and County Use District: Lot 1, South Side Industrial Subdivision in the N ½ and SE ¼ of Sec 36-T123N-R64W of the 5th P.M., Brown County, SD. All members present voting aye. Motion carried.

HOUSING & REDEVELOPMENT COMMISSION:

Moved by Knecht, seconded by Fischbach to reappoint Mike Wiese to the Housing and Redevelopment Commission of Brown County, effective until July 9, 2010. All members present voting aye. Motion carried.

CITIZEN CORPS COUNCIL:

Moved by Wiese, seconded by Knecht to reappoint the following to the Brown County Citizen Corps Council: At Large Representative – Scott Meints with term ending December 31, 2008; Red Cross Representative – Marilee Frankenberger with term ending December 31, 2008; At Large Representative – Rich Kezar with term ending December 31, 2008; Civil Air Patrol Representative – David Schultis with term ending December 31, 2008. All members present voting aye. Motion carried.

PROPERTY TRANSFER:

Moved by Fischbach, seconded by Knecht to approve and authorize the Chairman sign agreement with the following entity who received equipment from the 2004 ODP Equipment Grant Program: Brown County Sheriff Department (all hazard radio). All members present voting aye. Motion carried.

CONTRACT:

Moved by Fischbach, seconded by Wiese to approve and authorize the Chairman sign contract with Tri-State LTD for the installation, maintenance and use of an ATM in the Courthouse Annex. All members present voting aye. Motion carried.

ABATEMENT:

Moved by Wiese, seconded by Knecht to approve the following Abatement: Mike Gabler (1970 Movilla Mobile Home) incorrect value for year 2005 in amount of \$62.09. All members present voting aye. Motion carried.

AMENDMENT:

Moved by Wiese, seconded by Knecht to approve and authorize the Chairman sign amendment to contract with United Clinic to provide assistance to the JDC/Jail Nurse. All members present voting aye. Motion carried.

HIGHWAY DISCUSSION:

Terry Cutler discussed possibility of widening the intersection 2 miles E of Hwy 37 on County Road #9 into Claremont. It was suggested that Claremont Township request the county provide and haul fill to extend the radius of the approach and reimburse the county for the total cost of the project. The Commission and Dirk Rogers, Highway Superintendent concurred.

LANDFILL FEE:

Lou Ludwig requested a refund of fees collected for disposal of a mobile home at the Landfill during the fall free cleanup for county residents. No action taken at this time.

EXECUTIVE SESSION:

Moved by Fischbach, seconded by Knecht to go into executive session to discuss 2006 salaries. All members present voting aye. Motion carried.

The Chairman declared the executive session closed, with no action taken as a result of discussion.

VETERANS SERVICE:

Tom Gohn, Veterans Service Officer presented statistics showing the rising number of Veteran's served by Brown County and the amount of federal money received by veterans in the area. Mr. Gohn also requested salary adjustments for department personnel. No action taken at this time.

EXECUTIVE SESSION:

Moved by Knecht, seconded by Wiese to go into executive session for contract discussion with Mark McNeary in attendance. All members present voting aye. Motion carried.

The Chairman declared the executive session closed, with no action taken as a result of discussion.

SHERIFF DEPARTMENT:

Mark Milbrandt and Tom Schmitt informed the Commission that a suitable replacement for the vehicle destroyed in the accident last week should be available at Federal Surplus in the near future. The Commission acknowledged award of an additional \$15,000.00 grant designated for alcohol related overtime and high visibility traffic enforcement to combat underage drinking in the area.

RECESS:

The Chairman declared the Commission recessed until November 15, 2005.

Maxine Taylor – Brown County Auditor

NOVEMBER 15, 2005 – GENERAL MEETING

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

MINUTES:

Moved by Knecht, seconded by Wiese to approve the General Meeting minutes of November 8, 2005. All members present voting aye. Motion carried.

CLAIMS:

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

Payroll: Commissioners..\$2,683.65; Auditor..\$6,516.04; Treasurer..\$8,663.64; Data Processing..\$1,658.00; State's Attorney..\$9,129.64; Maintenance..\$5,291.84; Assessor..\$8,186.94; Planning & Zoning..\$588.00; Register of Deeds..\$4,355.69; Veterans Service Office..\$2,457.83; GIS..\$1,692.31; Sheriff..\$57,953.73; DOJ Grant..\$3,479.75; Communications..\$12,376.51; Welfare Office..\$2,749.72; Museum..\$4,764.68; Fairgrounds & Parks..\$3,244.16; Fairboard..\$1,343.84; Extension..\$1,708.00; Weed..\$2,182.78; Emergency Management..\$2,310.51; Weed and Seed Grant..\$1,067.31; Highway..\$29,441.09; Landfill..\$6,600.03; Matching Benefits: FICA..\$10,521.21; Medicare..\$2,460.64:

Supplies: Best Business..\$190.22, Eagle Business Forms..\$106.41, Office Equipment..\$72.82, Exec Mgmt..\$45.75, New Trends..\$94.80, Quality Quick Print..\$100.90, Matthew Bender..\$15.80, Menards..\$608.17, Quality Welding..\$11.00, OK Tire..\$7.00, Accurint..\$19.70, Duane's Amoco..\$69.85, Earthgrains..\$652.08, Kesslers..\$354.21, WorldPoint..\$83.75, Pierson Ford..\$43.08, Fleet Mgmt..\$39.00, BP Amoco..\$71.34, Phillips 66..\$34.00, Avera St Lukes..\$181.00, Vanderwerff Impl..\$2375.00, Randy's Auto..\$50.00, Portland Transmission..\$1648.25, Farm Plan..\$552.65, Farm & Home Publishers..\$35.50, Erdmann Oil..\$1094.11, Energy Alliance..\$16092.00, DVC Girls Vac..\$62.40, Violet Dinger..\$276.51, Advanced Auto..\$41.76, Dakota Farmer..\$23.95, Ameripride..\$117.24, Aberdeen Area Arts Council..\$123.10, Sherwin-Williams..\$25.94, Midwest Alarms..\$51.50, Dacotah Prairie Merchantile..\$30.84, Ashley Farrand..\$25.00, Jessi Mather..\$18.01, Glas Consulting..\$131.25, Swanson Electric..\$418.20, Dacotah Bank..\$15.61, Aberdeen Awards..\$1146.25, Runnings..\$8.87, TAC Sales..\$20.00, Graham Tire..\$9.29, Advance Auto Parts..\$12.56, Federal Signal..\$14,438.50, Lab Safety..\$267.75, Chris Larson..\$259.20, Avera Queen of Peace..\$200.50:

Publications: American News..\$183.55, Corson County News..\$44.15:

Professional Fees: witness fees..\$20.00, Northeastern Mental Health..\$73.15:

Transcriptions: Tammy Erickson..\$90.00:

Travel: Jerry Mills..\$163.52:

Court Appointed Attorney: Christy Serr..\$45.27:

Utilities: Dependable Sanitation..\$212.00, Qwest..\$160.00, Northern Elec..\$54.41, City of Hecla..\$88.33, Northern Valley Communications..\$71.24, Northwestern Energy..\$247.57, Verizon..\$113.50:

Care of Poor: Rent – 3 recipients..Terry Doerr..\$200.00, Monte McNickle..\$245.00, Mary Anderson..\$62.50; Transportation – 1 recipient..Emergency Poor Fund..\$60.00; Medication – 3 recipients..Kessler Pharm..\$28.29, Econofoods Pharm..\$90.72, Jones Drug..\$70.99; Dr/Hospital – 4 recipients..Avera St Lukes..\$25,306.55, Infectious Disease Specialists..\$281.99, Medical X-Ray Center..\$105.35, Pulmonary Assoc..\$389.41, Anesthesiology Assoc..\$1120.00, Dakota Imaging..\$231.68, North Central Heart Institute..\$4998.41. All members present voting aye. Motion carried.

PERSONNEL:

Moved by Wiese, seconded by Fischbach to approve the following employee step/longevity increase, effective November 20, 2005: Betty Haar @ \$13.50 per hour. All members present voting aye. Motion carried.

ALCOHOLIC BEVERAGE LICENSE RENEWAL HEARING:

Moved by Wiese, seconded by Fischbach to authorize advertising public hearing to consider the following applications for renewal of Alcoholic Beverage Licenses to operate outside of the Municipality, to be held at 9:00 A.M. on December 6, 2005: PACKAGE (OFF-SALE) LIQUOR: Venus and Kit Donley, DBA Mansfield Bar & Grill; Marge Frohling, DBA The Connection Houghton; William Dean Mundhenke, DBA Ferney Farmers Bar. RETAIL ON-SALE AND SUNDAY LIQUOR: Venus and Kit Donley, DBA Mansfield Bar & Grill; William Dean Mundhenke, DBA Ferney Farmers Bar; Moccasin Creek Country Club, Inc; Daniel A Brandenburger DBA Elm Lake Resort; Ken Schumacher DBA Bait Shop Bar & Grill; Stacy Gossman DBA Big Fella's; Ronald Erickson DBA Road Kill Café; Jarrett O & Dennis O Jones DBA Tacoma Park Place. All members present voting aye. Motion carried.

EMPLOYEE DENTAL INSURANCE RATES:

Moved by Hansen, seconded by Knecht to approve the following employee Delta Dental monthly insurance rates, effective January 1, 2006: Single @ \$27.00, Two-Party @ \$50.94 and Three or More @ \$80.52. All members present voting aye. Motion carried.

PREVENTION GRANT:

Moved by Wiese, seconded by Hansen to approve and authorize the Chairman sign Addendum No. 5 to Agreement for DOJ Brown County Special Appropriation Project Coordinator/Administrative Assistance between Brown County and Northeast Council of Governments, to modify the compensation amount to cover costs, exceeding \$75,000.00, incurred by NECOG on an actual basis for additional months needed for the project, effective October 1, 2005 to September 30, 2006. All members present voting aye. Motion carried.

WEED AND SEED:

Moved by Knecht, seconded by Wiese to acknowledge receipt of Grant Adjustment Notice No. 6 (GAN) for Brown County Weed and Seed Grant #2005-WS-QX-0054, approving amendments to the Brown County Weed and Seed Committee Policies and Procedures. All members present voting aye. Motion carried.

ABATEMENTS:

Moved by Wiese, seconded by Knecht to approve the following Solid Waste Abatements: Ronnie Fisher, parcels combined (Worthy Replat Groton) for 2004 @ \$15.00; Delbert Dutenhoffer, empty lot (Lt 3 Bk 2 Roosevelt Crystal 2nd Addn) for 2004 @ \$15.00, Vern Sieber, empty lot (Lt 3 Bk 3 OP Columbia) for 2004 @ \$65.00. All members present voting aye. Motion carried.

FAIR BOARD APPOINTMENTS:

Moved by Wiese, seconded by Knecht to appoint the following second three-term term Fair Board Members: Chad/Sandy Bierman, Colin Dutenhoffer and Duane Jark; and appoint the following first three-year term Fair Board Members: Rick Pigors, Kristie Erickson, Jeanette Hassebroek, Lennis "Butch" Savage. All members present voting aye. Motion carried.

BCCHC CONTRACT:

Moved by Hansen, seconded by Fischbach to approve and authorize the Chairman sign Contract with the State of South Dakota for providing community health nursing services in Brown County. All members present voting aye. Motion carried.

CONSOLIDATED BOARD OF EQUALIZATION:

Commissioner Fischbach offered the following Resolution:

RESOLUTION NO. 77-05

A RESOLUTION TO ESTABLISH CONSOLIDATED BOARD OF EQUALIZATION
PURSUANT TO SDCL 10-11-66 THROUGH 10-11-77

BE IT RESOLVED by the Brown County Commission, Brown County, SD that a consolidated Board of Equalization as authorized by 10-11-66 shall be established pursuant to the Resolution of the Governing Boards of Brown County, City of Aberdeen, and the Aberdeen School District 6-1. The consolidated Board of Equalization as created by this Resolution shall be authorized to exercise all powers contained in SDCL 10-11.

BE IT FURTHER RESOLVED that three members from the Brown County Commission and one member of the Aberdeen City Council and one member of the Aberdeen School District 6-1 School Board shall constitute a consolidated Board of Equalization as provided by SDCL 10-11-66.

BE IT FURTHER RESOLVED that the Aberdeen City Commission, Brown County Commission and the Aberdeen School District 6-1 shall be responsible for the per diem and salary and mileage costs of the respective members that serve on the Consolidated Board of Equalization. Brown County Commission shall be responsible for the ordinary and customary expenses associated with the equalization of property including appeals to the State of South Dakota Office of Hearing Examiners. The financial responsibilities contained in this resolution shall remain unless, either the Aberdeen City Commission, Brown County Commission or the Aberdeen School District 6-1 shall request that they be modified prior to December 1st of each year.

THIS RESOLUTION shall be binding upon the Brown County Commission, Brown County, SD upon each governing body adopting this Resolution according to law.

Dated this 15th day of November 2005.

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

SHERIFF REPORTS:

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

LANDFILL FEE REFUND:

Moved by Fischbach, seconded by Wiese to deny request from Lou Ludwig for refund of Landfill fee. All members present voting aye. Motion carried.

EXECUTIVE SESSION:

Moved by Knecht, seconded by Wiese to go into executive session for personnel discussion. All members present voting aye. Motion carried.

The Chairman declared the executive session closed, with no action taken as a result of the discussion.

DRAFT - BURN PERMIT:

Freddie Robinson, EM Director and Loy Stange, Rural Fire Chiefs Association presented the draft for a Brown County Burn Permit. Document will be reviewed and acted upon at a later date.

EXECUTIVE SESSION:

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Moved by Knecht, seconded by Wiese to go into executive session with Mark McNeary in attendance to discuss personnel. All members present voting aye. Motion carried.

The Chairman declared the executive session closed, with the following action taken as a result of the discussion.

Moved by Hansen, seconded by Knecht to approve hiring Rich Russman and Kim Dorsett as part-time Deputy States Attorney's at a pro-rated annual salary of \$35,000.00 each, effective September 25, 2005. All members present voting aye. Motion carried.

AGREEMENT:

Moved by Wiese, seconded by Knecht to approve and authorize the Chairman sign agreement with the Unified Judicial System of SD (UJS) that defines computerized data sharing between UJS and Brown County and delimit the access of specified information. All members present voting aye. Motion carried.

HIGHWAY UPDATE:

Dirk Rogers, Highway Superintendent discussed a road safety review conducted by SDDOT and presented project update.

RECESS:

The Chairman declared the Commission recessed until November 22, 2005.

Maxine Taylor – Brown County Auditor

NOVEMBER 22, 2005 – GENERAL MEETING

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

MINUTES:

Moved by Hansen, seconded by Wiese to approve the General Meeting minutes of November 15, 2005. All members present voting aye. Motion carried.

CLAIMS:

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

Supplies: RE Huffman..\$205.98, Menards..\$146.96, Sanders Sew 'N Vac..\$70.47, McDonald Supply..\$167.47, Gardner Locksmith..\$212.60, Central Supply..\$129.75, Office Max..\$857.95, Accurint..\$44.45, CDW Govt..\$157.38, DT Pharm..\$2658.44, West Payment..\$186.00, HSBC Business Solutions..\$85.98, Little Professor..\$107.85, Photo Xpress..\$4.55, JC Penney..\$159.94, Hoven Auto..\$40.03, Best Business..\$184.91, Velvet Uniforms..\$164.77, Electronic Security..\$781.50, NE Mental Health..\$468.16, Artz Camera..\$6.58, Evercom..\$1750.00, Share Corp..\$164.00, Lawson Products..\$129.02, Coyote Pub..\$108.80, Carquest..\$502.01, Anthony Motel..\$164.00, Energy Alliance..\$14,490.00, Sue Gates..\$12.30, Northern State University..\$126.50, Time Works..\$79.00, Sherwin Williams..\$31.80, Macs..\$6.38, GCR Tire..\$64.87, Western States Fire..\$190.00, Farm Power..\$16.64, Gas & Goodies..\$8.00, Evergreen Supply..\$25.10, Quality Quick Print..\$24.20, Tel Serv..\$945.00, Certified Crop Adviser Program..\$75.00, Custom Sheet Metal..\$288.00, WearGuard..\$111.77, House of Glass..\$9879.28, Jonathan Koeniguer..\$500.00, Language Line..\$34.33, New World Systems..\$38,560.00, Farm & Home Publishers..\$80.00, AMTECH Electrocircuits..\$162.00, Dakota Fluid Power..\$10.08, Earth Tech..\$3676.98, Gemppler's..\$224.80, Aberdeen Area Chamber of Commerce..\$206.00, Field Services, LLC..\$293.64, Crawford Trucks..\$128.44, Dakota Oil..\$83.70, Fastenal Company..\$121.98, HSBC Business Solutions..\$273.42, Radko Shack Corp..\$7.99, Quality Quick Print..\$686.62, Century Business Products..\$85.00, Farm Power..\$838.80, PMB 0112..\$304.11, Dept of Social Services..\$4961.44, City of Aberdeen..\$8964.90:

Publications: American News..\$228.79:

Professional Fees: witness fees..\$316.00, City of Aberdeen..\$6552.50, INA Group LLC..\$3248.91, United States Treasury..\$6630.48, Safe Harbor..\$585.00, Avera St Lukes..\$6540.59, Brown County..\$3023.65, NEOCOG..\$1666.66, Lutheran Social Services..\$26,334.64:

Transcriptions: Sara Van de Walle..\$749.45:

Travel: Jerry Mills..\$224.12, City of Groton..\$67.52, Sherry Theobald..\$18.24, Kathy Fischer..\$158.72, Roger Johnson..\$190.24:

Court Appointed Attorney: Kelly Marnette..\$92.50:

Utilities: Cellular One..\$3200.22, Verizon..\$159.08, Northwestern Energy..\$1959.30, Dependable Sanitation..\$159.00, FSH Communications..\$110.00, Northern Electric..\$174.21, Qwest..\$62.11, Qwest..\$368.58, Qwest..\$4313.98, Cellular One..\$98.58, Brick Propane..\$16.50, Northern Electric Coop..\$444.84, Northern Wireless..\$60.90, Verizon Wireless..\$141.54:

Care of Poor: Rent – 7 recipients..Carson Murdy..\$220.00, Kurt Kruger..\$190.00, KM Land Co..\$260.00, Ken Dohn..\$220.00, Bryce Loudon..\$220.00, Lakesides Estates..\$170.00, Zumbaum Property..\$130.00; Transportation – 1 recipient..Christensen Ambulance..\$619.06; Dr/Hospital – 3 recipients..Hruby Dental..\$73.55, Orthopedic Surgery..\$356.87, Aberdeen Nephrology..\$28.70; Utilities – 2 recipients..NWPS..\$90.00, City of Aberdeen..\$150.48. All members present voting aye. Motion carried.

PERSONNEL:

Moved by Wiese, seconded by Knecht to approve hiring Francis Bosch as part-time scale operator at the Landfill, effective November 22, 2005 at \$10.61 per hour. All members present voting aye. Motion carried.

Moved by Wiese, seconded by Fischbach to approve hiring Trenton Lunstrum as guard for purpose of prisoner transport, effective November 22, 2005. All members present voting aye. Motion carried.

Moved by Wiese, seconded by Hansen to acknowledge the following miles driven and amount to be taxed for personal use of County vehicles during July, August, September, October 2005: Richard Burns – 272 @ \$88.40, Dirk Rogers – 2502 @ \$800.64, Mike Scott – 594 @ \$193.05. All members present voting aye. Motion carried.

ORDINANCE NO 036 - SET HEARING DATE:

Moved by Wiese, seconded by Fischbach to set public hearing for 9:15 a.m. on December 6, 2005 in the Commission Chambers, Courthouse Annex, Brown County, SD for First Reading of Ordinance No. 036, An Ordinance to rezone the following property from Chapter 4.06 Agricultural Preservation District (AG-P) to Chapter 4.10 Lake Front Residential District (R-3): Lots 1-6 Keatts Fourth Subdivision in the W ½ of the NW ¼ of Sec 23-T124N-R65W of the 5th P.M., Brown County, SD. All members present voting aye. Motion carried.

ORDINANCE NO 037 - SET HEARING DATE:

Moved by Knecht, seconded by Wiese to set public hearing for 8:45 a.m. on December 13, 2005 in the Commission Chambers, Courthouse Annex, Brown County, SD for First Reading of Ordinance No. 037, An Ordinance to rezone the following property from Chapter 4.06 Agricultural Preservation District (AG-P) to Chapter 4.07 Mini-Ag District (M-AG): Lots 1A, 2A, 3A and 4A Bledsoe Second Subdivision in the SW ¼ of Sec 14-T124N-R64W of the 5th P.M., Brown County, SD. All members present voting aye. Motion carried.

ORDINANCE NO 038 - SET HEARING DATE:

Moved by Hansen, seconded by Fischbach to set public hearing for 9:00 a.m. on December 13, 2005 in the Commission Chambers, Courthouse Annex, Brown County, SD for First Reading of Ordinance No. 038, An Ordinance to rezone the following property from Chapter 4.06 Agricultural Preservation District (AG-P) to Chapter 4.07 Mini-Ag District (M-AG): Lots 2 and 3 Jones Second Subdivision in the SE ¼ of Sec 22-T123N-R62W of the 5th P.M., Brown County, SD. All members present voting aye. Motion carried.

AGREEMENT:

Moved by Knecht, seconded by Wiese to approve and authorize the Chairman sign Joint Cooperative Agreement with NECOG for 2006. All members present voting aye. Motion carried.

LANDFILL AWARD:

Moved by Wiese, seconded by Hansen to recognize and extend appreciation for the continued efforts of Landfill Manager Mike Scott and Employees upon receiving the EPA Region VIII Environmental Achievement Award. All members present voting aye. Motion carried.

COPS TECHNOLOGY GRANT:

Moved by Wiese, seconded by Knecht to approve and authorize the Chairman sign Financial Form 269 for July through August 2005 for the COPS 2003 Technology Grant #2003-CK-WX-0177 (final financial report for grant). All members present voting aye. Motion carried.

ABATEMENTS:

Moved by Knecht, seconded by Wiese to approve the following Abatements: YMCA, tax exempt (Lt 1-5 Narregangs SD) BID for 2004 @ \$269.80; Christopher Lamont, vacant lot (Lt 403-404 Morning Heights Addn) SW for 2004 @ \$15.00. All members present voting aye. Motion carried.

WEED AND SEED:

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Moved by Knecht, seconded by Wiese to approve the Brown County Weed and Seed Monthly Expenses for November 2005 (Year Three 2002-WS-QX-0054), in amount of \$20,467.38. All members present voting aye. Motion carried.

Moved by Knecht, seconded by Wiese to approve the Brown County Weed and Seed Monthly Expenses for November 2005 (Year Four 2005-WS-Q5-0089), in amount of \$4,690.31. All members present voting aye. Motion carried.

Moved by Hansen, seconded by Knecht to approve the following Weed and Seed Year Four funding proposals: The Salvation Army (Fluency for all reading program; Recorder), as recommended by the Steering Committee. All members present voting aye. Motion carried.

FAIR BOARD APPOINTMENT:

Moved by Fischbach, seconded by Wiese to appoint Marlys Volzke to a second three-year term on the Fair Board. All members present voting aye. Motion carried.

INCREASE SPENDING AUTHORITY/ESTIMATED REVENUE:

Moved by Wiese, seconded by Hansen to increase spending authority and estimated revenue for the Underage Drinking Control Grant #234-331.90 @ \$581.82 and #234-211.01-411 @ \$503.08, #234-211.01-412.01 @ \$31.17, #234-211.01-412.02 @ \$7.30, #234-211.01-413 @ \$40.27. All members present voting aye. Motion carried.

2006 ASSESSMENT PLAN:

Moved by Wiese, seconded by Knecht to approve the 2006 Assessment Plan for Brown County, as submitted by Mary Worlie, Director of Equalization. All members present voting aye. Motion carried.

VACATE PLAT:

Commissioner Wiese offered the following Resolution:

RESOLUTION NO. 78-05

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

Ervin Smith's Lots in the SW ¼ Sec 29-T128N-R65W, Brown County, South Dakota

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

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

Ervin Smith's Lots in the SW ¼ Sec 29-T128N-R65W, Brown County, South Dakota
is hereby vacated.

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

APPLICATIONS FOR OCCUPANCY:

Moved by Knecht, seconded by Fischbach to approve the following application, submitted by Northern Valley Communications for occupancy of Brown County Highway 19, in Sec 9-T123N-R63W of the 5th P.M., Brown County, SD, to provide communications services. All members present voting aye. Motion carried.

Moved by Hansen, seconded by Wiese to approve the following application, submitted by Ramona Hanson for occupancy of Brown County Highway 18, in Sec 19 and 20-T125N-R61W of the 5th P.M., Brown County, SD, to provide electric lines. All members present voting aye. Motion carried.

EXECUTIVE SESSION:

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

The Chairman declared the executive session closed, with no action as a result of the discussion.

PLATS:

Commissioner Knecht offered the following Resolution:

RESOLUTION NO 79-05

BE IT RESOLVED by the Board of County Commissioners of Brown County, SD, that the plat showing "TNCJM-LLC Subdivision in the SW ¼ of Sec 11-T124N-R62W of the 5th P.M., Brown County, SD" 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, Fischbach-aye, Knecht-aye, Wiese-aye, Feickert-aye. Resolution adopted.

Commissioner Wiese offered the following Resolution:

RESOLUTION NO 80-05

BE IT RESOLVED by the Board of County Commissioners of Brown County, SD, that the plat showing "Luedeke Conservation Easement Tract 4 in the NW ¼ and Tract 5 in the NE ¼, all in Sec 19-T121N-R62W of the 5th P.M., Brown County, SD 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, Fischbach-aye, Knecht-aye, Wiese-aye, Feickert-aye. Resolution adopted.

Commissioner Wiese offered the following Resolution:

RESOLUTION NO 81-05

BE IT RESOLVED by the Board of County Commissioners of Brown County, SD, that the plat showing "Luedeke Conservation Easement Tract 1 in the NE ¼, Tract 2 in the SW ¼, and Tract 3 in the SE ¼, all in Sec 18-T121N-R62W of the 5th P.M., Brown County, SD 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, Fischbach-aye, Knecht-aye, Wiese-aye, Feickert-aye. Resolution adopted.

Commissioner Wiese offered the following Resolution:

RESOLUTION NO 82-05

BE IT RESOLVED by the County Commission of Brown County, SD, that the plat showing "Eske's Tract 1 in the W ½ of Sec 15-T124N-R65W 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 Hansen. Roll call vote: Commissioners Hansen-aye, Fischbach-aye, Knecht-aye, Wiese-aye, Feickert-aye. Resolution adopted.

Commissioner Hansen offered the following Resolution:

RESOLUTION NO 83-05

BE IT RESOLVED by the Board of Commissioners of Brown County, SD, that the plat showing "Sveen Addition in the NE ¼ of Sec 25-T123N-R64W 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 Hansen-aye, Fischbach-aye, Knecht-aye, Wiese-aye, Feickert-aye. Resolution adopted.

Commissioner Hansen offered the following Resolution:

RESOLUTION NO 84-05

BE IT RESOLVED by the County Commission of Brown County, SD, that the plat showing "Odde-Tarrell Subdivision in NE ¼ Sec 34-T124N-R64W 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 Wiese. Roll call vote: Commissioners Hansen-aye, Fischbach-aye, Knecht-aye, Wiese-aye, Feickert-aye. Resolution adopted.

Commissioner Hansen offered the following Resolution:

RESOLUTION NO 85-05

BE IT RESOLVED by the County Commission of Brown County, SD, that the plat showing "Bellikka First Subdivision in SW ¼ Sec 28-T124N-R64W 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 Wiese. Roll call vote: Commissioners Hansen-aye, Fischbach-aye, Knecht-aye, Wiese-aye, Feickert-aye. Resolution adopted.

RECESS:

The Chairman declared the Commission recessed until November 29, 2005.

Maxine Taylor – Brown County Auditor

NOVEMBER 29, 2005 - JOINT CITY/COUNTY MEETING

The Brown County Commission and the Aberdeen City Council met in joint session at 8:45 A.M. in the Brown County Commission Chambers, 25 Market Street, Aberdeen, South Dakota. The Aberdeen City Council did not have a quorum. Present from County were Commissioners Hansen, Fischbach, Wiese and Feickert. Absent Commissioner Knecht.

ORDINANCE NO. 05-11-01/319:

Moved by Wiese, seconded by Fischbach to table Ordinance No. 05-11-01/319, An Ordinance amending Ordinance No. 1164 to rezone the following described property from its present zoning designation of Section 701 (A-1) Agricultural District to Section 713 (M) Municipal, State and County Use District: Lot 1, South Side Industrial Subdivision in the N ½ and SE ¼ of Sec 36-T123N-R64W of the 5th P.M., Brown County, SD until December 6, 2005. All members present voting aye. Motion carried.

The County continued into their regular meeting.

Maxine Taylor - Brown County Auditor

NOVEMBER 29, 2005 – GENERAL MEETING

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

MINUTES:

Moved by Wiese, seconded by Fischbach to approve the General Meeting minutes of November 22, 2005. All members present voting aye. Motion carried.

CLAIMS:

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

Payroll: Commissioners..\$2,683.65; Auditor..\$6,566.48; Treasurer..\$8,663.64; Data Processing..\$1,658.00, State's Attorney..\$19,679.42; Maintenance..\$5,286.94; Assessor..\$8,168.55; Planning & Zoning..\$637.61; Register of Deeds..\$4,125.48; Veterans Service Office..\$2,424.85; GIS..\$1,692.31; Sheriff..\$60,136.12; DOJ Grant..\$3,642.77; Communications..\$13,206.66; Welfare Office..\$2,749.72; Museum..\$4,764.68; Fairboard..\$1,343.84; Fairgrounds & Parks..\$3,244.16; Extension..\$1,708.00; Weed..\$243.40; Emergency Management..\$2,310.51; Weed and Seed..\$1,067.31; Highway..\$29,655.02; Landfill..\$6,714.10; Matching Benefits: FICA..\$11,285.49, Medicare..\$2,639.40, Wellmark BCBS Life..\$686.96, Wellmark BCBS Health..\$55,417.00, Delta Dental..\$4,004.00, SD State Retirement..\$22,175.46:

Supplies: SD Assoc of Assessing Officers..\$385.00, Int'l Assoc of Assessing Officers..\$175.00, RE Huffman..\$158.83, Best Business..\$33.20, Scott Madsen..\$35.64, DocuSource..\$99.07, Moore Medical Corp..\$642.65, Velvet Uniforms..\$218.50, Sirchie..\$53.86, ITC..\$104.75, Bob Barker..\$110.66, Exhaust Pros..\$27.95, Safety Service..\$355.64, Vantek..\$23.00, Dept of Rev..\$1425.00, Huron Culvert..\$240.20, Howes Oil..\$13,080.00, Helms & Assoc..\$4886.61, Violet Dinger..\$374.27, Office Max..\$293.15, Century Business Products..\$94.77, Electronic Security..\$816.98, Metro Fire..\$430.96:

Publications: Dakota Press..\$524.92, Groton Indep..\$396.19:

Professional Fees: witness fees..\$40.00, Avera St Lukes..\$4876.76, Aberdeen Advanced Care..\$151.57, Dr John Carrels..\$743.11, Northern Plains Psych..\$22.10:

Travel: Mike Wiese..\$64.48, Gene Loeschke..\$158.40, Kings Inn..\$43.00, Dennis Feickert..\$22.40, Kevin Spitzer..\$156.16, Jerry Mayo..\$1000.00:

Utilities: Cellular One..\$444.63, Northwestern Energy..\$51.10, Montana Dakota..\$49.64, Qwest..\$40.29, Northern Elec..\$100.00:

Care of Poor: Rent – 2 recipients..Erickson & Assoc..\$150.00, Kusler Apts..\$240.00; Dr/Hospital – 1 recipient..Avera St Lukes..\$12,950.90. All members present voting aye. Motion carried.

PERSONNEL:

Moved by Hansen, seconded by Wiese to approve the following step increases, effective December 4, 2005: Lora Schaunaman @ \$10.95 per hour, Kristal Biegler @ \$12.79 per hour, Heather Wilkinson @ \$10.94 per hour, Carol White @ \$10.78 per hour, Amy Mathiason @ \$12.66 per hour. All members present voting aye. Motion carried.

EXECUTIVE SESSION:

Moved by Wiese, seconded by Hansen to go into executive session for personnel discussion with City Council Member Bill McQuillen and Mayor Mike Levsen in attendance. All members present voting aye. Motion carried.

The Chairman declared the executive session closed, with no action taken as a result of the discussion.

FAIR UPDATE:

Larry Gerlach, Fair Manager presented an activities update.

COMMUNICATIONS CENTER UPDATE:

Freddie Robinson, Interim Communications Director introduced Jerry Mayo, Assistance Communications Director.

TEEN COURT:

Tabitha Moore, Weed and Seed Coordinator and Teen Court Volunteer informed the Commission that Teen Court has moved into the States Attorney's Office.

RECESS:

The Chairman declared the Commission recessed until December 6, 2005.

Maxine Taylor – Brown County Auditor

DECEMBER 6, 2005 - JOINT CITY/COUNTY MEETING

The Brown County Commission and the Aberdeen City Council 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 Council Members Agnitsch, Aman, Bunsness, Campbell, Mitchell and Mayor Levsen. Absent from City were Council Members Hodgins, McQuillen and Rux. Present from County were Commissioners Hansen, Fischbach, Knecht, Wiese and Feickert.

ORDINANCE NO. 05-11-01/319:

On motion by Bunsness and seconded by Aman, the City unanimously voted to approve First Reading of Ordinance No. 05-11-01/319.

Moved by Knecht, seconded by Fischbach to approve First Reading of Ordinance No. 05-11-01/319, An Ordinance amending Ordinance No. 1164 to rezone the following described property from its present zoning designation of Section 701 (A-1) Agricultural District to Section 713 (M) Municipal, State and County Use District: Lot 1, South Side Industrial Subdivision in the N ½ and SE ¼ of Sec 36-T123N-R64W of the 5th P.M., Brown County, SD. All members present voting aye. Motion carried.

The City Council adjourned and the County Commission continued into their regular meeting.

Maxine Taylor - Brown County Auditor

DECEMBER 6, 2005 – GENERAL MEETING

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

MINUTES:

Moved by Knecht, seconded by Wiese to approve the Joint City/County Meeting minutes and the General Meeting minutes of November 29, 2005. All members present voting aye. Motion carried.

CLAIMS:

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

Supplies: Dakota Mailing..\$209.63, Quality Quick Print..\$1224.86, Walmart..\$233.42, Brown County Bar..\$60.00, New Trends..\$15.90, Ramkota Inn..\$86.00, Dept of Revenue..\$90.00, Exec Mgmt..\$43.50, State Bar of SD..\$1260.00, Heartland Paper..\$220.83, Kone..\$224.02, Ameripride..\$55.95, North Wind..\$510.98, Menards..\$71.68, Crawford Trucks..\$18.90, Ecolab..\$81.50, Crescent Electric..\$79.38, UBC..\$23.89, Gardner Locksmith..\$10.00, Macs..\$33.80, Central Supply..\$293.25, Runnings..\$212.20, Fire Safety First..\$21.90, OK Tire..\$20.00, Taylor Laundry..\$26.50, McFarland Supply..\$92.51, Artz Camera..\$1330.70, Pheasantland Ind..\$910.33, RE Huffman..\$123.14, Planning & Dev Dist..\$1038.00, Parcel-Erickson..\$29.20, Sound Decisions..\$1648.00, Career Planning..\$718.25, Runnings..\$22.82, Electronic Safety..\$405.98, Exhaust Pros..\$27.95, Civic Research..\$169.95, Best Business..\$142.73, EDMO..\$6970.30, Cardmember Service..\$185.76, Volk Upholstery..\$190.48, S&S Lumber..\$153.84, Praxair..\$112.22, Plastic Works..\$1225.00, Newman Signs..\$39.09, Johnson Motors..\$19.80, JT Electric..\$60.56, Macs..\$160.84, Hwy Equip..\$323.64, Great Western Tire..\$1161.84, Farm Power..\$375.21, Violet Dinger..\$908.31, Crawford Trucks..\$489.38, HC Clark..\$156.08, Clark Engineering..\$721.83, Butler Machinery..\$392.97, Bridgestone/Firestone..\$91.00, Ameripride..\$169.29, Walmart..\$35.78, Jeanette Kline..\$250.00, Les Frohling..\$200.00, Dorothy Hedges..\$250.00, UBC..\$24.23, Dakota Supply Group..\$228.88, Dietrichs..\$720.00, Extension Service..\$610.07, Farm Power..\$14.91, Fireguard..\$3939.00, Dakota Electronics..\$21,575.08, CDW Govt..\$3744.99, Photos Now..\$949.00, Hedahls..\$28.82, SD Redbook..\$2250.00, Locke Electric..\$278.37, Sheehan Mack Sales..\$2379.40, Dakota Fluid Power..\$26.11, Powerplan..\$112.16, Butler Machinery..\$6492.01, Erdman Fuels..\$3420.34, OK Tire..\$98.00, Nelson Sales..\$192.00, Pierson Ford..\$290.01, MVTL Labs..\$694.80, Praxair..\$16.45, SD Dept of Rev..\$3043.73, Sodak Sport..\$139.96, West Pub..\$2235.38, Language Lines..\$61.60, Evercom..\$105.00:

Publications: Groton Indep..\$259.24, American News..\$1053.75:

Professional Fees: Neal Reporting..\$51.00, Cheryl Hook..\$115.00, King County Journal..\$257.00, Ward County Sheriff..\$20.74, Avera St Lukes..\$1159.00, Eide Bailly..\$247.50:

Transcriptions: Tammy Erickson..\$52.55:

Travel: Mark McNeary..\$486.52, Leo Leshner..\$282.24, Mark Milbrandt..\$788.23, Larry Gerlach..\$116.07, Ginger Walker..\$23.05:

Utilities: City of Aberdeen..\$555.26, Northwestern Energy..\$7547.66, Midcontinent Cable..\$273.09, Qwest..\$113.45, Northern Valley Communications..\$72.09, James Valley Cooperative..\$147.83, Town of Frederick..\$28.25, Cellular One..\$74.79, WEB Water..\$112.05, Genius Web..\$29.97:

Care of Poor: Rent – 3 recipients..Lowell Punt..\$91.66, Northview Mobile Manor..\$135.00, Rollie White..\$200.00; Transportation – 2 recipients..Anesthesia Care..\$252.00, Brown County Hwy..\$9.47; Medication – 1 recipient..Medical Center Pharmacy..\$278.69; Dr/Hospital – 3 recipients..Northern Plains OMS..\$44.95, Avera St Lukes..\$9086.90, Avera Heart Hospital of SD..\$19,563.86; Utilities – 1 receipt..NWPS..\$75.00. All members present voting aye. Motion carried.

PERSONNEL:

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Moved by Knecht, seconded by Hansen to approve hiring Ryan Kotzea as a part-time Corrections Officer in the Jail, effective December 12, 2005 @ \$9.12 per hour. All members present voting aye. Motion carried.

Moved by Hansen, seconded by Fischbach to approve salary adjustment for Freddie Robinson, effective December 4, 2005 at pro-rated annual salary of \$47,000.00 and change office title to Emergency Management Director/Communications Director; and further to adjust salary to pro-rated annual salary of \$48,000.00 with maximum vacation leave earned, effective January 1, 2006. All members present voting aye. Motion carried.

AGREEMENT:

Moved by Knecht, seconded by Wiese to approve and authorize the Chairman sign agreement with the City of Aberdeen for the purposes of having a unified library service for the residents of Brown County. All members present voting aye. Motion carried.

Commissioner Wiese offered the following Resolution:

**RESOLUTION NO. 86-05
RESOLUTION FOR DECLARATION OF EMERGENCY/DISASTER**

WHEREAS, Brown County, South Dakota, has suffered severe damage, brought on by a severe winter storm that occurred on the dates of November 27th through November 29th, 2005; and

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 and local resources are not adequate to cope with the situation.

WHEREAS, Brown County recognizes that municipal, tribal, and rural electric cooperatives have taken all possible actions within the jurisdictional boundaries to combat and to alleviate the emergency/disaster.

NOW, THEREFORE, BE IT RESOLVED that the Brown County Board of County Commissioners for, and on behalf of the citizens of Brown County, request the Governor of the State of South Dakota to petition the President of the United States to declare Brown County, South Dakota an emergency/disaster area.

Dated this 6th day of December 2005.

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

ABATEMENTS:

Moved by Wiese, seconded by Fischbach to approve the following Abatements: Erik Stewart, incorrect value (1985 Detroit MH) for year 2006 @ \$297.79; Knights of Columbus, tax exempt (Lt 4-6 ex E 90" Blk 3 OP Aberdeen) BID for 2004 @ \$312.00. All members present voting aye. Motion carried.

CONTINGENCY TRANSFERS:

Moved by Wiese, seconded by Fischbach to approve the following Contingency Transfers (spending authority only): Fund #101-154 Abused & Neglect @ \$92.50; Fund #101-169 @ \$4,513.52; Fund #101-445 Mental Illness Board @ \$2,538.74. All members present voting aye. Motion carried.

BUDGET SUPPLEMENT:

Commissioner Fischbach offered the following Resolution:

RESOLUTION NO. 87-05

WHEREAS, due to the failure to provide adequate spending authority within the following Brown County Budgets for year 2005, to enable the Departments to complete program planning:

Museum-----	\$ 12,000.00
General Government Buildings-----	\$124,800.00
Contingency-----	\$550,000.00

WHEREAS, the County has chosen to incur this obligation and expenditure by supplementing the following 2005 fiscal Brown County Department Budgets, and to fund same from the following:

Museum	@	\$ 12,000.00	Unanticipated Revenue
General Government Buildings	@	\$124,800.00	Unobligated Surplus Cash
Contingency	@	\$550,000.00	Unobligated Surplus Cash

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 27, 2005 at 9:00 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 Hansen. Roll call vote: Commissioners Hansen-aye, Fischbach-aye, Knecht-aye, Wiese-aye, Feickert-aye. Resolution adopted.

ALCOHOLIC BEVERAGE LICENSE RENEWAL HEARING:

Time and place, as advertised to consider applications for renewal of Alcoholic Beverage Licenses to operate outside of the Municipality. Moved by Fischbach, seconded by Wiese to approve the following applications for renewal of Alcoholic Beverage Licenses to operate outside of the Municipality: PACKAGE (OFF-SALE) LIQUOR: Venus & Kit Donley, DBA Mansfield Bar & Grill; Marge Frohling, DBA The Connection Houghton; William Dean Mundhenke , DBA Ferney Farmers Bar. RETAIL ON-SALE AND SUNDAY LIQUOR: Venue & Kit Donley, DBA Mansfield Bar & Grill; William Dean Mundhenke, DBA Ferney Farmers Bar; Moccasin Creek Country Club, Inc; Daniel A Brandenburger DBA Elm Lake Resort; Ken Schumacher DBA Bait Shop Bar & Grill; Stacy Gossman DBA Big Fella's; Ronald Erickson DBA Road Kill Café; Jarrett O & Dennis O Jones DBA Tacoma Park Place. All members present voting aye. Motion carried.

ORDINANCE NO. 036 – FIRST READING:

Moved by Fischbach, seconded by Wiese to approve First Reading of Ordinance No. 036, An Ordinance amending Second Revision Brown County Ordinances to rezone the following described property from its present zoning designation of Chapter 4.06 Agricultural District (AG-P) to Chapter 4.10 Lake Front Residential District (R-3): Lots 1-6 Keatts Fourth Subdivision in the W ½ of the NW ¼ of Sec 23-T124N-R65W of the 5th P.M., Brown County, SD. All members present voting aye. Motion carried.

CHILLER DISCUSSION:

Mick Palmer, Maintenance Superintendent and Eric Hermans, Johnson Controls discussed anticipated shipment date for Chiller.

EM HEATING UNIT QUOTES:

Moved by Hansen, seconded by Wiese to accept low quote, submitted by Heartland Heating & Cooling in amount of \$2,782.66 for radiant heat system in county owned building on Railroad Ave (blue building); rejecting quote submitted by Jakes Heating in amount of \$7,604.10. All members present voting aye. Motion carried.

HOSPITAL BILLS:

Jeff Steele, Avera St Lukes Regional Hospital met to discuss two hospital bills. Charlene Millim, Welfare Director was also in attendance. Moved by Fischbach, seconded by Hansen to deny payment of the following hospital bills, submitted by Avera St Lukes Hospital, as the individuals have not provided sufficient information to determine indigency: 54 year old male @ \$8,291.86, 26 year old male @ \$4,505.84. All members present voting aye. Motion carried.

EXECUTIVE SESSION:

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

The Chairman declared the executive session closed, with no action taken as a result of the discussion.

HIGHWAY UPDATE:

Dirk Rogers, Highway Superintendent discussed ice/snow policy and presented department update.

EXECUTIVE SESSION:

Moved by Wiese, seconded by Fischbach to go into executive session for personnel discussion with Mark McNeary and Jeanette Nietert in attendance. All members present voting aye. Motion carried.

The Chairman declared the executive session closed, with no action taken as a result of the discussion.

RECESS:

The Chairman declared the Commission recessed until December 13, 2005.

Maxine Taylor – Brown County Auditor

DECEMBER 13, 2005 - JOINT CITY/COUNTY MEETING

The Brown County Commission and the Aberdeen City Council 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 Council Members Agnitsch, Aman, Bunsness, Campbell, Rux and Mayor Levsen. Absent from City were Council Members Hodgins, McQuillen and Mitchell. Present from County were Commissioners Hansen, Fischbach, Knecht, Wiese and Feickert.

ORDINANCE NO. 05-11-01/319:

On motion by Bunsness and seconded by Rux, the City unanimously voted to approve Second Reading and Adopt Ordinance No. 05-11-01/319.

Moved by Wiese, seconded by Knecht to approve Second Reading and Adopt Ordinance No. 05-11-01/319, An Ordinance amending Ordinance No. 1164 to rezone the following described property from its present zoning designation of Section 701 (A-1) Agricultural District to Section 713 (M) Municipal, State and County Use District: Lot 1, South Side Industrial Subdivision in the N ½ and SE ¼ of Sec 36-T123N-R64W of the 5th P.M., Brown County, SD. Roll call vote: Commissioners Hansen-aye, Fischbach-aye, Knecht-aye, Wiese-aye, Feickert-aye. Ordinance adopted.

The City Council adjourned and the County Commission continued into their regular meeting.

Maxine Taylor - Brown County Auditor

DECEMBER 13, 2005 – GENERAL MEETING

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

MINUTES:

Moved by Hansen, seconded by Wiese to approve the Joint City/County Meeting minutes and the General Meeting minutes of December 6, 2005. All members present voting aye. Motion carried.

CLAIMS:

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

Payroll: Commissioners..\$2,683.65; Auditor..\$6,483.83; Treasurer..\$8,663.64; Data Processing..\$1,658.00; State's Attorney..\$11,822.27; Maintenance..\$5,186.14; Assessor..\$7,716.21; Planning & Zoning..\$588.00; Register of Deeds..\$3,772.44; Veterans Service Office..\$2,373.54; GIS..\$1,692.31; Sheriff..\$59,538.42; DOJ Grant..\$3,432.86; Coroner..\$930.00; Communications..\$13,903.47; Welfare Office..\$2,749.72; Museum..\$4,764.68; Fairgrounds & Parks..\$3,244.16; Fairboard..\$1,343.84; Extension..\$1,708.00; Emergency Management..\$2,438.54; Weed and Seed Grant..\$1,067.31; Highway..\$33,211.39; Landfill..\$6,942.72; Matching Benefits: FICA..\$10,968.65; Medicare..\$2,565.36;

Supplies: Office Equip..\$194.72, Penton Tech..\$86.95, SD Voices for Children..\$8.36, SD State's Attorney Assoc..\$575.00, Quality Quick Print..\$348.89, New Trends..\$290.94, Aberdeen Plumbing..\$94.05, Hoven Auto..\$27.89, House of Glass..\$1896.50, Chris & Dons Tarp..\$20.00, Honeywell..\$13,228.00, Interstate Powers..\$1625.00, Lien Trans..\$498.75, US Post Office..\$44.00, SD Veterans Service Officers..\$50.00, Dakota Electronics..\$66.65, Exec Mgmt..\$3481.38, Bonnie Bitz..\$216.00, Phillips 66..\$186.38, BP..\$23.93, TriState Water..\$24.20, HRS..\$4069.24, Safety Service..\$40.00, NEOG..\$1471.08, NSU..\$49,500.00, Parcel-Erickson..\$217.00, Dicks Westside..\$30.00, OK Tire..\$898.80, Best Business..\$276.93, Accurint..\$15.70, Bob Barker..\$262.87, Tel Serv..\$25.00, Kesslers..\$335.84, Sheehan Mack Sales..\$7.97, Markus Selzler..\$72.07, Safety Service..\$648.95, Midwest Pump..\$53.19, Menards..\$184.62, Hollands Auto..\$9.85, Hecla Impl..\$27.16, Graham Tire..\$126.70, Farnams Parts..\$4.03, Farm Plan..\$79.38, Evergreen Supply..\$69.05, Erdmann Oil..\$2417.20, Energy Alliance..\$16,499.10, Economy Propane..\$731.95, Dakota Fluid..\$34.24, Cartney Bearing..\$16.14, Artz Equip..\$2000.00, Runnings..\$24.17, Farm Power..\$200.21, Evergreen..\$15.95, Kleins..\$34.77, Kesslers..\$3.60, Dakota Electronics..\$63.35, Fire Safety First..\$23.60, Pizza Ranch..\$49.95, MVTL Labs..\$5609.70, Ameripride..\$65.30, Dicks Westside..\$317.50, Crawford Trucks..\$128.44, APCO..\$496.00;

Publications: American News..\$97.27, Daily Reporter..\$125.50, Midland Press..\$20.00;

Professional Fees: witness fees..\$40.00, Dakota Imaging..\$18.88, Avera St Lukes..\$1546.40, Marv Ekeren..\$15.00, Donna Dietrich..\$124.52, Minnehaha County..\$162.00;

Transcriptions: Patricia Hartsel..\$176.80, Kristi Kost..\$30.00;

Travel: Days Inn..\$172.00, Kimberly Droog..\$123.12, Maxine Taylor..\$22.00, Jim Payne..\$138.88, Mark Wendt..\$9.00, Kendell Titze..\$9.00, Cordell Rudolph..\$9.00, Bryan Owens..\$9.00, John Heidenreich..\$9.00, Ginger Walker..\$67.20, Karla Hallstrom..\$500.00;

Court Appointed Attorney: Creighton Thurman..\$242.17;

Utilities: Mark McNeary..\$90.99, Northwestern Energy..\$1350.37, Verizon..\$184.90, Qwest..\$453.37, City of Aberdeen..\$181.90, Northern Valley Communications..\$71.29, Northern Wireless Comm..\$60.90, James Valley..\$207.93;

Care of Poor: Rent – 7 recipients..Fred Marnette..\$170.00, Dallas Niederbaumer..\$220.00, Robert Schatz..\$200.00, Lowell Punt..\$91.66, G&D Investments..\$200.00, Scheer Apts..\$260.00, Northview Mobile Manor..\$135.00; Dr/Hospital – 7 recipients..Surgical Assoc..\$483.00, Avera United Clinic..\$608.74, Avera St Lukes..\$1104.43, Midwestern Endocrinology..\$488.85, North Central Heart

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Institute..\$5080.53, Aberdeen Plastic Surgery..\$54.01, Aberdeen Family Physicians..\$41.22; Insurance – 1 recipient..Benefit Concepts..\$1432.14. All members present voting aye. Motion carried.

PERSONNEL:

Moved by Hansen, seconded by Fischbach to approve hiring Brenda Schmitt as guard for purpose of prisoner transport, effective November 20, 2005. All members present voting aye. Motion carried.

Moved by Wiese, seconded by Fischbach to approve the following employee step/longevity increases, effective December 18, 2005: Keith Baker @ \$11.26 per hour, Sarah Jesz @ \$11.50 per hour, Robert Suedmeier @ \$11.26 per hour. All members present voting aye. Motion carried.

Moved by Hansen, seconded by Fischbach to acknowledge resignation of Assistant Communications Director Jerry Mayo, effective December 1, 2005. All members present voting aye. Motion carried.

Moved by Wiese, seconded by Hansen to approve hiring Mark Anderson as part-time Deputy States Attorney, effective December 15, 2005 at pro-rated annual salary of \$35,000.00. All members present voting aye. Motion carried.

AUDITORS REPORT OF ACCOUNT:

Moved by Hansen, seconded by Fischbach to approve the November 2005 Auditor's Report of Account with the County Treasurer in total amount of \$13,953,746.08 (total amount of actual cash @ \$2,708.92, Wells Fargo Bank @ \$3,694.79, US Bank @ \$122,336.06, Dacotah Bank @ \$20,312.69, Petty Cash @ \$1,700.00, Fund Investments @ \$13,802,202.54, Outstanding Checks @ \$791.08). All members present voting aye. Motion carried.

EXTENSION BOARD:

Moved by Hansen, seconded by Wiese to appoint Curt Haaland to first three-year term on the Extension Board. All members present voting aye. Motion carried.

WAIVE SHERIFF FEES:

Moved by Fischbach, seconded by Wiese to waive the following sheriff fees: #05-03 @ \$85.90; #05-04 @ \$85.90. All members present voting aye. Motion carried.

SHERIFF REPORTS:

Moved by Hansen, seconded by Fischbach to approve the following November 2005 Sheriff Reports: Incidents and offenses; Prisoner Care, JDC, Money deposited with the County Treasurer and Monthly activities. All members present voting aye. Motion carried.

ABATEMENT:

Moved by Wiese, seconded by Fischbach to approve the following abatement: Douglas Eilers, vacant lot (Lot 3 Geffre/Sutton Subd SE 35-123-64) Solid Waste for year 2004 @ \$65.00. All members present voting aye. Motion carried.

PLAT:

Commissioner Fischbach offered the following Resolution:

RESOLUTION NO. 88-05

BE IT RESOLVED by the County Commission of Brown County, SD, that the plat showing "Edwards 1st Subdivision in NW ¼ Sec 34-T124N-R64W of 5th P.M., Brown County, SD", having been examined, is

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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, Fischbach-aye, Knecht-aye, Wiese-aye, Feickert-aye. Resolution adopted.

ORDINANCE NO. 037 – FIRST READING:

Moved by Knecht, seconded by Wiese to approve First Reading of Ordinance No. 037, An Ordinance amending Second Revision Brown County Ordinances to rezone the following described property from its present zoning designation of Chapter 4.06 Agriculture Preservation (AG-P) to Chapter 4.07 Mini-Ag District (M-AG): Lots 1A, 2A, 3A, and 4A Bledsoe Second Subdivision in the SW ¼ of Sec 14-T124N-R64W of the 5th P.M., Brown County, SD. All members present voting aye. Motion carried.

ORDINANCE NO. 038 – FIRST READING:

Time and place for First Reading of Ordinance No. 038, Attorney Jerald McNeary accompanied by Jeanne Schindler, Ron L Jacobson, Paul Katz, Paul Schmidt, Skip Clay, Bev Swartz and Patsy Brosz presented comments and testimony regarding the amendment to Second Revision Brown County Ordinances. After discussion, the following action ensued.

Moved by Wiese, seconded by Hansen to deny First Reading of Ordinance No. 038, An Ordinance amending Second Revision Brown County Ordinances to rezone the following described property from its present zoning designation of Chapter 4.06 Agriculture Preservation (AG-P) to Chapter 4.07 Mini-Ag District (M-AG): Lots 2 and 3 Jones Second Subdivision in the SE ¼ of Sec 22-T123N-R62W of the 5th P.M., Brown County, SD, to maintain statement of intent for area as stated in Chapter 4.0601 of Second Revision Brown County Ordinances and in addition the Planning Commission stipulation, dated November 15, 2005, that purchasers of lots be notified that the neighbors land is Ag Preservation. Roll call vote: Commissioners Hansen-aye, Fischbach-aye, Knecht-aye, Wiese-aye, Feickert-aye. Ordinance denied.

ORDINANCE NO. 036:

Moved by Wiese, seconded by Fischbach to approve Second Reading and Adopt Ordinance No. 036, An Ordinance amending Second Revision Brown County Ordinances to rezone the following described property from its present zoning designation of Chapter 4.06 Agriculture Preservation District (AG-P) to Chapter 4.10 Lake Front Residential District (R-3): Lots 1-6 Keatts Fourth Subdivision in the W ½ of the NW ¼ of Sec 23-T124N-R65W of the 5th P.M., Brown County, SD. Roll call vote: Commissioners Hansen-aye, Fischbach-aye, Knecht-aye, Wiese-aye, Feickert-aye. Ordinance adopted.

EXECUTIVE SESSION:

Moved by Hansen, seconded by Knecht to go into executive session with Tom Schmitt and Mark Milbrandt in attendance to discuss possible litigation. All members present voting aye. Motion carried.

The Chairman declared the executive session closed, with the following action taken.

WAIVE FEES:

Moved by Knecht, seconded by Wiese to waive real estate tax interest/penalty and sheriff fees on the W ½ of E ½ and W ½ of Sec 16-T125N-R65W of the 5th P.M., Brown County, SD, upon payment of real estate taxes. All members present voting aye. Motion carried.

EXECUTIVE SESSION:

Moved by Wiese, seconded by Hansen to go into executive session to discuss personnel. All members present voting aye. Motion carried.

The Chairman declared the executive session closed, with no action taken as a result of the discussion.

QWEST TARIFF:

Moved by Hansen, seconded by Fischbach to approve and authorize the Chairman sign stipulation in the matter of the filing by Qwest Corporation for approval of revisions to its exchange and network services tariff. All members present voting aye. Motion carried.

EXECUTIVE SESSION:

Moved by Wiese, seconded by Hansen to go into executive session for personnel discussion with Freddie Robinson and Mark McNeary in attendance. All members present voting aye. Motion carried.

The Chairman declared the executive session closed, with no action taken as a result of the discussion.

BRIDGE REPLACEMENT:

Commissioner Wiese offered the following Resolution; and further moved to approve and authorize the Chairman sign the following documents in conjunction with the Resolution: 1) Utilities Certificate; 2) Letting Authorization; 3) Right-of-Way Certificate; 4) ROW Donation Forms.

**RESOLUTION NO. 89-05
FEDERAL AID BRIDGE REPLACEMENT PROGRAM RESOLUTION**

WHEREAS, Brown County desires the replacement of the bridge hereinafter described:

STRUCTURE NUMBER AND LOCATION: (Bridge #174) Structure #07-075-160 located 2.0 miles S. and 3.5 miles W of Barnard.

AND WHEREAS, Brown County is obligated and hereby agrees to provide proper maintenance as required by the Federal Highway Act as amended and supplemented thereto for 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 Bridge Replacement Funds.

AND WHEREAS, the bridge is in need of replacement for the following reasons: 1) The sufficiency rating is 25.2%. 2) The bridge is located on a school bus route and a mail route. 3) The load carrying capacity of the existing bridge cannot be improved to carry legal loads by rehabilitation of the existing bridge.

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 "Secondary Road Plan" and the State's "Standard Specifications for Roads and Bridges", the bridge replacement project at the above described location. Items to be handled by State forces with Federal Participation will include hydraulic study review, foundations investigation (if necessary), plan reviews, and construction administration.

Estimated Cost of Project Including Engineering:	\$446,306.92
Federal Share (80%):	\$357,045.54
Local Share (20%):	\$ 89,261.38

Proposed Year of Construction: 2006

Dated this 13th day of December 2005.

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

RECESS:

The Chairman declared the Commission recessed until December 20, 2005.

Maxine Taylor – Brown County Auditor

DECEMBER 20, 2005 – GENERAL MEETING

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

MINUTES:

Moved by Knecht, seconded by Wiese to approve the Joint City/County Meeting minutes and the General Meeting minutes of December 13, 2005. All members present voting aye. Motion carried.

CLAIMS:

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

Supplies: Best Business..\$214.19, Office Max..\$936.73, Lar-Jos..\$43.95, Heartland Paper..\$70.35, RE Huffman..\$217.95, Shafer & Feld..\$316.95, Trugreen..\$277.15, Honeywell..\$2987.00, Aberdeen Plumbing..\$11,482.29, McFarland Supply..\$667.81, Scott Madsen..\$158.30, NSU..\$49,658.14, Hoven Auto..\$190.83, Sewing Shoppe..\$37.50, Darrells Sinclair..\$15.00, Earthgrains..\$479.77, Bob Barker..\$122.66, Office Equip..\$63.99, Avera St Lukes..\$67.00, Larry Harper..\$4.76, US Post Office..\$68.00, United Clinic..\$20.00, House of Glass..\$136.64, DT Pharm..\$859.03, Adv Auto..\$30.98, Carquest..\$553.12, Casper Hwd..\$85.45, Chris & Dons Tarp..\$12.00, Energy Alliance..\$6465.00, Huron Culvert..\$3555.00, James Loterbauer..\$432.00, S&S Lumber..\$48.88, Safelite Auto..\$223.72, Thorstenson Trucking..\$4873.62, Di-An Ent..\$1585.00, Tammy Dennert..\$100.00, SD Assoc of Fairs..\$55.00, RadioShack..\$711.89, Paper Warehouse..\$6.98, TSC..\$93.08, Academy Trophy..\$233.00, Larry Gerlach..\$10.59, Papa Johns..\$80.00, Ramada..\$45.00, Fox Valley..\$507.11, Midwest Alarm..\$51.50, Lora Schaunaman..\$7.14, Glas Consulting..\$162.50, Ameripride..\$63.77, Nasco..\$89.81, Red Cross..\$24.04, Kens Foods..\$18.90, Sam Olson..\$908.82, Farm Power..\$16.06, Runnings..\$87.86, Macs..\$8.44, Western Fire..\$130.00, MarTech..\$154.00, AgBio..\$32.95, Holiday Inn..\$2448.08, ProAg Supply..\$269.50, Municipal Emergency..\$5931.00, New World..\$2600.00, Milbank Comm..\$2298.00, New World..\$2600.00, Pizza Ranch..\$36.34, APCO..\$386.00, Becky Berreth..\$20.35, Cartney Bearing..\$8.36, Karls..\$629.00, New Deal Tire..\$9137.90, Taylor Laundry..\$18.00, State Property Mgmt..\$45.55, Language Lines..\$50.00, West Payment..\$2004.38:

Publications: American News..\$782.27, Groton Independent..\$200.68, King County Journal..\$344.50:

Professional Fees: witness fees..\$40.00, Aberdeen Family Physicians..\$139.09, Dakota Imaging..\$144.74, Harlow Orthopedics..\$20.75, Aberdeen Adv Care..\$203.14, Dr John Carrels..\$77.99, Avera St Lukes..\$351.93, Northeastern Mental Health..\$555.94, Lewis & Clark BHS..\$130.00, Sheriff of Yankton County..\$33.00, NADRIC..\$1666.74, HKG Architechts..\$17,062.00:

Transcriptions: Michelle Gaikowski..\$8.80, Cheryl Hook..\$23.80, Neal Reporting..\$87.40:

Travel: Judy Dosch..\$92.16, Barnie Bain..\$442.00, Dennis Wiedebush..\$416.52, Kevin Spitzer..\$10.88:

Court Appointed Attorney: Kuck Law Office..\$4166.63, William Gerdes..\$4166.63, Randy Turner..\$4166.63, Christy Serr..\$4166.67:

Utilities: FSH Communications..\$680.70, Northwestern Energy..\$10,025.27, Dependable Sanitation..\$20140.02, City of Hecla..\$102.81, Northern Elec..\$872.95, Qwest..\$5691.09, Verizon..\$70.93, Bureau of Admin..\$596.22:

Care of Poor: Rent – 7 recipients..Lakeside Estates..\$170.00, Kuslers Apts..\$240.00, Rockford Apts..\$200.00, PZ Investments..\$140.00, Mary Rohrbach..\$150.00, Zumbaum Property..\$100.00, Kurt Kruger..\$323.00; Dr/Hospital – 2 recipients..Dakota Imaging..\$43.75, Anesthesiology Assoc..\$944.00; Utilities – 1 recipient.. NWPS..\$100.00. All members present voting aye. Motion carried.

PERSONNEL:

Moved by Wiese, seconded by Knecht to approve hiring William Antonides, as guard for purpose of prisoner transport, effective December 20, 2005. All members present voting aye. Motion carried.

INCREASE SPENDING AUTHORITY/ESTIMATED REVENUE:

Moved by Wiese, seconded by Knecht to increase spending authority (Fund #101-211-434) and estimated revenue (Fund #101-373.01) in amount of \$2,187.03 for unanticipated insurance reimbursement for Sheriff vehicle involved in an accident. All members present voting aye. Motion carried.

MEETING ROOM USE AGREEMENT:

Moved by Knecht, seconded by Hansen to approve the agreement for use of the Brown County Courthouse Annex Meeting Rooms, to be signed prior to date of meeting. All members present voting aye. Motion carried.

RELIEF LIEN:

Commissioner Fischbach offered the following Resolution:

RESOLUTION NO.90-05

WHEREAS, Brown County has filed a Poor Relief Lien in total amount of \$405.00, and

WHEREAS, Brown County has determined it to be in the best interest of the taxpayers to release certain property from the effect of said lien, upon condition that the lien remain filed against the individual and partial payment of \$100.00 is received.

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

E 92' of Lot 6 and the E 92' of the S 5' of Lot 5, Anderson's Replat of Block 45, West Aberdeen Addition to Aberdeen, according to the plat thereof of record, Brown County, South Dakota

is hereby released from the effect and force of said lien, upon condition that the lien shall stay filed against the individuals and a partial payment in amount of \$100.00 is received.

Dated this 20th day of December 2005.

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

RESCIND ABATEMENT:

Moved by Wiese, seconded by Fischbach to rescind abatement approved on November 22, 2005, as property not tax exempt, BID assessment for year 2004 @ \$269.80 (Lt 1-5 Narregang's Subd of Lt 5-6 & S 5' vacated alley Bk 27 First Addn). All members present voting aye. Motion carried.

ABATEMENTS:

Moved by Hansen, seconded by Knecht to approve the following Abatements: Christopher Lamont, incorrect value (Lt 2 Christopher Addn) for year 2004 @ \$249.87; Bert or Alice Rystrom, home destroyed (1967 Detrouiter MH) for year 2005 @ \$5.44; Timothy Hart and Jeanette Thober, incorrect value (BOLS Lot 5A Bk 3 OP Frederick) for year 2004 @ \$51.88; Jesse Noltner, home destroyed (1972 House of Harmony) for year 2005 @ \$35.43. All members present voting aye. Motion carried.

CONTRACT:

Moved by Wiese, seconded by Hansen to approve and authorize the Chairman sign Contract with Herges, Kirchgasler, Geisler and Associates for architectural services for Phase II Addition and Remodeling at the Brown County Jail. All members present voting aye. Motion carried.

WEED AND SEED:

Moved by Knecht, seconded by Wiese to approve and authorize the Chairman sign Categorical Assistance Progress Report for the Brown County Weed and Seed Grant #2005-WS-Q5-0089 for July 1, 2004 through December 31, 2004 and January 1, 2005 through June 30, 2005. All members present voting aye. Motion carried.

POLICY MANUAL:

Moved by Knecht, seconded by Fischbach to approve the Brown County Policy Manual, effective December 20, 2005. All members present voting aye. Motion carried.

MEETING ROOM USE:

Amy Krueger and Peri Erdmann, Safe Harbor requested use of the Courthouse Annex Meeting Room on various Saturdays in 2006. The overtime cost for the Maintenance Department will be researched prior to scheduling dates.

ORDINANCE NO. 037 – SECOND READING/ADOPTION:

Moved by Wiese, seconded by Fischbach to approve Second Reading and Adopt Ordinance No. 037, An Ordinance amending Second Revision Brown County Ordinances to rezone the following described property from its present zoning designation of Chapter 4.06 Agriculture Preservation (AG-P) to Chapter 4.07 Mini-Ag District (M-AG): Lots 1A, 2A, 3A, and 4A Bledsoe Second Subdivision in the SW ¼ of Sec 14-T124N-R64W of the 5th P.M., Brown County, SD. Roll call vote: Commissioners Hansen-aye, Fischbach-aye, Knecht-aye, Wiese-aye, Feickert-aye. Ordinance adopted.

ORDINANCE NO. 038 – SECOND READING:

Time and place for Second Reading of Ordinance No. 038, Attorney Ken Gosch, representing Dennis Jones and Attorney Jerald McNeary, representing Jeanne Schindler presented comments and testimony regarding the amendment to Second Revision Brown County Ordinances. Mr. Jones, Ms. Schindler and other residents in attendance presented testimony. After the discussion, the following action ensued.

Moved by Fischbach, seconded by Knecht to table Second Reading of Ordinance No. 038, An Ordinance amending Second Revision Brown County Ordinances to rezone the following described property from its present zoning designation of Chapter 4.06 Agriculture Preservation (AG-P) to Chapter 4.07 Mini-Ag District (M-AG): Lots 2 and 3 Jones Second Subdivision in the SE ¼ of Sec 22-T123N-R62W of the 5th P.M., Brown County, SD, until 10:15 a.m. December 27, 2005. Roll call vote: Commissioners Hansen-nay, Fischbach-aye, Knecht-aye, Wiese-nay, Feickert-aye. Motion carried.

EXECUTIVE SESSION:

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

The Chairman declared the executive session closed, with no action taken as a result of the discussion.

HEALTH CENTER DISCUSSION:

Scott Kolb, Sheriff Field Deputy inquired about County sponsorship of Health Center memberships for employees. No action was taken at this time.

FAIR UPDATE:

Larry Gerlach, Fair Manager presented update on activities.

CULVERT DISCUSSION:

LeRoy Bahr discussed the placement of a culvert and how it is affecting the water flow on his land. Lori Bahr was also in attendance. Dirk Rogers, Highway Superintendent and Kathy Fischer, Planner/Zoner will review.

RECESS:

The Chairman declared the Commission recessed until December 27, 2005.

Maxine Taylor – Brown County Auditor

DECEMBER 27, 2005 – GENERAL MEETING

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

MINUTES:

Moved by Hansen, seconded by Wiese to approve the General Meeting minutes of December 20, 2005. All members present voting aye. Motion carried.

CLAIMS:

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

Payroll: Commissioners..\$2,683.65; Auditor..\$6,586.03; Treasurer..\$8,663.64; Data Processing..\$1,658.00, State's Attorney..\$11,822.27; Maintenance..\$5,325.97; Assessor..\$8,260.48; Planning & Zoning..\$588.00; Register of Deeds..\$4,393.94; Veterans Service Office..\$2,457.83; GIS..\$1,692.31; Sheriff..\$58,432.19; DOJ Grant..\$3,409.70; Communications..\$13,234.89; Welfare Office..\$2,749.72; Museum..\$4,791.08; Fairboard..\$1,343.84; Fairgrounds & Parks..\$3,244.16; Extension..\$1,708.00; Weed..\$102.48; Emergency Management..\$2,805.75; Weed and Seed..\$1,067.31; Coroner..\$500.00; Highway..\$30,348.13; Landfill..\$6,962.32; Matching Benefits: FICA..\$10,803.87, Medicare..\$2,526.75, Wellmark BCBS Life..\$700.46, Wellmark BCBS Health..\$55,939.20, Delta Dental..\$4,185.00, SD State Retirement..\$22,402.71:

Supplies: Brown County..\$818.89, SD Assoc of County Commissioners..\$4400.60, Quality Quick Print..\$247.00, RE Huffman..\$2173.46, Office Equip..\$262.08, Exec Mgmt..\$45.29, Aberdeen Plumbing..\$43.37, Runnings..\$36.20, Crescent Elec..\$329.41, Dakota Supply..\$35.16, Time Works..\$179.40, Cunningham Elec..\$40.80, Menards..\$1639.69, Artz Camera..\$44.00, Indoff..\$112.50, McLeods..\$582.25, IAAO..\$175.00, Best Business..\$655.37, CDW Govt..\$3429.47, Hewlett Packard..\$17,188.00, Ryan Kotzea..\$71.53, Mobile Electronic Service..\$5.00, Moore Medical..\$180.04, Dept of Rev..\$1007.00, Chrysler Center..\$523.75, City of Groton..\$159.68, DT Pharmacy..\$95.80, Parcel Erickson..\$429.20, Double D Body Shop..\$313.76, Electronic Security..\$1996.00, Hofer Repair..\$119.20, Midwest Rubber Stamp..\$25.00, HRS..\$2903.59, Kesslers..\$157.97, Earthgrains..\$311.83, Photo Xpress..\$15.81, Auto Glass..\$460.06, Rick Adema..\$15.00, SD DOT..\$17,282.15, Safety Service..\$239.53, Midwest Pump & Tank..\$339.08, Macs..\$108.15, Light & Siren..\$179.95, HF Jacobs..\$32,554.00, Interstate Battery..\$230.85, House of Glass..\$75.18, Hedahls..\$21.61, Graham Tire..\$541.24, Frey's Electronics..\$117.45, Fastenal..\$141.21, Farm Power..\$39.18, Farm Plan..\$420.02, Economy Propane..\$1044.10, Evergreen..\$87.85, Diesel Machinery..\$110.97, Dakota Fluid Power..\$435.98, Crawford Trucks..\$69.91, Carquest..\$1353.61, Butler Machinery..\$615.94, Bridgestone Firestone..\$191.00, Artz Equip..\$2000.00, Ameripride..\$106.89, Walmart..\$130.56, Bricks Propane..\$93.25, Office Max..\$1706.39, K-mart..\$14.97, Jeff Vilhauer..\$447.24, Lora Schaunaman..\$27.94, Joe Hauck..\$250.00, UBC..\$3.99, DSS..\$308.45, Century Business..\$76.66, Gary Erickson..\$73.36, Extension Service..\$692.08, Michael Elsen..\$52.48, Jason Warrington..\$38.40, Deb Munger..\$30.72, Marjorie Zastrow..\$27.00, NECOG..\$1666.66, Electronic Security..\$18,318.24, Brown County..\$3522.13, EarthTech..\$18,883.13, Pierson Ford..\$220.67, HC Clark..\$1280.84, Cole Papers..\$326.60, Petroleum Partners..\$1463.82, MVTL Labs..\$34.40, Heiman Fire ..\$896.00, M&T Fire..\$1035.00, Metro Fire..\$2334.60, NAEMD..\$180.00, Natl Emergency Number Assn..\$25.00, New World..\$1100.00, Food 'N Fuel..\$83.75, Crucial Tech..\$219.63, SD Fed Property..\$9740.00, Heartland Heating..\$4367.33, Cartney Bearing..\$22.84, Active Data..\$236.00, Lar-Jos..\$481.40, Groton Library..\$750.00, Frederick Library..\$750.00, Glas Consulting..\$406.25, Hedahls..\$66.73, Millborn Seeds..\$12,075.00, Gemplers..\$315.40:

Publications: American News..\$748.00:

Professional Fees: witness fee..\$20.00, Dawn Woods..\$670.00, Cheryl Hairgrove..\$603.00, Dr John Carrels..\$457.22, Avera St Lukes..\$247.09, Advanced Care..\$169.53, NE Mental Health Center..\$30,284.50, Nelva Kooistra..\$15.00, Cathy Rehfuss..\$15.00, Donna Dietrich..\$127.77,

Minnehaha County..\$244.00, Helms & Assoc..\$6824.29, Avera United Clinic..\$83.00, James Dosch..\$1753.57, Eide Bailly..\$247.50, Ron Glugla..\$50.00, United Clinic..\$221.65, Beth Smith..\$3100.00:

Transcriptions: Daily Reporter..\$40.30:

Travel: Lorah Houser Jankord..\$98.88, Melissa Tennant..\$80.64, Kathy Fischer..\$19.84, Gene Loeschke..\$134.40, Jim Payne..\$18.56, Leo Leshner..\$129.92, Mark Milbrandt..\$126.00, Charlene Millim..\$10.88, Audrey Jacobson..\$91.20, Harley Gage..\$123.76, Stan Beckler..\$84.96, Erling Podoll..\$80.00, Jerry Streckfuss..\$119.28, George Hansen..\$68.40, Mark Hoven..\$275.00, Jerry Mills..\$34.56, Danielle Radke..\$12.16, Sheila Anderson..\$22.00, Sarah Jesz..\$123.12, Heather Wilkinson..\$123.12, Curtis Phillips..\$288.24, Mike Wiese..\$12.16, Tom Fischbach..\$44.80, Dennis Feickert..\$12.80, Deb Knecht..\$112.00:

Utilities: Midcontinent Cable..\$276.59, Cellular One..\$944.13, Verizon..\$62.17, Vantek..\$23.00, Northwestern Energy..\$253.56, Montana Dakota..\$56.18, Tel Serv..\$222.90, Northern Elec..\$100.00, Qwest..\$40.29, Northern Valley Comm..\$279.20, WEB..\$61.92:

Care of Poor: Rent – 5 recipients..Robert Kadoun..\$260.00, Maureen Wolf..\$370.00, Bruce Boschee..\$260.00, Jim Bird..\$260.00, Danne..\$240.00; Dr/Hospital – 9 recipients.. Avera Heart Hospital..\$35,701.79, Avera St Lukes..\$20, 073.25, Anesthesia Care..\$512.00, Aberdeen Family Physicians..\$393.06; Burial – 2 recipients..Miller Funeral Home..\$298.35, Sunset Memorial Gardens..\$500.00; Medication - 2 recipients..Jones Drug..\$138.81, Walmart Pharm..\$112.54. All members present voting aye. Motion carried.

PERSONNEL:

Moved by Wiese, seconded by Knecht to approve the following employee step/longevity increases, effective January 1, 2006: Jan Erickson @ \$12.74 per hour, Nancy Radke @ \$15.50 per hour. All members present voting aye. Motion carried.

Moved by Knecht, seconded by Wiese to approve Larry Gerlach as Regular Part-time Employee category as defined in Policy #3.1, except he will continue to receive full health, dental and life benefit; and will not receive vacation leave, sick leave or holiday pay. All members present voting aye. Motion carried.

Moved by Knecht, seconded by Wiese to approve Margaret Unser and Marjorie Lammon as Regular Part-time Employee category as defined in Policy #3.1, except they will continue to receive full health, dental and life benefit. All members present voting aye. Motion carried.

WEED AND SEED:

Moved by Knecht, seconded by Wiese to approve the Policies and Procedures of the Brown County Weed and Seed Steering Committee for Brown County Weed and Seed Year Four 2005-WS-Q5-0089. All members present voting aye. Motion carried.

Moved by Knecht, seconded by Wiese to approve the Brown County Weed and Seed Monthly Expenses for December 2005 (Year Four 2005-WS-Q5-0089), in amount of \$5,188.79. All members present voting aye. Motion carried.

Moved by Hansen, seconded by Fischbach to approve the following Weed and Seed Year Four funding proposal: Aberdeen Catholic School System/Warner School District (SEARCH Survey), as recommended by the Steering Committee. All members present voting aye. Motion carried.

PLAT:

Commissioner Hansen offered the following Resolution:

RESOLUTION NO. 91-05

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BE IT RESOLVED by the County Commission of Brown County, SD, that the plat showing "Sieh Conservation Easement Tract in the SE ¼ of Sec 24, the NE ¼ of Sec 25, and the N ½ of the NW ¼ of Sec 25, all in T123N-R62W 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 Knecht. Roll call vote: Commissioners Hansen-aye, Fischbach-aye, Knecht-aye, Wiese-aye, Feickert-aye. Resolution adopted.

PREVENTION GRANT:

Moved by Wiese, seconded by Knecht to approve and authorize the Chairman sign Addendum No. 4 to contract with Lutheran Social Services for School Based and Wrap Around Program at Aberdeen Central High School in amount of \$10,414.60, effective October 1, 2004 - September 30, 2005, to be funded by DOJ Special Appropriation Grant #2001-JS-FX-0014-Year Four. All members present voting aye. Motion carried.

Moved by Knecht, seconded by Wiese to approve and authorize the Chairman sign Addendum No. 5 to contract with Lutheran Social Services for School Based and Wrap Around Program at Aberdeen Central High School in amount of \$15,008.64, effective October 1, 2005 - September 30, 2006, to be funded by DOJ Special Appropriation Grant #2001-JS-FX-0014-Year Four. All members present voting aye. Motion carried.

Moved by Knecht, seconded by Wiese to approve and authorize the Chairman sign Addendum No. 5 to contract with Lutheran Social Services for School Based and Wrap Around Program in rural Brown County in amount of \$15,008.64, effective October 1, 2005 - September 30, 2006, to be funded by DOJ Special Appropriation Grant #2001-JS-FX-0014-Year Four. All members present voting aye. Motion carried.

EXTENSION BOARD:

Moved by Hansen, seconded by Wiese to appoint Paula Vogel to second three-year term on the Extension Board. All members present voting aye. Motion carried.

ABATEMENT:

Moved by Wiese, seconded by Fischbach to approve the following Abatement: Brown County, tax exempt (RR OL 5 SW 13-123-64) for 2005 @ \$194.71. All members present voting aye. Motion carried.

BUDGET SUPPLEMENT:

Time and place, as advertised for public hearing to consider Budget Supplement for year 2005 for various departments. Moved by Fischbach, seconded by Hansen to approve the following Budget Supplements for year 2005: Museum (unanticipated revenue) @ \$12,000.00; General Government Buildings (unobligated surplus cash) @ \$124,800.00; Contingency (unobligated surplus cash) @ \$550,000.00. All members present voting aye. Motion carried.

PARTIAL PAYMENTS:

Moved by Hansen, seconded by Wiese to authorize Sheila Enderson, County Treasurer to accept partial payments for taxes (as authorized by SDCL 10-21-7) in amount of \$100.00 per month on Lot 2 Blk 4 Sullivan & Easton's Addn to Aberdeen, effective January 15, 2006. All members present voting aye. Motion carried.

Moved by Knecht, seconded by Wiese to authorize Sheila Enderson, County Treasurer to accept partial payments for taxes (as authorized by SDCL 10-21-7) in amount of \$100.00 per month on the S2 N2 SE 26-122-63, effective January 30, 2006. All members present voting aye. Motion carried.

PARTIAL PAYMENTS CANCELLED:

Moved by Wiese, seconded by Knecht to authorize Sheila Enderson, County Treasurer to cancel partial payments for taxes (as authorized by SDCL 10-21-7) on the N 109' Lt 1-2 Bk 12 Stratford; E 92' Lt 1-2 Bk 32 Hagerty & Lloyd Addn, Aberdeen; Lot 3-4 & E ½ Lt 5 Bk 11 Westport, due to non-payment and proceed with tax deed process. All members present voting aye. Motion carried.

TAX DEED PROPERTY:

Moved by Wiese, seconded by Fischbach to authorize Sheila Enderson, County Treasurer to submit all qualifying parcels to the States Attorney for completion of the tax deed process. All members present voting aye. Motion carried.

WAIVE INTEREST:

Moved by Hansen, seconded by Wiese to waive real estate tax interest/penalty on Lot 4 Walz 1st Addn to Aberdeen, upon payment of real estate taxes. All members present voting aye. Motion carried.

UNCOLLECTIBLE TAX LIST:

Moved by Wiese, seconded by Fischbach to acknowledge uncollectible tax list, as submitted by Sheila Enderson, Brown County Treasurer. All members present voting aye. Motion carried.

CONTINGENCY TRANSFERS:

Moved by Fischbach, seconded by Knecht to approve the following Contingency Transfers (spending authority only): Fund #101: 141 Auditor @ \$14,617.01; 169 GIS @ \$4,702.69; 212 Jail @ \$21,051.83; 445 Mental Illness Board @ \$1,718.46. All members present voting aye. Motion carried.

ORDINANCE NO. 038:

Moved by Fischbach, seconded by Knecht to adopt Ordinance No. 038 in regard to Lot 2 only. Roll call vote: Commissioners Hansen-nay, Fischbach-aye, Knecht-aye, Wiese-nay, Feickert-nay. Motion failed.

Moved by Hansen, seconded by Wiese to deny adoption of Ordinance No. 038, An Ordinance amending Second Revision Brown County Ordinances to rezone the following described property from its present zoning designation of Chapter 4.06 Agriculture Preservation (AG-P) to Chapter 4.07 Mini-Ag District (M-AG): Lots 2 and 3 Jones Second Subdivision in the SE ¼ of Sec 22-T123N-R62W of the 5th P.M., Brown County, SD, to maintain statement of intent for area as stated in Chapter 4.0601 of Second Revision Brown County Ordinances and in addition the Planning Commission stipulation, dated November 15, 2005, that purchasers of lots be notified that the neighbors land is Ag Preservation. Roll call vote: Commissioners Hansen-aye, Fischbach-nay, Knecht-nay, Wiese-aye, Feickert-aye. Ordinance denied.

FAIR SCHEDULE:

Larry Gerlach, Fair Manager informed the Commission that the 2006 Fair Schedule will include Rodeos on Monday and Tuesday; Car Races on Wednesday; Music events Thursday, Friday and Saturday; and Demolition Derby's on Sunday.

EXECUTIVE SESSION:

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

The Chairman declared the executive session closed, with no action taken as a result of the discussion.

EVENT CENTER UPDATE:

Kurt Smith, Fairgrounds Manager and Beth Smith presented the Fall/Winter 2005 Brown County Events Center Report.

RECESS:

Moved by Hansen, seconded by Wiese to recess the Brown County Commission until 10:00 a.m. on December 30, 2005 for a Special Meeting to conclude year-end business. All members present voting aye. Motion carried.

Maxine Taylor – Brown County Auditor

DECEMBER 30, 2005 – SPECIAL MEETING

Meeting called to order by Vice Chairman Knecht at 8:30 A.M. in the Commissioner's Chambers, Courthouse Annex, Brown County, SD. Present were Commissioners Hansen, Fischbach and Wiese. Chairman Feickert arrived later.

CLAIMS:

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

Supplies: PMI..\$40.84, Moore Medical..\$1075.85, Brown County Tres..\$46.95, Woodman Refrigeration..\$932.65, Active Data..\$6394.00, Scott Madsen..\$17.82, Dakota Electronics..\$4086.28, Kesslers..\$19.89, Exec Mgmt..\$2886.03, Office Equip..\$77.00, IAFE..\$650.00, Glas Consulting..\$187.50, Mid-America Arts..\$1000.00, Quality Quick Print..\$31.22, Dennis Mitchell..\$16.00, New World..\$2600.00, Diesel Machinery..\$419.24, Graham Tire..\$119.00, Braun Intertec..\$42,171.00, JC Penney..\$80.97, Visa..\$207.80, Walmart..\$420.18, Best Business..\$33.20, Sams Sound..\$1023.00, HRS..\$332.83, New Trends..\$28.16, Earthgrains..\$55.68, Office Max..\$393.90, Ameripride..\$18.65, ES&S..\$2339.00, Office Max..\$219.96, New Trends..\$122.14:

Publications: Groton Indep..\$403.76, Dakota Press..\$1222.29:

Professional Fees: Sheriff of Yankton County..\$16.50, Avera St Lukes..\$1190.00, NACO..\$761.00:

Travel: City of Groton..\$56.32, Gene Loeschke..\$61.12:

Utilities: Qwest..\$113.45, Cellular One..\$3904.13, WEB..\$58.04, Northwestern Energy..\$7,984.65:

Care of Poor: Rent – 2 recipients..Darlene Niederman..\$200.00, Danne..\$148.00; Dr/Hospital – 4 recipients..Rapid City Regional Hospital..\$1740.00, Aberdeen Family Physicians..\$50.64, Dakota Imaging..\$138.16, Avera St Lukes..\$479.57; Medication - 2 recipients..Kessler Pharm..\$158.00, Jones Drug..\$26.99. All members present voting aye. Motion carried.

PERSONNEL:

Moved by Hansen, seconded by Wiese to approve the following employee classification changes, effective December 18, 2005: Kathy Schlecht, Chief Deputy @ \$13.13 per hour; Ginger Walker, Chief Deputy @ \$12.88 per hour; John VanderHoek, Sheriff Field Deputy @ \$16.86 per hour; Craig Nelson @ \$14.71 per hour. All members present voting aye. Motion carried.

Moved by Hansen, seconded by Wiese to amend motion of December 6, 2005 to change effective date of maximum vacation leave for Freddie Robinson to December 4, 2005. All members present voting aye. Motion carried.

WORK STUDY HOURS:

Moved by Hansen, seconded by Wiese to approve 218.5 hours of work-study hours for work comp purposes, completed by Sharna Thomason from September to December 2005. All members present voting aye. Motion carried.

INTEREST TRANSFER IN/OUT:

Moved by Fischbach, seconded by Wiese to transfer interest from General to individual funds as current revenue; and further per Commission Policy transfer out to General Fund: #201 Highway @ \$11,226.37; #504 Solid Waste @ \$54,140.07; #207 Communications @ \$6,880.68; #233 Courthouse & Jail Improvements @ \$9,596.73. All members present voting aye. Motion carried.

INCREASE SPENDING AUTHORITY/ESTIMATED REVENUE:

Moved by Fischbach, seconded by Wiese to increase spending authority and estimated revenue for the following unanticipated grant funds: Weed #101-615-426.23 and #101-334 @ \$33,170.39; Prevention Grant #218-215-422 and #218-331.19 @ \$44,034.43; Cops Technology #220-225-422 and #234-331.19 @ \$269,196.94; Jail Camera #221-212-422 and #221-331.19 @ \$247,369.00; SVAWA #234-151-422

and #234-331.97 @ \$1,496.75; LLEBG #234-211-424.01 and #234-361 @ \$34.76 and #234-211.01-424.01 and #234-331 @ \$3,688.00; Bullet Proof Vest #234-211-426.04 and #234-331.04 @ \$1,567.00; Homeland Security #236-211-425.03 @ \$5,092.96, #236-211-426 @ \$141,654.30; #236-211.01-426 @ \$6,970.30; #236-222.05-426 @ \$14,558.50; #236-222.09-426 @ \$3,677.95; #236-222.15-426 @ \$293,301.93, #236-222.16-426 @ \$32,474.98; #236-222.17-426 @ \$16,496.07; #236-222.18-426 @ \$8,532.60; #236-222.19-426 @ \$150.00; #236-222.20-426 @ \$40,552.74 and #236-331 @ \$563,462.33. All members present voting aye. Motion carried.

OPERATING TRANSFER:

Moved by Hansen, seconded by Fischbach to approve an operating transfer-out from Fairgrounds #101-523 in amount of \$15,900.00 and transfer to Capitol Projects – Brown County Event Center at the Fairgrounds. All members present voting aye. Motion carried.

GENERAL FUND LOAN:

Moved by Fischbach, seconded by Wiese to authorize cash from the General Fund be loaned to the following Funds until reimbursement/accounts receivable are received: Fund #218 DOJ Prevention Grant @ \$4.50; Fund #234 (total \$5,184.42) SVAWA @ \$2,971.00, Bullet Proof Vest @ \$1,567.00, JABG @ \$646.42; Fund #236 (total \$93,729.96) Homeland Security – 211 @ \$17,303.30, 211.01 @ \$6,970.30, 222.15 @ \$28,521.96, 222-16 @ \$43.95, 222.18 @ \$337.71, 222.20 @ \$40,552.74; Fund #201 Highway @ \$295,525.40. All members present voting aye. Motion carried.

CONTINGENCY TRANSFERS:

Moved by Wiese, seconded by Fischbach to approve the following Contingency Transfers (spending authority only): Fund #101: 111 Commission @ \$14,499.07, 130 Courts @ \$4,804.53, 141 Auditor @ \$7,485.04, 169 GIS @ \$1,941.11, 211 Sheriff @ \$1,511.98, 212 Jail @ \$34,850.67, 445 Mental Illness Board @ \$1,206.50, 524 Fair @ \$1,309.97, 615 Weed @ \$6,863.47; and further approve spending authority in Fund #201 @ \$98,101.20 and cash @ \$98,101.20. All members present voting aye. Motion carried.

ADJOURNMENT:

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

Maxine Taylor – Brown County Auditor

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JANUARY 3, 2006 - JOINT CITY/COUNTY MEETING

The Brown County Commission and the Aberdeen City Council met in joint session at 9:00 A.M. in the City Commission Chambers, 123 S Lincoln Street, Aberdeen, South Dakota. Present from City were Council Members Agnitsch, Aman, Bunsness, Campbell, Hodgin, McQuillen, Mitchell, Rux and Mayor Levsen. Present from County were Commissioners Hansen, Fischbach, Knecht, Wiese and Feickert.

ORDINANCE NO. 05-12-04/320:

On motion by Hodgin and seconded by McQuillen, the City unanimously voted to approve Second Reading and Adopt Ordinance No. 05-12-04/320.

Moved by Feickert, seconded by Fischbach to approve Second Reading and Adopt Ordinance No. 05-12-04/320, An Ordinance amending Ordinance No. 1164 to rezone the following described property from its present zoning designation of Section 701 (A-1) Agricultural District to Section 714 (M-AG) Mini-Agricultural District: Lot 10, Block 1 Richmond Heights Subdivision in the E ½ of Sec 32-T124N-R64W of the 5th P.M., Brown County, SD. Roll call vote: Commissioners Hansen-aye, Fischbach-aye, Feickert-aye, Wiese-aye, Knecht-aye. Ordinance adopted.

SET HEARING DATE:

On motion by McQuillen and seconded by Rux the City unanimously voted to set public hearing for 5:30 p.m. on January 23, 2006 for First Reading of Ordinance No. 06-01-01/321 and Ordinance No. 06-01-02/322.

Moved by Feickert, seconded by Wiese to set public hearing for 5:30 p.m. on January 23, 2006 in the City Commission Chambers, 123 S Lincoln Street for First Reading of the following: Ordinance No. 06-01-01/321, An Ordinance to rezone the following property from Section 701 (A-1) Agricultural District to Section 713 (M) Municipal, State, and County Use District: Fairgrounds OL 1, located in the SW ¼ of Sec 1-T123N-R64W of the 5th P.M., Brown County, SD; Ordinance No. 06-01-02/322, An Ordinance to rezone the following property from Section 701 (A-1) Agricultural District to Section 713 (M) Municipal, State, and County Use District: SW ¼ of Sec 1-T123N-R64W of the 5th P.M., Brown County, SD including Highway B, Lot A, and abandoned railroad right-of-way. 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

JANUARY 3, 2006 -REORGANIZATION MEETING

This being the reorganization meeting of the Brown County Commission for year 2006, 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 Todd Harder, Evangelical Free Church of Aberdeen lead the Pledge of Allegiance and opened with Prayer.

Maxine Taylor, Brown County Auditor, called for nominations for Brown County Commission Chairman for year 2006, pursuant to SDCL 7-8-15.

Commissioner Fischbach nominated Deb Knecht for Chairman. Moved by Wiese, seconded by Hansen that nominations cease and a unanimous ballot be cast for Deb Knecht, 2006 Chairman. All members present voting aye. Motion carried.

Commissioner Wiese nominated Tom Fischbach for Vice Chairman. Moved by Hansen, seconded by Feickert that nominations cease and a unanimous ballot be cast for Tom Fischbach, 2006 Vice Chairman. All members present voting aye. Motion carried.

MINUTES:

Moved by Feickert, seconded by Fischbach to approve the Joint City/County Meeting minutes and the General Meeting minutes of December 27, 2005 and the Special Meeting minutes of December 30, 2005. All members present voting aye. Motion carried.

CLAIMS:

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

Professional Fees: South Dakota Municipal League..\$102,341.00, South Dakota Public Assurance Alliance..\$159,723.95. All members present voting aye. Motion carried.

PERSONNEL:

Moved by Wiese, seconded by Hansen to amend motion in Special Meeting minutes of December 30, 2005 to change effective date of Ginger Walker employee classification change to December 4, 2005 @ \$12.48 per hour. All members present voting aye. Motion carried.

Moved by Fischbach, seconded by Hansen to acknowledge resignation of Christine Heidenreich, JDC/Jail Nurse effective February 3, 2006. All members present voting aye. Motion carried.

ABATEMENT:

Moved by Feickert, seconded by Wiese to approve the following Abatement: Doug Eilers, vacant property (Lt 3 Geffre/Sutton SD SE 35-123-64) solid waste for year 2005 @ \$65.00. All members present voting aye. Motion carried.

EXECUTIVE SESSION:

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

The Chairman declared the executive session closed, with no action taken as a result of the discussion.

DESIGNATION OF DEPUTIES:

Commissioner Feickert offered the following Resolution:

RESOLUTION NO. 1-06

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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, 2 Deputies, 1 part-time Clerk. All extra help hired by County Officials must first be approved by the County Commission.

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

OFFICIAL NEWSPAPERS:

Moved by Wiese, seconded by Hansen to designate the following as the official Brown County newspapers for year 2006 (SDCL 7-18-3): Aberdeen American News, Aberdeen, SD; The Groton Independent, Groton, SD; Dakota Press, Groton, SD. All members present voting aye. Motion carried.

DEPOSITORIES:

Moved by Fischbach, seconded by Feickert to designate the following as official depositories for Brown County public funds for year 2006 (SDCL 7-2-13), with funds deposited in the name of Sheila Enderson, Brown County Treasurer: Dacotah Bank; US Bank of Aberdeen; Wells Fargo of Aberdeen; Wells Fargo Kessler's Branch of Aberdeen; 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; Plains Commerce Bank of Aberdeen; Home Federal Savings & Loan of Aberdeen; Great Western Bank of Aberdeen; FIT of Sioux Falls; First State Bank of Warner, Lakewood Mall Branch of Aberdeen; Dacotah Bank, East Branch of Aberdeen; Cortrust Bank. All members present voting aye. Motion carried.

INVESTMENT POLICY:

Commissioner Hansen offered the following Resolution:

RESOLUTION NO. 2-06

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

EXPENSE POLICY:

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Moved by Wiese, seconded by Hansen to set the following expense rates for Brown County employees for year 2006: Meal reimbursement made only for out of County travel

	In-State	Out-of-State
Breakfast	\$ 5.00	\$ 8.00
Lunch	\$ 9.00	\$11.00
Dinner	<u>\$12.00</u>	<u>\$17.00</u>
	\$26.00	\$36.00

Qualifying time for meal allowances:

Breakfast - leave before 5:31 a.m. - return after 7.59 a.m.

Lunch - leave before 11:30 a.m. - return after 12.59 p.m.

Dinner - leave before 5:31 p.m. - return after 7.59 p.m.

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

Mileage Rate: Reimbursement for use of personal vehicle for County business, as follows:

- 32 cents per mile
- Miles to be determined by the assistance of Map Quest or similar web site
- Odometer readings required for all destinations not available on web site
- Odometer reading only required once to establish routine destination routes, i.e per diem for board members

All members present voting aye. Motion carried.

EXPENSE POLICY - ELECTION OFFICIALS:

Moved by Hansen, seconded by Wiese to set fee of \$100.00 for precinct officials working on Election Day, \$20.00 for precinct officials attending the Election School, \$5.00 for use of personal cell phone on election day (maximum \$5.00 per precinct), and to set minimum mileage at five miles when claimed by precinct official. All members present voting aye. Motion carried.

TAX DEED NOTICES:

Commissioner Hansen offered the following Resolution:

RESOLUTION NO. 3-06

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 Mark McNeary 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, Fischbach-aye, Feickert-aye, Wiese-aye, Knecht-aye. Resolution adopted.

COMMISSION APPOINTMENTS:

Moved by Feickert, seconded by Hansen to approve the following Commission Committee appointments for 2006: Tom Fischbach - Risk Management Committee, LEPC, County Buildings, Range Fire Suppression, Legislative Contact, Rationing Board, Union Negotiations, Aberdeen/Brown County Regional Railroad Authority Commission; Deb Knecht - Disaster Board, Resource Management Advisory Board, Communications Center Council, Fair Board, SD Public Assurance Alliance, CART, Weed & Seed, NECOG; Nancy Hansen - Union Negotiations, Disaster Board, FGP Advisory Board, NE

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Mental Health Board, Communications Center Council, City Net, SDACC Treasurer, Aberdeen/Brown County Regional Railroad Authority Commission; Mike Wiese - Planning & Zoning Board, Liaison to Welfare, NECOG, Museum Board, Airport Board, SD Public Assurance Alliance Board Member, Aberdeen Development Corporation, BID, Boys & Girls Club, Glacial Lakes; Dennis Feickert - Weed Board, SDACC Catastrophic Legal Board, Fair Board, Extension Board, Ride Line. All members present voting aye. Motion carried.

BOARD APPOINTMENTS:

Moved by Feickert, seconded by Hansen to appoint the following to the Weed and Pest Control Board: Dennis Wiedebush, effective until March 31, 2007 and Berwyn Bain and Mark Hoven, effective until March 31, 2008. All members present voting aye. Motion carried.

FAIRGROUNDS/YOUTH CAMP RENTAL RATES:

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

FAIRGROUNDS RENTAL RATE - EFFECTIVE JANUARY 1, 2006

Storage Space Rental: October 15 to April 15 - PREPAID LEASE -NO REFUNDS - 4% SALES TAX
Campers under 25' (\$120.00 + \$4.80 Tax) Campers 25' and over (\$130.00 + \$5.20 Tax) Pop-up Campers (\$80.00 plus \$3.20 tax) Vehicles, Boats up to 16' (\$80.00 plus \$3.20 tax) Boats over 16' (\$90.00 plus \$3.60 tax) Pontoons, Deck Boats, Cabin Cruisers (\$120.00 plus \$4.80 tax)

Barn Rental: Any person affiliated with NAHR that requests to occupy any building prior to the 12 days preceding the date of such racing will enter into a separate lease with the County. The lessee will be responsible to pay \$100 per barn per month and utilities used until the NAHR lease goes into effect. Lessee will also be responsible for all manure removal. Campground fee of \$12.00 per day is separate.

Club House : 120' X 80' Per day \$250.00 - Per day for days over two \$125.00 - Clean-up additional \$50.00. 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 \$200.00 - Per day for days over two.....\$100.00 If fairgrounds personnel needs to clean up after the activity..... Clean-up/horse shows \$300.00 - Clean-up/other activities.....\$150.00

Holum Expo Building: 120' x 240' - Per day \$400.00 plus utilities - Per day for days over two...\$200.00 plus utilities. If fairgrounds personnel needs to clean-up after the activity.....Clean-up/horse shows \$300.00 - Clean-up/other Activities....\$150.00

Horse Stalls: Set up fee - per stall. \$7.00

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

Horse Arena: 174' x 240'...\$75.00 per show. Smaller groups will be charged on an individual basis.

Portable Stage: Not to go out of County-except for Governmental Agencies -Per day \$80.00 - Per day for days over one \$40.00

People Movers - \$10.00 per day (lessee is liable for any damage)

Bleachers - Large Green - \$50.00 per day, Small Orange - \$25.00 per day Small Orange - \$75.00 per day if leaves Fairgrounds

Campgrounds: \$12.00 per day for pads with power and water. \$15.00 per day for pads with power, water and sewer drops. This includes a 5% State Sales Tax.

232 pads with water and power and 36 with power, water, and sewer. All south campgrounds have both 50 amp and 30 amp plug-ins

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

RICHMOND YOUTH CAMP RENTAL RATES- EFFECTIVE JANUARY 1ST, 2006

Booking fee in the amount of \$100.00 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 (Ages 17 and under.)

Adult Groups: \$7.00 per person per day. (Ages 18 and older)

Deposit: A \$100.00 deposit is required to guarantee all dates. This deposit will only be refunded if the camp is left in a clean and orderly manner and there is no damage done to the camp. If the cleaning costs and damage costs exceed the amount of the deposit, any additional repairs or cleaning costs will be billed. Signed lease, deposit and proof of insurance shall be sent to the Brown County Auditor at 25 Market Street, Aberdeen, SD 57401.

Cleanup: \$50.00 for the Lodge and \$100.00 for the dorms.

All members present voting aye. Motion carried.

2006 SALARY SCHEDULE:

Moved by Hansen, seconded by Fischbach to approve the following salaries, effective December 18, 2005: Annually States Attorney Mark McNeary 56,166; Sheriff Mark Milbrandt 55,347; Auditor Maxine Taylor, Treasurer Sheila Enderson, Register of Deeds Carol Sherman 43,881; Commissioners Tom Fischbach, Dennis Feickert, Nancy Hansen, Mike Wiese, Deb Knecht 14,455 (plus county paid portion of optional insurance coverage); Deputy States Attorney's Kim Dorsett, Mark Anderson 35,000; Lori Ehlers, Rachel Wilkins 40,000; Chief Deputy Sheriff Tom Schmitt 49,812; Building Superintendent Mick Palmer 33,632; Museum Director Sue Gates 35,205; Veterans Service Officer Tom Gohn 35,798; EM Director Freddie Robinson 48,000; Fairgrounds Superintendent Kurt Smith 33,673; Welfare Director Charlene Millim 41,139; Highway Superintendent Dirk Rogers 48,520; Director of Equalization Mary Worlie 43,512; GIS Coordinator Scott Madsen 45,200; Landfill Manager Mike Scott 46,034; Computer Programmer/Analyst Bill Meink 45,108; Fair Board Manager Larry Gerlach 26,571; Weed and Seed Coordinator Tabitha Moore 28,950; Sheriff/JDC Nurse Christine Heidenreich 36,560; Juvenile Detention Supervisor Amy Lake 37,425; Highway Project Coordinator Richard Burns 42,125; Highway Shop Foreman Mark Wendt 34,379; Deputy Director of Equalization Leo Leshner 36,191. Per Hour Weed Supervisor Roger Johnson 13.21. Senior Fieldman Gene Loeschke 16.32. Chief Office Deputies (Auditor, Treasurer, Register of Deeds) Jeanette Nietert, Jan Beckler, Dorene Borchard, Catherine Lindemann 17.41. Planning/Zoning & Appraisers Jim Payne 13.92, Kathy Fischer 15.10. Chief Office Deputies (Sheriff, Welfare, States Attorney, Maintenance, Director of Equalization, EM, Veterans Service) Polly Rush 12.28, Ginger Walker 12.88, Kathy Schlecht 13.13, Janice Moore 15.62, Penny Hart 19.12, Mavis Kempf 15.57, Judy Dosch 16.07. States Attorney's Office Secretaries Tracy Krogman 10.75, Pam Ernst 11.72, Jane Jensen 12.23. Office Deputies, Museum Curators, Secretaries/Clerks Jackie Ormand, Jessi Mather, Tiffany Peper, Penny Malsom, Amy Gill 10.37, Kimberly Droog 10.58, Danielle Radke 10.80, Carol White 11.18, Lora Schaunaman, Sherry Theobald 11.35, Cindy Meyers 11.51, Sandra Green, Jolene Forsting 11.99, Patty Van Meter 12.09, Sherri Rawstern 12.24, Karla Hallstrom 12.74, Jan Erickson 12.69, Geri Sillman 13.19. Clerk, Secretary & Maintenance Mickey Schulz 10.79, Monte Podoll 11.12. Sheriff Department Clerical & Cooks Margaret Unser 10.80, Diane Mielke 13.26, Joyce DesCamps 13.61, Carol Wolf 13.56, Kathy Neitzel 13.81. Dispatchers Curtis Phillips, Jennifer Himes 11.08, Heather Wilkinson 11.34, Melony Flinn, Sarah Jesz 11.90, Sandy Hjermstad 12.18, Alicia Dohn 12.71, Betty Haar, Sheila Anderson 13.90, Mary Browning 14.15. Chief Dispatcher Nancy Radke 15.45. Highway (Labor Grade 3) Jon Koeniguer, Michael Rohrbach, Robert Jenson 11.09, Roger Johnson 11.30, Kyle Brandner, Nick Fullmer 11.52, Mervyn Heaton 11.75, Jason Heagley 12.05, Ben Hofer, Casey Thorstenson, Melvin Ernst 12.23, Joseph Malsom 12.56, Larry Hardy 12.81, Richard Schaible 13.16, Tom Lammon 13.06, Roger Schaible 13.31, John Weig 13.51. Highway (Labor Grade 4) John Heidenreich 11.20, Dennis VanHeerde 12.52, Bryan Owens 12.67, Kendell Titze, Nyle Jenson 12.84, Carl Wright 13.94. Highway (Labor Grade 5) Don Fischer 11.64, Cordell Rudolph 13.21, Janet Weismantel 14.06, David Bruckner, Daryl Lloyd 13.91, Marcus Selzler 13.76. Highway Mechanics Labor Grade (B) Jason Hammrich 13.17, Ronald Glugla 13.33. Field Deputy Sheriff/Chief Jailers Damian Bahr 14.17, Brian Koens, Craig Nelson 14.71, Terrence Evans 14.99, Gary Bunt 15.27, Steve Cogley 15.83, John VanderHoek 16.11, David Fair 16.77, Scott Kolb 16.97, Bryan Locke 17.07, John Heine 17.02, Craig Anderson, John McQuillen 17.12. Jail Deputy/Home Detention Supervisor/Assistant JDC

Supervisor Brenda Hammrich 12.36, Kristal Biegler 13.19. Jailers (Adult and JDC) Shawna Everson, Michael Ernst, Jesse Milbrandt, Nathan Smith, Samiuela Mouna, Kelly Moinichen, Marissa McDermond, Larry Harper, Teri Jondahl, William Horner, Judith Hauge 10.82, Joni Gaulrapp, RJ Miller, Lance Aeschliman, Darin Sinner, Harlan Place 11.10, David Koch, Marjorie Lammon 11.38. Robert Suedmeier, Keith Baker 11.66. Matthew Farley 11.93. Russ Ochsner 12.22, Cindy Mitchell, Jeffrey Kirnan 12.50, Amy Mathiason 13.06, Roxanne Schumacher 13.61. **Part time employees – per hour:** Doris Adler, Robert Heintzman, Bob Gardner 7.32, Dean Sinclair, Sally Swanson, Daryl Thomas 7.48, Ron Leighty 7.58, Richard Schooley 7.73, James Crouch 8.35, Irene Gese 8.86, Kay Albrecht, Erik McElroy, Michelle Thex, Natasha Dahl, Tricia Jondahl, Bobbie Olauson, John Burkard, Jamie Kern, Joel McMaster, Ryan Kotzea 9.37, Kenneth Thompson, Holly Ann Schumacher, Stacie Wasem, Rodney Johnson 10.08, John Hagen \$10.60, Todd Harder, Francis Bosch 10.86, Jerry Dempsey, Robert Retzer, Leon Vickers 12.14, Melissa Tennant, Lorah Houser Jankord, Cynthia Schwan 14.96. **Differential Pay: Adult Jailers, JDC Officers, Deputy Sheriffs, Dispatchers:** 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:** \$75 per day for each round trip less than 400 miles; \$100 per day for each round trip over 400 miles – Brad Gardner, Robert Baumgartner, Brad Ziegler, Nathan Wood, Lesley Farmen, Darin Swanston, Brock Schifrel, Angela Senger, Trenton Lundstrom, Ted Huss, Kyle Stoddard, Mary Clawson. All members present voting aye. Motion carried.

CORONER:

Moved by Wiese, seconded by Feickert to set salary for Coroner Kevin Spitzer and Deputy Coroner Brandon Leslie at \$150.00 per call. All members present voting aye. Motion carried.

RECESS:

The Chairman declared the Commission recessed until January 10, 2006.

Maxine Taylor - Brown County Auditor

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JANUARY 10, 2006 – GENERAL MEETING

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

MINUTES:

Moved by Feickert, seconded by Wiese to approve the Joint City/County Meeting and General Meeting minutes of January 3, 2006. All members present voting aye. Motion carried.

CLAIMS:

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

Payroll: Commissioners..\$2,779.85; Auditor..\$6,741.81; Treasurer..\$8,961.34; Data Processing..\$1,734.93; State's Attorney..\$13,485.10; Maintenance..\$5,347.81; Assessor..\$8,573.91; Planning & Zoning..\$637.98; Register of Deeds..\$4,056.00; Veterans Service Office..\$2,537.16; GIS..\$1,738.47; Sheriff..\$61,714.16; DOJ Grant..\$3,529.60; Coroner..\$750.00; Communications..\$13,157.78; Welfare Office..\$2,827.87; Museum..\$4,965.24; Fairgrounds & Parks..\$3,354.32; Fairboard..\$1,436.77; Extension..\$1,772.00; Emergency Management..\$2,899.76; Weed and Seed Grant..\$1,113.47; Highway..\$32,848.36; Landfill..\$7,154.96; Matching Benefits: FICA..\$11,365.63; Medicare..\$2,658.02;

Supplies: Quality Quick Print..\$3572.00, CMRS-FP..\$5000.00, Exhaust Pros..\$131.11, Best Business..\$34.74, Intoximeters..\$407.00, MOCIC..\$150.00, Evercom..\$1900.00, Dakota Electronics..\$2422.73, Hoven Auto..\$360.28, Bonnie Bitz..\$168.00, Active Data Systems..\$1919.00, Dicks Westside..\$30.00, SDACHS..\$195.00, Sheehan Mack Sales..\$262.50, James Loterbauer..\$162.00, Kansas State Bank..\$13,765.00, Evergreen Supply..\$49.25, Erdmann Fuels..\$7529.93, Dware..\$850.00, CNH Capital American..\$18,272.81, Midwest Alarm..\$149.70, Kleins..\$38.51, Aberdeen Development Corp..\$20,000.00, Walmart..\$46.79, Division of Ad Services..\$360.00, Federal Signal..\$5020.00, Pizza Ranch..\$52.95, Best Business..\$74.14, Vantek..\$2340.50, SDEMA..\$60.00, Macs..\$9.95, Runnings..\$885.74, New World Systems..\$5813.83, Priority Dispatch..\$2859.00, Tabatha Moore..\$4.88, Crescent Elec..\$42.63, Lien Trans..\$498.75, Central Supply..\$59.70, Sanders Sew 'N Vac..\$80.54, Macs..\$23.16, Bound Tree Medical..\$14,141.22, High Priority..\$1500.00, NECOG..\$20,003.66, Praxair..\$16.00, OK Tire..\$60.00, Brown County..\$123.93, Aberdeen Rural Firefighters..\$1200.00, Powerplan..\$770.22, Ameripride..\$84.90, MVTL..\$5609.70, SD Dept of Rev..\$2949.80, TSC..\$299.92, Nelson Sales..\$30.97;

Publications: Groton Independent..\$145.06, American News..\$939.35, Midland Press..\$20.00;

Professional Fees: Avera St Lukes..\$1325.73, HRS..\$390.17;

Transcriptions: Slowey Court Reporting..\$50.00;

Travel: Deb Knecht..\$112.00, Jane Jensen..\$500.00, Kevin Spitzer..\$16.32, Ramkota Hotel..\$120.00, Dennis VanHeerde..\$9.00, Nyle Jensen..\$9.00, Carl Wright..\$9.00, Don Fischer..\$9.00, Mike Scott..\$41.26;

Court Appointed Attorney: Kennedy, Rokahr, Pier & Knoff..\$96.20, Minnehaha County..\$202.50;

Jury: Tina Adam..\$142.80, Bruce Albrecht..\$168.40, Annie Aman..\$57.92, Rabeca Assarsson..\$49.20, Marilyn Bender..\$171.60, Crystal Bohle..\$139.60, Christine Bundschuh..\$35.76, Michelle Bunke..\$85.84, Ronald Corliss..\$240.32, Calvin Cunningham..\$33.84, Travis Day..\$136.40, Amy Dinger..\$130.24, Darlene Evans..\$216.40, Kyle Everson..\$45.60, Myra Feiock..\$45.12, Donna Fischer..\$35.76, Karen Flakus..\$97.12, Laurie Frazier..\$165.20, Larry Frohling..\$168.80, Sheena Hall..\$177.12, Bernard Hanse..\$134.72, Mary Heidt..\$125.12, Thomas Heis..\$47.68, Clyde Hieb..\$227.68, Linda Holt..\$299.60, Jason Jackson..\$11.28, Noel Johnson..\$33.84, Diane Jorgensen..\$33.84, Jill Kalt..\$318.96, Jesse Kervin..\$136.40, Deloris Knoll..\$184.00, Monica Kuck..\$113.84, Lucille Kushman..\$33.84, Dennis Larson..\$68.40, Chandra Malsam..\$11.28, Donald Martin..\$125.12, David Meyer..\$35.76, Jeree Meyers..\$51.92, Chad Millsagle..\$22.56, Roberta Miranda..\$125.12, Chad Muldoon..\$91.60, Deborah Munger..\$60.72, Patricia Nehls..\$171.20, Bryce Neiger..\$162.00, Shelly Nielson..\$97.12, Carol

Niemeyer..\$370.96, Chad Norby..\$125.12, Vivian Otto..\$136.40, Raymond Payer..\$230.00, Arden Phipps..\$125.12, Melissa Pinkman..\$45.12, Everett Quam..\$78.40, Mark Ramsdell..\$47.28, Loren Rozell..\$53.04, Katherine Salo..\$33.84, Edna Schnoor..\$88.64, Nancy Upton Schnorr..\$50.24, Raymond Semmler..\$33.84, Yevonne Siefken..\$45.12, Lynn L Smith..\$45.12, Lynn M Smith..\$187.36, Sheila Smith..\$102.24, Craig Sommers..\$11.28, Sandra Stahl..\$136.40, Tyson Stanton..\$33.84, Louise Stapert..\$127.68, Nancy Sundstrom..\$148.40, Deann Van Orman..\$87.60, Phillip VanDover..\$45.12, Delmar Wahl..\$188.40, Monica Worrell..\$216.40:

Utilities: Northern Valley Communications..\$143.92, James Valley Co-Op..\$149.82, Town of Frederick..\$28.25, Northwestern Energy..\$11,681.64, Dependable..\$15,782.62, Northern Wireless..\$60.90: Care of Poor: Rent – 2 recipients..Zumbaum Property Mgmt..\$200.00, Jeff Joachim..\$200.00; Dr/Hospital – 5 recipients..Dakota Imaging..\$13.88, Avera St Lukes..\$27,475.46; Burial – 1 recipient..Spitzer Funeral Home..\$1725.00. All members present voting aye. Motion carried.

PERSONNEL:

Moved by Wiese, seconded by Feickert to approve the following employee step increases, effective January 15, 2006: Patty VanMeter @ \$12.14 per hour, Jane Jensen @ \$12.28 per hour, Craig Anderson @ \$17.17 per hour, John McQuillen @ \$17.17 per hour, Kathy Neitzel @ \$13.86 per hour, Joni Gaulrapp @ \$11.38 per hour, Jackie Ormand @ \$10.58 per hour, Judith Hauge @ \$11.10 per hour, Mickey Schulz @ \$10.95 per hour, Larry Harper @ \$11.10 per hour, Jason Hammrich @ \$13.33 per hour, Penny Hart @ \$19.17 per hour. All members present voting aye. Motion carried.

Moved by Hansen, seconded by Wiese to approve hiring the following part-time Home Detention Officers, effective January 11, 2006 at \$10.08 per hour: Michelle Quattlebaum, Julie Hermansen, Elizabeth Hilgeman. All members present voting aye. Motion carried.

MUSEUM BOARD APPOINTMENT:

Moved by Hansen, seconded by Wiese to appoint Tom Richards to second three-year term on the Museum Board. All members present voting aye. Motion carried.

BID – PALMYRA TOWNSHIP LAND LEASE:

Moved by Feickert, seconded by Hansen to authorize advertising hearing to open, read and consider bids for a one-year Lease with no option on the following County Land in Palmyra Township: Tract 1: SW ¼ of Sec 30 and NW ¼ of Sec 31-T128N-R65W (250 acres more or less), Tract 2: SW ¼ of NW ¼, W ½ of SW ¼ and SE ¼ of SW ¼ of Sec 20-T128N-R65W (120 acres more or less), to be held in the Courthouse Annex Meeting Room at 10:00 a.m. on Friday, February 3, 2006. All members present voting aye. Motion carried.

INTEREST STATEMENT:

Moved by Wiese, seconded by Hansen to accept for filing the fourth quarter interest statement, submitted by County Treasurer Sheila Enderson. All members present voting aye. Motion carried.

AUDITORS REPORT OF ACCOUNT:

Moved by Feickert, seconded by Wiese to approve the December 2005 Auditor's Report of Account with the County Treasurer in total amount of \$9,964,255.77 (Total amount of actual cash @ \$2,879.18, Wells Fargo Bank @ \$3,694.79, US Bank @ \$389,008.45, Dacotah Bank @ \$94,277.09, Petty Cash @ \$1,700.00, Fund Investments @ \$9,472,075.44, Outstanding Checks @ \$620.82. All members present voting aye. Motion carried.

TRANSFER:

Moved by Feickert, seconded by Wiese to approve and authorize the following transfer of spending authority and cash, as reflected in the 2006 General Fund #101 Budget: \$17,760.35 to Emergency

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Management Fund #226, \$93,913.93 to E911 Fund #207, \$6,017.65 to Courthouse & Jail Improvement Fund #233, and \$1,000,000.00 to Road & Bridge Fund #201. All members present voting aye. Motion carried.

TRANSFER:

Moved by Feickert, seconded by Hansen to approve and authorize the following transfer of cash, as reflected in the 2006 Landfill Fund #504 Budget: \$250,000.00 to Courthouse & Jail Improvement Fund #233 and \$200,000.00 to Road & Bridge Fund #201. All members present voting aye. Motion carried.

JDC COUNSELING CONTRACT:

Moved by Wiese, seconded by Feickert to approve and authorize the Chairman to sign contract whereby Aberdeen Area Career Planning Center agrees to provide corrective thinking classes and individual/group counseling for youth housed at the Brown County JDC, to be funded by Juvenile Accountability Block Grant Funds, effective October 1, 2005 – June 30, 2006. All members present voting aye. Motion carried.

DISASTER/RESOURCE MANAGEMENT BOARD:

Moved by Hansen, seconded by Feickert to disband the Disaster Board and the Resource Management Advisory Board, upon recommendation from Emergency Management. All members present voting aye. Motion carried.

LEPC BOARD APPOINTMENTS:

Moved by Feickert, seconded by Wiese to acknowledge resignation of the following from the LEPC Board: Drew Bickford, Ron Feickert, Ben Grismer, Curt Haaland, Don Lanphere and Gordon Vanauken; and further to appoint the following new members: Jason Forrest, Marilee Frankenberger, Doug Glaser, Scott Madsen, George Marshall, Scott Meints, Merri Nelson, Dave Osborne, Kurt Smith and Greta Thorpe. All members present voting aye. Motion carried.

COMBINED ELECTION AGREEMENT:

Moved by Feickert, seconded by Wiese to approve and authorize the Chairman sign Agreement between Brown County, the Aberdeen School District 6-1 and the City of Aberdeen for the purpose of conducting combined elections as provided under the provisions of SDCL 9-13-37, 13-7-10.3 and 12-2-5 in 2006 and 2007. All members present voting aye. Motion carried.

POINT OF DISTRIBUTION (POD):

Freddie Robinson, EM Director and Merri Nelson, BCCHC presented explanation and update of plans for Brown County to be the Point of Distribution (POD) Center for a fifty mile radius.

PLANNING & ZONING FEES:

Kathy Fischer recommended the following fee changes for the Planning and Zoning Department. Moved by Feickert, seconded by Wiese to set the following Planning & Zoning fees: Special Exception @ \$75.00; Joint Rezone @ \$150.00; County Rezone @ \$350.00; Concentrated Animal Facility Permit @ \$100.00. All members present voting aye. Motion carried.

CELL PHONE DISCUSSION:

Kurt Smith, Fairgrounds Superintendent explained that Cell One has implemented a no charge policy for purchases. Other options will be researched.

BRIDGE DELETION:

Commissioner Wiese offered the following Resolution:

RESOLUTION NO. 4-06
RESOLUTION TO DELETE BRIDGE FROM NBIS

The Brown County Board of Commissioners is in agreement with SDDOT that the following structure should be deleted from the National Bridge Inventory System (NBIS) for the following reason:

STRUCTURE ID, LOCATION AND REASON FOR DELETION:

07-231-276 (Bridge #230) 5.1 miles South and 3.1 miles East of Columbia, SD. Structure barricaded with no intent to replace. No public traffic is allowed on structure.

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 structures will only be added to the Inventory following replacement, using County funds.

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

RISK SURVEY:

Mark Milbrandt discussed survey conducted by Risk Services.

EXECUTIVE SESSION:

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

The Chairman declared the executive session closed with no action taken as a result of discussion.

POLICY MANUAL:

Moved by Hansen, seconded by Wiese to base overtime on timed worked for all employees, except Sheriff Department and Dispatch. All members present voting aye. Motion carried.

Moved by Hansen, seconded by Feickert to add Policy 9.3 to Policy Manual. All members present voting aye. Motion carried.

RECESS:

The Chairman declared the Commission recessed until January 17, 2006.

Maxine Taylor – Brown County Auditor

JANUARY 17, 2006 – GENERAL MEETING

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

MINUTES:

Moved by Hansen, seconded by Wiese to approve the General Meeting minutes of January 10, 2006. All members present voting aye. Motion carried.

CLAIMS:

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

Supplies: SDACC..\$240.00, Quality Quick Print..\$16.09, Superintendent of Documents..\$122.00, Career Planning..\$663.00, Earthgrains..\$151.65, Kesslers..\$68.01, Duanes Amoco..\$56.85, Parcel Erickson..\$26.95, Academy..\$6.00, Medtox..\$250.48, DT Pharmacy..\$1355.60, Phillips 66..\$68.51, Tri-State Water..\$30.25, Wallwork Truck Center..\$64,621.00, SD Division of Motor Vehicles..\$13.00, Northern Plains Land Services..\$870.00, Larson Blacksmith..\$60.00, Langs..\$189.99, Huron Culvert..\$4800.00, Holland Auto Care..\$28.20, Ryan Grajczyk..\$2000.00, JD Evans..\$160,424.00, Erdmann Fuels..\$2668.55, Economy Propane..\$1200.60, Clark Engineering..\$362.10, Artz Equip..\$3200.00, Ameripride..\$36.63, Larry Gerlach..\$204.27, House of Glass..\$7.92, Creative Signs..\$50.00, Lora Schaunaman..\$9.82, Kleins..\$30.95, NSU..\$169.14, Ameripride..\$37.56, Sam Olson..\$908.82, Palmer Dist..\$52.00, Dakota Electronics..\$97.50, TSC..\$28.54, Farnams..\$24.95, Software House..\$182.62, Glacial Lakes..\$500.00, Becky Berreth..\$8.88, K-Mart..\$17.56, Graham Tire..\$14.00, Runnings..\$25.77, Galls..\$567.72, Rescue Tech..\$826.26, Virginia Mitchell..\$50.00, Minnesota Pollution..\$330.00, Advanced Weigh Systems..\$1400.00, Century Business..\$35.94, Overhead Door..\$151.99, Dispatch Monthly..\$20.00, Minnehaha County Metro..\$590.00, Governors Inn..\$60.00, Electronic Security Equip..\$173.17, New World..\$2831.78, Todd Struwe..\$1578.00, AmericInn..\$674.93, Ramada Inn..\$178.20, Locke Electric..\$81.63, Heiman Fire Equip..\$95.00:

Publications: Groton Independent..\$232.56, American News..\$1213.63:

Professional Fees: Avera St Lukes..\$1126.24:

Transcriptions: NE Mental Health Center..\$292.60:

Travel: Nancy Radke..\$150.00:

Utilities: FSH Communications..\$57.70, Qwest..\$1273.18, Northern Elec..\$971.89, City of Hecla..\$142.55, Dependable Sanitation..\$159.00, Northwestern Energy..\$15.83, Verizon..\$114.99, James Valley..\$238.73:

Care of Poor: Rent – 6 recipients..Kurt Kruger..\$133.00, Falcon Rentals..\$200.00, Aberdeen Finance..\$157.00, Webb Shoes..\$200.00, John Painter..\$220.00, Lakeside Estates..\$170.00; Dr/Hospital – 5 recipients..Dr William Goumas..\$1049.86, Aberdeen Family Physicians..\$379.89, Avera St Lukes..\$16,064.08; Transportation - 1 recipient..Brown County..\$28.40. All members present voting aye. Motion carried.

PERSONNEL:

Moved by Wiese, seconded by Feickert to approve hiring Francis Bosch as part-time weed sprayer, effective January 10, 2006 at \$10.50 per hour. All members present voting aye. Motion carried.

Moved by Wiese, seconded by Feickert to approve hiring Marcy Fritz as guard for purpose of prisoner transport, effective January 13, 2006. All members present voting aye. Motion carried.

Moved by Feickert, seconded by Hansen to list the following volunteers for work comp purposes: John Aman, Sandy Bierman, Don Craft, Barb Crawford, Tammy Dennert, Arnold Dinger, Colin Dutenhoffer, Curt Erickson, Kristie Erickson, Sheryl Erickson, Tom Green, Jeanette Hassebroek, Myles Haugen, Roger

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Huettl, Duane Jark, Joey Kaven, Darcy Leshner, Carla Meints, Barb Paepke, Rick Pigors, Jamie Pulfrey, Butch Sauvage, Kathy Schaunaman, Brian Sharp, Marlys Volzke, Rick Adema, Trent Anderson, Matt Farley, Steven Hairgrove, Lynn Hovel, Mike Miller, Barry Smith, Brent Swenson, Lee Swenson, Tom Tarnowski, Kevin Vaughn, Dave Volek, Brad Waage, Kent Warrey, Rolland Moerke, Keith Theroux, Gwyn Fischbach, Ralph Labbee, Becky Berreth, Tom Kessler, Lois Pletten, David Shultis, Marilee Frankenberger, Scott Meints, Rich Kezar, Cindy Beard, Viola Benting, Dale Carr, Marian Carter, Marvin Dreesen, Barry Eske, Mark Heintzman, Trixie Hettich, Donald Hurst, Randy Imberi, Tony Ingemansen, Robert Janssen, Brian Johnson, Christy Johnson, Kenneth Jones, Tony Jones, Mark Joseph, Shane Jung, Audrey Kann, Zachary Kern, Gloria Kiefer, Randall Kingery, Janet Malsom, Jodi McQuillen, Britt Nelson, Deanna Nelson, Shirley Nikodym, Mike Paye, Rick Rainford, Jill Reber, Lynn Reber, Jayne Reuer, Ruth Sayler, Linda Schwabe, Judith Sheldon, Justin Shultis, Bonnie Siebrecht, Martha Smith, Donna Stearns, Rose Cathy Thornton, Merle Voeller, Corey Wipf. All members present voting aye. Motion carried.

ABATEMENTS:

Moved by Wiese, seconded by Hansen to approve the following Abatements: Ronnie Fisher, double assessment (Worthy Replat, Groton) for 2005 @ \$97.30; Warren Grebner, double assessment (Lt 2 D&G 5th SD) for 2005 @ \$145.24; Harold Olson, storm damage (E2E2SE & E 6ac W2E2 23-127-60) for 2005 ag buildings @ \$152.18, home @ \$31.96; Albert & Susan Cox, storm damage (BOLS Lt 2 James OL, Town of James) for 2005 @ \$119.21; Jerald & Lela Holcomb, fire damage (OL 6 Priors Bath) for 2005 @ \$368.32; John Ries, fire damage (BOLS #7 Tacoma Park) for 2005 @ \$270.20; Brian & Michell Bellikka, fire damage (Lot 21 Fischers Estates) for 2005 @ \$549.22; Milton Ehresmann, incorrect value (E142' OL 3A ex N 68.56' Hoffman's Rar) for 2003 \$209.08, for 2004 @ \$203.02, for 2005 @ \$208.30; Ronald Erdmann, sheriff sale (BOLS '81 Marshfield MH) for 2005 @ \$8.86; Gene Jerke, owner occupied (OL 25-26 Louis Millers SD Richmond Lake) for 2005 @ \$166.77 and (OL 27-28 Louis Millers SD Richmond Lake) for 2005 @ \$918.26; Bruce Henderson, classification error (Lt 1 Mohrs 2nd SD) for 2004 @ \$691.76; Timothy Hart, double assessment (Lt 5A Bk 3 OP Frederick) for 2004 @ \$10.92. All members present voting aye. Motion carried.

BID – WOOD WASTE GRINDING:

Moved by Wiese, seconded by Feickert to approve securing wood waste grinding services from Dakota Wood Grinding at \$350 per hour plus \$500 mobilization fee, as previously bid and awarded by Brown County on February 22, 2005. All members present voting aye. Motion carried.

SENIOR CITIZEN BOARD:

Dr. Richard VanBeek, Representing the Senior Citizen Board invited a County Commissioner to serve on the Senior Citizen Board. After discussion, the following action ensued: Moved by Feickert, seconded by Wiese to appoint Nancy Hansen as Brown County Commission Representative on the Senior Citizen Board. All members present voting aye. Motion carried.

PLANNING/ZONING BOARD:

Moved by Feickert, seconded by Wiese to increase meeting attendance per diem for Planning & Zoning Board Members from \$10.00 to \$25.00, effective January 1, 2006 and continue to pay mileage as set by the Brown County Commission. All members present voting aye. Motion carried.

EXECUTIVE SESSION:

Moved by Wiese, seconded by Hansen to go into executive session for personnel discussion with Sheila Enderson in attendance; and also discuss current litigation status on another matter with Sheila Enderson. All members present voting aye. Motion carried.

The Chairman declared the executive session closed, with no action taken as a result of the discussion.

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

The Chairman declared the executive session closed, with no action taken as a result of the discussion.

RECESS:

The Chairman declared the Commission recessed until January 24, 2006.

Maxine Taylor – Brown County Auditor

JANUARY 23, 2006 - JOINT CITY/COUNTY MEETING

The Brown County Commission and the Aberdeen City Council met in joint session at 5:30 P.M. in the City Commission Chambers, 123 S Lincoln Street, Aberdeen, South Dakota. Present from City were Council Members Agnitsch, Aman, Bunsness, Campbell, Hodgin, McQuillen, Mitchell, Rux and Mayor Levsen. Present from County were Commissioners Hansen, Fischbach and Wiese. Absent Commissioners Knecht and Feickert.

ORDINANCE NO. 06-01-01/321:

On motion by Rux and seconded by Mitchell, the City unanimously voted to approve First Reading of Ordinance No. 06-01-01/321.

Moved by Hansen, seconded by Wiese to approve First Reading of Ordinance No. 06-01-01/321, An Ordinance amending Ordinance No. 1164 to rezone the following described property from its present zoning designation of Section 701 (A-1) Agricultural District to Section 713 (M) Municipal, State, and County Use District: Fairgrounds OL 1, located in the SW ¼ of Sec 1-T123N-R64W of the 5th P.M., Brown County, SD. All members present voting aye. Motion carried.

ORDINANCE NO. 06-01-02/322:

On motion by McQuillen and seconded by Aman, the City unanimously voted to approve First Reading of Ordinance No. 06-01-02/322.

Moved by Hansen, seconded by Wiese to approve First Reading of Ordinance No. 06-01-02/322, An Ordinance amending Ordinance No. 1164 to rezone the following described property from its present zoning designation of Section 701 (A-1) Agricultural District to Section 713 (M) Municipal, State, and County Use District: SW ¼ of Sec 1-T123N-R64W of the 5th P.M., Brown County, SD including Highway B, Lot A, and abandoned railroad right-of-way. All members present voting aye. Motion carried.

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

JANUARY 24, 2006 – GENERAL MEETING

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

MINUTES:

Moved by Hansen, seconded by Wiese to approve the General Meeting minutes of January 17, 2006. All members present voting aye. Motion carried.

CLAIMS:

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

Payroll: Commissioners..\$2,779.85; Auditor..\$6,753.74; Treasurer..\$8,572.77; Data Processing..\$1,734.93, State's Attorney..\$12,235.10; Maintenance..\$5,513.15; Assessor..\$8,510.33; Planning & Zoning..\$626.65; Register of Deeds..\$4,641.23; Veterans Service Office..\$2,495.47; GIS..\$1,738.47; Sheriff..\$62,553.59; DOJ Grant..\$3,426.39; Communications..\$13,092.29; Welfare Office..\$2,827.87; Museum..\$4,965.24; Fairboard..\$1,436.77; Fairgrounds & Parks..\$3,354.32; Extension..\$1,772.00; Weed..\$234.31; Emergency Management..\$3,108.40; Weed and Seed..\$1,113.47; Highway..\$30,885.23; Landfill..\$7,763.82; Matching Benefits: FICA..\$11,266.87, Medicare..\$2,635.05, Wellmark BCBS Life..\$695.96, Wellmark BCBS Health..\$55,939.20, Delta Dental..\$4,185.00, SD State Retirement..\$23,104.20:

Supplies: Best Business..\$301.44, Quality Quick Print..\$15.00, Incode..\$1904.05, New Trends..\$80.35, Parts Now..\$117.00, K-Mart..\$200.00, Heartland Paper..\$855.00, Gardner Locksmith..\$55.00, Hoven Auto..\$250.67, Scott Madsen..\$17.82, Ohio Division of Planning..\$350.00, Aberdak..\$418.60, HSBC Business Solutions..\$758.53, SDAAO..\$360.00, Active Data..\$8605.84, Warner School..\$410.00, Brown County..\$2844.04, NECOG..\$1666.66, BP Amoco..\$38.20, Deluxe Business Checks..\$152.87, Mobile Electronic Service..\$167.95, Bob Barker..\$1504.55, Aberdeen Chrysler..\$26.55, Dakota Division..\$15.00, SD Sheriff Assn..\$525.00, Plastocon..\$32.98, Grafix Shoppe..\$107.53, Galls..\$961.23, Double D Body Shop..\$92.00, Behavioral Interventions..\$209.40, George Sumption..\$200.00, Share Corp..\$208.90, Palmer Dist..\$59.50, North Central Rental..\$2170.00, Newman Signs..\$2665.49, Nat'l Assoc of County Engineers..\$400.00, Langs Audio..\$465.00, Central Supply..\$793.60, Caspers Hwd..\$2205.37, ATSSA..\$190.00, Minnehaha County..\$208.00, Menards..\$30.95, House of Glass..\$77.96, Runnings..\$22.98, Farnams..\$5.44, Swanson Elec..\$143.21, TSC..\$1288.75, Rodeo Assoc..\$950.00, Warner Library..\$750.00, Area IV..\$2000.00, Weed & Pest Conf..\$145.00, Karls..\$91.95, SD Fed Property..\$122.50, Lab Safety..\$888.46, Dakota Wood Grinding..\$8020.00, Galls..\$178.76, Brick Propane..\$15.40, E-Zee Supply..\$414.75, Temco Machinery..\$134.66:

Publications: American News..\$222.24:

Professional Fees: Sheriff of Pennington County..\$16.50, Crow Wing County..\$40.00, Avera St Lukes..\$662.00, Lewis & Clark BHS..\$130.00, Sheriff of Yankton County..\$49.50, Cathy Rehfuß..\$15.00, Nelva Kooistra..\$30.00, Marv Ekeren..\$15.00, Donna Dietrich..\$253.98, Adamsoft Inc..\$4500.00:

Transcriptions: Tamara Lee..\$81.98, Shepherd Reporting..\$25.00:

Travel: Jim Payne..\$39.36, Gene Loeschke..\$154.24, Barb Gunderson..\$374.50, Tabatha Moore..\$56.00, Sheri Rawstern..\$30.00:

Court Appointed Attorney: Yankton County..\$187.10, Kelly Marnette..\$21,911.74, Blackburn & Stevens..\$239.05:

Utilities: City of Aberdeen..\$1093.14, Dependable Sanitation..\$212.00, Midcontinent Cable..\$174.38, Verizon..\$86.66, Northwestern Energy..\$2806.91, FSH Communications..\$117.80, Qwest..\$5601.47, Northern Elec..\$206.07, Cellular One..\$131.60, Bureau of Admin..\$532.38:

Care of Poor: Rent – 3 recipients..Zumbaum Property..\$200.00, Rollie White..\$100.00, Kurt Kruger..\$133.00; Dr/Hospital – 2 recipients..Anesthesia Care..\$256.00, Aberdeen Family

Physicians..\$20.75; Transportation - 3 recipients..Jefferson Lines..\$275.41; Burial – 1 recipient..Spitzer Funeral Home..\$750.00; Medication – 2 recipients..Walmart Pharm..\$133.68, Jones Drug..\$637.57; Utilities – 1 recipient..City of Aberdeen..\$204.47. All members present voting aye. Motion carried.

PERSONNEL:

Moved by Feickert, seconded by Wiese to approve the following employee step increase, effective January 29, 2006: Teri Jondahl at \$ 11.10 per hour. All members present voting aye. Motion carried.

Moved by Wiese, seconded by Feickert to approve appointing Andrea Snoozy-Bahr as Deputy Coroner, effective January 17, 2006 at \$150.00 per call. All members present voting aye. Motion carried.

Moved by Hansen, seconded by Wiese to approve hiring Luana Vincent and Cory Schultz as Dispatchers, effective January 30, 2006 at \$11.08 per hour. All members present voting aye. Motion carried.

Moved by Hansen, seconded by Feickert to approve an additional \$.30 per hour training salary for hours spent training new dispatchers at the terminals, effective January 30, 2006. All members present voting aye. Motion carried.

Moved by Feickert, seconded by Wiese to approve adjusting salary of part-time weed sprayer Francis Bosch from \$10.50 per hour to \$10.86 per hour, effective January 10, 2006. All members present voting aye. Motion carried.

Moved by Hansen, seconded by Wiese to approve employee status change for Corrections Officer Tricia Jondahl from part-time to full-time, effective January 29, 2006 at \$10.82 per hour. All members present voting aye. Motion carried.

Moved by Hansen, seconded by Wiese to classify the following employees as Regular Part-Time Employees, effective January 15, 2006: Joel McMaster, Jamie Kern, Erick McElroy, Natasha Dahl, Bobbie Olason, John Burkard, per guidelines in the Brown County Policy Manual. All members present voting aye. Motion carried.

LAND LEASE NOTICE:

Moved by Feickert, seconded by Wiese to authorize advertising public hearing to open, read and consider bids for County Land Lease/Brown County Landfill (NW ¼ of Sec 14-T123N-R65W of the 5th P.M., Brown County, SD), to be held in the Commissioner's Chambers, Courthouse Annex at 8:45 A.M. on February 7, 2006. All members present voting aye. Motion carried.

ABATEMENTS:

Moved by Hansen, seconded by Wiese to approve the following Abatements: Jean Ries, vacant lot (BOLS Tacoma Park) solid waste for 2005 @ \$25.00; Robert Meister, double assessment (Lt 1-3 Blk 24 First Addn to Groton) Groton Curb Assessment for 2005 @ \$794.56; Anna Hoffman, vacant property (SW 23-123-60 inc Siefkes Cons Easement Tract 1 ex Siefkes OL 1) solid waste for 2005 @ \$65.00. All members present voting aye. Motion carried.

SHERIFF REORTS:

Moved by Feickert, seconded by Wiese to approve the following December 2005 Sheriff Reports: Incidents & Offenses, Prisoner Care, JDC, Money deposited with the County Treasurer, Monthly activities. All members present voting aye. Motion carried.

PREVENTION GRANT:

Moved by Wiese, seconded by Hansen to approve and authorize the Chairman sign Financial Form 269 for October through December 2005 for the Brown County Special Appropriation "Prevention and Intervention Programs for at-risk and detained youth" Grant #2001-JS-FX-0014. All members present voting aye. Motion carried.

Moved by Wiese, seconded by Hansen to approve and authorize the Chairman sign Categorical Assistance Progress Report for the Brown County "Prevention and Intervention Programs for At-Risk and Detained Youth" Grant #2001-JS-FX-0014 for July 1, 2005 through December 31, 2005. All members present voting aye. Motion carried.

COPS 2004 TECHNOLOGY GRANT:

Moved by Wiese, seconded by Hansen to approve and authorize the Chairman sign Financial Form 269 for October through December 2005 for the COPS 2004 Technology Grant #2004-CK-WX-0150. All members present voting aye. Motion carried.

WEED AND SEED:

Moved by Hansen, seconded by Feickert to approve and authorize the Chairman sign Categorical Assistance Progress Report for the Brown County Weed and Seed Grant #2002-WS-QX-0054 for July 1, 2005 through December 31, 2005. All members present voting aye. Motion carried.

Moved by Feickert, seconded by Hansen to approve and authorize the Chairman sign Categorical Assistance Progress Report for the Brown County Weed and Seed Grant #2005-WS-Q5-0089 for July 1, 2005 through December 31, 2005. All members present voting aye. Motion carried.

Moved by Wiese, seconded by Hansen to approve and authorize the Chairman sign Financial Form 269 for October through December 2005 for the Brown County Weed and Seed Grant #2002-WS-QX-0054. All members present voting aye. Motion carried.

Moved by Feickert, seconded by Hansen to approve and authorize the Chairman sign Financial Form 269 for October through December 2005 for the Brown County Weed and Seed Grant #2005-WS-Q5-0089. All members present voting aye. Motion carried.

Moved by Hansen, seconded by Wiese to approve the Brown County Weed and Seed Monthly Expenses for January 2006 (Year Four 2005-WS-Q5-0089), in amount of \$5,351.20. All members present voting aye. Motion carried.

Moved by Feickert, seconded by Wiese to donate property purchased with Brown County Weed and Seed Grant Funding to receiving entities. A complete list of the property is on file for public inspection at the Brown County Auditor's Office during regular working hours. All members present voting aye. Motion carried.

HOSPITAL CLAIM:

Moved by Feickert, seconded by Wiese to deny payment of the hospital bill, submitted by Sioux Valley Hospital for a 53 year old male @ \$19,082.88, as the individual has not provided sufficient information to determine if indigent. All members present voting aye. Motion carried.

EXECUTIVE SESSION:

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

The Chairman declared the executive session closed, with no action taken as a result of the discussion.

EXECUTIVE SESSION:

Moved by Feickert, seconded by Wiese to go into executive session for personnel discussion with Kim Dorsett and Mark McNeary in attendance. All members present voting aye. Motion carried.

The Chairman declared the executive session closed, with no action taken as a result of the discussion.

DRAINAGE DISCUSSION:

Orville Crawford discussed drainage upon his land from his neighbor John Heine. The Commission took no action. Dirk Rogers, Mark McNeary, Bud Campton, Martin Ronning, Erling Podoll, Harley Gage and Randy Wolter were also in attendance.

RECESS:

The Chairman declared the Commission recessed until January 31, 2006.

Maxine Taylor – Brown County Auditor

JANUARY 30, 2006 - JOINT CITY/COUNTY MEETING

The Brown County Commission and the Aberdeen City Council met in joint session at 5:30 P.M. in the City Commission Chambers, 123 S Lincoln Street, Aberdeen, South Dakota. Present from City were Council Members Agnitsch, Aman, Bunsness, Campbell, Hodgin, McQuillen, Mitchell, Rux and Mayor Levsen. Present from County were Commissioners Feickert, Fischbach and Wiese. Absent Commissioners Knecht and Hansen.

ORDINANCE NO. 06-01-01/321:

On motion by Mitchell and seconded by Rux, the City unanimously voted to approve Second Reading and Adoption of Ordinance No. 06-01-01/321.

Moved by Feickert, seconded by Wiese to approve Second Reading and Adoption of Ordinance No. 06-01-01/321, An Ordinance amending Ordinance No. 1164 to rezone the following described property from its present zoning designation of Section 701 (A-1) Agricultural District to Section 713 (M) Municipal, State, and County Use District: Fairgrounds OL 1, located in the SW ¼ of Sec 1-T123N-R64W of the 5th P.M., Brown County, SD. Roll call vote: Commissioners Hansen-absent, Fischbach-aye, Feickert-aye, Wiese-aye, Knecht-absent. Ordinance adopted.

ORDINANCE NO. 06-01-02/322:

On motion by Agnitsch and seconded by Aman, the City unanimously voted to approve Second Reading and Adoption of Ordinance No. 06-01-02/322.

Moved by Feickert, seconded by Wiese to approve Second Reading and Adoption of Ordinance No. 06-01-02/322, An Ordinance amending Ordinance No. 1164 to rezone the following described property from its present zoning designation of Section 701 (A-1) Agricultural District to Section 713 (M) Municipal, State, and County Use District: SW ¼ of Sec 1-T123N-R64W of the 5th P.M., Brown County, SD including Highway B, Lot A, and abandoned railroad right-of-way. Roll call vote: Commissioners Hansen-absent, Fischbach-aye, Feickert-aye, Wiese-aye, Knecht-absent. Ordinance adopted.

ADJOURNMENT:

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

Jan Beckler – Deputy Brown County Auditor

JANUARY 31, 2006 – GENERAL MEETING

Meeting called to order by Chairman Knecht at 8:30 A.M. in the Commissioner's Chambers, Courthouse Annex, Brown County, SD. Present were Commissioners Fischbach, Feickert and Wiese. Absent Commissioner Hansen.

MINUTES:

Moved by Wiese, seconded by Fischbach to approve the Joint City/County Meeting minutes of January 23, 2006 and the General Meeting minutes of January 24, 2006. All members present voting aye. Motion carried.

CLAIMS:

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

Supplies: SDACC..\$4246.73, Quality Quick Print..\$60.44, RE Huffman..\$35.00, Dept of Rev..\$681.00, Exec Mgmt..\$1474.02, Mark McNeary..\$6500.00, Sanders Sew 'N Vac..\$43.19, Aberdeen Plumbing..\$346.84, Heartland Paper..\$568.78, Central Supply..\$1294.22, UBC..\$10.38, Ecolab..\$154.00, Quality Welding..\$15.50, State Radio Communications..\$2300.00, Evercom..\$1900.00, Galls..\$20.48, Best Business..\$141.02, Diane Mielke..\$2.12, SD Sheriff Assn..\$54.60, Office Equip..\$111.71, Pacer Service Center..\$10.56, Moore Medical..\$408.12, Mark Milbrandt..\$4.21, SD Public Assurance..\$354.00, SD Division of Motor Vehicles..\$13.00, Newman Signs..\$3830.70, Lawson Products..\$930.23, Great Western Tire..\$2193.38, Darla Jung..\$500.00, John Deere..\$30,788.37, JD Evans..\$8392.25, Bridgestone Firestone..\$173.48, Ameripride..\$143.52, NACVSO..\$30.00, SD Campground Owners Assoc..\$78.00, Menards..\$207.32, Walmart..\$27.12, Macs..\$5.96, Runnings..\$164.97, Dakota Supply Group..\$10.28, House of Glass..\$23.40, Aberdeen Downtown Assn..\$1000.00, SD Sec of State..\$100.00, Quality Quick Print..\$166.95, Boys & Girls Club..\$5000.00, Century Business Prod..\$85.61, HSBC Business..\$223.89, Bureau of Info..\$2650.00, New World..\$3893.18, Mallory Headsets..\$843.85, Pennington County..\$590.00, NASAR Bookstore..\$750.14, Golden West..\$14991.33, Municipal Emergency Services..\$5931.00, Kirk Auto..\$39.99, Alexander Mitchell Library..\$10,000.00:

Publications: American News..\$419.22, Groton Indep..\$267.70:

Professional Fees: Northern Plains Land Services..\$787.00, Minnehaha County..\$180.00, Sheriff of Yankton County..\$33.00, Cathy Rehfuß..\$45.00, Nelva Kooistra..\$45.00, Donna Dietrich..\$383.22, NADRIC..\$1666.67:

Travel: Holiday Inn..\$69.95, First Gold Hotel..\$51.00, Gene Loeschke..\$100.48, Leo Leshner..\$385.28, City of Groton..\$32.00, Dennis Feickert..\$124.80:

Court Appointed Attorney: Kelly Marnette..\$4167.50, Dee Mulder..\$331.50:

Utilities: Cellular One..\$1019.95, Qwest..\$72.87, Midcontinent Cable..\$95.21, Northwestern Energy..\$784.38, Montana Dakota..\$35.74, Northern Electric..\$100.00:

Care of Poor: Rent – 2 recipients..Ron Erdmann..\$130.00, Tom Croymans..\$200.00; Dr/Hospital – 2 recipients..Neurospine of Aberdeen..\$199.19, Dr Charles Miller..\$1439.46, Avea St Lukes..\$11,569.09; Transportation – 2 recipients..Aberdeen Adv Care..\$209.88, SD Human Services Center..\$75.45; Utilities – 3 recipients..NWPS..\$39.57, City of Aberdeen..\$205.11, Erdmann Fuels..\$229.00. All members present voting aye. Motion carried.

PERSONNEL:

Moved by Wiese, seconded by Feickert to approve hiring Kim Roberts as Assistant Director in the Communications Center, effective February 9, 2006 at a pro-rated annual salary of \$35,000.00. All members present voting aye. Motion carried.

MUSEUM BOARD:

Moved by Feickert, seconded by Wiese to appoint Carol Fowler to first term on the Museum Board. All members present voting aye. Motion carried.

LOTTERY APPLICATION:

Moved by Fischbach, seconded by Wiese to approve the application submitted by Stratford Community Theatre for raffle to be held on February 26, March 5, and March 11, 2006. All members present voting aye. Motion carried.

PROPERTY TRANSFER:

Moved by Wiese, seconded by Fischbach to approve and authorize the Chairman sign agreements with the following entities who received equipment from the 2002 DOJ Equipment Grant Program: Claremont FD (portable radio); 2003 Pt 1 DOJ Equipment Grant Program: Claremont FD (PPE kits); 2003 Pt 2 DOJ Equipment Grant Program: Claremont FD (portable and mobile radios); 2004 DOJ Equipment Grant Program: Groton FD (mobile radios), Hecla FD (mobile radios), Aberdeen PD (binoculars), Stratford FD (batteries and chargers), Aberdeen Rural FD (chargers), Warner FD (mobile radios), Civil Air Patrol (portable radio), Warner FD (rescue tools, radio vests), Claremont FD (scope, portable radios). All members present voting aye. Motion carried.

BID – WEED & PEST CHEMICAL:

Moved by Wiese, seconded by Feickert to authorize advertising public hearing to open, read and consider bids for furnishing and delivery of chemicals for the Brown County Weed and Pest Department for 2006, to be held in the Commissioner's Chambers, Courthouse Annex, Brown County, SD on February 21, 2006 at 9:00 A.M. All members present voting aye. Motion carried.

BCCHC REPORT:

DeAnna Kyburz presented the Brown County Community Health Center Report for October – December 2005.

CONTRACT AMENDED:

Moved by Feickert, seconded by Wiese to approve and authorize the Chairman sign change orders for contract with The Schneider Corporation (formerly ProMap) to shift all remaining funds paid on the contract to cover cost of hosting the Director of Equalization Web Site for five years. All members present voting aye. Motion carried.

GIS CONTRACT:

Moved by Wiese, seconded by Feickert to approve the authorize the Chairman sign contract for professional service with Planning and Development District III for completion of the Brown County parcel GIS Project for \$78,000.00. All members present voting aye. Motion carried.

LOAD LIMIT RESOLUTION:

Commissioner Wiese offered the following Resolution:

RESOLUTION NO. 5-06

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

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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 Highway Department Superintendent to work with the South Dakota Highway Patrol to reduce weight maximums due to the thawing and excessive moisture and until the roads are free of frost and become stable. SDCL 32-22-25

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

BID DATES SET FOR HIGHWAY:

Moved by Wiese, seconded by Fischbach to authorize advertising public hearing to open, read and consider the following bids for the Highway Department, to be held in the Commissioner's Chambers, Courthouse Annex, Brown County, SD: Hot Mix at 9:15 a.m., Gravel Material at 9:30 a.m. and Rental of Equipment at 9:45 a.m. on February 28, 2006. All members present voting aye. Motion carried.

BROWN COUNTY EVENT CENTER:

Beth Smith, Jim Barringer, Gail Ogdahl, Vi Stoia, Lyle Podoll, Craig Schaunaman and Lori Cope met to request a regional feasibility study be completed for the Brown County Event Center. Moved by Wiese, seconded by Feickert to approve regional feasibility study be completed for the Brown County Event Center, with fee finalized at time of signing contract. All members present voting aye. Motion carried.

RECESS:

The Chairman declared the Commission recessed until February 7, 2006.

Jan Beckler – Deputy Brown County Auditor

FEBRUARY 7, 2006 – GENERAL MEETING

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

MINUTES:

Moved by Wiese, seconded by Hansen to approve the Joint City/County Meeting minutes of January 30, 2006 and the General Meeting minutes of January 31, 2006. All members present voting aye. Motion carried.

CLAIMS:

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

Payroll: Commissioners..\$2,779.85; Auditor..\$6,753.74; Treasurer..\$10,227.74; Data Processing..\$1,734.93; State's Attorney..\$12,243.10; Maintenance..\$5,477.68; Assessor..\$8,491.63; Planning & Zoning..\$649.30; Register of Deeds..\$4,739.74; Veterans Service Office..\$2,529.58; GIS..\$1,738.47; Sheriff..\$64,400.45; DOJ Grant..\$3,552.00; Communications..\$12,990.46; Welfare Office..\$2,827.87; Museum..\$4,982.04; Fairgrounds & Parks..\$3,354.32; Fairboard..\$1,436.77; Extension..\$1,772.00; Weed..\$500.01; Emergency Management..\$2,934.52; Weed and Seed Grant..\$1,113.47; Highway..\$30,641.88; Landfill..\$7,664.00; Matching Benefits: FICA..\$11,486.05; Medicare..\$2,686.23;

Supplies: CMRS-FP..\$5000.00, McLeods..\$189.68, Quality Quick Print..\$2141.68, Office Equip..\$6.49, Tessco Tech..\$99.52, CDW Govt..\$2548.09, Aberdeen Plumbing..\$47.17, Runnings..\$341.03, Heartland Paper..\$342.03, Ecolab Pest..\$174.50, Menards..\$904.08, Central Supply..\$86.50, Woodmans..\$199.02, Taylor Laundry..\$24.00, New Trends..\$871.41, SD Human Services Center..\$75.45, Dept of Revenue..\$32.00, Dakota Electronics..\$1993.18, Grafix..\$1086.48, Best Business..\$80.91, Hitch 'N Post..\$34.99, Electronic Security..\$394.28, Bob Barker..\$180.63, Galls..\$611.90, Velvet Uniforms..\$57.79, Herbergers..\$209.36, Langs..\$837.99, Thomson Healthcare..\$139.80, Walmart..\$232.45, Lust Chev..\$7500.00, Soil Tech..\$2370.00, S&S Lumber..\$1589.84, Randy's Auto..\$15.00, Pro Ag..\$1141.96, Power Plan..\$536.32, Pierson Ford..\$181.29, North Central Leasing..\$2170.00, Macs..\$21.48, James Loterbauer..\$90.00, Helms..\$5140.08, Graham Tire..\$167.32, Freys Electronics..\$740.30, Farnams..\$47.82, JD Evans..\$6400.00, Erdmann Fuels..\$1094.76, Energy Alliance..\$31,479.75, Economy Propane..\$1123.20, DVC Girls Vac..\$60.25, Diesel Machinery..\$3700.00, Dakota Oil..\$2417.49, Creative Signs..\$115.00, Crawford Trucks..\$952.24, Cartney Bearing..\$104.80, Butler Machinery..\$2420.01, Best Business..\$81.29, Amway Grand Hotel..\$567.10, Aberdeen Equip..\$630.13, Dept of Social Services..\$14,489.00, Assoc of SD Museums..\$100.00, House of Glass..\$14.85, Community Theatre..\$275.00, Glas Consulting..\$293.75, UBC..\$88.10, Sherwin Williams..\$84.74, Farm Power..\$350.97, Bridgestone Firestone..\$416.40, Western States Fire..\$272.00, RACOM Corp..\$40.00, RE Huffman..\$1173.37, Priority Dispatch..\$2859.00, Pizza Ranch..\$52.95, Golden West..\$35,031.14, Cunningham Elec..\$352.00, House of Glass..\$135.72, Burghardt Amateur Center..\$30.45, Ameripride..\$67.83, American Flag..\$87.68, Praxair..\$16.45, Sheehan Mack..\$807.83, Webb Shoes..\$139.95, McFarland Supply..\$46.33, SD Dept of Rev..\$2972.58, Groton Fire Dept..\$250.00, Freys Electronics..\$172.90, MVTL Labs..\$34.40, Hedahls..\$167.56, Erdmann Fuels..\$4810.04, State Property Mgmt..\$20.48, Pizza Ranch..\$59.44, West Payment Center..\$1582.69, Academy Trophy..\$40.00;

Publications: American News..\$1001.56;

Professional Fees: witness fees..\$40.00, Dr John Carrels..\$77.99, Advanced Care Ambulance..\$101.57, United Clinic..\$198.64, Sheriff of Yankton County..\$33.00, Beth Smith..\$1775.00;

Transcriptions: Richard Neal..\$146.00;

Travel: Mike Wiese..\$272.70, Ramkota..\$166.00, Sherry Theobald..\$13.12;

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Court Appointed Attorney: Kelly Marnette..\$4166.67, Kuck Law Office..\$4166.67, William Gerdes..\$4166.67, Randy Turner..\$4170.14, Christy Serr..\$4166.67:
Utilities: Cellular One..\$21.51, NW Energy..\$7617.11, City of Aberdeen..\$615.67, Northern Valley..\$143.45, James Valley..\$360.22, Town of Frederick..\$28.25, Northwestern Energy..\$940.44, Richmond Lake..\$2016.00, WEB..\$113.00, Verizon..\$213.08, Dependable..\$14,643.42:
Care of Poor: Rent – 1 recipient..Webb Shoe..\$157.00; Dr/Hospital –5 recipients..Anesthesia Care..\$604.00, Avera St Lukes..\$1314.74, Dakota Imaging..\$63.16; Transportation - 1 recipient..Brown County Highway..\$9.47; Burial – 1 recipient..City of Aberdeen..\$150.00; Medication – 2 recipients..Economy Pharm..\$284.11; Utilities – 2 recipients..City of Aberdeen..\$111.75, NWPS..\$328.25. All members present voting aye. Motion carried.

PERSONNEL:

Moved by Wiese, seconded by Hansen to approve the following step increases, effective February 12, 2006: Gary Bunt @ \$15.55 per hour, Brian Koens @ \$14.99 per hour, Mary Browning @ \$14.20 per hour, Robert Jenson @ \$11.30 per hour. All members present voting aye. Motion carried.

Moved by Wiese, seconded by Hansen to approve hiring Marcy Fritz as Nurse for the Brown County Jail/JDC, effective February 14, 2006 at a pro-rated annual salary of \$33,000.00. All members present voting aye. Motion carried.

ABATEMENTS:

Moved by Wiese, seconded by Hansen to approve and authorize the Chairman to sign the following Abatements of BID Assessments on Brown County property: (tax exempt) N2 Lt 10 ex E 42' of W 10.5 alley adj to Lt 11-12 on E side Bk 2 OP Abdn @ \$710.00; Lt 1 Courthouse 1st Subd @ \$3,039.17; Lt 7 & 8 Blk 8 OP Abdn @ \$284.00; Lt 9 & 5'x30' easement in SE corner Lt 10 Blk 8 OP Abdn @ \$142.00; Lot 10 ex 5'x30' easement in SE corner Lt 10 Blk 8 OP Abdn @ \$130.64; Lt 11-12 Blk 8 OP Abdn @ \$284.00. All members present voting aye. Motion carried.

LEASE AGREEMENTS:

Moved by Wiese, seconded by Hansen to approve and authorize the Chairman sign the following Lease Agreements for one year: Tract 1 – SW ¼ of Sec 30 and NW ¼ of Sec 31-T128N-R65W (250 acres more or less) to L.R. Corporation for \$6.50 per acre (\$1,625.00). Tract 2 – SW ¼ of NW ¼, W ½ of SW ¼ and SE ¼ of SW ¼ of Sec 20-T128N-R65W (120 acres more or less) to Thorpe Ranch for \$6.50 per acre (\$780.00). All members present voting aye. Motion carried.

AUDITORS REPORT OF ACCOUNT:

Moved by Wiese, seconded by Hansen to approve the January 2006 Auditor's Report of Account with the County Treasurer in total amount of \$9,963,900.86 (Total amount of actual cash @ \$3,123.13, Wells Fargo Bank @ \$3,694.79, US Bank @ \$36,037.92, Dacotah Bank @ \$80,181.47, Petty Cash @ \$1,700.00, Fund Investments @ \$9,838,786.68, Outstanding Checks @ \$376.87). All members present voting aye. Motion carried.

LANDFILL CHANGE FUND:

Moved by Wiese, seconded by Hansen to increase the Brown County Landfill Change Fund from \$200.00 to \$300.00 for purpose of making change at the scale window. 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: Aberdeen Area Humane Society for lease of The Clubhouse of April 22, 2006 and October

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7, 2006; Aberdeen Home Builders Association for lease of the Expo Building on April 1 and 2, 2006. All members present voting aye. Motion carried.

SHERIFF DEPARTMENT ANNUAL REPORT:

Moved by Wiese, seconded by Hansen to accept Sheriff Department Annual Report for filing. All members present voting aye. Motion carried.

BID – LANDFILL LAND LEASE:

Time and place, as advertised to open, read and consider sealed bids for the lease of County owned land at the Landfill. Five bids were received.

Moved by Hansen, seconded by Wiese to award high bid, submitted by Chad Richardson in amount of \$87.50 per acre for lease of county owned land described as the NW ¼ of Sec 14-T123N-R65W of the 5th P.M., Brown County, SD for one year with two one-year options available; rejecting bids submitted by Bauer Farms @ \$85.50 per acre, Shawn Gengerke @ \$69.96 per acre, Tom Munger @ \$66.00 per acre, Jeff Voeller @ \$55.33 per acre. 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 in attendance. All members present voting aye. Motion carried.

The Chairman declared the executive session closed, with no action taken as a result of the discussion.

SURPLUS PROPERTY:

Moved by Wiese, seconded by Hansen to declare Decal #3283 1995 Ford Explorer from the Sheriff Department surplus for purpose of trade in. All members present voting aye. Motion carried.

Moved by Hansen, seconded by Wiese to declare Decal #1852 1992 Dodge 1-ton Pickup from the Highway Department surplus for purpose of sale. All members present voting aye. Motion carried.

BID – CULVERTS:

Moved by Wiese, seconded by Hansen to award low bid, submitted by Huron Culvert & Tank Company for furnishing and delivery of metal culverts and bridge material, as bid by Beadle County on January 10, 2006; rejecting bid submitted by Central Culvert Supply (full tabulation sheet available for public inspection at Auditor's Office). All members present voting aye. Motion carried.

BID – ROAD OIL:

Moved by Wiese, seconded by Hansen to award low bid, submitted by Flint Hills Resources for furnishing and delivery of MC-3000 Road Oil, as bid by Aberdeen City on January 30, 2006 (full tabulation sheet available for public inspection at Auditor's Office). All members present voting aye. Motion carried.

EXECUTIVE SESSION:

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

The Chairman declared the executive session closed, with no action taken as a result of the discussion.

HIGHWAY UPDATE:

Dirk Rogers, Highway Superintendent discussed Bridge #11, Bridge #172 and overpayment on diesel fuel. Moved by Wiese, seconded by Hansen to authorize advertising three vacant positions at the Highway Department. All members present voting aye. Motion carried.

EXECUTIVE SESSION:

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

The Chairman declared the executive session closed, with no action taken as a result of the discussion.

RECESS:

The Chairman declared the Commission recessed until February 14, 2006.

Maxine Taylor – Brown County Auditor

FEBRUARY 14, 2006 – GENERAL MEETING

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

MINUTES:

Moved by Hansen, seconded by Wiese to approve the General Meeting minutes of February 7, 2006. All members present voting aye. Motion carried.

CLAIMS:

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

Supplies: Office Equip..\$128.52, New Trends..\$116.65, Central Supply..\$552.00, Dicks Westside..\$32.75, Dakota Electronics..\$1780.90, Hoven Auto..\$115.77, Parcel-Erickson..\$32.16, Midwest Alarms..\$60.00, Exhaust Pros..\$22.95, Duanes Amoco..\$41.40, Vantek..\$23.00, Quality Welding..\$22.77, Accurint..\$50.67, David Fair..\$9.52, Kesslers..\$302.89, HRS..\$5076.57, Safety Service..\$443.55, Quality Welding..\$35.96, Praxair..\$30.02, Northern Plains Land Services..\$1289.00, North Central Farmers Elev..\$15,960.80, Midwest Pump & Tank..\$17.56, Lust Chev..\$17.17, Kens Alignment..\$322.95, Highway Equip Co..\$642.66, Howes Oil..\$14,251.50, Hedahls..\$12.29, Fastenal..\$129.90, Farm Plan..\$19.44, Evergreen Supply..\$173.55, JD Evans..\$14,900.00, Violet Dinger..\$25,052.00, Dakota Fluid Power..\$798.57, Carquest..\$2463.25, Ameripride..\$76.43, Advanced Auto..\$33.88, Lora Schaunaman..\$249.18, McGarry Elec..\$41.83, Aberdeen Artz Council..\$149.63, Glas Consulting..\$50.00, Mike Hassebroek..\$28.07, Heiman Fire Equip..\$1210.60, Clareys Safety Equip..\$1250.03, Mallory Headsets..\$240.50, Walmart..\$40.94, Racom..\$40.00, Golden West..\$18,559.56, American Stamp..\$192.78, Best Business..\$175.28, HSBC..\$413.79, Galls..\$96.37, US Post Office..\$72.00, Service Signs..\$260.10, Pierson Ford..\$118.74, Earth Tech..\$5111.94, Crescent Elec..\$60.33, Gardner Locksmith..\$25.00, Aberdeen Plumbing..\$119.09, Lar-Jos..\$462.50:

Publications: American News..\$518.96:

Professional Fees: witness fees..\$40.00, Avera St Lukes..\$545.69, Dakota Imaging..\$13.88, Dr John Carrels..\$30.75, Harlow Orthopedics..\$97.30, Lewis & Clark BHS..\$780.00, Donna Dietrich..\$255.98, Cathy Reh fuss..\$30.00, Nelva Kooistra..\$30.00, Lutheran Social Services..\$27,523.96:

Transcriptions: Michelle Gaikowski..\$51.00, Kristi Kost..\$30.00:

Travel: Nancy Hansen..\$101.12, Mike Wiese..\$8.32, Jim Payne..\$43.84, Mark McNeary..\$322.38, Janice Moore..\$91.52, Mark Milbrandt..\$287.00, Extension Service..\$85.87, Alicia Dohn..\$279.00, Nancy Radke..\$505.56, Kevin Spitzer..\$17.60:

Court Appointed Attorney: Kabeiseman & Pollard..\$156.80:

Utilities: FSH..\$55.00, Qwest..\$400.76, Northwestern Energy..\$9176.96, Northern Elec..\$983.94, Northern Wireless..\$60.90:

Care of Poor: Rent – 4 recipients..Larry Kumpf..\$200.00, Burgard Investments..\$140.00, Danne..\$220.00, Ann Storm..\$260.00; Dr/Hospital – 4 recipients..Avera St Lukes..\$14,262.74, Avera McKennan..\$5643.37; Transportation - 1 recipient..Emergency Poor Fund..\$37.06; Medication – 2 recipients..Kessler Pharm..\$577.67. All members present voting aye. Motion carried.

PERSONNEL:

Moved by Hansen, seconded by Wiese to approve employee status change for Julie Hermansen from part-time Home Detention Officer to a part-time JDC Officer, effective February 26, 2006 at \$9.37 per hour. All members present voting aye. Motion carried.

Moved by Hansen, seconded by Fischbach to approve hiring William Antonides as guard for purpose of prisoner transport. All members present voting aye. Motion carried.

Moved by Fischbach, seconded by Hansen to approve hiring JoAnn Sheffield in the Treasurer's Office, effective March 1, 2006 at \$10.37 per hour. All members present voting aye. Motion carried.

AGREEMENTS:

Moved by Hansen, seconded by Fischbach to approve and authorize the Chairman sign the following addendums to the contract with Adamsoft Inc, dated June 17, 2003 (Assessors Office Programming): Addendum #1 – increase scope of contract to include registered mobile homes @ \$4,500.00, security @ \$2,500.00, building permits @ \$2,500.00; and Addendum #2 – amend #2 section b in regard to the software source code. All members present voting aye. Motion carried.

Moved by Hansen, seconded by Fischbach to approve and authorize the Chairman sign agreement with Adamsoft Inc for taxation software development for the Treasurers Office and Auditors Office in amount not to exceed \$35,000.00. All members present voting aye. Motion carried.

EXECUTIVE SESSION:

Moved by Hansen, seconded by Wiese to go into executive session for personnel discussion with Bill Meink and Freddie Robinson in attendance. All members present voting aye. Motion carried.

The Chairman declared the executive session closed, with no action taken as a result of the discussion.

EM REVIEW:

Freddie Robinson, EM Director reviewed the precautions and steps taken to solve the medical emergency from the wrestling tournament and explained how a broken halogen light had caused numerous spectators to receive different levels of sunburn.

EXECUTIVE SESSIONS:

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

The Chairman declared the executive session closed, with no action taken as a result of the discussion.

Moved by Hansen, seconded by Fischbach to go into executive session for personnel and possible litigation discussion with Mark McNeary in attendance. All members present voting aye. Motion carried.

The Chairman declared the executive session closed, with no action taken as a result of the discussion.

ALCOHOL COMMITMENTS:

States Attorney Mark McNeary explained SDCL 34-20A-70.1, as it relates to when the County can be reimbursed for attorney fees paid on behalf of the petitioner in an involuntary alcohol commitment case.

RECESS:

The Chairman declared the Commission recessed until February 21, 2006.

Maxine Taylor – Brown County Auditor

FEBRUARY 21, 2006 – GENERAL MEETING

Meeting called to order by Chairman Knecht at 8:45 A.M. in the Commissioner's Chambers, Courthouse Annex, Brown County, SD. Present were Commissioners Hansen, Fischbach, Feickert and Wiese. The Commission welcomed participants in American Legion County Government Day from Warner High School and Groton High School.

MINUTES:

Moved by Hansen, seconded by Fischbach to approve the General Meeting minutes of February 14, 2006. All members present voting aye. Motion carried.

CLAIMS:

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

Payroll: Commissioners..\$2,779.85; Auditor..\$6,753.74; Treasurer..\$8,158.27; Data Processing..\$1,734.93, State's Attorney..\$12,243.10; Maintenance..\$5,486.06; Assessor..\$8,304.63; Planning & Zoning..\$604.00; Register of Deeds..\$5,185.03; Veterans Service Office..\$2,495.47; GIS..\$1,738.47; Sheriff..\$61,101.78; DOJ Grant..\$3,552.00; Communications..\$14,875.64; Welfare Office..\$2,827.87; Museum..\$4,982.04; Fairboard..\$1,436.77; Fairgrounds & Parks..\$3,354.32; Extension..\$1,772.00; Weed..\$145.31; Emergency Management..\$2,977.99; Weed and Seed..\$1,113.47; Coroner..\$1200.00; Highway..\$31,207.74; Landfill..\$6,671.79; Matching Benefits: FICA..\$11,297.62, Medicare..\$2,642.22, Wellmark BCBS Life..\$682.46, Wellmark BCBS Health..\$54,677.90, Delta Dental..\$4,131.00, SD State Retirement..\$23,405.36:

Supplies: Steve Fredrickson..\$80.00, Quality Quick Print..\$67.40, HSBC..\$343.49, Central Supply..\$365.20, House of Glass..\$187.20, Malchows..\$3650.00, Brick Propane..\$16.50, Ameripride..\$37.30, RE Huffman..\$21.24, Lar-Jos..\$243.00, Office Equip..\$62.00, New Trends..\$227.10, NECOG..\$2169.65, Brown County..\$3112.68, Salvation Army..\$2609.40, Catholic School System..\$740.00, Amoco..\$54.44, Earthgrains..\$555.74, Bob Barker..\$447.52, Phillips 66..\$178.30, DT Pharmacy..\$1798.06, Safety Service..\$667.44, Radio Shack..\$39.98, Best Business..\$184.91, Eddie's Northside..\$31.45, JC Penney..\$29.99, Photo Xpress..\$10.33, Bonnie Bitz..\$72.00, Racom..\$180.00, Lust Chev..\$37.70, Tri-State Water..\$42.35, Volk Upholstery..\$120.00, 3D Specialties..\$2319.30, Division of Motor Vehicles..\$13.00, SDACHS..\$65.00, Safelite Autoglass..\$49.95, Lawson Products..\$14.16, JD Evans..\$3130.00, Energy Alliance..\$1182.26, Eaton Elec..\$1689.34, Corporate Express..\$28.75, Brock White..\$1297.30, Brian Bourdon..\$75.00, Dakota Supply Group..\$202.16, Kens Alignment..\$206.04, Runnings..\$4.99, Macs..\$10.50, Priority Dispatch..\$620.00, Language Line..\$14.00, Bricks TV..\$88.00, New Deal Tire..\$908.50, Wallwork Trucks..\$82,904.00, Farm Power..\$4464.00:

Publications: American News..\$273.11, Dakota Press..\$1060.32, Groton Independent..\$457.63:

Professional Fees: NEMHC..\$321.86, Career Planning..\$607.75, Behavioral Intervention..\$164.03:

Transcriptions: Richard Neal..\$72.20, Sara VanDe Walle..\$350.00, Michelle Gaikowski..\$234.60:

Travel: Richard Schaible..\$500.00, Mike Scott..\$339.67:

Utilities: Dependable Sanitation..\$371.00, Verizon..\$152.16, Wireless World..\$275.74, Northwestern Energy..\$2781.74, Northern Elec..\$194.42, City of Hecla..\$101.19, FSH Communications..\$110.00, Qwest..\$1556.15, Bureau of Admin..\$561.55, Cellular One..\$87.03:

Care of Poor: Rent – 2 recipients..Kurt Kruger..\$133.00, Plains Commerce Bank..\$220.00;

Dr/Hospital – 2 recipients..Avera St Lukes..\$5952.85. All members present voting aye. Motion carried.

PERSONNEL:

Moved by Fischbach, seconded by Wiese to approve the following employee step increases, effective February 26, 2006: Jessi Mather @ \$10.58 per hour, Margaret Unser @ \$11.08 per hour, Jan Weismantel @ \$14.11 per hour. All members present voting aye. Motion carried.

Moved by Feickert, seconded by Wiese to amend resignation date of Christine Heidenreich from February 3, 2006 to March 2, 2006. All members present voting aye. Motion carried.

Moved by Wiese, seconded by Hansen to approve hiring Chris Stucke as Computer Support Specialist, effective March 1, 2006 at \$14.50 per hour. All members present voting aye. Motion carried.

Moved by Wiese, seconded by Fischbach to approve office transfer for Kimberly Droog, effective March 6, 2006 from the Auditor's Office to the Register of Deeds Office. All members present voting aye. Motion carried.

Moved by Wiese, seconded by Hansen to approve hiring James Davis as part-time Corrections Officer, effective March 2, 2006 at \$9.37 per hour. All members present voting aye. Motion carried.

Moved by Wiese, seconded by Feickert to approve hiring William Moon, Labor Grade 3 Traffic Control/Office Support at the Highway, effective February 22, 2006 at \$11.09 per hour and approve hiring Roy Hedges, Labor Grade 3 Truck Driver/Medium at the Highway, effective February 27, 2006 @ \$11.09 per hour. All members present voting aye. Motion carried.

SURPLUS PROPERTY:

Moved by Feickert, seconded by Wiese to declare Decal #4057 1990 Kenworth Truck surplus for purpose of trade-in from the Landfill. All members present voting aye. Motion carried.

POOR RELIEF:

Commissioner Wiese offered the following Resolution:

RESOLUTION NO. 6-06

WHEREAS, Brown County has filed a Poor Relief Lien in total amount of \$251.73, and

WHEREAS, Brown County has determined it to be in the best interest of the taxpayers of Brown County to accept certain property as full payment of such lien.

NOW, THEREFORE BE IT RESOLVED that Brown County shall receive and accept certain property as full payment of lien in amount of \$251.73.

Dated this 21st day of February 2006.

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

CANCEL CHECKS:

Moved by Hansen, seconded by Fischbach to cancel the following outstanding checks, effective February 21, 2006: Dacotah Bank: #66194 @ \$11.28 David Bucklin, #66216 @ \$11.92 Stanley Keife, #67822 @ \$1.78 Jason Stoltenburg, #69022 @ \$11.28 Luree Livermont, #12989 @ \$1.00 Kevin Anderson, #13018 @ \$4.57 Margaret Blader, #13143 @ \$23.00 Tanya Olson Ruby. All members present voting aye. Motion carried.

BID – JAIL PHASE II:

Moved by Feickert, seconded by Wiese to authorize advertising public hearing to open, read and consider bids for labor and material required for the Phase II Addition and Remodeling to Brown County Jail Building, to be held at 8:45 A.M., March 21, 2006 in the Commission Chambers, Courthouse Annex, Brown County, SD. All members present voting aye. Motion carried.

WEED AND SEED:

Moved by Wiese, seconded by Hansen to approve the Brown County Weed and Seed Monthly Expenses for February 2006 (Year Four 2005-WS-Q5-0089), in amount of \$8,122.74. All members present voting aye. Motion carried.

ABATEMENTS:

Moved by Wiese, seconded by Feickert to approve and authorize the Chairman sign the following Abatements: Jill Hanley, fire damage (E 45' Lt 1-2 Lincolns Rpl of Lt 7-8 Blk 51 2nd Addn Abdn) for 2005 @ \$460.93; Ronald Droog, discretionary formula (Lt 11 Bk C Droog 1st SD S ½ 22-123-64) for 2005 @ \$516.15; BNSF Railroad, Tax Credit (centrally assessed) for 2005 @ \$76,131.37; DM&E Railroad, Tax Credit (centrally assessed) for 2005 @ \$352.50. All members present voting aye. Motion carried.

LEASE ADDENDUM:

Moved by Wiese, seconded by Feickert to amend agreement for lease of the Expo Building by Aberdeen Home Builders Home Show to include permission to serve alcoholic beverages and permit consumption on County property, upon condition no alcoholic beverages are sold or served contrary to law. All members present voting aye. Motion carried.

TEEN COURT:

Bonnie Siebrecht, Tabitha Moore, Tom Schmitt, Judge Lyle VonWald, Mark McNeary, Mike Brumbaugh, Randy Majeske and Mike Olson met with the Commission to encourage county funding for the Teen Court Program. The Commission indicated all efforts will be made to continue the program with additional assistance from other funding sources.

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 and Pest Board for 2006. Moved by Feickert, seconded by Wiese to award bid, submitted by VanDiest Supply Company, McCook, NE in total amount of \$91,363.45; rejecting bid submitted by Hefty Seed, Aberdeen in total amount of \$92,647.68. All members present voting aye. Motion carried.

BRIDGE DELETION:

Commissioner Wiese offered the following Resolution:

**RESOLUTION NO. 7-06
FEDERAL AID SURFACE TRANSPORTATION PROGRAM DELETE RESOLUTION
FOR COUNTY AND URBAN PROJECTS**

Whereas, Brown County wishes to delete the referenced project from the Statewide Transportation Improvement Program (STIP):

LOCATION AND LENGTH:

BRF 6254(8), Brown County, PCN H068. Structure #07-358-300 (Bridge #324) located 3 mi. N and 5.8 mi. E of Groton over a creek.

NOW THEREFORE BE IT RESOLVED:

That the South Dakota Department of Transportation be and hereby is authorized and requested to withdraw from the STIP that project described above.

Dated at Aberdeen, SD, this 21st day of February 2006.

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

EXECUTIVE SESSION:

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

The Chairman declared the executive session closed, with not action taken as a result of the discussion.

SEASONAL LOAD RESTRICTIONS:

Moved by Hansen, seconded by Wiese to approve the following seasonal load restrictions for 2006: The Brown County Highway Department seasonal load restrictions will go into effect Wednesday, March 1, 2006, 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 Asphalt Roads will be posted at 6-tons per axle 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 #4 from 24th Ave 1 mile to County Road #13.
 Road #10 from Road #13 (Prairiewood Road) south 1.0 mile to Road #15.
 Road #10 from Road #19 (Melgaard Road) south 0.5 miles to the Livestock Sale Barn.
 Road #12 from 24th Ave NE 1 mile to County Road #13.
 Road #12W (US Highway #281) west 2.3 miles to County Road #19.
 Road #12WA north 1.0 mile.
 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 mile to County Road #10.
 Road #15 from the West end of Wylie Park - west 0.5 miles.
 Road #17 (8th Ave NE) from Road #19 east 1.0 mile to Road #14.
 Road #19 starting 0.3 miles east of US Highway #281, thence east 0.7 mile to Road #10.
 Road #19 from the Jct of Road #19 and Road #17 (8th Ave NE) north 1.0 mile 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 mile to Barnard and Road #10.
 Road #9 from US Highway #281 east 1.0 mile 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 mile to Warner and Road #10.

Road #16C from the town of Stratford north 1.0 mile 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.

RECESS:

The Chairman declared the Commission recessed until February 28, 2006.

Maxine Taylor – Brown County Auditor

FEBRUARY 28, 2006 – GENERAL MEETING

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

MINUTES:

Moved by Wiese, seconded by Feickert to approve the General Meeting minutes of February 21, 2006. All members present voting aye. Motion carried.

CLAIMS:

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

Supplies: American Stamp..\$192.77, Nelson Sales..\$139.20, Youngs..\$172.76, GIS Workshop..\$3400.00, Best Business..\$168.48, Vantek..\$23.00, SD Human Service Center..\$75.45, Medical Waste..\$87.80, Shopko..\$12.99, Office Equip..\$203.80, Quality Welding..\$147.62, Dept of Revenue..\$87.00, SD Division of Motor Vehicles..\$26.00, S&S Lumber..\$1615.02, SD Public Assurance Alliance..\$50.00, Lawson Products..\$115.25, Farm Power..\$2152.52, Erdmann Fuels..\$8147.20, Creative Signs..\$85.00, NADRIC..\$1666.67, Yankton County..\$691.35, Minnehaha County..\$112.50, Runnings..\$15.83, Brick Propane..\$41.00, Dakota Supply Group..\$38.93, Evergreen Supply..\$38.70, House of Glass..\$138.49, Fordham Signs..\$144.08, Midwest Alarms..\$51.50, Northern State University..\$130.64, Kleins..\$79.22, Century Business..\$70.00, State WNV Conf..\$30.00, Walmart..\$16.30, Taylor Laundry..\$27.00:

Publications: Groton Indep..\$111.30:

Professional Fees: Adamsoft..\$17500.00, LCM Pathologists..\$4174.17, Dakota Imaging..\$232.00, Avera St Lukes..\$795.57, Eide Bailly..\$288.00, Thomas Price..\$1800.00, Travis Sexton..\$155.92, Beth Smith..\$1225.00, Brian Koens..\$500.00:

Transcriptions: Richard Neal..\$625.60:

Travel: City of Groton..\$18.88, Roger Johnson..\$279.44, Mary Browning..\$90.00, Melony Flinn..\$507.44, Dennis Feickert..\$264.08, Leo Leshner..\$69.44:

Court Appointed Attorney: Christy Serr..\$4166.67, Randy Turner..\$4166.67, Wm Gerdes..\$4166.67, Kuck Law Office..\$4640.35, Kelly Marnette..\$4166.67, Kettering Law Office..\$236.00:

Jury: Travis Anderson..\$11.28, Lori Bauer..\$575.36, Nicholas Bierman..\$13.20, Olive Eldevik..\$704.80, John Godfrey..\$677.92, Harley Hall..\$11.28, Roger Heupel..\$677.92, Polly Hooks..\$13.20, Arlan Jerke..\$626.64, Donna Krein..\$626.64, Jeanette Labelle..\$267.68, Kara Lamport..\$524.08, Carol Misfeldt..\$267.68, Terry Riedl..\$652.00, Francis Weigel..\$11.28, Atlas Wendt..\$11.28:

Utilities: Cellular One..\$983.94, Midcontinent Cable..\$137.67, Scott Madsen..\$17.82, Northwestern Energy..\$693.31, Montana Dakota..\$39.60, Qwest..\$4447.47, Northern Elec..\$100.00:

Care of Poor: Rent – 3 recipients..Jeff Joachim..\$200.00, Dale Bain..\$150.00, The Meadows..\$200.00; Dr/Hospital – 2 recipients..Dakota Imaging..\$23.52, Aberdeen Surgical Assoc..\$779.39; Burial – 1 recipient..City of Aberdeen..\$400.00; Utilities –1 recipient..NWPS..\$183.40. All members present voting aye. Motion carried.

ABATEMENTS:

Moved by Feickert, seconded by Wiese to approve the following Abatements: Four Squared Properties LLC, discretionary formula (Lt 1 Blk 2 Jones Commercial Park Subd SE 16-123-63) for 2005 @ \$8,094.80; St Mary's Church, tax exempt (Lt 22 Blk 38 H & L Addn) for 2005 @ \$112.66; 2005 BID assessments, tax exempt/private dwelling: US Post Office @ \$1,800.00, USA GSA @ \$3,600.00, Knights of Columbus @ \$312.00, Gregory Sander @ \$505.52, Barbara Finley @ \$255.60, Roy James Fry @ \$300.00. All members present voting aye. Motion carried.

INCREASE SPENDING AUTHORITY/ESTIMATED REVENUE:

257

Moved by Wiese, seconded by Hansen to increase spending authority in Fund #101-211-426 and estimated revenue in Fund #101-373.01 in amount of \$4,175.46. All members present voting aye. Motion carried.

SHERIFF REPORTS:

Moved by Wiese, seconded by Feickert to approve the following January 2006 Sheriff Reports: Incidents & Offenses, Prisoner Care, JDC, Money deposited with the County Treasurer and Monthly activities. All members present voting aye. Motion carried.

LANDFILL ANNUAL REPORT:

Mike Scott, Landfill Manager presented the 2005 Brown County Landfill Annual Report and discussed future projects with cost estimates.

LANDFILL SPRING RESIDENTIAL CLEANUP:

Moved by Hansen, seconded by Wiese to approve waiving fees on all material types from Residential Users Only during the Spring Residential Cleanup at the Brown County Landfill, to be held from April 28 thru June 3, 2006. No free waste will be accepted from Commercial Contractors or Businesses (including mobile homes). All members present voting aye. Motion carried.

LANDFILL CONTRACTS:

Moved by Wiese, seconded by Fischbach to approve and authorize the Chairman to sign agreement with Minnesota Valley Testing Laboratories, Inc. (Earth Tech) to provide 2006 Monitoring services for the Brown County Landfill at estimated cost of \$13,723.40. All members present voting aye. Motion carried.

BID – HOT MIX:

Time and place, as advertised to open, read and consider bids for furnishing and delivery of one-year supply of hot mix. Bids were received from Lien Transportation, Aberdeen and Aberdeen Asphalt, Aberdeen. Moved by Feickert, seconded by Wiese to refer all bids to Dirk Rogers, 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-year supply of road construction and maintenance gravel materials. Bids were received from HF Jacobs & Son Construction Inc, Aberdeen; Hanlon Brothers, Verdon; Lien Transportation, Aberdeen; Jensen Rock & Sand Inc, Mobridge; Trins Construction, Aberdeen, Fred Ludwig, Aberdeen. Moved by Fischbach, seconded by Feickert to refer all bids to Dirk Rogers, 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 Rental Services of Gravel Trucks and Road Machinery for construction and maintenance repairs on Brown County Road Projects for year 2006. Bids were received from Aberdeen Asphalt, Inc, Aberdeen; Lien Transportation, Aberdeen; HF Jacobs & Son Construction, Aberdeen; Slight Construction, Hecla; Kevin Bourdon, Aberdeen; Hanlon Brothers, Verdon; Howell Trucking, Aberdeen; Fred Ludwig Trucking, Aberdeen; Dabbert Trucking Inc, Aberdeen; Herb Dabbert Trucking, Aberdeen; Hollaway Construction, Mitchell; Cass Trucking, Redfield; Odland Construction & Gravel, Redfield; David Gardner Trucking, Mina; Eugene Dennert Trucking, Columbia, Winburn Construction, Houghton, Upper Plains Contracting, Aberdeen. Moved by Feickert, seconded by Wiese to refer all bids to Dirk Rogers, Highway Superintendent for review and recommendation. All members present voting aye. Motion carried.

EMPLOYEE DISCUSSION:

Fran Bosch, part-time Weed Sprayer met with the Commission to discuss confusion about not being offered full-time employment at the Highway Department after the 2005 weed spraying season.

STRIPING AGREEMENT:

Moved by Feickert, seconded by Wiese to approve and authorize the Chairman to sign agreement with the SD DOT for the striping of county roads within Brown County and provide for their continuing maintenance. All members present voting aye. Motion carried.

BRIDGE RE-INSPECTION:

Commissioner Wiese offered the following Resolution:

**RESOLUTION NO. 8-06
BRIDGE REINSPECTION FOR USE WITH SDDOT RETAINER CONTRACTS**

WHEREAS, Title 23, Section 151, United States Code and Title 23, Part 650, Subpart C, Code of Federal Regulations, requires initial inspection of all bridges and re-inspection at intervals not to exceed two years with the exception of reinforced concrete box culverts that meet specific criteria. These culverts are re-inspected at intervals not to exceed four 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 for the inspection work. SDDOT will secure federal approvals, make payments to the Consulting Engineer for inspection services rendered, and bill the county for 20% of the cost. Brown County will be responsible for the required 20% matching funds.

There are a total of 103 bridges in Brown County that require inspection.

Dated this 28th day of February 2006, at Aberdeen, SD.

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

ASSESSMENT DISCUSSION:

Mary Worlie and Leo Leshner presented question for future review in regard to the property classification of grain bins, which are located within a municipality.

EVENT CENTER:

Beth Smith presented the completed contract for a feasibility study in regard to the Brown County Event Center. No action was taken at this time.

RECESS:

Vice-Chairman Fischbach declared the Commission recessed until March 7, 2006.

Maxine Taylor – Brown County Auditor

MARCH 7, 2006 – GENERAL MEETING

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

MINUTES:

Moved by Feickert, seconded by Fischbach to approve the General Meeting minutes of February 28, 2006. All members present voting aye. Motion carried.

CLAIMS:

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

Payroll: Commissioners..\$2,779.85; Auditor..\$6,753.74; Treasurer..\$8,206.48; Data Processing..\$1,734.93; State's Attorney..\$12,190.36; Maintenance..\$5,464.61; Assessor..\$8,330.81; Planning & Zoning..\$671.95; Register of Deeds..\$3,910.14; Veterans Service Office..\$2,567.48; GIS..\$1,738.47; Sheriff..\$62,122.11; DOJ Grant..\$3,552.00; Communications..\$15,400.90; Welfare Office..\$2,827.87; Museum..\$4,982.04; Fairgrounds & Parks..\$3,354.32; Fairboard..\$1,436.77; Extension..\$1,772.00; Weed..\$607.66; Emergency Management..\$2,973.16; Weed and Seed Grant..\$1,113.47; Highway..\$30,678.88; Landfill..\$6,855.80; Matching Benefits: FICA..\$11,273.77; Medicare..\$2,636.60:

Supplies: CMRS-FP..\$5000.00, Dept of Rev..\$1881.00, Exec Mgmt..\$2155.93, Cunningham Elec..\$43.04, Aberdeen Plumbing..\$192.81, Best Business..\$89.02, Intoximeters..\$102.00, Parcel Erickson..\$252.49, Walmart..\$570.79, FedEx..\$21.96, Safety Service..\$72.19, Exhaust Pros..\$22.95, Forensic Consultants..\$197.75, Evercom..\$1900.00, Racom..\$180.00, Hoven Auto..\$19.39, Indoff..\$459.85, Bridgestone Firestone..\$307.50, Crawford Trucks..\$3478.10, Butler Machinery..\$18039.53, Share Corp..\$361.50, Outlaw Graphics..\$120.00, North Central Rental..\$5503.00, Newman Signs..\$3299.87, Midwest Pump & Tank..\$45.17, Menards..\$269.26, Macs..\$41.61, Lyle Signs..\$238.01, James Loterbauer..\$198.00, House of Glass..\$48.63, Helms & Assoc..\$4667.50, Great Western Tire..\$2122.64, Graham Tire..\$198.80, Erdmann Fuels..\$13125.04, Diesel Machinery..\$4233.76, Cunningham Elec..\$2010.04, Dakota Supply..\$2313.31, Sherwin Williams..\$41.13, UBC..\$45.85, Quality Quick Print..\$359.61, Dacotah Prairie Museum..\$9.60, Glacial Lakes..\$210.00, Sue Gates..\$28.94, Lora Schaunaman..\$26.38, Glas Consulting..\$225.00, Creative Signs..\$75.00, Office Equip..\$507.38, American Quilters Society..\$81.56, CDW Govt..\$73.81, Extension Service..\$175.15, Dakota Electronics..\$228.30, Metro Fire..\$1095.46, IAFE..\$675.00, McLeods..\$918.05, Runnings..\$1056.50, Freys Electronics..\$529.90, GeniusWeb..\$29.97, MVTL Lab..\$631.90, SD Dept of Rev..\$2485.27, Graham Tire..\$45.20, Power Plan..\$1304.13, Wallwork Truck Center..\$42.08, Praxair..\$16.45, Sheehan Mack Sales..\$9.98, Petroleum Partners..\$1116.00, Olympic Sales..\$1420.00, Hedahls..\$119.15, Golden West..\$455.00, Racom..\$40.00, Ginger Walker..\$37.71:

Publications: American News..\$964.43:

Professional Fees: Dawn Woods..\$603.00, Northern Plains Land Services..\$522.00, Avera St Lukes..\$440.00, Aberdeen City..\$10,738.90:

Transcriptions: Tammy Erickson..\$62.70:

Travel: Mike Wiese..\$7.68, Roxy Schumacher..\$500.00, Nyle Jensen..\$9.00, Mike Scott..\$9.00:

Court Appointed Attorney: Kuck Law Office..\$77.94:

Utilities: City of Aberdeen..\$1402.01, Northwestern Energy..\$8150.08, Qwest..\$72.87, Midcontinent Cable..\$135.42, Northern Valley..\$168.27, James Valley..\$149.45, Town of Frederick..\$28.25, WEB..\$90.70, Cellular One..\$70.88, Dependable Sanitation..\$13,746.82:

Care of Poor: Rent – 2 recipients.. Rockford Apts..\$200.00, Kusler Apts..\$240.00; Dr/Hospital – 7 recipients.. Dakota Imaging..\$177.95, Aberdeen Family Physicians..\$306.09, Avera St Lukes..\$667.88, North Central Heart..\$456.96, Northern Plains Foot..\$156.28; Insurance – 1 recipient..Dakotacare..\$766.29. All members present voting aye. Motion carried.

PERSONNEL:

Moved by Wiese, seconded by Feickert to approve the following employee step increases, effective March 12, 2006: Cindy Mitchell @ \$12.78 per hour, Markcus Selzler @ \$13.81 per hour, Carl Wright @ \$13.99 per hour, John Heidenreich @ \$11.43 per hour. All members present voting aye. Motion carried.

SET HEARING DATE:

Moved by Wiese, seconded by Fischbach to set public hearing for 5:30 p.m. on March 27, 2006 in the Aberdeen City Council Chambers, 123 S Lincoln Street for First Reading of the following: Ordinance No. 06-03-01/323, An Ordinance amending paragraph B of Section 7, Permits, fees and inspections, of Ordinance No. 1411 of the Ordinances of the City of Aberdeen; Ordinance No. 06-03-02/324, An Ordinance amending paragraph C of section 5, General regulations applicable to all districts of the Ordinances of the City of Aberdeen; Ordinance No. 06-03-03/325, An Ordinance amending Section 1206, Fees of the Ordinances of the City of Aberdeen; Ordinance No. 06-03-04/326, An Ordinance amending Section 1304, Appeals, hearing, and notice of the Ordinances of the City of Aberdeen, SD. All members present voting aye. Motion carried.

SCHOOL DISTRICT MINOR BOUNDARY CHANGE:

Commissioner Wiese offered the following Resolution:

RESOLUTION NO. 09-06

WHEREAS, Tom and Sheryl Fischbach have petitioned for the transfer of the SE ¼ Sec 13-T122N-R64W of the 5th P.M. and the NW ¼ of Sec 13-T122N-R64W of the 5th P.M., Brown County, South Dakota, from Warner School District 6-5 to Aberdeen School District 6-1; and the SE ¼ except OL A of Sec 23-T122N-R64W of the 5th P.M. and OL A of Sec 23-T122N-R64W of the 5th P.M., Brown County, South Dakota from Aberdeen School District 6-1 to Warner School District 6-5, and

WHEREAS, the boundary of the area to be transferred to Aberdeen School District 6-1 from Warner School District 6-5, and the area to be transferred to Warner School District 6-5 from Aberdeen School District 6-1 is coterminous at some point with the common boundaries of the Aberdeen and Warner School Districts, and

WHEREAS, the area to be taken from Warner School District 6-5, does not affect more than two percent (2%) of the assessed valuation of Warner School District 6-5, and the area to be taken from Aberdeen School District 6-1 does not affect more than two percent (2%) of Aberdeen School District 6-1, and

WHEREAS, the requested transfer has been signed by over fifty percent (50%) of the electors residing in the area to be transferred, and

WHEREAS, copies of the petitions calling for transfer has been delivered to the Brown County Commissioners, and

WHEREAS, a map of the area proposed for detachment and annexation has been prepared, said map comprising a portion of the district from which the area is to be detached and annexed respectively, and

WHEREAS, a certified statement by the Brown County Auditor, setting forth the assessed valuation of the respective area to be transferred, the total valuation of the School District from which the area is to be removed, and the amount of the bond indebtedness of judgements against the respective School Districts, is attached hereto, and be referenced thereto is made a part hereof, and,

WHEREAS, Warner School District 6-5 has approved the respective detachments described as the SE ¼ Sec 13-T122N-R64W of the 5th P.M. and the NW ¼ of Sec 13-T122N-R64W of the 5th P.M., Brown County, South Dakota and Aberdeen School District 6-1 has approved the respective detachments described as the SE ¼ except OL A of Sec 23-T122N-R64W of the 5th P.M. and OL A of Sec 23-T122N-R64W of the 5th P.M., Brown County South Dakota, and

WHEREAS, Warner School District 6-5 has approved the respective annexation described as the SE ¼ except OL A of Sec 23-T122N-R64W of the 5th P.M. and OL A of Sec 23-T122N-R64W of the 5th P.M., Brown County South Dakota and Aberdeen School District 6-1 has approved the respective annexation described as the SE ¼ Sec 13-T122N-R64W of the 5th P.M. and the NW ¼ of Sec 13-T122N-R64W of the 5th P.M., Brown County, South Dakota.

NOW, THEREFORE, IT IS THE ORDER OF THE BROWN COUNTY BOARD OF COMMISSIONERS:

1. That the SE ¼ Sec 13-T122N-R64W of the 5th P.M. and the NW ¼ of Sec 13-T122N-R64W of the 5th P.M., Brown County, South Dakota is detached from Warner School District 6-5 and annexed to Aberdeen School District 6-1 and the SE ¼ and the SE ¼ except OL A of Sec 23-T122N-R64W of the 5th P.M. and OL A of Sec 23-T122N-R64W of the 5th P.M., Brown County South Dakota is detached from Aberdeen School District 6-1 and annexed to Warner School District 6-5.
2. To be effective March 7, 2006.

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

AUDITORS REPORT OF ACCOUNT:

Moved by Hansen, seconded by Wiese to approve the February 2006 Auditor's Report of Account with the County Treasurer in total amount of \$9,154,025.64 (Total amount of actual cash @ \$3,123.13, Wells Fargo Bank @ \$3,694.79, US Bank @ \$142,656.64, Dacotah Bank @ \$26,800.61, Petty Cash @ \$1,800.00, Fund Investments @ \$8,975,573.60, Outstanding Checks @ \$376.87). All members present voting aye. Motion carried.

PLATS:

Commissioner Feickert offered the following Resolution:

RESOLUTION NO. 10-06

BE IT RESOLVED by the County Commission of Brown County, SD, that the plat showing "Clocksene Tract 1 in the SE¼ of the NE¼ of Sec 7-T122N-R60W 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 Fischbach. Roll call vote: Commissioners Hansen-aye, Fischbach-aye, Feickert-aye, Wiese-aye, Knecht-aye. Resolution adopted.

Commissioner Hansen offered the following Resolution:

RESOLUTION NO. 11-06

BE IT RESOLVED by the County Commission of Brown County, SD, that the plat showing "Monson Tract 1 in the W½ of the SW¼ of Sec 28-T122N-R60W 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 Hansen-aye, Fischbach-aye, Feickert-aye, Wiese-aye, Knecht-aye. Resolution adopted.

Commissioner Feickert offered the following Resolution:

RESOLUTION NO. 12-06

BE IT RESOLVED by the County Commission of Brown County, SD, that the plat showing "Himanga Tract 1 in the NE¼ of Sec 7-T127N-R62W 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 Fischbach. Roll call vote: Commissioners Hansen-aye, Fischbach-aye, Feickert-aye, Wiese-aye, Knecht-aye. Resolution adopted.

Commissioner Hansen offered the following Resolution:

RESOLUTION NO. 13-06

BE IT RESOLVED by the County Commission of Brown County, SD, that the plat showing "Bonzer Tract 1 in the NE¼ of Sec 25-T128N-R62W 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 Fischbach. Roll call vote: Commissioners Hansen-aye, Fischbach-aye, Feickert-aye, Wiese-aye, Knecht-aye. Resolution adopted.

ABATEMENTS:

Moved by Hansen, seconded by Feickert to approve the following abatements: John S Forseth, dike (Lt 5 Blk 3 Prairiewood) Curb for 2005 @ 150.00; Kerwyn Holsing, dike (Lt 10 Blk 3 Prairiewood) Curb for 2005 @ \$150.00; Daryl A Androli, dike (Lt 13 Blk 3 Prairiewood) Curb for 2005 @ \$150.00; Patrick M Coughlin, dike (Lt 14 Blk 3 Prairiewood) Curb for 2005 @ \$150.00, (Lt 15 Blk 3 Prairiewood) Curb for 2005 @ \$150.00, (Lt 16 Blk 3 Prairiewood) Curb for 2005 @ \$150.00, (Lt 17 Blk 3 Prairiewood) Curb for 2005 @ \$150.00; Chrisopher Lamont, owner/occupied (Lt 2 Christopher Addn to Aberdeen) for 2005 @ \$332.18; Adeline Brunsell, double assessment (BOLS 1990 Friendship MH) for 2005 @ \$364.29; Thomas Barber, double assessment (Lt 1 Barber 2nd Subd) for 2005 @ \$493.83; Carla Clark, home moved (BOLS 1993 Friendship MH) for year 2005 @ \$369.93. All members present voting aye. Motion carried.

SPECIAL MALT BEVERAGE HEARING:

Moved by Feickert, seconded by Wiese to authorize advertising a public hearing to be held in the Commissioners Chambers, Courthouse Annex, Brown County, SD on March 28, 2006 at 8:45 a.m. to consider the following application for a Special Malt Beverage License: Aberdeen Hockey Association, P.O. Box 515, Aberdeen, S.D. 57401 – Brown County Fairgrounds - SW ¼ Sec 1-T123N-R64W (Hockey Building-map indicating specific building on file with application), effective April 7, 8 & 9, 2006. All members present voting aye. Motion carried.

AGREEMENT:

Moved by Hansen, seconded by Feickert to approve and authorize the Chairman sign 2006 Emergency Management State and Local Agreement in amount not to exceed \$45,509.65 for essential county emergency management expenses, and further to provide 50% match for all funds received. All members present voting aye. Motion carried.

HOMELAND SECURITY:

Moved by Hansen, seconded by Wiese to approve and authorize the Chairman sign the following Homeland Security Grant Reimbursement Agreements: ODP FY 2004 Equipment Reallocation in amount of \$24,500.00; ODP FY 2004 Equipment Reallocation E&T in amount of \$39,355.00; and FY2004 Law Enforcement Terrorism Prevention Program (LETPP) in amount of \$16,450.00. All members present voting aye. Motion carried.

TEEN COURT FUNDING:

Aberdeen City Mayor Mike Levsen indicated the City would reimburse the County an amount not to exceed \$3,400.00 for continuation of the Teen Court Program. Moved by Wiese, seconded by Hansen to fund the Teen Court Program in amount not to exceed \$3,672.50, contingent upon receiving reimbursement from Aberdeen City in amount of \$3,400.00. All members present voting aye. Motion carried.

ANNUAL REPORTS:

Sue Gates, Director met with the Commission to present the Dacotah Prairie Museum 2005 Annual Report.

Dr. Art Buntin met with the Commission to present the Aberdeen/Brown County Landmarks Commission for Historic Preservation 2005 Annual Report.

Don Gise met with the Commission to present the Centennial Village 2005 Financial Report.

EXECUTIVE SESSION:

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

The Chairman declared the executive session adjourned, with the following action taken.

Moved by Hansen, seconded by Wiese to acknowledge the resignation of Kim Roberts, Assistant Communications Center Director, effective February 24, 2006. All members present voting aye. Motion carried.

BRIDGE NO. 11:

Moved by Feickert, seconded by Fischbach to approve and authorize the Chairman sign Letting Authorization, Right-of-Way Certificate, and Utilities Certificate for Project No. BRF 6178(5), Bridge No. 11. All members present voting aye. Motion carried.

BID AWARD – HOT MIX:

Moved by Hansen, seconded by Fischbach to award bid, submitted by Aberdeen Asphalt for Class "D" Type II (1/2 inch) in amount of \$36.30 per ton and for Class "D" Type I (3/4 inch) in amount of \$36.30 per ton; rejecting Lien Transportation Class "D" Type II (1/2 inch) @ \$40.60 per ton and Class "D" Type II (3/4 inch) @ \$39.60 per ton. All members present voting aye. Motion carried.

AWARD BID – RENTAL OF EQUIPMENT:

Moved by Hansen, seconded by Feickert to award the following bids for Rental of Equipment: Dump Trucks to Odland Construction, 17 ton @ \$47.00 per hour; Semi Trailer to Cass Trucking, 27-28 ton @ \$64.50 per hour; Semi Tractor/Trailer with Pup Trailer to Odland Construction, 39 ton @ \$75.00 per hour; Side Dumps to Jacobs Construction, 25 ton @ \$78.00 per hour; Dozer to Jacobs Construction, Cat D8K @ \$158.00 per hour; Paving Equipment to Aberdeen Asphalt @ \$240.00 per hour; Patching Equipment to Aberdeen Asphalt @ \$230.00 per hour; Crushing Equipment to Hanlon Brothers, ¾" @ \$1.70 per ton, 1" @ \$1.65 per ton; Milling Equipment to Upper Plains Contracting @ \$0.30 per sq yd.; Bridge Equipment to Hollaway Construction @ \$255.00 per hour. Complete 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.

AWARD BID – GRAVEL MATERIAL:

Moved by Feickert, seconded by Wiese to award bids on Gravel Material to low bidders of each type at each location, 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.

RECESS:

The Chairman declared the Commission recessed until March 14, 2006.

Maxine Taylor – Brown County Auditor

MARCH 14, 2006 – GENERAL MEETING

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

MINUTES:

Moved by Hansen, seconded by Wiese to approve the General Meeting minutes of March 7, 2006. All members present voting aye. Motion carried.

CLAIMS:

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

Supplies: Best Business..\$203.17, Office Equip..\$167.83, Parcel Erickson..\$65.00, New Trends..\$100.05, BP Amoco..\$35.83, Streichers..\$194.85, Fleet Mgmt..\$80.16, Duanes Amoco..\$27.80, Bonnie Bitz..\$96.00, Accurint..\$68.11, Aberdeen Chrysler..\$52.20, Kesslers..\$310.93, Lust..\$325.00, Dicks Westside..\$130.00, HRS..\$3770.11, Earthgrains..\$529.57, Quality Quick Print..\$279.90, Dakotas IAI..\$55.00, Medtox Diagnostic..\$250.89, Sentinel Scientific..\$57.44, Bob Barker..\$331.51, Aberdeen School..\$6.37, Tri-State Water..\$24.20, Inventory Trading..\$59.25, Wallwork..\$120.66, Sheehan Mack Sales..\$148.90, Safety Service..\$15,315.16, Runnings..\$85.94, Quality Welding..\$11.00, Praxair..\$113.96, Northland Chem..\$151.39, Michael Todd..\$327.61, Holland Auto..\$4.79, Hedahls..\$2.05, Habeck Radiator..\$148.00, Farm Plan..\$117.60, Evergreen Supply..\$321.49, JD Evans..\$51.08, Economy Propane..\$2923.20, Dakota Fluid Power..\$515.39, Clark Engineering..\$441.50, Ameripride..\$147.77, Advanced Auto..\$19.96, Runnings..\$235.27, K-Mart..\$25.88, Gardner Locksmith..\$20.00, Phillips 66..\$217.49, Am Assoc of Museums..\$200.00, Glacial Lakes..\$500.00, Sanders Sew 'N Vac..\$52.49, Ameripride..\$105.92, Menards..\$410.98, Evergreen Supply..\$25.10, Dakota Supply..\$23.90, APCO..\$124.00, Priority Dispatch..\$510.00, Indoff..\$240.00, New World System..\$1536.00, Kim Roberts..\$55.00, Golden West..\$28,347.16, Dakota Electronics..\$5310.45, Becky Berreth..\$27.88, Zoll Medical Corp..\$116.60, Specialty Mfg..\$5.76, HSBC Solutions..\$684.44, SWANA..\$150.00, Earth Tech..\$7190.92, Hewlett Packard..\$4325.00:

Publications: American News..\$242.52, Groton Indep..\$599.50:

Professional Fees: witness fees..\$40.00, American Musculoskeletal Wellness..\$167.60, Avera St Lukes..\$3754.52, Sheriff of Yankton County..\$16.50:

Travel: Jim Payne..\$78.08, Gene Loeschke..\$49.92, Holiday Inn Express..\$88.00, Larry Gerlach..\$18.00, Jessi Mather..\$18.00:

Court Appointed Attorney: John Billion..\$1877.86, Kennedy, Rokahr Pier & Knoff..\$124.80, Kabeiseman & Pollard..\$156.80:

Utilities: FSH Communications..\$55.00, Verizon..\$267.90, Qwest..\$775.89, City of Hecla..\$120.46, Northwestern Energy..\$9823.58, James Valley Telecommunications..\$216.33, Northern Elec..\$888.90, Northern Wireless..\$61.45:

Care of Poor: Rent – 2 recipients..Webb Shoe Co..\$157.00, Clinical Building..\$100.00; Dr/Hospital – 6 recipients..Avera St Lukes..\$18,954.40, OB/GYN..\$873.95, Phil Solum..\$86.37, Harlow Orthopedics..\$399.57, Anesthesia Care..\$103.00; Utilities – 3 recipient..NWPS..\$698.10; Medication - 6 recipients..Jones Drug..\$18.23, Kessler Pharm..\$328.43, K-Mart Pharm..\$60.25, Economy Pharm..\$150.00, Emergency Poor Fund..\$30.00. All members present voting aye. Motion carried.

PERSONNEL:

Moved by Wiese, seconded by Feickert to amend employment dates for Marcy Fritz, as follows: part-time nurse, effective February 11, 2006 @ \$15.87 per hour and full-time nurse, effective March 13, 2006 @ pro-rated annual salary of \$33,000.00. All members present voting aye. Motion carried.

Moved by Wiese, seconded by Fischbach to approve hiring Sharna Thomason as part-time employee at the Dacatah Prairie Museum, effective March 20, 2006 @ \$6.66 per hour. All members present voting aye. Motion carried.

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Moved by Fischbach, seconded by Wiese to approve hiring Becky Berreth, as part-time Emergency Management employee, effective March 13, 2006 at \$10.86 per hour. All members present voting aye. Motion carried.

Moved by Fischbach, seconded by Hansen to compensate Ginger Walker, EM Secretary an additional \$1000.00 per month with stipulation of no overtime, effective February 27, 2006, during absence of Freddie Robinson. All members present voting aye. Motion carried.

CONTRACTS:

Moved by Wiese, seconded by Feickert to authorize the Chairman sign contracts for material, supplies and rental of equipment bid for the Highway Department. All members present voting aye. Motion carried.

ABATEMENTS:

Moved by Feickert, seconded by Wiese to approve and authorize the Chairman sign the following Abatements: Aberdeen School District 6-1 (tax exempt) for year 2005 on Tax Bill #13240, SW @ \$15.00, BID @ \$92.48; #13242 BID @ \$92.48; #13244 BID @ \$84.00; #13245 BID @ \$200.00; #13247 BID @ \$624.80; #13249 BID @ \$7992.00; #13239 BID @ \$324.00; #13234 BID @ \$300.00; #13233 BID @ \$450.00; #13232 BID @ \$258.00; #13231 BID @ \$300.00; #13230 BID @ \$138.00; #13229 BID @ \$312.00; #13228 @ \$1758.00; #8853 BID @ \$1440.00. Robert Bitz, owner occupied (Lt 5-6 Blk 40 West Abdn) for 2005 @ \$316.85; Morgan Brockel, fire damage (Lts 959 & 960 Morning Heights Ext Addn) for 2005 @ \$152.83; Northwestern Corporation, centrally assessed (Lt 2 NWPS Aberdeen Gas Peaking Plant) for 2005 @ \$19.50; Thomas Bergan, building gone (BOLS Lt 1-6 Blk 6 Randall Addn Groton) for 2004 @ \$81.33, for 2005 @ \$83.65; Michael Wilson, double assessment (Lt 17-19 Blk 11 Westport) for 2005 SW @ \$65.00; Lena Cox, house gone (Lt 3-5 & balance Lt 6 James OL James) for 2005 SW @ \$65.00; William F Fry, incorrect percentage (Lt 8-9 Blk 91 Hagerty & Lloyd Addn) for 2005 Parking @ \$53.46. All members present voting aye. Motion carried.

PLANNING/ZONING BOARD:

Moved by Fischbach, seconded by Feickert to appoint Pat Hansen to 2nd term and Audrey Jacobson to 3rd term on the Brown County Planning & Zoning Board. Roll call vote: Commissioners Hansen-abstain, Fischbach-aye, Feickert-aye, Wiese-aye, Knecht-aye. Motion carried.

WAIVE SHERIFF FEES/CANEL CHECKS:

Moved by Fischbach, seconded by Feickert to waive the following Sheriff Fees: #06-01 @ \$429.50; and further cancel the following checks from the Sheriff Department: Ck #4269 @ \$1.00, Ck #4277 @ \$.70, Ck #4535 @ \$1.36. All members present voting aye. Motion carried.

FAIR CONTRACTS:

Moved by Hansen, seconded by Feickert to approve the entertainment contract for the 2006 Brown County Fair in total amount of \$115,000.00 (Neal McCoy on August 17, JoDee Messina on August 18, and Josh Gracin with Keith Anderson on August 19, 2006). All members present voting aye. Motion carried.

DISPARATE JURISDICTION GRANTS:

Moved by Wiese, seconded by Hansen to approve and authorize the Chairman sign Financial Form 269 for January through March 2003 (final report) for the US Department of Justice (Disparate Jurisdiction) Grant #2001-LB-BX-2411. All members present voting aye. Motion carried.

Moved by Wiese, seconded by Hansen to approve and authorize the Chairman sign Financial Form 269 for April through June 2005 (final report) for the US Department of Justice (Disparate Jurisdiction) Grant #2003-LB-BX-1657. All members present voting aye. Motion carried.

LANDFILL EPA AWARD:

U.S. E.P.A. Region 8 Administrator Robbie Roberts presented an Environmental Achievement Award to Brown County Landfill Manager Mike Scott. Landfill Office Manager Don Fischer and Equipment Operators Carl Wright, Nyle Jensen and Dennis VanHeerde were also in attendance. The E.P.A. Award recognizes the Brown County Landfill for significant achievements in the protection of public health and the environment.

ALCOHOLIC BEVERAGE TRANSFER HEARING:

Time and place, as advertised for public hearing to consider transfer of Alcoholic Beverage Licenses. Moved by Fischbach, seconded by Feickert to approve the following: Transfer Retail (On Sale) Liquor License from Ken Schumacher, DBA Bait Shop Bar & Grill to Larry Griffiths, DBA Griff's Place (N 218' of Lot A Replat of Evelo' Subd in NW ¼ of Sec 21-T123N-R64W of 5th P.M., Brown County South Dakota); and Transfer Retail (On-Sale) Malt Beverage License from Ken Schumacher, DBA Bait Shop Bar & Grill to Larry Griffiths, DBA Griff's Place (N 218' of Lot A Replat of Evelo' Subd in NW ¼ of Sec 21-T123N-R64W of 5th P.M., 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 Jeanette Nietert in attendance. All members present voting aye. Motion carried.

The Chairman declared the executive session closed, with no action taken as a result of the discussion.

PANDEMIC GRANT FUNDS:

Ginger Walker, EM and Merri Nelson, Department of Health discussed grant funding available for purpose of drafting a plan of action in case of a Flu Pandemic and requested permission to apply for the funding. The Commission concurred.

ORD 039 – SET HEARING:

Moved by Wiese, seconded by Feickert to set public hearing for 8:45 a.m. on April 11, 2006 in the Brown County Commission Chambers, 25 Market Street for First Reading of Ordinance No. 039, An Ordinance Amending Title 4, Second Revision Brown County Ordinances, as amended as to Chapter 4.07 – Mini-Ag District, Section 4.0705 – Minimum Lot Requirements. All members present voting aye. Motion carried.

CAMBRIA TOWNSHIP DRAINAGE:

Deliah Williams, Cambria Township resident and Kari Bartling, Attorney at Law met to discuss a drainage issue in Cambria Township. Kathy Fischer, Planning/Zoning and Leo Leshner, Field Appraiser will research and return with additional information.

HEALTH CENTER FEES:

Scott Kolb met to revisit request for employee memberships at the Health Center be paid by Brown County. The Commission denied request as not all employees are members and there is no insurance premium discount for employees who are members.

RECESS:

The Chairman declared the Commission recessed until March 21, 2006.

Maxine Taylor – Brown County Auditor

MARCH 21, 2006 – GENERAL MEETING

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

MINUTES:

Moved by Hansen, seconded by Feickert to approve the General Meeting minutes of March 14, 2006. All members present voting aye. Motion carried.

CLAIMS:

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

Payroll: Commissioners..\$2,779.85; Auditor..\$6,417.30; Treasurer..\$8,614.77; Data Processing..\$2,604.93; State's Attorney..\$12,243.10; Maintenance..\$5,464.49; Assessor..\$8,600.09; Planning & Zoning..\$604.00; Register of Deeds..\$4,333.34; Veterans Service Office..\$2,563.69; GIS..\$1,738.47; Sheriff..\$61,006.55; DOJ Grant..\$3,626.30; Communications..\$13,549.62; Welfare Office..\$2,827.87; Museum..\$4,982.04; Fairgrounds & Parks..\$3,354.32; Fairboard..\$1,445.17; Extension..\$1,772.00; Emergency Management..\$3,031.12; Weed and Seed Grant..\$1,113.47; Coroner..\$450.00; Highway..\$34,368.66; Landfill..\$6,835.29; Matching Benefits: FICA..\$11,416.45; Medicare..\$2,669.94;

Supplies: Quality Quick Print..\$1844.55, Office Equip..\$89.46, New Trends..\$258.96, Office Max..\$1358.24, DT Pharm..\$2942.52, Best Business..\$184.91, Taser Int'l..\$80.00, Crisis Prevention Institute..\$499.50, Safety Service..\$182.00, Dakota Brush..\$94.00, Hedahls..\$129.95, Parcel Erickson..\$26.95, Pierson Ford..\$731.93, Midwest Alarm..\$204.00, Brick Propane..\$17.60, Velvet Uniforms..\$60.82, Double D..\$111.80, Career Planning..\$556.75, Arne Svarstad..\$2755.00, Safelite Auto Glass..\$190.54, Snap On Tools..\$26.95, Quality Welding..\$212.30, Newman Signs..\$2543.50, Lyle Signs..\$1211.75, Larson Blacksmith..\$1038.59, HSBC..\$42.60, Fastenal..\$416.89, Erdmann Fuels..\$8013.78, Carquest..\$1283.71, Fastenal..\$108.79, HF Jacobs..\$177,750.97, Walmart..\$109.96, Assn of SD County Weed & Pest Boards..\$100.00, Bureau of Personnel..\$30.00, Kleins..\$9.88, Fireguard..\$2088.62, Pizza Ranch..\$52.95, Fire Safety First..\$97.44, Becky Berreth..\$110.64, Brown County..\$3101.52, Salvation Army..\$1794.78, Bruce Petrie..\$5000.00, NECOG..\$1666.66, Lena Cox..\$65.00, CMRS-FP..\$5000.00, KSFY..\$23.00, SD Federal Property..\$1612.00, Lar-Jos..\$1200.00, SDSWAMA..\$100.00, Cabinets Unifersal..\$163.00, Aberdeen Rural Firefighters..\$100.00, UBC..\$3.73, Sanders Sew 'N Vac..\$52.75, Ameripride..\$40.80, McFarland Supply..\$12.24, Menards..\$121.33, Heartland Paper..\$1517.30, Lien Transportation..\$333.75, Lora Schaunaman..\$22.75, Kleins..\$29.26, NSU..\$220.00, Midwest Alarm..\$51.50, Joe Hauck..\$63.85, SD Asphalt Conference..\$180.00;

Publications: American News..\$338.40, Linn County Leader..\$38.40;

Professional Fees: Dawn Woods..\$536.00, Avera St Lukes..\$2143.94, United Clinic..\$326.24, Dakota Imaging..\$37.96, NEMHC..\$175.56, Norma Anderson..\$21.00, Donna Dietrich..\$229.18, Marv Ekeren..\$21.00, Scott Meints..\$500.00, Sheriff of Yankton County..\$16.50;

Travel: Deb Knecht..\$246.40, Maxine Taylor..\$48.48, Kurt Smith..\$18.00, Roger Johnson..\$112.25, David Fair..\$500.00;

Court Appointed Attorney: Kabeiseman & Pollard..\$175.80;

Utilities: Tel Serv..\$14.43, Northwestern Energy..\$2683.06, Northern Elec..\$188.82, FSH..\$110.00, Qwest..\$5868.97, Bureau of Admin..\$683.26, Verizon..\$70.21, Alltel..\$256.09, Dependable Sanitation..\$212.00;

Care of Poor: Rent – 4 recipients..Rockford Apts..\$260.00, Park Village..\$157.00, Circus Rentals..\$137.50, Danne..\$200.00; Dr/Hospital – 3 recipients..Aberdeen Surgical Assoc..\$1084.28, Gerber Prof Assn..\$338.30, Dr Arlin Myrmoe..\$76.17, Dr John Adams..\$177.04, Avera St Lukes..\$1603.86; Transportation – 2 recipients..Brown County Highway..\$28.41. All members present voting aye. Motion carried.

PERSONNEL:

Moved by Feickert, seconded by Hansen to approve the following employee step increases, effective March 26, 2006: Darin Sinner @ \$11.38 per hour, Danielle Radke @ \$11.02 per hour, Roger Johnson (Highway only) @ \$11.52 per hour, Mervyn Heaton @ \$11.90 per hour, Michael Rohrbach @ \$11.30 per hour, Kyle Brandner @ \$11.75 per hour. All members present voting aye. Motion carried.

ABATEMENTS:

Moved by Hansen, seconded by Feickert to approve the following abatements: Doug Hubert, incorrect acreage (N ½ SE 9-127-60) for 2002 @ \$236.13, for 2005 @ \$376.63; LeRoy Haffner, cabin (W ½ Blk 8 Houghton) solid waste for 2005 @ \$40.00. All members present voting aye. Motion carried.

WEED AND SEED:

Moved by Hansen, seconded by Feickert to approve the Brown County Weed and Seed Monthly Expenses for March 2006 (Year Four 2005-WS-Q5-0089), in amount of \$11,562.96. All members present voting aye. Motion carried.

Moved by Hansen, seconded by Feickert to approve the following Weed and Seed Year Four 2005-WS-Q5-0089 funding proposals: Dr. Bruce Petrie (comprehensive evaluation); Aberdeen Police Department (software, bike patrol), as recommended by the Steering Committee. All members present voting aye. Motion carried.

SDPAA:

Moved by Feickert, seconded by Hansen to approve and authorize the Chairman sign Intergovernmental Contract with South Dakota Public Assurance Alliance. All members present voting aye. Motion carried.

PRECINCT BOUNDARIES/POLLING PLACES – AMENDMENT #1:

Commissioner Hansen offered the following Resolution:

RESOLUTION NO. 14-06

WHEREAS, as per SDCL 12-14-1, the Brown County Board of County Commissioners established Precinct Boundaries and Designated polling places for Brown County in Resolution No. 27-05; and

WHEREAS, the implementation of the Help America Vote Act (HAVA) will require additional space at a polling place for new technology, and currently polling place locations for Precinct 003, Precinct 005, Precinct 008, Precinct 013 and Precinct 016 does not have adequate space to accommodate the new technology.

NOW, THEREFORE BE IT RESOLVED by the Brown County Commission to amend Resolution #27-05 by changing the polling place locations for Precinct 003, Precinct 005, Precinct 008, Precinct 013 and Precinct 016, as follows:

Precinct 003 - Primrose Corporate Headquarters Gym (East Gym Door), 815 N 2nd St, Aberdeen, SD
 Precinct 005 – Civic Arena (West Door), 202 S Washington St, Aberdeen, SD
 Precinct 008 – Central Labor Union Building, 617 S 15th St, Aberdeen, SD
 Precinct 013 – American Legion Building, 102 Broadway North, Columbia, SD
 Precinct 016 – Central Labor Union Building, 617 S 15th St, Aberdeen, SD

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

BID – PHASE II JAIL:

Time and place, as advertised to open, read and consider bids for labor and material required for completion of the Brown County Jail Building Phase II Addition and Remodeling Project. Bids were received from Huff Construction, Aberdeen and Kyburz-Carlson Construction, Aberdeen. Moved by Feickert, seconded by Wiese to refer all bids to HKG Architects and Brown County Maintenance Department for review and recommendation. All members present voting aye. Motion carried.

EVENT CENTER FEASIBILITY STUDY:

Jim Barringer, Lloyd Hodgin, Gail Ogdahl, Vi Stoia, Terry Flamboe, Curt Smith, Jeff Mitchell and Nancy Krumm were in attendance to express support for a feasibility study for the proposed Event Center at the Fairgrounds. Moved by Wiese, seconded by Feickert to approve and authorize the Chairman sign agreement with Compass Facility Management, Inc to complete a feasibility study for the Brown County Event Center at a fee not to exceed \$38,340.00 plus expenses in amount not to exceed \$7,300.00; with funding coming from donations, Aberdeen City and County Commission professional fee budget line item. Roll call vote: Commissioners Hansen-aye, Fischbach-aye (via teleconference), Feickert-aye, Wiese-aye, Knecht-aye. Motion carried.

BATHROOM/SHOWER FACILITY:

Larry Gerlach, Curt Smith, John Aman and Roger Huettl discussed proposed Bathroom/Shower facility at the Fairgrounds and requested hearing date be set to open bids. Moved by Wiese, seconded by Hansen to authorize advertising public hearing to open, read and consider bids for labor and material for the construction of a Bathroom/Shower facility at the Fairgrounds, to be held April 18, 2006 at 9:00 A.M. in the Commissioner's Chambers, Courthouse Annex, Brown County, SD. All members present voting aye. Motion carried.

BRIDGE #174:

Moved by Feickert, seconded by Wiese to approve SDDOT award of contract to Industrial Builders, Inc in amount of \$605,230.53 (20% County Match @ \$121,046.11) for Bridge #174 BRO 8007(28) PCN 6087 Brown County Structure and Approach Grading (136'-0" Continuous Concrete Slab Bridge), as bid by SDDOT on March 16, 2006 – Item 2. All members present voting aye. Motion carried.

MOSQUITO GRANT:

Ted Dickey, NECOG discussed the time frame for submission of the State of SD Mosquito Control Grant application. The Commission requested NECOG assist the Weed Department and proceed with the application process.

EXECUTIVE SESSION:

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

The Chairman declared the executive session closed, with no action taken as a result of the discussion.

RECESS:

The Chairman declared the Commission recessed until March 28, 2006.

Maxine Taylor – Brown County Auditor

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MARCH 27, 2006 - JOINT CITY/COUNTY MEETING

The Brown County Commission and the Aberdeen City Council met in joint session at 5:30 P.M. in the City Commission Chambers, 123 S Lincoln Street, Aberdeen, South Dakota. Present from City were Council Members Agnitsch, Aman, Bunsness, Campbell, Hodgins, McQuillen, Mitchell, Rux and Mayor Levens. Present from County were Commissioners Feickert, Fischbach and Wiese. Absent Commissioners Knecht and Hansen.

ORDINANCE NO. 06-03-01/323:

On motion by Bunsness and seconded by Mitchell, the City unanimously voted to approve First Reading of Ordinance No. 06-03-01/323.

Moved by Wiese, seconded by Feickert to approve First Reading of Ordinance No. 06-03-01/323, An Ordinance amending Paragraph B of Section 7, Permits, fees and inspections, of Ordinance No. 1411 of the Ordinances of the City of Aberdeen, SD. All members present voting aye. Motion carried.

ORDINANCE NO. 06-03-02/324:

On motion by McQuillen and seconded by Rux, the City unanimously voted to approve First Reading of Ordinance No. 06-03-02/324.

Moved by Feickert, seconded by Wiese to approve First Reading of Ordinance No. 06-03-02/324, An Ordinance amending Paragraph C of Section 5, General regulations applicable to all districts, of Ordinance No. 1411 of the Ordinances of the City of Aberdeen, SD. All members present voting aye. Motion carried.

ORDINANCE NO. 06-03-03/325:

On motion by Mitchell and seconded by Agnitsch, the City unanimously voted to approve First Reading of Ordinance No. 06-03-03/325.

Moved by Wiese, seconded by Feickert to approve First Reading of Ordinance No. 06-03-03/325, An Ordinance amending Section 1206, Fees, of Ordinance No. 1164 of the Ordinances of the City of Aberdeen, SD. All members present voting aye. Motion carried.

ORDINANCE NO. 06-03-04/326:

On motion by Bunsness and seconded by McQuillen, the City unanimously voted to approve First Reading of Ordinance No. 06-03-04/326.

Moved by Feickert, seconded by Wiese to approve First Reading of Ordinance No. 06-03-04/326, An Ordinance amending Section 1304, Appeals, hearing, and notice, of Ordinance No. 1164 of the Ordinances of the City of Aberdeen, SD. All members present voting aye. Motion carried.

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

MARCH 28, 2006 – GENERAL MEETING

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

MINUTES:

Moved by Wiese, seconded by Feickert to approve the General Meeting minutes of March 21, 2006. All members present voting aye. Motion carried.

CLAIMS:

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

Supplies: Quality Quick Print..\$3.49, Pizza Ranch..\$104.82, West Payment Center..\$2119.88, Language Lines..\$85.80, Dept of Revenue..\$1137.00, RE Huffman..\$35.00, Tel Serv..\$2356.96, Crescent Elec..\$68.33, Ecolab..\$86.00, Aberdeen Plumbing..\$88.08, Dakota Supply..\$13.47, ESRI..\$2410.42, Scott Madsen..\$17.82, Lar-Jos..\$44.00, Chris & Dons..\$180.00, Dakota Electronics..\$51.05, Parts Now..\$136.30, SD DOT..\$3451.76, Safety Conference..\$25.00, Pierson Ford..\$169.73, Newman Signs..\$375.00, M&T Fire..\$176.50, Heartland Paper..\$229.08, Larson Blacksmith..\$35.00, Freys Electronics..\$34.95, Farm Power Mfg..\$293.48, Erdmann Fuels..\$9937.13, DVC Girls Vac..\$15.95, Creative Signs..\$60.00, Best Western Ramkota..\$154.00, NADRIC..\$1666.63, Walmart..\$391.84, WPRA..\$100.00, Vosica Fencing..\$8040.00, Sherwin Williams..\$24.09, Macs..\$1693.29, HSBC..\$250.90, Century Business..\$202.31, Extension Revolving Fund..\$100.00, Milbank Communications..\$620.00, Ed M Feld Equip..\$26,750.00, Metro Fire..\$2485.95, Tiger Direct..\$1296.92, Golden West..\$90.00, MVTL Labs..\$34.40, Evergreen Supply..\$39.16, Meyer Auto..\$20.00:

Publications: American News..\$929.19:

Professional Fees: Christy Meyer..\$201.00, United Clinic..\$78.69, Avera St Lukes..\$217.70, SD Urban Indian Health..\$43.19, John Carrels..\$83.95, NEOG..\$1040.25, Northern Plains Land Services..\$192.00:

Transcriptions: Richard Neal..\$190.00:

Travel: Harley Gage..\$25.60, Gene Loeschke..\$74.56, Kathy Fischer..\$120.96, City of Groton..\$64.00, Kendell Titze..\$123.00, Dave Bruckner..\$40.00, Cordell Rudolph..\$123.02, Charlene Millim..\$12.00:

Court Appointed Attorney: Kelly Marnette..\$4166.67, Kuck Law Office..\$4166.67, William Gerdes..\$4166.67, Randy Turner..\$4166.67, Christy Serr..\$4166.67:

Utilities: Alltel..\$327.58, Northwestern Energy..\$817.13, Dependable Sanitation..\$159.00, Midcontinent Cable..\$82.67, Qwest..\$113.16, Northern Elec..\$100.00, Tri-State Water..\$76.80, Web Water..\$57.85:

Care of Poor: Rent – 2 recipients..Kurt Kruger..\$133.00, Danne..\$260.00; Dr/Hospital – 6 recipients..Orthopedic Surgery Spec..\$606.90, Hruby Dental..\$125.72, Anesthesia Care..\$176.00, Ophthalmology Assoc..\$32.40, Dakota Imaging..\$138.52, United Clinic..\$252.52; Utilities – 1 recipient..NWPS..\$240.00; Insurance - 1 recipient..Dakota care..\$766.29. All members present voting aye. Motion carried.

AGREEMENTS:

Moved by Wiese, seconded by Hansen to approve and authorize the Chairman sign Joint Powers Agreement with the Unified Judicial System for purpose of providing the county with access to the civil money judgment system without cost. All members present voting aye. Motion carried.

Moved by Feickert, seconded by Wiese to approve and authorize the Chairman sign agreement with Avera St Lukes naming NADRIC as "Core Service Agency" to provide alcohol and drug prevention and treatment services in Brown County. All members present voting aye. Motion carried.

ABATEMENTS:

Moved by Wiese, seconded by Hansen to approve and authorize the Chairman sign the following Abatements: Julius Kolb, incorrect value (Lts 4-6 Blk 26 Randall Addn Groton) for 2005 @ \$236.12; Thomas Barber, house on wrong lot (Lt 2 Barber 2nd Subd SW 31-124-64) for 2005 @ \$3,798.50;

Kathleen Franz, double assessment (NW 33-124-63 ex land platted) solid waste for 2005 @ \$65.00. All members present voting aye. Motion carried.

AMENDMENT E:

Commissioner Feickert offered the following Resolution:

RESOLUTION NO. 15-06

WHEREAS, a constitutional amendment (Judicial Accountability Initiated Law) will be submitted to South Dakota voters in November 2006, designated Amendment E; and

WHEREAS, Amendment E was drafted by a resident of California and the petitions were circulated primarily by paid out-of-state persons; and

WHEREAS, the Amendment E petition failed to get more than a few thousand signatures in California, and thus was never submitted to California voters; and

WHEREAS, South Dakota voters were told that Amendment E simply provided for a remedy for intentional judicial misconduct; and

WHEREAS, if approved by the voters, Amendment E would actually allow lawsuits against all South Dakota citizen boards, including county commissioners, school board members, city council members, planning and zoning board members, township board members, public utilities commissioners, professional licensing board members, jurors, judges, prosecutors, and all other citizen boards; and

WHEREAS, Amendment E would authorize and encourage jury nullification in South Dakota, which was previously rejected overwhelmingly by South Dakota voters in 2002; and

WHEREAS, Amendment E would prohibit summary judgment, a legal remedy currently available and used to quickly and inexpensively rid our courts of frivolous lawsuits; and

WHEREAS, Amendment E would permit convicted felons, whose convictions have been affirmed by our Supreme Court, to sue the prosecutors who prosecuted the felons, the jurors who voted to convict the felons, and the judges who sentenced the felons, thus burdening our courts and citizens with countless expensive and needless lawsuits; and

WHEREAS, the author of Amendment E has publicly stated that with the passage of Amendment E, Judicial Accountability Initiated Law members from across the country will "purposely drive to South Dakota...just for the privilege of getting a traffic ticket so you can demand a jury trial. I anticipate traffic courts to be among the first courts to all but totally close....," thus depriving South Dakota citizens of their constitutional right of access to our courts and making it clear that Amendment E is not intended to help cure any alleged problems with South Dakota courts; and

WHEREAS, if approved, Amendment E would establish a new entity to investigate complaints with an initial budget of two million six hundred fifty thousand dollars, plus the cost of a facility, with authority to hire as many employees as it deemed appropriate without legislative appropriation, consultation, review, or approval; and

WHEREAS, the South Dakota Constitution already provides for the Judicial Qualifications Commission, which hears complaints and investigates allegations of judicial misconduct, and operates very economically, with an average annual expenditure of eleven thousand five hundred fifty-nine dollars over the past ten years; and

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WHEREAS, if approved, Amendment E would likely violate the federal Constitution, thereby subjecting South Dakota taxpayers to millions of dollars in damages and attorney fees; and

WHEREAS, Amendment E would be devastating to the South Dakota economy, harming economic development and driving existing businesses from South Dakota:

NOW, THEREFORE, BE IT RESOLVED, by the Brown County Board of County Commissioners, that the Commission strongly urges all South Dakota voters to protect our citizen boards, to protect our system of justice, to protect economic development, to protect all our citizens from frivolous lawsuits that would be authorized by the Judicial Accountability Initiated Law, and to vote against Amendment E.

Dated this 28th day of March 2006.

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

PLATS:

Commissioner Hansen offered the following Resolution:

RESOLUTION NO. 16-06

BE IT RESOLVED by the County Commission of Brown County, SD that the plat showing "Fliehs 2nd Subdivision in NE ¼ Sec 24-T124N-R61W 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 Wiese. Roll call vote: Commissioners Hansen-aye, Fischbach-aye, Feickert-aye, Wiese-aye, Knecht-absent. Resolution adopted.

Commissioner Feickert offered the following Resolution:

RESOLUTION NO. 17-06

BE IT RESOLVED by the Board of Commissioners of Brown County, SD that the plat showing "Webster Addition in the SE ¼ of Sec 25-T124N-R65W 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 Hansen-aye, Fischbach-aye, Feickert-aye, Wiese-aye, Knecht-absent. Resolution adopted.

Commissioner Wiese offered the following Resolution:

RESOLUTION NO. 18-06

BE IT RESOLVED by the County Commission of Brown County, SD that the plat showing "Droog's Subdivision of Lot 4, Block C, Droog's First Subdivision in S ½ Sec 22-T123N-R64W of 5th P.M., Brown County, SD", and the location of the proposed access roads connecting to the County Highway as shown thereon, 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, Fischbach-aye, Feickert-aye, Wiese-aye, Knecht-absent. Resolution adopted.

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Commissioner Wiese offered the following Resolution:

RESOLUTION NO. 19-06

BE IT RESOLVED by the County Commission of Brown County, SD that the plat showing "Barber's Subdivision of Lot 2 in Barber's Second Subdivision in SW ¼ Sec 31-T124N-R64W 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 Feickert. Roll call vote: Commissioners Hansen-aye, Fischbach-aye, Feickert-aye, Wiese-aye, Knecht-absent. Resolution adopted.

SPECIAL MALT BEVERAGE HEARING:

Time and place as advertised for public hearing on Special Malt Beverage License Application, submitted by Aberdeen Hockey Association. Moved by Feickert, seconded by Wiese to approve the following Special Malt Beverage License: Aberdeen Hockey Association, P.O. Box 515, Aberdeen, S.D. 57401 – Brown County Fairgrounds - SW ¼ Sec 1-T123N-R64W (Hockey Building-map indicating specific building on file with application), effective April 7, 8 & 9, 2006. All members present voting aye. Motion carried.

BID - PHASE II JAIL PROJECT:

Moved by Hansen, seconded by Wiese to reject all bids submitted for the Phase II Addition and Remodeling Brown County Jail Project from letting held on March 21, 2006, as follows: Huff Construction, Aberdeen @ \$1,366,767.00, Kyburz-Carlson Construction, Aberdeen @ \$1,520,000.00, as all bids substantially exceeded architects estimate. All members present voting aye. Motion carried.

P&Z PERMIT FORM:

Kathy Fischer, Planner/Zoner presented draft drainage permit form. The Commission requested the States Attorney for review.

NUISANCE PROPERTIES:

Kathy Fischer, Mike Olson, Adam Altman, Mike Levsen, Brett Bill, Tom Agnitsch, Lori Swanson and Mike Scott were present to discuss nuisance properties located in the one-mile area adjacent to the Aberdeen City Limits. Aberdeen City clean-up procedures currently in place will be implemented to address resident complaints, as the City has jurisdiction in the one-mile area. Mike Scott, Landfill Manager will address refuse disposal on a case-by-case basis.

HIGHWAY UPDATE:

Dirk Rogers, Highway Superintendent presented department update and informed the Commission that May 12, 2006 is the tentative date for a County Surplus Property Auction.

DRAINAGE DISCUSSION:

Mr. and Mrs. LeRoy Bahr and Laurie Bahr discussed the changes in drainage affecting their land. Dirk Rogers and Township Officials Greg Clocksene, Chad Johnson and Lance Larson were also in attendance. The Commission advised Mr. Bahr contact the adjoining land owner.

RECESS:

The Chairman declared the Commission recessed until April 4, 2006.

Maxine Taylor – Brown County Auditor

APRIL 3, 2006 - JOINT CITY/COUNTY MEETING

The Brown County Commission and the Aberdeen City Council met in joint session at 5:30 P.M. in the City Commission Chambers, 123 S Lincoln Street, Aberdeen, South Dakota. Present from City were Council Members Agnitsch, Aman, Bunsness, Campbell, Hodgin, McQuillen, Mitchell, Rux and Mayor Levsen. Present from County were Commissioners Hansen, Fischbach and Wiese. Absent Commissioners Knecht and Feickert.

ORDINANCE NO. 06-03-01/323:

On motion by McQuillen and seconded by Rux, the City unanimously voted to approve Second Reading and Adoption of Ordinance No. 06-03-01/323.

Moved by Wiese, seconded by Hansen to approve Second Reading and Adoption of Ordinance No. 06-03-01/323, An Ordinance amending Paragraph B of Section 7, Permits, fees and inspections, of Ordinance No. 1411 of the Ordinances of the City of Aberdeen, SD. Roll call vote: Commissioners Hansen-aye, Wiese-aye, Fischbach-aye, Knecht-absent, Feickert-absent. Ordinance adopted.

ORDINANCE NO. 06-03-02/324:

On motion by Mitchell and seconded by Campbell, the City unanimously voted to approve Second Reading and Adoption of Ordinance No. 06-03-02/324.

Moved by Wiese, seconded by Hansen to approve Second Reading and Adoption of Ordinance No. 06-03-02/324, An Ordinance amending Paragraph C of Section 5, General regulations applicable to all districts, of Ordinance No. 1411 of the Ordinances of the City of Aberdeen, SD. Roll call vote: Commissioners Hansen-aye, Wiese-aye, Fischbach-aye, Knecht-absent, Feickert-absent. Ordinance adopted.

ORDINANCE NO. 06-03-03/325:

On motion by McQuillen and seconded by Agnitsch, the City unanimously voted to approve Second Reading and Adoption of Ordinance No. 06-03-03/325.

Moved by Wiese, seconded by Hansen to approve Second Reading and Adoption of Ordinance No. 06-03-03/325, An Ordinance amending Section 1206, Fees, of Ordinance No. 1164 of the Ordinances of the City of Aberdeen, SD. Roll call vote: Commissioners Hansen-aye, Wiese-aye, Fischbach-aye, Knecht-absent, Feickert-absent. Ordinance adopted.

ORDINANCE NO. 06-03-04/326:

On motion by Rux and seconded by Aman, the City unanimously voted to approve Second Reading and Adoption of Ordinance No. 06-03-04/326.

Moved by Wiese, seconded by Hansen to approve Second Reading and Adoption of Ordinance No. 06-03-04/326, An Ordinance amending Section 1304, Appeals, hearing, and notice, of Ordinance No. 1164 of the Ordinances of the City of Aberdeen, SD. Roll call vote: Commissioners Hansen-aye, Wiese-aye, Fischbach-aye, Knecht-absent, Feickert-absent. Ordinance adopted.

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

APRIL 4, 2006 – GENERAL MEETING

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

MINUTES:

Moved by Wiese, seconded by Feickert to approve the Joint City/County Meeting minutes of March 27, 2006 and approve the General Meeting minutes of March 28, 2006 with the following motion added to reflect adjournment at the end of the quarter. Moved by Hansen, seconded by Fischbach to adjourn the Brown County Commission. All members present voting aye. Motion carried.

CLAIMS:

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

Payroll: Commissioners..\$2,779.85; Auditor..\$5,915.74; Treasurer..\$8,775.74; Data Processing..\$2,894.93, State's Attorney..\$12,008.70; Maintenance..\$5,455.10; Assessor..\$8,465.45; Planning & Zoning..\$632.31; Register of Deeds..\$4,756.54; Veterans Service Office..\$2,533.37; GIS..\$1,738.47; Sheriff..\$60,682.67; Grant..\$3,576.98; Communications..\$13,461.72; Welfare Office..\$2,827.87; Museum..\$5,048.64; Fairboard..\$1,445.17; Fairgrounds & Parks..\$3,354.32; Extension..\$1,772.00; Weed..\$640.73; Emergency Management..\$4,324.73; Weed and Seed..\$1,113.47; Highway..\$32,398.65; Landfill..\$6,748.41; Matching Benefits: FICA..\$11,987.74, Medicare..\$2,803.55, Wellmark BCBS Life..\$700.46, Wellmark BCBS Health..\$56,009.10, Delta Dental..\$4,158.00, SD State Retirement..\$35,431.13:

Supplies: Quality Quick Print..\$605.25, SDACC..\$7496.58, CDW Govt..\$182.92, Menards..\$61.00, Macs..\$6.00, Gardner Locksmith..\$34.00, NCRAAO..\$200.00, Best Business..\$33.20, Hewlett Packard..\$2556.00, Photo Xpress..\$17.72, Walmart..\$179.24, Exec Mgmt..\$2882.25, Chris & Dons..\$126.00, Best Business..\$145.56, Armor Holding Forensics..\$240.50, Racom Corp..\$220.00, Brock Sales..\$34.89, Midwest Alarm..\$51.50, Dacotah Prairie Museum..\$3.50, McQuillen Design..\$115.19, Runnings..\$104.39, Fastenal..\$19.48, Dakota Electronics..\$328.45, RDR Plumbing & Heating..\$1415.57, Vosika Fencing..\$4551.86, HC Clark..\$11.12, Town & Country..\$626.89, Ramkota..\$300.00, Walmart..\$84.57, Brown County EMS..\$294.85, Surrey Fire Safety House..\$56,324.00, Pizza Ranch..\$52.95:

Publications: Groton Independent..\$387.96, Dakota Press..\$1009.40, American News..\$509.82:

Professional Fees: Avera St Lukes..\$1328.81, Beth Smith..\$1800.00:

Travel: William Meink..\$158.00, Leo Leshner..\$217.92, Scott Madsen..\$600.64, Nancy Radke..\$289.56:

Utilities: Northwestern Energy..\$7684.09, Qwest..\$40.58, Midcontinent Cable..\$190.21, Alltel..\$624.79, Northern Valley Comm..\$71.41, WEB..\$47.12, Verizon..\$50.79, Northern Elec..\$1200.00:

Care of Poor: Rent – 4 recipients..Webb Shoe Co..\$157.00, Dale Bain..\$150.00, Golden West..\$127.00, Bruce Boschee..\$175.00; Dr/Hospital – 3 recipients..Mayo Clinic..\$174.03, Avera St Lukes..\$6162.73, Dr John Adams..\$28.70; Insurance - 2 recipients..NWPS..\$480.00; Medication –3 recipients..Econofoods Pharm..\$118.00, Jones Drug..\$39.64. All members present voting aye. Motion carried.

PERSONNEL:

Moved by Feickert, seconded by Wiese to approve the following employee step increases, effective April 9, 2006: Jo Forsting @ \$12.04 per hour, Geri Sillman @ \$13.24 per hour, Melvin Ernst @ \$12.38 per hour, Judy Dosch @ \$16.12 per hour, David Fair @ \$16.82 per hour, Jon Koeniguer @ \$11.30 per hour, Jeffrey Kirnan @ \$12.78 per hour. All members present voting aye. Motion carried.

PROPERTY TRANSFER:

Moved by Feickert, seconded by Wiese to approve and authorize the Chairman sign agreement with the following entity who received equipment from the 2004 ODP Equipment Grant Program: Brown County Sheriff Department (command trailer). All members present voting aye. Motion carried.

ABATEMENTS:

Moved by Hansen, seconded by Fischbach to approve the following Abatements: Steven Voeller, incorrect assessment (NE 34-127-65) solid waste for 2005 @ \$67.60; NWPS, centrally assessed abandoned RR r/o/w (NW 6-122-60) 2000-2005 @ \$405.82, (SW 6-122-60) 2000-2005 @ \$287.60, (NW 7-122-60) 2000-2005 @ \$172.58, (SW 7-122-60) 2000-2005 @ \$268.42, (SW 18-122-60) 2000-2005 @ \$268.42; Duane Pekarski, double assessment (1973 Titan MH) for 2006 @ \$27.24; Louis Ludwig, mobile homes moved (1965 Chick) 2006 @ \$13.62, (1975 Adrian) 2006 @ \$23.17; Judith Zimmerman, assessment error (1970 KIT MH) 2006 @ \$13.90. All members present voting aye. Motion carried.

LOTTERY APPLICATION:

Moved by Hansen, seconded by Wiese to approve the application submitted by Stratford American Legion Post #207 for raffle to be held on July 1, 2006. All members present voting aye. Motion carried.

LEASE AGREEMENT:

Moved by Wiese, seconded by Hansen to approve agreement submitted by Northeast Area Horse Racing Inc for lease of various buildings, camping and parking areas at the Fairgrounds on May 13, 14, 20, 21, 27, 28, and 29, 2006. All members present voting aye. Motion carried.

WELFARE GUIDELINES AMENDED:

Commissioner Feickert offered the following Resolution:

RESOLUTION NO. 20-06

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:

<u>Family Size</u>	<u>Poverty Guidelines</u>		
	<u>Annual</u>	<u>3 Months</u>	<u>Monthly</u>
1	\$ 9,576	\$2,394	798
2	12,840	3,210	1,070
3	16,092	4,023	1,341
4	19,356	4,839	1,613
5	22,620	5,655	1,885
6	25,872	6,468	2,156
7	29,136	7,284	2,428
8	32,400	8,100	2,700
9	35,653	8,913	2,971

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38,916

9,729

3,243

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

Commissioner Feickert offered the following Resolution:

RESOLUTION NO. 21-06

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 B Housing Assistance.

NOW, THEREFORE BE IT RESOLVED that Appendix B Housing Assistance be amended as follows:

The maximum rental supplement per household per month shall not exceed the following, including utilities:

1 Person Household	\$220 (monthly rent)
2 Person Household	\$240 (monthly rent)
3 Person Household	\$260 (monthly rent)
4 Person Household	\$280 (monthly rent)

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

SDDOT WEED CONTROL CONTRACT:

Moved by Feickert, seconded by Wiese to approve and authorize the Chairman sign agreement with the SD DOT for the County to furnish the necessary equipment, material and labor to control the growth of declared noxious weeds within the right-of-way of state routes as designated in agreement, effective May 1, 2006 – October 15, 2006. All members present voting aye. Motion carried.

INTEREST STATEMENT:

Moved by Feickert, seconded by Wiese to accept for filing the January – March 2006 Interest Statement, submitted by County Treasurer Sheila Enderson. All members present voting aye. Motion carried.

PLATS:

Commissioner Hansen offered the following Resolution:

RESOLUTION NO. 22-06

BE IT RESOLVED by the County Commission of Brown County, SD, that the plat showing "Fischbach 1st Subdivision in SE ¼ Sec 23-T122N-R64W 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 Feickert. Roll call vote: Commissioners Hansen-aye, Fischbach-abstain, Feickert-aye, Wiese-aye, Knecht-aye. Resolution adopted.

Commissioner Hansen offered the following Resolution:

RESOLUTION NO. 23-06

BE IT RESOLVED by the County Commission of Brown County, SD, that the plat showing "Wulff First Subdivision in SE ¼ Sec 7-T123N-R62W 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 Feickert. Roll call vote: Commissioners Hansen-aye, Fischbach-aye, Feickert-aye, Wiese-aye, Knecht-aye. Resolution adopted.

PLANNING/ZONING BOARD:

Moved by Wiese, seconded by Hansen to appoint David North to 1st term on the Brown County Planning & Zoning Board, replacing Audrey Jacobson due to resignation. All members present voting aye. Motion carried.

BID - AWARD FUEL BIDS:

Moved by Wiese, seconded by Fischbach to award bids for Transport Dyed #1 and #2 Diesel to Howes Oil Company, Inc (Contract #14800), Tankwagon Diesel to Howes Oil Co (Contract #14800), Tankwagon Gas to North Central Farmers Elevator (Contract #14792), from contracts resulting from State Bid Proposal #22605, effective April 1, 2006 thru March 31, 2007. All members present voting aye. Motion carried.

EVERGREEN EAST ROAD COMMITTEE:

Seven members of the Evergreen East Road Committee requested an update on the four-mile section of 8th Ave NE that was milled up several years ago. The Commission stated that the target date for applying a base/blotter surface is 2007.

MOSQUITO CONTROL GRANT:

Ted Dickey, NECOG presented the 2006 Mosquito Control Grant application. Moved by Feickert, seconded by Wiese to approve and authorize the Chairman sign application for SD Department of Health 2006 Mosquito Control Grant in amount of \$45,448.55. All members present voting aye. Motion carried.

HOSPITAL CLAIM:

Moved by Wiese, seconded by Feickert to deny payment of the hospital bill, submitted by Avera St. Luke's Hospital for a 26 year old male @ \$4,844.34, as the individual has not provided sufficient information to determine if indigent. All members present voting aye. Motion carried.

Moved by Wiese, seconded by Fischbach to deny payment of the hospital bill, submitted by Avera St. Luke's Hospital for a 52 year old male @ \$4,073.13, as the individual has not provided sufficient information to determine if indigent. All members present voting aye. Motion carried.

Moved by Wiese, seconded by Feickert to deny payment of the hospital bill, submitted by Avera St. Luke's Hospital for a 24 year old male @ \$3,237.30, as the individual has not provided sufficient information to determine if indigent. All members present voting aye. Motion carried.

Moved by Wiese, seconded by Hansen to deny payment of the hospital bill, submitted by Avera St. Luke's Hospital for a 25 year old male @ \$18,672.83, as the individual has not provided sufficient information to determine if indigent. All members present voting aye. Motion carried.

UNCOLLECTIBLE TAX LIST:

Moved by Wiese, seconded by Fischbach to acknowledge uncollectible tax list, as submitted by Sheila Enderson, Brown County Treasurer. All members present voting aye. Motion carried.

Moved by Wiese, seconded by Hansen to add two parcels to the uncollectible tax list. All members present voting aye. Motion carried.

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 2005.

MOBILE HOME FEES:

Dallas Niederbaumer met to request late filing fee be waived on various mobile homes he owns. Moved by Fischbach, seconded by Wiese to deny request to waive late filing fee on the mobile homes owned by Dallas Niederbaumer. All members present voting aye. Motion carried.

RECESS:

The Chairman declared the Commission recessed until April 11, 2006.

Maxine Taylor – Brown County Auditor

APRIL 11, 2006 – GENERAL MEETING

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

MINUTES:

Moved by Feickert, seconded by Wiese to approve the Joint City/County Meeting minutes of April 3, 2006 and the General Meeting minutes of April 4, 2006. All members present voting aye. Motion carried.

CLAIMS:

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

Supplies: Brown County..\$234.46, Quality Quick Print..\$763.61, SD Continuing Legal Ed..\$150.00, New Trends..\$51.64, Office Equip..\$281.16, Crescent Elec..\$23.00, OK Tire..\$82.00, Taylor Laundry..\$27.00, Cunningham Elec..\$243.49, Planning & Development Dist III...\$7800.00, Medtox..\$250.48, Duane's Amoco..\$26.80, Hoven Auto..\$20.25, House of Glass..\$785.00, K-Mart..\$14.69, Evercom..\$1900.00, Dakota Electronics..\$849.75, Accurint..\$34.24, Bonnie Bitz..\$832.00, Aberdeen Chrysler..\$420.42, Streichers..\$229.80, DSS..\$828.30, HRS..\$4267.36, Zastrow Conoco..\$35.00, Safety Service..\$1144.77, S&S Lumber..\$28.09, Runnings..\$686.00, Ramada..\$366.68, Quality Welding..\$33.00, Power Plan..\$488.55, Palmer Dist..\$148.00, North Central Rental..\$2170.00, Newman Signs..\$997.00, Midwest Pump & Tank..\$740.44, Menards..\$4182.22, Macs..\$178.70, James Loterbauer..\$252.00, Lawson Products..\$138.17, Howes Oil..\$17,542.00, Hollands Auto Care..\$4.99, Great Western Tire..\$12,063.08, Graham Tire..\$295.27, Farnams Genuine Parts..\$86.54, Farm Plan..\$669.74, Evergreen Supply..\$119.61, JD Evans..\$470.92, Erdmann Fuels..\$13,954.91, Economy Propane..\$1368.00, Diesel Machinery..\$3700.00, Dakota Oil..\$1824.03, Dakota Fluid Power..\$2113.96, Creative Signs..\$85.00, Crawford Trucks..\$3678.67, Clark Engineering..\$341.60, Casper Hwd..\$10.91, Cartney Bearing..\$297.09, Butler Machinery..\$1828.27, Ramkota..\$152.00, Best Business..\$74.53, Barnes Dist..\$99.68, Ameripride..\$185.40, Ace Group..\$1550.23, Sue Gates..\$13.20, Kleins..\$5.02, Dacotah Prairie Merchantile..\$108.05, Sherri Rawstern..\$47.97, Glas Consulting..\$175.00, Assoc of Museums..\$72.00, Malchows..\$7000.00, Racom..\$40.00, North Central Steel..\$14,804.00, CDW Govt..\$311.77, Hewlett Packard..\$2695.00, Mark Milbrandt..\$800.00, Fleet Mgmt..\$121.65, Nelson Auto..\$574.41, Safety Service..\$882.50, Dakota Fluid Power..\$54.59, Braun..\$8253.00, Praxair..\$110.88, New Deal Tire..\$230.00, Dept of Rev..\$2986.26, Office Equip..\$2225.00, HF Jacobs..\$3009.00, Powerplan..\$1231.60, Burgard Const..\$7446.00, Brick..\$20.90, Town & Country..\$308.52, Gas 'N Goodies..\$8.00, Schwan Welding..\$5484.00:

Publications: American News..\$1560.58, Midland Press..\$255.00:

Professional Fees: Avera Queen of Peace..\$468.00, Eide Bailley..\$288.00, Donna Dietrich..\$127.49, Nelva Kooistra..\$15.00, Cathy Rehfuuss..\$15.00, Avera United Clinic..\$83.00:

Travel: Cordell Rudolph..\$35.00, Richard Burns..\$35.00, Charlene Millim..\$10.24, Gary Erickson..\$97.35, Marcus Selzler..\$35.00, Jennifer Himes..\$239.08, Sarah Jesz..\$413.46:

Court Appointed Attorney: Kelly Marnette..\$152.00, Sheriff of Yankton County..\$33.00, Yankton County..\$211.10, Dee Mulder..\$181.75:

Utilities: Northwestern Energy..\$8518.01, City of Aberdeen..\$940.24, Northern Valley Comm..\$72.20, Montana Dakota..\$58.95, James Valley..\$366.03, City of Hecla..\$104.59, Town of Frederick..\$28.25, Verizon..\$83.33, Northern Wireless..\$95.16, Dependable..\$14,427.62, Qwest..\$320.76:

Care of Poor: Rent – 5 recipients..Tom Appletoft..\$200.00, Kurt Kruger..\$125.00, Gary Newell..\$175.00, Lakeside Estates..\$340.00; Dr/Hospital – 2 recipients..Avera St Lukes..\$664.35, Dr Lynch..\$41.50. All members present voting aye. Motion carried.

ABATEMENTS:

Moved by Fischbach, seconded by Hansen to approve the following abatements: Martin Ronning, incorrect assessment (Lt 7 Blk 1 D&G 3rd Subd Roosevelt Crystals Subd) for 2005 @ \$2,788.03; Kathleen Franz, house gone (NW 33-124-63 ex land platted) solid waste for 2006 @ \$67.60; Robert Howell, Mobile home moved out of state (1976 Detroit) for 2005 @ \$68.04, for 2006 @ \$140.46; Larry Weifenbach, assessment error (1976 Bendix MH) for 2006 @ \$42.66. All members present voting aye. Motion carried.

NE LEVEE PROJECT:

Moved by Wiese, seconded by Hansen to approve and authorize Commissioner Hansen sign FEMA Overview and Concurrence Form in reference to the Northeast Aberdeen Levee Project. All members present voting aye. Motion carried.

PREVENTION GRANT:

Moved by Hansen, seconded by Wiese to approve and authorize the Chairman sign Financial Form 269 for January through March 2006 for the Brown County Special Appropriation "Prevention and Intervention Programs for at-risk and detained youth" Grant #2001-JS-FX-0014. All members present voting aye. Motion carried.

WEED AND SEED:

Moved by Feickert, seconded by Wiese to approve and authorize the Chairman sign Financial Form 269 for January through March 2006 for the Brown County Weed and Seed Grant #2005-WS-Q5-0089. All members present voting aye. Motion carried.

AUDITORS REPORT OF ACCOUNT:

Moved by Fischbach, seconded by Wiese to approve the March 2006 Auditor's Report of Account with the County Treasurer in total amount of \$9,649,066.58 (Total amount of actual cash @ \$2,873.39, Wells Fargo Bank @ \$3,694.79, US Bank @ \$22,110.24, Dacotah Bank @ \$56,601.19, Petty Cash @ \$1,800.00, Fund Investments @ \$9,561,360.36, Outstanding Checks @ \$626.61). All members present voting aye. Motion carried.

LEASE AGREEMENT:

Moved by Hansen, seconded by Wiese to approve agreement with Jim River Riders for lease of the Open Horse Arena on June 11, July 9, August 13 and September 10, 2006. All members present voting aye. Motion carried.

SPECIAL MALT BEVERAGE HEARING:

Moved by Wiese, seconded by Hansen to authorize advertising a public hearing to be held in the Commissioners Chambers, Courthouse Annex, Brown County, SD on May 2, 2006 at 8:45 a.m. to consider the following applications for a Special Malt Beverage Licenses: Northeast Area Horse Racing, Inc., P.O. Box 1104, Aberdeen, S.D. 57401 at the Brown County Fairgrounds SW ¼ Sec 1-T123N-R64W (maps indicating specific building on file with application): Clubhouse effective May 11, 13 & 14, 2006; Grandstand effective May 13 & 14, 2006; Clubhouse effective May 20, 21, 27, 28 & 29, 2006; Grandstand effective May 20, 21, 27, 28 & 29, 2006. All members present voting aye. Motion carried.

CONTRACT:

Moved by Feickert, seconded by Wiese to approve and authorize the Chairman sign contract agreement with Van Diest Supply Company for furnishing and delivery of chemical to the Weed Department, effective April 1, 2006 – October 31, 2006. All members present voting aye. Motion carried.

COPIER QUOTES:

Moved by Fischbach, seconded by Feickert to acknowledge quotes received for a copier for the central machine room at the Courthouse and accept quote submitted by Best Business for a Canon IR5570 Copier in amount of \$9,835.00; rejecting the following: Office Equipment for a Ricoh 2051 Copier @ \$10,759.00 and Century Business Products for a Mita KM6030 Copier @ \$10,934.45. All members present voting aye. Motion carried.

AGREEMENT:

Moved by Wiese, seconded by Hansen to approve and authorize the Chairman sign agreement with Earth Tech to provide consulting services for the Brown County Landfill in amount not to exceed \$17,500.00. All members present voting aye. Motion carried.

PROCLAMATION:

Commissioner Hansen offered the following Proclamation:

National Public-Safety Telecommunications Week

April 9-15, 2006

WHEREAS, emergencies can occur at anytime that require police, fire or emergency medical services; and

WHEREAS, when an emergency occurs the prompt response of police officers, firefighters and paramedics is critical to the protection of life and preservation of property; and

WHEREAS, the safety of our police officers and firefighters is dependent upon the quality and accuracy of information obtained from citizens who telephone the Brown County Regional Communications Center; and

WHEREAS, Public Safety Dispatchers are the first and most critical contact our citizens have with emergency services; and

WHEREAS, Public Safety Dispatchers are the single vital link for our police officers and firefighters by monitoring their activities by radio, providing them information and insuring their safety; and

WHEREAS, Public Safety Dispatchers of the Brown County Regional Communications Center have contributed substantially to the apprehension of criminals; suppression of fires and treatment of patients; and

WHEREAS, each dispatcher has exhibited compassion, understanding and professionalism during the performance of their job in the past year.

THEREFORE BE IT RESOLVED that the Aberdeen City Council and the Brown County Commission declares the week of April 9 through 15, 2006 to be National Telecommunications Week, in honor of the men and women whose diligence and professionalism keep our city and county residents and visitors safe.

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

ORD 039:

Time and place, as advertised for First Reading of Ordinance No. 039. Moved by Wiese, seconded by Hansen to approve First Reading of Ordinance No. 039, An Ordinance Amending Title 4, Second Revision Brown County Ordinances, as amended as to Chapter 4.07 – Mini-Ag District, Section 4.0705 – Minimum Lot Requirements. All members present voting aye. Motion carried.

EXECUTIVE SESSION:

Moved by Hansen, seconded by Wiese to go into executive session for personnel discussion. All members present voting aye. Motion carried.

The Chairman declared the executive session closed, with the following action taken as a result of the discussion.

PERSONNEL:

Moved by Wiese, seconded by Hansen to appoint Mark Milbrandt as temporary Director of Communications, effective April 11, 2006 with additional salary of \$500.00 per pay period (assuming Communications duties previously assigned to Ginger Walker, who will maintain her additional salary as temporary Emergency Management Director). All members present voting aye. Motion carried.

EXECUTIVE SESSION:

Moved by Hansen, seconded by Fischbach to go into executive session for personnel discussion. All members present voting aye. Motion carried.

The Chairman declared the executive session closed, with no action taken as a result of the discussion.

INSURANCE DISCUSSION:

Gary Welter, Blue Cross/Blue Shield of South Dakota presented tentative rates for employee health insurance premiums.

RECESS:

The Chairman declared the Brown County Commission recessed until 8:45 A.M. April 18, 2006.

Maxine Taylor – Brown County Auditor

APRIL 11, 2006 – BROWN COUNTY BOARD OF EQUALIZATION

This being the second Tuesday, April 11, 2006, the Brown County Commission organized themselves as the Brown County Board of Equalization, in accordance with SDCL 10-22-25, at 10:00 A.M. in the Commissioner's Chambers, Courthouse Annex, Brown County, South Dakota. Oaths of office were taken by Commissioners Feickert, Knecht, Wiese and Fischbach. Mary E. Worlie, Director of Equalization Office was also present. Auditor Taylor called the meeting to order.

Commissioner Feickert nominated Deb Knecht as Chairman for the 2006 Brown County Board of Equalization. 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 as Vice Chairman for the 2006 Brown County Board of Equalization. Moved by Fischbach, seconded by Wiese that nominations cease and a unanimous ballot be cast. All members present voting aye. Motion carried.

Moved by Wiese, seconded by Fischbach to deny hearing appeal from Nancy Kiesz, as did not go through Local Board as prescribed by State Law. All members present voting aye. Motion carried.

Moved by Fischbach, seconded by Wiese to approve all qualified senior freeze applications for 2006. All members present voting aye. Motion carried.

Moved by Wiese, seconded by Fischbach to approve Paraplegic Tax Exempt Status for the following applications: **Robert Fickett** on Lt 8 Blk 4 17th Addition of Highland North Addition to Aberdeen; **William Herman** on Lt 1 Bonaccord Estates Subd to Aberdeen; **Beverly M North** on Lt 5 Blk 10 Ashwood Heights Subd to Aberdeen. All members present voting aye. Motion carried.

Moved by Feickert, seconded by Fischbach to approve 100% Tax Exempt status, as requested on the following: Aberdeen City #32 Avera St Luke's on Lt 3 Hagerty & Lloyds 3rd Subd SE 13-123-64 (Fitness Center). **First United Methodist Church** on Lot 8 Blk 2 Park Ridge Estates 1st Addn (Parsonage). **St Mary's Church** on Lt 1 Hagerty & Lloyd 1st Subd (Community Room). **Northeast Regional Health & Fitness Center, Inc** on Lt 1 Hagerty & Lloyds 3rd Subd SE 13-123-64 (Drainage); Lt 2 Hagerty & Lloyds 3rd Subd SE 13-123-64 (Fitness Center). Warner Twp #23 Mansfield Community Betterments Assoc on the S 50' of Lt 1 Blk 4. Richland Twp #37 Aurland Church on 1 acre in the E ½ SE ½ 33-127-63 (Cemetery). Groton City #33 Groton Community Fire Dept Inc on Lt 10 Blk 4 OP (Fire Hall). All members present voting aye. Motion carried.

Moved by Feickert, seconded by Wiese to deny Tax Exempt status for **Northeast Regional Health & Fitness Center** (Land) on Lts 1,3,4,5,6 Blk 67 Hagerty & Lloyds Addn to Aberdeen (100% requested). All members present voting aye. Motion carried.

Moved by Fischbach, seconded by Wiese to remove Tax Exempt status from the following: Aberdeen City #32 Grace Lutheran Church-Grace Lutheran Outlot 1 & 2 NE 19-123-63. **Church of God**-Lt 3 Plat of Church of God 1st Addn. **First Reformed Church**-Lt 47 Blk 2 Plat of a portion of Clark's 1st Addn to Mel Ros & a part of Ganje Addn to Mel Ros. **First United Methodist Church**-Lts 1-5 Foster's 3rd Rearrang Blk 29 1st Addn & S 10' of W 56' vac alley north of Lts 2-3. All members present voting aye. Motion carried.

Moved by Wiese, seconded by Feickert to approve partial Tax Exempt Status for the following applications: Aberdeen City #32 Montessori School %Eric Hofer @ 25% Tax Exempt on Lot 10 Blk 3 Thomas Addn; **Resource Center for Women** @ 75% Tax Exempt on Lots 5 & 6 Blk 90 Hagerty &

Lloyds Addn; **CC Croal Post #17 VFW @ 50% Tax Exempt** on Lt 18 Plat of Auto Plaza Addn to Aberdeen (100% requested); **VFW CC Croal Post #17 @ 50% Tax Exempt** on Lt 19 Auto Plaza Addn to Aberdeen (100% requested); **Loyal Order of Moose #590 @ 80% Tax Exempt** on Lots 1-8 and all of vac alley Blk 54 Second Addn; **Yelduz Temple @ 90% Tax Exempt** on Lots 1-3 Blk 50 Second Addn; **Fraternal Order of Eagles @ 50% Tax Exempt** on Lts 7-12 Blk 22 First Addn (85% requested). **Avera St Luke's Hospital @ 92.97% Tax Exempt** on Blk 87 Hagerty & Lloyds Addn & vac Lloyd St & vac 4th Ave SE & Lots 1-8 & 17-24 Blk 96 Hagerty & Lloyds Addn & vac 5th Ave SE; **Avera St Lukes Hospital @ 15.40% Tax Exempt** on Lt 4 Hagerty & Lloyds 3rd Subd SE 13-123-64; **Sacred Heart School @ 50% Tax Exempt** on the N ½ of Lt 21 & all of Lt 22 Bk 80 Hagerty & Lloyds Addn (100% requested); **SPURS @ 98% Tax Exempt** on Lts 1 & 2 SPURS Addn NW 6-123-63; **First United Methodist Church @ 33% Tax Exempt** on Lts 12 & 13 Blk 29 Subd of Lts 4 & 5 Blk 29 1st Addn & Lts 12 & 13 Blk 29 2nd Addn; **Warner Twp #23 Foundation for Youth Firearms Safety Inc @ 75% Tax Exempt** on the N 820' of SE 15-122-64 ex Hwy lying E of CNW RR. **Frederick City #38 Frederick Lounge, Inc @ 50% Tax Exempt** on Lt 6-9 Blk 9 OP (60% requested). **Groton City #33 American Legion Post #39 @ 60% Tax Exempt** on Lts 22-23 & N 3' of Lt 24 & S 22' of Lt 24 & all of Lt 25 Blk 11 OP. All members present voting aye. Motion carried.

Moved by Feickert, seconded by Wiese to approve the following applications to continue 100% Tax Exempt Status: **Aberdeen City #32 Bethlehem Evangelical Lutheran Church**-Lincoln & Boyd's Addn OL 2 Blk F ex E 25' of 255' & Ex Lt 1 Bethlehem Evangelical Lutheran Church Addn SE ¼ 18-123-63 (land and BOLS). **Church of Christ**-L 2 & N 15' of L 3 Blk 1 Gorders Replat of 4th Addn. **Community Christian Church**-W 67' of Lt 7 & S 12' of W 67' of 8 N 38' of 8 ex the S 12' of the E 30' Bk 6 North Aberdeen. **Dakota Baptist Convention (formerly Dakota Southern Baptist Fellowship)** on Dakota Southern Baptist Fellowship Lts 10 & 12 Gugels 1st SD SW 6-123-63. **Evangelical Lutheran Church of Our Savior**-Our Savior Lutheran Church 1st Subd a Replat of Lts 15-24 Blk 9 Hagerty & Lloyds Addn. **Faith United Methodist Church**-Hoffer's 1st Addn Lt 2 Replat of Blk 6 Golden Acres 7th Addn. **First Presbyterian Church**-Lts 7-8 Blk 90 Hagerty & Lloyds Addn. **First United Methodist Church**-Ashwood Heights Subd Lt 1 Blk 8 SW ¼ 8-123-63; Lt 1 FUMC Corner SD (Bk 30 1st & 2nd Addn); Lts 1 & 2 Blk 29 1st Addn. **First United Pentecostal Church**-Lt 2 Jung's Golden Acre Addn (Meidinger 1st). **Holly Cross Lutheran Church**-Lt 14 Blk 10 11th Addn to Highland North. **North Highland United Methodist Church**-Lots 11 & 12 Blk 3 1st Addn to Highlands. **Sacred Heart Roman Catholic Church**-Lots 23-24 Blk 80 Hagerty & Lloyds Addn; Lts 6-17 & S ½ of Lot 18 Blk 80 Hagerty & Lloyds Addn. **SD Conference of Seventh Day Adventist**-Lot 4 & the W 13.95' of Lot 3 Blk 1 Francis Evelo's Addn. **St Mark's Episcopal Church**-Lts 1 & 2 Blk 5 Spauldings 4th Addn. **St Mary's Catholic Church**-S 20' of Lt 4, all of Lts 5-12, E 76' of Lots 13 & 14 and all of Lts 15,16,17 & 22 Blk 38 Hagerty & Lloyds Addn; Lt 1 St Mary's SD Bk 39 Hagerty & Lloyds Addn; Bk 47 Hagerty & Lloyds Addn. **St Paul's Evangelical Lutheran Church**-St Paul SD (Bk 36 2nd SD); Lt 4 & W 10' of Lt 3 Bk 45 2nd Addn; Lts 1-8 Blk 36 2nd Addn. **St Pauls Lutheran Church**-L 9 & E 15' L 10 Blk 36 2nd Addn. **Trinity Evangelical Lutheran Church**-OL 10 N ½ 19-123-63. **Trinity Lutheran Church**-E 24' of L 11 & 17' of vac street, L 12 & 17' of vac street, L 13 & 17' of vac street, Lot 14 & N 17' of vac street Blk 21 Coe & Howard Addn; L 1-5 & 8' of vac alley & 17' of vac street Blk 23 Coe & Howard Addn. **Zion Christian Fellowship**-Lts 757-760 Lts 767-772 Morning Heights Subd. **Aquinas Student Center**-N 38' of E 52' of Lot 21 & E 52' of Lot 22 Blk 1 Normal Addn. **NSU Foundation** - Lots 9-12 Blk 24 Corrected Plat of the Highlands. **Catholic Chancery Office**-Lots 1-3 Blk 1 Normal Addn. **Aberdeen Catholic School Systems Inc (Roncalli)**-Lot 1 Central Catholic High School Addn. **Hub Area Multi-District Vocational Center**-595' of OL 5 Ex E 50' of S 25' lying N of S 220' of OL 5 Reese's OL E ½ NE ¼ 23-123-64. **Presentation Sisters College**-NW ¼ 12-123-64 Presentation Heights; Presentation Heights Addn OL A Blk 1; N 75' of Lots 19-24 Blk 14 Corrected Plat of the Highlands; Lt 1 Russo Addn (NW 12-123-64 25.42 ac). **Sacred Heart School**-Lots 1-5 Lager's 1st Rearr of Lots 20 to 24 inc Blk 81 Hagerty & Lloyds Addn; Lots 1-10 & vac alley Blk 81 Hagerty & Lloyds Addn; Lot 13-19 & vac alley & vac E ½ of Arch Street Blk 81 Hagerty & Lloyds Addn; Lots 11-12 & vac alley Blk 81 Hagerty & Lloyds Addn.

Aberdeen Development Corp-Lt 1 Abdn Dev Corp 1997-1 Subd NE 17-123-63. **The Alano Society of Aberdeen**-W 8' of Lot 3 all of Lots 4-9 Blk 1 Thomas Addn Lot 12 & W 115' of the S 8.5' of Lot 13 & E 27' of Lots 13 & 14 Pierce's Subd & vac alley of Blk 103 Hagerty & Lloyds Addn. **Adjustment Training Center**-E 77' of Lots 1 & 2 Blk 19 Thomas Addn; Lots 849-852 Morning Heights Ext Addn; Lots 7-8 & Lots 11-12 Blk 47 Bennett & Thomas Addn (ATC 1st Subd); Berkshire Addition Lot 3; N 100' of the W 150' of OL B of Lawson's OLS in Lot 8 of Bonaccord Heights Subd; N ½ of Lot 193 and all of Lots 194-196 Morning Star Subd. **Northeastern Mental Health Center**-N 78' of W 34' of Lot 12 & N 78' of Lot 13 & N 78' of E 16' of Lot 14 Blk 53 Second Addn; W 34' of Lot 11 & E 16' of Lot 12 Blk 53 Second Addn; S 150' of Lot 5 of St. Lukes Replat of Blk 83 Hagerty & Lloyds Addn; That portion of Lot 2 St. Lukes Replat that was formerly described as Lots 8 & 9, 13-17 together with vac alley between said Lots 8 & 17, 9 & 16. **Northeastern Mental Health Foundation**-Lt 2B of 1st Subd of Lt 2 Auto Plaza Addn in NE 14-123-64. **Resource Center for Women**-Lots 15-16 & S 9' of Lot 17 Blk 89 Hagerty & Lloyds Addn. **The American National Red Cross** - Lots 3 & 4 of Nelson & Rohrbach's Replat of Lot C Lawson's OLS of Lot 8 Bonaccord Heights 19-123-63. **Family Y**-Lots 7-12 & S 32' of Lot 44 & all of Lots 45-47 & N 16' of Lot 48 Blk A 1st Addn Blk 92 Hagerty & Lloyds Addn. **Salvation Army**-Lot 11 Blk 5 Third Addn of Forrest Acres; Lot A Blk 3 Garden Park Addn NW ¼ 23-123-64; Salvation Army 1st Addn replat of Rehfeld's replat Blk 1 Pleasant Hill Addn. **New Beginnings Center**-BOLS Lincoln & Boyds Addn OL 2 Blk F SE ¼ 18-123-63. **Knights of Columbus**-Lots 4-5 & 6 Ex the E 90' Blk 3 OP Aberdeen. **Masonic Temple Assoc**-Lots 8-12 Blk 30 1st Addn. **Elks Lodge #1046**-Lt 26 Plat of Auto Plaza Addn to Aberdeen; **Quint City Trades & Labor**-Lt 2 Restaurant Growth 2nd Addn to Aberdeen; **Mother Joseph Manor**-S 732' of the W 336' of Highland OL 3 SE ¼ 12-123-64. **Aberdeen Catholic School System Inc**-Lots 3 & 4 & N 3'8" of the E 40' of Lot 2 of Roche's 4th Subd of Lots 11-14 & N 63.8' of L 16 Roche's 3rd Rearr of Lot 11-12 Blk 8 North Abdn. **Avera St Lukes Hospital**-Lots 1-4 Lagers 2nd Rearr of Lots 1-3 Blk 88 Hagerty & Lloyds Addn; Lots 4-9, 13-14 & S ½ of Lot 15 & Lots 20-24 Blk 88 Hagerty & Lloyds Addn; N 12 ½' of Lt 16 and all of Lts 17-19 and N 12 ½' of Lt 15 and S 12 ½' of Lt 16 Blk 88 Hagerty & Lloyds Addn; Lots 1-6 Blk 95 Hagerty & Lloyds Addn; A trapezoidal parcel in Vaughn's Lot 2 plat of St Lukes Midland Regional Medical Center Addn; Lots 1-24 Blk 82 Hagerty & Lloyd Addn; Lots 1,3,4,5,7,8 Ex E 7' of Lot 11 & 12 of plat of SLMRMC; OL 1 in the NW ¼ 11-123-64 ex Lot A & ex bike trail Lot 1; S 60' of Highland School Lot SE ¼ of 12-123-64; Unit 8B a/k/a Suite W260; Unit 6B & 7B a/k/a Suite W210; Unit 4B a/k/a Suite W290 all located in Physician's Plaza, being a part of Lots 1 & 2 St Lukes Replat of Blk 83 Hagerty & Lloyds Addn; Lt L Parking Avera St Lukes (L 7-12 Blk 73 Hagerty & Lloyd Addn). **Bath Twp #19 Sunset Memorial Gardens**-1st Addn to Sunset Memorial Gardens Lts 2-5 15-123-63; NW corner of SW 14-123-63. **Aberdeen Twp #20 Melgaard Park Baptist Church**-E 108.7' of Lot 1 NE 25-123-64; **Avera St Luke's Hospital**-500' next W of E 700' of N 658' NW ¼ 11-123-64 ex Lot H1 & Lot H2; **Adjustment Training Center**-E 540' of N 403.33' of NE ¼ 28-123-64; **Aberdeen Area Humane Society**-Janusz OL 1 SW 27-123-64. **Aberdeen Motocross Association**-Lt 3 Wolff's 1st Addn N ½ 21-123-64. **Warner Twp #23 Mansfield Community Betterments**-N 100' of Lt 1 and all of Lts 2 & 3 Blk 4 Town of Mansfield. **East Hanson Twp #25 St Paul's Lutheran Church**-All Blk 15 of Subd Entitled Blks 14,15,16 & OL H,I,J,K & S 60' of Lots 7-12, Blk 9 of Subd Entitled Blks 9-13 of OL E & F. **Groton City #33 Groton Alliance Church**-S 12'13" of Lot 3 Blk 59 Third Addition; **St John's Lutheran Church**-OP Lots 11 & 12 Blk 14; **United Methodist Church**-Randall's Addn Lts 1-16 Bk 22 ex .045 acres of Lts 11 & 12; **Masonic Lodge**-OP Lots 1-4 Blk 9. **Highland Twp #35 St John's Lutheran Church**-St John's Evangelical Lutheran Church OL Lts 1 & 2 SW ¼ 24-122-65; St John Evangelical Lutheran Church OL 1 SE 23-122-65. **Frederick City #38 St Paul's Lutheran Church**-Curtis 1st Rearr of S ½ of Blk 14 1st Addn Lot 5 Blk 14. **Hecla City #40 St Anthony Catholic Church**-Lt 5 Bk 14; **Prince of Peace Lutheran Church**-L4 Bk 24; **St John's Lutheran Church**-Lot 2 Blk 14; **Brown Marshall Soil Conservation**-S 47 ½' of S 95' of Lts 17 & 18 Bk 3. **Claremont City #42 United Methodist Church**-Dinsmore's 1st Addn Lot 1 of OL E & Dinsmore's 2nd Addn Lots 13-18 Blk 1; Claremont 1st Methodist Episcopal Church Subd of OL F Dinsmore's 1st Addn; Leonard's Subd Lot 1; **American Legion Post #262**- Lots 11 & 12 Blk 10 OP; **Masonic Building Co**-OP Lots 7-10 Blk 10. **Columbia City #43 St John's Evangelical Lutheran Church**-Lake

Boulevard Peck's 1st Addn Lots 18,20,22,24,26,28; James Street Peck's 1st Addn Lots 26 & 28; **American Legion Post #58**-Broadway Peck's First Addn Lots 102,104,106,108,110,112,114, 116,118,120,122,124,126,128; **American Legion Baseball**-Mill Street Peck's 1st Addn Lots 107,109,111,113,115,117,121,125,127. Putney Twp #48 Granary Memorial Gallery-Sieh's OL 1 N ½ of NE ¼ 29-124-61. Savo Twp #30 Apostolic Lutheran Pioneer Church and North Savo Cemetery on 10 acres in SE 3-128-63; **Savo Hall Association** on 3 acres in SW corner 22-128-63. All members present voting aye. Motion carried.

RECESS:

The Chairman declared the County Board of Equalization recessed until 10:00 on April 18, 2006.

Maxine Taylor – Brown County Auditor

APRIL 11, 2006 – CONSOLIDATED BOARD OF EQUALIZATION

Members of the Brown County Commission, Aberdeen City Council and Aberdeen School District 6-1 organized themselves as the 2006 Consolidated Board of Equalization, in accordance with SDCL 10-11-66 at 1:30 P.M. on April 11, 2006 in the Commissioner's Chambers, Courthouse Annex, Brown County, South Dakota. Oaths of Office were taken by Tom Fischbach, Deb Knecht, Mike Wiese, Robert Nikolas and Nancy Aman. Mary E Worlie, Director of Equalization was also in attendance. Auditor Taylor called the meeting to order and called for nominations for Chairman.

Commissioner Fischbach nominated Commissioner Knecht as Chairman for the 2006 Consolidated Board of Equalization. Moved by Wiese, seconded by Aman that nominations cease and a unanimous ballot be cast. All members present voting aye. Motion carried.

Commissioner Fischbach nominated Commissioner Wiese as Vice Chairman for the 2006 Consolidated Board of Equalization. Moved by Fischbach, seconded by Aman that nominations cease and a unanimous ballot be cast. All members present voting aye. Motion carried.

The Chairman declared the Consolidated Board of Equalization recessed until 1:30 P.M., April 25, 2006.

Maxine Taylor – Brown County Auditor

Reference Only
Minutes of 4/18/06

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SUBORDINATION AGREEMENT

Agreement made this 11th day of April, 2006 between Brown County, a political subdivision of the State of South Dakota, herein referred to as Lien Holder, and Home Federal Bank, or its successor agency, Sioux Falls, South Dakota, herein referred to as Lender.

The parties recite and declare that:

a. Lien Holder is the owner and holder of certain County Relief Lien filed December 31, 2001 in total amount of \$7,890.11, with balance of \$6,815.11 as of March 21, 2006, against Michael W. Cordingley Aberdeen, South Dakota. Said liens are filed against the following described premises:

Lots 1-2, Block 35 Hagerty and Lloyd's Addition to Aberdeen, according to the plat thereof of record, Brown County, South Dakota

b. Lender is about to loan the sum of \$104,037.00 on the above described property. Said loan is based upon a note and mortgage with the mortgage to be secured by the above described premises.

c. To induce Lender to make such loan, it is necessary that the County Relief Lien be subordinated to the lien of the mortgagee about to be made to lender as set forth above.

For the reasons set forth above, and in consideration of the mutual covenants and promises of the parties hereto, County and lender covenant and agree as follows:

SECTION ONE-SUBORDINATION

County hereby covenant, consent, and agree with Lender that the above mentioned Lien held by County is and shall continue to be subject and subordinate in lien to the lien of the mortgage about to be made to Lender as stated above.

SECTION TWO-SUBORDINATION

In consideration of County so subordinating the Lien Michael W. Cordingley shall pay the County \$ 50.00 per month, effective May 1, 2006.

SECTION THREE-BINDING EFFECT

The agreement shall be binding upon and inure to the benefit of the respective heirs, legal representatives, successors, and assigns of the parties hereto.

IN WITNESS WHEREOF, of the parties have executed this agreement at Aberdeen, South Dakota, the day and year first above written.

BROWN COUNTY, A POLITICAL SUBDIVISION
OF THE STATE OF SOUTH DAKOTA

By Deb Knecht
Chairman
Brown County Commission

ATTEST: Melanie Taylor
Brown County Auditor

HOME FEDERAL BANK

SIOUX FALLS, SOUTH DAKOTA

By Kirk Waugha
Its Authorized Representative

STATE OF SOUTH DAKOTA)
)
COUNTY OF BROWN)

On this the 18 day of April, 2006 before me, the undersigned officer personally appeared Deb Knecht who acknowledged herself to be the Chairman of the Brown County Commission and as such, being authorized to do so, executed the foregoing instrument for the purposes contained.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal.

My Commission Expires 3/16/2011
Opal Beckler
Notary, Brown County, South Dakota

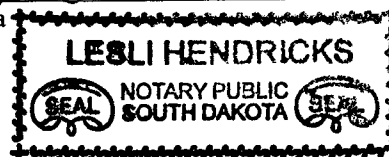
STATE OF SOUTH DAKOTA)
)
COUNTY OF BROWN)

On this the 12 day of April, 2006 before me, the undersigned officer personally appeared Kirk Waugha who acknowledged himself to the Authorized Representative of Home Federal Bank, or its successor agency, and as such, being authorized to do so, executed the foregoing instrument for the purposes contained.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal.

My Commission Expires 1-15-2011
Lesli Hendricks
Notary Public, Brown County, South Dakota

Prepared by:
Brown County Commission
25 Market Street
Aberdeen, SD 57401



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BROWN COUNTY LIENS MASTER LIST

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RD 11-6152 CORDINGLEY, MICHAEL
1514 S MAIN
ABERDEEN SD

Carmel Hyde 225-7943 direct
225-5277 HF
225-1057 fax

Notes: SS# COULD BE 504 11 6150

FUND: CARE OF POOR

DATE	WANT/ACT#	MONTH	DESCRIPTION	DEBIT	CREDIT	BALANCE
12/31/2001	36319	12/31/2001	ST LUKES	6,208.11		6,208.11
12/31/2001	36429	12/31/2001	DR ECKRICH	565.23		6,773.34
1/30/2002	37094	1/30/2002	ST LUKES	805.52		7,578.86
2/08/2002	37195	2/08/2002	INPHYNET PRIM CARE	311.25		7,890.11
6/20/2002	111361		PAYMENT		20.00	7,870.11
8/02/2002	111790		PAYMENT		10.00	7,860.11
9/06/2002	112213		PAYMENT		5.00	7,855.11
10/02/2002	112503		PAYMENT		10.00	7,845.11
11/22/2002	112863		PAYMENT		5.00	7,840.11
12/20/2002	113087		PAYMENT		25.00	7,815.11
2/07/2003	113508		PAYMENT		25.00	7,790.11
3/07/2003	113749		PAYMENT		20.00	7,770.11
4/04/2003	114031		PAYMENT		20.00	7,750.11
5/02/2003	114285		PAYMENT		30.00	7,720.11
6/06/2003	114732		PAYMENT		25.00	7,695.11
7/09/2003	114965	7/02/2003	PAYMENT		25.00	7,670.11
8/06/2003	115287	8/01/2003	PAYMENT		25.00	7,645.11
9/22/2003	115640	9/05/2003	PAYMENT		25.00	7,620.11
10/21/2003	115920	10/10/2003	PAYMENT		25.00	7,595.11
11/13/2003	116137	11/07/2003	PAYMENT		25.00	7,570.11
12/10/2003	116298		PAYMENT		25.00	7,545.11
1/14/2004	116518	1/02/2004	PAYMENT		25.00	7,520.11
1/14/2004	116518	1/02/2004	PAYMENT		23.60	7,496.51
2/11/2004	116800		PAYMENT		25.00	7,471.51
3/11/2004	117050		PAYMENT		25.00	7,446.51
4/14/2004	117342	4/02/2004	PAYMENT		25.00	7,421.51
5/07/2004	117589	4/30/2004	PAYMENT		30.00	7,391.51
6/14/2004	118076	6/04/2004	PAYMENT		25.00	7,366.51
7/07/2004	118350		PAYMENT		25.00	7,341.51
8/11/2004	118759		PAYMENT		30.00	7,311.51
9/08/2004	119083	9/02/2004	PAYMENT		30.00	7,281.51
10/05/2004	119339	9/30/2004	PAYMENT		25.00	7,256.51
11/01/2004	119518	1/02/2004	OFFICE ERROR	23.60		7,280.11
11/05/2004	119681	11/05/2004	PAYMENT		30.00	7,250.11
12/08/2004	119848	12/03/2004	PAYMENT		25.00	7,225.11
1/04/2005	120105	12/30/2004	PAYMENT		25.00	7,200.11
2/08/2005	120418	2/04/2005	PAYMENT		25.00	7,175.11
3/08/2005	120725	3/04/2005	PAYMENT		30.00	7,145.11
4/14/2005	121202		PAYMENT		25.00	7,120.11
5/09/2005	121489	5/05/2005	PAYMENT		25.00	7,095.11
6/07/2005	121587	6/03/2005	PAYMENT TREASURES OFFICE		25.00	7,070.11
6/15/2005	121915	6/30/2005	PAYMENT TREASURES OFFICE		25.00	7,045.11
8/10/2005	122376	7/22/2005	PAYMENT		25.00	7,020.11
9/16/2005	122806	9/09/2005	PAYMENT		25.00	6,995.11

BROWN COUNTY LIENS MASTER LIST

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504 11-6152 CORDINGLEY, MICHAEL
1514 S MAIN
ABERDEEN SD

Notes: SS# COULD BE 504 11 6150

10/14/2005	123066	10/07/2005	PAYMENT	25.00	6,970.11
11/05/2005	123329	11/04/2005	PAYMENT TREASURES OFFICE	30.00	6,940.11
12/07/2005	123533	12/02/2005	PAYMENT TREASURES OFFICE	25.00	6,915.11
1/10/2006	123820	1/06/2006	PAYMENT TREASURES OFFICE	25.00	6,890.11
2/07/2006	124074	2/03/2006	PAYMENT TREASURES OFFICE	25.00	6,865.11
3/21/2006	124753	3/17/2006	PAYMENT-TREASURES OFFICE	50.00	6,815.11

4/5/06
Mekini Taylor
Brown County Auditor

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APRIL 18, 2006 – GENERAL MEETING

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

MINUTES:

Moved by Wiese, seconded by Fischbach to approve the General Meeting minutes, the County Board of Equalization minutes and the Consolidated Board of Equalization of April 11, 2006. All members present voting aye. Motion carried.

CLAIMS:

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

Payroll: Commissioners..\$2,779.85; Auditor..\$5,915.74; Treasurer..\$8,775.74; Data Processing..\$2,894.93; State's Attorney..\$12,093.67; Maintenance..\$5,453.32; Assessor..\$8,510.33; Planning & Zoning..\$739.90; Register of Deeds..\$4,687.77; Veterans Service Office..\$2,503.05; GIS..\$1,738.47; Sheriff..\$59,752.03; DOJ Grant..\$3,674.30; Communications..\$13,513.00; Welfare Office..\$2,827.87; Museum..\$5,115.24; Fairgrounds & Parks..\$3,518.85; Fairboard..\$1,445.17; Extension..\$1,789.60; Weed..\$528.40; Emergency Management..\$3,963.00; Weed and Seed Grant..\$1,113.47; Coroner..\$450.00; Highway..\$32,401.89; Landfill..\$6,972.66; Matching Benefits: FICA..\$11,345.09; Medicare..\$2,653.23:

Supplies: Best Business..\$190.34, Quality Quick Print..\$9.73, IOMA..\$281.95, Pheasantland Industries..\$350.20, Black Hills Digital Mapping Assoc..\$50.00, Sewing Shop..\$22.50, Photos Now..\$277.90, Hoven Auto..\$25.14, LarJos..\$56.10, Eddie's Northside..\$31.45, Photo Xpress..\$7.25, Wholesale Electronics..\$138.16, Bob Barker..\$186.73, Graham Tire..\$16.00, Avera St Lukes..\$31.00, Lust Chev..\$41.45, Dicks Westside..\$63.75, Earthgrains..\$517.14, Kesslers..\$276.12, Pacer Service Center..\$12.16, Diane Mielke..\$2.08, Chris & Dons..\$126.00, Tri-State Water..\$42.35, Safelite Auto..\$548.18, Praxair..\$179.81, Pumps Tire..\$135.00, North Central Rental..\$2821.25, K&L Clutch..\$997.94, Huron Culvert..\$166.84, Carquest..\$4695.92, Americinn..\$76.94, NSU..\$148.50, Natural Abundance Food..\$2.23, Ameripride..\$141.23, DSS..\$139.80, Glacial Lakes..\$125.00, Glas Consulting..\$81.25, Software House..\$47.26, Ohio State U..\$28.85, USPO..\$160.00, M&T Fire..\$1555.89, Fireguard..\$1711.18, Stryker Sales..\$8900.00, Ameripride..\$40.80, Quality Welding..\$30.00, Cartney Bearing..\$12.74, Ecolab..\$14.00, HKG..\$50,081.65, McFarland Supply..\$33.89, HSBC..\$284.09, Bricks TV..\$720.00, Earth Tech..\$14,350.98, Aberdeen Plumbing..\$106.04:

Publications: American News..\$463.83:

Professional Fees: NE Mental Health Center..\$877.80, Career Planning..\$769.25, Avera Queen of Peace..\$234.00, witness fees..\$60.00, Lewis & Clark BHS..\$260.00:

Transcriptions: Richard Neal..\$235.20:

Travel: Mike Wiese..\$9.60, Mark Milbrandt..\$641.00, Jessi Mather..\$34.00, Larry Gerlach..\$94.93, Joey Caven..\$34.00, Marlys Volzke..\$34.00, Roger Huettl..\$34.00, Barb Crawford..\$34.00, John Aman..\$11.00, Curt Erickson..\$34.00, Jeanette Hassebroek..\$34.00, Holiday Inn..\$1259.82, Mike Scott..\$90.52:

Utilities: FSH Communications..\$55.00, Verizon..\$212.04, Qwest..\$160.00, Northern Elec..\$864.39, Dependable..\$371.00, Alltel..\$185.01:

Care of Poor: Rent – 3 recipients..Daniel Brenner..\$267.00, Danne..\$200.00, Tim Doerr..\$200.00; Dr/Hospital – 2 recipients..United Clinic..\$48.00, Hrubby Dental..\$202.16; Utilities -2 recipients..City of Aberdeen..\$201.93, NWPS..\$203.10; Medication –1 recipient..Lori's Pharm..\$17.32. All members present voting aye. Motion carried.

PERSONNEL

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Moved by Feickert, seconded by Wiese to approve the following employee step increases, effective April 23, 2006: Ronald Glugla @ \$13.48 per hour, Matthew Farley @ \$12.22 per hour, Kathy Fischer @ \$15.40 per hour, Amy Gill @ \$10.58 per hour. All members present voting aye. Motion carried.

ABATMENT DENIED:

Moved by Hansen, seconded by Wiese to deny Abatement for owner-occupied status on the 2005 real estates taxes for the Allen Sayler Family Revocable Trust (#2106 MJD Condo Unit #2 Lt 3 Blk 2 Roosevelt Crystal 2nd Addn to Aberdeen). All members present voting aye. Motion carried.

ABATEMENTS:

Moved by Hansen, seconded by Wiese to approve the following Abatements: Wagner Holdings LLC, tax exempt (Lt 2 Wagners 2nd Addn) for 2004 @ \$248.56 and for 2005 @ \$255.05. All members present voting aye. Motion carried.

WEED AND SEED:

Moved by Hansen, seconded by Wiese to acknowledge receipt of Grant Adjustment Notice No. 7 (GAN) for Brown County Weed and Seed Grant #2005-WS-QX-0054, to approve the de-obligation of grant balance in amount of \$19,329.61. All members present voting aye. Motion carried.

PLAT:

Commissioner Hansen offered the following Resolution:

RESOLUTION NO. 24-06

BE IT RESOLVED by the County Commission of Brown County, SD that the plat showing "Rieck-WEB Subdivision in NE ¼ Sec 3-T121N-R64W 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 Wiese. Roll call vote: Commissioners Hansen-aye, Fischbach-aye, Feickert-aye, Wiese-aye, Knecht-aye. Resolution adopted.

SUBORDINATION AGREEMENT:

Moved by Hansen, seconded by Feickert to approve and authorize the Chairman sign Subordination Agreement for a Poor Relief Lien with Home Federal Bank on Lots 1-2, Block 35, Hagerty & Lloyd's Addition to Aberdeen, according to the plat thereof of record, Brown County, South Dakota. All members present voting aye. Motion carried.

SHERIFF REPORTS:

Moved by Wiese, seconded by Fischbach to approve the following February and March 2006 Sheriff Reports: Incidents & Offenses, Prisoner Care, JDC, Money deposited with the County Treasurer and Monthly activities. All members present voting aye. Motion carried.

MUSEUM BOARD:

Moved by Fischbach, seconded by Wiese to appoint Nina Vilhauer to serve a three-year term on the Dacotah Prairie Museum Board. All members present voting aye. Motion carried.

ORDINANCE NO. 039 – SECOND READING/ADOPTION:

Moved by Feickert, seconded by Wiese to approve Second Reading and Adopt Ordinance No. 039, An Ordinance Amending Title 4, Second Revision Brown County Ordinances, amending Chapter 4.07,

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Section 4.0705 Mini-Ag District – Minimum Lot Requirements. Roll call vote: Commissioners Hansen-aye, Fischbach-aye, Feickert-aye, Wiese-aye, Knecht-aye. Ordinance adopted.

HIGHWAY UPDATE:

Dirk Rogers, Highway Superintendent presented Department update.

BID – COMFORT STATION BROWN COUNTY FAIRGROUNDS:

Moved by Feickert, seconded by Wiese to approve and authorize Addendum No. G-1 dated April 17, 2006, be included as part of the Comfort Station Brown County Fairgrounds bid specifications. All members present voting aye. Motion carried.

Time and place, as advertised to open, read and consider sealed bids for labor and material required for the Comfort Station, Brown County Fairgrounds. Bids were received from Huff Construction @ \$131,265.00, Kyburz-Carlson Construction @ \$126,000.00 and Quest Developing & Construction @ \$134,691.00. Moved by Wiese, seconded by Fischbach to refer all bids to Larry Gerlach, Fair Board and HKG for review and recommendation. All members present voting aye. Motion carried.

ALCOHOLIC BEVERAGE TRANSFER HEARING:

Time and place, as advertised for public hearing to consider transfer of Alcoholic Beverage Licenses. Moved by Hansen, seconded by Wiese to approve the following: Transfer Retail (On Sale) Liquor License from Ken Schumacher, DBA Bait Shop Bar & Grill to Larry Griffiths and Carolyn Crist, DBA Griff's Place (N 218' of Lot A Replat of Evelo' Subd in NW ¼ of Sec 21-T123N-R64W of 5th P.M., Brown County South Dakota); and Transfer Retail (On-Sale) Malt Beverage License from Ken Schumacher, DBA Bait Shop Bar & Grill to Larry Griffiths and Carolyn Crist, DBA Griff's Place (N 218' of Lot A Replat of Evelo' Subd in NW ¼ of Sec 21-T123N-R64W of 5th P.M., Brown County South Dakota). All members present voting aye. Motion carried.

GEOTHERMAL REBATE:

Stuart Barton met with the Commission to inquire about a geothermal rebate on property taxes. Mary Worlie, Director of Equalization referred Mr. Barton to SDCL 10-6-35.17 for qualifying guidelines.

BCCHC REPORT:

DeAnna Kyburz presented the Brown County Community Health Center Report for January – March 2006.

RECESS:

The Chairman recessed the Brown County Commission until 8:45 A.M. on April 25, 2006.

Maxine Taylor – Brown County Auditor

APRIL 18, 2006 – BROWN COUNTY BOARD OF EQUALIZATION

Meeting called to order by Chairman Knecht at 10:00 A.M. in the Commissioner's Chambers, Courthouse Annex, Brown County, SD. Present were Commissioners Fischbach, Feickert and Wiese. Commissioner Hansen was absent. Mary Worlie, Director of Equalization was also in attendance.

Moved by Feickert, seconded by Wiese to approve the following recommendations from the Director of Equalization: Allison Twp #4 **1. Walt Dickson**-NW 35-127-65 @ 106,945, add owner-occupied status. **2. Richard Schlosser**-Tr 1 Schlosser's NE 3-127-65 @ 83,648, add owner/occupied status. Oneota Twp #6 **3. Darrel and Darlene Hinz**-SE 29-126-64 @ 94,497, add owner/occupied status. Brainard Twp #7 **4. Martin Ronning**-SW 2-126-63 from 99,469 to 80,167; SE 10-126-63 from 90,258 to 68,493; SW 11-126-63 from 74,190 to 60,800; SE 15-126-63 from 60,736 to 48,866, correct error. Shelby Twp #8 **8. R Lars Herseth**-OL 1 E2 SW 6-126-61 from 67,875 to 44,836, correct error. **9-10. Donald I Miller**-SE SW 25-126-61 from 32,614 to 16,517; E2 NE 25-126-61 from 18,239 to 11,466, correct error. **11. Brent D Miller**-SW NE 25-161-61 from 15,144 to 13,396, correct error. North Detroit Twp #9 **12. Doug Hubert**-N2 SE 9-127-60 from 80,871 to 46,220, correct error. Columbia City #43 **13. Glenn & Barbarz Imber**-Lts 2,4,6,8,10,12 James St Pecks 1st Addn from 17,805 to 15,000, adjust after review. Columbia Twp #11 **14. Millicent Miller**-N2 N2 SE 16-125-61, from 90,542 to 48,273, correct error. Claremont Twp #10 **15. Leo Leshner**-E 634' of S 840' SE 24-125-61 from 51,773 to 45,113, correct error. Ordway Twp #14 **16. Jeff Kippley**-N 639.25' OL D Engel SD NE 18-124-63 from 70,000 to 76,820, maintain equalization. Groton Twp #17 **17. Harvey & Sue Flichs**-NE 35-123-61 @ 24,960, deny owner/occupied status. Aberdeen Twp #20 **18-19. Ronald Erdmann**-BOLS 1983 Redman MH from 6,925 to 4,000; BOLS 1983 Moduline MH from 12,800 to 5,150, adjust after review. **20. Donald P and Joann P Gisi**-NW 22-123-64 N & E of Foote Creek from 33,550 to 20,000, adjust after review. **21. Don Mitzel**-Lt 2 1st Replat Lt 1 Mitzel SD (Lt C Rainbow SD) NW 21-123-64 from 45,460 to 37,749, fire damage. **22. Northwestern Corp**-Lt 2 NWPS Aberdeen Gas Peaking Plant 2nd Addn from 880 to 0, centrally assessed. **23. Ted Price**-N 610' of S 1052' of E 1160' of SE 36-123-64 from 132,875 to 64,764, adjust after review. **24. Steve or Maxine Smith**-BOLS 1994 Highlander MH from 18,080 to 8,134, adjust after review. **25. Gregory D & Rhonda Wieker**-Lt 12 Blk 2 Rolling Meadows NW 1-123-64 from 320,121 to 268,490, adjust after review. **26-27. Eugene Young**-40' strip E of RR r/o/w SW 25-123-64 from 0 to 520, add parcel; Lt 1 Culberts SD NW 25-123-64 from 14,600 to 0, delete parcel. Mercier Twp #21 **28. Arlene Webb**-SE 20-123-65 from 68,024 to 65,071, grassland easement. Gem Twp #24 **29. Mark Erickson**-Lt 1 Erickson 1st SD NW 20-122-62 from 245,270 to 222,404, geothermal credit. East Hansen Twp #25 **30-34. Northwestern Corp**-Abandoned RR r/o/w NW 6-122-60 from 3,175 to 0; Abandoned RR r/o/w NW 7-122-60 from 1,350 to 0; Abandoned RR r/o/w SW 18-122-60 from 2,100 to 0; Abandoned RR r/o/w SW 6-122-60 from 2,250 to 0; Abandoned RR r/o/w SW 7-122-60 from 2,100 to 0, centrally assessed. Liberty Twp #31 **35. David A Stadel**-N 21.36 A Lt 8 NE 21-128-61 from NAC to AGC @ 7,000, adjust after review. Highland Twp #35 **36. Patricia K Brick**-NE 25-122-65 @ 81,160, combine parcels; **37. Aaron Vilhauer**-NE 8-122-65 @ 157,004, owner/occupied status. Franklyn Twp #36 **38. Melvin Kolb**-NW 23-126-65 from 67,276 to 65,551, remove building. Frederick City #38 **39. Heide Krueger**-W ½ Lt 4 Lts 5-6 Blk 11 OP Frederick @ 14,935, owner/occupied status. Lincoln Twp #39 **40-42. Stan Altman**-Lt 1 Bitz SD SW 24-124-64 from 7,840 to 7,374; Lt 2 Bitz SD SW 24-124-64 from 71,380 to 63,029; Abandoned RR r/o/w SE 23 & SW 24-124-64 from 1,512 to 1,440, correct error. **43-44. Todd Weber**-Lt 1 Brewer's Acres SE 32-125-64 from 33,000 to 17,190; Lt 2 Brewers Acres SE 32-125-64 from 1,450 to 17,260, correct errors; Claremont City Twp #42 **45. Robyn Mullins**-Lt 7 & 8 Bk 2 OP Claremont @ 16,505, owner/occupied status. Hecla Twp #50 **46. Marjorie Bonzer**-NW 24-128-61 from 97,631 to 59,671, adjust crop/grass. **47. Peterson Trust**-SW 26-128-61 ex Hwy inc Peterson Cons. Ease Tr 1 from 88,413 to 59,198, add conservation easement. **48. Clifford & Sharon Schroeder**-Lt 1 Schroeder Addn SW 27-128-61 from 65,760 to 77,850, maintain equalization. Westport Town #51 **49. Candis L Perry**-Lt 7-12 Bk 8 Westport from 127,475 to 106,955, geothermal credit. **50. Michael R & Georgia Wilson**-Lt 15 & 16 Bk 11 Westport @ 16,575, combine lots. Prairiewood Twp #53 **51-**

52.Hengel FB LLC-Lt 6 B 3 Prairiewood from 0 to 1,860, not tax exempt; Lt 7 Bk 3 Prairiewood from 0 to 1,980, not tax exempt. All members present voting aye. Motion carried.

Moved by Feickert, seconded by Fischbach to approve the following recommendations from the Director of Equalization: Warner Twp #23 **53.Ronald Jacobson**-OL5 E2 10-122-64 from 10,000 to 13,700, maintain equalization. All members present voting aye. Motion carried.

Moved by Fischbach, seconded by Wiese to approve the following recommendations from the Director of Equalization: Mercier Twp #21 **54.Elizabeth W Sutherland**-Sutherlands OL 1 NW 25-123-65 from 20,000 to 33,538, maintain equalization. All members present voting aye. Motion carried.

Moved by Feickert, seconded by Wiese to approve the following recommendations from the Director of Equalization: Savo Twp #30 **55.Gilbert & Jean Rahja**-SW 31-128-63 from 81,897 to 91,104, uphold local board. All members present voting aye. Motion carried.

Moved by Fischbach, seconded by Feickert to defer action on the following until April 25, 2006: **56.Nancy Upton**-NW 29-123-63 ex E 4 rods. All members present voting aye. Motion carried.

Moved by Feickert, seconded by Fischbach to approve the following recommendations from the Director of Equalization: Palmyra Twp #28 **57-59.Thomas B Berheim**-Lt 1 Bk 3 Thorpes 3rd Elm Lake SD NE 17-128-65 from 130,000 to 127,905, adjust after review; Lt 2 Bk 3 Thorpes 3rd Elm Lake SD NE 17-128-65 @ 71,620, owner/occupied status; E ½ E1/2 E ½ NE 30-128-65 from 6,000 to 13,000, maintain equalization. All members present voting aye. Motion carried.

Moved by Fischbach, seconded by Feickert to defer action on the following until April 25, 2006: **60.Randy Knecht**-OL 2 E2 SW 6-126-61. All members present voting aye. Motion carried.

Moved by Fischbach, seconded by Feickert to defer action on the following until April 25, 2006: **61.Clinton Jacobson**-Lt 1 Bk 2 Sunset. All members present voting aye. Motion carried.

Moved by Fischbach, seconded by Feickert to approve the following recommendations from the Director of Equalization: Greenfield Twp #2 **62.Charles M & Valerie Weisser**-Floberg OL A SW 29-127-62 from 71,357 to 79,188, maintain equalization. All members present voting aye. Motion carried.

Moved by Fischbach, seconded by Feickert to approve the following recommendations from the Director of Equalization: Greenfield Twp #2 **63-64.Mehlhoff Realty Inc**-SE 30-127-62 from 85,276 to 99,882; SW 29-127-62 ex Flobergs OL A from 71,868 to 78,294, adjust crop/grass. All members present voting aye. Motion carried.

Moved by Fischbach, seconded by Feickert to approve the following recommendations from the Director of Equalization: Portage Twp #1 **65.Charles E & Donna J Stehly**-NE 28-128-60 from 93,519 to 83,636, adjust crop/grass. **66.Spencer Stearns**-SW 19-128-60 from 82,000 to 66,339, adjust crop/grass. Greenfield Twp #2 **67.Robert Comstock**-NE 31-127-62 from 95,794 to 106,894, adjust crop/grass. Lansing Twp #5 **68.Logan Enterprises**-SE 11-127-61 from 102,700 to 145,266, maintain equalization. Brainard Twp #7 **69.Diane (Bill) Bruns**-Lt 1 NE 2-126-63 from 16,070 to 23,670, maintain equalization. Greenfield Twp #2 **70.Darlys Himanga**-SE 8-127-62 from 103,634 to 123,029, adjust crop/grass. Shelby Twp #8 **71.Dean Hinrichs**-SE 21-126-61 from 102,648 to 115,358, adjust crop/grass. **72.Julia A James**-SW 22-126-61 from 93,126 to 114,082, adjust crop/grass. **73.Mary Lynn James**-Lt 3-4 & S ½ NW 3-126-61 from 59,969 to 122,331, adjust crop/grass. **74.William B James**-SW 21-126-61 from 64,811 to 97,616, adjust crop/grass. **75.Edward Neff**-SW 27-126-61 from 128,848 to 133,748, adjust crop/grass. **76.Clayton Sanderson**-SE 9-126-61 ex land deeded from 88,966 to 102,566, adjust crop/grass. **77.Craig**

A Sternhagen-E2 NE 27-126-61 from 46,654 to 53,575, adjust crop/grass. **78.Thomas Tollefson**-NE 26-126-62 E of RR from 102,051 to 112,843, adjust crop/grass. Ordway Twp #14 **79.Thomas E Howell-Bosch's** OL 2 NW 14-124-63 from 17,600 to 24,690, maintain equalization. Bath Twp #19 **80.Richard Conklin**-Lt 2 Camelot SD SE 19-123-62 from 2,100 to 27,710, correct error. **81.Neil Bellikka**-Lt 1 Rea 1st Addn NW 23-123-63 @ 107,380, combine parcels. **82.Al Dabbert**-Lt 1 Schumacker NW 23-123-63 @ 84,288, maintain equalization. Savo Twp #30 **83.Terry Frohling**-SE 34-128-63 from 54,662 to 86,851, adjust crop/grass. Hecla City #40 **84.Thomas G Zick**-Lt 7 Bk 19 Hecla from 22,335 to 39,213, adjust after review. Warner City #52 **85.Heather VE Wallace**-Lt 5 Bk 1 Green Meadows Addn from 64,670 to 55,000, maintain equalization. All members present voting aye. Motion carried.

The Chairman declared the 2006 Brown County Board of Equalization recessed until 10:00 a.m. on April 25, 2006.

Maxine Taylor – Brown County Auditor

APRIL 25, 2006 – BROWN COUNTY BOARD OF EQUALIZATION

Meeting called to order by Chairman Knecht at 11:00 A.M. in the Commissioner's Chambers, Courthouse Annex, Brown County, SD. Present were Commissioners Fischbach, Feickert and Wiese. Commissioner Hansen was absent. Mary Worlie, Director of Equalization was also in attendance.

Moved by Feickert, seconded by Wiese to approve the following recommendation from the Director of Equalization: Aberdeen Twp #20 **56.Nancy Upton**-NW 29-123-63 ex E 4 rods from 210,850 to 167,307, adjust after review. All members present voting aye. Motion carried.

Moved by Wiese, seconded by Feickert to approve the following recommendation from the Director of Equalization: Shelby Twp #8 **60.Randy C & Deborah J Knecht**-OL 2 E2 SW 6-126-61 from 25,000 to 16,606, adjust after review. Roll call vote: Commissioners Fischbach-aye, Feickert-aye, Wiese-aye, Knecht-abstain. Motion carried.

Moved by Fischbach, seconded by Feickert to approve the following recommendation from the Director of Equalization: Groton Twp #17 **61.Clinton Jacobson**-Lt 1 Bk 2 Sunset Ridge Estates NE 29-123-60 from 134,265 to 157,000, maintain equalization. All members present voting aye. Motion carried.

Moved by Feickert, seconded by Fischbach to approve the following recommendations from the Director of Equalization: Groton Twp #17 **86.Dennis & Lisa Waletich**-Lt 2 Bk 2 Sunset Ridge Estates NE 29-123-62 from 134,265 to 124,265, maintain equalization. **87.Gordon F Sieh**-Lt 3 Bk 2 Sunset Ridge Estates NE 29-123-62 from 133,610 to 133,610, maintain equalization. All members present voting aye. Motion carried.

ADJOURNMENT:

Moved by Wiese, seconded by Fischbach to adjourn the 2006 Brown County Board of Equalization. All members present voting aye. Motion carried.

Maxine Taylor – Brown County Auditor

APRIL 25, 2006 – GENERAL MEETING

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

MINUTES:

Moved by Feickert, seconded by Hansen to approve the General Meeting Minutes and the County Board of Equalization Meeting Minutes of April 18, 2006. All members present voting aye. Motion carried.

CLAIMS:

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

Supplies: SD Assoc of County Officials..\$575.00, SD Assoc of County Commissioners..\$350.00, Quality Quick Print..\$41.53, Office Equip..\$474.57, SD Continuing Legal Ed..\$30.00, Sanders Sew 'N Vac..\$1189.98, Nelson Sales..\$55.44, Gary's Engine..\$26.50, Gardner Locksmith..\$44.20, DT Pharmacy..\$2832.83, HSBC..\$278.10, Quality Welding..\$16.95, Hoven Auto..\$109.31, Parcel Erickson..\$26.95, Best Business..\$184.91, Office Equip..\$9.70, Dicks Westside..\$32.00, Beck Motors..\$55,929.00, Share Corp..\$126.40, Resource Prof..\$250.00, Newman Signs..\$354.20, Lawson Products..\$493.53, HF Jacobs..\$30,954.77, Howes Oil..\$19,151.59, Helms & Assoc..\$9229.83, Donald Gunther..\$7033.00, Erdmann Fuels..\$2316.47, Diesel Machinery..\$3700.00, Best Western Ramkota..\$44.00, Twin City Roofing..\$6311.07, Fastenal..\$10.22, Graham Tire..\$283.66, Vosika Fencing..\$2000.00, Dakota Supply Group..\$269.88, Walmart..\$153.10, Lora Schaunaman..\$17.85, U of California..\$28.00, Bridgestone Firestone..\$697.14, Menards..\$16.98, APCO..\$239.00, 911 Cares..\$134.00, Radio Shack..\$15.99, Lab Safety..\$126.03, Hewlett Packard..\$3904.00, Steve Gascoigne..\$1467.00, Randy Majeske..\$4487.78, Brown County..\$4210.46, CDW Govt..\$467.94, Parts Now..\$81.00, UPS..\$13.99, Van Diest..\$14,555.62:

Publications: American News..\$1030.87, Groton Indep..\$702.72, Rapid City Journal..\$18.48:

Professional Fees: Denver Sheriff Civil Div..\$20.00, witness fees..\$20.00, Avera United Clinic..\$166.30, Northern Plains OMS..\$89.90, John Carrels..\$115.90, Dakota Imaging..\$134.88, Avera St Lukes..\$745.99, NADRIC..\$1666.67, NECOG..\$1666.66:

Transcriptions: Michelle Gaikowski..\$231.00, Tammy Erickson..\$75.00:

Travel: Leo Leshner..\$218.08, Jim Payne..\$85.76, Gene Loeschke..\$178.88, City of Groton..\$12.16, Roger Schaible..\$500.00, Extension Service..\$73.16, Barb Gunderson..\$45.00, Bud Lemke..\$45.00, Tabatha Moore..\$365.90:

Court Appointed Attorney: Christy Serr..\$154.96, Randy Turner..\$19.56, Christy Serr..\$4166.67, Randy Turner..\$4166.67, William Gerdes..\$4166.67, Kuck Law Office..\$4166.67, Kelly Marnette..\$4166.67:

Utilities: Midcontinent Cable..\$192.67, Alltel..\$948.34, Northwestern Energy..\$2200.62, Montana Dakota..\$51.37, Qwest..\$5902.74, Northern Elec..\$270.81, Bureau of Admin..\$652.72:

Jury: Nicole Abeln..\$11.28, Wallace Albrecht..\$16.40, Dennis Anderson..\$11.28, Robert Babcock..\$11.28, Thomas Ball..\$11.28, Darwin Bettmann..\$13.84, Helen Bobby..\$11.28, Jennifer Bomesberger..\$13.20, Renee Brooks..\$276.80, Robert Bruns..\$38.80, Margaret Bullis..\$11.28, Jody Bymers..\$11.28, Christine Carlson..\$11.28, Bruce Carson..\$205.12, Doug Carter..\$13.20, Deanna Christenson..\$315.20, Erin Coats..\$205.12, Vernon Cunningham..\$11.28, Dawn Deal Dahle..\$13.20, Joshua Dennert..\$264.00, Christopher Dohrer..\$11.28, Colleen Droege..\$11.28, Eric Duvon..\$11.28, Ralph Elsing..\$11.28, Todd Fahrni..\$11.28, David Fischbach..\$11.28, Ben Fischer..\$11.28, Cynthia Fleckenstein..\$11.28, Shirley Flinn..\$102.56, Lenora Ford..\$205.12, Thomas Fritz..\$11.28, John Ganje..\$22.80, Kelly Gederos..\$17.68, Jerome Geffre..\$11.28, Benjamin Hammer..\$11.28, Cheryl Hammer..\$16.40, Rickey Hansen..\$11.28, Regina Hardies..\$11.28, Pat Harr..\$11.28, Renee Harris..\$11.28, Scott Hartung..\$11.28, Irene Hasvold..\$11.28, Madonna Heintzman..\$11.28, Pamela Heustess..\$11.28, Rhonda Hilsendeger..\$11.28, Jennifer Hogg..\$11.28, Tonia Hollis..\$207.68, Staye Hoose..\$11.28, Aletheia Horner..\$11.28, Ronald Janish..\$11.28, Landon Jung..\$11.28, Cathy Kaderabek..\$11.28, Paul Kimball..\$16.40, Florence Kraus..\$11.28, Elizabeth Labesky..\$238.40, Bonnie

Lundberg..\$11.28, Tom Maisch..\$11.28, Misty Martin..\$11.28, Vivian Murphy..\$11.28, Michael Musel..\$11.28, Dawn Neitzel..\$11.28, Daniel Oliver..\$11.28, Gerald Osterman..\$29.84, Esther Ottenbacher..\$11.28, Trevor Ottenbacher..\$11.28, Tammy Potter..\$11.28, Charles Raap..\$22.80, Sheryl Redmond..\$16.40, John Rieck..\$16.40, Barbara Riedmiller..\$16.40, Bruce Roberson..\$11.28, Trisha Rohwedder..\$13.20, Candice Rook..\$11.28, Elmer Roth..\$11.28, Linda Roth..\$11.28, Belvarine Rowe..\$243.52, Caroline Sahli..\$11.28, Sherry Schumacher..\$12.56, Robbin Sieler..\$11.28, Delton Sihrer..\$205.12, Cindy Sippel..\$22.80, Dianne Spitzer..\$205.12, Megan Summers..\$11.28, Margaret Sumption..\$29.20, Kathleen Swenson..\$13.20, Theodore Tempary..\$11.28, Melanie Tolton..\$13.20, Patricia Tschappat..\$16.40, Shannon Unser..\$11.28, Michelle Vining..\$11.28, Jerome Wieseler..\$251.20, David Wipf..\$11.28, Tobias Wolf..\$11.28, Kirk Zastoupil..\$12.56:

Care of Poor: Rent – 2 recipients..Park Village..\$319.00; Dr/Hospital – 1 recipients..Dr Richard Conklin..\$214.53; Transportation - 1 recipient..Brown County Highway..\$21.66; Medication – 1 recipient..Medical Center Pharmacy..\$193.75; Burials – 1 recipient.. Schrivers..\$1682.00; Utilities – 2 recipients..NWPS..\$348.00; Insurance – 1 recipient..Dakotacare..\$766.29. All members present voting aye. Motion carried.

PERSONNEL:

Moved by Feickert, seconded by Hansen to approve hiring Roxanne Hilgenberg as full-time Deputy Auditor, effective April 17, 2006 at \$10.37 per hour. All members present voting aye. Motion carried.

Moved by Feickert, seconded by Wiese to approve hiring Neal Dieter as part-time Fairgrounds employee, effective April 25, 2006 at \$7.73 per hour. All members present voting aye. Motion carried.

Moved by Wiese, seconded by Hansen to approve hiring Debra Anderson, effective April 9, 2006 as guard for purpose of prisoner transport. All members present voting aye. Motion carried.

Moved by Fischbach, seconded by Hansen to acknowledge resignation of Dispatcher Cory Schultz effective April 18, 2006. All members present voting aye. Motion carried.

Moved by Wiese, seconded by Feickert to approve hiring the following seasonal employees at the Highway Department, effective May 15, 2006: Nathan Locken @ \$8.24 per hour, Ralph Nordyke @ \$7.99 per hour, Ted Brockel @ \$9.89 per hour. All members present voting aye. Motion carried.

ORDINANCE NO 040 - SET HEARING DATE:

Moved by Feickert, seconded by Fischbach to set public hearing for 8:45 a.m. on May 9, 2006 in the Commission Chambers, Courthouse Annex, Brown County, SD for First Reading of Ordinance No. 040, An Ordinance to rezone the following property from Chapter 4.06 Agricultural Preservation District (AG-P) to Chapter 4.07 Mini-Ag District (M-AG): Lot 3 Jones Second Subdivision in the SE ¼ of Sec 22-T123N-R62W of the 5th P.M., Brown County, SD. All members present voting aye. Motion carried.

ORDINANCE NO 041 - SET HEARING DATE:

Moved by Hansen, seconded by Feickert to set public hearing for 9:00 a.m. on May 9, 2006 in the Commission Chambers, Courthouse Annex, Brown County, SD for First Reading of Ordinance No. 041, An Ordinance to rezone the following property from Chapter 4.06 Agricultural Preservation District (AG-P) to Chapter 4.07 Mini-Ag District (M-AG): Lots 1-8 Fischbach 1st Subdivision in the SE ¼ of Sec 23-T122N-R64W of the 5th P.M., Brown County, SD. Roll call vote: Commissioners Hansen-aye, Fischbach-abstain, Feickert-aye, Wiese-aye, Knecht-aye. Motion carried.

BID – PHASE II JAIL (REBID):

Moved by Hansen, seconded by Feickert to authorize advertising public hearing to open, read and consider bids for labor and material required for the Phase II Addition and Remodeling to Brown County

Jail Building, to be held at 8:45 A.M., May 23, 2006 in the Commission Chambers, Courthouse Annex, Brown County, SD. All members present voting aye. Motion carried.

ABATEMENTS:

Moved by Fischbach, seconded by Feickert to approve the following abatements: Sterling Development, vacant lot (Lt 8 Blk 1 Mallard Pass Subd SW 8-123-62) solid waste for 2005 @ \$67.60; Gary A Dixon, house vacant (E 40 A NE 26-123-64 ex land deeded) solid waste for 2005 @ \$67.60; Robert Heintzman, cabin gone (Lt 2 Heintzman Addn SE 24-124-65) solid waste for 2005 @ \$26.00; Dennis Jones, one house gone-two remain (SE 22-123-62 inc KO Lee Cons Ease Tr 1) solid waste for 2005 \$ 67.60. All members present voting aye. Motion carried.

PLATS:

Commissioner Hansen offered the following Resolution:

RESOLUTION NO. 25-06

BE IT RESOLVED by the County Commission of Brown County, SD that the plat showing "Johnson's Tracts in the SW ¼ of the SE ¼ of Sec 20-T124N-R61W 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 Hansen-aye, Fischbach-aye, Feickert-aye, Wiese-aye, Knecht-aye. Resolution adopted.

Commissioner Fischbach offered the following Resolution:

RESOLUTION NO. 26-06

BE IT RESOLVED by the County Commission of Brown County, SD that the plat showing "Randall's First Subdivision in SE ¼ SE ¼ Sec 20-T128N-R65W 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 Hansen. Roll call vote: Commissioners Hansen-aye, Fischbach-aye, Feickert-aye, Wiese-aye, Knecht-aye. Resolution adopted.

Commissioner Wiese offered the following Resolution:

RESOLUTION NO. 27-06

BE IT RESOLVED by the County Commission of Brown County, SD that the plat showing "Hansen's Outlots 3 & 4 in the SW ¼ of Sec 15-T122N-R64W 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 Fischbach. Roll call vote: Commissioners Hansen-abstain, Fischbach-aye, Feickert-aye, Wiese-aye, Knecht-aye. Resolution adopted.

Commissioner Feickert offered the following Resolution:

RESOLUTION NO. 28-06

BE IT RESOLVED by the County Commission of Brown County, SD that the plat showing "Edwards/Stein Subdivision in Edwards Third Subdivision in SE ¼ Sec 26-T124N-R64W 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 Hansen-aye, Fischbach-aye, Feickert-aye, Wiese-aye, Knecht-aye. Resolution adopted.

VACATE PLAT:

Moved by Wiese, seconded by Fischbach to authorize advertising public hearing to consider approval of petition to vacate a portion of a plat, described as Lot 2 Jones 2nd Subdivision in the SE ¼ of Sec 22-T123N-R62W of the 5th P.M., Brown County, SD, to be held at 9:15 A.M. on May 16, 2006 in the Commissioner's Chambers, Courthouse Annex, Brown County, SD. All members present voting aye. Motion carried.

AGREEMENT:

Moved by Fischbach, seconded by Feickert to approve and authorize the Chairman sign CityNet Agreement Addendum and an Agreement for Telecommunications Services with Midcontinent Communications for monthly use of telecommunications fiber lines. All members present voting aye. Motion carried.

WEED AND SEED:

Moved by Hansen, seconded by Wiese to approve the Brown County Weed and Seed Monthly Expenses for April 2006 (Year Four 2005-WS-Q5-0089), in amount of \$10,820.80. All members present voting aye. Motion carried.

Moved by Hansen, seconded by Wiese to approve the following Weed and Seed Year Four 2005-WS-Q5-0089 funding proposal: Brown County Weed and Seed (CADCA National Coalition Academy addendum), as recommended by the Steering Committee. All members present voting aye. Motion carried.

PROPERTY TRANSFER:

Moved by Feickert, seconded by Wiese to approve and authorize the Chairman sign agreement with the following entity who received equipment from the 2004 ODP Equipment Grant Program: Brown County Sheriff Department (NOAA radios). All members present voting aye. Motion carried.

BLOOD DRAW AGREEMENTS:

Moved by Wiese, seconded by Hansen to approve and authorize the Chairman sign the Blood Draw Agreements with the following Technicians: Jason D Engel, Joel McMaster, Lyrita Wilkie, Rebecca L Mattern and Jackie Schraeder. All members present voting aye. Motion carried.

AIRCRAFT LANDING PERMIT:

The Commission deferred the request to land aircraft on all Brown County Highways, submitted by Dakota Airspray, Inc. to Dirk Rogers, Highway Superintendent, as each request will be addressed individually.

BID – WOOD WASTE GRINDING:

Time and place, as advertised to open, read and consider bids for 2006 Wood Waste Grinding for the Brown County Landfill. Moved by Feickert, seconded by Wiese to award bid, submitted by Dakota Wood Grinding Inc, Rosemount, MN in amount of \$365.00 per hour, with \$600.00 mobilization fee (only

bid received) for grinding wood waste for the Brown County Landfill. All members present voting aye. Motion carried.

Moved by Fischbach, seconded by Hansen to approve and authorize the Chairman sign Contract with Dakota Wood Grinding, Inc. for grinding wood waste for the Brown County Landfill. All members present voting aye. Motion carried.

LANDFILL REPORT:

Mike Scott, Landfill Manager reviewed the Free Spring Residential Cleanup dates and locations and presented on update on shop structure to be bid at a later date.

TEEN COURT PERSONNEL:

Bonnie Siebrecht and Tabitha Moore presented a job description for the part-time teen court coordinator position. Moved by Wiese, seconded by Hansen to authorize advertising for the position of part-time Teen Court Coordinator at \$13.50 per hour. All members present voting aye. Motion carried.

BID – COMFORT STATION AT FAIRGROUNDS:

Moved by Wiese, seconded by Fischbach to reject all bids received on April 18, 2006 for the Comfort Station, Brown County Fairgrounds Project (Huff Construction @ \$131,265.00, Kyburz-Carlson Construction @ \$126,000.00 and Quest Developing & Construction @ \$134,691.00). All members present voting aye. Motion carried.

BID – COMFORT STATION AT FAIRGROUNDS (REBID):

Moved by Wiese, seconded by Hansen to authorize advertising public hearing to open, read and consider bids for labor and material for the construction of a Comfort Station, Brown County Fairgrounds, to be held May 16, 2006 at 9:30 A.M. in the Commissioner's Chambers, Courthouse Annex, Brown County, SD. Roll call vote: Commissioners Hansen-aye, Fischbach-nay, Feickert-nay, Weise-aye, Knecht-aye. Motion carried.

EXECUTIVE SESSION:

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

The Chairman declared the executive session closed, with no action taken as a result of the discussion.

BUILDING PERMITS:

Kathy Fischer, Planner/Zoner and Brett Bill, Aberdeen City Planner met to discuss and recommend procedure change for obtaining a building permit within the three-mile joint jurisdictional area. Moved by Feickert, seconded by Wiese to authorize the Aberdeen City Planning Department issue all building permits within the three-mile joint jurisdictional area, effective May 1, 2006. All members present voting aye. Motion carried.

RECESS:

The Chairman declared the Commission recessed until May 2, 2006.

Maxine Taylor – Brown County Auditor

MAY 2, 2006 – GENERAL MEETING

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

MINUTES:

Moved by Feickert, seconded by Wiese to approve the General Meeting Minutes, Brown County Board of Equalization Meeting Minutes and Consolidated Board of Equalization Meeting Minutes dated April 25, 2006. All members present voting aye. Motion carried.

CLAIMS:

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

Payroll: Commissioners..\$2,779.85; Auditor..\$6,330.54; Treasurer..\$8,783.74; Data Processing..\$2,894.93, State's Attorney..\$12,243.10; Maintenance..\$5,497.80; Assessor..\$9,052.73; Planning & Zoning..\$632.31; Register of Deeds..\$4,551.73; Veterans Service Office..\$2,525.79; GIS..\$1,738.47; Sheriff..\$59,378.00; Grant..\$3,574.40; Communications..\$13,939.15; Welfare Office..\$2,827.87; Museum..\$5,115.24; Fairboard..\$1,445.17; Fairgrounds & Parks..\$3,366.32; Extension..\$1,789.60; Weed..\$1,086.52; Emergency Management..\$3,810.96; Weed and Seed..\$1,113.47; Highway..\$30,462.87; Landfill..\$7,434.54; Matching Benefits: FICA..\$11,390.41, Medicare..\$2,663.86, Wellmark BCBS Life..\$713.96, Wellmark BCBS Health..\$56,365.80, Delta Dental..\$4,131.00, SD State Retirement..\$23,293.68:

Supplies: Best Business..\$10,081.58, CRMS-FP..\$5000.00, Ecolab..\$83.50, Menards..\$60.42, New Trends..\$216.87, Aberdeen Adv Care..\$101.57, Span Pub..\$250.20, Medtox..\$250.90, Exhaust Pros..\$47.03, Velvet Uniforms..\$80.52, Cunningham Elec..\$1.67, Racom Corp..\$220.00, Exec Mgmt Finance..\$3850.56, Galls..\$79.19, Hoven Auto..\$67.76, Vantek..\$23.00, BI Inc..\$94.23, Walmart..\$411.26, SD Dept of Rev..\$39.00, Trins Const..\$5964.87, Farm Power..\$246.78, JD Evans..\$6607.44, Dakota Supply Group..\$11.50, HC Clark..\$271.95, HRS..\$77.20, Midwest Alarm..\$51.50, Sherwin Williams..\$65.02, SD State Hist Society..\$45.00, Swanson Elec..\$491.40, RDR Plumbing..\$120.12, Parkview Nursery..\$33.99, Erdmann Fuels..\$679.05, SD-NEAFCS..\$95.00, Macs..\$2.14, Reuer Auto..\$1079.01, Dakota Oil..\$44.76, Pizza Ranch..\$52.95, Radio Shack..\$34.98, Metro Fire..\$4923.00, Heiman Fire..\$14,260.00, Robert Heintzman..\$12.50, Brick Propane..\$16.50, UBC..\$2000.00, DSS Image Apparel..\$55.80, Superior Jetting..\$3647.12, OK Tire..\$25.00, Runnings..\$544.93, Quality Quick Print..\$66.30, Butler Machinery..\$44.04, Western Printing..\$1619.47, McFarland Supply..\$18.59, Safety Service..\$206.03, Sheehan Mack..\$79.99, Farm Power..\$1276.89, Freys Electronics..\$75.00, Webb Shoes..\$55.00, Aberdeen C&F..\$159.50:

Professional Fees: witness fees..\$40.00, Avera St Lukes..\$3741.77, Northern Plains OMS..\$54.45, United Clinic..\$172.30, Sheriff of Yankton County..\$16.50, Donna Dietrich..\$70.79, Eide..\$255.00:

Travel: Dennis Feickert..\$32.00, Deb Knecht..\$315.00, Ramkota..\$180.00, Lorah Houser Jankord..\$84.16, Tom Gohn..\$415.24, Kathy Schlecht..\$172.04, Sue Gates..\$64.00, Sherry Theobald..\$21.76:

Utilities: Northwestern Energy..\$5441.49, Midcontinent Cable..\$80.42, Qwest..\$40.66, WEB Water..\$71.09, Qwest..\$113.32:

Care of Poor: Rent – 3 recipients..Key Investments..\$240.00, Dalat Ent..\$137.50, Perry Pitz..\$240.00; Dr/Hospital – 2 recipients..Avera St Lukes..\$330.37, Aberdeen Family Physicians..\$49.15; Transportation - 2 recipients..Brown County Highway..\$39.42; Utilities – 6 recipients..NWPS..\$1308.99. All members present voting aye. Motion carried.

PERSONNEL:

Moved by Wiese, seconded by Feickert to approve the following employee step increases, effective May 7, 2006: Monte Podoll @ \$11.28 per hour, Janice Moore @ \$15.67 per hour, Larry Hardy @ \$12.86 per hour, Carol Wolf @ \$13.61 per hour, Marissa McDermant @ \$11.10 per hour, Joseph Malsam @ \$12.71

per hour, John Weig @ \$13.56 per hour, Cordell Rudolph @ \$13.26 per hour. All members present voting aye. Motion carried.

Moved by Feickert, seconded by Wiese to acknowledge the following miles driven and amount to be taxed for personal use of County vehicles during November and December 2005 and January, February and March 2006: Richard Burns – 374 @ \$166.43, Dirk Rogers – 2754 @ \$1,225.53, Mike Scott – 810 @ \$360.45. All members present voting aye. Motion carried.

Moved by Feickert, seconded by Hansen to approve hiring Becky Erickson, as Extension Summer Assistant, effective May 31, 2006 at \$6.66 per hour. All members present voting aye. Motion carried.

Moved by Wiese, seconded by Hansen to approve employee status change for Kathy Fischer, from Planning Zoning/Appraiser to Appraiser, effective May 2, 2006 @ \$15.40 per hour (anniversary change date April 18). All members present voting aye. Motion carried.

Moved by Wiese, seconded by Fischbach to amend motion in minutes of April 11, 2006 appointing Mark Milbrandt as Director of Communications, by striking temporary; and further to base Chief Deputy Sheriff salary on Sheriff salary funded by General Fund #101 – not \$500 additional per pay period for duties of Communications Director funded by Communications Center Fund #207. All members present voting aye. Motion carried.

Moved by Wiese, seconded by Fischbach to appoint John McQuillen as Deputy Sheriff/Assistant Director of Communications, effective May 28, 2006 at a pro-rated annual salary of \$45,000.00, with position to be funded by Communications Center Fund #207. All members present voting aye. Motion carried.

SET HEARING DATE:

Moved by Wiese, seconded by Feickert to set public hearing for 5:30 p.m. on May 22, 2006 in the Aberdeen City Council Chambers, 123 S Lincoln Street for First Reading of the following: Ordinance No. 06-05-01/327, An Ordinance to rezone the following property from Section 701 (A-1) Agricultural District to Section 714 (M-AG) Mini-Agricultural District: Lot 11, Evelo's Outlots in the NE ¼ of Sec 2-T122N-R64W of the 5th P.M., Brown County, SD; Ordinance No. 06-05-02/328, An Ordinance to rezone the following property from Section 703 (R-1) Low Density Residential District to Section 714 (M-AG) Mini-Agricultural District: Lot 1, Hartman First Subdivision in the SE ¼ of Sec 17-T123N-R64W of the 5th P.M., Brown County, SD. All members present voting aye. Motion carried.

LETTER OF SUPPORT:

Moved by Wiese, seconded by Feickert to authorize the Chairman sign letter of support for the restoration of the Burlington Northern Railroad Depot project in Aberdeen, South Dakota. All members present voting aye. Motion carried.

PROPERTY TRANSFER:

Moved by Feickert, seconded by Wiese to accept ownership of two state radio extenders purchased with ODP Equipment Grant Program funds, previously transferred to Aberdeen Ambulance. All members present voting aye. Motion carried.

PANDEMIC GRANT APPLICATION:

Moved by Wiese, seconded by Hansen to approve and authorize the Chairman sign application for Pandemic Influenza Community Planning Grant funds for the maximum grant award or \$35,000.00 whichever is greater. All members present voting aye. Motion carried.

ABATEMENT:

Moved by Wiese, seconded by Feickert to approve the following Abatement: Michael Salo, incorrect parcel (Lt 9-10 Bk 16 Hagerty & Lloyds Addn) 2005 Aberdeen Water Special Assessment in amount of \$464.09. All members present voting aye. Motion carried.

PLATS:

Commissioner Feickert offered the following Resolution:

RESOLUTION NO. 29-06

BE IT RESOLVED by the County Commission of Brown County, SD, that the plat showing "Dennert's Subdivision in NE ¼ Sec 31-T126N-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.

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

Commissioner Hansen offered the following Resolution:

RESOLUTION NO. 30-06

BE IT RESOLVED by the County Commission of Brown County, SD, that the plat showing "South Side Industrial Subdivision in N ½ & SE ¼ Sec 36-T123N-R64W 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.

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

SPECIAL MALT BEVERAGE LICENSE HEARING:

Time and place, as advertised for public hearing to consider application for Special Malt Beverage Licenses for the 2006 Northeast Area Horse Racing Season at the Fairgrounds. Moved by Wiese, seconded by Hansen to approve the following applications for Special Malt Beverage License, submitted by Northeast Area Horse Racing, Inc: Brown County Fairgrounds (Clubhouse) SW ¼ Sec 1-T123N-R64W, effective May 11, 13 and 14, 2006. Brown County Fairgrounds (Grandstand) SW ¼ Sec 1-T123N-R64W, effective May 13 & 14, 2006. Brown County Fairgrounds (Clubhouse) SW ¼ Sec 1-T123N-R64W, effective May 20, 21, 27, 28 and 29, 2006. Brown County Fairgrounds (Grandstand) SW ¼ Sec 1-T123N-R64W, effective May 20, 21, 27, 28 and 29, 2006 (map indicating specific buildings on file with applications). 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.

The Chairman declared the executive session closed, with no action taken as a result of the discussion.

NESDCAP 2007 BUDGET:

NESDCAP representative Lori Moen presented program statistics and related information in regard to the 2007 NESDCAP Budget request.

FAIRGROUNDS DISCUSSION:

Larry Gerlach, Fair Manager and John Aman, Fair Brown Member discussed possible sales tax funding for capital improvements at the Fairgrounds through annexation and also discussed the estimated cost to rebuild the infield stage.

APPLICATION FOR OCCUPANCY:

Moved by Feickert, seconded by Hansen to approve and authorize the Chairman sign application, submitted by NorthWestern Energy for occupancy of Brown County Highway 384th Ave in Sec 21-T123N-R64W, Brown County, SD, for installation of underground electrical cable. All members present voting aye. Motion carried.

ABATEMENT DENIED:

Moved by Hansen, seconded by Feickert to deny Abatement requested by Steve Smith on a 1994 Highlander Mobile Home as appeal process time frame for 2005 payable 2006 taxes has expired. All members present voting aye. Motion carried.

EXECUTIVE SESSION:

Moved by Hansen, seconded by Wiese to go into executive session to discuss contract for employee health insurance. All members present voting aye. Motion carried.

The Chairman declared the executive session closed, with no action taken as a result of the discussion.

PLAT DISCUSSION:

Mary Worlie discussed a plat to be vacated at the Fairgrounds. Application will be made through the Joint City/County Planning & Zoning Boards for recommendation.

EXECUTIVE SESSION:

Moved by Hansen, seconded by Feickert to go into executive session for personnel discussion. All members present voting aye. Motion carried.

The Chairman declared the executive session closed, with no action taken as a result of the discussion.

RECESS:

The Chairman declared the Commission recessed until May 9, 2006.

Maxine Taylor – Brown County Auditor

MAY 9, 2006 – GENERAL MEETING

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

MINUTES:

Moved by Feickert, seconded by Wiese to approve the General Meeting minutes of May 2, 2006. All members present voting aye. Motion carried.

CLAIMS:

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

Supplies: Farm & Home Pub..\$1287.50, Dakota Mailing..\$166.44, Best Business..\$362.59, Parts Now!..\$39.60, Intab..\$117.44, CDW Govt..\$855.79, Cunningham Elec..\$4326.14, McDonald Supply..\$42.66, Taylor Laundry..\$31.50, Macs..\$139.22, Sanders Sew 'N Vac..\$79.92, Office Equip..\$38.10, Quality Quick Print..\$106.62, Herbergers..\$29.99, Dave Fair..\$6.93, Dakota Electronics..\$46.00, Accurint..\$38.05, New Trends..\$107.24, Hoven Auto..\$218.52, BP..\$33.07, Exec Mgmt..\$44.87, Office Equip..\$138.46, Cheryl Hairgrove..\$67.00, Rebecca Mattern..\$60.00, Lyrita Wilkie..\$60.00, Dept of Revenue..\$4192.90, Avera St Lukes..\$67.00, Dawn Woods..\$402.00, Fleet Mgmt..\$27.00, Upper Plains Contracting..\$6399.99, 3-D Spec..\$78.55, SDDOT..\$13,733.70, Sheehan Mack Sales..\$412.46, Share Corp..\$90.00, Runnings..\$347.83, Pierson Ford..\$14.70, Newman Signs..\$316.73, Menards..\$264.84, Lust Chev..\$18.70, Keeley..\$8.00, Jensen Rock & Sand..\$13,566.72, HF Jacobs..\$17,540.13, Interstate Battery..\$80.95, Howes Oil..\$16,566.40, Hedahls..\$43.72, Great Western Tire..\$2864.04, Farnams..\$91.28, Erdmann Fuels..\$7043.95, Dakota Oil..\$588.85, Crawford Trucks..\$2363.97, Cartney Bearing..\$32.06, Butler Machinery..\$637.72, Aberdeen Equip..\$6.86, Ameripride..\$148.52, UBC..\$429.56, Glas Consulting..\$43.75, Kens Foods..\$42.71, MN Hist Soc..\$22.95, Carol White..\$52.95, Pro Ag..\$941.30, Dakota Electronics..\$68,956.50, Nat'l Auto Research..\$51.00, Kesslers..\$28.79, Successful Farming..\$15.95, Praxair..\$9.50, Aberdeen Rural Firefighters..\$290.00, Ameripride..\$60.43, Town & Country..\$38.55, SD Fed Property..\$60.00, Earth Tech..\$6572.15, Aberdeen Radio Ranch..\$2195.00, House of Glass..\$100.04:

Publications: American News..\$3675.66, Midland Press..\$327.50:

Transcriptions: Sara VandeWalle..\$85.00, Cheryl Hook..\$17.00:

Travel: Tiffany Peper..\$500.00, Scott Madsen..\$404.22, Daryl Lloyd..\$500.00:

Utilities: City of Aberdeen..\$575.83, Northwestern Energy..\$2999.83, Northern Valley Comm..\$72.26, James Valley Coop..\$159.97, Town of Frederick..\$46.67, Northern Wireless..\$80.45, Dependable Sanitation..\$16,098.02, WEB..\$52.85:

Care of Poor: Rent – 4 recipients..Tim Doerr..\$200.00, Webb Shoe Co..\$220.00, Kurt Kruger..\$133.00, Dale Bain..\$150.00; Dr/Hospital – 1 recipient..Aberdeen Nephrology..\$88.29; Transportation - 4 recipients..Jefferson Lines..\$164.13, Brown County Highway..\$10.37; Utilities – 1 recipient..NWPS..\$132.39; Medication – 2 recipients..Econofoods Pharm..\$99.49. All members present voting aye. Motion carried.

PERSONNEL:

Moved by Fischbach, seconded by Wiese to approve hiring Luana Vincent as full-time Corrections Officer in the Jail, effective May 15, 2006 at \$10.82 per hour. All members present voting aye. Motion carried.

Moved by Hansen, seconded by Wiese to acknowledge resignation of Larry Harper, effective June 3, 2006 and Bill Horner, effective May 20, 2006 and Roxanne Schumacher, effective May 7, 2006 from the Sheriff Department. All members present voting aye. Motion carried.

Moved by Wiese, seconded by Hansen to approve hiring Tom Lammon as part-time employee at the Highway Department, effective May 10, 2006 at \$10.86 per hour. All members present voting aye. Motion carried.

Moved by Wiese, seconded by Hansen to approve hiring Merv Heaton as full-time employee at the Highway Department, effective May 10, 2006 at \$11.09 per hour. Roll call vote: Commissioner's Hanen-aye, Fischbach-nay, Feickert-nay, Wiese-aye, Knecht-aye. Motion carried.

AUDITORS REPORT OF ACCOUNT:

Moved by Hansen, seconded by Feickert to approve the April 2006 Auditor's Report of Account with the County Treasurer in total amount of \$17,483,305.34 (total amount of actual cash @ \$3,281.10, Wells Fargo Bank @ \$3,694.79, US Bank @ \$7,842.56, Dacotah Bank @ \$153,063.63, Petty Cash @ \$1,800.00, Fund Investments @ \$17,313,404.36, Outstanding Checks @ \$218.90). All members present voting aye. Motion carried.

ABATEMENT:

Moved by Feickert, seconded by Fischbach to approve the following abatement: Michael Berreth, owner/occupied status (Lt 1 Odde Addn NE 15-125-64) for 2005 @ \$712.89. All members present voting aye. Motion carried.

FAIR BOARD APPOINTMENT:

Moved by Hansen, seconded by Wiese to approve appointing Stu Swenson to first term on the Brown County Fair Board, effective January 1, 2006 – December 31, 2008 (replacing Myles Haugen). All members present voting aye. Motion carried.

PREVENTION GRANT:

Moved by Feickert, seconded by Wiese to approve Change Order #70 for the purchase of mounting equipment for VCR/DVD player in amount of \$107.26 rather than a new VCR/DVD player in amount of \$350.00; and to approve Change Order #97 for the purchase of an air filter unit in amount of \$450.00 rather than purchasing inkjet printers in amount of \$800.00 (year five budget), to be funded by the Department of Justice Prevention and Intervention Programs for At-Risk and Detained Youth Project #2001-JS-FX-0014. All members present voting aye. Motion carried.

VIETNAM WAR MEMORIAL:

Moved by Fischbach, seconded by Hansen to provide financial support in amount of \$500.00 for the events to be held in Pierre on September 15 & 16, 2006 during the dedication of the SD Vietnam War Memorial. All members present voting aye. Motion carried.

EMPLOYEE HEALTH INSURANCE DISCUSSION:

Moved by Fischbach, seconded by Feickert to renew the Brown County Employee Health Insurance Plan with Wellmark Blue Cross and Blue Shield of SD with the following changes: Premium – Single \$407.54 per month, Family @ \$1,033.50 per month and Two-Party @ \$751.40 per month. Benefit period deductible @ \$1000 Single, \$2000 Two-person, \$3000 Family (with reimbursement of \$250 for deductible paid over \$500 for employee only). Office visit PPO co-pay \$20.00, prescription drug three-tier co-payment \$10/\$25/\$40 plus \$100/\$200 deductible (deductible waived for generic drugs). The Insurance plan coverage effective July 1, 2006 through June 30, 2007. Continuing coverage for retirees, who have completed twenty-years of continuous service and have reached the age of 55 years old, from date of retirement until qualified for Medicare coverage (retiree paying 100% of premium). Roll call vote: Commissioners Hansen-aye, Fischbach-aye, Feickert-aye, Wiese-nay, Knecht-aye. Motion carried.

ORDINANCE NO. 040 – FIRST READING:

Moved by Fischbach, seconded by Wiese to approve First Reading of Ordinance No. 040, An Ordinance amending Second Revision Brown County Ordinances to rezone the following described property from its present zoning designation of Chapter 4.06 Agriculture Preservation (AG-P) to Chapter 4.07 Mini-Ag District (M-AG): Lot 3 Jones Second Subdivision in the SE ¼ of Sec 22-T123N-R62W of the 5th P.M., Brown County, SD. Roll call vote: Commissioners Hansen-aye, Fischbach-aye, Feickert-aye, Wiese-aye, Knecht-aye. Motion carried.

ORDINANCE NO. 041 – FIRST READING:

Moved by Hansen, seconded by Feickert to approve First Reading of Ordinance No. 041, An Ordinance amending Second Revision Brown County Ordinances to rezone the following described property from its present zoning designation of Chapter 4.06 Agriculture Preservation (AG-P) to Chapter 4.07 Mini-Ag District (M-AG): Lots 1-8 Fischbach First Subdivision in the SE ¼ of Sec 23-T122N-R64W of the 5th P.M., Brown County, SD. Roll call vote: Commissioners Hansen-aye, Fischbach-abstain, Feickert-aye, Wiese-aye, Knecht-aye. Motion carried.

EXECUTIVE SESSION:

Moved by Hansen, seconded by Wiese to go into executive session for personnel discussion. All members present voting aye. Motion carried.

The Chairman declared the executive session closed, with no action taken as a result of the discussion.

HLS FUNDS:

Ginger Walker, EM presented update on Homeland Security Funding.

BID AWARD – ROAD OIL:

Moved by Fischbach, seconded by Wiese to award bid, submitted by Flint Hills Resources, LP for furnishing and delivery of Road Oil CSS-1H @ \$.916 per gallon, as bid by Roberts County on February 21, 2006; rejecting bid submitted by Jebro Inc @ \$1.063 per gallon. All members present voting aye. Motion carried.

Moved by Feickert, seconded by Wiese to award bid, submitted by Flint Hills Resources, LP for furnishing and delivery of Road Oil MC-70 @ \$1.7468 per gallon, as bid by Edmunds County on March 7, 2006; rejecting bid submitted by Jebro Inc @ \$1.9565 per gallon. All members present voting aye. Motion carried.

BRIDGE #29:

Moved by Hansen, seconded by Wiese to approve and authorize the Chairman sign Utilities Certificate, Letting Authorization Certificate and Right-of-Way Certificate for Project #BRO 8007(38) PCN 6781 (Bridge #29). All members present voting aye. Motion carried.

Moved by Wiese, seconded by Hansen to approve and authorize the Chairman sign Agreements for Voluntary Right of Way Donations for Project #BRO 8007(38) PCN 6781 (Bridge #29) with John Lindquist, Sherwin Schwab, Alvin J Mathern, Jerome T and Elizabeth Streckfuss. All members present voting aye. Motion carried.

TAXATION SYSTEM:

Pete Adam and Bill Meink informed Commission of status of taxation programs for the Assessor/Treasurer/Auditor.

PLANNING/ZONING POSTION:

Moved by Feickert, seconded by Wiese to authorize advertising Planning/Zoning position at \$12.40 per hour. All members present voting aye. Motion carried.

RECESS:

The Chairman declared the Commission recessed until May 16, 2006.

Maxine Taylor – Brown County Auditor

MAY 16, 2006 – GENERAL MEETING

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

MINUTES:

Moved by Wiese, seconded by Fischbach to approve the General Meeting minutes of May 9, 2006. All members present voting aye. Motion carried.

CLAIMS:

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

Payroll: Commissioners..\$2,779.85; Auditor..\$6,791.99; Treasurer..\$8,783.74; Data Processing..\$2,894.93; State's Attorney..\$12,243.10; Maintenance..\$5,464.40; Assessor..\$7,375.07; Planning & Zoning..\$616.00; Register of Deeds..\$4,773.34; Veterans Service Office..\$2,722.87; GIS..\$1,738.47; Sheriff..\$63,782.85; DOJ Grant..\$3,574.40; Communications..\$11,785.64; Welfare Office..\$2,827.87; Museum..\$5,115.24; Fairgrounds & Parks..\$3,613.68; Fairboard..\$1,445.17; Extension..\$1,789.60; Weed..\$3,611.84; Emergency Management..\$3,960.98; Weed and Seed Grant..\$1,113.47; Coroner..\$600.00; Highway..\$30,315.84; Landfill..7,395.96; Matching Benefits: FICA..\$11,635.53; Medicare..\$2,721.18;

Supplies: SD Vietnam War Memorial..\$500.00, Office Equip..\$171.46, West Payment Center..\$1663.76, State Property..\$42.85, Office Max..\$66.44, Amerpride..\$79.17, Gardner Locksmith..\$562.10, New Trends..\$114.00, Exec Mgmt..\$43.22, Fire Safety First..\$354.56, Crescent Elec..\$214.72, Ecolab..\$185.00, Central Supply..\$443.16, SDAAO..\$450.00, Bonnie Bitz..\$72.00, HRS..\$3685.03, Ray O'Herra Co..\$156.44, Streichers..\$219.45, Evercom..\$1855.00, Dicks Westside..\$33.75, Duanes Amoco..\$28.55, Town & Country..\$147.40, Custom Micro..\$5400.00, Galls..\$3614.00, Quality Welding..\$19.40, Menards..\$116.80, Career Planning..\$922.25, Tri-State Water..\$30.25, Hedahls..\$12.53, IANICIL..\$75.00, Photo Xpress..\$12.30, Earthgrains..\$512.64, AlcoPro..\$72.50, K-Mart..\$26.24, Wallwork Truck Center..\$139.76, Trail King..\$53.45, Safety Service..\$875.75, Pumps Tire..\$41.90, Lawson Products..\$53.65, Kens Alignment..\$139.57, Jensen Rock & Sand..\$9987.28, Huron Culvert..\$12,321.37, Graham Tire..\$182.84, Flint Hills..\$15,755.44, Fastenal..\$22.06, Farm Plan..\$622.37, Economy Propane..\$576.00, Violet Dinger..\$56.130.62, Diesel Machinery..\$200.50, Dakota Fluid Power..\$913.17, Creative Signs..\$20.00, Carquest..\$669.60, Biersbach Equip..\$1779.00, South Dakota Magazine..\$265.00, Midwest Alarm..\$51.50, Kens Superfair Foods..\$63.69, Arts Council..\$107.00, Aberdeen Awards..\$49.00, Geffdog..\$462.00, Central Supply..\$164.00, Herc-U-Lift..\$413.33, Newman Signs..\$331.35, McFarland Supply..\$90.44, Dakota Supply..\$125.48, Burgard Const..\$306.00, UBC..\$225.15, HC Clark..\$46.49, Runnings..\$13.94, Farnams..\$75.86, Quality Quick Print..\$30.00, Macs..\$6.38, Menards..\$3356.06, Up-Beat..\$1431.16, Van Diest..\$179.20, Johnson Controls..\$89,799.00, Walmart..\$15.84, Golden West..\$23,722.32, Language Lines..\$89.93, Milbank Comm..\$190.00, Farm & Home Pub..\$117.15, Racom..\$40.00;

Publications: American News..\$1596.55, Groton Independent..\$161.19, Dakota Press..\$1706.95, Rapid City Journal..\$21.28, Linn County Leaders..\$28.80;

Professional Fees: Jason Engel..\$60.00, Rebecca Mattern..\$90.00, Sheriff of Cass County..\$35.00, Avera St Lukes..\$934.96, witness fees..\$20.00, John Carrels..\$61.50, Sheriff of Brookings County..\$135.00, NE Mental Health..\$351.12, Dakota Imaging..\$250.18, Avera Midwest Psychiatric..\$86.30, McKennan Hospital..\$580.00;

Transcriptions: Kristy Kost..\$52.50, Calleen Misterek..\$112.74;

Travel: Tom Fischbach..\$206.72, Mike Wiese..\$254.91, Nancy Hansen..\$141.68, Maxine Taylor..\$116.68, Roxy Hilgenberg..\$14.00, Sheila Enderson..\$514.00, Patty VanMeter..\$112.68, Scott Madsen..\$85.52, Charlene Millim..\$112.64, Kurt Smith..\$97.16;

Utilities: Dependable Sanitation..\$371.00, Verizon..\$225.14, Qwest..\$913.86, Northern Elec..\$480.25, City of Hecla..\$94.22, FSH Comm..\$200.20, Northern Valley Comm..\$71.24, Northwestern Energy..\$186.84, TelServ..\$39.23, Verizon..\$113.94, James Valley Telecomm..\$209.53;

Care of Poor: Rent – 7 recipients..Golden West..\$260.00, Fred Marnette..\$220.00, Jim Burns..\$260.00, Gary Newell..\$175.00, Danne..\$370.00, White House Inn..\$35.10; Dr/Hospital – 3 recipient..Heloise Westbrook..\$189.71, Avera Home Medical Equip..\$192.70, Avera St Lukes Hospital..\$5359.08; Transportation -3 recipients.. Emergency Poor Fund..\$50.00, Brown County Highway..\$10.37; Utilities – 1 recipient..NWPS..\$140.00; Medication – 2 recipients..Lori Pharmacy..\$14.95, Jones Drug..\$95.84. All members present voting aye. Motion carried.

PERSONNEL:

Moved by Feickert, seconded by Wiese to approve the following employee step increases, effective May 21, 2006: Bryan Locke @ \$17.12 per hour, Shawna Everson @ \$11.10 per hour, David Bruckner @ \$13.96 per hour, Richard Schaible @ \$13.21 per hour, Roger Schaible @ \$13.36 per hour. All members present voting aye. Motion carried.

Moved by Wiese, seconded by Fischbach to acknowledge resignation of Lance Aeschliman, effective June 8, 2006, Erick McElroy, effective May 1, 2006 and John Burkard, effective May 26, 2006. All members present voting aye. Motion carried.

Moved by Wiese, seconded by Fischbach to approve hiring Brandi Hagen as part-time Corrections Officer in the Jail, effective May 16, 2006 at 9.37 per hour. All members present voting aye. Motion carried.

Moved by Hansen, seconded by Wiese to approve employee status change for Ryan Kotzea from part-time to full-time Corrections Officer in the Jail, effective May 21, 2006 at \$10.82 per hour. All members present voting aye. Motion carried.

PROPERTY TRANSFER:

Moved by Fischbach, seconded by Hansen to approve and authorize the Chairman sign agreements with the following entities who received equipment from the 2004 DOJ Equipment Grant Program: Hecla FD (radio chargers), Aberdeen Police Department (binoculars), Warner FD (rescue tools), North Central Steel Systems (NOAA radio), Brown County Maintenance (NOAA radio). All members present voting aye. Motion carried.

EXECUTIVE SESSION:

Moved by Hansen, seconded by Wiese to go into executive session to discuss possible litigation.

The Chairman declared the executive session closed, with the following action taken on Ordinance #040 as a result of the discussion.

ORD 040 - TABLED:

Moved by Wiese, seconded by Feickert to table action on Ordinance No. 040, An Ordinance amending Second Revision Brown County Ordinances to rezone the following described property from its present zoning designation of Chapter 4.06 Agriculture Preservation (AG-P) to Chapter 4.07 Mini-Ag District (M-AG): Lot 3 Jones Second Subdivision in the SE ¼ of Sec 22-T123N-R62W of the 5th P.M., Brown County, SD. All members present voting aye. Motion carried.

ORDINANCE NO. 041 – ADOPTION:

Moved by Hansen, seconded by Wiese to approve Second Reading and Adopt Ordinance No. 041, An Ordinance amending Second Revision Brown County Ordinances to rezone the following described property from its present zoning designation of Chapter 4.06 Agriculture Preservation (AG-P) to Chapter 4.07 Mini-Ag District (M-AG): Lots 1-8 Fischbach First Subdivision in the SE ¼ of Sec 23-T122N-R64W of the 5th P.M., Brown County, SD. Roll call vote: Commissioners Hansen-aye, Fischbach-abstain, Feickert-aye, Wiese-aye, Knecht-aye. Ordinance adopted.

PETITION TO VACATE PLAT:

Time and place, as advertised for public hearing to consider petition to vacate a portion of a plat, described as follows: Lot 2 Jones 2nd Subdivision in the SE ¼ of Sec 22-T123N-R62W of the 5th P.M., Brown County, SD. Moved by Wiese, seconded by Hansen to table action on petition to vacate a portion of a plat, described as follows: Lot 2 Jones 2nd Subdivision in the SE ¼ of Sec 22-T123N-R62W of the 5th P.M., Brown County, SD. All members present voting aye. Motion carried.

BID – COMFORT STATION AT FAIRGROUNDS:

Time and place, as advertised for public hearing to open, read and consider bids for labor and material required for the Comfort Station, Brown County Fairgrounds. Moved by Feickert, seconded by Hansen to reject all bids and return all envelopes to bidders (no information revealed from bids), as legal publication did not reflect goal of project. All members present voting aye. Motion carried.

PROPERTY PURCHASE AGREEMENT:

Moved by Wiese, seconded by Hansen to approve and authorize the Chairman sign a Real Estate Purchase Agreement between Dahme Construction Co, Inc. and Brown County, SD, whereby Brown County agrees to purchase the following described property for \$249,950.00: Lot 1 First Replat of Dahme North View Addition in the SE ¼ of Sec 1-T123N-R64W of the 5th P.M., Brown County, SD. All members present voting aye. Motion carried.

OPTION AGREEMENT:

Moved by Wiese, seconded by Feickert to approve and authorize the Chairman sign an Option Agreement between Dahme Construction Co., Inc. and Brown County, SD, whereby Dahme Construction will be allowed to purchase up to twenty-five hundred (2500) cubic yards of black dirt, effective until May 31, 2007 at \$0.75 per cubic yard from the following described property being purchased by Brown County: Lot 1 First Replat of Dahme North View Addition in the SE ¼ of Sec 1-T123N-R64W of the 5th P.M., Brown County, SD. 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 Qwest Corporation for occupancy of 129th Street in Sec 35-T124N-R64W of 5th P.M., Brown County, SD to provide telephone service. All members present voting aye. Motion carried.

Moved by Wiese, seconded by Feickert to approve and authorize the Chairman sign application, submitted by Northern Electric Coop for occupancy of County Hwy #14E in Sec 26-T123N-R63W of 5th P.M., Brown County, SD to install a single-phase URD cable crossing. All members present voting aye. Motion carried.

EXECUTIVE SESSION:

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

The Chairman declared the executive session closed, with no action taken as a result of the discussion.

RECESS:

The Chairman declared the Commission recessed until May 23, 2006

Maxine Taylor – Brown County Auditor

MAY 22, 2006 - JOINT CITY/COUNTY MEETING

The Brown County Commission and the Aberdeen City Council met in joint session at 5:30 P.M. in the City Commission Chambers, 123 S Lincoln Street, Aberdeen, South Dakota. Present from City were Council Members Agnitsch, Aman, Bunsness, Campbell, Hodgins, McQuillen, Mitchell, Rux and Mayor Levensen. Present from County were Commissioners Hansen, Feickert, Fischbach and Wiese. Absent Commissioner Knecht.

ORDINANCE NO. 06-05-01/327:

On motion by McQuillen and seconded by Rux, the City unanimously voted to approve First Reading of Ordinance No. 06-05-01/327.

Moved by Wiese, seconded by Feickert to approve First Reading of Ordinance No. 06-05-01/327, An Ordinance amending Ordinance No. 1164 to rezone the following described property from its present zoning designation of Section 701 (A-1) Agricultural District to Section 714 (M-AG) Mini-Agricultural District: Lot 11, Evelo's Outlots in the NE ¼ of Sec 2-T122N-R64W of the 5th P.M., Brown County, SD. All members present voting aye. Motion carried.

ORDINANCE NO. 06-05-02/328:

On motion by McQuillen and seconded by Mitchell, the City unanimously voted to approve First Reading of Ordinance No. 06-05-02/328.

Moved by Feickert, seconded by Wiese to approve First Reading of Ordinance No. 06-05-02/328, An Ordinance amending Ordinance No. 1164 to rezone the following described property from its present zoning designation of Section 703 (R-1) Low Density Residential District to Section 714 (M-AG) Mini-Agricultural District: Lot 1, Hartman First Subdivision in the SE ¼ of Sec 17-T123N-R64W of the 5th P.M., Brown County, SD. All members present voting aye. Motion carried.

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

MAY 23, 2006 – GENERAL MEETING

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

MINUTES:

Moved by Wiese, seconded by Hansen to approve the General Meeting minutes of May 16, 2006. All members present voting aye. Motion carried.

CLAIMS:

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

Supplies: Ramkota Inn..\$326.00, Roxy Hilgenberg..\$1.70, CDW Govt..\$1782.85, Heartland Paper..\$340.09, Simplex/Grinnell..\$54.10, Central Supply..\$597.55, Sterling Solutions..\$700.00, HSBC..\$383.416, NECOG..\$2288.15, Brown County..\$3051.60, Salvation Army..\$245.19, Best Business..\$31.12, Phillips 66..\$34.56, Diane Mielke..\$23.07, Time Works..\$450.00, Dakota Electronics..\$477.90, Sherwin Williams..\$17.96, Natural Abundance..\$2.86, Kens Superfair Foods..\$35.89, Farnams..\$59.53, Aberdeen Equip..\$87.57, Runnings..\$50.16, Custom Glass..\$20.86, Mayo Clinic Health Letter..\$27.00, Reuers Auto..\$1543.81, Van Diest..\$2809.40, Clareys Safety..\$2828.18, Keypoints Training..\$1634.30, Loy Stange..\$266.80, Groton Fire Dept..\$416.50, Bricks TV..\$2332.50, Pierson Ford..\$32.05, McFarland Supply..\$91.09, Fire Safety First..\$134.54, New Deal Tire..\$1036.15, Service Signs..\$127.50, M&T Fire..\$5119.00:

Professional Fees: Avera McKennan..\$1740.00, Avera University Psychiatry Assoc..\$137.68, Avera St Lukes..\$1190.00, Gellhaus & Gellhaus..\$500.00:

Travel: Gene Loeschke..\$78.72, Barb Gunderson..\$96.28, Bud Lemke..\$19.00, Tabatha Moore..\$107.48, Marcy Fritz..\$129.92, Mark Milbrandt..\$560.90:

Utilities: FSH Communications..\$55.00, Alltel..\$2973.86, Qwest..\$5521.46, Bureau of Admin..\$695.78, City of Aberdeen..\$472.25, Northern Elec..\$157.79:

Care of Poor: Rent – 7 recipients..MelRos Village..\$260.00, Dean Salzsieder..\$250.00, Falcon Rentals..\$260.00, Inn Keeper..\$30.00, Ron Erdmann..\$55.00, Aberdeen Finance..\$167.00, Marty Hertel..\$240.00; Dr/Hospital – 3 recipients..United Clinic..\$238.98, OB/GYN..\$335.80, Avera St Lukes..\$3040.46; Burial - 1 recipient..City of Aberdeen..\$400.00, Schriver's Memorial Mortuary..\$1682.00; Insurance – 1 recipient..Dakota Care Cobra..\$766.29. All members present voting aye. Motion carried.

PERSONNEL:

Moved by Fischbach, seconded by Hansen to acknowledge resignation of James Davis as Corrections Officer, effective June 4, 2006. All members present voting aye. Motion carried.

BUDGET SUPPLEMENT:

Commissioner Feickert offered the following Resolution:

RESOLUTION NO. 31-06

WHEREAS, due to the failure to provide adequate spending authority within the following Brown County Budget for year 2006, to enable the purchase of the following property: Lot 1 First Replat of Dahme North View Addition in the SE ¼ of Sec 1-T123N-R64W of the 5th P.M., Brown County, SD:

Fairgrounds----- \$249,950.00

WHEREAS, the County has chosen to incur this obligation and expenditure by supplementing the following 2006 fiscal Brown County Fairgrounds Budget, and to fund same from the following:

Unobligated Surplus Cash @ \$249,950.00

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 June 13, 2006 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 Wiese. Roll call vote: Commissioners Hansen-aye, Fischbach-aye, Feickert-aye, Wiese-aye, Knecht-aye. Resolution adopted.

SET HEARING DATE – MALT BEVERAGE LICENSES:

Moved by Fischbach, seconded by Wiese to authorize advertising public hearing to consider the following applications, to be held in the Brown County Commission Chambers, Courthouse Annex at 8:45 a.m. on June 6, 2006: RENEWAL: Retail (On-Off Sale) Malt Beverage Marge Frohling DBA The Connection, Main Street, Box 62, Houghton, SD – Lots 10-11-12-13-&14, Block 2, Sec 31-T127-R61. Alan Lanphere DBA Bath Quick Stop, RR 1, Box 96, Bath, SD – Lot B Weismantel's First Subd of Lot 1 ex N 12' Jenkins Subd E ½ of SE ¼ Sec.18-123-62. Terry Voeltz DBA T's Promotion Inc., 2622 13 Ave SE, Aberdeen, SD – Brown County Fairgrounds Grandstand limited to drawing on file - SW ¼ Sec 1-T123N-R64W, Brown County, SD. Moccasin Creek Country Club, Inc. 39084 130th St., Aberdeen, SD – Prairiewood Village Outlot 7 Sec 33-124-63. Daniel Brandenburger DBA Elm Lake Resort, 37594 102nd St, Forbes ND – Lot 1, Elm Lake Resort Subd in the SE ¼ of Sec 8-128-65, ex that portion of Road r/o/w. Larry Griffiths and Carolyn Crist DBA Griff's Place, 38401 133rd St, Aberdeen, SD – N218' of Lot A, Replat of Evelo's Subdivision in NW ¼ Sec 21-T123N-R64W, Brown County, South Dakota. NEW: Retail (On-Off Sale) Malt Beverage Alex and Diane Schaeffer, DBA Richmond Oasis LLC, 12845 382nd Ave, Aberdeen SD – Lot 4 Schaeffer Richmond Lake 2nd Addition in NE ¼ of Sec 25-T124N-R65W, Brown County, SD. All members present voting aye. Motion carried.

TOWNSHIP BONDS:

Moved by Hansen, seconded by Feickert to approve the following Township Bonds (Treasurer and Clerk): PORTAGE #1- Susan Gerdes, Tom Stehly; GREENFIELD #2 - Carol Luttrell, Karen Lunzman; FREDERICK #3 - Dan Rahja, Jill Gisi; ALLISON #4 - Dillon Cutler, Arlene Hixon; LANSING #5 – Sharon Lehr, Dixie Clark; ONEOTA #6 - Karla Engelhart, Neil Schaunaman; BRAINARD #7 - Charles Dennert, Diane Bruns; SHELBY #8 – Michael Knecht, Brent Miller; NORTH DETROIT #9 – Sandy Dinger, Cindy Olson; CLAREMONT #10 – Donald Wegleitner, Justin Wegleitner; COLUMBIA #11 – Marty Weismantel, Patricia Daly; WESTPORT #12 - Guyna Dehne, Doug Fjeldheim; CARLISLE #13 - Sally Waltman; ORDWAY #14 - Kerry Howell, Mike McHugh; CAMBRIA #15 – Monte McNickel, Ron Ringgenberg; RIVERSIDE #16 – Steve Simon; GROTON #17 – Jerry Locke, Jeff Howard; HENRY #18 – Matt Oswald, Janet Lehman; BATH #19 – David Stahl; ABERDEEN #20 - Tom Eilers, Darlys Jensen; MERCIER #21 - Jerry Streckfuss, Randy Bauer; NEW HOPE #22 - Alan Borchard, Milton Haselhorst; WARNER #23 – Bev Graham, Robert Seaton; GEM #24 - Loel Schott, Mary Jane Schott; EAST RONDELL #27 – Dennis Rossow; PALMYRA #28 - Sarah Monroe, Margaret Strand; OSCEOLA #29 - John Peldo, Chris Sumption; SAVO #30 - Calvin Raisanen. Mary Ann Luoma; LIBERTY #31 - Ben Willhaus, Rollin Stearns; RAVINIA #34 – Lisa Berbos, Patrick Keatts; HIGHLAND #35 - Dan Misslitz, Deanna Nelson; FRANKLYN #36 - Sharon Bain, Jeff Stein; RICHLAND #37 - Margaret Sumption, Deb Heine; LINCOLN #39 - Loren Harms, Casey Black; BATES #44 - Kathy Dobberpuhl, Roger Ball; GARLAND #46 – Lloyd Buntrock, Dwain Buntrock; WEST HANSON #49 - Tom Paepke, Arnold Bahr; HECLA #50 – Cliff Schroeder, Sharon Schroeder;

PRAIRIEWOOD #53 – Tom Kellen; WEST RONDELL #57 - Allen Ryckman, Larry Ihde; SOUTH DETROIT #59 - Mark Perkins, Mark Hoinen. All members present voting aye. Motion carried.

PLATS:

Commissioner Feickert offered the following Resolution:

RESOLUTION NO. 32-06

BE IT RESOLVED by the County Commission of Brown County, SD, that the plat showing “Redmond’s Tract 1 in the NW ¼ of Sec 25-T125N-R64W 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 Fischbach. Roll call vote: Commissioners Hansen-aye, Fischbach-aye, Feickert-aye, Wiese-aye, Knecht-aye. Resolution adopted.

Commissioner Feickert offered the following Resolution:

RESOLUTION NO. 33-06

BE IT RESOLVED by the Board of County Commissioners of Brown County, SD, that the plat showing “Weiszhaar Subdivision in the SE¼ of Sec 34-T124N-R64W of the 5th P.M., Brown County, SD”, 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, Fischbach-aye, Feickert-aye, Wiese-aye, Knecht-aye. Resolution adopted.

Commissioner Wiese offered the following Resolution:

RESOLUTION NO. 34-06

BE IT RESOLVED by the County Commission of Brown County, SD, that the plat showing “Edwards Wildwood Subdivision in NW ¼ of Sec 34-T124N-R64W 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 Hansen. Roll call vote: Commissioners Hansen-aye, Fischbach-aye, Feickert-aye, Wiese-aye, Knecht-aye. Resolution adopted.

PROPERTY TRANSFER:

Moved by Wiese, seconded by Feickert to approve and authorize the Chairman sign agreements with the following entities who received equipment from the 2004 DOJ Equipment Grant Program: Claremont FD (scope, portable radios), Civil Air Patrol (mobile radio), Avera St Lukes Hospital (security system). All members present voting aye. Motion carried.

WEED AND SEED:

Moved by Wiese, seconded by Fischbach to approve the Brown County Weed and Seed Monthly Expenses for May 2006 (Year Four 2005-WS-Q5-0089), in amount of \$5,186.21. All members present voting aye. Motion carried.

MOSQUITO CONTROL GRANT AWARD:

Moved by Wiese, seconded by Hansen to approve and authorize the Chairman sign Mosquito Control Grant Agreements for the purchase of chemical for Brown County's 2006 mosquito control plan in amount of \$19,420.88. All members present voting aye. Motion carried.

BID – PHASE II JAIL PROJECT:

Moved by Fischbach, seconded by Hansen to approve Addendum No. G-1 to general plans and specifications for Phase II Jail Project dated May 22, 2006. All members present voting aye. Motion carried.

Time and place, as advertised to open, read and consider bids for labor and material required for the Phase II Addition and Remodeling to Brown County Jail Building. Bids were received from Huff Construction, Aberdeen and Kyburz-Carlson Construction, Aberdeen. Moved by Feickert, seconded by Fischbach to refer all bids to the Maintenance Department for review and recommendation. All members present voting aye. Motion carried.

GIS UPDATE/FEE SCHEDULE:

Scott Madsen, GIS Coordinator presented department update, presented fee schedule for copies and discussed employee travel reimbursement policy.

Moved by Wiese, seconded by Feickert to approve Map Product Fees and Order Form to be used by the GIS Department for copies of maps and related material. All members present voting aye. Motion carried.

ORDINANCE NO. 042 - SET HEARING DATE:

Moved by Hansen, seconded by Fischbach to set public hearing for 9:15 a.m. on June 6, 2006 in the Commission Chambers, Courthouse Annex, Brown County, SD for First Reading of Ordinance No. 042, An Ordinance to rezone the following property from Chapter 4.06 Agricultural Preservation District (AG-P) to Chapter 4.16 Heavy Industrial District (H-I): Meyers' Outlot 2 in the SW ¼ of Sec 21-T124N-R63W of the 5th P.M., Brown County, SD. All members present voting aye. Motion carried.

PETITION TO REZONE DISCUSSION:

Several individuals appeared to present comments in opposition to the following Brown County Planning & Zoning Board's recommendation on petition to rezone property: "Passed with the stipulation that if the land sale does not go through the zoning will remain Ag and the land can only be used for ethanol plant". A total of sixteen individuals were in attendance for the discussion. After the discussion, the Brown County Commission took action to authorize public hearing to consider petition to rezone.

ORDINANCE NO. 043:

Moved by Wiese, seconded by Hansen to authorize advertising a public hearing to be held on the 6th day of June 2006 beginning at 9:30 a.m. in the Commissioner's Chambers, Courthouse Annex, Brown County, SD, to consider the Petition filed by Robert Magstadt agent for David Didreckson, Donald and Mylo Mitzel, and Lavern and Trudy Didreckson to amend Second Revision Brown County Ordinances to rezone the following described property from its present zoning designation of Chapter 4.06 Agriculture Preservation (AG-P) to Chapter 4.16 Heavy Industrial District (H-I): SE ¼ of Sec 23-T123N-R65, except highway, the SW ¼ of Sec 23-T123N-R65, and Lot 1 Didreckson Subdivision in the NW ¼ of Sec 26-T123N-R65W of the 5th P.M., Brown County, SD. At the conclusion of the hearing, the Brown County Commission may adopt first reading of Ordinance No. 043. Roll call vote: Commissioners Hansen-aye, Fischbach-aye, Feickert-nay, Wiese-aye, Knecht-aye. Motion carried.

RECESS:

The Chairman declared the Commission recessed until May 31, 2006.

Maxine Taylor – Brown County Auditor

MAY 30, 2006 - JOINT CITY/COUNTY MEETING

The Brown County Commission and the Aberdeen City Council met in joint session at 8:45 A.M. in the City Commission Chambers, 123 S Lincoln Street, Aberdeen, South Dakota. Present from City were Council Members Agnitsch, Aman, Bunsness, Campbell, Hodgins, McQuillen, Mitchell, Rux and Mayor Levensen. Present from County were Commissioners Hansen, Feickert, Fischbach and Wiese. Absent Commissioner Knecht.

ORDINANCE NO. 06-05-01/327:

On motion by Rux and seconded by Mitchell, the City unanimously voted to approve Second Reading and Adoption of Ordinance No. 06-05-01/327.

Moved by Feickert, seconded by Wiese to approve Second Reading and Adoption of Ordinance No. 06-05-01/327, An Ordinance amending Ordinance No. 1164 to rezone the following described property from its present zoning designation of Section 701 (A-1) Agricultural District to Section 714 (M-AG) Mini-Agricultural District: Lot 11, Evelo's Outlots in the NE ¼ of Sec 2-T122N-R64W of the 5th P.M., Brown County, SD. Roll call vote: Commissioners Hansen-aye, Fischbach-aye, Feickert-aye, Wiese-aye, Knecht-absent. Ordinance adopted.

ORDINANCE NO. 06-05-02/328:

On motion by McQuillen and seconded by Agnitsch, the City unanimously voted to approve Second Reading and Adoption of Ordinance No. 06-05-02/328.

Moved by Hansen, seconded by Wiese to approve Second Reading and Adoption of Ordinance No. 06-05-02/328, An Ordinance amending Ordinance No. 1164 to rezone the following described property from its present zoning designation of Section 703 (R-1) Low Density Residential District to Section 714 (M-AG) Mini-Agricultural District: Lot 1, Hartman First Subdivision in the SE ¼ of Sec 17-T123N-R64W of the 5th P.M., Brown County, SD. Roll call vote: Commissioners Hansen-aye, Fischbach-aye, Feickert-aye, Wiese-aye, Knecht-absent. Ordinance adopted.

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

MAY 30, 2006 – GENERAL MEETING

Meeting called to order by Vice-Chairman Fischbach at 9:00 A.M. in the Commissioner's Chambers, Courthouse Annex, Brown County, SD. Present were Commissioners Hansen, Feickert and Wiese. Absent Commissioner Knecht.

MINUTES:

Moved by Wiese, seconded by Feickert to approve the Joint City/County Meeting minutes of May 22, 2006 and the General Meeting minutes of May 23, 2006. All members present voting aye. Motion carried.

CLAIMS:

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

Payroll: Commissioners..\$2,779.85; Auditor..\$6,745.34; Treasurer..\$8,783.74; Data Processing..\$2,894.93, State's Attorney..\$12,243.10; Maintenance..\$5,517.38; Assessor..\$7,075.87; Planning & Zoning..\$679.53; Register of Deeds..\$4,773.34; Veterans Service Office..\$2,722.87; GIS..\$1,738.47; Sheriff..\$59,638.86; Grant..\$3,574.40; Communications..\$11,667.82; Welfare Office..\$2,898.75; Museum..\$5,048.64; Fairboard..\$1,445.17; Fairgrounds & Parks..\$3,667.93; Extension..\$1,789.60; Weed..\$3,499.64; Coroner..\$450.00; Emergency Management..\$2,852.06; Weed and Seed..\$1,113.47; Highway..\$32,955.44; Landfill..\$7,500.94; Matching Benefits: FICA..\$11,414.96, Medicare..\$2,669.58, Wellmark BCBS Life..\$682.46, Wellmark BCBS Health..\$54,225.60, Delta Dental..\$4,077.00, SD State Retirement..\$23,227.96:

Supplies: Kings Inn..\$88.00, Quality Quick Print..\$98.92, Best Business..\$218.11, New Trends..\$172.60, Kesslers..\$310.02, Inventory Trading..\$637.25, Executive Mgmt..\$2883.92, Parcel-Erickson..\$40.95, Hoven Auto..\$97.82, Nat'l Sheriff Assn..\$100.00, Langs..\$116.00, Vantek..\$23.00, OK Tire..\$938.84, Photos Now..\$12,836.00, Moore Medical..\$601.88, Galls..\$1503.02, DT Pharmacy..\$2379.17, Van Diest..\$3397.42, 3-D Specialists..\$497.50, SD Div of Motor Vehicles..\$13.00, Share Corp..\$255.00, Pumps Tire..\$585.15, Palmer Dist..\$95.00, Northern Plains..\$1362.00, Lawson Products..\$57.05, Jensen Rock & Sand..\$7104.96, HF Jacobs..\$7376.00, Howes Oil..\$16,420.50, Habecks Radiator..\$74.25, HSBC..\$277.67, General Traffic Controls..\$98.01, Farm Power..\$215.67, Erdmann Fuels..\$2480.52, Creative Signs..\$74.00, Biersbach Equip..\$235.65, Artz Camera..\$12.25, Walmart..\$94.14, House of Glass..\$193.82, Aberdeen Parks..\$75.00, Swanson Elec..\$45.90, Farm Power..\$17.64, Racom..\$80.00, Priority Dispatch..\$117.00, Northern Tool..\$435.45, Americinn..\$88.00:

Publications: Groton Independent..\$248.94, American News..\$1172.25:

Professional Fees: Avera St Lukes..\$553.80, John Carrels..\$112.03, Northern Plains OMS..\$44.95, United Clinic..\$37.20, NADRIC..\$1666.67, Donna Dietrich..\$126.49, Nelva Kooistra..\$15.00, Cathy Rehfuß..\$15.00, Eide Bailly..\$238.50:

Travel: Melissa Tennant..\$70.72, Tom Gohn..\$76.84, Kathy Schlecht..\$9.00, City of Groton..\$38.40, Marj Zastrow..\$59.00, Nancy Radke..\$500.00, Dennis Feickert..\$138.60:

Court Appointed Attorney: Christy Serr..\$4166.67, Randy Turner..\$4166.67, William Gerdes..\$4166.67, Kelly Marnette..\$4280.67, Kuck Law Office..\$4166.67, Kabeiseman & Pollard..\$156.80:

Utilities: Northwestern Energy..\$1994.00, Midcontinent Cable..\$232.88, Alltel..\$250.71, Qwest..\$114.57, Northern Elec..\$100.00, Verizon..\$47.43:

Care of Poor: Rent – 4 recipients..Greg Webb..\$260.00, Bob Melick..\$220.00, Kathleen Getty..\$220.00, Hunstad Rentals..\$220.00; Dr/Hospital – 5 recipients..Dakota Imaging..\$21.68, Dakota Plains Surgical Center..\$529.32, United Clinic..\$273.01, Sioux Valley Hospital..\$6054.25, Avera St Lukes..\$1835.77; Utilities - 2 recipients.. NWPS..\$460.00; Transportation - 2 recipients..Brown County Highway..\$16.60, Aberdeen Shuttle..\$50.00. All members present voting aye. Motion carried.

PERSONNEL:

Moved by Wiese, seconded by Feickert to approve the following employee step increases, effective June 4, 2006: Harlan Place @ \$11.38 per hour, Melony Flinn @ \$12.18 per hour, Brenda Hammrich @ \$12.63 per hour. All members present voting aye. Motion carried.

Moved by Wiese, seconded by Feickert to list the following volunteers for work comp purposes: Kerry Beckler, Paul Bohling, Diane Bruns, Mercedes Buchanan, Lance Bunke, Ashley Burdick, Becky Burdick, Darcie Engel, Ryan Engel, Dave Green, Nancy Gross, Pat Helm, Janet Herman, Rick Humphries, Geneva Hurlburt, Lynn Isackson, Matthew Klundt, Michael Kost, Ron Kost, Brad Liechtner, Jason Malsam, Tim Mathern, Carrington Mead, Carla Meints, Tara Meints, Trevor Meints, Jordon Miller, Nathan Miller, Deborah Munger, Cindy Olson, Janice Sippel, Justin Steiger, Angie Swallow, Jesse Swallow, Brittney Traxinger, Terri Traxinger, Tonya Vilhauer, Barney Williams, Brad Wollman, Cara Wollman. All members present voting aye. Motion carried.

Moved by Feickert, seconded by Hansen to approve hiring Levi Jensen as Deputy Sheriff, effective June 5, 2006 at \$13.89 per hour; and further approve employee status change for Keith Baker from Corrections Officer to Deputy Sheriff, effective July 10, 2006 at \$13.89 per hour. All members present voting aye. Motion carried.

Moved by Wiese, seconded by Hansen to adjust salary and title for Freddie Robinson to Emergency Management Director at prorated annual salary of \$35,918.00 and adjust rate of earning vacation leave to match years of service; and further adjust salary and title for Ginger Walker to Emergency Management Assistance at \$12.88 per hour with overtime, effective June 4, 2006; and further acknowledge end of part-time employment for Becky Berreth. All members present voting aye. Motion carried.

BID – LANDFILL SHOP BUILDING:

Moved by Wiese, seconded by Hansen to authorize advertising public hearing to open, read and consider bids for labor and material required for the Brown County Landfill Shop Building, to be held in the Commissioner's Chambers, Courthouse Annex, Brown County, SD on June 13, 2006 at 9:00 a.m. All members present voting aye. Motion carried.

PROPERTY TRANSFER:

Moved by Wiese, seconded by Feickert to approve and authorize the Chairman sign agreements with the following entities who received equipment from the 2004 DOJ Equipment Grant Program: Stratford FD (radio equipment), Claremont FD (scope, radio equipment), Groton FD (rescue jacks), Bath FD (rescue saw). All members present voting aye. Motion carried.

BLOOD DRAW AGREEMENTS:

Moved by Wiese, seconded by Feickert to approve and authorize the Chairman sign the Blood Draw Agreements with the following Technicians: Jayson Knutson and Mary Bendewald. All members present voting aye. Motion carried.

TOWNSHIP BONDS:

Moved by Feickert, seconded by Hansen to approve the following Township Bonds: CARLISLE #13 - Al Waltman (clerk); EAST HANSON #25 – Dennis Pigors, Lance Larsen; GARDEN PRAIRIE #26 - Steve Dunker, Todd Osterman; EAST RONDELL #27– Kathy Williams (clerk); PUTNEY #48 – Bill Schuelke, Mark Thompson; PRAIRIEWOOD #53 – Craig McFarland (clerk). All members present voting aye. Motion carried.

SPECIAL MALT BEVERAGE HEARING SET:

Moved by Feickert, seconded by Wiese to authorize advertising public hearing to consider the following application for Special Malt Beverage License, to be held in the Brown County Commission Chambers,

Courthouse Annex at 10:00 a.m. on June 13, 2006: Special Malt Beverage License: Aberdeen Area Community Foundation, 1220 N Lincoln, Aberdeen, SD—Lot 1 Parkview Nursery Addn in NE 1/4 Sec 25-T123N-R64W of 5th P.M., Brown County, SD, effective June 22, 2006. All members present voting aye. Motion carried.

JAIL UPDATE:

John VanderHoek, Chief Deputy Jailer explained the P-2 Program, which provides the opportunity for a local volunteer to visit inmates that do not have family members in the area and explained the purchase of used rental movies from the phone card/commissary expenditure budget line item that are shown in the Jail.

HIGHWAY UPDATE:

Dirk Rogers, Highway Superintendent and Phil Dwight, area SD DOT Engineer discussed the traffic patterns at the proposed ethanol plant site and stated an approach may be extended and a turning lane will be added. Mr. Rogers informed Commission of condition of 379th Ave S of US Hwy 12 and presented project update.

BID AWARD—MAGNESIUM CHLORIDE:

Moved by Wiese, seconded by Feickert to award bid for Magnesium Chloride, submitted by Z & S Dust Control Systems at \$.56 per gallon, as bid by McCook County on March 21, 2006. All members present voting aye. Motion carried.

LINCOLN/ABERDEEN TOWNSHIP:

Jerry Cope, Lincoln Township and Rolly Aman, Aberdeen Township met to discuss dissolving an obsolete agreement regarding 130th Street. A document to dissolve the agreement will be presented at a later date.

PHASE II JAIL BID DISCUSSED:

Dean Marske, Mick Palmer, Judy Dosch and Roger Huff discussed the Phase II Jail Bid opened at letting held on May 23, 2006. The Commission will review funding sources and discuss again at a later date.

EXECUTIVE SESSION:

Moved by Wiese, seconded by Hansen to go into executive session for personnel discussion.

The Chairman declared the executive session closed, with the following action taken as a result of the discussion.

Moved by Feickert, seconded by Wiese to appoint Dirk Rogers as temporary Planning/Zoning/Drainage Coordinator, effective May 30, 2006 until December 1, 2006 at an additional salary of \$500 per pay period, as discussed in executive session. All members present voting aye. Motion carried.

FAIR UPDATE:

Larry Gerlach, Fair Manager informed the Commission that 2006 Fair Tickets will go on sale June 14th and all contracts are complete.

EXECUTIVE SESSION:

Moved by Hansen, seconded by Wiese to go into executive session for personnel discussion.

The Chairman declared the executive session closed, with no action taken as a result of the discussion.

AFSCME CONTRACT:

Moved by Hansen, seconded by Wiese 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 period of January 1, 2006 – December 31, 2007. All members present voting aye. Motion carried.

RECESS:

The Chairman declared the Commission recessed until June 6, 2006.

Maxine Taylor – Brown County Auditor

JUNE 6, 2006 – GENERAL MEETING

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

MINUTES:

Moved by Hansen, seconded by Wiese to approve the Joint City/County Meeting minutes and General Meeting minutes of May 30, 2006. All members present voting aye. Motion carried.

CLAIMS:

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

Supplies: Quality Quick Print..\$3891.70, Kesslers..\$20.64, Brown & Saenger..\$428.19, Office Equip..\$4.69, Lar-Jos..\$50.85, Walmart..\$421.35, Northview Video..\$33.75, Racom..\$220.00, Best Business..\$167.01, Bob Barker..\$21.87, Galls..\$213.87, McQuillen Design..\$532.79, Kendell Titze..\$526.99, SDDOT..\$33,694.96, Northern Plains Land Services..\$348.00, Newman Signs..\$492.70, Macs..\$136.78, Loup Valley..\$654.11, Little Falls Machine..\$140.88, Great Western Tire..\$7147.37, Downie's Piano..\$18.00, Dakota Supply Group..\$117.05, Crawford Trucks..\$5412.26, HC Clark..\$33.98, Caspers Hwd..\$972.92, Butler Machinery..\$666.57, Burdick Bros..\$1350.00, Bridgestone/Firestone..\$20.22, AW Direct..\$54.44, SD Assoc of County Commissioners..\$20.00, Kleins..\$2.87, Glas Consulting..\$118.75, UBC..\$100.97, Western Printing..\$433.54, KSFY..\$225.00, KELO..\$800.00, Central Supply..\$162.35, Menards..\$39.34, Dakota Electronics..\$8174.85, Radio Shack..\$24.98, Kirks Auto..\$78.48, MilesTek..\$111.90, CDW Govt..\$966.87, UPS..\$8.00, Hewlett Packard..\$2330.00, Fire Safety First..\$149.83, Evergreen Supply..\$2.35, Cunningham Elec..\$602.87, Aberdeen Equip..\$92.98, HC Clark..\$33.49, Dakota Fluid Power..\$98.31, Sheehan Mack Sales..\$684.71, Aberdeen Radio Ranch..\$1715.00, Genius Web..\$29.97, Galls..\$363.57, Erdmann Oil..\$3935.60, Runnings..\$410.05, SD Dept of Rev..\$3520.20, Praxair..\$9.50, House of Glass..\$439.51, E-Zee Supply..\$422.42, Earth Tech..\$4847.13, Western Printing..\$747.86, Artz Camera..\$6.96, New Trends..\$27.13:

Publications: Groton Independent..\$1735.69, American News..\$2888.25, Watertown Public Opinion..\$265.00, Jamestown Sun..\$120.00, Midland Press..\$340.00:

Professional Fees: Avera St Lukes..\$1785.00:

Transcriptions: Michelle Gaikowski..\$60.80, Slowey Court Reporting..\$232.50:

Travel: Lois Pletten..\$1807.80, Becky Berreth..\$1663.95, Rich Kezar..\$1807.80, Gene Loeschke..\$156.36, Kathy Fischer..\$197.78, Lorah Houser Jankord..\$43.00, Mary Worlie..\$181.20:

Utilities: Qwest..\$40.66, Midcontinent Cable..\$917.21, Northern Valley Comm..\$222.32, James Valley Co-Op..\$372.18, Montana Dakota..\$105.00, Town of Frederick..\$28.25, Northwestern Energy..\$475.74, WEB..\$121.81:

Care of Poor: Rent – 1 recipient..Marshall Apts..\$195.00; Dr/Hospital – 3 recipients..Anesthesia Care..\$96.00, United Clinic..\$138.66; Medications - 2 recipients..Walmart Pharm..\$255.28. All members present voting aye. Motion carried.

PERSONNEL:

Moved by Wiese, seconded by Hansen to approve hiring Jade Dosch and Lance Heib, part-time employees for Elections, effective June 2, 2006 at \$10.00 per hour. All members present voting aye. Motion carried.

Moved by Feickert, seconded by Wiese to approve employee step increase for John VanderHoek, effective May 21, 2006 at \$16.91 per hour. All members present voting aye. Motion carried.

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Moved by Wiese, seconded by Hansen to approve employee status change for Kelly Moinichen from full-time JDC Corrections Officer to part-time JDC Corrections Officer, effective June 9, 2006 at \$9.37 per hour. All members present voting aye. Motion carried.

Moved by Wiese, seconded by Hansen to approve hiring Larry Harper as permanent part-time Jail Corrections Officer, effective June 4, 2006 at \$9.37 per hour. All members present voting aye. Motion carried.

Moved by Hansen, seconded by Wiese to acknowledge resignation of David Koch, Community Resource Coordinator, effective May 31, 2006. All members present voting aye. Motion carried.

SET HEARING DATE:

Moved by Wiese, seconded by Feickert to set public hearing for 5:30 p.m. on June 26, 2006 in the Aberdeen City Council Chambers, 123 S Lincoln Street for First Reading of the following: Ordinance No. 06-06-02/329, An Ordinance to rezone the following property from Section 701 (A-1) Agricultural District to Section 713 (M) Municipal, State, and County Use District: Lot 1, South Side Industrial Subdivision in the N ½ and NE ¼ of Sec 36-T123N-R64W of the 5th P.M., Brown County, SD, excluding Moccasin Creek and Foot Creek; Ordinance No. 06-06-03/330, An Ordinance to rezone the following property from Section 701 (A-1) Agricultural District to Section 710 (I-2) Unrestricted District: Lot 2, South Side Industrial Subdivision in the N ½ and SE ¼ of Sec 36-T123N-R64W of the 5th P.M., Brown County, SD. All members present voting aye. Motion carried.

LEASE AGREEMENT:

Moved by Wiese, seconded by Feickert to approve and authorize the Chairman sign agreement with National Barrel Horse Association, SD District #4 for lease of the Open Horse Arena on June 10, 2006. All members present voting aye. Motion carried.

AUDITORS REPORT OF ACCOUNT:

Moved by Hansen, seconded by Feickert to approve the May 2006 Auditor's Report of Account with the County Treasurer in total amount of \$16,608,499.15 (total amount of actual cash @ \$3,043.72, Wells Fargo Bank @ \$3,694.79, US Bank @ \$23,633.64, Dacotah Bank @ \$168,882.44, Petty Cash @ \$1,800.00, Fund Investments @ \$16,405,488.28, Outstanding Checks @ \$1,956.28). All members present voting aye. Motion carried.

SHERIFF REPORTS:

Moved by Wiese, seconded by Feickert to approve the following April 2006 Sheriff Reports: Incidents & Offenses, Prisoner Care, JDC, Money deposited with the County Treasurer and Monthly activities. All members present voting aye. Motion carried.

PLAT:

Commissioner Hansen offered the following resolution:

RESOLUTION NO. 35-06

BE IT RESOLVED by the Board of Commissioners of Brown County, SD, that the plat showing "Meyers' Outlot 2 in the SW ¼ of Sec 21-T124N-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: Commissioner's Hansen-aye, Fischbach-aye, Feickert-aye, Wiese-aye, Knecht-absent. Resolution adopted.

ANNUAL MALT BEVERAGE LICENSE RENEWAL HEARING:

Time and place as advertised for public hearing to consider applications for renewal of Annual Malt Beverage License and new Malt Beverage License. Moved by Feickert, seconded by Wiese to approve the following renewal applications: Retail (On-Off Sale) Malt Beverage: Larry Griffiths and Carolyn Crist DBA Griff's Place; Marge Frohling DBA The Connection; Alan Lanphere DBA Bath Quick Stop; Terry Voeltz, DBA T's Promotions; Daniel Brandenburger DBA Elm Lake Resort; Moccasin Creek Country Club, Inc.; and further approve the following new Malt Beverage License: Alex and Diane Schaeffer, DBA Richmond Oasis LLC. All members present voting aye. Motion carried.

ORDINANCE NO. 042 – FIRST READING:

Moved by Hansen, seconded by Feickert to approve First Reading of Ordinance No. 042, An Ordinance amending Second Revision Brown County Ordinances to rezone the following described property from its present zoning designation of Chapter 4.06 Agriculture Preservation (AG-P) to Chapter 4.16 Heavy Industrial District (H-I): Meyers' Outlot 2 in the SW ¼ of Sec 21-T124N-R63W of the 5th P.M., Brown County, SD. All members present voting aye. Motion carried.

ORDINANCE NO. 043 – FIRST READING:

Time and place, as advertised for First Reading of Ordinance No. 043. Seventy individuals appeared with testimony (written and oral), comments and/or questions for discussion. After the discussion the following action ensued:

Moved by Hansen, seconded by Feickert to approve First Reading of Ordinance No. 043, An Ordinance amending Second Revision Brown County Ordinances to rezone the following described property from its present zoning designation of Chapter 4.06 Agriculture Preservation (AG-P) to Chapter 4.16 Heavy Industrial District (H-I): SE ¼ of Sec 23-T123N-R65W, except highway, the SW ¼ of Sec 23-T123N-R65W, and Lot 1 Didreckson Subdivision in the NW ¼ of Sec 26-T123N-R65W of the 5th P.M., Brown County, SD. All members present voting aye. Motion carried.

HIGHWAY UPDATE:

Dirk Rogers, Highway Superintendent discussed asphalt supply and bidding, project updates and planning and zoning.

APPLICATION FOR OCCUPANCY:

Moved by Hansen, seconded by Wiese to approve application, submitted by Northern Valley Communications for occupancy of Brown County Highway #14 in Sec 9-T123N-R63W of the 5th P.M., Brown County, SD, for communications. All members present voting aye. Motion carried.

TEEN COURT:

Mark Anderson, Deputy States Attorney met to discuss hiring a coordinator for the Teen Court Program. Moved by Wiese, seconded by Hansen to approve hiring Tabitha Moore as Teen Court Coordinator, effective June 14, 2006 at \$13.50 per hour. All members present voting aye. Motion carried.

RECESS:

The Chairman declared the Commission recessed until June 13, 2006.

Maxine Taylor – Brown County Auditor

JUNE 8, 2006 – CANVASS OF JUNE 6, 2006 PRIMARY ELECTION

Brown County Commissioners Nancy Hansen, Dennis Feickert, Mike Wiese and Tom Fischbach convened for purpose of canvassing the June 6, 2006 Primary Election, as authorized by SDCL 12-20-36 at 4:00 p.m. and recessed until 11:30 a.m. June 9, 2006 with Commissioners Hansen, Wiese and Fischbach in attendance.

ABERDEEN CITY PRECINCTS

#001	Poll Book Count	288
	Ballots Counted	288
#002	Poll Book Count	174
	Ballots Counted	174
#003	Poll Book Count	122
	Ballots Counted	122
#004	Poll Book Count	84
	Ballots Counted	84
#005	Poll Book Count	122
	Ballots Counted	122
#006	Poll Book Count	293
	Ballots Counted	293
#007	Poll Book Count	203
	Ballots Counted	203
#008	Poll Book Count	70
	Ballots Counted	70
#009	Poll Book Count	228
	Ballots Counted	228
#010	Poll Book Count	149
	Ballots Counted	149
#011	Poll Book Count	192
	Ballots Counted	192

RURAL PRECINCTS

#012	Poll Book Count	98
	Ballots Counted	98
#013	Poll Book Count	58
	Ballots Counted	58
#014	Poll Book Count	47
	Ballots Counted	47
#015	Poll Book Count	140
	Ballots Counted	140
#016	Poll Book Count	45
	Ballots Counted	45
#017	Poll Book Count	83
	Ballots Counted	83
#018	Poll Book Count	42
	Ballots Counted	42
#019	Poll Book Count	94
	Ballots Counted	94
#020	Poll Book Count	35
	Ballots Counted	35
#021	Poll Book Count	72
	Ballots Counted	72
#022	Poll Book Count	55
	Ballots Counted	55

Moved by Wiese, seconded by Hansen to adjourn the Canvass Meeting for the June 6, 2006 Primary Election. All members present voting aye. Motion carried.

Maxine Taylor – Brown County Auditor

JUNE 13, 2006—GENERAL MEETING

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

MINUTES:

Moved by Fischbach, seconded by Hansen to approve the General Meeting minutes of June 6, 2006 and the Primary Election Canvass minutes of June 8, 2006. All members present voting aye. Motion carried.

CLAIMS:

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

Payroll: Commissioners..\$2,779.85; Auditor..\$6,772.55; Treasurer..\$8,783.74; Data Processing..\$2,894.93; State's Attorney..\$12,196.22; Maintenance..\$5,522.71; Assessor..\$7,423.69; Planning & Zoning..\$616.00; Register of Deeds..\$4,773.34; Veterans Service Office..\$2,624.33; GIS..\$1,738.47; Sheriff..\$64,670.82; DOJ Grant..\$3,800.32; Communications..\$13,469.77; Welfare Office..\$2,827.87; Museum..\$5,058.63; Fairgrounds & Parks..\$3,686.96; Fairboard..\$1,445.17; Extension..\$1,789.60; Weed..\$3,630.72; Emergency Management..\$3,122.92; Weed and Seed Grant..\$1,113.47; Coroner..\$150.00; Highway..\$35,839.49; Landfill..8,071.15; Matching Benefits: FICA..\$12,045.14; Medicare..\$2,817.04;

Supplies: Runnings..\$377.05, Quality Quick Print..\$268.33, Menards..\$473.86, Lon Gellhaus..\$75.00, SDN Tech..\$216.00, Exec Mgmt..\$38.60, Office Equip..\$1318.36, New Trends..\$247.78, Rachel Wilkins..\$6.32, Parts Now..\$183.30, Dept of Rev..\$1095.00, Avera St Lukes..\$67.00, Central Supply..\$378.00, Heartland Paper..\$348.01, Cunningham Elec..\$40.80, Aberdeen Plumbing..\$250.69, Sanders Sew 'N Vac..\$30.87, Taylor Laundry..\$32.00, OK Tire..\$70.00, Ameripride..\$40.80, UBC..\$4.89, Sewer Duck..\$80.00, Gardner Locksmith..\$20.00, FW Dunn..\$159.00, SDACC..\$5.00, IAAO..\$175.00, HSBC Business..\$204.47, Radio Shack..\$6.98, Brookings Inn..\$352.00, Electronic Security Equip..\$1706.64, Bonnie Bitz..\$312.00, Photo Xpress..\$13.40, HRS..\$4504.89, Amoco..\$96.60, Kesslers..\$393.78, Tri-State Water..\$25.20, Crisis Prevention..\$399.00, CDW Govt..\$1697.20, Hewlett Packard..\$4232.00, Sewing Shoppe..\$6.00, Academy..\$12.00, Active Data..\$1967.68, Evercom..\$1900.00, Accurint..\$15.85, SD Human Service Center..\$62.15, David Fair..\$55.00, SD Sheriff Assn..\$100.08, Best Business..\$38.73, Lar Jos..\$7.50, Hoven Auto..\$40.50, Z&S Dust..\$5569.20, Wallwork..\$339.55, 3-D Spec..\$156.59, Sheehan Mack Sales..\$532.50, Share Corp..\$126.40, Safety Service..\$4549.00, Power Plan..\$1.34, Old Dominion Brush..\$723.20, Newman Signs..\$95.49, Nelson Sales..\$220.87, Midwest Pump & Tank..\$90.34, Lust Chev..\$5.95, Larson Blacksmith..\$75.00, Interstate Battery..\$311.80, Hedahls..\$52.22, Graham Tire..\$24.51, Farnams Parts..\$67.20, JD Evans..\$2237.84, Erdmann Fuels..\$1993.77, Diesel Machinery..\$1580.25, Dakota Oil..\$2257.44, Dakota Fluid Power..\$111.17, Clark Engineering..\$752.47, Cartney Bearing..\$309.25, Aberdeen Asphalt..\$432,949.02, ProAg..\$251.31, Reuers Auto..\$444.90, Van Diest..\$27,628.45, New Deal Tire..\$7134.25, Municipal Emergency..\$1133.44, House of Glass..\$50.00, Spink County Auditor..\$85.50;

Publications: American News..\$945.40;

Professional Fees: witness fees..\$20.00, Lyrita Wilkie..\$60.00, Joel McMaster..\$60.00, Jason Engel..\$90.00, Jackie Schraeder..\$30.00, Rebecca Mattern..\$30.00, Sheriff of Larimer County..\$45.80, HKG Architects..\$7998.50, Yankton County..\$96.05, LCM Pathologists..\$190.50, Beth Smith..\$975.00, Compass Facility Mgmt..\$9585.00, Frey Electronics..\$350.90, Ameripride..\$70.00;

Elections: Joan Freudenthal..\$125.00, Mary Lou Adams..\$120.00, Mavis Hoffman..\$120.00, Dennis Kotschevar..\$120.00, Diane Hickenbotham..\$125.00, Mary Pietz..\$120.00, Dorothy O'Keefe..\$125.00, Shirley Jahraus..\$120.00, Wendy Schaunaman..\$100.00, Ardys Gosch..\$125.00, Lewis Borge..\$120.00, Marlis Nack..\$120.00, Joanne Mielke..\$125.00, Shirley Gellhaus..\$120.00, Fern Preston..\$120.00, Maureen Brink..\$125.00, Jeanette Gollnick..\$120.00, Prescilla Pfeifle..\$120.00, Yolonda Jahraus..\$125.00, Karen Mogen..\$120.00, Ron Krogman..\$120.00, Barb Walker..\$122.24, Donna Lout..\$125.00, Deb Pagel..\$120.00, Rebecca Jeschke..\$105.00, Joan Solberg..\$120.00, Jill

Hostetter..\$120.00, Maryann Bierman..\$100.00, Barb Masgai..\$120.00, Joyce Gage..\$120.00, Donna Swanshorst..\$120.00, Kathy Ellingson..\$120.00, Edith Wilt..\$120.00, Linda Siebrasse..\$131.40, Joyce Beckler..\$120.00, Linda Siefkes..\$120.00, Kathy Vitense..\$137.80, Cindy Larson..\$100.00, Sharon Zastrow..\$120.00, Gloria Gooding..\$129.60, Kathy Schaunaman..\$125.00, Shirley Bender..\$120.00, Pauline Peterson..\$121.92, Eleanor Haar..\$120.00, Pam Larson..\$120.00, Carol Erdmann..\$120.00, Marilyn Gramlow..\$120.00, Vonda Hinz..\$120.00, Pam Erickson..\$111.40, Rhonda Jarman..\$100.00, Ellen Wiedebush..\$100.00, H Jeanne Fischbach..\$134.60, Marion Potter..\$120.00, Myrna Stange..\$100.00, Darlene Daly..\$136.52, Patricia Larson..\$120.00, Faye Berndt..\$120.00, Darcey Leshner..\$145.60, Kelly Clark..\$125.00, Susan Stanley..\$100.00, Carol Dinger..\$155.72, Becky Berreth..\$120.00, Connie Donovan..\$120.00, Deb Gustafson..\$144.20, Dianna Kopetsky..\$120.00, Dorothy Smith..\$100.00:
Travel: William Meink..\$12.48, Maxine Taylor..\$59.56, Mark McNeary..\$249.60, Leo Leshner..\$494.08, Sherry Theobald..\$12.80:
Utilities: FSH..\$55.00, Northwestern Energy..\$6882.35, City of Aberdeen..\$1349.72, Verizon..\$270.54, Qwest..\$454.51, Northern Elec..\$405.97, Northern Wireless..\$80.45, Dependable Sanitation..\$18,014.02:
Care of Poor: Rent-7 recipients..Ann Storm..\$140.00, Lowell Punt..\$350.00, Webb Shoe Co..\$220.00, Bruce Boschee..\$280.00, Robert Gearey..\$220.00, Rollie White..\$240.00; Dr/Hospital-1 recipient..Aberdeen Family Physicians..\$26.93; Medications - 3 recipients..Lori's Pharm..\$118.90, Medical Center Pharm..\$37.79, Kessler Pharm..\$90.80; Insurance-1 recipient..Runnings..\$299.00; Utilities-3 recipients..NWPS..\$694.77. All members present voting aye. Motion carried.

PERSONNEL:

Moved by Wiese, seconded by Fischbach to approve the following employee step increases, effective June 18, 2006: Cindy Meyers @ \$11.66 per hour, Tracy Krogman @ \$10.97 per hour, Polly Rush @ \$12.56 per hour, Damian Bahr @ \$14.43 per hour, Sherry Theobald @ \$11.51 per hour, Casey Thorstenson @ \$12.38 per hour. All members present voting aye. Motion carried.

Moved by Feickert, seconded by Wiese to approve hiring Joseph Embury as full-time Corrections Officer in the Jail, effective July 6, 2006 at \$10.82 per hour. All members present voting aye. Motion carried.

Moved by Wiese, seconded by Feickert to approve employee status change for Darin Sinner from full-time Community Resource Coordinator (funded by the Brown County Special Appropriation 'Prevention and Intervention Programs for at-risk and detained youth' Grant #2001-JS-FX-0014) to full-time JDC Officer, effective June 11, 2006 at \$11.38 per hour; and employee status change for Natasha Dahl from part-time JDC Officer to full-time JDC Officer, effective June 11, 2006 at \$10.82 per hour. All members present voting aye. Motion carried.

Moved by Feickert, seconded by Wiese to approve hiring the following full-time employees for the Brown County Communications Center at \$11.08 per hour: James Petich, Anthony Sorenson, effective June 19, 2006 and Tyann Baloun, Jessica Lawler, effective July 10, 2006. All members present voting aye. Motion carried.

Moved by Fischbach, seconded by Feickert to approve hiring Duane Anderson and Christopher Rinkenberger, as part-time JDC Correction Officers, effective June 14, 2006 at \$9.37 per hour. All members present voting aye. Motion carried.

Moved by Hansen, seconded by Feickert to acknowledge resignation of Jamie Kern, effective July 1, 2006. All members present voting aye. Motion carried.

Moved by Hansen, seconded by Feickert to approve employee classification for Bobbie Olauson from regular part-time JDC Officer to part-time JDC Officer, effective July 10, 2006 at \$9.37 per hour. All members present voting aye. Motion carried.

Moved by Feickert, seconded by Wiese to approve hiring Lisa Samson as clerical employee in the Director of Equalization Office, effective July 5, 2006 at \$10.37 per hour. All members present voting aye. Motion carried.

TOWNSHIP BONDS:

Moved by Wiese, seconded by Fischbach to approve the following Township Bonds: #19 Bath Township--Scott Sperry (Clerk), #16 Riverside--Bruce Sippel (Clerk). All members present voting aye. Motion carried.

ABATEMENTS:

Moved by Wiese, seconded by Feickert to approve the following Abatements: Rolling Hills Golf Development, double assessment (Lt 5 Bk 3 1st Replat Rolling Hills Village) for 2005 @ \$14.67; SEA Inc, tax exempt (Bk 2 Melros 6th Addn to Melros Estates) for 2001 @ \$253.46, 2002 @ \$243.45, 2003 @ \$243.20, 2004 @ \$379.52, 2005 @ \$389.42. All members present voting aye. Motion carried.

PROPERTY TRANSFER:

Moved by Wiese, seconded by Feickert to approve and authorize the Chairman sign agreement with the following entity who received equipment from the 2004 DOJ Equipment Grant Program: Aberdeen Fire Department (air compressor). All members present voting aye. Motion carried.

FAIR BOARD:

Moved by Hansen, seconded by Wiese to approve and authorize the Chairman directive to the Fair Board designating the Fair Manager as liaison with the Brown County Sheriffs Department when supervising security. All members present voting aye. Motion carried.

DOC CONTRACT:

Moved by Fischbach, seconded by Wiese to approve and authorize the Chairman sign contract with the SD Department of Corrections for housing juveniles under the jurisdiction of the State at the Brown County Juvenile Detention Center, effective July 1, 2006 through June 30, 2007. All members present voting aye. Motion carried.

BUDGET SUPPLEMENT:

Time and place, as advertised for public hearing to consider Budget Supplement for year 2006 for Fairgrounds land purchase. Moved by Feickert, seconded by Wiese to approve the following Budget Supplement for year 2006: Fairgrounds (unobligated surplus cash) @ \$249,950.00 for purchase of Lot 1 First Replat of Dahme North View Addition in the SE¼ of Sec 1-T123N-R64W of the 5th P.M., Brown County, SD. All members present voting aye. Motion carried.

BID--LANDFILL SHOP BUILDING:

Time and place, as advertised to open, read and consider bids for labor and material required for the Brown County Landfill Shop Building. Bids were received from Kyburz-Carlson Construction, North Central Steel Systems and Steel Structures. Moved by Wiese, seconded by Feickert to refer all bids to Mike Scott, Landfill Manager for review and recommendation. All members present voting aye. Motion carried.

Mike Scott informed Commission that the dozer tracks need to be replaced at cost estimate of \$35,000.00 and presented recommendation for bid award for Shop Building.

Moved by Wiese, seconded by Feickert to award bid, submitted by North Central Steel Systems in amount of \$281,043.00 for labor and material required for the Brown County Landfill Shop Building; rejecting the following: Kyburz-Carlson Construction @ \$365,700 and alternate @ \$59,900; North Central Steel Systems alternate @ \$44,823; Steel Structures @ \$309,650 and alternate @ \$47,750. All members present voting aye. Motion carried.

ORDINANCE NO. 042-ADOPTION:

Moved by Hansen, seconded by Wiese to approve Second Reading and Adopt Ordinance No. 042, An Ordinance amending Second Revision Brown County Ordinances to rezone the following described property from its present zoning designation of Chapter 4.06 Agriculture Preservation (AG-P) to Chapter 4.16 Heavy Industrial District (H-I): Meyers' Outlot 2 in the SW¼ Sec 21-T124N-R63W of the 5th P.M., Brown County, SD. Roll call vote: Commissioners Hansen-aye, Fischbach-aye, Feickert-aye, Wiese-aye, Knecht-aye. Ordinance adopted.

ORDINANCE NO. 043 - ADOPTION:

Additional testimony and comments were heard for discussion in regard to Ordinance No. 043. Moved by Wiese, seconded by Feickert to go into executive session with Mark McNeary in attendance. All members present voting aye. Motion carried. The Chairman declared the executive session closed, with the following action taken as a result of the discussion.

Moved by Fischbach, seconded by Wiese to approve Second Reading and Adoption of Ordinance No. 043, An Ordinance amending Second Revision Brown County Ordinances to rezone the following described property from its present zoning designation of Chapter 4.06 Agriculture Preservation (AG-P) to Chapter 4.16 Heavy Industrial District (H-I): SE¼ Sec 23-T123N-R65W, except highway, the SW¼ Sec 23-T123N-R65W, and Lot 1 Didreckson Subdivision in the NW¼ Sec 26-T123N-R65W of the 5th P.M., Brown County, SD. Roll call vote: Commissioners Hansen-aye, Fischbach-aye, Feickert-aye, Wiese-aye, Knecht-aye. Ordinance Adopted.

SPECIAL MALT BEVERAGE HEARING:

Time and place, as advertised for public hearing to consider application for Special Malt Beverage License. Moved by Feickert, seconded by Wiese to approve the following application for Special Malt Beverage License: Aberdeen Area Community Foundation, 1220 N Lincoln, Aberdeen, SD-Lot 1 Parkview Nursery Addition in NE¼ Sec 25-T123N-R64W of 5th P.M., Brown County, SD, effective June 22, 2006. All members present voting aye. Motion carried.

GLACIAL LAKES 2007 BUDGET:

Glacial Lakes representative Leif Erickson presented visitor statistics and related information in regard to the 2007 Glacial Lakes Budget request.

BROWN COUNTY EVENTS CENTER:

Beth Smith and Andy Long, Compass presented copy of survey that will be used in conjunction with the Brown County Events Center Feasibility Study, which should be completed by mid August.

BID-PHASE II JAIL:

Moved by Fischbach, seconded by Hansen to reject all bids received May 23, 2006 for the Phase II Addition and Remodeling to Brown County Jail Building, as follows: Huff Construction @ \$1,466,000.00; Kyburz-Carlson Construction @ \$1,471,000.00. All members present voting aye. Motion carried.

EXECUTIVE SESSION:

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

The Chairman declared the executive session closed, with no action taken as a result of the discussion.

RECESS:

The Chairman declared the Commission recessed until June 20, 2006.

Jan Beckler, Deputy County Auditor

JUNE 20, 2006 – GENERAL MEETING

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

MINUTES:

Moved by Feickert, seconded by Wiese to approve the General Meeting minutes of June 13, 2006. All members present voting aye. Motion carried.

CLAIMS:

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

Supplies: Jeff Kirnan..500.00, Best Business..191.28, Office Equipment..229.00, CarQuest..4.99, Fire Safety First..28.50, S.O.S. Garage Door..130.00, Dependable Sanitation..212.00, Central Supply..124.50, Gardner Locksmithing..40.00, Crescent Electric..176.63, Medtox..250.92, Tel Serv Communications..35.00, Hofers Repair..19.75, Streichers..150.85, Best Business..184.91, TimeKeeping Systems..45.00, Indoff Incorporated..249.00, Double D Body Shop..264.00, New Trends..30.02, Runnings..36.99, HSBC Business Solutions..57.26, Earthgrains..593.31, Advance Auto Parts..42.86, Ameripride Linen & Applr..149.52, Carquest Automotive..1724.67, Corporate Express Inc..13.54, Dependable Sanitation..159.00, Farm Plan..874.20, Fastenal Co..284.05, Fire Safety First..743.78, Howes Oil Co..18,942.40, Lawson Products..229.84, Newman Traffic Signs..555.00, Pomp's Tire Service..18.80, Safelite Auto Glass..737.24, Share Corp..187.50, 3-D Specialists..160.70, Z&S Dust Control..2,541.84, Sherwin Williams..28.30, AmeriPride..87.18, Menards..17.58, DPM Petty Cash..47.14, Sheri Rawstern..35.75, NSU..26.64, Western Printing..55.00, Ken's Super Fair Foods..32.69, DSS..41.90, Academy Awards..5.00, Runnings..70.96, GLAS Consulting..81.25, National Pen..247.15, CarQuest Auto Parts Stores..24.88, AmeriPride..85.40, Fire Safety First..135.44, Menards..7.58, Runnings..47.97, Gas N Goodies..4.00, UBC..542.54, OK Tire..90.00, Macs..12.04, NAPA..21.83, Ben Hofer Backhoe..4,708.00, Park View Nursery..822.71, Dakota Supply Group..223.52, Menards..899.49, A-1 Sanitation..350.90, Fire Safety First..255.39, Graham Tire..49.95, Sheila Anderson..46.58, Language Line..89.10, Dakota Electronics..203.75, JC Penny..72.00, Tracy Torres..725.00, Clark Title..249,791.12:

Publications: American News..420.82:

Professional Fees: NEMH..365.75, Avera United Clinic..83.00:

Travel: Comfort Inn..271.65, Deb Knecht..317.38, Judy Dosch..36.80, Brookings Fairfield Inn..540.00, Phillip 66..91.00:

Utilities: Alltell..21.52, Northern Electric..264.60, Northwestern Energy..494.36, City of Hecla..83.34, Northwestern Energy..1179.68, Alltel..33.07, Qwest..4,455.99:

Care of Poor: Rent – 4 recipients..Dale Bain..150.00, J&O Apartments..100.00, Timothy Doerr..200.00, Dean Deuel..120.00; Dr/Hospital – 1 recipient.. Neurology Assoc..159.45; Medications - 2 recipients..K Mart Pharmacy..54.10, Econofoods Pharmacy..186.07; Utilities – 1 recipients..NWPS..380.00. All members present voting aye. Motion carried.

WEED AND SEED:

Moved by Feickert, seconded by Fischbach to approve the Brown County Weed and Seed Monthly Expenses for June 2006 (Year Four 2005-WS-Q5-0089), in amount of \$6,040.37. All members present voting aye. Motion carried.

Moved by Wiese, seconded by Fischbach to approve the following Weed and Seed Year Four 2005-WS-Q5-0089 funding proposals: Aberdeen PD, Brown County Sheriff and Groton PD (Mobile Data Transmitters); Safe Harbor (expansion of handbook), as recommended by the Steering Committee. All members present voting aye. Motion carried.

Moved by Wiese, seconded by Fischbach to approve and authorize the Chairman sign Agreement with Dr. Bruce Petrie to provide outside evaluation services for Year Four of the Department of Justice Program known as Brown County Weed and Seed #2005-WS-Q5-0089, in amount of \$5,000.00, effective October 1, 2005 through September 30, 2006. All members present voting aye. Motion carried.

SHERIFF REPORTS:

Moved by Wiese, seconded by Feickert to approve the following May 2006 Sheriff Reports: Incidents & Offenses, Prisoner Care, JDC, Money deposited with the county treasurer, and Monthly activities. All members present voting aye. Motion carried.

PERSONNEL:

Moved by Feickert, seconded by Fischbach to list the following volunteers for work comp purposes: Corey Wipf, Trixie Hettich and Gerald Helm; and further to remove the following volunteers for work comp purposes: Brittney Traxinger, Jordon Miller, Tara Meints, Ashley Burdick, Nathan Miller and Trevor Meints. All members present voting aye. Motion carried.

FOSTER GRANDPARENT PROGRAM 2007 BUDGET:

Foster Grandparent Coordinator Jodi McQuillen presented statistics and related information in regard to the 2007 FGP Budget request.

CLOSING AUDIT CONFERENCE:

Kay Fredrick, Department of Legislative Audits met with the Commission for closing conference for audit of fiscal year 2005.

APPLICAITON FOR OCCUPANCY:

Moved by Wiese, seconded by Feickert to approve the following application, submitted by Northern Valley Communications for occupancy of Brown County Highway #17 in Sec 10-T123N-R63W and in Sec 15-T123N-R63W Brown County, SD, to provide communications services. All members present voting aye. Motion carried.

HIGHWAY UPDATE:

Dirk Roger, Highway Superintendent presented update on current projects at the Highway Department.

EM DEPARTMENT BRIEFING:

Freddie Robinson, EM Director presented an Officials Briefing, Disaster Declaration Process, and Homeland Security update.

GIS UPDATE:

Scott Madsen, GIS Coordinator presented update on users group meeting and discussed collaborative efforts being made with Aberdeen City and other entities with GIS systems. Brett Bill questioned verbiage in a recent correspondence, which was addressed by the Commission.

RECESS:

The Chairman declared the Commission recessed until June 27, 2006.

Maxine Taylor – Brown County Auditor

JUNE 26, 2006 - JOINT CITY/COUNTY MEETING

The Brown County Commission and the Aberdeen City Council met in joint session at 5:30 P.M. in the City Commission Chambers, 123 S Lincoln Street, Aberdeen, South Dakota. Present from City were Council Members Agnitsch, Aman, Bunsness, Campbell, Hodgins, McQuillen, Mitchell, Rux and Mayor Levensen. Present from County were Commissioners Hansen, Knecht, Fischbach and Wiese. Absent Commissioner Feickert.

ORDINANCE NO. 06-06-02/329:

On motion by McQuillen and seconded by Rux, the City unanimously voted to approve First Reading of Ordinance No. 06-06-02/329.

Moved by Wiese, seconded by Fischbach to approve First Reading of Ordinance No. 06-06-02/329, An Ordinance amending Ordinance No. 1164 to rezone the following described property from its present zoning designation of Section 701 (A-1) Agricultural District to Section 713 (M) Municipal, State, and County Use District: Lot 1, South Side Industrial Subdivision in the N ½ and NE ¼ of Sec 36-T123N-R64W of the 5th P.M., Brown County, SD, excluding Moccasin Creek and Foot Creek. All members present voting aye. Motion carried.

ORDINANCE NO. 06-06-03/330:

On motion by McQuillen and seconded by Campbell, the City unanimously voted to approve First Reading of Ordinance No. 06-06-03/330.

Moved by Hansen, seconded by Wiese to approve First Reading of Ordinance No. 06-06-03/330, An Ordinance amending Ordinance No. 1164 to rezone the following described property from its present zoning designation of Section 701 (A-1) Agricultural District to Section 710 (I-2) Unrestricted Industrial District: Lot 2, South Side Industrial Subdivision in the N ½ and SE ¼ of Sec 36-T123N-R64W of the 5th P.M., Brown County, SD, excluding Foot Creek. All members present voting aye. Motion carried.

ADJOURNMENT:

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

Maxine Taylor - Brown County Auditor

JUNE 27, 2006 – GENERAL MEETING

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

MINUTES:

Moved by Hansen, seconded by Wiese to approve the General Meeting minutes of June 20, 2006. All members present voting aye. Motion carried.

CLAIMS:

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

Payroll: Commissioners..\$2,779.85; Auditor..\$6,745.34; Elections...\$1,184.03; Treasurer..\$8,783.74; Data Processing..\$2,894.93, State's Attorney..\$12,243.10; Maintenance..\$5,526.35; Assessor..\$7,997.06; Planning & Zoning..\$500.00; Register of Deeds..\$4,773.34; Veterans Service Office..\$2,609.17; GIS..\$1,738.47; Sheriff..\$60,526.31; Grant..\$1,653.80; Communications..\$13,081.85; Welfare Office..\$2,827.87; Museum..\$5,075.28; Fairboard..\$1,445.17; Fairgrounds & Parks..\$3,773.08; Extension..\$2,115.94; Weed..\$3,919.26; Emergency Management..\$2,615.27; Weed and Seed..\$1,113.47; Highway..\$37,379.45; Landfill..\$7,508.55; Matching Benefits: FICA..\$11,812.87, Medicare..\$2,762.61, Wellmark BCBS Life..\$668.96, Wellmark BCBS Health..\$60,731.30, Delta Dental..\$3,996.00, SD State Retirement..\$24,659.99:

Supplies: West Payment..\$2193.52, Office Equip..\$1139.82, Pizza Ranch..\$58.75, State Property Mgmt..\$23.91, Exec Mgmt..\$2761.54, New Trends..\$39.84, Ecolab..\$86.00, Brown County Weed & Pest..\$46.40, Cartney Bearing..\$18.96, Menards..\$155.61, Central Supply..\$579.50, Matz Services..\$10.00, Chris & Don..\$67.00, Sewer Duck..\$162.50, Finishing Touch..\$941.53, Scott Madsen..\$35.64, Fire Safety First..\$248.20, Best Business..\$107.82, Career Planning..\$671.50, Donald Miller..\$84.80, Brick Propane..\$2.20, Safety Service..\$237.50, Electronic Security..\$62.50, K-Mart..\$19.80, Kustom Signals..\$121.00, DT Pharm..\$2304.74, Mobile Electronic Service..\$108.00, SDPA Alliance..\$329.00, SDACHS..\$30.00, HSBC..\$525.59, Lien Transportation..\$163,917.47, Lawson Products..\$184.81, Habecks Radiator..\$180.10, Erdmann Fuels..\$2547.59, Biersbach Equip..\$471.52, TSC..\$7.14, Cunningham Elec..\$354.96, Hub City Rents..\$33.91, HKG Architechts..\$524.00, Macs..\$29.70, Farnams..\$28.20, HC Clark..\$23.58, Hedahls..\$16.37, Runnings..\$410.67, Farm Power..\$209.46, Century Business Prod..\$66.85, Roger Johnson..\$9.53, Kens Alignment..\$475.90, SD Wheat Growers..\$7.12, Van Diest..\$10,157.72, Erling Podoll..\$128.20, George Hansen..\$222.96, David North..\$147.96, Jerome Streckfuss..\$199.92, Stan Beckler..\$176.88, Harley Gage..\$199.92, NESDCAP..\$2000.00, Mallory Headsets..\$601.20, MVTL Labs..\$6593.60, Dakota Oil..\$396.00, North Central Farmers Elevator..\$128.97, Avera Queen of Peace..\$414.50, Kesslers..\$19.96, Menards..\$20.17, Grote Roofing..\$2296.33, Brown County..\$2973.71, Warner School..\$700.00, Aberdeen Catholic School..\$700.00, Academy..\$40.00, NECOG..\$1666.66:

Publications: American News..\$459.66:

Professional Fees: Joel McMaster..\$30.00, Avera St Lukes..\$2447.00, Jackie Schraeder..\$30.00, Mary Bendewald..\$30.00, Jason Engel..\$210.00, LSS..\$105.00, NADRIC..\$1666.67, Scott Meints..\$700.00, Dave Shultis..\$100.00, Rich Kezar..\$329.40:

Travel: Mike Wiese..\$10.24, Judy Dosch..\$500.00, Gene Loeschke..\$103.68, Mary Worlie..\$79.00, City of Groton..\$61.12, John Heine..\$500.00, Amy Lake Harmon..\$500.00, Kevin Spitzer..\$12.80, Mike Scott..\$18.00:

Court Appointed Attorney: Kuck Law Office..\$4166.67, William Gerdes..\$4166.67, Randy Turner..\$4166.67, Christy Serr..\$4166.67, Kelly Marnette..\$4166.67:

Utilities: Alltel..\$1597.78, Midcontinent Cable..\$218.09, Northwestern Energy..\$1317.29, Verizon Wireless..\$68.57, Qwest..\$1515.41, Bureau of Admin..\$626.03:

Care of Poor: Dr/Hospital – 2 recipients..Avera McKennan Hosp..\$900.70, Orthopedic Surgery Spec..\$1715.72; Medications - 1 recipient..Walmart Pharm..\$15.84; Insurance – 1 recipient..Dakota Care..\$766.29. All members present voting aye. Motion carried.

PERSONNEL:

Moved by Feickert, seconded by Wiese to approve the following step increase, effective July 2, 2006: Joyce DesCamps @ \$13.66 per hour. All members present voting aye. Motion carried.

Moved by Wiese, seconded by Feickert to approve hiring Brandon Engleking as full-time Jail Corrections Officer, effective June 26, 2006 at \$10.82 per hour, and approve hiring Nathan Schutz as part-time JDC Corrections Officer, effective June 27, 2006 at \$9.37 per hour. All members present voting aye. Motion carried.

Moved by Hansen, seconded by Feickert to approve employee status change for Brandi Hagen from part-time to full-time Jail Corrections Officer, effective July 18, 2006 at \$10.82 per hour. All members present voting aye. Motion carried.

Moved by Hansen, seconded by Fischbach to acknowledge resignation of Luana Vincent as Jail Corrections Officer, effective June 18, 2006. All members present voting aye. Motion carried.

Moved by Wiese, seconded by Feickert to amend step plan policy by adding “full-time and regular part-time” to Correction Officers (Adult and JDC) classification, effective June 4, 2006. All members present voting aye. Motion carried.

Moved by Wiese, seconded by Fischbach to approve employee status change for Larry Harper from part-time to regular part-time Adult Correction Officer, effective June 4, 2006 at \$11.10 per hour. All members present voting aye. Motion carried.

PLATS:

Commissioner Fischbach offered the following Resolution:

RESOLUTION NO: 36-06

BE IT RESOLVED by the Board of County Commissioners of Brown County, SD, that the plat showing “Plat of Crawford Subdivision in the NE ¼ of Sec 10-T124N-R64W of 5th P.M., Brown County, SD”, 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, Fischbach-aye, Feickert-aye, Wiese-aye, Knecht-aye. Resolution adopted.

Commissioner Feickert offered the following Resolution:

RESOLUTION NO: 37-06

BE IT RESOLVED by the Board of Commissioners of Brown County, SD, that the plat showing “Daniels Addition in the SW ¼ of Sec 3-T128N-R61W 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 Hansen-aye, Fischbach-aye, Feickert-aye, Wiese-aye, Knecht-aye. Resolution adopted.

Commissioner Feickert offered the following Resolution:

RESOLUTION NO: 38-06

BE IT RESOLVED by the County Commission of Brown County, SD, that the plat showing "Pierson Family First Subdivision in NW ¼ Sec 24-T126N-R60W 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 Hansen. Roll call vote: Commissioners Hansen-aye, Fischbach-aye, Feickert-aye, Wiese-aye, Knecht-aye. Resolution adopted.

Commissioner Wiese offered the following Resolution:

RESOLUTION NO: 39-06

BE IT RESOLVED by the Board of Commissioners of Brown County, SD, that the plat showing "L.B. Addition in the NE ¼ of Sec 1-T121N-R65W 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 Hansen. Roll call vote: Commissioners Hansen-aye, Fischbach-aye, Feickert-aye, Wiese-aye, Knecht-aye. Resolution adopted.

Commissioner Hansen offered the following Resolution:

RESOLUTION NO: 40-06

BE IT RESOLVED by the Board of Commissioners of Brown County, SD, that the plat showing "Sumption Addition in the NW ¼ of Sec 14-T127N-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 Fischbach. Roll call vote: Commissioners Hansen-aye, Fischbach-aye, Feickert-aye, Wiese-aye, Knecht-aye. Resolution adopted.

BID – LF WASTE TIRE CLEANUP:

Moved by Feickert, seconded by Wiese to authorize advertising public hearing to open, read and consider bids for the 2006 Brown County Waste Tire Cleanup at the Brown County Landfill, to be held in the Commissioner's Chambers, Courthouse Annex, Brown County, SD at 9:00 a.m. on July 11, 2006. All members present voting aye. Motion carried.

WEED & PEST GRANT AGREEMENT:

Moved by Wiese, seconded by Feickert to approve and authorize the Chairman sign Grant Agreement Letter with the SD Weed and Pest Control Commission for grant funding in amount not to exceed \$4,000 on a 50/50 cost share basis for chemical, promotional items, radio ads and seasonal labor, effective July 1, 2006 to June 1, 2007. All members present voting aye. Motion carried.

CLAIM ASSIGNMENT:

Moved by Feickert, seconded by Hansen 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.

FIREWORKS PERMIT:

Moved by Wiese, seconded by Feickert to approve and authorize the Chairman sign Fireworks Public Display Permit, submitted by Terry Voeltz DBA T' Promotions, 2622 13th Ave SE, Aberdeen, SD for a Class B Fireworks Display to be held on July 3, 2006 at the Brown County Fairgrounds. All members present voting aye. Motion carried.

ABATEMENTS:

Moved by Wiese, seconded by Fischbach to approve the following Solid Waste Abatements: Alan Borchard, house vacant (NW ¼ 28-121-65) for 2005 @ \$65.00; for 2006 @ \$65.00. All members present voting aye. Motion carried.

SPECIAL PAY PLAN:

Commissioner Hansen offered the following Resolution:

RESOLUTION NO. 41-06
TO BECOME A SOUTH DAKOTA RETIREMENT SYSTEM
SPECIAL PAY UNIT

BE IT RESOLVED AS FOLLOWS:

WHEREAS, SDCL Chapter 3-13A offers qualified employees of Special Pay Program employer units of the South Dakota Retirement System (SDRS) the opportunity of receiving a tax advantage and a Social Security advantage when terminating active service in SDRS by having special termination payments transmitted to the Special Pay Program;

WHEREAS, SDCL Chapter 3-13A offers such qualified members' employers a corresponding Social Security advantage;

WHEREAS, Brown County agrees to transmit all special pay data by electronic media and understands that reporting final compensation data electronically is a condition, which must be met in order to participate;

WHEREAS, Brown County understands and agrees to the following points:

- Only special, lump-sum payments made to an employee at the time of the employee's termination are transmitted to the Special Pay Program;
- Only terminated employees who qualify pursuant to SDCL 3-13-A-2(8) to have such special pay transmitted to the Special Pay Program will participate;
- If the employee qualifies, transmission of such special pay to the Special Pay Program is mandatory; and
- Brown County shall pay to SDRS an initial, onetime fee per participant based on a percentage of such special pay or a flat fee, whichever is greater.

NOW, THEREFORE, BE IT RESOLVED, THAT BROWN COUNTY shall become a Special Pay Program unit of the South Dakota Retirement System with an effective date of June 27, 2006 under the terms and conditions of SDCL Chapter 3-13A.

BE IT FURTHER RESOLVED that a copy of this RESOLUTION shall be transmitted to SDRS as soon as possible after adoption.

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

MAINTENANCE UPDATE:

Mick Palmer, Building Superintendent discussed postponing parking lot paving project until Phase II Jail Project is complete and reallocate the 2006 funds to the purchase of a vehicle with lift and a Sweepster attachment. Board concurred.

LEASE AGREEMENT:

Moved by Feickert, seconded by Wiese to approve and authorize the Chairman sign agreement with Custom Sheet Metal, whereby Custom Sheet Metal shall lease the county owned building located at 115 SE Railroad Avenue from Brown County for sum of \$1,300.00 per month. All members present voting aye. Motion carried.

ASSISTANCE DISCUSSION:

An individual discussed need for assistance due to a medical problem.

EXECUTIVE SESSION:

Moved by Fischbach, seconded by Wiese to go into executive session for personnel discussion. All members present voting aye. Motion carried.

The Chairman declared the executive session closed, with no action taken as a result of the discussion.

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

JULY 5, 2006 - JOINT CITY/COUNTY MEETING

The Brown County Commission and the Aberdeen City Council 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 Council Members Agnitsch, Aman, Bunsness, Campbell, McQuillen, Mitchell, Rux and Mayor Levsen. Absent Council Member Hodgins. Present from County were Commissioners Hansen, Knecht, Fischbach, Wiese and Feickert.

ORDINANCE NO. 06-06-02/329:

On motion by McQuillen and seconded by Campbell, the City unanimously voted to approve Second Reading and Adoption of Ordinance No. 06-06-02/329.

Moved by Fischbach, seconded by Wiese to approve Second Reading and Adoption of Ordinance No. 06-06-02/329, An Ordinance amending Ordinance No. 1164 to rezone the following described property from its present zoning designation of Section 701 (A-1) Agricultural District to Section 713 (M) Municipal, State, and County Use District: Lot 1, South Side Industrial Subdivision in the N ½ and NE ¼ of Sec 36-T123N-R64W of the 5th P.M., Brown County, SD, excluding Moccasin Creek and Foot Creek. Roll call vote: Commissioners Hansen-aye, Fischbach-aye, Feickert-aye, Wiese-aye, Knecht Aye. Ordinance adopted.

ORDINANCE NO. 06-06-03/330:

Moved by McQuillen, seconded by Rux to approve Second Reading and Adoption of Ordinance No. 06-06-03/330. Roll call vote: Agnitsch-aye, Aman-aye, Bunsness-abstain, Campbell-aye, Hodgins-absent, McQuillen-aye, Mitchell-aye, Rux-aye, Mayor Levsen-aye. Ordinance adopted.

Moved by Hansen, seconded by Fischbach to approve Second Reading and Adoption of Ordinance No. 06-06-03/330, An Ordinance amending Ordinance No. 1164 to rezone the following described property from its present zoning designation of Section 701 (A-1) Agricultural District to Section 710 (I-2) Unrestricted Industrial District: Lot 2, South Side Industrial Subdivision in the N ½ and SE ¼ of Sec 36-T123N-R64W of the 5th P.M., Brown County, SD, excluding Foot Creek. Roll call vote: Commissioners Hansen-aye, Fischbach-aye, Feickert-abstain, Wiese-aye, Knecht-aye. Ordinance adopted.

SET HEARING DATE:

On motion by McQuillen and seconded by Agnitsch, the City unanimously voted to set hearing for Ordinance No. 06-07-06/331.

Moved by Feickert, seconded by Wiese to set public hearing for 8:45 a.m. on July 25, 2006 in the Brown County Commission Chambers, 25 Market Street for First Reading of the following: Ordinance No. 06-07-06/331, An Ordinance to amend Ordinance No. 1164 pertaining to zoning, said amendment being described as follows: Amending Section 706. (C-1) Neighborhood Commercial District. All members present voting aye. Motion carried.

On motion by McQuillen and seconded by Rux, the City unanimously voted to set hearing for Ordinance No. 06-07-07/332.

Moved by Wiese, seconded by Feickert to set public hearing for 8:45 a.m. on July 25, 2006 in the Brown County Commission Chambers, 25 Market Street for First Reading of the following: Ordinance No. 06-07-07/332, An Ordinance to rezone the following property from Section 701 (A-1) Agricultural District to Section 714 (M-AG) Mini-Agricultural District: Lot 3, Block 1, Moulton's Subdivision in the SE ¼ of Sec 2-T122N-R64W of the 5th P.M., Brown County, SD. All members present voting aye. Motion carried.

The City Council adjourned and the County Commission continued into their regular meeting.

Jan Beckler – Deputy Brown County Auditor

July 5, 2006 Joint City/County Meeting

JULY 5, 2006 – GENERAL MEETING

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

MINUTES:

Moved by Fischbach, seconded by Feickert to approve the Joint City/County Meeting minutes of June 26, 2006 and the General Meeting minutes of June 27, 2006. All members present voting aye. Motion carried.

CLAIMS:

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

Supplies: United Building Center..\$84.16, Office Equip..\$194.37, Cartney Bearing..\$49.70, K-Mart..\$150.00, Fire Safety First..\$32.40, Holiday Inn..\$60.00, Best Business..\$78.57, Scott Madsen..\$163.56, Ramco..\$180.00, AE Nelson..\$428.55, Vantek..\$23.00, Tel Serv..\$19.93, Intoximeters..\$212.50, Walmart..\$360.71, 3-D Spec..\$49.00, Newman Signs..\$401.25, Macs..\$162.86, Great Western..\$2946.02, Farm Power..\$186.11, Diamond Mowers..\$384.04, Dakota Supply Group..\$53.41, HC Clark..\$210.50, Butler Machinery..\$494.09, Biersbach Equip..\$836.00, Paper Warehouse..\$37.71, Dacotah Prairie Mercantile..\$34.00, Kens Fairway..\$21.95, Ziabicki Import..\$40.67, Kleins..\$7.00, Menards..\$7.99, Macs..\$22.24, London Fog..\$10.00, Frey's Electronics..\$75.00, Fire Safety First..\$13.00, Ken's Alignment..\$407.69, Farm Power..\$53.00, Nat'l Pen..\$247.15, Larson's Blacksmith..\$75.00, Earth Tech..\$1829.30, Brown County..\$103.04, Aberdeen C&F..\$103.72, Butler Machinery..\$3419.67, New Deal Tire..\$601.45, Heiman Fire Equip..\$41.80, Racom..\$80.00, Dakota Electronics..\$64,716.00, New Trends..\$265.52:

Publications: American News..\$4938.26, Groton Indep..\$745.56:

Professional Fees: Avera United Clinic..\$238.02, Aberdeen Family Physicians..\$37.64, Aberdeen Adv Care..\$101.57, Dr John Carrels..\$122.34, Avera St Lukes..\$190.57, Nelda Kooistra..\$15.00, Donna Dietrich..\$127.74, Cathy Rehfuess..\$15.00, Sheriff of Yankton County..\$16.50, Eide Bailly..\$238.50:

Transcriptions: Cheryl Hook..\$57.00, Neal Reporting..\$87.40:

Travel: Dennis Feickert..\$22.40, Kathy Fischer..\$90.88:

Utilities: Northwestern Energy..\$7501.22, Qwest..\$80.99, Montana Dakota..\$84.17, Midcontinent Cable..\$55.00, WEB..\$55.26, Alltel..\$15.36:

Care of Poor: Dr/Hospital – 1 recipient..Avera St Lukes..\$443.84; Utilities – 3 recipients - NWPS..\$556.60; Rent - 2 recipients..Gary Newell..\$175.00, Robert Hengel..\$2060.00. All members present voting aye. Motion carried.

PERSONNEL:

Moved by Feickert, seconded by Wiese to amend start date for Brandi Hagen from July 18, 2006 to June 18, 2006. All members present voting aye. Motion carried.

Moved by Wiese, seconded by Feickert to amend Chief Deputy Sheriff section of the Step Plan to read 90% of Sheriff Base Salary. All members present voting aye. Motion carried.

INCREASE SPENDING AUTHORITY/ESTIMATED REVENUE:

Moved by Hansen, seconded by Feickert to increase spending authority in Fund #101-211-411 @ \$1,255.00, 412.01 @ \$77.00, 412.02 @ \$18.00, 413 @ \$100.00 and estimated revenue in Fund #101-342.92 in amount of \$1,450.00; and increase spending authority in Fund #234-211.01-411 @ \$3,626.09, 412.01 @ \$224.82, 412.02 @ \$52.58, 413 @ \$290.08 and estimated revenue in Fund #234-331.90 in amount of \$4,193.57. All members present voting aye. Motion carried.

CONTRACT AGREEMENT:

Moved by Feickert, seconded by Wiese to approve and authorize the Chairman sign Contract with North Central Steel Systems for the construction of the Brown County Landfill Shop Building. All members present voting aye. Motion carried.

SURPLUS PROPERTY:

Moved by Wiese, seconded by Fischbach to declare the following property surplus for sale Decal #3239 1998 Ford, #3255 1999 Ford, #3265 2000 Chev, #1333 1981 Ford PU, #2547 AIS 315, #2683 Cannon Copier, #1852 1992 Dodge, #4009 1982 GMC Truck, and miscellaneous computer and office supplies. All members present voting aye. Motion carried.

INVENTORY TRANSFER:

Moved by Wiese, seconded by Fischbach to transfer the following personal property from Highway to Fairgrounds: 1990 DCT 16' Flatbed Trailer. All members present voting aye. Motion carried.

HOUSING & REDEVELOPMENT COMMISSION:

Moved by Feickert, seconded by Fischbach to re-appoint Deb Knecht to the Housing and Redevelopment Commission of Brown County, effective July 10, 2006 – July 9, 2011. All members present voting aye. Motion carried.

PROPERTY TRANSFER:

Moved by Feickert, seconded by Wiese to approve and authorize the Chairman sign agreement with the following entity who received equipment from the 2004 DOJ Equipment Grant Program: Brown County Sheriff Department (portable and mobile radios). All members present voting aye. Motion carried.

TAX DEED SALE:

Moved by Fischbach, seconded by Wiese to authorize advertising the following described property to be offered for sale by auction in the Community Room, Brown County Courthouse Annex, on July 24, 2006 at 10:00 a.m.; and further to declare all property surplus for purpose of sale (90% of minimum bid): Lansing Township: N 1/3 of W 1/2 of Lot 2, Block 9 Houghton, SD @ \$500.00; Aberdeen City: E 71' of Lots 23-24, Block 44, Hagerty & Lloyd Addn @ \$25.00, the W 40' of Lot 6, Block 62, Second Addition to Aberdeen @ \$400.00, Hoffs OL 1 Lot 12, Block 3, Addison's Add @ \$25.00; Groton City: Original Plat Lots 15 & S 8' of Lot 16, Blk 9, Groton City @ \$1000.00; Frederick City: Lot 2, Block 1, Simmons Addition, Frederick @ \$50.00, Lot 5 Blk 32 First Addition, Frederick @ \$50.00, Lot 6 Blk 32 First Addition, Frederick @ \$50.00, Lot 8-9 Blk 12 Howells Addition, Frederick @ \$3000.00; Hecla City: Lt M-1 NW SE & NE SW 22-128-61 Hecla Vlg @ \$200.00; Prairiewood Village: Lot 9 Blk 6 Prairiewood Vlg @ \$50.00, Lot 7 Blk 7 Prairiewood Vlg @ \$50.00. All members present voting aye. Motion carried.

BRIDGE #11:

Moved by Feickert, seconded by Hansen to approve SDDOT bid award for BRF 6178(05), PCN 6752, Brown County (Bridge #11), Item 5 on June 27, 2006 bid letting in amount of \$186,941.50. All members present voting aye. Motion carried.

BRIDGE #29:

Moved by Feickert, seconded by Hansen to approve SDDOT bid award for BRO 8007(38), PCN 6781, Brown County (Bridge #29), Item 4 on June 27, 2006 bid letting in amount of \$350,112.50. All members present voting aye. Motion carried.

OFF ROAD VEHICLES:

Duane Sutton, Don Fordham and PJ Schneider discussed off-road vehicles in highway ditches and presented petitions in support of an ordinance regulating off-road vehicles. A sample ordinance will be obtained from Yankton County for review.

EXECUTIVE SESSION:

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

The Chairman declared the executive session closed, with no action taken as a result of the discussion.

The Chairman declared the Commission recessed until July 11, 2006.

Jan Beckler – Deputy Brown County Auditor

JULY 11, 2006 GENERAL MEETING

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

MINUTES:

Moved by Wiese, seconded by Feickert to approve the Joint City County Meeting minutes and the General Meeting minutes of July 5, 2006. All members present voting aye. Motion carried.

CLAIMS:

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

Payroll: Commissioners..\$2,779.85; Auditor..\$6,797.58; Treasurer..\$8,795.74; Data Processing..\$2,894.93; State's Attorney..\$12,101.05; Maintenance..\$5,351.30; Assessor..\$7,268.85; Planning & Zoning..\$500.00; Register of Deeds..\$4,773.34; Veterans Service Office..\$2,563.69; GIS..\$1,738.47; Sheriff..\$59,035.03; DOJ Grant..\$1,744.69; Communications..\$15,554.31; Welfare Office..\$2,827.87; Museum..\$5,075.28; Fairgrounds & Parks..\$3,817.02; Fairboard..\$1,445.17; Extension..\$1,305.42; Weed..\$5,077.60; Emergency Management..\$2,411.86; Weed and Seed Grant..\$1,113.47; Coroner..\$500.00; Highway..\$37,547.47; Landfill..6,824.61; Matching Benefits: FICA..\$11,719.23; Medicare..\$2,740.79;

Supplies: Best Business..\$150.00, ES&S..\$1364.62, American Stamp..\$49.95, Office Equip..\$218.68, Dept of Revenue..\$577.00, Janitors Closet..\$244.12, Crescent Elec..\$76.94, Runnings..\$641.15, McFarland Supply..\$40.88, Ameripride..\$41.76, Brown County Weed Board..\$118.24, CarQuest..\$69.98, Cunningham Elec..\$55.90, Wallwork Trucks..\$40.53, Trail King Ind..\$127.97, 3-D Specialists..\$300.40, Sheehan Mack Sales..\$155.25, Safety Service..\$462.22, Runnings..\$266.29, Quality Quick Print..\$382.80, ProAg..\$443.09, North Central Farmers Elev..\$147.42, Midwest Truck & Parts..\$92.50, Meyers Tractor Salvage..\$750.00, Menards..\$160.13, Lust Chev..\$27.13, James Loterbauer..\$108.00, Lawson Products..\$217.64, Interstate Battery..\$161.90, Howes Oil..\$20,322.60, Graham Tire..\$18.00, Flint Hills..\$1326.99, Evergreen Supply..\$45.40, Dakota Fluid Power..\$448.04, Crawford Trucks..\$5451.14, Clark Engineering..\$434.61, Cartney Bearing..\$395.86, Aberdeen Equip..\$9.96, Aberdeen Asphalt..\$171,317.32, Glas Consulting..\$37.50, Dakota Pump..\$1278.41, OK Tire..\$10.00, Dakota Electronics..\$112.50, Midwest Trucks..\$92.50, UBC..\$569.68, Aberdeen Radio Ranch..\$520.00, Dakota Oil..\$47.58, OK Tire..\$100.00, Ameripride..\$51.30, House of Glass..\$216.49, Praxair..\$9.50, Bricks TV..\$598.00, SD Federal Property..\$97.00, Pierson Ford..\$1027.61, MVTL Labs..\$542.00, SD Dept of Rev..\$3414.08, Brown County Tres..\$118.02, Sheehan Sales..\$197.50, Hedahls..\$48.42, Dakota Fluid Power..\$851.00;

Publications: American News..\$267.10;

Professional Fees: Sheriff of Pennington County..\$9.12, Jackie Schraeder..\$120.00, Jayson Knutson..\$60.00, Lyrita Wilkie..\$30.00, Helms & Assoc..\$2660.00, Sheriff of Yankton County..\$16.50;

Travel: Mark Milbrandt..\$704.71;

Utilities: City of Aberdeen..\$4234.50, Northwestern Energy..\$1334.48, Northern Valley Comm..\$97.97, James Valley Co-Op..\$150.25, Town of Frederick..\$28.25, Qwest..\$37.83, Verizon..\$124.80, Northern Comm..\$80.45, Dependable Sanitation..\$18,245.82;

Care of Poor: Rent - 4 recipients..Don Gisi..\$135.00, Kathleen Getty..\$220.00, Lowell Punt..\$175.00, Bldg Mgmt..\$134.00. All members present voting aye. Motion carried.

PERSONNEL:

Moved by Wiese, seconded by Feickert to approve the following employee step increases, effective July 16, 2006: Jason Heagley @ \$12.23 per hour. All members present voting aye. Motion carried.

Moved by Feickert, seconded by Wiese to approve hiring Sharon Stout as part-time JDC Corrections Officer, effective July 16, 2006 at \$9.37 per hour. All members present voting aye. Motion carried.

Moved by Fischbach, seconded by Feickert to approve hiring Carrie Hall as part-time Scale Operator at the Brown County Landfill, effective July 11, 2006 at \$10.86 per hour. All members present voting aye. Motion carried.

Moved by Wiese, seconded by Hansen to acknowledge resignation of Tom Schmitt, Chief Deputy Sheriff effective July 14, 2006. All members present voting aye. Motion carried.

LOTTERY APPLICATION:

Moved by Feickert, seconded by Fischbach to approve and authorize the Chairman sign application, submitted by the Brown County Democrats for a raffle to be held on August 20, 2006. All members present voting aye. Motion carried.

INTEREST STATEMENT:

Moved by Wiese, seconded by Feickert to accept for filing the April – June 2006 Interest Statement, submitted by County Treasurer Sheila Enderson. All members present voting aye. Motion carried.

UNCOLLECTIBLE TAX LIST:

Moved by Wiese, seconded by Feickert to acknowledge uncollectible tax list (no changes since April 1, 2006 listing), as submitted by Sheila Enderson, Brown County Treasurer. 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 Application, to be held at 9:00 A.M. July 25, 2006 in the Commissioners Chambers, Courthouse Annex, Brown County, SD: Centennial Village - Brown County Fairgrounds (Centennial Village) SW ¼ Sec 1-T123N-R64W, effective June 29 & 30, 2006. All members present voting aye. Motion carried.

AUDITORS REPORT OF ACCOUNT:

Moved by Fischbach, seconded by Feickert to approve the June 2006 Auditor's Report of Account with the County Treasurer in total amount of \$10,751,604.69 (total amount of actual cash @ \$2,982.58, Wells Fargo Bank @ \$3,694.79, US Bank @ \$19,691.08, Dacotah Bank @ \$68,789.98, Petty Cash @ \$1,800.00, Fund Investments @ \$10,653,228.84, Outstanding Checks @ \$1,417.42). All members present voting aye. Motion carried.

AGREEMENT:

Moved by Feickert, seconded by Wiese to approve and authorize the Chairman sign cooperative agreement with Aberdeen School District 6-1 to establish an educational program for youth placed in the Juvenile Detention Center, effective July 1, 2006 through June 30, 2007. All members present voting aye. Motion carried.

VOLUNTEERS OF AMERICA FCIP:

Wendy Mette, Shirelle Stadel, Rob Baumgartner, Kristal Biegler and Mike Brumbaugh met to request 2007 funding for Volunteers of American's Family Crisis Intervention Program (FCIP) in amount of \$5,000.00. The Commission took no action at this time.

OFF-ROAD VEHICLES:

Cam Schock presented questions on the off road vehicle issue. The Commission has taken no action.

BID – WASTE TIRE CLEANUP:

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Time and place, as advertised to open, read and consider bids for 2006 Brown County Waste Tire Cleanup. Bids were received from Greenman Technologies, Savage MN and New Deal Tire, Groton SD. Moved by Fischbach, seconded by Wiese to award bid in amount of \$110.50 per ton, submitted by Greenman Technologies for 2006 Brown County Waste Tire Cleanup; and reject bid in amount of \$118.00 per ton, submitted by New Deal Tire. All members present voting aye. Motion carried.

BID CONTRACT:

Moved by Wiese, seconded by Feickert to approve and authorize the Chairman sign Bid Contract with Greenman Technologies for 2006 Brown County Waste Tire Cleanup. All members present voting aye. Motion carried.

NADRIC 2007 BUDGET:

NADRIC representatives Julie Pfeifer and Jan Patterson presented statistics and program information in regard to the 2007 NADRIC Budget request.

2007 BUDGET DISCUSSION:

Sheila Enderson, Brown County Treasurer, Freddie Robinson, Brown County Emergency Management Director, and Dirk Rogers, Highway Superintendent explained 2007 Department Budget Requests. The Commission took no action at this time.

USE OF PARKING LOT:

Georgia Smith, Aberdeen Downtown Association requested permission to temporarily close the Brown County Parking Lot north of the Dacotah Prairie Museum to parking and use for the following events: Aberdeen Quasquicentennial on July 30th and Sizzling Summer Nights on August 26th. Board concurred.

FLOOD ZONE MAP:

Robin Bobzien and Stuart Nelson discussed mapping for new flood plain and explained notification will be sent to all parties adversely affected. Dirk Rogers, Highway Superintendent was also in attendance.

APPLICATION FOR OCCUPANCY:

Moved by Fischbach, seconded by Feickert to approve and authorize the Chairman sign application, submitted by Northern Electric Cooperative for occupancy of Brown County Highway 13 in Sec 25 & 36-T124R-R65W of 5th P.M., Brown County, SD to install single phase URD cable crossing. All members present voting aye. Motion carried.

EXECUTIVE SESSION:

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

The Chairman declared the executive session closed, with no action taken as a result of the discussion.

RECESS:

The Chairman declared the Commission recessed until July 18, 2006.

Maxine Taylor – Brown County Auditor

JULY 18, 2006 – GENERAL MEETING

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

MINUTES:

Moved by Feickert, seconded by Fischbach to approve the General Meeting minutes of July 11, 2006. All members present voting aye. Motion carried.

CLAIMS:

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

Supplies: Kleins..\$1.70, UPS..\$6.86, Mark McNeary..\$105.99, SDACC..\$1912.53, Penny Hart..\$17.98, Matthew Bender..\$81.70, Ecolab..\$162.50, Cartney Bearing..\$12.50, Menards..\$152.80, Aberdeen Carpet Cleaning..\$590.00, Schatz Ins..\$50.00, SDAAO..\$600.00, Office Equip..\$39.93, New Trends..\$21.78, Mark Milbrandt..\$30.53, HRS..\$4423.95, Velvet Uniforms..\$449.98, Bonnie Bitz..\$192.00, CDW Govt..\$512.40, Electronic Security Equip..\$70.06, Diane Mielke..\$7.62, Accurint..\$21.41, Quality Quick Print..\$126.00, Best Business..\$39.14, Dicks Westside..\$96.50, OK Tire..\$27.00, Evercom..\$1900.00, Animal Health..\$45.00, House of Glass..\$785.00, Duanes Amoco..\$61.20, Kesslers..\$225.40, Avera Pace..\$350.00, Academy Trophy..\$6.00, Hoven Auto..\$251.30, FedEx..\$8.50, Tel Serv..\$4.28, West Payment..\$682.64, Earthgrains..\$551.02, Aberdeen Chrysler Center..\$26.55, Moore Medical..\$112.25, SD Fed Property..\$122.00, Jark/Worlie Auction..\$1000.00, Career Planning..\$586.50, Farm Plan..\$376.45, State Property Mgmt..\$1420.00, SDDOT..\$35,769.81, Share Corp..\$252.80, Safelite Auto Glass..\$191.22, Praxair..\$133.28, Pumps Tire..\$479.04, Bill Moon..\$33.91, Midwest Alarm..\$204.00, Howes Oil..\$19,901.60, Flint Hills..\$25.00, JD Evans..\$247.96, Fastenal..\$105.78, Erdmann Oil..\$10,283.91, Diesel Machinery..\$1152.92, Dakota Farm Service..\$22.52, Carquest..\$1204.76, Brookings County Hwy..\$79.36, Ameripride..\$239.17, Advanced Auto..\$23.56, SD Magazine..\$265.00, Ameripride..\$40.09, Jaci Fjelland..\$125.00, Tammy Dennert..\$437.00, Glas Consulting..\$31.25, Jean Hommel..\$75.00, 4-H Leaders..\$5000.00, Menards..\$890.17, Ken's Superfair Foods..\$27.21, Scottys..\$46.57, TSC..\$17.82, Central Supply..\$77.00, Midwest Rubber Stamp..\$120.00, Creative Signs..\$604.80, Artz Camera..\$24.95, VanDiest..\$8066.18, Brown County Tres..\$338.48, Aberdeen Awards..\$12.00, Northern Tool..\$132.52, Town & Country Building Supply..\$20.00, Aberdeen Equip..\$46.41, Overhead Door..\$116.33, Consolidated Ready Mix..\$1840.00, Clear Blue Retreat Pools..\$125.00, Cunningham Elec..\$1699.05, SD Wheat Growers..\$81.85, Runnings..\$110.59, Macs..\$63.19, Roger Johnson..\$8.22, Brick Propane..\$83.30, Sewing Shoppe..\$33.00, JC Penney..\$43.98, Pizza Ranch..\$39.96, Walmart..\$23.74, Schwan Welding..\$110.00, Kesslers..\$29.58, Liebelt RV..\$14.12, Alexander Mitchell Library..\$10,000.00, Aberdeen Plumbing..\$70.65:

Publications: American News..\$596.48:

Professional Fees: Avera St Lukes..\$47.00, Compass..\$23,709.82:

Transcriptions: Neal Reporting..\$182.40, witness fee..\$26.40:

Travel: Gene Loeschke..\$140.80, Danielle Radke..\$43.58:

Utilities: FSH..\$55.00, Dependable Sanitation..\$371.00, Northwestern Energy..\$1165.99, Northern Elec..\$682.80, City of Hecla..\$75.48, Qwest..\$831.31, Alltel..\$120.16, Tel Serv..\$22.00, James Valley Telecommunications..\$214.73, Qwest Interprise Networking..\$196.55, Verizon..\$68.57:

Jury: Gloria Anderson..\$11.28, Brian Badten..\$16.40, Roxann Blumhardt..\$11.92, Sandra Bobzien..\$51.28, George Buffalo..\$11.28, Melissa Buss..\$11.28, Richard Conn..\$11.28, Peggy Cruse..\$24.08, Joan Dahme..\$11.28, Loel Davis..\$54.48, Bradley Dinger..\$11.28, Joel Dockter..\$11.28, Tracie Eschenbaum..\$11.28, Christina Finley..\$15.76, Rebecca Fjelstad..\$15.12, Alvin Flemmer..\$11.28, Scott Gale..\$11.28, Dale Geffre..\$11.92, Nickolas Gehrts..\$11.28, Cheryl Gelling..\$29.20, Cheryl Graf..\$22.80, Patricia Hatfield..\$11.28, Jennifer Hawk-Heirigs..\$11.28, Emily Heintzman..\$15.12, Linda Heiser..\$51.28, Michael Herr..\$11.28, Karen Hieb..\$51.28, Gerald Hofer..\$51.28, Jennifer Howell..\$11.28, Nathan Huff..\$11.28, Tyler Jensen..\$11.28, Bernice Johnson..\$11.28, Becky

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Klipfel..\$51.28, Teresa Koch..\$24.08, Kenneth Koeniguer..\$11.28, Stacy Kramer..\$11.28, Florence Krege..\$22.80, Lucille Kushman..\$11.92, Dawn Laducer..\$11.28, Dennis LaJoie..\$11.28, Dianne Lee..\$11.28, Jacqueline Leisen..\$51.92, Philip Livermont..\$11.92, Janice Losinger..\$51.92, Kenneth Maas..\$51.28, Bryan Mardian..\$11.28, Kim Medenwald..\$11.28, Dawn Meink..\$13.20, Robert Meister..\$22.80, Kelly Miller..\$11.92, Stan Moffenbier..\$11.92, Valerie Mork..\$51.92, Janet Moser..\$13.20, Lori Nielsen..\$11.92, Loreli Papstein..\$11.28, Donald Parsons..\$62.80, William Peterson..\$11.28, Randy Reick..\$11.28, Bert Rystrom..\$22.80, Kirk Schaunaman..\$15.12, Julius Schipke..\$11.92, Peggy Schumack..\$11.92, Holly Shields-Peck..\$11.28, Jerry Sjerven..\$51.28, Hedwig Swanhorst..\$11.28, Roberta Thompson..\$51.28, Stacy Tuszka..\$17.68, Betty Weber..\$11.28, Leo Weber..\$11.28, Leeroy Weisenberger..\$22.80, Rebecca Woehl..\$11.28:

Care of Poor: Rent - 4 recipients..Bargain Mart..\$233.34, Key Investments..\$240.00, Tom Appletoft..\$162.50, Webb Shoes..\$220.00; Dr/Hospital - 2 recipients..Avera St Lukes..\$7140.00; Emergency Poor Fund..\$100.00; Medication - 3 recipients..Jones Drug..\$12.22, K-Mart..\$34.43, Kesslers..\$18.08; Utilities - 2 recipients..NWPS..\$350.35. All members present voting aye. Motion carried.

PERSONNEL:

Moved by Feickert, seconded by Fischbach to approve hiring Jamie Beard as part-time Home Detention Officer, effective August 1, 2006 at \$10.08 per hour. All members present voting aye. Motion carried.

FIREWORKS PERMIT:

Moved by Hansen, seconded by Feickert to approve and authorize the Chairman sign Fireworks Public Display Permit, submitted by Larry Gerlach, Brown County Fair Manager for a Class B Fireworks Display to be held on August 19, 2006 at the Fairgrounds during the 2006 Brown County Fair. All members present voting aye. Motion carried.

SPECIAL MALT BEVERAGE LICENSE HEARING DATE SET:

Moved by Fischbach, seconded by Hansen to authorize advertising public hearing to consider the following Special Malt Beverage License Applications (maps indicating specific buildings on file with applications): Aberdeen Hockey Association - Brown County Fairgrounds (Clubhouse) SW ¼-Sec 1-T123N-R64W, effective August 14, 15, 16, 17, 18, 19 & 20, 2006; Centennial Village Inc - Brown County Fairgrounds (Centennial Village) SW ¼ Sec 1-T123N-R64W, effective August 15, 16, 17, 18, 19, 20, 2006; Boys & Girls Club - Brown County Fairgrounds (Grandstand) SW ¼ Sec 1-T123N-R64W,. Special License effective August 14,15,16, 17, 18, 19, 20, 2006, to be held in the Commission Chambers, Courthouse Annex at 8:45 A.M. on the 8th day of August, 2006. All members present voting aye. Motion carried.

PREVENTION GRANT:

Moved by Hansen, seconded by Fischbach to approve and authorize the Chairman sign Categorical Assistance Progress Report for the Brown County "Prevention and Intervention Programs for At-Risk and Detained Youth" Grant #2001-JS-FX-0014 for January 1, 2006 through June 30, 2006. All members present voting aye. Motion carried.

ESTABLISH FUND:

Moved by Feickert, seconded by Hansen to establish Fund #230 Teen Court. All members present voting aye. Motion carried.

BUDGET SUPPLEMENT:

Commissioner Hansen offered the following Resolution:

RESOLUTION NO. 42-06

WHEREAS, due to the failure to provide adequate spending authority within the following Brown County Budget for year 2006, to enable expenditures for Teen Court and the Brown County Events Center Feasibility Study:

Teen Court----- \$12,825.00
Brown County Events Center----- \$45,640.00

WHEREAS, the County has chosen to incur this obligation and expenditure by supplementing the following 2006 fiscal Brown County Budget, and to fund same from the following:

Teen Court:
Donations and Grants----- \$9,412.50
Unobligated Surplus Cash----- \$3,412.50
Brown County Event Center:
Donations and Grants----- \$20,620.00
Unobligated Surplus Cash----- \$25,020.00

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 August 8, 2006 at 9:00 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, Fischbach-aye, Feickert-aye, Wiese-absent, Knecht-aye. Resolution adopted.

PLAT:

Commissioner Fischbach offered the following Resolution:

RESOLUTION NO. 43-06

BE IT RESOLVED by the County Commission of Brown County, SD, that the plat showing "Harry's Tract 1 in Government Lot 1 in the NE ¼ of Sec 4-T121N-R60W 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 Feickert. Roll call vote: Commissioners Hansen-aye, Fischbach-aye, Feickert-aye, Wiese-absent, Knecht-aye. Resolution adopted.

DISASTER DECLARATION:

Commissioner Feickert offered the following Resolution:

RESOLUTION 44-06

RESOLUTION FOR DECLARATION OF EMERGENCY/DISASTER

WHEREAS, Brown County, South Dakota has suffered severe damage, brought on by extended drought conditions commencing March 1, 2006 and continuing; and

WHEREAS, the drought has caused rapid crop deterioration on a daily basis and loss of livestock feed crops; and

WHEREAS, Brown County has suffered more than 40% loss in normal precipitation since March 1, 2006, as indicated by contemporaneous records kept by producers in the county. The current weather conditions are extremely hot and dry, with predictions from the National Weather Service in Aberdeen that these conditions will continue for several more days, and

WHEREAS, Brown County is South Dakota's number one corn producing county and at least the western 1/3 to 3/4 of the county is showing signs of being well below normal, and will be critically below normal if precipitation is not received.

NOW, THEREFORE, BE IT RESOLVED by the Brown County Commission at a regular meeting held on July 18, 2006, it is hereby requested that the Governor declare a disaster to exist in the County of Brown.

Adopted this 18th day of July 2006.

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

2007 BUDGET REQUEST PRESENTATIONS:

Tabitha Moore, Teen Court Coordinator presented statistics and related information in regard to the 2007 Teen Court Budget request. Ms. Moore also presented Weed and Seed Program update.

Jerry Mills and Jason Warrington, Extension representatives presented statistics and related information in regard to the 2007 Extension Budget request.

Jim Barringer, Larry Frost and Chris Haar, Aberdeen Development Corporation representatives presented statistics and related information in regard to the 2007 Aberdeen Development Corporation Budget request.

FAIR CAMPING AREA:

Larry Gerlach, Fair Manager and Roger Huettl, Fair Board President requested permission to designate a non-service camping area during the Fair, which would accommodate twenty campers on a first come first serve basis, with allowable use of generators during specified hours at a cost of \$12.00 per night or \$40.00 for the week of the Fair; and further stated that campfires would not be allowed on the grounds during the 2006 Fair. Board concurred.

EXECUTIVE SESSION:

Moved by Feickert, seconded by Hansen to go into executive session with Mark Milbrandt and Kim Dorsett in attendance to discuss a contract for services.

Moved by Hansen, seconded by Feickert to go into executive session with Dirk Rogers in attendance to discuss possible litigation.

The Chairman declared the executive sessions closed, with no action taken as a result of the discussions.

RECESS:

The Chairman declared the Commission recessed until July 25, 2006.

Maxine Taylor -- Brown County Auditor

JULY 25, 2006 - JOINT CITY/COUNTY MEETING

The Brown County Commission and the Aberdeen City Council 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 Council Members Agnitsch, Campbell, Hodgin, McQuillen, Mitchell and Mayor Levsen. Absent Council Members Aman, Bunsness and Rux. Present from County were Commissioners Hansen, Fischbach, Feickert, Wiese and Knecht.

ORDINANCE NO. 06-07-06/331:

On motion by McQuillen and seconded by Agnitsch, the City unanimously voted to approve First Reading of Ordinance No. 06-07-06/331.

Moved by Wiese, seconded by Feickert to approve First Reading of Ordinance No. 06-07-06/331, An Ordinance amending Ordinance No. 1164 as to Section 706 (C-1) Neighborhood Commercial District. All members present voting aye. Motion carried.

ORDINANCE NO. 06-07-07/332:

On motion by Mitchell and seconded by Campbell, the City unanimously voted to approve First Reading of Ordinance No. 06-07-07/332.

Moved by Hansen, seconded by Wiese to approve First Reading of Ordinance No. 06-07-07/332, An Ordinance amending Ordinance No. 1164 to rezone the following described property from its present zoning designation of Section 701 (A-1) Agricultural District to Section 714 (M-AG), Mini-Agricultural District: Lot 3, Block 1, Moulton's Subdivision in the SE ¼ of Sec 2-T122N-R64W of the 5th P.M., Brown County, SD. All members present voting aye. Motion carried.

The City Council adjourned and the County Commission continued into the regular meeting.

Maxine Taylor - Brown County Auditor

JULY 25, 2006 – GENERAL MEETING

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

MINUTES:

Moved by Hansen, seconded by Fischbach to approve the General Meeting minutes of July 18, 2006. All members present voting aye. Motion carried.

CLAIMS:

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

Payroll: Commissioners..\$2,779.85; Auditor..\$6,745.34; Treasurer..\$8,795.74; Data Processing..\$2,894.93, State's Attorney..\$11,340.70; Maintenance..\$5,459.02; Assessor..\$7,690.47; Planning & Zoning..\$500.00; Register of Deeds..\$4,773.34; Veterans Service Office..\$2,688.76; GIS..\$1,738.47; Sheriff..\$75,509.11; Grant..\$1,674.22; Coroner..\$500.00; Communications..\$16,414.28; Welfare Office..\$2,827.87; Museum..\$5,068.62; Fairboard..\$1,445.17; Fairgrounds & Parks..\$3,983.82; Extension..\$1,288.77; Weed..\$4,650.90; Emergency Management..\$2,312.70; Weed and Seed..\$2,469.00; Teen Court..\$263.25; Highway..\$35,011.61; Landfill..\$7,274.19; Matching Benefits: FICA..\$12,718.68, Medicare..\$2,674.50, Wellmark BCBS Life..\$690.52, Wellmark BCBS Health..\$61,844.72, Delta Dental..\$4,047.14, SD State Retirement..\$24,110.19;

Supplies: West Payment Ctr..697.00, Taylor Laundry..96.00, Janitor's Closet..482.74, HSBC Business Solutions..64.98, Division MV..6.00, SD Federal Property..14,557.50, Double D..375.00, McFarland Supply..10.33, Sec of State..25.00, Leo Leshner..26.00, Office Equipment..10.74, New Trends..16.60, HSBC Business Solutions..1,300.33, Safety Service Ins..402.48, Parcel Erickson..26.95, Aberdeen Lock & Key..7.50, LarJos..35.00, Best Business Products..184.91, Electronic Security Equip..487.54, Velvet Uniforms..384.87, Van Diest Supply Co..6,546.00, Graham Tire..136.84, Eaton Electric..3,638.66, Habecks Radiator Shop..69.50, HF Jacobs & Son..18,395.76, Krueger Bro Gravel..319.20, Bryan Owens..31.67, Share Corp..183.00, Aberdeen Asphalt..17,070.80, Creative Signs..12.00, Flint Hills Resources, LP..100,680.95, Language Line..99.00, HSBC Business Solutions..278.97, Menards..108.83, Karl's..8.85, Ginger Walker..13.91, Brown Co Treasurer..106.08, North Wind Machine..124.60, Robert Stroh LLP..705.44, Century Business Products..78.56, CMRS-FP..5,000.00, Dakota Mailing..58.88, Brown County..223.27, Salvation Army..200.20, New Trends..44.86, ByteSpeed LLC..2,739.00, Scott Madsen..\$17.82;

Publications: Groton Independent..\$169.67, American News..\$62.04;

Professional Fees: Rebecca Mathern..30.00, Jackie Schraeder..30.00, Joel McMaster..210.00, Jayson Knutson..210.00, Jason Engel..150.00, Avera United Clinic..224.00, Planning & Development Dist.111..7,800.00, Brown County..2,966.76, NECOG..1,666.66, Salvation Army..1,426.00, NEMH..482.79, Nelv Kooistra..66.00, Greentree Psychological Ser Inc..320.00, Sheriff of Yankton Co..16.50, Cathy Rehffuss..66.00, Donna Dietrich..451.62, Lewis & Clark BHS..130.00, NECOG..167.04, NADRIC..\$1666.67;

Travel: Mary Worlie..129.68, City of Groton..59.84, Phillips 66..261.00, Charlene Millim..125.16, Mavis Kempf..9.00, Menards..80.02, Deb Knecht..\$201.60;

Court Appointed Attorney: Kuck Law Office..\$4166.67, Kelly Marnette..\$4166.67, William Gerdes..\$4166.67, Randy Turner..\$4166.67, Christy Serr..\$4166.67;

Utilities: Alltel..932.63, Verizon..46.60, Qwest..1408.41, Wireless World..24.95, Midcontinent Cable..\$82.67, Northern Elec..\$100.00;

Care of Poor: Rent - 3 recipients..Timothy Doerr..200.00, Gene Kureger..200.00, Perry Pitz..201.00; Dr/Hospital - 5 recipients..Runnings Farm & Fleet..149.50, Dakota Care Cobra Ser..766.29, Dr. John Adams..37.64, Mayo Clinic Rochester..170.60, Avera St. Luke's Hosp..343.71; Utilities - 6 recipients..NWPS..65.00, City of Aberdeen..167.50, Jefferson Ride Lines..110.90, Midcontinent Comm..110.00. All members present voting aye. Motion carried.

PERSONNEL:

Moved by Wiese, seconded by Feickert to approve the following employee step increase, effective July 30, 2006: Russell Ochsner @ \$12.50 per hour. All members present voting aye. Motion carried.

Moved by Wiese, seconded by Hansen to acknowledge resignation of Roger Schaible, effective August 10, 2006 and Steve Cogley, effective July 28, 2006. All members present voting aye. Motion carried.

Moved by Wiese, seconded by Hansen to approve hiring Tom Schmitt as Chief Deputy Sheriff, effective July 24, 2006 at pro-rated annual salary of \$49,812.00. All members present voting aye. Motion carried.

Moved by Wiese, seconded by Hansen to approve hiring Becky Berreth in Emergency Management Department, effective July 24, 2006 at \$10.86 per hour. All members present voting aye. Motion carried.

WEED AND SEED:

Moved by Hansen, seconded by Wiese to approve and authorize the Chairman sign Categorical Assistance Progress Report for the Brown County Weed and Seed Grant #2005-WS-Q5-0089 for January 1, 2006 through June 30, 2006. All members present voting aye. Motion carried.

Moved by Wiese, seconded by Hansen to approve and authorize the Chairman sign Financial Form 269 for April through June 2006 for the Brown County Weed and Seed Grant #2005-WS-Q5-0089. All members present voting aye. Motion carried.

Moved by Wiese, seconded by Feickert to approve the Brown County Weed and Seed Monthly Expenses for June 2006 (Year Four 2005-WS-Q5-0089), in amount of \$6,482.89. All members present voting aye. Motion carried.

Moved by Feickert, seconded by Wiese to approve the following Weed and Seed Year Four 2005-WS-Q5-0089 funding proposal: Volunteers of American, Dakotas (CADCA training), as recommended by the Steering Committee. All members present voting aye. Motion carried.

Moved by Wiese, seconded by Hansen to approve and authorize the Chairman sign Agreement with Northeast Council of Governments as Contractor for purpose of employing an individual who will provide overall project coordination and consultation services to both the Weed and Seed Steering Committee and Brown County, effective July 17, 2006 through September 30, 2006. All members present voting aye. Motion carried.

PREVENTION GRANT:

Moved by Hansen, seconded by Wiese to approve and authorize the Chairman sign Financial Form 269 for April through June 2006 for the Brown County Special Appropriation "Prevention and Intervention Programs for at-risk and detained youth" Grant #2001-JS-FX-0014. All members present voting aye. Motion carried.

SHERIFF REPORTS:

Moved by Wiese, seconded by Fischbach to approve the following June 2006 Sheriff Reports: Incidents and offenses, Prisoner care, JDC, Money deposited with the County Treasurer and Monthly activities. All members present voting aye. Motion carried.

CITIZENS CORP:

Moved by Wiese, seconded by Feickert to appoint Captain Dave Mowers, Salvation Army to the Citizens Corps, replacing Captain Ralph Labbee. All members present voting aye. Motion carried.

PLATS:

Commissioner Feickert offered the following Resolution:

RESOLUTION NO. 45-06

BE IT RESOLVED by the Board of Commissioners of Brown County, SD, that the plat showing "VanDenEykel Addition in the NE ¼ of Sec 21-T124N-R65W of the 5th P.M., Brown County, SD," having been examined is hereby approved in accordance with the provisions of SDCL 1967, Chapter 11-3, and any amendments thereof.

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

Commissioner Feickert offered the following Resolution:

RESOLUTION NO. 46-06

BE IT RESOLVED by the County Commission of Brown County, SD, that the plat showing "Jung's 2nd Subdivision in NE ¼ and NW ¼ Sec 11-T125N-R64W of 5th P.M., Brown County, SD," having been examined is hereby approved in accordance with the provisions of SDCL 1967, Chapter 11-3, and any amendments thereof.

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

TAX DEED SALE:

Moved by Feickert, seconded by Wiese to approve and authorize the Chairman sign Quit Claim Deeds to successful bidders for the following Tax Deed property sold at public auction on July 24, 2006: Lansing Township: N 1/3 of W ½ of Lot 2, Block 9 Houghton, SD @ \$900.00; Aberdeen City: E 71' of Lots 23-24, Block 44, Hagerty & Lloyd Addn @ \$125.00; The W 40' of Lot 6, Block 62, Second Addition to Aberdeen @ \$360.00; Hoffs OL 1 Lot 12, Block 3, Addison's Add @ \$200.00; Groton City: Original Plat Lots 15 & S 8' of Lot 16, Blk 9, Groton City @ \$1300.00; Frederick City: Lot 2, Block 1, Simmons Addition, Frederick @ \$200.00, Lot 5 Blk 32 First Addition, Frederick @ \$250.00, Lot 6 Blk 32 First Addition, Frederick @ \$325.00, Lot 8-9 Blk 12 Howells Addition, Frederick @ \$5100.00; Hecla City: Lt M-1 NW SE & NE SW 22-128-61 Hecla Vlg @ \$450.00; Prairiewood Village: Lot 9 Blk 6 Prairiewood Vlg @ \$550.00, Lot 7 Blk 7 Prairiewood Vlg @ \$2900.00. All members present voting aye. Motion carried.

SPECIAL MALT BEVERAGE HEARING:

Time and place, as advertised for public hearing to consider application for Special Malt Beverage License. Moved by Wiese, seconded by Feickert to approve the following application for Special Malt Beverage License: Centennial Village Inc. – Brown County Fairgrounds (Centennial Village) SW ¼ Sec 1-T123N-R64W of 5th P.M. Brown County, SD, effective July 29 & 30, 2006. All members present voting aye. Motion carried.

BCCHC REPORT:

DeAnna Kyburz presented the Brown County Community Health Center Report for April – June 2006.

EM UPDATE:

Ginger Walker, Emergency Management Assistant informed the Commission about mutual aid provided by several Brown County Rural Fire Departments during the recent fire in the Bowdle area.

NEMHC:

Northeastern Mental Health Center representatives Mike Forgy, Laura Boone, Lisa German and Eric Bauer presented center statistics and related information in regard to the 2007 NEMHC Budget request.

JAIL NURSE UPDATE:

Tom Schmitt, Marcy Fritz, John VanderHoek and Craig Nelson presented update on the success of having a full time nurse available in the Jail and JDC. Additional compensation was requested for the position, but the Commission took no action at this time.

ROAD DISCUSSION:

Nancy Schlichenmayer requested that a different type of gravel be placed over current type on Brown County Road #10 south of Warner with application of magnesium chloride to follow; and also requested the speed limit be lowered. Dirk Rogers, Highway Superintendent agreed to schedule additional ¾ inch crushed gravel, which should reduce the need for the speed limit adjustment.

RECESS:

The Chairman declared the Commission recessed until August 1, 2006.

Maxine Taylor – Brown County Auditor

AUGUST 1, 2006 - JOINT CITY/COUNTY MEETING

The Brown County Commission and the Aberdeen City Council 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 Council Members Agnitsch, Aman, Bunsness, McQuillen, Mitchell, Rux and Mayor Levsen. Absent Council Members Campbell and Hodgin. Present from County were Commissioners Hansen, Fischbach, Feickert, Wiese and Knecht.

ORDINANCE NO. 06-07-06/331:

On motion by McQuillen and seconded by Mitchell, the City unanimously voted to approve Second Reading and Adoption of Ordinance No. 06-07-06/331.

Moved by Fischbach, seconded by Feickert to approve Second Reading and Adoption of Ordinance No. 06-07-06/331, An Ordinance amending Ordinance No. 1164 as to Section 706 (C-1) Neighborhood Commercial District. Roll call vote: Commissioners Hansen-aye, Fischbach-aye, Feickert-aye, Wiese-aye, Knecht-aye. Ordinance adopted.

ORDINANCE NO. 06-07-07/332:

On motion by Mitchell and seconded by Rux, the City unanimously voted to approve Second Reading and Adoption of Ordinance No. 06-07-07/332.

Moved by Feickert, seconded by Wiese to approve Second Reading and Adoption of Ordinance No. 06-07-07/332, An Ordinance amending Ordinance No. 1164 to rezone the following described property from its present zoning designation of Section 701 (A-1) Agricultural District to Section 714 (M-AG), Mini-Agricultural District: Lot 3, Block 1, Moulton's Subdivision in the SE ¼ of Sec 2-T122N-R64W of the 5th P.M., Brown County, SD. Roll call vote: Commissioners Hansen-aye, Fischbach-aye, Feickert-aye, Wiese-aye, Knecht-aye. Ordinance adopted.

SET HEARING DATE:

On motion by Bunsness and seconded by Aman, the City unanimously voted to set hearing for Ordinance No. 06-08-05/333.

Moved by Hansen, seconded by Wiese to set public hearing for 8:45 a.m. on August 22, 2006 in the Brown County Commission Chambers, 25 Market Street for First Reading of the following: Ordinance No. 06-08-05/333, An Ordinance to amend Ordinance No. 1164 pertaining to zoning, said amendment being described as follows: Amending Section 708. (C-3) Central Business District. All members present voting aye. Motion carried.

The City Council adjourned and the County Commission continued into the regular meeting.

Maxine Taylor - Brown County Auditor

AUGUST 1, 2006 – GENERAL MEETING

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

MINUTES:

Moved by Wiese, seconded by Feickert to approve the Joint City/County Meeting minutes and the General Meeting minutes of July 25, 2006. All members present voting aye. Motion carried.

CLAIMS:

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

Supplies: UBC..\$13.57, Governors Inn..\$201.00, Quality Quick Print..\$63.45, West Payment Center..\$161.00, Office Equip..\$11.11, Office of Attorney General..\$75.00, J Gross..\$4995.00, Superior..\$27.67, Chris Stanley..\$191.52, Best Business..\$141.02, DT Pharmacy..\$3944.90, LarJos..\$34.00, Evercom..\$1855.00, Knight Towing..\$65.00, Our Home..\$157.99, Ultramax..\$189.00, Quill..\$115.47, Vantek..\$23.00, Eddie's Northside..\$32.70, Lewis Drug..\$27.25, New Trends..\$100.18, Intoximeters..\$89.15, Dakota Electronics..\$9168.75, Kendell Titze..\$137.66, Bryan Owens..\$68.85, Howes Oil..\$21,154.61, Habecks Radiator..\$465.50, HSBC Business..\$279.01, Flint Hills..\$143,434.86, Cunningham Elec..\$4000.00, Crawford Trucks..\$1895.20, Crady's Radiator..\$96.00, McGarry Elec..\$387.75, Carol White..\$5.64, Creative Signs..\$250.00, Walmart..\$166.38, Dorfman..\$2180.00, Brown County..\$18.23, Dakota Supply Group..\$179.60, Fastenal..\$31.78, Runnings..\$52.99, Weigel Const..\$2035.72, Walmart..\$24.19, Farm Power..\$32.96, Pizza Ranch..\$52.95, Racom..\$82.40, ESRI..\$2611.90, Amasco..\$16,350.00, State Radio..\$2400.00, House of Glass..\$115.00, Inventory Trading..\$266.25, Executive Mgmt..\$39.92, Dept of Rev..\$1304.00, Galls..\$42.28, Aberdeen C&F..\$154.32, Dakota Wood Grinding..\$13,229.00, MVTL Labs..\$34.40, Butler Machinery..\$2610.41: Publications: Groton Independent..\$378.80, American News..\$666.40:

Professional Fees: St Cloud Appraisal Inc..\$18,067.00, Northeastern Mental Health..\$43.89, Avera St Lukes..\$595.00, EideBailley..\$247.50, Lyrta Wilkie..\$180.00, Jackie Schroeder..\$240.00, Jason Engel..\$60.00, Joel McMaster..\$30.00, Helms & Assoc..\$5346.90:

Transcriptions: Tammy Erickson..\$29.65:

Travel: Maxine Taylor..\$34.88, Gene Loeschke..\$107.20, Tom Gohn..\$112.04, Kevin Spitzer..\$24.32, Mark McNeary..\$433.77:

Court Appointed Attorney: Yankton County..\$96.05:

Utilities: Northwestern Energy..\$9502.71, Qwest..\$56.63, Midcontinent Cable..\$188.95, Northern Elec..\$1487.20, Montana Dakota..\$25.48, City of Aberdeen..\$180.00, Web Water..\$49.18:

Care of Poor: Medication - 4 recipients..Lori's Pharmacy..\$11.99, K-Mart Pharm..\$4.69, Walmart Pharm..\$284.04; Dr/Hospital - 2 recipients..Dakota Plains Surgical..\$4101.36, Dr John Adams..\$37.64, Rent - 7 recipients.. Dale Bain..\$153.33, Falcon Rentals..\$200.00, Jeff Larson..\$260.00, White House Inn..\$79.20, Kurt Kruger..\$200.00, Ron Erdmann..\$130.00, Dave Lynn..\$200.00; Utilities: 3 recipients..NWPS..\$628.26; Transportation - 1 recipient..Brown County Highway..\$51.23, Emergency Poor Fund..\$45.00. All members present voting aye. Motion carried.

PROPERTY TRANSFER:

Moved by Hansen, seconded by Fischbach to approve and authorize the Chairman sign agreement with the following entity who received equipment from the 2005 ODP Equipment Grant Program: Hecla Ambulance (hydraulic tool); and transfer state radio extenders to Aberdeen Rural FPD previously acquired from the City of Aberdeen. All members present voting aye. Motion carried.

LOTTERY APPLICATION:

Moved by Feickert, seconded by Wiese to approve and authorize the Chairman sign application, submitted by the Brown County Fair Rodeo Queen Committee for a raffle to be held on August 14 & 15, 2006. All members present voting aye. Motion carried.

WAIVE FEES – FALL CLEANUP:

Moved by Wiese, seconded by Hansen to approve waiving fees during the Fall Residential Cleanup Event for all materials received at the Landfill ONLY from September 1 thru September 23, 2006. Charges will apply to all mobile homes, business and commercial waste during this time frame. All members present voting aye. Motion carried.

TAX DEED PROPERTY:

Treasurer Sheila Enderson and Deputy States Attorney Mark Anderson discussed a rental agreement with the current occupant of a property recently acquired through the Tax Deed Process. Mr. Anderson will contact the individual and obtain an agreement.

REZONE DISCUSSION:

Attorney David Fransen, representing area residents questioned comments made by the Commission during the public hearing for purpose of rezoning property from Agricultural Preservation to Heavy Industrial in regard to a "stipulation that if the land sale does not go through, the zoning will remain ag and the land can only be used for ethanol plant" made by the Planning & Zoning Board when the rezone was recommended to the Commission. States Attorney Mark McNeary and Attorney Fransen will research the legality and/or procedure for rescinding an ordinance once it has become effective.

FREDERICK LIBRARY:

Emma Burnham Public Library, Frederick representatives Eve Larson and Peggy Worthy presented library statistics and related information in regard to the 2007 Budget request.

GIS UPDATE:

Scott Madsen, GIS Coordinator presented update of department activities.

EXECUTIVE SESSIONS:

Moved by Hansen, seconded by Wiese to go into executive session to discuss possible litigation with Dirk Rogers in attendance. All members present voting aye. Motion carried.

The Chairman declared the executive session closed with no action taken as a result of the discussion.

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

The Chairman declared the executive session closed with no action taken as a result of the discussion.

BURN BAN:

Moved by Hansen, seconded by Wiese to impose a Burn Ban, as per Title 18 – Fire Safety, Second Revision Brown County Ordinances, prohibiting open burning in Brown County, South Dakota, effective immediately and to stay in effect until significant moisture is received, as recommended by the Brown County Fire Chiefs Association. All members present voting aye. Motion carried.

RECESS:

The Chairman declared the Commission recessed until August 8, 2006.

Maxine Taylor – Brown County Auditor

AUGUST 8, 2006 – GENERAL MEETING

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

MINUTES:

Moved by Feickert, seconded by Wiese to approve the Joint City/County Meeting minutes and the General Meeting minutes of August 1, 2006. All members present voting aye. Motion carried.

CLAIMS:

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

Payroll: Commissioners..\$2,779.85; Auditor..\$6,745.34; Treasurer..\$8,795.74; Data Processing..\$2,894.93; State's Attorney..\$11,323.10; Maintenance..\$5,468.29; Assessor..\$8,030.81; Planning & Zoning..\$500.00; Register of Deeds..\$4,773.34; Veterans Service Office..\$2,696.34; GIS..\$1,738.47; Sheriff..\$60,149.19; DOJ Grant..\$1,770.25; Communications..\$15,764.08; Welfare Office..\$2,894.32; Museum..\$5,075.28; Fairgrounds & Parks..\$3,981.18; Fairboard..\$1,445.17; Extension..\$1,290.43; Weed..\$4,011.34; Emergency Management..\$2,637.35; Coroner..\$1,000.00; Teen Court..\$222.75; Highway..\$38,279.65; Landfill..7,870.94; Matching Benefits: FICA..\$11,881.46; Medicare..\$2,778.68:

Supplies: Best Business..\$248.10, Quality Quick Print..\$405.57, Crescent Elec..\$161.72, Central Supply..\$795.50, Cunningham Elec..\$835.92, Woodmans Refrigeration..\$2210.08, Schwan Welding..\$868.63, Runnings..\$600.68, Safety Service..\$2819.95, Taylor Laundry..\$13.50, Quality Welding..\$26.48, Gardner Locksmith..\$20.00, Ameripride..\$41.76, Menards..\$108.51, OK Tire..\$15.00, Walmart..\$367.76, Bureau of Info..\$1800.00, Langs..\$45.00, Exec Mgmt..\$3584.84, Nat'l Target..\$66.62, Velvet Uniforms..\$167.15, Racom..\$185.40, Sewing Shoppe..\$12.00, SD Human Service Center..\$70.45, Moore Medical..\$514.80, Knight Towing..\$105.00, Towing Plus..\$155.00, Amoco..\$17.55, Z&S Dust..\$2547.72, Share Corp..\$252.80, Midwest Alarm..\$892.86, Macs..\$258.77, Lawson Products..\$149.32, Great Western Tire..\$1655.85, Flint Hills..\$51,152.85, Clark Engineering..\$61.00, HC Clark..\$8.18, Jessi Mather..\$220.92, Midwest Golf Car..\$6283.50, Civil Air Patrol..\$900.00, Machinist Union..\$850.00, Photo X-press..\$18.06, Spec Communications..\$2191.00, Roto Rooter..\$4500.00, SDNA Dist \$..\$800.00, Evergreen Supply..\$430.00, Good Shepherd..\$2100.00, Aberdeen Parks & Rec..\$900.00, Westport Little League..\$50.00, Spotslam..\$1470.00, Aberdeen Advanced Care..\$2756.00, Geffdog..\$34.22, Bunny Barn..\$318.53, Farm Power..\$343.24, Dutchs..\$300.00, Country Weekly..\$19.96, Swanson Elec..\$2627.52, 4-H Performing Arts..\$500.00, Glacial Lakes..\$50.00, Amy Engelhart..\$730.00, Korkow Rodeos..\$19280.00, TMS..\$14,250.00, Boy Scouts..\$2686.00, Schwan Welding..\$500.00, Elm Valley Community Club..\$8000.00, Three Seasons Tent..\$7000.00, Sams Sound..\$5750.00, CMW Cleaning Service..\$3650.00, Craig Haugard..\$30.00, Linda Emery..\$30.00, Scottys..\$31.92, Cross Country Courier..\$99.24, Shopko..\$22.76, Paper Warehouse..\$101.00, Hub City Quasquicentennial..\$288.00, Dakota Supply Group..\$108.31, Hub City Rents..\$57.50, HC Clark..\$119.08, Gage Bros..\$10,000.00, Carquest..\$63.11, Fastenal..\$154.32, TBA Global..\$2275.00, Cabinets Universal..\$500.00, JoJo..\$900.00, TBA Fairs & Festivals..\$124,000.00, ProAg..\$207.90, Farnams..\$60.47, Specialty Mfg..\$70.24, Kens Alignment..\$1256.69, Roger Johnson..\$6.30, VanDiest..\$8225.50, Dakota Fluid Power..\$161.25, SDSWMA..\$950.00, Praxair..\$16.00, SD Dept of Rev..\$3122.04, Safety Service..\$224.12, Pierson Ford..\$126.35, Webb Shoes..\$181.95, Ameripride..\$56.77, Erdman Oil..\$4980.46, Herbergers..\$94.95, John Ellsworth..\$2673.04, DSS Image Apparel..\$91.80:

Publications: Groton Independent..\$284.44, American News..\$580.10:

Professional Fees: witness fees..\$40.00, Nelva Kooistra..\$15.00, Cathy Rehfuß..\$15.00, Donna Dietrich..\$127.99, Sheriff of Yankton County..\$33.00, Avera St Lukes..\$3570.00, Valorie Olson..\$25.00, Avera Midwest Psych..\$88.46:

Travel: Leo Leshner..\$105.28, Judy Hauge..\$205.00, Mike Wiese..\$12.80:

Court Appointed Attorney: Yankton County..\$441.22, Brevik Law Office..\$177.90:

Utilities: FSH Comm..\$55.00, Northwestern Energy..\$3042.49, City of Aberdeen..\$795.36, Northern Valley Comm..\$72.06, James Valley Co-Op..\$344.04, Town of Frederick..\$41.19, Qwest..\$32.31, WEB..\$137.60, Dependable..\$16,009.62:

Care of Poor: Medication - 2 recipients..Medical Center Pharmacy..\$41.82, K-Mart Pharm..\$96.96; Dr/Hospital - 8 recipients..Family Dental Care..\$54.45, Avera St Lukes..\$14,628.29; Rent - 4 recipients..Eisenbeis Mobile Home Court..\$240.00, Webb Shoe Co..\$220.00, Todd Black..\$230.00, Aberdeen Housing Authority..\$209.00; Utilities - 1 recipients..NWPS..\$280.00; Burial - 2 recipients..City of Aberdeen..\$400.00, Price Funeral Home..\$2229.00. All members present voting aye. Motion carried.

PERSONNEL:

Moved by Wiese, seconded by Feickert to approve the following employee step increases, effective August 13, 2006: John Heine @ \$17.07 per hour, Sherri Rawstern @ \$12.29 per hour, Michael Ernst @ \$11.10 per hour, Dennis VanHeerde @ \$12.67 per hour, Scott Kolb @ \$17.02 per hour. All members present voting aye. Motion carried.

Moved by Feickert, seconded by Wiese to approve hiring Brady Berg as guard for purpose of prisoner transport, effective August 8, 2006. All members present voting aye. Motion carried.

Moved by Feickert, seconded by Wiese to approve hiring Fae Dayton, Bobbie Bierman and Jaci Schley as part-time Fair Office employees, effective August 14, 2006 at \$7.94 per hour. All members present voting aye. Motion carried.

Moved by Feickert, seconded by Wiese to acknowledge resignation of Sharon Stout from Sheriff Department, effective August 9, 2006. All members present voting aye. Motion carried.

Moved by Feickert, seconded by Wiese to approve hiring Jason Goette as part-time JDC Correction Officer, effective August 9, 2006 at \$9.37 per hour. All members present voting aye. Motion carried.

Moved by Wiese, seconded by Feickert to approve employee status change for Julie Hermansen from part-time to regular part-time, effective July 30, 2006 at \$9.37 per hour. All members present voting aye. Motion carried.

PLAT:

Commissioner Wiese offered the following Resolution:

RESOLUTION NO. 47-06

BE IT RESOLVED by the Board of County Commissioners of Brown County, SD, that the plat showing "Stehly Subdivision in the NW ¼ of Sec 28-T128N-R60W of the 5th P.M., Brown County, SD", 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-absent, Fischbach-aye, Feickert-aye, Wiese-aye, Knecht-absent. Resolution adopted.

PROPERTY TRANSFER:

Moved by Wiese, seconded by Feickert to approve and authorize the Chairman sign agreements with the following entities: 2004 ODP Equipment Grant Program - GIS (GIS calculator and accessories); 2005

ODP Equipment Grant Program - GIS (plotter/printers and software), Aberdeen Rural Fire Department (cascade system). All members present voting aye. Motion carried.

ABATEMENT:

Moved by Wiese, seconded by Feickert to approve the following Abatement: J & D Development Corp, double assessment (Lt A Bk 4 1st Addn Ashwood Heights Subd SW 8-123-63) for 2005 at \$119.75. All members present voting aye. Motion carried.

AUDITORS REPORT OF ACCOUNT:

Moved by Feickert, seconded by Wiese to approve the July 2006 Auditor's Report of Account with the County Treasurer in total amount of \$10,535,063.76 (total amount of actual cash @ \$2,948.41, Wells Fargo Bank @ \$3,694.79, US Bank @ \$15,537.79, Dacotah Bank @ \$256,575.10, Petty Cash @ \$1,800.00, Fund Investments @ \$10,253,056.08, Outstanding Checks @ \$1,451.59). All members present voting aye. Motion carried.

TRANSFER:

Moved by Wiese, seconded by Feickert to approve and authorize the following transfer of spending authority and cash, as reflected in the 2006 General Fund #101 Budget: \$913,782.51 to Road & Bridge Fund #201. All members present voting aye. Motion carried.

CONTINGENCY TRANSFER:

Moved by Wiese, seconded by Feickert to approve the following Contingency Transfer (spending authority only): Fund #101: 153 Abused and Neglect @ \$6,339.20. All members present voting aye. Motion carried.

BLOOD DRAW AGREEMENT:

Moved by Feickert, seconded by Wiese to approve and authorize the Chairman sign the Blood Draw Agreement with Pam Smid. All members present voting aye. Motion carried.

SPECIAL MALT BEVERAGE LICENSE HEARING:

Time and place, as advertised to consider approval for the following Special Malt Beverage License applications. Moved by Feickert, seconded by Wiese to approve and authorize the Chairman sign the following Special Malt Beverage License Applications for use at the Brown County Fairgrounds, located in the SW ¼ Sec 1-T123N-R64W (map indicating specific buildings on file with applications): Aberdeen Hockey Association at the Clubhouse, effective August 14, 15, 16, 17, 18, 19 and 20, 2006; Centennial Village Inc at Centennial Village, effective August 15, 16, 17, 18, 19 and 20, 2006; Boys & Girls Club at the Grandstand, effective August 14, 15, 16, 17, 18, 19 and 20, 2006. All members present voting aye. Motion carried.

BUDGET SUPPLEMENT:

Time and place, as advertised for public hearing to consider Budget Supplement for year 2006 for Teen Court and Brown County Events Center. Moved by Feickert, seconded by Wiese to approve the following Budget Supplements for year 2006: Teen Court @ \$12,825.00 (donations/grant @ 9,412.50, unobligated surplus cash @ 3,412.50); Brown County Events Center @ \$45,640.00 (donations/grants @ 20,620.00, unobligated surplus cash @ \$25,020.00. All members present voting aye. Motion carried.

JDC/HD PERSONNEL DISCUSSION:

Mark Milbrandt, Amy Lake-Harmon and Brenda Hammrich discussed the 2007 JDC Budget and asked that the request be increased to include the Home Detention employee currently being funded by the prevention grant.

BUDGET DISCUSSIONS:

Kurt Smith, Fairgrounds Superintendent met to discuss preliminary plans for the pole barn included in the 2007 Fairgrounds Budget request.

Dirk Rogers, Highway Superintendent discussed personnel changes and projects included in the 2007 Road and Bridge Budget request.

COMMISSARY:

Moved by Wiese, seconded by Feickert to add toothpaste, toothbrushes and deodorant to items currently available (shampoo, lotion, lip balm and soap) for inmates to purchase through the Sheriff's Department. All members present voting aye. Motion carried.

RECESS:

The Chairman declared the Commission recessed until August 15, 2006.

Maxine Taylor – Brown County Auditor

AUGUST 15, 2006 – GENERAL MEETING

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

MINUTES:

Moved by Wiese, seconded by Feickert to approve the General Meeting minutes of August 8, 2006. All members present voting aye. Motion carried.

CLAIMS:

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

Supplies: Central Labor Union..\$150.00, Adamsoft..\$3500.00, CDW Govt..\$2964.10, Matthew Bender..\$27.90, Office Equip..\$134.68, SD Human Services..\$57.15, Bonnie Bitz..\$192.00, Earthgrains..\$602.76, Kesslers..\$286.09, Electronic Security..\$1706.64, JC Penney..\$134.94, K-Mart..\$19.80, DSS Image Apparel..\$38.95, Velvet Uniforms..\$186.75, Eddies Northside..\$32.70, Duanes Amoco..\$31.10, Quality Welding..\$92.00, Medtox..\$496.54, Matthew Bender..\$95.70, Lust..\$220.57, Tri-State Water..\$31.50, Career Planning..\$718.25, Accurint..\$9.25, SD Dept of Rev..\$45.00, HSBC..\$40.85, Phillips 66..\$51.47, Shell Fleet..\$60.70, HRS..\$3047.00, David Fair..\$79.98, Hewlett Packard..\$1242.00, UBC..\$46.08, Midwest Alarm..\$103.00, GLAS Consulting..\$50.00, Ameripride..\$141.71, Kleins..\$36.94, Arts Council..\$128.00, Quality Quick Print..\$391.90, Menards..\$1462.10, Karst Car Care..\$113.00, Van Diest..\$6315.60, Walmart..\$48.57, Fire Safety First..\$34.00, Keypoints Training..\$751.35, Chads Electric..\$1539.58, Control Tech..\$7350.00, Hitch'N Post..\$145.96, Language Line..\$90.00, New World Systems..\$4290.00, Carquest..\$45.02, Powerplan..\$213.39, Earthtech..\$3460.00, Brick Propane..\$16.50, E-Zee Supply..\$399.92, Erdmann Fuels..\$1821.24, Kos Concrete..\$8496.60, Ben Hofer Backhoe..\$502.86, Cunningham Elec..\$61.20, Graham Tire..\$113.26, Western States Fire..\$1434.19, Consolidated Ready Mix..\$360.00, Dakota Supply..\$197.48, Herc-U-Lift..\$224.52, HC Clark..\$429.22, Premier Auto..\$124.18, Runnings..\$154.17, SD Retirement..\$2083.21:

Publications: American News..\$2177.03:

Professional Fees: witness fees..\$40.00, Avera St Lukes..\$1394.60, Rebecca Mattern..\$180.00, Jayson Knutson..\$60.00, Aberdeen Family Physicians..\$37.64, Dental Center..\$215.28, Dakota Imaging..\$20.52, Advanced Care..\$101.57, Lewis & Clark BHS..\$650.00:

Transcriptions: Richard Neal..\$204.00:

Travel: Gene Loeschke..\$120.00, Melissa Tennant..\$62.08, Kathy Fischer..\$58.56, City of Groton..\$23.04, Gary Erickson..\$116.12:

Utilities: Verizon..\$238.08, Qwest..\$824.28, Northwestern Energy..\$150.90, Northern Elec..\$725.85, Northern Valley Comm..\$71.49, City of Aberdeen..\$1324.85:

Care of Poor: Medication - 4 recipients..Kesslers Pharm..\$215.47, Emergency Poor Fund..\$110.00; Dr/Hospital - 4 recipients..Dr Lynch..\$90.50, Anesthesia Care..\$176.00, Northern Plains..\$89.90, Dakota Imaging..\$81.50; Rent - 8 recipients..Danne..\$240.00, Golden West..\$130.00, Zumbaum Property..\$220.00, Joann Lorenz..\$120.00, Erickson & Assoc..\$140.00, Tim Doerr..\$100.00, Dale Bain..\$220.00, JAS Properties..\$185.00; Burial - 1 recipients..Miller Huebl Funeral Home..\$1545.00. All members present voting aye. Motion carried.

PERSONNEL:

Moved by Wiese, seconded by Hansen to approve hiring the following part-time employees at the Fairgrounds to work during the Fair, effective August 14, 2006: Jim Crouch @ \$8.35 per hour, Tim Norton @ \$7.78 per hour, William Gilborne, Brandon Newell, Nathan McCall, Dausen Buckley, William LaValley, Jordan Aldinger, Scott Vester, Kristina Vester and Zane Cadotte at \$7.73 per hour. All members present voting aye. Motion carried.

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Moved by Wiese, seconded by Hansen to authorize advertising full-time appraiser position in the Director of Equalization Office. All members present voting aye. Motion carried.

LOTTERY APPLICATION:

Moved by Feickert, seconded by Wiese to approve and authorize the Chairman sign application, submitted by the Granary Rural Cultural Center for a raffle to be held on September 12, 2006. All members present voting aye. Motion carried.

COUNTY RANGELAND FIRE PROTECTION:

Commissioner Wiese offered the following Resolution:

**RESOLUTION NO. 48-06
RANGELAND FIRE PROTECTION**

WHEREAS, SDCL 41-20-8.1 authorizes the South Dakota Wildlife Coordinator to assist in fighting range fires throughout the State, but only if a county submits a formal request; and

WHEREAS, Brown County appoints individuals periodically and submits a County Designee Report annually to the SD Department of Agriculture for the purpose of rangeland fire suppression assistance.

NOW, THEREFORE BE IT RESOLVED, that the Brown County Commission name the following designees, as authorized by SDCL 41-20-8.1 for purpose of requesting assistance from the SD Wildlife Coordinator in fighting rangeland fires in Brown County: Darrell Berreth, Tom Fischbach, Derwin Kampa, Freddie Robinson and Bill Winter.

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

Moved by Feickert, seconded by Wiese to approve and authorize the Chairman sign County Rangeland Fire Protection Agreement with the Wildland Fire Suppression Division of the SD Department of Agriculture. All members present voting aye. Motion carried.

BMX LEASE OPTION:

Moved by Feickert, seconded by Wiese to approve the authorize the Chairman sign second three-year option with Aberdeen BMX Track #1075 for lease of Lt 3 and a portion of Lt 4 Brown County Commissioner's Subdivision, effective November 1, 2006 – October 1, 2009. All members present voting aye. Motion carried.

Kyle Oswald, Aberdeen BMX Track Coordinator discussed need for additional lighting in the parking lot east of Extension Building. Mick Palmer, Building Superintendent will research options and related costs.

HLS GRANT APPLICATION:

Moved by Wiese, seconded by Fischbach to approve and authorize the Chairman sign grant award agreement with the SD Office of Emergency Management for Citizens Corp funding from October 1, 2006 through March 31, 2008. All members present voting aye. Motion carried.

EXECUTIVE SESSION:

Moved by Feickert, seconded by Hansen to go into executive session to discuss contract negotiations with Mike Scott in attendance. All members present voting aye. Motion carried.

The Chairman declared the executive session closed with no action taken as a result of the discussion.

LANDFILL UPDATE:

Mike Scott, Landfill Manager presented quote in amount of \$61,034.00 to replace track rails and complete other maintenance repairs on the D8N Cat Dozer.

SOLID WASTE SPECIAL ASSESSMENT FEES - 2007

Commissioner Wiese offered the following Resolution:

RESOLUTION NO. 49-06

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, 2007 through December 31, 2007, 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 @ \$18.00 per year
2. Households within Incorporated Cities or Civil Townships that do not require curb service @ \$70.00 per year
3. Condominiums taxed as single units within Incorporated Cities or Civil Townships that require curb service @ \$18.00 per year
4. Condominiums taxed as single units within Incorporated Cities or Civil Townships that do not require curb service @ \$70.00 per year
5. Apartment Units and Assisted Living Units within incorporated Cities that require curb service @ \$10.00 per unit per year
6. Seasonal Lake Cabins @ \$30.00 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 @ \$18.00 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 @ \$70.00 per unit per year

Dated this 15th of August 2006.

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

SOLID WASTE TIPPING FEE SCHEDULE - 2007

Commissioner Feickert offered the following Resolution:

RESOLUTION NO. 50-06

WHEREAS, Title 3, Solid Waste Management System, Chapter 3.07010 of the Second Revision Brown County Ordinances, effective March 12, 1997, as amended, requires the Board of County Commissioners to establish the fees for use of the landfill.

NOW, THEREFORE BE IT RESOLVED, that the following Solid Waste Tipping Fee Schedule shall be effective January 1, 2007:

SOLID WASTE TIPPING FEE SCHEDULE
PRICES EXCEPT MINIMUM CHARGE DO NOT REFLECT 4% SALES TAX
ALL LOADS MUST BE TARPED AND SECURED
ALL WASTE MUST BE SORTED AND PUT INTO PROPER AREAS

Type		Fee
Appliances	Refrigerators, Freezers, Air Conditioners, Dehumidifiers With or Without FREON	\$12.50 per item
Asbestos1	Friable – Powdery or Dusty state, can be crumbled and reduced to powder by hand	\$ 5.00 per bag
Compost	Grass, Leaves and Light Garden Residue	FREE
Contsoil	Gas and Diesel Contaminated Soil (notification and analysis required before disposal)	\$ 6.00 per ton
Contsmix	Waste Oil and Mixed Fuel Contaminated Soil	\$10.50 per ton
MSWRB	Rubble waste placed in Unit 1	\$18.00 per ton
INDSW	Industrial Solid Waste	\$36.00 per ton
MSW1	Municipal Solid Waste – IN COUNTY (Paper, plastic, cardboard, carpet, upholstered furniture, mattress, box springs, TV's, computer hardware etc. (Check with Landfill for material not accepted)	\$36.00 per ton
MSW2	Municipal Solid Waste – OUT OF COUNTY (same as MSW1)	\$36.00 per ton
MSWCR	Rural container site collection waste	Assess per ton
MSWDA	Carcasses (notification required prior to dumping)	\$36.00 per ton
Rubble 1	Construction debris-lumber, shingles, sheetrock etc.	\$18.00 per ton
Rubble 2	Heavy debris, concrete, dirt, rocks etc.	\$12.00 per ton
Rubble 3	Pallets	\$18.00 per ton
Scrap Metal	Metals	\$18.00 per ton
Sludge	Sump waste (analysis may be required)	\$10.00 per ton
Tires	Large quantities priced per ton	\$150.00 per ton
Tires Count	Car and light truck	\$ 2.00 per tire
Tree Chips	Wood chips from trees	\$12.00 per ton
Trees1	Trees less than 8 inches in diameter	\$18.00 per ton
Trees 2	Trees more than 8 inches in diameter (must be 8' or shorter in length)	\$12.00 per ton

Minimum Charge (except on per item fees) 4% Sales Tax included \$ 3.00

The following items are accepted free:

Lead Acid Batteries, Waste Oil, Paint, Grass and Leaves, Computer and Office Paper, Cardboard,
#1 and #2 Plastic, Magazines, Phone Books, Antifreeze (residential only) and Propane Tanks

Dated this 15th of August 2006.

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

BROWN COUNTY EVENTS CENTER FEASIBILITY STUDY:

Beth Smith and Compass Facility Management Inc representatives Andy E. Long and Carl W. St.Clair presented the draft copy of the Market Feasibility Study and Operating Pro Forma for a Multi-Purpose Facility referred to as the Brown County Events Center.

2007 PROVISIONAL BUDGET:

Moved by Hansen, seconded by Wiese to approve the 2007 Provisional Budget and authorize advertising public hearing to be held in the Commissioner's Chambers, Courthouse Annex, at 10:00 A.M. on September 5, 2006. Roll call vote: Commissioners Hansen-aye, Fischbach-aye, Feickert-aye, Wiese-aye, Knecht-aye. Motion carried.

RECESS:

The Chairman declared the Commission recessed until August 22, 2006.

Maxine Taylor – Brown County Auditor

AUGUST 22, 2006 - JOINT CITY/COUNTY MEETING

The Brown County Commission and the Aberdeen City Council 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 Council Members Aman, Bunsness, Campbell, Hodgin, McQuillen and Mayor Levsen. Absent Council Members Agnitsch, Mitchell and Rux. Present from County were Commissioners Hansen, Fischbach, Wiese and Knecht. Absent Commissioner Feickert.

ORDINANCE NO. 06-08-05/333:

On motion by Aman and seconded by Bunsness, the City unanimously voted to approve First Reading of Ordinance No. 06-08-05/333.

Moved by Wiese, seconded by Hansen to approve First Reading of Ordinance No. 06-08-05/333, An Ordinance amending Ordinance No. 1164 as to Section 708 (C-3) Central Business District. All members present voting aye. Motion carried.

The City Council adjourned and the County Commission continued into the regular meeting.

Maxine Taylor - Brown County Auditor

AUGUST 22, 2006 – GENERAL MEETING

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

MINUTES:

Moved by Wiese, seconded by Fischbach to approve the General Meeting minutes of August 15, 2006. All members present voting aye. Motion carried.

CLAIMS:

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

Payroll: Commissioners..\$2,779.85; Auditor..\$6,675.34; Treasurer..\$8,795.74; Data Processing..\$2,894.93, State's Attorney..\$11,323.10; Maintenance..\$5,307.05; Assessor..\$7,338.57; Planning & Zoning..\$500.00; Register of Deeds..\$4,744.25; Veterans Service Office..\$2,654.65; GIS..\$1,738.47; Sheriff..\$60,304.88; Grant..\$1,778.58; Communications..\$14,900.51; Welfare Office..\$2,827.87; Museum..\$5,075.28; Fairboard..\$1,445.17; Fairgrounds & Parks..\$4,525.66; Extension..\$1,322.07; Weed..\$3,521.94; Emergency Management..\$2,071.88; Teen Court..\$162.00; Highway..\$37,633.91; Landfill..\$7,646.73; Matching Benefits: FICA..\$11,609.55, Medicare..\$2,715.11, Wellmark BCBS Life..\$669.90, Wellmark BCBS Health..\$60,512.90, Delta Dental..\$4,047.14, SD State Retirement..\$23,788.83, Delta Dental..\$3,942.00;

Supplies: Ecolab..\$185.00, Sanders Sew 'N Vac..\$119.76, House of Glass..\$61.41, McFarland Supply..\$42.38, Finishing Touch..\$63.20, Dakota Supply Group..\$774.00, Grote Roofing..\$2184.40, Fire Safety First..\$13.20, Aberdeen Plumbing..\$87.24, Gardner Locksmith..\$100.04, OK Tire..\$10.00, Heartland Paper..\$286.75, HSBC Business..\$223.93, Wallworth Truck..\$125.28, Sheehan Mack Sales..\$310.99, Runnings..\$206.53, Quality Welding..\$9.00, Pumps Tire..\$40.75, Office Equip..\$249.00, Midwest Pump..\$32.31, Menards..\$291.71, Larson Blacksmith..\$85.00, Langs..\$25.00, Robert Jensen..\$11.00, Huron Culvert..\$246.20, Howes Oil..\$16,529.40, John Heidenreich..\$44.50, Habecks Radiator..\$71.25, Frey's Electronics..\$771.00, Flint Hills..\$97,752.04, Fastenal..\$60.53, Farnams..\$129.00, Farm Tire..\$146.00, Evergreen Supply..\$109.20, JD Evans..\$768.59, Erdmann Fuels..\$2789.16, Economy Propane..\$1134.48, Dware..\$70.00, Dakota Oil..\$2713.55, Dakota Fluid Power..\$324.25, D&L Diesel..\$550.20, Creative Signs..\$25.00, Cartney Bearing..\$18.07, Carquest..\$1021.45, Brock White..\$108.00, Biersbach Equip..\$471.70, Ameripride..\$169.04, Aberdeen Asphalt..\$11,566.27, CMW Cleaning Service..\$555.00, Stage Pros..\$6120.00, Kathy Bender..\$650.00, Bob & The Beachcombers..\$2750.00, Beth Smith..\$2550.00, Millborn Seeds..\$12,600.00, Kens Alignment..\$186.55, Gemplers..\$514.25, Freys Electronics..\$2906.30, Dakota Wood Grinding..\$4899.00, City of Aberdeen..\$59,228.85, NECOG..\$1666.66, Brown County..\$4518.91, Lutheran Social Services..\$31,517.24;

Publications: American News..\$217.14;

Travel: Penny Hart..\$250.00;

Utilities: Alltel..\$399.40, Dependable..\$371.00, Northwestern Energy..\$1272.02, Northern Elec..\$7.10, City of Hecla..\$70.80;

Care of Poor: Medication - 5 recipients..Econofoods Pharm..\$1080.03, Jones Drug..\$20.61, Lori's Pharm..\$11.99; Dr/Hospital - 7 recipients..Avera St Lukes..\$20,759.71, Dakota Imaging..\$30.29, Aberdeen Nephrology..\$182.17, Aberdeen Family Physicians..\$44.35, Anesthesia Care..\$480.00; Rent - 5 recipients..Gary Wald..\$140.00, Foxridge Apts..\$265.00, Zumbaum Property..\$220.00, Lowell Punt..\$175.00, Melrose..\$280.00; Insurance - 1 recipient..Runnings..\$299.00; Transportation - 2 recipient..Aberdeen Advanced Care..\$101.57, Brown County Highway..\$12.16. All members present voting aye. Motion carried.

PERSONNEL:

Moved by Wiese, seconded by Fischbach to approve the following employee step increases, effective August 27, 2006: Kimberly Droog @ \$10.80 per hour, Don Fischer @ \$11.87 per hour, Nathan Smith @ \$11.10 per hour, Alicia Dohn @ \$12.99 per hour. All members present voting aye. Motion carried.

INDIGENT COUNSEL AGREEMENT ADDENDUM:

Moved by Wiese, seconded by Hansen to acknowledge receipt of fully executed 2006-2007 Indigent Counsel Agreement; and further to approve and authorize the Chairman sign Addendum to said 2006-2007 Indigent Counsel Agreement. All members present voting aye. Motion carried.

INVENTORY TRANSFER:

Moved by Wiese, seconded by Hansen to transfer the following items purchased with Weed and Seed Funding to Brown County Teen Court: HP Laptop Computer SN #CNU5190LMQ and Sharp Projector SN #411313444, to be used as a lending library to give agencies and organizations the opportunity to utilize the equipment for training, conferences and education to the community. All members present voting aye. Motion carried.

WEED AND SEED:

Moved by Hansen, seconded by Wiese to approve the Brown County Weed and Seed Monthly Expenses for August 2006 (Year Four 2005-WS-Q5-0089), in amount of \$65,414.42. All members present voting aye. Motion carried.

Moved by Wiese, seconded by Hansen to approve the following Weed and Seed Year Four 2005-WS-Q5-0089 funding proposals: Safe Harbor (conference), Groton's Tigers Den Youth Center (equipment and supplies), as recommended by the Steering Committee. All members present voting aye. Motion carried.

PLATS:

Commissioner Wiese offered the following Resolution:

RESOLUTION NO. 51-06

BE IT RESOLVED by the County Commission of Brown County, SD, that the plat showing "Waiflein's Outlots in the NW ¼ of the NW ¼ of Sec 25-T123N-R65W 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 Fischbach. Roll call vote: Commissioners Hansen-aye, Fischbach-aye, Feickert-absent, Wiese-aye, Knecht-aye. Resolution adopted.

Commissioner Fischbach offered the following Resolution:

RESOLUTION NO. 52-06

BE IT RESOLVED by the County Commission of Brown County, SD, that the plat showing "Replat of Miller's Outlot F in the SE ¼ of Sec 24-T124N-R65W 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 Hansen-aye, Fischbach-aye, Feickert-absent, Wiese-aye, Knecht-aye. Resolution adopted.

Commissioner Fischbach offered the following Resolution:

RESOLUTION NO. 53-06

BE IT RESOLVED by the County Commission of Brown County, SD, that the plat showing "Lee Holgate 2nd Addition in the SW ¼ of Sec 6-T123N-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 Hansen. Roll call vote: Commissioners Hansen-aye, Fischbach-aye, Feickert-absent, Wiese-aye, Knecht-aye. Resolution adopted.

BURN BAN – REMOVE:

Moved by Fischbach, seconded by Wiese to remove the burn ban immediately, with the understanding that if conditions warrant it will be reactivated at a later date. All members present voting aye. Motion carried.

APPLICATION FOR OCCUPANCY:

Moved by Fischbach, seconded by Wiese to approve and authorize the Chairman sign the following application, submitted by Northern Election for occupancy of Brown County Highway #23 in Sec 4-T121N-R60W of the 5th P.M., Brown County, SD to install electric cable. All members present voting aye. Motion carried.

Moved by Wiese, seconded by Hansen to approve and authorize the Chairman sign the following application, submitted by Midcontinent Communications for occupancy of Brown County Highway #12 and #19 in Sec 28,29,20,21-T123N-R63W of the 5th P.M., Brown County, SD to provide cable TV and data services. All members present voting aye. Motion carried.

LANDFILL DISCUSSION:

Mike Erickson, Dependable Sanitation met to discuss recent increase in tipping fee at the Landfill for municipal solid waste from \$35 per ton to \$36 per ton. Mr. Erickson felt he should have had input in the decision as it affects his business. The Commission and Mike Scott, Landfill Manager explained the need for the increase to provide funding for future expansion.

EXECUTIVE SESSION:

Moved by Hansen, seconded by Wiese to go into executive session to discuss contract negotiations with Mike Scott, Landfill Manager in attendance. All members present voting aye. Motion carried.

The Chairman declared the executive session closed, with no action taken as a result of the discussion.

RECESS:

The Chairman declared the Commission recessed until August 29, 2006.

Maxine Taylor – Brown County Auditor

AUGUST 29, 2006 - JOINT CITY/COUNTY MEETING

The Brown County Commission and the Aberdeen City Council 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 Council Members Agnitsch, Aman, Campbell, McQuillen, Mitchell and Mayor Levsen. Absent Council Members Bunsness, Hodgins and Rux. Present from County were Commissioners Hansen, Fischbach, Feickert, Wiese and Knecht.

ORDINANCE NO. 06-08-05/333:

On motion by McQuillen and seconded by Agnitsch, the City unanimously voted to approve Second Reading and Adoption of Ordinance No. 06-08-05/333.

Moved by Wiese, seconded by Fischbach to approve Second Reading and Adoption of Ordinance No. 06-08-05/333, An Ordinance amending Ordinance No. 1164 as to Section 708 (C-3) Central Business District. Roll call vote: Commissioners Hansen-aye, Fischbach-aye, Feickert-aye, Wiese-aye, Knecht-aye. Ordinance adopted.

The City Council adjourned and the County Commission continued into the regular meeting.

Maxine Taylor - Brown County Auditor

AUGUST 29, 2006 – GENERAL MEETING

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

MINUTES:

Moved by Hansen, seconded by Wiese to approve the Joint City/County Meeting minutes and the General Meeting minutes of August 22, 2006. All members present voting aye. Motion carried.

CLAIMS:

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

Supplies: SD Assoc of County Commissioners..\$1760.00, Office Equip..\$545.70, NADA..\$70.00, Dakota Disc..\$500.00, Dept of Revenue..\$1305.00, New Trends..\$88.86, Crescent Elec..\$640.44, Best Business..\$1888.11, Scott Madsen..\$17.82, Academy Trophy..\$15.00, First Dist Assoc of Local Gov..\$50.00, ESRI..\$143.37, AlerG Inc..\$526.60, OK Tire..\$10.00, Exec Mgmt..\$2332.27, Evercom..\$1855.00, Langs..\$254.00, Vantek..\$23.00, Fire Safety First..\$46.10, Bob Barker..\$108.09, Streichers..\$544.95, SD Div of Motor Vehicles..\$26.00, Quality Welding..\$19.00, Newman Signs..\$1080.60, Meyers Auto..\$25.00, Lawson Products..\$156.42, HF Jacobs..\$11,934.79, Flint Hills..\$8946.03, Habecks Radiator..\$66.25, Erdmann Fuels..\$1309.57, Creative Signs..\$40.00, Carol White..\$4.23, Walmart..\$122.99, Natl Register Pub..\$231.95, AltaMira Press..\$73.00, South Dakotans for the Arts..\$125.00, Western Printing..\$1000.00, Gompf Displays..\$1815.00, HSBC Business..\$157.37, Curts Motorsports..\$30.00, Matterns Diesel..\$64.45, Dakota Oil..\$47.58, Van Diest..\$2210.00, Brown County..\$34.24, Dakota Electronics..\$1435.00, Quality Quick Print..\$40.15, MES..\$520.00, Chads Electric..\$9396.42, Langs..\$540.00, RACOM..\$41.20, Priority Dispatch..\$405.00, New World Systems..\$1268.56, Climate Control..\$6793.60, Premier Auto..\$833.03, TSC..\$186.19, Aberdeen Equip..\$870.12, Nelson Sales..\$84.00, Macs..\$288.86, Runnings..\$416.44, Sewer Duck..\$217.50: Publications: American News..\$662.57, Groton Indep..\$359.79:

Professional Fees: Sheriff of Dakota County..\$55.00, Jackie Schroeder..\$60.00, Lyrita Wilkie..\$90.00, Pam Smid..\$60.00, Jason Engel..\$180.00, Jayson Knutson..\$360.00, Lyrita Wilkie..\$30.00, Avera St Lukes..\$4956.50, NE Mental Health..\$380.38, Meade County..\$524.50, Avera McKennan..\$1160.00, NADRIC..\$1666.67, Eide Bailly..\$259.50, witness fees..\$844.60:

Transcriptions: Neal Reporting..\$95.00, Sara Van De Walle..\$306.00:

Travel: Leo Leshner..\$194.88, Gene Loeschke..\$75.84, Sherry Theobald..\$46.70, Exec Service..\$859.28:

Court Appointed Attorney: Kelly Marnette..\$4166.67, Kuck Law Office..\$4166.67, William Gerdes..\$4166.67, Randy Turner..\$4166.67, Christy Serr..\$4166.67, Kennedy, Rokahr, Pier..\$86.80:

Utilities: Alltel..\$841.00, Verizon..\$46.56, Midcontinent Cable..\$246.98, Northwestern Energy..\$2592.99, Montana Dakota..\$26.35, City of Hecla..\$1500.00, Qwest..\$3973.72, City of Groton..\$9688.64, Northern Elec..\$100.00, Bureau of Admin..\$463.61:

Care of Poor: Utilities - 1 recipient..NWPS..\$202.99; Dr/Hospital - 2 recipients..Aberdeen Surgical Assoc..\$1060.02, Dr Richard Conklin..\$78.07, Orthopedic Surgery Spec..\$69.30, Dr John Adams..\$123.72, Dakota Imaging..\$164.12; Rent - 4 recipients..Verna Schaffer..\$200.00, Zumbaum Property..\$220.00, Ron Erdmann..\$240.00, Don Gisi..\$135.00; Insurance - 1 recipient..Dakotacare..\$766.29; Transportation - 2 recipient..Aberdeen Advanced Care..\$238.24, Jefferson Lines..\$118.00. All members present voting aye. Motion carried.

PERSONNEL:

Moved by Feickert, seconded by Wiese to approve hiring Kristina Moser as Secretary in the States Attorney's Office, effective August 14, 2006 at \$10.52 per hour. All members present voting aye. Motion carried.

Moved by Wiese, seconded by Feickert to acknowledge resignation of Larry Harper, effective September 7, 2006. All members present voting aye. Motion carried.

Moved by Wiese, seconded by Hansen to approve hiring the following security officers to work at the 2006 Brown County Fair, effective August 14, 2006 at \$16.00 per hour: Kathy Neitzel, Russell Ochsner, Matthew Farley, Marjorie Lammon, Marissa McDermid, Michael Ernst, Nathan Smith, Jesse Milbrandt, Tricia Jondahl, Ryan Kotzea, Brandi Hagen, Joseph Embury, Brandon Engelking, Kristal Biegler, Harlan Place, Kelly Moinichen, Darrin Sinner, Bobbie Olauson, Jason Goette, Brenda Hammrich, Rick Miller, Stacie Wasem, Samieula Mouna, Judy Hauge, Trent Lundstrom, John Kirnan, Nicholas Cochran, Daryl VanDover, Tanner Jondahl, Mary Clawson, Jeffrey Carlson, Jerry Bjerke. 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 Aberdeen Area Modelaires for raffle to be held on October 11, 2006. All members present voting aye. Motion carried.

SPECIAL MALT BEVERAGE HEARING:

Moved by Wiese, seconded by Hansen to authorize advertising public hearing to consider the following application for special malt beverage license: Aberdeen Hockey Association – Brown County Fairgrounds - SW ¼ Sec 1-T123N-R64W of 5th P.M., Brown County, SD (Hockey Building-map indicating specific building on file with application), effective September 18, 2006, to be held at 9:00 a.m. on September 12, 2006 in the Commissioner's Chambers, Courthouse Annex, Brown County, SD. All members present voting aye. Motion carried.

QUIT CLAIM DEEDS:

Moved by Wiese, seconded by Feickert to approve and authorize the Chairman sign Quit Claim Deeds for purpose of transferring Brown County interest in the following property to the City of Aberdeen: Lot 3, ex S. 87½', Block 3 North Aberdeen Addition to Aberdeen, Brown County, SD and the S 3.5' of Lt 23 Garden Addition to Aberdeen, Brown County, SD. All members present voting aye. Motion carried.

PLAT:

Commissioner Feickert offered the following Resolution:

RESOLUTION NO. 54-06

BE IT RESOLVED by the Board of County Commissioners of Brown County, SD, that the plat showing "Catlette Subdivision in the SW ¼ of Sec 14-T124N-R64W of the 5th P.M., Brown County, SD", having been examined, is hereby approved in accordance with the provisions of SDCL 11-3, and any amendments thereof.

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

ALCOHOLIC BEVERAGE LICENSE – NUMBER AND FEE:

Commissioner Hansen offered the following Resolution:

RESOLUTION NO. 55-06

WHEREAS, the Legislature of the State of south Dakota has provided for the approval of liquor licenses by the boards of county commissioners of the counties of said State pursuant to SDCL Title 35 as amended; and

WHEREAS SDCL 35-4-11.1 as amended provides that the board of county commissioners shall on or before the first of September in each year determine by ordinance or continuing resolution the number of on-sale licenses (other than malt beverage) it will approve for the ensuing calendar year and the fees to be charged for the various classifications of licenses; and

WHEREAS, the Brown County Board of County Commissioners hereby desires, by resolution, to set the number of on-sale licenses it will approve for the ensuing calendar year and the fees to be charged for the various classifications of licenses, now therefore.

BE IT RESOLVED that the Brown County Board of County Commissioners hereby establish the classifications and fees for on-sale liquor licenses:

- a) "On-sale liquor dealer license" – shall mean an alcoholic beverage license as enumerated in SDCL 35-4-2(6) which permits the retail sale of any alcoholic beverage, other than malt beverage, for consumption only on the premises where sold and only issued outside of the boundaries of a municipality.
- b) The fees for on-sale liquor dealer licenses shall be as follows:
 - 1) Issuance. For those applicants applying for a new license said fee will be \$25,000.00.
 - 2) Renewal.
 - a) For those applicants which are located nearest to a municipality of the first class, the renewal fee for such license is Fifteen Hundred Dollars (\$1,500.00);
 - b) For those applicants which are located nearest to a municipality of the second class, the renewal fee for such license is Twelve Hundred Dollars (\$1,200.00); and
 - c) For those applicants which are located nearest to a municipality of the third class Nine Hundred Dollars (\$900.00).
- c) All other licenses shall be issued and renewed at the maximum fee allowed by SDCL 35-4-2 as amended.

BE IT FURTHER RESOLVED that Brown County shall approve a maximum of eight (8) on-sale liquor dealer licenses for the ensuing year.

Dated this 29th day of August, 2006

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

ALCOHOLIC BEVERAGE LICENSE – NEW LICENSE PROCEDURE:
Commissioner Hansen offered the following Resolution:

RESOLUTION NO. 56-06

WHEREAS, the Legislature of the State of South Dakota has provided for the approval of liquor licenses by the boards of county commissioners of the counties of said State pursuant to SDCL Title 35 as amended; and

WHEREAS SDCL 35-4-11.1 as amended provides that the board of county commissioners shall on or before the first of September in each year determine by ordinance or continuing resolution the number of on-sale licenses (other than malt beverage) it will approve for the ensuing calendar year and the fees to be charged for the various classifications of licenses; and

WHEREAS, the Brown County Board of County Commissioners has set the number of on-sale liquor dealer licenses at 8 and the fee for such license at \$25,000.00; and

WHEREAS, Brown County currently has issued 7 on-sale liquor dealer licenses, making 1 available for issuance January 1, 2007; and

WHEREAS the Brown County Board of Commissioners wishes to make the license available to the public in a fair and impartial manner.

NOW, THEREFORE, BE IT HEREBY RESOLVED that the Brown County Commission makes the following rules applicable to the issuance of new on-sale liquor dealer licenses:

1. Applicants may apply for the existing on-sale liquor dealer license beginning on the date of this resolution by submitting an application packet to the Brown County Auditor. Such application packet shall include the following:

- a. **Uniform Alcoholic Beverage Application.** This must be completed fully and according to its instructions, and bear the necessary original signatures. Photocopies will not be accepted.
- b. **Application Fee.** Certified check, cashier's check, or bank draft in the amount of \$2,500.00, which guarantees that the applicant will consummate the purchase of the on-sale liquor dealer license if the applicant is successful in the lottery for such license as set forth below.
 - i. If the applicant fails or refuses to consummate the purchase of the on-sale liquor dealer license, the applicant shall forfeit and the County shall be entitled to retain the application fee as liquidated damages. Any applicant who fails or refuses to consummate the purchase according to the terms of this resolution shall be disqualified from applying for any alcoholic beverage license for a period of one year.
 - ii. In the event that applicant whose name is drawn in the lottery shall not be able to meet the licensing standards set out by SDCL Ch. 35-2, the applicant shall forfeit and the County shall be entitled to retain the application fee as liquidated damages.
 - iii. The winner of the lottery shall have the application fee credited toward the issuance fee for the on-sale liquor dealer license.
 - iv. Those unsuccessful in the lottery shall have their application fee refunded immediately.
- c. **Deadline.** All applications for the on-sale liquor dealer license shall be delivered to the office of the Brown County Auditor not later than 5:00 p.m. on October 31, 2006.

- d. **Lottery.** The names of those applicants who have submitted a valid application for the on-sale liquor dealer license shall be drawn at random in an open meeting of the County Commission on November 14, 2006. The application of the person, whose name is drawn will be accepted by the County Commission and that applicant's application shall be set for hearing in accordance with SDCL Ch. 35-2.
2. In the event the applicant refuses to consummate the purchase of the on-sale liquor dealer license or fails to meet the licensing standards set out by SDCL Ch. 35-2, a subsequent lottery shall be held according to the terms of this Resolution.
3. In the event that no valid applications are received by the Brown County Auditor by 5:00 p.m. on October 31, 2006, then the on-sale liquor dealer license shall become available on a first-come, first-served basis, subject to the statutory licensing terms regarding notice, hearing, and all license requirements. For purposes of this resolution, "first-come first-served" shall mean that the first fully and accurately completed application for the on-sale liquor dealer license which is submitted to the office of the Brown County Auditor with the issuance fee of \$25,000.00 in good funds shall be entitled to have their application noticed and heard in accordance with the alcoholic beverage licensing statutes.
4. In the event the first-come first-served applicant is not able to meet the licensing standards set out by SDCL Ch. 35-2, the applicant who next submits a fully and accurately completed application together with the issuance fee in good funds shall be next considered.

Dated this 29th day of August 2006.

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

DEPENDABLE SANITATION:

Mike Erickson, Dependable Sanitation Inc. submitted a draft resolution which, if signed by the Commission would give approval for the SDDENR to issue a permit to Dependable Sanitation Inc. to establish a solid waste transfer station, per SDCL 34A-6-103. The Commission took no action on the request at this time. Mike Scott, Landfill Manager was also in attendance.

EXECUTIVE SESSION:

Moved by Wiese, seconded by Feickert to go into executive session to discuss contract negotiations with Mike Scott in attendance.

The Chairman declared the executive session closed with no action taken as a result of the discussion.

DISPATCH CENTER EQUIPMENT:

John McQuillen, Bill Meink, Mark Milbrandt and Chris Stucke met to discuss the need for extended warranty service on equipment in the Dispatch Center that also serves county offices. The Commission approved obtaining the extended warranty with one-half of payment from Fund 207 Communications Center and one-half of payment from Fund 101-143 Data Processing.

EXECUTIVE SESSION:

Moved by Feickert, seconded by Wiese to go into executive session for discussion of two legal matters and personnel with Dirk Rogers, Highway Superintendent in attendance. All members present voting aye. Motion carried.

The Chairman declared the executive session closed with no action taken as a result of the discussion.

HIGHWAY UPDATE:

Dirk Rogers discussed the purchase of road oil, which may exceed the budget line item; request to place a cell tower on county property in Warner; transfer of pickup from the maintenance department; and assistance by the Highway Department with the SD Counties Convention.

E911 SURCHARGE:

Commissioner Wiese offered the following Resolution:

RESOLUTION NO. 57-06

WHEREAS, Title 11 – Enhanced 911 Emergency Telephone Reporting System, Second Revision Brown County Ordinances, authorizes Brown County to impose a uniform monthly Enhanced 911 emergency surcharge, and

WHEREAS, Title 11, Chapter 11.0103 requires the Brown County Commission to review the current charge and establish, by resolution, a rate of charge to be effective on the next January first, not to exceed the amount authorized.

BE IT RESOLVED that the Brown County Commission establishes a rate of \$.75 for each local exchange access line, including cellular and enhanced SRM telephone, effective January 1, 2007.

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

RECESS:

The Chairman declared the Commission recessed until September 5, 2006.

Maxine Taylor – Brown County Auditor

SEPTEMBER 5, 2006 – GENERAL MEETING

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

MINUTES:

Moved by Feickert, seconded by Wiese to approve the Joint City/County Meeting minutes and the General Meeting minutes of August 29, 2006. All members present voting aye. Motion carried.

CLAIMS:

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

Payroll: Commissioners..\$2,779.85; Auditor..\$6,745.34; Treasurer..\$8,795.74; Data Processing..\$2,894.93; State's Attorney..\$12,164.70; Maintenance..\$5,456.79; Assessor..\$7,905.01; Planning & Zoning..\$500.00; Register of Deeds..\$4,404.31; Veterans Service Office..\$2,624.33; GIS..\$1,738.47; Sheriff..\$58,882.61; DOJ Grant..\$1,903.45; Communications..\$15,970.13; Welfare Office..\$2,827.87; Museum..\$5,079.28; Fairgrounds & Parks..\$8,770.44; Fairboard..\$14,004.26; Extension..\$3,230.62; Weed..\$3,639.84; Emergency Management..\$2,412.00; Teen Court..\$189.00; Highway..\$39,249.24; Landfill..\$7,217.69; Matching Benefits: FICA..\$12,933.18; Medicare..\$3,024.70; Supplies: Brown County..\$39.00, Quality Quick Print..\$328.30, Office Equip..\$5.99, State Bar of SD..\$90.00, Language Line Service..\$56.40, Thompson West..\$3175.52, Ameripride..\$41.76, Aberdeen Plumbing..\$239.68, Menards..\$117.73, Walmart..\$560.21, Bob Barker..\$167.11, Pro Fitness..\$92.00, FedEx..\$8.77, Best Business..\$162.72, Parcel-Erickson..\$26.95, OK Tire..\$74.00, DT Pharm..\$2228.24, Artz Camera..\$7.00, Galls..\$160.74, RACOM..\$247.20, Pierson Ford..\$153.57, Diane Meilke..\$3.35, Neves..\$48.78, Glock..\$300.00, Rick Adema..\$27.79, Sodak Sport..\$28.98, Exhaust Pros..\$22.95, Kevin Vaughn..\$77.80, Western Printing..\$21.52, Langs..\$231.50, Habecks Radiator Shop..\$96.00, Upper Plains Contracting..\$18,136.97, SD Ltap..\$120.00, S&S Lumber..\$5872.13, Rockmount/Nassau..\$347.16, Old Dominion Brush..\$1123.71, Macs..\$212.08, L&O Acres..\$1123.26, HF Jacobs..\$3704.15, Huron Culvert..\$3637.60, Howes Oil..\$25,546.52, 1st Dist..\$50.00, Diamond Mowers..\$149.93, Cretex Concrete Products..\$49,271.00, Crawford Trucks..\$3077.65, Sherwin Williams..\$23.99, Lora Schaunaman..\$8.33, Dacotah Prairie Merchantile..\$24.85, Store Supply Warehouse..\$179.65, Century Business Products..\$177.14, Farm Power..\$189.62, MVTL..\$700.20, Butler Machinery..\$2025.85, Aberdeen C&F..\$1362.00, Northview Video..\$40.00, Genius Web.Com..\$29.97, Fastenal..\$984.43, Dakota Fluid Power..\$168.25, City of Hecla..\$750.00;

Publications: Groton Indep..\$132.74, American News..\$507.62;

Professional Fees: Avera St Lukes..\$580.00, Sheriff of Yankton County..\$16.50;

Transcriptions: Neal Reporting..\$159.40;

Travel: Lorah Houser Jankord..\$98.56, Lisa Samson..\$127.67, Mike Scott..\$250.00;

Utilities: Aberdeen City..\$1619.06, Northwestern Energy..\$8531.51, Midcontinent Cable..\$41.24, Tel Serv Communications..\$379.00, Qwest..\$40.60, WEB..\$176.02, Alltel..\$160.37;

Care of Poor: Utilities - 2 recipients..Northwestern Energy..\$268.03; Dr/Hospital - 4 recipients..Infectious Disease Specialists..\$304.16, Northern Plains OMS..\$46.30, Anesthesia Care..\$128.00, Avera St Lukes..\$1760.94, North Central Heart..\$369.60; Rent - 9 recipients..Bruce Boschee..\$220.00, Golden West..\$72.00, Lowell Punt..\$175.00, Bob Melick..\$220.00, Ron Erdmann..\$210.00, Dale Bain..\$150.00, BR Renter..\$280.00, Carson Murdy..\$25.00, Dave Lynn..\$200.00; Medication - 1 recipient..Econofoods Pharm..\$16.99; Transportation - 1 recipient..Aberdeen Advanced Care..\$109.37. All members present voting aye. Motion carried.

PERSONNEL:

Moved by Feickert, seconded by Wiese to approve the following employee step increases, effective September 10, 2006: Ben Hofer @ \$12.38 per hour, Marjorie Lammon @ \$11.66 per hour, Samieula

Mounga @ \$11.10 per hour, Jennifer Himes @ \$11.34 per hour. All members present voting aye. Motion carried.

Moved by Fischbach, seconded by Feickert to approve hiring Marcia Swingler as Deputy Register of Deeds, effective September 11, 2006 at \$10.37 per hour. All members present voting aye. Motion carried.

Moved by Wiese, seconded by Feickert to approve hiring Rodney Grismer as guard for purpose of prisoner transport, effective August 30, 2006. All members present voting aye. Motion carried.

SHERIFF REPORTS:

Moved by Wiese, seconded by Hansen to approve the following July 2006 Sheriff Reports: Incidents and Offenses, Prisoner Care, JDC, Money deposited with the County Treasurer and Monthly activities. All members present voting aye. Motion carried.

SW EQUALIZATION NOTICE:

Moved by Feickert, seconded by Fischbach to authorize advertising the Solid Waste Special Assessment Equalization Notice. All members present voting aye. Motion carried.

AMENDMENT D:

Commissioner Hansen offered the following Resolution:

Resolution No. 58-06 Opposing Amendment D

A Constitutional Amendment on the general election ballot, which would alter the method of assessing valuation of property for the purpose of taxation.

Whereas: Amendment D places a tax system in the constitution that will shift of property taxes so people most recently purchasing property will pay a disproportional amount of taxes; and

Whereas: Those most harmed by this tax shift will be senior, young families, first time home buyers and new businesses; and

Whereas: Amendment D results in two similar homes paying significantly dissimilar tax bills which will create inequities within neighborhoods; and

Whereas: The state has five programs in place to help the elderly and disabled to pay property taxes; and

Whereas: Amendment D will hurt farm families that seek to consolidate farm land and achieve needed economic scales of efficiency by increasing the taxes on the newly purchased land; and

Whereas: Amendment D will require a long list of legislative remedies before it can be functional, many of which will require a 2/3rds vote of the legislature and none of which can be guaranteed to pass; and

Whereas: Amendment D cost schools an estimated \$15 million by reducing the assessed valuations to 2003 and limiting increases to those valuations; and

Whereas: South Dakota voters have rejected every other proposed experimental change in the property tax system, defeating 5 other ill-advised restructuring attempts;

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Therefore be it resolved by the Brown County Commission that Amendment D is not in the best interests of the citizens of Brown County, South Dakota and that it should be defeated in the November 2006 election.

Be it Further Resolved that the Brown County Commission will lend any and all appropriate support to the efforts of the coalition urging voters to Vote No on D including officially announcing this resolution, joining the coalition and helping communicate the messages of the coalition.

Dated this 5th day of September 2006.

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

INITIATED MEASURE 8:

Commissioner Wiese offered the following Resolution:

RESOLUTION NO. 59-06 OPPOSING INITIATED MEASURE 8

WHEREAS, in 2003, South Dakota instituted a tax on the gross receipts of wireless communications companies; and,

WHEREAS, county governments across the state receive forty (40) percent of the total revenue of this tax; and,

WHEREAS, Brown County receives approximately \$160,000.00 from this revenue source; and,

WHEREAS, South Dakota voters will be asked to repeal this tax via Initiated Measure 8 in this November's election; and,

WHEREAS, if Initiated Measure 8 is passed by South Dakota voters, Brown County would be forced to consider cuts in county services.

NOW, THEREFORE BE IT RESOLVED, that the Brown County Commission does hereby offer its official opposition to Initiated Measure 8; and,

BE IT FURTHER RESOLVED, that the Brown County Commission asks all voters in Brown County to vote No on Initiated Measure 8.

Dated this 5th day of September 2006.

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

RESOLUTION OF PROCLAMATION:

Commissioner Feickert offered the following Resolution:

RESOLUTION NO. 60-06

WHEREAS the use of illegal drugs and the abuse of alcohol and nicotine constitute the greatest threats to the well-being of America's children; and

WHEREAS surveys conducted by the National Center on Addiction and Substance Abuse at Columbia University have consistently found that the more often children and teenagers eat dinner with their families the less likely they are to smoke, drink and use illegal drugs; and

WHEREAS teenagers who virtually never eat dinner with their families are 72 percent more likely than the average teenager to use illegal drugs, alcohol and cigarettes; and

WHEREAS teenagers who almost always eat dinner with their families are 31 percent less likely than the average teenager to use illegal drugs, alcohol and cigarettes; and

WHEREAS the correlation between family dinners and reduced risk for teen substance abuse are well documented; and

WHEREAS, parental influence is known to be one of the most crucial factors in determining the likelihood of substance abuse by teenagers; and

WHEREAS family dinners have long constituted a substantial pillar of family life in America.

NOW THEREFORE, the Brown County Commission does hereby proclaim the fourth Monday in September as

FAMILY DAY – A DAY TO EAT DINNER WITH YOUR CHILDREN

and urge all citizens to recognize and participate in its observance.

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

FLOODPLAIN:

Michelle Saxman, SD Department of Emergency Management, Joshua Price and Sarah Houghland, PBS&J Consulting met to discuss the upcoming Floodplain map for Brown County.

DISCUSSION:

Duane Riedl questioned the County's involvement in the law enforcement center task force. Mike Wiese is a member of the task force. A recent statement in the American News indicating that Aberdeen City shares all expenses to maintain the Jail was corrected. All operational expenses for the jail are funded by the County.

2006 FAIR REPORT:

Larry Gerlach, Fair Manager reported estimated revenue in amount of \$442,000.00 and estimated attendance of 245,000 for the 2006 Brown County Fair.

2007 PROVISIONAL BUDGET HEARING:

Time and place, as advertised for public hearing for the 2007 Provisional Budget. No one appeared.

RECESS:

The Chairman declared the Commission recessed until September 12, 2006.

Maxine Taylor – Brown County Auditor

SEPTEMBER 12, 2006 – GENERAL MEETING

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

MINUTES:

Moved by Wiese, seconded by Hansen to approve the General Meeting minutes of September 5, 2006. All members present voting aye. Motion carried.

CLAIMS:

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

Supplies: CMRS-FP..\$5000.00, Dakota Mailing..\$275.00, Best Business..\$377.31, Office Equip..\$150.70, Dakota Supply Group..\$595.15, CDW Govt..\$1769.04, Quality Quick Print..\$457.57, Exec Mgmt..\$36.95, Dept of Revenue..\$4166.01, Johnson Controls..\$355.00, Dahme Const..\$5100.00, Gardner Locksmith..\$20.80, Garys Engine..\$56.26, Academy..\$15.00, Central Supply..\$654.75, Indoff..\$67.98, Crescent Elec..\$12.87, Runnings..\$210.29, Cunningham Elec..\$779.36, Taylor Laundry..\$24.00, Artz Camera..\$9.95, Veterans Information..\$45.00, Share Corp..\$336.80, Quality Welding..\$19.00, Power Plan..\$88.24, Meyers Auto..\$25.00, Menards..\$200.06, Macks Auto..\$1621.99, Lust Chev..\$14.94, Interstate Battery..\$312.80, Huron Culvert..\$23040.13, Hollaway Const..\$40685.61, Hedahls..\$183.15, Hecla Impl..\$16.50, Heartland Paper..\$147.82, Habecks Radiator..\$64.00, Great Western Tire..\$7988.63, Farnams Genuine Parts..\$135.29, Exhaust Pros..\$78.95, Evergreen Supply..\$26.10, JD Evans..\$3618.48, Erdmann Fuels..\$1309.57, Diesel Machinery..\$174.15, Dakota Oil..\$852.45, Dakota Fluid..\$650.08, Clark Engineering..\$136.00, Cartney Bearing..\$385.35, Artz Camera..\$4.17, Terry Voeltz..\$625.00, Aberdeen Hockey Assn..\$11224.75, Tufts..\$28.00, Pro Ag..\$724.54, Kens Alignment..\$867.26, Midwest Alarms..\$51.50, PowerPlan..\$3714.16, Coyote Pub..\$96.00, Sheehan Mack..\$7357.88, OK Tire..\$40.00, Praxair..\$46.54, Western Printing..\$1149.82, Brick Propane..\$12.65, Ameripride..\$423.86, Erdmann Fuels..\$5968.50, Earth Tech..\$3290.00, NADA..\$220.00, Kesslers..\$19.96, Cat5cableguy.com..\$587.27, Walmart..\$12.90, Indoff..\$407.70, Fordham Signs..\$168.00, Kirks Auto..\$39.99, Racom..\$41.20, Bound Tree..\$7990.06, Midwest Alarm..\$1644.40, Heiman Fire..\$5019.65, Scott Madsen..\$19.71:

Publications: American News..\$438.81:

Professional Fees: Chippewa County Sheriff..\$200.00, Sheriff of Anoka County..\$40.00, Joel McMaster..\$120.00, Lyrita Wilkie..\$90.00, Rebecca Mattern..\$90.00, Jackie Schroeder..\$60.00, Jason Engel..\$60.00, Pam Smid..\$60.00, NECOG..\$413.57:

Transcriptions: Richard Neal..\$134.40, Cheryl Hook..\$120.00, Kristi Kost..\$97.50:

Travel: Kathy Schlecht..\$361.48, Tom Gohn..\$25.00, Marg Zastrow..\$258.44:

Court Appointed Attorney: Scott Kuck..\$719.20:

Utilities: Northwestern Energy..\$1174.92, Northern Valley..\$72.37, James Valley..\$366.69, Town of Frederick..\$29.25, Verizon..\$126.70, Midcontinent Cable..\$41.14:

Care of Poor: Utilities - 1 recipient..NWPS..\$228.64; Dr/Hospital - 2 recipients..Aberdeen Family Physicians..\$37.64, Avera St Lukes..\$1914.30; Rent - 8 recipients..Tom Hinz..\$150.00, White House Inn..\$118.80, John Painter..\$220.00, Rockford Apts..\$280.00, Scott Vincent..\$200.00, Lonnie Frost..\$498.00; Transportation - 1 recipient..Advanced Care..\$101.57. All members present voting aye. Motion carried.

PERSONNEL:

Moved by Wiese, seconded by Fischbach to approve hiring Allan Vietmeier as Appraiser, effective September 25, 2006 at \$12.40 per hour. All members present voting aye. Motion carried.

AUDITORS REPORT OF ACCOUNT:

Moved by Hansen, seconded by Wiese to approve the August 2006 Auditor's Report of Account with the County Treasurer in total amount of \$10,159,224.43 (total amount of actual cash @ \$3,161.47, Wells Fargo Bank @ \$3,694.79, US Bank @ \$17,203.93, Dacotah Bank @ \$147,074.33, Petty Cash @ \$1,800.00, Fund Investments @ \$9,985,451.38, Outstanding Checks @ \$838.53). All members present voting aye. Motion carried.

SURPLUS PROPERTY SALE:

Moved by Fischbach, seconded by Wiese to declare Decal 3273 2001 Thor 25' Camper (Command Trailer) surplus property; and further authorize advertising the property for sale at or above the appraised value of \$11,500.00; sealed bids to be opened, read and considered at a public hearing to be held at 8:45 A.M. on October 3, 2006 in the Commissioner's Chambers, Courthouse Annex, Brown County, SD. All members present voting aye. Motion carried.

LEASE OPTION ADDENDUM:

Moved by Wiese, seconded by Fischbach to approve and authorize the Chairman sign Lease Option Addendum with Terry L Voeltz DBA T's Promotions Inc, for lease of the car racing facilities at the Brown County Fairgrounds in 2007 (year five of the five one-year options available). All members present voting aye. Motion carried.

PLAT:

Commissioner Wiese offered the following Resolution:

RESOLUTION NO. 61-06

BE IT RESOLVED by the County Commission of Brown County, SD, that the plat showing "Finnesand 1st Subdivision in NW ¼ Sec 24-T123N-R61W 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 Hansen-aye, Fischbach-aye, Feickert-absent, Wiese-aye, Knecht-aye. Resolution adopted.

EXECUTIVE SESSION:

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

The Chairman declared the executive session closed, with no action taken as a result of the discussion.

SPECIAL MALT BEVERAGE HEARING:

Time and place, as advertised for public hearing to consider application for Special Malt Beverage License. Moved by Wiese, seconded by Hansen to approve the following application for Special Malt Beverage License: Aberdeen Hockey Association – Brown County Fairgrounds (Hockey Building) SW ¼ Sec 1-T123N-R64W of 5th P.M. Brown County, SD, effective September 18, 2006. All members present voting aye. Motion carried.

APPLICATION FOR OCCUPANCY:

Moved by Wiese, seconded by Hansen to approve and authorize the Chairman sign the following application, submitted by Clark Engineering Corporation (on behalf of the City of Hecla) for occupancy of Brown County Highway #5 (from 6th Street in the City of Hecla west on Brown County #5 to 400th Ave) to install a sanitary sewer force main. All members present voting aye. Motion carried.

EXECUTIVE SESSION:

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

The Chairman declared the executive session closed, with no action taken as a result of the discussion.

RECESS:

The Chairman declared the Commission recessed until September 26, 2006.

Maxine Taylor – Brown County Auditor

SEPTEMBER 26, 2006 – GENERAL MEETING

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

MINUTES:

Moved by Fischbach, seconded by Hansen to approve the General Meeting minutes of September 12, 2006. All members present voting aye. Motion carried.

CLAIMS:

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

Payroll: Commissioners..\$2,779.85; Auditor..\$6,745.34; Treasurer..\$8,795.74; Data Processing..\$2,894.93; State's Attorney..\$11,912.22; Maintenance..\$5,492.95; Assessor..\$7,796.55; Planning & Zoning..\$500.00; Register of Deeds..\$3,960.74; Veterans Service Office..\$2,722.87; GIS..\$1,738.47; Sheriff..\$62,083.66; DOJ Grant..\$1,753.60; Communications..\$15,764.91; Coroner..\$890.00; Welfare Office..\$2,827.87; Museum..\$4,986.04; Fairgrounds & Parks..\$3,760.88; Fairboard..\$1,637.17; Extension..\$1,802.40; Weed..\$3,230.32; Emergency Management..\$2,412.00; Teen Court..\$222.75; Highway..\$31,224.38; Landfill..7,415.02; Matching Benefits: FICA..\$11,448.66; Medicare..\$2,677.51;

Supplies: Ace Refrigeration..\$61.20, Action Electronics..\$188.94, Wild Oats..\$150.00, Weismantel Rent-All..\$160.00, CMW Cleaning Services..\$117.73, Vosika Fencing..\$500.00, TSC..\$128.54, Town & Country..\$476.90, Specialized Comm..\$180.29, Shopko..\$96.94, SD Wheat Growers..\$83.08, Schumacher Sales..\$177.50, Rohl Beverage..\$1455.00, Quality Quick Print..\$333.19, Jamie Pulfrey..\$126.77, Parcel Erickson..\$350.00, Barb Paepke..\$101.21, Jessi Mather..\$206.01, Macs..\$220.86, Northern Tool..\$128.74, Menards..\$2066.20, 4-H Leaders..\$30.00, HSBC..\$320.39, Millstone..\$337.50, Terri's Catering..\$2092.50, Keeleys..\$212.15, Larry Gerlach..\$409.47, Galls..\$390.71, TBA..\$368.56, Barb Crawford..\$11.22, Aberdeen Flying Service..\$84.75, Kesslers..\$384.93, Runnings..\$432.53, Marlys Volzke..\$129.30, Bonn Express..\$56.52, Geffdog..\$762.11, HRS..\$4533.58, Dietrich Bus Service..\$1624.50, Creative Signs..\$819.43, Photo Xpress..\$413.79, Artz Camera..\$11.40, Blaine Anderson..\$30.00, Howard Anderson..\$30.00, Brenda Artz..\$30.00, Bobbie Bierman..\$30.00, Joy Braun..\$30.00, Marsha Braun..\$30.00, Ruth Casanova..\$30.00, Lois Davis..\$30.00, Pat Dennert..\$30.00, Ric Dias..\$30.00, Phyllis Donat..\$30.00, Pam Erickson..\$30.00, Ashley Farrand..\$25.00, Wayne Fischer..\$130.00, Vicki Forkel..\$50.00, Linda Generke..\$30.00, Susan Gerlach..\$30.00, Abby Gibbs..\$25.00, Judy Gulleeson..\$50.00, Barb Hoops..\$30.00, Jeannie Huettl..\$60.00, Barb Jansen..\$30.00, Blaine Hyde..\$110.00, Duane Jark..\$60.00, Katie Kaiser..\$30.00, Florence Kraus..\$30.00, Marjorie Krueger..\$30.00, Candis Kub..\$45.00, Carrie Lashly..\$60.00, Susan Lehr..\$30.00, Jeanette Lunders..\$45.00, Sheri Mack..\$45.00, Alexandra Mattern..\$25.00, Renee McKiver..\$30.00, Kathy Novstrup..\$30.00, Jon Oster..\$30.00, Kara Paulson..\$30.00, Dave Pearson..\$205.00, Sherry Perrion..\$45.00, Chris Pistulka..\$30.00, Emma Schaubman..\$51.00, Irene Plummer..\$30.00, Linda Schroeder..\$50.00, Randy Schweer..\$110.00, Angie Sharp..\$30.00, Gretchen Sharp..\$30.00, Chris Smith..\$135.00, Evalyn Smith..\$60.00, Erica Sperry..\$25.00, Diann Steinheuser..\$80.00, David Stout..\$200.00, Chris Styles..\$100.00, Jeff Vanderwal..\$75.00, Lyle Warner..\$205.00, Ellen Weber..\$25.00, Scott Werning..\$185.00, Vicki Wilson..\$30.00, Katie Wirt..\$155.00, Specialty Mfg..\$30.01, All Shook Up Montadales..\$52.5, Al-Shar Holsteins..\$42.00, Kara Paulson..\$46.50, Ashley Pigors..\$10.50, Rennich Family..\$64.50, Baily Ringgenberg..\$10.50, Jody Fuller..\$213.00, Brittany Traxinger..\$3.00, Bruce Hoffman..\$213.50, Christopher Erdman..\$7.50, Clint Sombke..\$8.00, David Juntunen..\$89.00, Donald Juntunen..\$63.00, Drew Wolter..\$69.00, Duane Juntunen..\$33.00, Frey-View Dairy Farm..\$31.00, Fritz Bruckner Montadale..\$120.00, B J Hansen..\$21.00, Jan Houghtaling..\$146.50, Jerry Tollefson..\$38.00, Miller Family..\$6.00, Wolkow Family..\$511.50, Keith Larson..\$10.50, Krohmer Family..\$96.50, Melissa Underberg..\$31.50, Nathan Miller..\$10.50, Reider Family..\$6.00, Ruppel Family..\$83.50, Shari

Rossow..\$102.50, Tara Bohrer..\$10.50, Thorpe Family Suffolks..\$128.50, TMD Katahdins..\$49.50, Tyler Kolb..\$10.50, Willman Family..\$39.00, Wolff's Suffolks..\$59.00, Char Bachman..\$60.00, Brown County..\$516.75, DT Pharm..\$3205.53, Dicks Westside..\$34.00, Neves..\$22.78, Double D Body Shop..\$15.80, Hoven Auto..\$20.25, Bonnie Bitz..\$312.00, HSBC..\$786.29, Fleet Mgmt..\$69.42, Best Business..\$507.32, Woodman Refrig..\$1029.85, Kessler Pharm..\$158.77, Dakota Electronics..\$746.45, Accurint..\$18.60, Duanes Amoco..\$61.65, Earthgrains..\$496.35, Sewing Shoppe..\$93.00, Photo Xpress..\$3.43, Safety Service..\$440.85, Ultramax..\$732.00, Lust Chev..\$613.99, Career Planning..\$769.25, Tri-State Water..\$6.30, Z&S Dust Control..\$7697.76, Weismantel Rent-All..\$218.50, Titan Machinery..\$83.74, Smittys Equip..\$180.00, Safety Service..\$993.62, Poms Tire..\$1740.49, Lawson Products..\$169.53, HF Jacobs..\$16,863.90, Graham Tire..\$866.80, Freys Electronics..\$4692.95, Fastenal..\$70.32, Farm Plan..\$533.51, Economy Propane..\$460.80, Carquest..\$2529.71, Avera Queen of Peace..\$341.00, Ameripride..\$354.38, Aberdeen Asphalt..\$9420.21, Hagan Ins..\$153.00, Howes Oil..\$15,457.60, Creative Signs..\$12.00, Dakota Supply..\$38.60, Aberdeen Plumbing..\$263.59, Central Supply..\$1175.00, Heartland Paper..\$204.72, K-Mart..\$94.24, New Trends..\$292.76, Jerry Mills..\$263.94, Bound Tree..\$359.94, Am Assoc of State & Local History..\$100.00, Midwest Alarm..\$51.50, Joe Hauck..\$40.00, Celebrations..\$4.58, SD Magazine..\$265.00, Kleins..\$6.30, Aberdeen O/Recording Studio..\$383.75, Van Diest..\$6402.65, Fire Safety First..\$30.10, Alamo Sales Corp..\$93.73, Lar-Jos..\$64.00, Ramkota..\$462.00, Greenman Tech..\$15,894.29, Walmart..\$86.69, McFarland Supply..\$324.83, Western Printing..\$512.36, North Central Steel..\$55,855.25, Kens Superfair Foods..\$433.83, Office Equip..\$293.00, M&T Fire..\$750.00, Petroleum Partners..\$102.68, Academy..\$90.00, Salvation Army..\$1070.00, House of Glass..\$25.98, Interstate Power..\$150.73, Heartland Paper..\$191.30, Ecolab..\$86.00, Overhead Door..\$841.50, Farm Power..\$11.52, Evergreen Supply..\$21.20, Mobile Electronic Service..\$620.00, Moore Medical..\$167.62, Medtox..\$124.66, Lewis Drug..\$5.37, SD Crime Conference..\$10.00, CDW Govt..\$12,065.65, Pacific Data..\$384.60:

Publications: American News..\$628.86:

Professional Fees: Northeast Mental Health..\$468.16, Thomas Price..\$1800.00, witness fees..\$2353.25, Sheriff of Hennipen County..\$54.20, Lyrita Wilkie..\$60.00, Jayson Knutson..\$30.00, Jackie Schraeder..\$30.00, Jason Engel..\$90.00, Pam Smid..\$60.00, Cathy Reh fuss..\$15.00, Nelva Kooistra..\$15.00, Donna Dietrich..\$127.99, Lewis & Clark BHS..\$130.00, NECOG..\$937.72, Wendy Mette..\$110.38, NADRIC..\$1666.67, Language Lines..\$89.10, Milbank Comm..\$220.00, North Central Heart Institute..\$258.36, Dental Center..\$165.40, Avera St Lukes..\$1073.18, K-Mart..\$26.24, Phillips 66..\$30.00, Aberdeen Insurance Agency..\$75.00, Avera United Clinic..\$1232.04:

Transcriptions: Cheryl Hook..\$49.40, Richard Neal..\$91.20:

Travel: City of Groton..\$50.56, Mark Milbrandt..\$491.27, Lori Ehlers..\$364.10, Extension Service..\$673.46, Don Fischer..\$141.60, Mike Scott..\$68.53, Gene Loeschke..\$308.00, Leo Leshner..\$183.36, Kathy Fischer..\$170.56, Ginger Walker..\$79.00, Freddie Robinson..\$211.40:

Court Appointed Attorney: Tamara Lee..\$193.57, Christy Serr..\$4166.67, Randy Turner..\$4166.67, William Gerdes..\$4166.67, Kuck Law Office..\$4166.67, Kelly Marnette..\$4166.67, Erdmann Fuels..\$918.74, OK Tire..\$30.00, Ringgenberg Elec..\$9530.63, Cunningham Elec..\$810.09, Swanson Elec..\$831.71, Gas-N-Goodies..\$4.00:

Utilities: Northwestern Energy..\$9513.10, Northern Valley Comm..\$260.37, City of Aberdeen..\$45,367.77, Tel Serv..\$90.99, Northern Elec..\$6823.54, City of Hecla..\$71.27, Dependable Sanitation..\$16,503.42, Alltel..\$909.33, Verizon..\$119.46, Qwest..\$2418.83, Northern Wireless..\$80.45, Bureau of Admin..\$693.47:

Care of Poor: Utilities - 2 recipients..NWPS..\$482.72; Dr/Hospital - 3 recipients..Dr Arlin Myrmoe..\$597.71, United Clinic..\$1270.04, Orthopedic Surgery Spec..\$64.08; Rent - 5 recipients..Robert Gearey..\$240.00, Chow Main..\$220.00, Chuck Currie..\$240.00, Manor Apts..\$260.00, Webb Shoe..\$110.00; Medication - 2 recipients..Walmart Pharm..\$348.72; Transportation - 1 recipient..Aberdeen Shuttle..\$125.00; Insurance - 3 recipients..Midstates Printing..\$660.00, Dakota Care..\$766.29, Runnings..\$299.00. All members present voting aye. Motion carried.

PERSONNEL:

Moved by Feickert, seconded by Wiese to approve the following employee step increases, effective September 24, 2006: RJ Miller @ \$11.38 per hour, Jesse Milbrandt @ \$11.10 per hour. All members present voting aye. Motion carried.

Moved by Hansen, seconded by Feickert to approve hiring Mariann Malsom as Deputy Register of Deeds, effective October 2, 2006 at \$10.37 per hour. All members present voting aye. Motion carried.

Moved by Wiese, seconded by Fischbach to approve hiring Scott Meints as Brown County Emergency Management Director, effective October 10, 2006 at pro-rated annual salary of \$40,000.00. All members present voting aye. Motion carried.

Moved by Fischbach, seconded by Feickert to acknowledge resignation of Bobbie Olauson, effective September 17, 2006; Darin Sinner, effective September 22, 2006; Natasha Dahl and Joel McMaster, effective September 30, 2006. All members present voting aye. Motion carried.

Moved by Hansen, seconded by Fischbach to approve employee position change for Jesse Milbrandt, effective October 9, 2006 from full-time Jail Officer to full-time JDC Officer (no change in salary). All members present voting aye. Motion carried.

Moved by Hansen, seconded by Wiese to approve hiring Larry Harper as part-time Corrections Officer, effective September 26, 2006 at \$9.37 per hour. All members present voting aye. Motion carried.

Moved by Hansen, seconded by Feickert to approve hiring Jackie Clemens, effective September 11, 2006 and Kim Sieve-Fischbach, effective October 11, 2006 as Dispatchers at \$11.08 per hour. All members present voting aye. Motion carried.

Moved by Feickert, seconded by Hansen to set \$9.60 as rate of pay for part-time Dispatchers, effective September 26, 2006. All members present voting aye. Motion carried.

Moved by Wiese, seconded by Feickert to approve hiring Janet Plank as part-time Dispatcher, effective September 18, 2006 at \$9.60 per hour. All members present voting aye. Motion carried.

LEASE AGREEMENTS:

Moved by Fischbach, seconded by Wiese to approve and authorize the Chairman sign the following agreements: National Barrel Horse Association for lease of the Horse Arena on September 16, 2006; Dakota Dressage & Eventing Club for lease of the Horse Arena on September 23, 2006; and Lien Transportation for lease of the Clubhouse on September 23, 2006. All members present voting aye. Motion carried.

INVENTORY TRANSFER:

Moved by Fischbach, seconded by Feickert to transfer the following item purchased with Weed and Seed Funding to the Aberdeen School District 6-1: RCA TV/VCR Combo SN #D236DA07V), to be used for its original purposes in line with the Brown County Weed and Seed Strategy. All members present voting aye. Motion carried.

WEED AND SEED:

Moved by Wiese, seconded by Fischbach to approve the Brown County Weed and Seed Monthly Expenses for September 2006 (Year Four 2005-WS-Q5-0089), in amount of \$3,736.87. All members present voting aye. Motion carried.

Moved by Feickert, seconded by Hansen to approve the following Weed and Seed Year Four 2005-WS-Q5-0089 funding proposals: Safe Harbor (amended conference expense), LSS - New Beginnings Center (parenting skills supplies), as recommended by the Steering Committee. All members present voting aye. Motion carried.

Moved by Hansen, seconded by Wiese to acknowledge receipt of Grant Adjustment Notice No. 2 (GAN) for Brown County Weed and Seed Grant #2005-WS-Q5-0089, which approves final budget category adjustments for the program. All members present voting aye. Motion carried.

PLATS:

Commissioner Fischbach offered the following Resolution:

RESOLUTION NO. 63-06

BE IT RESOLVED by the Board of Commissioners of Brown County, SD, that the plat showing "Burrer Addition in the E ½ of Sec 14-T123N-R64W of the 5th P.M., Brown County, Aberdeen, 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 Hansen-aye, Fischbach-aye, Feickert-aye, Wiese-aye, Hansen-aye. Resolution adopted.

Commissioner Hansen offered the following Resolution:

RESOLUTION NO. 64-06

BE IT RESOLVED by the Board of Commissioners of Brown County, SD, that the plat showing "Sayler Addition in the SW ¼ of Sec 25-T124N-R64W 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 Feickert. Roll call vote: Commissioners Hansen-aye, Fischbach-aye, Feickert-aye, Wiese-aye, Hansen-aye. Resolution adopted.

PROVISIONAL BUDGET CHANGES:

Moved by Hansen, seconded by Wiese to make the following changes to the 2006 Provisional Budget – increase Auditor \$13,006.00 – for total of \$271,355.00; Jail \$10,000 – for total of \$1,013,026; Donations (Benches) \$4,000.00 – for total of \$6,000. All members present voting aye. Motion carried.

2007 ANNUAL BUDGET:

Commissioner Fischbach offered the following Resolution:

**ANNUAL BUDGET FOR BROWN COUNTY, SD
For the Year January 1, 2007 to December 31, 2007**

RESOLUTION NO. 62-06

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, 2007 and ending December 31, 2007 and the same is hereby approved and adopted by the Board of County Commissioners of Brown County, South Dakota, this 26th day of September, 2006. 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, 2007 through December 31, 2007.

COUNTY TAX LEVIES WITHIN LIMITED LEVY	Dollars	\$'S/1,000
*General County Purposes (10-12-9)	\$8,512,358	4.36
Fire	20,310	.02
Library	25,454	.03
TOTAL TAXES LEVIED BY COUNTY	\$8,558,122	4.41

*These amounts include the 25% to be distributed to cities.

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

SHERIFF FEE:

Sheriff Mark Milbrandt discussed the need for finger printing services by the general public for non-criminal purposes, and requested permission to provide this service and to charge a fee for said service. Moved by Feickert, seconded by Wiese to approve and authorize the Sheriff Department provide finger printing services for the general public for non-criminal purposes at a fee of \$7.00 per set. All members present voting aye. Motion carried.

BEEF PLANT – TIF:

Norg Sanderson and Dennis Hellwig presented an update and answered questions about the proposed Beef Plant and the upcoming hearing before the Planning and Zoning Board for purpose of establishing a TIF (Tax Increment Financial) District to fund the plant. Doug Eilers, Ed Rieger, Al Waltman, Duane Riedl, Dirk Rogers and Mary Worlie were also in attendance.

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

OCTOBER 3, 2006 – GENERAL MEETING

The Brown County Commission convened at 8:45 a.m. in the Commissioner's Chambers, Courthouse Annex, Brown County, SD. Present were Commissioners Hansen, Fischbach, Feickert and Knecht. Absent Commissioner Wiese.

MINUTES:

Moved by Feickert, seconded by Hansen to approve the General Meeting minutes of September 26, 2006. All members present voting aye. Motion carried.

CLAIMS:

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

Payroll: Commissioners..\$2,779.85; Auditor..\$6,753.12; Treasurer..\$8,795.74; Data Processing..\$2,894.93, State's Attorney..\$11,743.90; Maintenance..\$5,484.70; Assessor..\$7,800.29; Planning & Zoning..\$500.00; Register of Deeds..\$3,944.54; Veterans Service Office..\$2,707.71; GIS..\$1,738.47; Sheriff..\$60,098.93; Grant..\$1,942.51; Communications..\$15,799.25; Welfare Office..\$2,896.54; Museum..\$4,986.04; Fairboard..\$1,445.17; Fairgrounds & Parks..\$3,492.36; Extension..\$1,802.40; Weed..\$2,336.06; Emergency Management..\$2,412.00; Teen Court..\$243.00; Highway..\$28,983.18; Landfill..\$7,523.72; Matching Benefits: FICA..\$11,685.31, Medicare..\$2,732.82, Wellmark BCBS Life..\$668.95, Wellmark BCBS Health..\$60,403.70, Delta Dental..\$3,969.00, SD State Retirement..\$35,642.12:

Supplies: NACO..\$772.00, Brown & Saenger..\$289.10, Office Equip..\$324.49, Dept of Revenue..\$1993.00, Exec Mgmt..\$3640.05, K-Mart..\$164.92, CarQuest..\$9.00, Gardner Locksmith..\$35.00, Eilers..\$77.50, Ameripride..\$41.76, Aberdeen Home Builders..\$250.00, Best Business..\$141.02, Channing Bete..\$285.12, Racom..\$329.60, Mobile Electronic Service..\$233.00, Dicks Westside..\$75.00, Deluxe Business Checks..\$238.72, Evercom..\$1900.00, Timekeeping Systems..\$45.00, Vantek..\$23.00, Eddies Northside..\$90.00, Walmart..\$139.66, Moore Medical..\$124.41, Volk Upholstery..\$167.50, SDDOT..\$87,264.82, Quill..\$172.54, Lawson Products..\$161.25, HF Jacobs..\$16,887.48, Crawford Trucks..\$3327.83, Rocky Mountain Fairs Assn..\$150.00, Willa Beitelspacher..\$247.80, Midwest Alarm..\$51.50, Macs..\$22.58, Streichers..\$102.84, CDW Govt..\$3250.44, Batteries Plus..\$276.00, Dakota Electronics..\$3624.25, Photos Now..\$2200.00, Keypoints Training..\$766.82, North Central Steel System..\$25,531.25, Butler Machinery..\$63,180.01, Aberdeen C&F..\$194.00, Country Inn..\$360.00, Farm & Home Pub..\$27.50, Mattern Elec..\$1300.00:

Publications: American News..\$223.84, Groton Indep..\$405.77, Dakota Press..\$768.70:

Professional Fees: Avera St Lukes..\$72.00, Lyrta Wilkie..\$30.00, Jackie Schraeder..\$30.00, Pam Smid..\$90.00, Jason Engel..\$60.00, Dept of Rev..\$125.00:

Transcriptions: Cheryl Hook..\$161.80, Richard Neal..\$60.80:

Travel: Mike Wiese..\$74.88, Dennis Feickert..\$42.24, Mary Worlie..\$210.64, Brandon Leslie..\$135.68, Kevin Spitzer..\$5.12, Cordell Rudolph..\$40.00:

Utilities: Northwestern Energy..\$6965.77, Qwest..\$73.91, Midcontinent Cable..\$301.79, Montana Dakota..\$12.27, Alltel..\$33.88, Web Water..\$132.68:

Care of Poor: Utilities - 2 recipients..NWPS..\$500.00; Dr/Hospital - 2 recipients..Orthopedic Surgery..\$502.32, North Central Heart Inst..\$547.06, Dakota Imaging..\$1759.05, Avera St Lukes..\$44,677.88, United Clinic..\$251.21; Rent - 3 recipients..Nick Rayman..\$260.00, White House Inn..\$79.20, Goehring Apts..\$210.00; Medication - 5 recipients..K-Mart..\$380.50, Econofoods..\$887.24; Transportation - 1 recipient..Brown County Highway..\$28.17. All members present voting aye. Motion carried.

PERSONNEL:

Moved by Feickert, seconded by Fischbach to approve the following employee step increases, effective October 8, 2006: Terrence Evans..\$15.27 per hour, Sandra Hjermstad @ \$12.45 per hour, Daryl Lloyd @ \$13.96 per hour. All members present voting aye. Motion carried.

Moved by Hansen, seconded by Feickert to approve hiring Samieula Mouna as full-time Home Detention Officer, effective October 1, 2006 at \$11.10 per hour (formerly the position was funded by the "Prevention and Intervention Programs for At-Risk and Detained Youth" Grant #2001-JS-FX-0014). All members present voting aye. Motion carried.

Moved by Feickert, seconded by Fischbach to approve hiring Ashby Shrock as full-time JDC Corrections Officer, effective October 16, 2006 at \$10.82 per hour. All members present voting aye. Motion carried.

Moved by Hansen, seconded by Feickert to approve hiring Raegan Flamboe and Kale Miller as part-time JDC Corrections Officers, effective October 4, 2006 at \$9.37 per hour. All members present voting aye. Motion carried.

Moved by Fischbach, seconded by Feickert to accept the resignation of Freddie Robinson, effective October 27, 2006 and to thank Freddie for his dedicated service to Brown County. All members present voting aye. Motion carried.

SET HEARING DATE:

Moved by Hansen, seconded by Feickert to set public hearing for 8:45 a.m. on October 24, 2006 in the Brown County Commission Chambers, 25 Market Street for First Reading of the following: Ordinance No. 06-10-03/334, An Ordinance to rezone the following property from Section 701 (A-1) Agricultural District to Section 714 (M-AG) Mini-Agricultural District: Lot 1, Block 3, Moulton's First Subdivision in the SE ¼ of Sec 2-T122N-R64W of the 5th P.M., Brown County, SD. All members present voting aye. Motion carried.

SHERIFF REPORTS:

Moved by Fischbach, seconded by Feickert to approve the following August 2006 Sheriff Reports: Incidents & Offenses, Prisoner Care, JDC, Money deposited with the County Treasurer and Monthly activities. All members present voting aye. Motion carried.

ABATEMENT:

Moved by Hansen, seconded by Feickert to approve the following Abatement: Mark E & Dawn Nixon, assessment error (Lt 15 Blk 34 First Addn to Frederick) for year 2004 in amount of \$432.15; and further instruct the County Treasurer to waive all penalty and interest fees. All members present voting aye. Motion carried.

LIQUOR/MALT BEVERAGE TRANSFER HEARING:

Moved by Hansen, seconded by Fischbach to authorize advertising public hearing to consider the following applications: TRANSFER RETAIL (ON SALE) AND SUNDAY LIQUOR from Daniel Brandenburger DBA Elm Lake Resort to Dave Schumaker DBA Elm Lake Resort (Lot 1 Elm Lake Resort Subd. in the SE ¼ of Sec. 8, T128, R65 ex that portion of Road r/o/w Brown County, South Dakota) and TRANSFER RETAIL (ON-OFF SALE) MALT BEVERAGE from Daniel Brandenburger DBA Elm Lake Resort to Dave Schumaker DBA Elm Lake Resort (Lot 1 Elm Lake Resort Subd. in the SE ¼ of Sec. 8, T128, R65 ex that portion of Road r/o/w Brown County, South Dakota), to be held on October 24, 2006 at 9:00 a.m. in the Commissioner's Chambers, Courthouse Annex, Brown County, SD. All members present voting aye. Motion carried.

BID – SALE OF COMMAND VAN:

Time and place, as advertised to open, read and consider sealed bids for the sale of one (1) 2001 Thor 25' Camper (Command Van) SN4XTTN252X1C126014, previously declared surplus. No bids were received.

EXECUTIVE SESSION:

Moved by Fischbach, seconded by Feickert to go into executive session to discuss possible litigation with States Attorney Mark McNeary in attendance. All members present voting aye. Motion carried.

The Chairman declared the executive session closed, with no action taken as a result of the discussion.

KEYSTONE PIPELINE PROJECT/TRANSCANADA:

Jeff Rauh, Keystone Project Team Public Consultant for TransCanada informed the Commission that the proposed crude oil pipeline route discussed in the spring has been changed to include approximately 10 miles of pipeline in Brown County (Portage Township). TransCanada will be sharing project information and gathering input from impacted landowners, communities, and other interested stakeholders throughout the planning phase and will incorporate feedback into the project design.

INTEREST STATEMENT:

Moved by Fischbach, seconded by Feickert to accept for filing the July – September 2006 Interest Statement, submitted by County Treasurer Sheila Enderson. All members present voting aye. Motion carried.

UNCOLLECTIBLE TAX LIST:

Moved by Fischbach, seconded by Feickert to acknowledge uncollectible tax list (one paid since July 2006 listing), as submitted by Sheila Enderson, Brown County Treasurer. All members present voting aye. Motion carried.

FEE:

Moved by Feickert, seconded by Fischbach to allow Sheila Enderson, Brown County Treasurer to charge a \$25.00 County documentation fee, effective October 1, 2006 for processing title transfer received through themail from out-of-state. The fee will not apply to those serving in the military. The fee will be receipted in the same manner as the County Fee that is charged currently. That fee is charged state wide on boat licenses, and duplicate registrations and is not subject to Sales Tax.

THANKSGIVING CLOSING:

Moved by Hansen, seconded by Feickert to close Friday, November 24th, with the following policy: each employee will be compensated for eight hours regular pay for November 24, if an employee is required to work a full shift on November 24th, 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.

PLAT:

Commissioner Feickert offered the following Resolution:

RESOLUTION NO. 65-06

BE IT RESOLVED by the County Commission of Brown County, SD, that the plat showing “Rystrom Outlot A in SW ¼ Sec 13-T125N-R64W 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 Hansen. Roll call vote: Commissioners Hansen-aye, Fischbach-aye, Feickert-aye, Wiese-absent, Knecht-aye. Resolution adopted.

SURPLUS PROPERTY:

Moved by Feickert, seconded by Fischbach to declare Decal #1832 JD Rotary Bat Wing Mower surplus property from the Highway Department for purpose of trade-in. All members present voting aye. Motion carried.

NACO PRESCRIPTION DRUG PLAN:

Charlene Millim, Welfare Director discussed the NACO Prescription Drug Plan and will provide a copy of the County application to the States Attorney's Office for review and recommendation.

RECESS:

The Chairman declared the Commission recessed until October 10, 2006.

Maxine Taylor – Brown County Auditor

OCTOBER 10, 2006 -- GENERAL MEETING

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

MINUTES:

Moved by Feickert, seconded by Wiese to approve the General Meeting minutes of October 3, 2006. All members present voting aye. Motion carried.

CLAIMS:

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

Supplies: Best Business..\$296.15, HRS..\$3777.93, Pizza Ranch..\$253.53, Language Lines..\$57.20, West Payment Center..\$1290.26, Quality Quick Print..\$1813.33, Shafer & Feld..\$316.95, Office Equip..\$117.04, Taylor Laundry..\$22.50, Woodman Refrig..\$319.30, Crescent Elec..\$109.48, McLaughlin Elec..\$1226.82, Kone..\$1596.48, Cartney Bearing..\$62.75, Dept of Revenue..\$3276.53, Ray O'Herron..\$36.50, BP Amoco..\$27.32, Hoven Auto..\$20.25, JC Penney..\$218.91, Aberdeen Chrysler..\$634.71, Hughes County..\$66.90, Galls..\$49.86, Moore Medical..\$171.89, Dakota Electronics..\$228.10, Wallwork Truck Center..\$925.38, Runnings..\$170.94, Menards..\$245.81, Macs..\$29.00, Lust Chev..\$1627.15, Interstate Battery..\$317.80, Holland Auto..\$9.64, Great Western Tire..\$13,823.29, Farm Power..\$270.67, Erdmann Fuels..\$6763.73, Economy Propane..\$388.80, DVC Girls Vac..\$15.00, Diesel Machinery..\$4890.90, Diamond Mowers..\$255.03, Dakota Oil..\$1616.64, Dakota Fluid Power..\$1454.42, Cunningham Elec..\$148.92, Crawford MS&F..\$225.71, Clark Engineer..\$4609.26, Artz Equip..\$620.52, Aberdeen Transmission..\$1920.80, Aberdeen Equip..\$51.06, Glas Consulting..\$81.25, Carus Pub..\$43.95, Larry Gerlach..\$70.00, Janet Wright..\$150.00, Jim River Riders..\$1800.00, Dickey County Extension..\$23.00, US Postal..\$840.00, New World Systems..\$7915.00, Law Enforcement Training..\$200.00, Thompson Hill Pub..\$399.95, Praxair..\$16.45, Hedahls..\$34.74, Aberdeen Radio Ranch..\$1800.00, Powerplan..\$331.17, Brown County..\$720.50, Dakota Wood Grinding..\$7681.00, Earth Tech..\$3188.48, OK Tire..\$10.00, Bound Tree..\$1093.45, BH Dist..\$270.00, Eide Bailly..\$259.50:

Publications: American News..\$1971.62, Midland Press..\$982.50:

Professional Fees: Avera McKennan Hosp..\$46.80, Jayson Knutson..\$60.00, Jackie Schraeder..\$150.00, Lyrita Wilkie..\$330.00, Pam Smid..\$60.00:

Transcriptions: Richard Neal..\$31.20:

Travel: Kathy Fischer..\$139.84, Leo Leshner..\$149.76, Gene Loeschke..\$173.44, Cedar Shore Resort..\$74.95:

Utilities: City of Aberdeen..\$1341.10, Northwestern Energy..\$3037.13, Northern Valley Comm..\$72.67, James Valley Co-Op..\$140.38, Town of Frederick..\$29.25, Verizon..\$125.46, Northern Wireless Comm..\$80.45, Dependable Sanitation..\$17,474.82, Northern Elec..\$163.52:

Care of Poor: Dr/Hospital - 4 recipients..Avera St Lukes..\$1740.00, Anesthesia Care..\$160.00, Siouxland Anesthesia..\$144.00, SD Urban Indian Health..\$46.30; Rent - 7 recipients..Theodore Huss..\$240.00, Justin Shultis..\$260.00, Dale Bain..\$150.00, Don Gisi..\$220.00, BMI..\$220.00, EC Rhodes..\$220.00, Catherine Allred..\$140.00; Medication - 3 recipients..Jones Drug..\$153.89, Walmart Pharm..\$137.66. All members present voting aye. Motion carried.

PERSONNEL:

Moved by Feickert, seconded by Wiese to acknowledge resignation of Jacki Clemen, effective October 3, 2006. All members present voting aye. Motion carried.

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Moved by Wiese, seconded by Feickert to approve employee status change for Janet Plank from part-time to full-time Dispatcher, effective October 3, 2006 at \$11.08 per hour. All members present voting aye. Motion carried.

Moved by Wiese, seconded by Fischbach to recognize Marcus Selzler, Brown County Highway Department Employee for 25 years of dedication, service and commitment to Brown County. All members present voting aye. Motion carried.

AUDITORS REPORT OF ACCOUNT:

Moved by Feickert, seconded by Wiese to approve the September 2006 Auditor's Report of Account with the County Treasurer in total amount of \$9,388,109.62 (total amount of actual cash @ \$3,032.75, Wells Fargo Bank @ \$3,694.79, US Bank @ \$11,248.90, Dacotah Bank @ \$116,521.32, Petty Cash @ \$1,800.00, Fund Investments @ \$9,250,644.61, Outstanding Checks @ \$1,167.25). All members present voting aye. Motion carried.

RESTRICTED USE SITE PERMIT:

Commissioner Wiese offered the following Resolution:

RESOLUTION NO. 67-06

Authorizing the renewal of a Restricted Use Solid Waste
Disposal Facility Permit for the City of Frederick

WHEREAS, the City of Frederick 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 (DEMNR); and

WHEREAS, the DENR will review the application for renewal to determine that the facility can be operated within 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 10th day of October 2006.

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

TIF – ENGAGEMENT LETTER:

Moved by Wiese, seconded by Feickert to approve and authorize the Chairman sign engagement letter with Dorsey & Whitney LLP, as Bond Counsel Representation for possible Tax Incremental Financing Bonds for the Northern Beef Packers TIF in Brown County. All members present voting aye. Motion carried.

LEASE AGREEMENT:

Moved by Wiese, seconded by Fischbach to approve and authorize the Chairman sign agreement with Clay Walberg for lease of the following county owned property: Lot 1 and 2 Block 6 Ordway Township, Brown County, SD in amount of \$225.00 per month, commencing July 7, 2006. All members present voting aye. Motion carried.

MOTOCROSS TRACK PROPOSAL:

Kenn Bailey presented a proposal to the Commission requesting use of county owned land for a motocross track. The Commission will discuss with Kurt Smith, Fairgrounds Superintendent and Larry Gerlach, Fair Manager.

ABATEMENT:

Moved by Wiese, seconded by Feickert to approve the following Abatement: Chris Reder, assessment error (BOLS Lt 1 Larson OL 1 SW 24-122-64 – 1977 Marshfield MH) for year 2004 in amount of \$63.96; and further instruct the County Treasurer to waive all penalty and interest fees. All members present voting aye. Motion carried.

SPEED ZONE AMENDMENT:

Commissioner Feickert offered the following Resolution:

RESOLUTION NO. 66-06

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 zones, at any time they may deem necessary, and

WHEREAS, all Speed Zones throughout the County were established by Resolution No. 46-05, and

WHEREAS, the Highway Superintendent has recommended a speed zone change on a portion of County Road 14 and County Road 16.

NOW THEREFORE BE IT RESOVLED that Resolution No. 46-05 be amended as follows:

County Road #14 (Butler Road), beginning at US Highway 12 NW ¼ of Sec 22-T123N-R63W, then south 1.9 tenths miles, ending at County Road 14E SE ¼ of Sec 22-T123N-R63W, 40 MPH.

County Road #16 (Bath Corner), beginning at US Highway 12 North 1 mile in SW corner of ¼ Sec 17-T123N-R62W and ending at County Road 17 in the NW corner of ¼ Sec 17-T123N-R62W, 40 MPH.

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

OFF ROAD VEHICLE DISCUSSION:

Dirk Rogers, Highway Superintendent and Tom Schmitt, Deputy Sheriff discussed proposed off-road vehicle ordinance. It was suggested by Deputy Schmitt that a letter be sent to all property owners on

Richmond Road encouraging a neighborhood patrol be established and that extra patrols by the Sheriff's Department will be scheduled in the area. Board concurred.

EM DOCUMENTS:

Moved by Feickert, seconded by Wiese to approve and authorize the Chairman sign Certification of Authorized Official authorizing Scott Meints, EM Director to submit all material and sign all documents requested by the SDEM to qualify Brown County for participation in Federal contributions for Emergency Management Performance Grant funding. All members present voting aye. Motion carried.

Moved by Wiese, seconded by Fischbach to approve and authorize the Chairman sign Travel Authorization for Scott Meints, EM Director to travel for official emergency management purposes. All members present voting aye. Motion carried.

Moved by Feickert, seconded by Wiese to approve and authorize the Chairman sign the Emergency Management FFY2007 State and Local Agreement (SLA) between the State of South Dakota and Brown County. All members present voting aye. Motion carried.

RECESS:

The Chairman declared the Commission recessed until October 17, 2006.

Maxine Taylor – Brown County Auditor

OCTOBER 17, 2006 – GENERAL MEETING

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

MINUTES:

Moved by Wiese, seconded by Fischbach to approve the General Meeting minutes of October 10, 2006. All members present voting aye. Motion carried.

CLAIMS:

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

Payroll: Commissioners..\$2,779.85; Auditor..\$6,745.34; Treasurer..\$8,795.74; Data Processing..\$2,894.93; State's Attorney..\$11,491.62; Maintenance..\$5,356.57; Assessor..\$8,672.61; Planning & Zoning..\$500.00; Register of Deeds..\$4,359.34; Veterans Service Office..\$2,752.15; GIS..\$1,738.47; Sheriff..\$59,797.19; DOJ Grant..\$1,980.75; Communications..\$15,773.68; Coroner..\$500.00; Welfare Office..\$2,827.87; Museum..\$4,986.04; Fairgrounds & Parks..\$3,441.51; Fairboard..\$1,445.17; Extension..\$1,802.40; Weed..\$3,627.43; Emergency Management..\$2,412.00; Teen Court..\$195.75; Highway..\$28,564.60; Landfill..7,316.83 Matching Benefits: FICA..\$11,172.04; Medicare..\$2,612.76:

Supplies: Pizza Ranch..\$253.53, Language Services..\$57.20, West Payment Center..\$1290.26, HSCB..\$49.99, Avera McKennan..\$46.80, Shafer & Feld..\$316.95, Office Equip..\$117.04, Taylor Laundry..\$22.50, Woodman Refrig..\$319.30, Crescent Elec..\$109.48, McLaughlin Elec..\$1226.82, Runnings..\$38.10, Kone..\$1596.48, Dept of Revenue..\$3276.53, Ray O'Herron..\$36.50, BP Amoco..\$27.32, Hoven Auto..\$20.25, JC Penney..\$218.91, Aberdeen Chrysler Center..\$634.71, Hughes County..\$66.90, Galls..\$49.86, Moore Medical..\$171.89, Wallwork Truck Center..\$925.38, Menards..\$245.81, Macs..\$29.00, Lust Chev..\$1627.15, Interstate Battery..\$317.80, Hollands Auto..\$9.64, Great Western Tire..\$13,823.29, Economy Propane..\$388.80, DVC Girls Vac..\$15.00, Diesel Machinery..\$4890.90, Diamond Mowers..\$255.03, Dakota Oil..\$1616.64, Dakota Fluid Power..\$1454.42, Crawford MS&F..\$225.71, Clark Engineering..\$4609.26, Cedar Shore Resort..\$74.95, Artz Camera..\$620.52, Aberdeen Transmission..\$1920.80, Aberdeen Equip..\$51.06, Glas Consulting..\$81.25, Carus Pub..\$43.95, Larry Gerlach..\$70.00, Janet Wright..\$150.00, Jim River Riders..\$1800.00, Dickey County Extension..\$23.00, US Postal Service..\$840.00, New World Systems..\$7915.00, Law Enforcement Training..\$200.00, Thompson Hill Pub..\$399.95, Praxair..\$16.45, Aberdeen Radio Ranch..\$1800.00, Powerplan..\$331.17, Brown County..\$720.50, Dakota Wood Grinding..\$7681.00, Earth Tech..\$3188.48, OK Tire..\$10.00, Bound Tree..\$1093.45, BH Dist..\$270.00, SD Assoc of Fairs..\$85.00, Quality Quick Print..\$21.65, HSBC Business..\$30.45, Vosika Fencing..\$3880.00, Ameripride..\$56.77:

Publications: American News..\$273.54, Groton Indep..\$820.54, Midland Press..\$982.50:

Professional Fees: Jayson Knutson..\$60.00, Lyrita Wilkie..\$330.00, Pam Smid..\$60.00, Jackie Schraeder..\$150.00, Eide Bailly..\$259.50, Gene Wolter..\$1334.60:

Transcriptions: Richard Neal..\$31.20:

Utilities: FSH..\$165.00, City of Aberdeen..\$1341.10, Northern Valley Comm..\$72.67, James Valley Co-Op..\$140.38, Town of Frederick..\$29.25, Dependable Sanitation..\$17,474.82, Northern Elec..\$460.28, Northern Wireless Comm..\$80.45, Alltel..\$66.62:

Care of Poor: Dr/Hospital – 4 recipients..Avera St Lukes..\$1740.00, Anesthesia Care..\$160.00, Siouxland Anesthesia..\$144.00, SD Urban Indian Health..\$46.30; Rent – 7 recipients..Theodore Huss..\$240.00, Justin Shultis..\$260.00, Dale Bain..\$150.00, Don Gisi..\$220.00, BMI..\$220.00, EC Rhodes Properties..\$220.00, Catherine Allred..\$140.00; Medication – 3 recipients..Jones Drug..\$153.89, Walmart Pharm..\$137.66. All members present voting aye. Motion carried.

PERSONNEL:

Moved by Feickert, seconded by Wiese to approve the following employee step increase, effective October 22, 2006: Nyle Jensen @ \$12.89 per hour. All members present voting aye. Motion carried.

Moved by Wiese, seconded by Feickert to approve hiring Joshua Boll as full-time Deputy Sheriff, effective September 25, 2006 at \$13.89 per hour. All members present voting aye. Motion carried.

Moved by Wiese, seconded by Fischbach to approve hiring Barbara Greiner as a full-time corrections officer in the Jail, effective October 23, 2006 at \$10.82 per hour. All members present voting aye. Motion carried.

Moved by Wiese, seconded by Feickert to approve hiring Jodi Brown as part-time Deputy States Attorney, effective October 16, 2006 at pro-rated annual salary of \$24,000.00 (no benefits). All members present voting aye. Motion carried.

Moved by Feickert, seconded by Wiese to name Kim Dorsett as Chief Deputy States Attorney, effective October 16, 2006 at pro-rated annual salary of \$45,000.00 (no benefits). All members present voting aye. Motion carried.

ABATEMENT:

Moved by Wiese, seconded by Fischbach to approve and authorize the Chairman sign the following Solid Waste Fee Abatement: Earl Anderson, bare quarter (NE 24-122-65) for 2005 @ \$65.00; no residence (NE 14-122-65) for 2005 @ \$65.00. All members present voting aye. Motion carried.

FAIR BOARD APPOINTMENTS:

Moved by Feickert, seconded by Wiese to appoint Joey Kaven for an additional one-year to the Brown County Fair Board and appoint Roger Huettl, Barb Paekpe and Jamie Pulfrey to a second three-year term on the Brown County Fair Board, effective January 1, 2007. All members present voting aye. Motion carried.

HOSPITAL CLAIM:

Moved by Fischbach, seconded by Wiese to deny payment of the hospital bill for a 25 year old female @ \$17,909.64, as the individual has not provided sufficient information to determine if indigent. All members present voting aye. Motion carried.

NACO PRESCRIPTION DRUG PLAN:

Moved by Wiese, seconded by Fischbach to approve and authorize the Chairman sign application form for the NACO Prescription Drug Plan. All members present voting aye. Motion carried.

CELL TOWER DISCUSSION:

Mark McNeary, States Attorney and Dirk Rogers, Highway Superintendent discussed request for placement of a communications tower on county owned property. No action was taken at this time.

APPLICATION FOR OCCUPANCY:

Moved by Fischbach, seconded by Wiese to approve application, submitted by Northern Electric for occupancy of Highway #16 in Sec 17-T123N-R62W of the 5th P.M., Brown County, SD for SUD cable crossing. All members present voting aye. Motion carried.

Moved by Wiese, seconded by Fischbach to approve application, submitted by Northern Electric for occupancy of Highway #16 in Sec 20-T123N-R62W of the 5th P.M., Brown County, SD for underground cable crossing. All members present voting aye. Motion carried.

RURAL ADDRESS DISCUSSION:

Scott Madsen, GIS Coordinator and John McQuillen, Assistance Communications Director discussed the need for an in depth analysis of addressing within one mile of the Aberdeen City limits. Discussion will continue with all concerned parties.

MOTOCROSS TRACK PROPOSAL:

Kurt Smith, Fairgrounds Superintendent and Larry Gerlach, Fair Manager discussed the recent motocross track proposal submitted by Kenn Bailey. Moved by Wiese, seconded by Fischbach to reject the proposal for a motocross track at the Fairgrounds, submitted by Kenn Bailey. All members present voting aye. Motion carried.

FAIR BOARD MEMBERS:

Larry Gerlach submitted a list of potential Fair Board Members to the Commission for review. Letters of interest will be sent.

EASEMENT:

Robert Hornstra and Rick Stugelmeyer, Northern Valley Communications discussed an easement across county owned land at the Fairgrounds for placement of underground communications cable. Board concurred and instructed Northern Valley to proceed with proper documentation.

RESIDENTS CONCERNS:

Bud Dennert, area resident voiced concerns about various operations of county government.

RECESS:

The Chairman declared the Commission recessed until October 24, 2006.

Maxine Taylor – Brown County Auditor

OCTOBER 24, 2006 - JOINT CITY/COUNTY MEETING

The Brown County Commission and the Aberdeen City Council 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 Council Members Agnitsch, Aman, Bunsness, Campbell, Mitchell, Rux and Mayor Levsen. Absent Council Members Hodgins and McQuillen. Present from County were Commissioners Fischbach, Feickert, Wiese and Knecht. Absent Commissioner Hansen

ORDINANCE NO. 06-10-03/334:

On motion by Bunsness and seconded by Mitchell, the City unanimously voted to approve First Reading of Ordinance No. 06-10-03/334.

Moved by Fischbach, seconded by Wiese to approve First Reading of Ordinance No. 06-10-03/334, An Ordinance amending Ordinance No. 1164 to rezone the following described property from its present zoning designation of Section 701 (A-1) Agricultural District to Section 714 (M-AG), Mini-Agricultural District: Lot 1, Block 3, Moulton's First Subdivision in the SE ¼ of Sec 2-T122N-R64W of the 5th P.M., Brown County, SD. All members present voting aye. Motion carried.

The City Council adjourned and the County Commission continued into the regular meeting.

Maxine Taylor - Brown County Auditor

OCTOBER 24, 2006 – GENERAL MEETING

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

MINUTES:

Moved by Wiese, seconded by Feickert to approve the General Meeting minutes of October 17, 2006. All members present voting aye. Motion carried.

CLAIMS:

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

Supplies: Clark Title..\$300.00, FP Mailing Solutions..\$504.00, CMRS-FP..\$5000.00, Office Equip..\$278.88, Midwest Rubber Stamp..\$12.00, Quality Quick Print..\$145.65, Secretary of State..\$25.00, New Trends..\$14.99, Ecolab..\$162.50, Midwest Alarm..\$114.00, Crescent Elec..\$603.72, Chem Lawn..\$202.60, Aberdeen Plumbing..\$135.02, Gardner Locksmith..\$20.00, HSBC Business Solutions..\$889.07, Lar-Jos..\$373.00, Dodge Co..\$250.77, Exhaust Pros..\$22.95, ATD American Co..\$199.97, DT Pharm..\$3157.93, Galls..\$799.53, Eddies Northside..\$90.00, Superior Diving Repair..\$380.00, Pacer Service Center..\$16.88, SD Sheriff Assn..\$195.00, Macs..\$7.14, Earthgrains..\$514.76, Phillips 66..\$35.01, Langs..\$69.00, K-Mart..\$864.36, Dremel..\$8.85, 3-D Specialists..\$50.36, Schwan Welding..\$142.60, Gary's Auto Body..\$12.67, Erdmann Fuels..\$1014.13, Cass County Heating..\$531.75, Menards..\$9.98, Midwest Art Conservation Center..\$100.00, SD Federal Property..\$250.00, Direct Safety..\$32.09, Dakota Supply Group..\$11.51, Van Diest Supply..\$1060.40, Division of Ag..\$80.00, Dakota Custom Laser Engraving..\$38.85, Walmart..\$453.81, Midwest Pump & Tank..\$253.83, Underground Utility Locating Service..\$245.34, Aberdeen Rural Firefighters..\$150.00, City of Groton..\$3939.92, NECOG..\$3949.08, New Beginnings..\$5641.60, Safe Harbor..\$3350.97, Brown County..\$181.23:

Publications: American News..\$1867.18:

Professional Fees: witness fee..\$20.00, Avera Queen of Peace..\$72.00, Jackie Schraeder..\$120.00, Jayson Knutson..\$60.00, Jason Engel..\$150.00, Lyrta Wilkie..\$90.00, Pam Smid..\$60.00, NE Mental Health..\$58.52, Lewis & Clark BHS..\$130.00, Sheriff of Yankton County..\$16.50, Donna Dietrich..\$199.28, NADRIC..\$1666.67, Avera St Lukes..\$1740.00, Norma Andersen..\$15.00, Cathy Rehfuß..\$15.00:

Transcriptions: Kristi Kost..\$105.00:

Travel: Tom Fischbach..\$238.08, Allen Vietmeier..\$107.20, City of Groton..\$77.44:

Court Appointed Attorney: William Gerdes..\$4166.67, Kuck Law Office..\$4166.67, Kelly Marnette..\$4166.67, Randy Turner..\$4166.67, Christy Serr..\$4166.67, Kettering Law Office..\$118.80, Yankton County..\$192.10, Brevik Law Office..\$176.30, Gary Mikelson..\$159.57, Garrett Horn..\$179.60:

Utilities: Alltel..\$494.09, Tel Serv..\$79.30, Midcontinent Cable..\$96.24, Bureau of Admin..\$566.16, Qwest..\$3994.63, Northern Elec..\$241.52, Northwestern Energy..\$2195.36:

Care of Poor: Dr/Hospital – 5 recipients..Avera St Lukes..\$18,113.07, North Central Heart..\$1537.50, Aberdeen Nephrology..\$59.00: Rent – 2 recipients..Tom Hinz..\$150.00, Larry Dingman..\$240.00; Medication - 1 recipient..Walmart..\$654.42; Transportation – 1 recipient..\$28.78. All members present voting aye. Motion carried.

PERSONNEL:

Moved by Wiese, seconded by Feickert to approve hiring Kathy Fischbach as part-time Deputy Auditor, effective October 23, 2006 at \$10.86 per hour. All members present voting aye. Motion carried.

SHERIFF REPORTS:

Moved by Wiese, seconded by Fischbach to approve the following September 2006 Sheriff Reports: Incidents and Offenses, Prisoner Care, JDC, Money deposited with the County Treasurer and Monthly activities. All members present voting aye. Motion carried.

PLATS:

Commissioner Feickert offered the following Resolution:

Resolution No. 67-06

BE IT RESOLVED by the Board of County Commissioners of Brown County, SD, that the plat showing "Corrective Plat of Spurs Addition in the NW ¼ of Sec 6-T123N-R63W of the 5th P.M., Brown County, SD", 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-absent, Fischbach-aye, Feickert-aye, Wiese-aye, Knecht-aye. Resolution adopted.

Commissioner Feickert offered the following Resolution:

Resolution No. 68-06

BE IT RESOLVED by the Board of County Commissioners of Brown County, SD, that the plat showing "Altman-Bitz Subdivision in the SW ¼ of Sec 24-T124N-R64W of the 5th P.M., Brown County, SD", 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-absent, Fischbach-aye, Feickert-aye, Wiese-aye, Knecht-aye. Resolution adopted.

Commissioner Feickert offered the following Resolution:

Resolution No. 69-06

BE IT RESOLVED by the Board of Commissioners of Brown County, SD, that the plat showing "Ferney Tower Site in the SW ¼ of Sec 20-T121-R61, Brown County, SD", 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-absent, Fischbach-aye, Feickert-aye, Wiese-aye, Knecht-aye. Resolution adopted.

Commissioner Fischbach offered the following Resolution:

Resolution No. 70-06

BE IT RESOLVED by the Board of Commissioners of Brown County, SD, that the plat showing "Claremont South Tower Site in the W ½ NW ¼ of Sec 11-T124-R60, Brown County, SD", 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-absent, Fischbach-aye, Feickert-aye, Wiese-aye, Knecht-aye. Resolution adopted.

Commissioner Feickert offered the following Resolution:

Resolution No. 71-06

404

BE IT RESOLVED by the Board of Commissioners of Brown County, SD, that the plat showing "Frederick RST10 Tower Site in the SW ¼ SW ¼ of Sec 36-T126-R64, Brown County, SD", 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-absent, Fischbach-aye, Feickert-aye, Wiese-aye, Knecht-aye. Resolution adopted.

Commissioner Wiese offered the following Resolution:

Resolution No. 72-06

BE IT RESOLVED by the Board of Commissioners of Brown County, SD, that the plat showing "Columbia Tower Site in the NW ¼, except Highway, of Sec 30-T125-R61, Brown County, SD", 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-absent, Fischbach-aye, Feickert-aye, Wiese-aye, Knecht-aye. Resolution adopted.

Commissioner Wiese offered the following Resolution:

Resolution No. 73-06

BE IT RESOLVED by the County Commission of Brown County, SD, that the plat showing "Aberdeen Creek Side Subdivision in E ½ Sec 25-T123N-R64W 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 Hansen-absent, Fischbach-aye, Feickert-aye, Wiese-aye, Knecht-aye. Resolution adopted.

Commissioner Feickert offered the following Resolution:

Resolution No. 74-06

BE IT RESOLVED by the Board of Commissioners of Brown County, SD, that the plat showing "Hettich First Addition in the NE ¼ of Sec 22-T123N-R64W 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 Fischbach. Roll call vote: Commissioners Hansen-absent, Fischbach-aye, Feickert-aye, Wiese-aye, Knecht-aye. Resolution adopted.

Commissioner Fischbach offered the following Resolution:

Resolution No. 75-06

BE IT RESOLVED by the Board of County Commissioners of Brown County, SD, that the plat showing "DOK-B Subdivision in the SE ¼ of Sec 22-T123N-R64W of the 5th P.M., Brown County, SD", having been examined, is hereby approved in accordance with the provisions of SDCL 11-3, and any amendments thereof.

405

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

Commissioner Fischbach offered the following Resolution:

Resolution No. 76-06

BE IT RESOLVED by the County Commission of Brown County, SD, that the plat showing "Jacobs' Outlots in the NE ¼ of Sec 9-T123N-R64W 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 Feickert. Roll call vote: Commissioners Hansen-absent, Fischbach-aye, Feickert-aye, Wiese-aye, Knecht-aye. Resolution adopted.

ALCOHOLIC BEVERAGE TRANSFER HEARING:

Time and place, as advertised for public hearing to consider transfer of Alcoholic Beverage Licenses. Moved by Wiese, seconded by Fischbach to approve the following: Transfer Retail (On Sale) Liquor License from Daniel A Brandenburger, DBA Elm Lake Resort to Dave Schumaker, DBA Elm Lake Resort (Lot 1 Elm Lake Resort Subdivision in the SE ¼ of Sec 8-T128N-R65W, ex that portion of road r/o/w, Brown County South Dakota); and Transfer Retail (On-Sale) Malt Beverage License from Daniel A Brandenburger, DBA Elm Lake Resort to Dave Schumaker, DBA Elm Lake Resort (Lot 1 Elm Lake Resort Subdivision in the SE ¼ of Sec 8-T128N-R65W, ex that portion of road r/o/w, Brown County South Dakota). All members present voting aye. Motion carried.

COMMISSARY:

Moved by Wiese, seconded by Feickert to add facial scrub, nail clippers, dandruff shampoo and sensitive toothpaste to items currently available (shampoo, lotion, lip balm, soap, toothpaste, toothbrushes and deodorant) for inmates to purchase through the Sheriff's Department. All members present voting aye. Motion carried.

BCCHC REPORT:

DeAnna Kyburz presented the Brown County Community Health Center Report for July – September 2006.

APPLICATIONS FOR OCCUPANCY:

Moved by Wiese, seconded by Fischbach to approve application, submitted by Northern Electric for occupancy of Brown County Highway #16 in Sec 19/17 and 20/18-T123N-R62W of the 5th P.M., Brown County, SD to install electrical cable. All members present voting aye. Motion carried.

Moved by Fischbach, seconded by Wiese to approve application, submitted by Northern Electric for occupancy of Brown County Highway #23 in Sec 2/3-T121N-R61W of the 5th P.M., Brown County, SD to install electrical cable. All members present voting aye. Motion carried.

RECESS:

The Chairman declared the Commission recessed until October 31, 2006.

Maxine Taylor – Brown County Auditor

OCTOBER 31, 2006 - JOINT CITY/COUNTY MEETING

The Brown County Commission and the Aberdeen City Council 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 Council Members Agnitsch, Aman, Campbell, Hodgin, Rux and Mayor Levsen. Absent Council Members Bunsness, McQuillen and Mitchell. Present from County were Commissioners Hansen, Fischbach, Feickert, Wiese and Knecht.

ORDINANCE NO. 06-10-03/334:

On motion by Rux and seconded by Agnitsch, the City unanimously voted to approve Second Reading and Adoption of Ordinance No. 06-10-03/334.

Moved by Fischbach, seconded by Feickert to approve Second Reading and Adoption of Ordinance No. 06-10-03/334, An Ordinance amending Ordinance No. 1164 to rezone the following described property from its present zoning designation of Section 701 (A-1) Agricultural District to Section 714 (M-AG), Mini-Agricultural District: Lot 1, Block 3, Moulton's First Subdivision in the SE ¼ of Sec 2-T122N-R64W of the 5th P.M., Brown County, SD. Roll call vote: Commissioners Hansen-aye, Fischbach-aye, Feickert-aye, Wiese-aye, Knecht-aye. Ordinance adopted.

The City Council adjourned and the County Commission continued into the regular meeting.

Maxine Taylor - Brown County Auditor

OCTOBER 31, 2006 – GENERAL MEETING

Meeting called to order by Chairman Knecht at 8:45 A.M. in the Commissioner's Chambers, Courthouse Annex, Brown County, SD. Present were Commissioners Hansen, Fischbach, Feickert, 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, 2006. All members present voting aye. Motion carried.

CLAIMS:

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

Payroll: Commissioners..\$2,779.85; Auditor..\$6,745.34; Elections..\$1400.99, Treasurer..\$8,795.74; Data Processing..\$2,894.93, State's Attorney..\$11,472.38; Maintenance..\$5,464.78; Assessor..\$8,676.35; Planning & Zoning..\$500.00; Register of Deeds..\$4,444.74; Veterans Service Office..\$2,722.87; GIS..\$1,738.47; Sheriff..\$62,751.10; Communications..\$17,079.36; Welfare Office..\$2,827.87; Museum..\$4,986.04; Fairboard..\$1,445.17; Fairgrounds & Parks..\$3,400.83; Extension..\$1,802.40; Weed..\$2,385.70; Emergency Management..\$4,003.59; Teen Court..\$141.75; Highway..\$27,855.42; Landfill..\$7,118.09; Matching Benefits: FICA..\$11,337.93, Medicare..\$2,651.59, Wellmark BCBS Life..\$668.96, Wellmark BCBS Health..\$60,403.70, Delta Dental..\$3,915.00, SD State Retirement..\$23,138.21:

Supplies: CDW Govt..\$1890.28, Dept of Leg Audit..\$14457.98, Office Equip..\$565.94, Best Business..\$474.36, Bob Barker..\$296.83, Hewlett Packard..\$537.00, Wholesale Electronics..\$300.75, Vantek..\$46.00, Galls..\$406.64, OK Tire..\$7.00, Lawson Products..\$98.23, Diesel Machinery..\$4426.78, Custom Glass..\$495.64, Creative Signs..\$100.00, Walmart..\$554.75, Creative Signs..\$60.00, North Dakota Fairs Assoc..\$1900.00, Farm Power..\$75.00, Century Business Products..\$70.00, HSBC..\$120.39, AgBio Comm..\$82.14, Menards..\$59.99, Heartland Paper..\$511.50, Central Supply..\$186.00, Dakota Supply..\$11.89, McFarland Supply..\$216.58, McDonald Supply..\$80.98, Taylor Laundry..\$24.00, Fire Safety First..\$2.25, Ameripride..\$41.76, Aberdeen Plumbing..\$180.89, Cartney Bearing..\$16.36, Brick Propane..\$13.75, Nelson Sales..\$76.48, UBC..\$5.20, Crescent Elec..\$391.32, RE Carlson..\$116.04, Racom..\$82.40, DSS Image Apparel..\$183.80, Safety Benefits..\$150.00, APCO..\$448.00, Priority Dispatch..\$2790.00, Bonnie Siebrecht..\$52.79, SD Voices for Children..\$21.18, Dakota Electronics..\$37,155.00, RL Polk..\$395.00, Aberdeen C&F..\$710.00, OK Tire..\$20.00, Gemplers..\$252.95, Butler Machinery..\$2791.95:

Publications: American News..\$222.78:

Jury: Christopher Allen..\$176.40, Mark Anderson..\$176.40, Rebecca Anderson..\$33.84, Bernard Artz..\$22.56, Brian Bahr..\$64.56, Larry Bain..\$11.28, Diane Beaman..\$150.72, Lorraine Billy..\$43.44, Nicole Bowman..\$125.12, Vicki Breidenbach..\$313.76, Verla Brooks..\$22.56, Sandra Brunson..\$33.84, Preston Buechler..\$22.56, Stephen Burleson..\$176.40, Teresa Campbell..\$52.00, Jennifer Clarys..\$11.28, Peggy Cox..\$11.28, Elizabeth Crogan..\$33.84, Brigid Culey..\$33.84, Lester Cummings..\$25.12, Peggy Dennert..\$144.56, Sharon Erickson..\$102.56, Ronald Falk..\$64.56, Wayne Feller..\$91.44, Linda Fix..\$33.84, Kristi Forsting..\$231.68, Kenneth Fuhrmann..\$33.84, Mario Gourde..\$33.84, Marcia Hansen..\$165.12, Caroline Harris..\$22.56, Lora Haugaard..\$267.68, Alline Heidenreich..\$33.84, Gregory Heier..\$125.12, Floyd Heiser..\$33.84, Sharmie Henderson..\$22.56, Marylou Hill..\$165.12, Troy Hofer..\$176.40, Sandra Huckaby..\$11.28, Eric Johannesen..\$11.28, Janet Johnson..\$165.12, Ryan Johnson..\$272.40, Larry Jones..\$33.84, Kay Kamm..\$35.36, Delbert Kaup..\$22.56, Marlene Klein..\$176.40, Laurie Knott..\$11.28, David Kraft..\$49.20, Jeremy Krueger..\$56.88, Effie Larson..\$33.84, Stephen Larson..\$33.84, Mitchell Locke..\$250.00, Mary Lunzman..\$22.56, Jeffrey Mahlke..\$196.80, Linda Malsom..\$176.40, Tyler Marken..\$125.12, Lillian Marttila..\$87.60, Audrey McFarland..\$13.84, Nancy McGarry..\$176.40, Randall Mehlhaff..\$49.44, Gerald Nichols..\$183.04, Daniel Mikolas..\$22.56, Daniel Northrop..\$22.56, Jacqueline Ohleen..\$33.84, Ricky Pesek..\$22.56, Arden Raap..\$33.84, Dallas Ravellette..\$22.56, Rhona Rohrbach..\$125.12, Charles Ruckman..\$33.84, Janet Schatz..\$202.00, Helen Schauer..\$267.68, Daniel Schlosser..\$49.20, Albert Schaidt..\$22.56,

Richard Schrenk..\$33.84, Jerry Schumack..\$22.56, Donald Smith..\$11.28, Hope Smith..\$33.84, Wade Stewart..\$22.56, Jeffrey Storly..\$177.92, Fern Sumption..\$22.56, Dawn Theunissen..\$33.84, Tim Thoreson..\$176.40, Don Tomlinson..\$22.56, Charlotte Trebilcock..\$176.40, Thomas Twete..\$125.12, Robert VanWinkle..\$11.28, Kathleen Vilhauer..\$33.84, Patricia Wall..\$22.56, Kathleen Webb..\$176.40, Elsie Weigel..\$176.40, Bryan Wolf..\$176.40, Kervin Wolter..\$64.56, Sharon Zastrow..\$336.80, Harley Zephier..\$182.80:

Professional Fees: witness fees..\$20.00, Dental Center..\$397.91, Orthopedic Surgery..\$104.55, Avera St Lukes..\$1283.30, Northern Plains Psych..\$172.16, Avera United Clinic..\$177.00, Scott Meints..\$1015.60:

Transcriptions: Cheryl Hook..\$53.20:

Travel: Tom Gohn..\$345.76, Kathy Schlecht..\$509.16, Cedar Shore Resort..\$124.00, Scott

Madsen..\$87.64, Gene Loeschke..\$204.16, Gary Erickson..\$189.04:

Utilities: Midcontinent Cable..\$233.22, Qwest..\$80.69, Alltel..\$500.04, Northwestern Energy..\$6166.19, Montana Dakota..\$14.64, WEB..\$58.03:

Care of Poor: Dr/Hospital – 5 recipients..North Central Heart..\$6139.34, Denture Clinic..\$880.00, Dakota Imaging..\$83.94, Aberdeen Surgical Assoc..\$930.04, United Clinic..\$531.41, Avera St Lukes..\$28,856.07, Orthopedic Surgery..\$403.12, Medical Xray..\$39.76; Utilities – 1 recipient..NWPS..\$231.06; Medication - recipient..Econofoods Pharm..\$413.78; Transportation – 1 recipient..Brown County Hwy..\$33.20; Rent – 1 recipient..Wilbert Schultz..\$220.00. All members present voting aye. Motion carried.

PERSONNEL:

Moved by Wiese, seconded by Feickert to approve the following employee step increases, effective November 5, 2006: Sheila Anderson @ \$13.95 per hour, Mavis Kempf @ \$15.62 per hour, Nick Fullmer @ \$11.75 per hour. All members present voting aye. Motion carried.

Moved by Feickert, seconded by Wiese to acknowledge resignation of Alicia Dohn, effective October 24, 2006 and Melony Flinn, effective November 2, 2006. All members present voting aye. Motion carried.

CONSOLIDATED BOARD OF EQUALIZATION:

Commissioner Wiese offered the following Resolution:

RESOLUTION NO. 77-06

A RESOLUTION TO ESTABLISH CONSOLIDATED BOARD OF EQUALIZATION PURSUANT TO SDCL 10-11-66 THROUGH 10-11-77

BE IT RESOLVED by the Brown County Commission, Brown County, SD that a consolidated Board of Equalization as authorized by 10-11-66 shall be established pursuant to the Resolution of the Governing Boards of Brown County, City of Aberdeen, and the Aberdeen School District 6-1. The consolidated Board of Equalization as created by this Resolution shall be authorized to exercise all powers contained in SDCL 10-11.

BE IT FURTHER RESOLVED that three members from the Brown County Commission and one member of the Aberdeen City Council and one member of the Aberdeen School District 6-1 School Board shall constitute a consolidated Board of Equalization as provided by SDCL 10-11-66.

BE IT FURTHER RESOLVED that the Aberdeen City Council, Brown County Commission and the Aberdeen School District 6-1 shall be responsible for the per diem and salary and mileage costs of the respective members that serve on the Consolidated Board of Equalization. Brown County Commission shall be responsible for the ordinary and customary expenses associated with the equalization of property including appeals to the State of South Dakota Office of Hearing Examiners. The financial responsibilities contained in this resolution shall remain unless, either the Aberdeen City Council, Brown

County Commission or the Aberdeen School District 6-1 shall request that they be modified prior to December 1st of each year.

THIS RESOLUTION shall be binding upon the Brown County Commission, Brown County, SD upon each governing body adopting this Resolution according to law.

Dated this 31st day of October 2006.

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

QCD:

Moved by Feickert, seconded by Hansen to approve and authorize the Chairman sign Quit Claim Deed to the City of Aberdeen all interest held by Brown County in the following real estate: Hoff's OL 1 Lot 12, Blk 3, Addison's Addition to the City of Aberdeen, Brown County, SD. All members present voting aye. Motion carried.

NE SD REGIONAL COUNCIL ON AGING:

Moved by Fischbach, seconded by Wiese to re-appoint Linda Dillavou and Gloriane Yost to a one-year term as the Brown County representatives on the Northeast South Dakota Regional Council on Aging. All members present voting aye. Motion carried.

CLAIM ASSIGNMENT:

Moved by Wiese, seconded by Feickert 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.

ABATEMENT:

Moved by Hansen, seconded by Wiese to approve the following Solid Waste Abatement: David M Kalt, single dwelling (NW ¼ NW ¼ 14-121-64) for 2005 in amount of \$65.00. All members present voting aye. Motion carried.

TIF NUMBER ONE:

Commissioner Hansen offered the following Resolution:

RESOLUTION NO. 78-06
RESOLUTION RELATING TO TAX INCREMENTAL DISTRICT NUMBER ONE;
CREATING THE TAX INCREMENTAL DISTRICT;
ESTABLISHING THE BOUNDARIES THEREOF;
AND ADOPTING A PROJECT PLAN THEREFOR

WHEREAS, a public hearing was held before the Planning Commission of Brown County, South Dakota (the "Planning Commission"), on Tuesday, October 17, 2006, pursuant to notice of such hearing for the purpose of considering the creation of a tax incremental district and its proposed boundaries; and

WHEREAS, the Planning Commission did at its regular meeting on Tuesday, October 17, 2006, after a second reading, pass a resolution recommending the creation and boundaries of such tax incremental district and did submit such recommendation to the Board of Commissioners (the "Board") of Brown County, South Dakota (the "County"); and

WHEREAS, the Planning Commission has heretofore prepared a project plan (the "Project Plan") for Tax Incremental District Number One and passed a resolution approving the Project Plan and did submit the recommendation for adoption of the Project Plan to the Board of the County; and

WHEREAS, such action by the Planning Commission was done in accordance with SDCL Chapter 11-9 and such action by the Planning Commission was done at regular meetings after notice properly given and after due hearing and being appropriately and properly advised.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF BROWN COUNTY, SOUTH DAKOTA, as follows:

1. The boundaries of the proposed tax incremental district be and the same are hereby designated as:

Lot 2 South Side Industrial Subdivision in the North Half and Southeast Quarter of Section 36, Township 123 North, Range 64 West of the 5th P.M., according to the plat thereof of record, Brown County, South Dakota.

2. Such tax incremental district contains property all of which is blighted because it substantially impairs or arrests the sound growth of the County, and the improvement of the area is likely to enhance significantly the value of substantially all other real property within the district and immediately adjacent thereto.

3. The district is hereby created with an effective date of October 31, 2006.

4. The district shall be named and designated as Tax Incremental District Number One, Brown County, South Dakota.

5. The aggregate assessed value of the taxable properties in the district, plus the tax incremental base of all other existing tax incremental districts in the County, does not exceed 10% of the total assessed value of taxable property in the County.

6. The Project Plan is feasible and in conformity with the master plan of the County, and the Project Plan is hereby adopted.

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

RICHMOND LAND DISCUSSION:

Mark McNeary, States Attorney discussed approximately 63 acres of land co-owned by Brown County and Aberdeen City at Richmond Lake and the ongoing discussion about future use of the property. No action taken at this time.

EXECUTIVE SESSION:

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

The Chairman declared the executive session closed with no action taken as a result of the discussion.

RECESS:

The Chairman declared the Commission recessed until November 7, 2006.

Maxine Taylor – Brown County Auditor

NOVEMBER 7, 2006 – GENERAL MEETING

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

MINUTES:

Moved by Wiese, seconded by Feickert to approve the Joint City/County Meeting minutes and the General Meeting minutes of October 31, 2006. All members present voting aye. Motion carried.

CLAIMS:

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

Supplies: Best Business..\$214.25, Brown & Saenger..\$674.64, SD Assoc of County Comm..\$11,192.83, New Trends..\$2124.60, Office Equip..\$378.05, Quality Quick Print..\$675.96, Shafer & Feld..\$16.00, Exec Mgmt..\$2667.09, Carlson Travel..\$1112.70, Dept of Revenue..\$5443.97, Jayson Knutson..\$60.00, Jason Engel..\$60.00, Lyrita Wilkie..\$150.00, Pam Smid..\$280.00, Nat'l College of Dist Attorney..\$50.00, Artz Camera..\$33.95, Menards..\$32.89, UBC..\$34.35, Dacotah Prairie Museum..\$3.70, Kens Superfair Foods..\$4.69, Runnings..\$341.53, Western States Fire..\$190.00, OK Tire..\$10.00, Farnams Parts..\$5.56, Kens Alignment..\$293.12, Pro Ag Supply..\$29.04, Macs..\$57.54, 4-H Dist Center..\$11.47, DSS Image Apparel..\$5.00, Gene Wolter..\$622.40, Streichers..\$207.94, Pizza Ranch..\$64.94, SWANA..\$237.00, Bricks Propane..\$3793.00, Dakota Oil..\$91.32, Midwest Pump & Tank..\$12.54, Dakota Fluid Power..\$120.01, Cunningham Elec..\$322.83, Menards..\$642.48, Cole Papers..\$1165.56, Erdmann Oil..\$3921.55, Petroleum Partners..\$1010.90, North Central Steel..\$81,215.50, Teemark Corp..\$203.98, Praxair..\$16.60, Powerplan..\$1517.88, Eide Bailly..\$255.00, SD Law Review..\$68.02, West Payment Center..\$1032.26, Dakota Electronics..\$55.00, Gardner Locksmith..\$415.00, Language Line Service..\$684.30, Racom..\$247.20, Tri State Water..\$25.20, Fire Safety First..\$31.46, Parcel Erickson..\$26.95, Electronic Security Equip..\$134.82, Bob Barker..\$192.37, Velvet Uniforms..\$90.94, Walmart..\$527.19:

Publications: Groton Indep..\$1359.47, American News..\$313.62:

Professional Fees: Pennington County Sheriff..\$26.82, Avera St Lukes..\$580.00:

Transcriptions: Cheryl Hook..\$23.60, Kristi Kost..\$52.50, Slowey Court Reporting..\$187.50:

Travel: Mary Worlie..\$138.00, Leo Leshner..\$474.88, Kathy Fischer..\$111.36, Gene Loeschke..\$60.48, Brookings Inn..\$388.50, Marg Zastrow..\$306.00, Sherry Theobald..\$14.72:

Utilities: Northwestern Energy..\$99.77, Web Water..\$74.24, Qwest..\$32.20, Verizon..\$43.84:

Care of Poor: Dr/Hospital – 5 recipients..Avera St Lukes..\$10,291.64, Avera Heart Hospital..\$16,578.35, Dr J L Gerber..\$964.99, Sioux Valley Health System..\$499.51, Nephrology Assoc..\$328.55, Anesthesia Care..\$176.00; Utilities – 2 recipients..NWPS..\$225.06; Medication – 4 recipient..Jones Drug..\$153.89, Walmart Pharm..\$94.14, Kessler Pharm..\$30.99; Transportation – 4 recipients..Jefferson Lines..\$421.94; Rent – 7 recipient..Aberdeen Mobile Home Park..\$180.00, Dale Bain..\$150.00, Zumbaum Property Mgmt..\$220.00, Eisenbeis Mobile Home Court..\$280.00, Frank Ringer..\$200.00, Circus Sports Bar..\$220.00, Fred Marnette..\$260.00; Burial – 1 recipient..City of Aberdeen..\$400.00. All members present voting aye. Motion carried.

CITIZENS CORP:

Moved by Wiese, seconded by Fischbach to shift positions on the Citizens Corp, as follows: Freddie Robinson, Representative at Large (term ending December 31, 2007) and Scott Meints, Emergency Management Representative (term ending December 31, 2008). All members present voting aye. Motion carried.

SET HEARING DATE:

Moved by Feickert, seconded by Fischbach to set date for joint public meeting of the Brown County Commission and Aberdeen City Council for 8:45 a.m. on November 28, 2006 in the Brown County

Commission Chambers, 25 Market Street for First Reading of the following: Ordinance No. 06-11-01/335, An Ordinance to rezone the following property from Section 701 (A-1) Agricultural District to Section 714 (M-AG) Mini-Agricultural District: Mayers Subdivision in the SE ¼ of Sec 25-T124N-R64W; Ordinance No. 06-11-02/336, An Ordinance to rezone the following property from Section 701 (A-1) Agricultural District to Section 704 (R-2) Medium Density Residential District: Witte Lot 1 of Aberdeen Creek Side Subdivision in the E ½ of Sec 25-T123N-R64W of the 5th P.M., Brown County, SD; Ordinance No. 06-11-03/337, An Ordinance to rezone the following property from Section 701 (A-1) Agricultural District to Section 714 (M-AG) Mini-Agricultural District: Gardner's OL A in the SE ¼ of Sec 25-T123N-R64W and portion of Halls OL 1; Ordinance No. 06-11-04/338, An Ordinance to rezone the following property from Section 707 (C-2) Highway Commercial District and Section 704 (R-2) Medium Density Residential District to Section 707 (C-2) Highway Commercial District: Hettich First Addition in the NE ¼ of Sec 22-T123N-R64W of the 5th P.M., Brown County, SD. All members present voting aye. Motion carried.

WEED AND PEST GRANT APPLICATION:

Moved by Feickert, seconded by Wiese to approve and authorize the Chairman sign application for Weed and Pest Grant Funds from the SD Department of Agriculture. All members present voting aye. Motion carried.

PROPERTY TRANSFER:

Moved by Wiese, seconded by Hansen to approve and authorize the Chairman sign agreements with the following who received equipment from the 2004 ODP Equipment Grant Program: Lance Bunke (radio); BC Dive Team (10 pagers); BCSO (3 pagers); 2005 ODP Equipment Grant Program: City of Warner (outdoor warning sirens); BC GIS (GIS software, plotter/printers). All members present voting aye. Motion carried.

FAIR BOARD MEMBER APPOINTMENTS:

Moved by Wiese, seconded by Feickert to appoint Dave Johnson and Nathan Kessler to the Brown County Fair Board, effective January 1, 2007 – December 31, 2009. All members present voting aye. Motion carried.

WEED AND SEED:

Moved by Feickert, seconded by Wiese to approve the Brown County Weed and Seed Monthly Expenses for October 2006 (Year Four 2005-WS-Q5-0089), in amount of \$16,465.24. All members present voting aye. Motion carried.

PREVENTION GRANT:

Moved by Wiese, seconded by Feickert to approve and authorize the Chairman sign Addendum No. 6 to contract with Lutheran Social Services for School Based and Wrap Around Program at Aberdeen Central High School in amount of \$34,000.00, effective October 1, 2005 - September 30, 2006, to be funded by DOJ Special Appropriation Grant #2001-JS-FX-0014-Year Four. All members present voting aye. Motion carried.

Moved by Wiese, seconded by Feickert to approve and authorize the Chairman sign Addendum No. 6 to contract with Lutheran Social Services for School Based and Wrap Around Program in rural Brown County in amount of \$27,000.00, effective October 1, 2005 – September 30, 2006, to be funded by DOJ Special Appropriation Grant #2001-JS-FX-0014-Year Four. All members present voting aye. Motion carried.

AUDITORS REPORT OF ACCOUNT:

Moved by Hansen, seconded by Wiese to approve the September 2006 Auditor's Report of Account with the County Treasurer in total amount of \$19,143,630.42 (total amount of actual cash @ \$2,794.83, Wells Fargo Bank @ \$3,694.79, US Bank @ \$23,971.79, Dacotah Bank @ \$76,597.19, Petty Cash @ \$1,800.00, Fund Investments @ \$19,034,066.65, Outstanding Checks @ \$705.17). All members present voting aye. Motion carried.

COMMUNICATIONS COUNCIL AGREEMENT:

Moved by Hansen, seconded by Wiese to approve and authorize the Chairman sign Intergovernmental Agreement between Brown County and the City of Aberdeen for the operation of the Brown County Regional Communications Center. All members present voting aye. Motion carried.

APPLICATIONS FOR OCCUPANCY:

Moved by Hansen, seconded by Feickert to approve and authorize the Chairman sign application, submitted by Ronald Maddocks for occupancy of Brown County Highway #7 in Sec 12 & 13-T126N-R63W, Brown County, SD to provide pasture water. All members present voting aye. Motion carried.

Moved by Feickert, seconded by Fischbach to approve and authorize the Chairman sign application, submitted by Qwest Corporation for occupancy of Brown County Highway #16 (395th Ave) in Sec 8 & 7-T123N-R62W, Brown County, SD to provide telephone service. All members present voting aye. Motion carried.

JAIL/JDC NURSE:

Mark Milbrandt, Marcy Fritz, Any Lake-Harmon and John VanderHoek met to update the Commission on the benefits of having a nurse employed at the Jail and JDC.

EXECUTIVE SESSION:

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

The Chairman declared the executive session closed with no action taken as a result of the discussion.

FLOOD MAP:

Robin Bobzien, Aberdeen City Engineer discussed the Flood Insurance Study Report and Flood Insurance Rate Map for Aberdeen City and surrounding area in the County and stated that approximately 1200 homes will move from a 100 year flood plan to a 500 year flood plan.

RECESS:

The Chairman declared the Commission recessed until November 14, 2006.

Maxine Taylor – Brown County Auditor

NOVEMBER 9, 2006 – CANVASS OF NOVEMBER 7, 2006 GENERAL ELECTION

Brown County Commissioners Nancy Hansen, Tom Fischbach, Deb Knecht, City Council Members Bill McQuillen, Nancy Aman, Lloyd Hodgins, Jeff Mitchell, Dave Bunsness, Clint Rux and Mayor Mike Levensen convened for purpose of canvassing the November 7, 2006 General Election, as authorized by SDCL 12-20-36 at 4:00 p.m. November 9, 2006 in the Commissioner's Chambers, Courthouse Annex, Brown County, SD.

ABERDEEN CITY PRECINCTS

#001 Ballots Counted	1431
#002 Ballots Counted	842
#003 Ballots Counted	1273
#004 Ballots Counted	695
#005 Ballots Counted	606
#006 Ballots Counted	1412
#007 Ballots Counted	1154
#008 Ballots Counted	753
#009 Ballots Counted	1017
One Provisional Ballot – not counted	
#010 Ballots Counted	740
#011 Ballots Counted	1007

RURAL PRECINCTS

#012 Ballots Counted	652
#013 Ballots Counted	407
#014 Ballots Counted	271
#015 Ballots Counted	805
#016 Ballots Counted	386
#017 Ballots Counted	563
#018 Ballots Counted	259
#019 Ballots Counted	1005
#020 Ballots Counted	217
#021 Ballots Counted	339
#022 Ballots Counted	292
TOTAL BALLOTS COUNTED	16,126

Moved by Hansen, seconded by Fischbach to adjourn the Canvass Meeting for the November 7, 2006 General Election. All members present voting aye. Motion carried.

Maxine Taylor – Brown County Auditor

NOVEMBER 14, 2006 – GENERAL MEETING

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

MINUTES:

Moved by Feickert, seconded by Fischbach to approve the General Meeting minutes of November 7, 2006 and the General Election Canvass Meeting minutes of November 9, 2006. All members present voting aye. Motion carried.

CLAIMS:

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

Payroll: Commissioners..\$2,779.85; Elections..\$2,151.98; Auditor..\$6,913.24; Treasurer..\$8,795.74; Data Processing..\$2,880.43; State's Attorney..\$12,126.22; Maintenance..\$5,418.87; Assessor..\$8,792.29; Planning & Zoning..\$500.00; Register of Deeds..\$4,774.14; Veterans Service Office..\$2,781.97; GIS..\$1,738.47; Sheriff..\$62,636.45; Communications..\$19,449.73; Coroner..\$850.00; Welfare Office..\$2,827.87; Museum..\$4,986.04; Fairgrounds & Parks..\$2,974.16; Fairboard..\$1,445.17; Extension..\$1,802.40; Weed..\$2,070.46; Emergency Management..\$3,259.66; Teen Court..\$330.75; Highway..\$30,980.76; Landfill..7,100.09 Matching Benefits: FICA..\$11,772.10; Medicare..\$2,753.11; Supplies: Office Equip..\$84.10, Menards..\$858.93, Mike Wilson..\$20.00, Thompson West..\$22.88, Penton Tech..\$24.95, Aberdeen Plumbing..\$359.40, Wright & Sudlow..\$2334.25, Interstate Battery..\$229.50, McFarland Supply..\$89.90, Honeywell..\$17,980.64, Cunningham Elec..\$358.15, Safety Service..\$72.25, Ecolab Pest..\$108.00, Gardner Locksmith..\$45.00, Crescent Elec..\$353.28, Quality Welding..\$15.00, Nat'l Assoc of County Veterans Service Officers..\$30.00, Micks Scuba..\$629.91, NW Divers..\$746.80, Duanes Amoco..\$31.10, Kesslers..\$330.16, Best Business..\$58.68, Pantorium..\$3.45, Accurint..\$18.87, Bonnie Bitz..\$288.00, Dicks Westside..\$33.00, Medical Waste Transport..\$64.04, Tri State Water..\$25.20, Galls..\$206.71, Evercom..\$1905.34, BP Amoco..\$30.88, Quality Quick Print..\$42.00, Velvet Uniforms..\$93.30, Taser..\$450.00, HRS..\$4395.09, Medtox..\$250.99, Z&S Dust..\$2524.76, SD Wheat Growers..\$100.00, Schwan Welding..\$24.00, S&S Lumber..\$1103.55, Praxair..\$231.76, Pierson Ford..\$480.65, Newman Signs..\$286.01, Macs..\$378.99, Lust Chev..\$8.12, James Loterbauer..\$270.00, Lawson Products..\$59.49, Jensen Rock & Sand..\$21,371.60, Howes Oil..\$17,086.40, Helms & Assoc..\$1558.36, Hecla Vol Fire Dept..\$50.00, Hecla Impl..\$28.09, Heartland Heating..\$284.98, Great Western Tire..\$402.80, Graham Tire..\$22.75, Farm Power..\$50.58, Farm Plan..\$35.25, JD Evans..\$1371.31, Erdmann Fuels..\$2238.86, Economy Propane..\$43.20, Diamond Mowers..\$179.44, Dakota Oil..\$1589.06, Dakota Fluid..\$890.07, Custom Glass..\$30.00, Cunningham Elec..\$133.78, Crawford Trucks..\$3189.14, Cartney Bearing..\$53.54, Larry Carson..\$549.99, Carquest..\$1213.86, Butler Machinery..\$7.84, Artz Equip..\$4391.77, Ameripride..\$212.30, Advanced Auto..\$87.86, Aberdeen Rural Fire Dept..\$575.00, Aberdeen Chrysler..\$10.08, Aberdeen Asphalt..\$16,346.98, Ken's Superfair Foods..\$9.38, Ameripride..\$39.71, Lora Schaunaman..\$12.22, Office Max..\$238.53, Action Electronics..\$264.46, Runnings..\$300.01, Central Supply..\$139.50, Photo Xpress..\$13.74, UBC..\$307.50, Cunningham Elec..\$444.37, Walmart..\$76.77, Inventory Trading..\$100.75:

Publications: Groton Indep..\$272.50, Dakota Press..\$1778.03, American News..\$596.44:

Professional Fees: witness fees..\$20.00, NE Mental Health..\$263.34, Avera St Lukes..\$580.00, Sheriff of Yankton County..\$16.50, Nelva Kooistra..\$15.00, Denise Cody..\$15.00, Donna Dietrich..\$127.99, Lutheran Social Services..\$3233.11:

Transcriptions: Richard Neal..\$196.20, Michelle Gaikowski..\$22.00:

Travel: Deb Knecht..\$182.70, William Meink..\$31.36, Chris Stucke..\$25.28, Larry Gerlach..\$407.38, Cedar Shore Resort..\$129.90, Jennifer Himes..\$118.12:

Utilities: FSH..\$55.00, City of Aberdeen..\$635.17, Northwestern Energy..\$3733.75, Northern Valley..\$71.39, James Valley..\$149.27, City of Hecla..\$91.20, Town of Frederick..\$29.45, Qwest..\$768.10, Verizon..\$150.28, Northern Elec..\$71.34:

Care of Poor: Dr/Hospital – 1 recipient..Eckrich Urology..\$48.53; Utilities – 1 recipient..NWPS..\$81.47; Transportation – 1 recipients..Emergency Poor Fund..\$33.00; Rent – 3 recipients..Foxridge Apts..\$260.00, Dave Lynn..\$280.00, Rockford Apts..\$220.00; Insurance – 1 recipient..Runnings Farm & Fleet..\$299.00. All members present voting aye. Motion carried.

PERSONNEL:

Moved by Fischbach, seconded by Wiese to approve the following employee step increases, effective November 19, 2006: Betty Haar @ \$13.95 per hour. All members present voting aye. Motion carried.

Moved by Feickert, seconded by Wiese to approve hiring Michael Bowser as full time Home Detention Officer, effective November 20, 2006 at \$10.82 per hour. All members present voting aye. Motion carried.

Moved by Feickert, seconded by Wiese to acknowledge resignation of Kenneth Thompson as part-time Home Detention Officer, effective November 10, 2006. All members present voting aye. Motion carried.

ALCOHOLIC BEVERAGE LICENSE RENEWAL HEARING:

Moved by Wiese, seconded by Feickert to authorize advertising public hearing to consider the following applications for renewal of Alcoholic Beverage Licenses to operate outside of the Municipality, to be held at 9:00 A.M. on December 5, 2006: TRANSFER RETAIL (ON-SALE) AND SUNDAY LIQUOR:

William Dean Miundhenke DBA Ferney Farmers Bar & Grill to Roderic L Hanson DBA Ferney Farmers Bar and Grill; TRANSFER PACKAGE (OFF-SALE) LIQUOR: William Dean Miundhenke DBA Ferney Farmers Bar & Grill to Roderic L Hanson DBA Ferney Farmers Bar and Grill; PACKAGE (OFF-SALE) LIQUOR: Venus and Kit Donley, DBA Mansfield Bar & Grill; Marge Frohling, DBA The Connection Houghton; Roderic L Hanson, DBA Ferney Farmers Bar. RETAIL ON-SALE AND SUNDAY LIQUOR: Venus and Kit Donley, DBA Mansfield Bar & Grill; Roderic L Hanson, DBA Ferney Farmers Bar; Moccasin Creek Country Club, Inc; Dave Schumacker DBA Elm Lake Resort; Larry Griffiths & Carolyn Crist DBA Griff's Place; Stacy Gossman DBA Big Fella's; Jarrett O & Dennis O Jones DBA Tacoma Park Place. All members present voting aye. Motion carried.

PROPERTY TRANSFER:

Moved by Wiese, seconded by Feickert to approve and authorize the Chairman sign agreements with the following entities who received equipment from the 2004 ODP Equipment Grant Program: Salvation Army (pager); Aberdeen FD (maxi veticus 6000 PSI); Warner FD (computer, pagers, radio accessories); Stratford FD (pagers); Groton FD (pagers, radios and accessories); Hecla FD (pagers, accessories); Columbia FD (pagers); Claremont FD (pagers, radios and accessories); Highway Department (weather radios); and from the 2005 ODP Equipment Grant Program: Aberdeen Ambulance (cots); Groton FD (radios head sets); Warner High School (security system); Roncalli Jr/Sr High School (security system); Groton High School (security system); City of Groton (generator); Frederick School (security system). All members present voting aye. Motion carried.

CERT MEMBERS:

Moved by Wiese, seconded by Feickert to appoint the following additional CERT Members: James A Petrich, Carla J Kramer, Nancy E Schrenk, Glenda L Smith, Gayle R Opp, Dion B Bahr, Chad R Kampa. All members present voting aye. Motion carried.

FAIR UPDATE:

Larry Gerlach, Fair Manager presented update on Fair activities and relayed information received at recent Fair Event Traffic Seminar held in Oacoma.

EXECUTIVE SESSION:

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

The Chairman declared the executive session closed with no action taken as a result of the discussion.

APPLICATION FOR OCCUPANCY:

Moved by Wiese, seconded by Feickert to approve application, submitted by Northern Electric for occupancy of Highway #13 in Sec 32-T124N-R60W, Brown County, SD for cable crossing. All members present voting aye. Motion carried.

TOWNSHIP NOTICES:

Al Waltman, Carlisle Township Clerk inquired about possibility of County assistance to Townships in the publication of notices for the Township Annual Meetings and Township Equalization Meetings. Mr. Waltman will discuss at the upcoming Brown County Association of Towns and Townships Meeting.

RECESS:

The Chairman declared the Commission recessed until November 21, 2006.

Maxine Taylor – Brown County Auditor

NOVEMBER 21, 2006 – GENERAL MEETING

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

MINUTES:

Moved by Wiese, seconded by Fischbach to approve the General Meeting minutes of November 14, 2006. All members present voting aye. Motion carried.

CLAIMS:

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

Supplies: Moore Medical..\$1507.24, Office Equip..\$259.62, CDW Govt..\$1646.01, Miles Tek..\$38.01, Nat'l Dist Attny Assoc..\$155.00, West Payment Center..\$130.00, Electronic Security..\$3971.61, Menards..\$115.35, Ecolab..\$77.00, Sanders Sew 'N Vac..\$23.56, Grote Roofing..\$164.50, Gardner Locksmith..\$50.00, HSBC..\$492.43, Best Western Ramkota..\$629.00, New Trends..\$71.25, David Fair..\$783.40, JC Penneys..\$159.97, Sirchie..\$70.27, Hoven Auto..\$120.95, Auto Glass Solutions..\$214.95, West Payment..\$110.24, Civic Research..\$169.95, Best Business..\$184.91, Fleet Mgmt..\$49.00, OK Tire..\$1803.00, DT Pharm..\$123.11, Earthgrains..\$573.00, Wallworth..\$285.71, Share Corp..\$100.00, Jan Weismantel..\$21.97, Marcus Selzler..\$95.39, Poms Tire..\$1462.36, Mutt Chassis..\$90.00, Jensen Rock & Sand..\$6302.40, Roy Hedges..\$25.00, Fastenal..\$20.88, Diesel Machinery..\$9200.00, Days Inn..\$188.00, Cedar Shore Resort..\$64.95, Dakota Supply Group..\$2744.13, Farnams..\$4.90, Sams Sound..\$693.28, Cunningham Elec..\$40.80, Language Lines..\$89.10, NSU..\$141.00, Sherri Rawstern..\$30.00, American Flag..\$86.46, Service Signs..\$750.00, Fire Safety First..\$30.93, Bound Tree..\$3875.00, Surefire..\$60.18:

Election: Mavis Hoffman..\$140.00, Mary Lou Adams..\$120.00, Laura Stoebner..\$120.00, Sharon Deilke..\$120.00, Mary Pietz..\$120.00, Dennis Kotschevar..\$140.00, Diane Hickenbotham..\$120.00, Beverly Weide..\$120.00, Rose Kraft..\$120.00, Raymond Ackerman..\$120.00, Dorothy O'Keefe..\$145.00, Shirley Jahraus..\$120.00, Wendy Schaunaman..\$120.00, Janice Diegel..\$120.00, Mary Ann Krause..\$140.00, Ardys Gosch..\$140.00, Lewis Borge..\$120.00, Marlis Nack..\$120.00, Sally Hofer..\$120.00, Catherine Clinton..\$120.00, Fern Preston..\$140.00, Marilyn Gramlow..\$122.56, Janna Larson..\$120.00, Marilee Frankenberg..\$125.00, Mildred Bauer..\$120.00, Laura Adema..\$161.00, Shirley Everson..\$120.00, Priscilla Pfeifle..\$120.00, Evelyn Holdhusen..\$120.00, Barbara Walker..\$120.00, Yolonda Jahraus..\$120.00, Karen Mogen..\$140.00, Ron Krogman..\$120.00, Angie Harty..\$120.00, Jean Sandquist..\$120.00, Jean Rahja..\$120.00, Donna Lout..\$100.00, Deb Pagel..\$140.00, Bonnie Fisher..\$120.00, Joni Wileman..\$100.00, Rebecca Jeschke..\$140.00, Wanda Morehouse..\$100.00, Jill Hostetter..\$120.00, Judy Hansen..\$120.00, Evangeline Miller..\$120.00, Joyce Gage..\$140.00, Barbara Masgai..\$120.00, Bonnie Locken..\$120.00, Helen Plumage..\$120.00, Deanna Munsch..\$120.00, Donna Swanhorst..\$120.00, Kathy Ellingson..\$140.00, Edith Wilt..\$120.00, Gladys Braun..\$125.00, Lucille Kushman..\$120.00, Linda Siebrasse..\$152.68, Arlene Hanson..\$120.00, Bette Peckman..\$120.00, Evalyn Smith..\$120.00, Connie Howard..\$120.00, Kathy Vitense..\$146.40, Cyndy Larson..\$120.00, Sharon Zastrow..\$120.00, Lila Wockenfuss..\$120.00, Marian Mettler..\$120.00, Gloria Gooding..\$140.00, Kathy Schaunaman..\$120.00, Shirley Bender..\$120.00, Peggy Cruse..\$109.60, Karla Engelhart..\$120.00, Pauline Peterson..\$120.00, Eleanor Haar..\$120.00, Pam Larson..\$140.00, Sharon Bain..\$120.00, Roberta Ekanger..\$120.00, Marguerite Donaldson..\$140.00, Caroline Lowe..\$120.00, Darlys Jensen..\$120.00, Deanna Sanderson..\$120.00, Sharon Rentz..\$120.00, Pam Erickson..\$147.04, Rhonda Jarman..\$100.00, Ellen Wiedebush..\$120.00, Shirley Morgan..\$120.00, Darleen Haselhorst..\$120.00, Charlean Erickson..\$132.16, Marion Potter..\$120.00, Myrna Stange..\$100.00, Kathy Williams..\$100.00, Janice Borge..\$120.00, Darlene Daly..\$136.52, Virginia Micko..\$120.00, Glenna Remington..\$120.00, Susan Stanley..\$120.00, Darlene Fischer..\$120.00, Darcey Leshner..\$152.80, Kelly Clark..\$125.00, Merlene Dunlavy..\$120.00, Joan Thompson..\$120.00, Virginia Pulfrey..\$120.00, Connie Donovan..\$134.40, Becky Berreth..\$120.00, Delores Windstrom..\$120.00, Linda Osterloh..\$120.00, Carol Luttrell..\$120.00,

Deb Gustafson..\$159.20, Dianna Kopetsky..\$120.00, Dorothy Smith..\$120.00, Jeanine Karjalainen..\$100.00, Janet Burkhardt..\$120.00:

Publications: American News..\$225.60:

Professional Fees: Avera St Lukes..\$288.00, Jason Engel..\$270.00, Lyrita Wilkie..\$60.00, Jackie Schroeder..\$30.00, Pam Smid..\$390.00, Avera Queen of Peace..\$53.50, Lewis & Clark BHS..\$260.00, City of Aberdeen..\$6897.00:

Transcriptions: Cheryl Hook..\$72.60:

Travel: Mike Wiese..\$165.88, Roxy Hilgenberg..\$5.44, Kim Dorsett..\$817.72, Mark McNeary..\$1245.88, Allan Vietmeier..\$123.52, Gene Loeschke..\$126.08, Larry Gerlach..\$163.28, Roger Huettl..\$40.00, Jan Beckler..\$250.00, Cathy Lindeman..\$250.00:

Court Appointed Attorney: Yankton County..\$192.10:

Utilities: Alltel..\$909.40, Northwestern Energy..\$1717.45, Northern Elec..\$626.30, Dependable Sanitation..\$371.00, Northern Valley Communications..\$69.99, Qwest..\$61.83, James Valley Comm..\$220.73:

Care of Poor: Dr/Hospital – 9 recipients..Avera Pulmonary Assoc..\$346.31, United Clinic..\$59.37, Assoc of Orthopedic Surgeons..\$553.95, Dakota Plains Surgical Center..\$369.00, Avera St Lukes..\$9840.22, US Labs..\$1323.30; Utilities – 1 recipient..NWPS..\$144.49; Burial – 2 recipients..Schrivers Memorial Mortuary..\$2882.00; Rent – 3 recipients..Tom Hinz..\$200.00, Falcon Rentals..\$220.00, Eisenbeisz Mobile Home Court..\$280.00; Insurance – 2 recipients..Dakota Care Cobra..\$962.75, Midstates Printing..\$330.00. All members present voting aye. Motion carried.

NECOG AGREEMENT:

Moved by Wiese, seconded by Hansen to approve and authorize the Chairman sign Joint Cooperative Agreement with NECOG for 2007. All members present voting aye. Motion carried.

LIBRARY AGREEMENT:

Moved by Wiese, seconded by Feickert to approve and authorize the Chairman sign agreement with the City of Aberdeen for the purposes of having a unified library service for the residents of Brown County for 2007. All members present voting aye. Motion carried.

PROPERTY TRANSFER:

Moved by Feickert, seconded by Wiese to approve and authorize the Chairman sign agreements with the following entities who received equipment from the 2004 ODP Equipment Grant Program: Aberdeen Rural FD (pagers and radio accessories); Hecla Ambulance (pagers); Frederick FD (pagers, radios and accessories); Bath FD (pagers, radios and accessories); and from the 2005 ODP Equipment Grant Program: Avera St Luke's Hospital (security system). All members present voting aye. Motion carried.

ABATEMENTS:

Moved by Feickert, seconded by Wiese to approve the following Abatements: Praise Family Bible Center, BID (W 8.75' Lt 4 & Lt 5-7 and E 15' Lt 8 Bk 77 Hagerty & Lloyds Addn to Aberdeen) for 2005 @ \$533.25, (W 10' Lt 8 & Lt 9 and E 15' Lt 10 Bk 77, Hagerty & Lloyds Addn to Aberdeen) for 2005 @ \$270.00; Darrell Naption, Solid Waste, no house on property (Lt 15 Bk 34 1st Addn to Frederick) for 2005 @ \$15.00 and incorrect value for 2005 @ \$8.56. All members present voting aye. Motion carried.

AGREEMENT:

Moved by Wiese, seconded by Hansen to authorize \$5,000.00 payment from Highway Department Budget per settlement agreement in regard to the Estate of Iliff Hammer. All members present voting aye. Motion carried.

FAIR CONTRACT:

Moved by Wiese, seconded by Feickert to approve agreement between the Brown County Fair and Fran Romeo DBA TBA Fairs and Festivals to conduct negotiations and complete contracts with artists in 2007, 2008 and 2009 for the Brown County Fair. All members present voting aye. Motion carried.

SHERIFF REPORT:

Moved by Wiese, seconded by Feickert to approve the following October 2006 Sheriff Reports: Incidents and Offenses, Prisoner care, JDC, Money deposited with the County Treasurer and Monthly activities. All members present voting aye. Motion carried.

EXECUTIVE SESSION:

Moved by Wiese, seconded by Feickert to go into executive session to discuss contract negotiations with Mark McNeary, Larry Gerlach, Kurt Smith and Roger Huettl in attendance. All members present voting aye. Motion carried.

The Chairman declared the executive session closed with no action taken as a result of the discussion.

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

The Chairman declared the executive session closed with no action taken as a result of the discussion.

DRAINAGE DISCUSSION:

Sally Swanson discussed a hand made drainage ditch directed toward her Richmond Lake residence. Dirk Rogers was also in attendance and the Commission instructed Mr. Rogers contact the landowner and explain steps to be taken to rectify the situation.

EXECUTIVE SESSION:

Moved by Fischbach, seconded by Wiese to go into executive session to discuss contract negotiations with Mike Scott, Brett Bill and Mike Olson in attendance. All members present voting aye. Motion carried.

The Chairman declared the executive session closed with no action taken as a result of the discussion.

CHANGE ORDER NO. 1:

Moved by Wiese, seconded by Feickert to approve and authorize the Chairman sign Change Order No. 1 to the Shop Building Project at the Brown County Landfill, increasing total amount of bid by \$465.00. All members present voting aye. Motion carried.

RIGHT OF WAY DISCUSSION:

Dirk Rogers, Highway Superintendent and Jim Thorpe, Realtor discussed options to correct right-of-way encroachment on Highway 16 (garage built in right-of-way – 39497 Prairie Street, Bath).

HIGHWAY UPDATE:

Dirk Rogers discussed equipment damage in a recent accident and will review options to replace a roller and trailer.

EXECUTIVE SESSION:

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

The Chairman declared the executive session closed with no action taken as a result of the discussion.

INSURANCE DISCUSSION:

Judy Dosch and Jan Beckler discussed current building and content values for insurance purposes and the need to adjust various values. Board concurred.

RECESS:

The Chairman declared the Commission recessed until November 28, 2006.

Maxine Taylor – Brown County Auditor

NOVEMBER 28, 2006 – GENERAL MEETING

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

MINUTES:

Moved by Wiese, seconded by Feickert to approve the General Meeting minutes of November 21, 2006. All members present voting aye. Motion carried.

CLAIMS:

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

Payroll: Commissioners..\$2,779.85; Auditor..\$6,745.34; Elections..\$1,724.07, Treasurer..\$8,795.74; Data Processing..\$2,583.18, State's Attorney..\$12,126.22; Maintenance..\$5,427.15; Assessor..\$8,672.61; Planning & Zoning..\$500.00; Register of Deeds..\$4,774.14; Veterans Service Office..\$2,722.87; GIS..\$1,738.47; Sheriff..\$60,598.51; Communications..\$15,795.34; Welfare Office..\$2,831.87; Museum..\$4,986.04; Fairboard..\$1,480.88; Fairgrounds & Parks..\$2,974.16; Extension..\$1,802.40; Weed..\$634.08; Emergency Management..\$2,568.86; Teen Court..\$229.50; Highway..\$27,770.78; Landfill..\$7,261.14; Matching Benefits: FICA..\$10,974.74, Medicare..\$2,566.63, Wellmark BCBS Life..\$670.74, Wellmark BCBS Health..\$60,403.70, Delta Dental..\$3,888.00, SD State Retirement..\$22,828.45:

Supplies: Pheasantland Ind..\$489.01, Scott Madsen..\$17.82, Parcel Erickson..\$65.00, Phillips 66..\$205.62, Galls..\$223.70, Dicks Westside..\$75.00, Inventory Trading..\$150.00, Aberdeen Chrysler..\$26.55, Hoven Auto..\$12.19, DT Pharm..\$1836.92, Howes Oil..\$17,441.80, Lawson Products..\$171.18, Share Corp..\$84.00, Joey Kaven..\$26.95, Bismarck Ramkota..\$4175.21, Country Inn..\$296.00, Century Business Products..\$70.00, SDCAA..\$180.00, NEAFCS-SD..\$105.00, APCO..\$214.00, Milbank Communications..\$270.00, Dakota Supply Group..\$4800.00, Erdmann Fuels..\$1021.99, Graham Tire..\$61.18, Walmart..\$38.40, Meyers Tractor..\$150.00, Runnings..\$93.45, Fastenal..\$19.14:

Publications: American News..\$250.98:

Professional Fees: Avera St Lukes..\$818.50, Regional Behavioral Health..\$165.54, Rapid City Emergency Services..\$56.11, Rapid City Regional Hospital..\$580.00, Yankton County Sheriff..\$16.50, Donna Dietrich..\$127.99, Joan Kittelson..\$15.00, Nelva Kooistra..\$15.00, NADRIC..\$1666.67:

Court Appointed Attorney: William Gerdes..\$4389.07, Kuck Law Office..\$4166.67, Randy Turner..\$4166.67, Christy Serr..\$4166.67, Kelly Marnette..\$4166.67:

Utilities: Alltel..\$303.44, Northwestern Energy..\$1053.42, Qwest..\$4027.65, Dependable Sanitation..\$159.00, Bureau of Admin..\$461.78, WEB..\$54.66:

Care of Poor: Dr/Hospital – 2 recipients..Avera St Lukes..\$13,355.92; Burial – 1 recipient..Sunset Memorial Gardens..\$275.00; Medication – 2 recipients.. K-Mart Pharm..\$35.86, Walmart Pharm..\$20.36. All members present voting aye. Motion carried.

PERSONNEL:

Moved by Feickert, seconded by Wiese to approve the following employee step increases, effective December 3, 2006: Carol White @ \$11.35 per hour, Kristal Biegler @ \$13.47 per hour, Lora Schaunaman @ \$11.51 per hour. All members present voting aye. Motion carried.

Moved by Feickert, seconded by Wiese to approve hiring John Sandal as full-time adult Corrections Officer @ \$10.82 per hour and Joshua Arkulary as part-time adult Corrections Officer @ \$9.37 per hour, effective December 4, 2006. All members present voting aye. Motion carried.

JAIL PROJECT:

Mick Palmer met to discuss next phase of Jail Remodel Project. The Commission instructed to proceed with bid process.

EXTENSION:

Jerry Mills, Extension Agent discussed results of meeting with maintenance and data processing in regard to revamping the Extension reception area and office secretary area. Surplus property will be examined and obtained if suitable.

SALARY DISCUSSION:

David Fair, Deputy Sheriff requested a fifty cent per hour salary increase in addition to cost of living percent for eleven Deputy Sheriffs. Tom Schmitt requested same increase for two additional certified officers. Sheriff Mark Milbrandt and Deputy Brian Koens were also in attendance. The Commission took no action at this time.

John VanderHoek and Amy Lake-Harmon requested a fifty-cent per hour salary increase for 2007 and an additional fifty-cent per hour for 2008; and also requested weekend differential (6:00 p.m. Friday to 6 A.M. Monday) in amount of twenty-five cents per hour. The Commission took no action at this time.

EM UPDATE:

Scott Meints, Emergency Management Director discussed POD (Point of Distribution), Homeland Security Grant funding for 2006 payable in 2007 and receipt of model command trailer from the State Emergency Management Grant Funds valued at approximately \$10,000.00.

SUBORDINATION AGREEMENT:

Charlene Millim, Welfare Director and a county resident requested permission to subordinate a lien, if approved by the lenders underwriting department. Moved by Wiese, seconded by Feickert to approve a Subordination Agreement if approved by lenders underwriting department. All members present voting aye. Motion carried.

ELECTRONIC CHECKS:

Sheila Enderson, County Treasurer discussed accepting electronic payments for taxes. Board concurred.

RECESS:

The Chairman declared the Commission recessed until December 5, 2006.

Maxine Taylor – Brown County Auditor

NOVEMBER 28, 2006 - JOINT CITY/COUNTY MEETING

The Brown County Commission and the Aberdeen City Council 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 Council Members Agnitsch, Aman, Bunsness, Hodgin, McQuillen and Mayor Levsen. Absent Council Members Campbell, Mitchell and Rux. Present from County were Commissioners Hansen, Fischbach, Feickert and Wiese. Absent Commissioner Knecht.

ORDINANCE NO. 06-11-01/335:

On motion by McQuillen and seconded by Aman, the City unanimously voted to approve First Reading of Ordinance No. 06-11-01/335.

Moved by Wiese, seconded by Feickert to approve First Reading of Ordinance No. 06-11-01/335, An Ordinance amending Ordinance No. 1164 to rezone the following described property from its present zoning designation of Section 701 (A-1) Agricultural District to Section 714 (M-AG) Mini-Agricultural District: Mayers Subdivision in the SE ¼ of Sec 25-T124N-R64W of the 5th P.M., Brown County, SD. All members present voting aye. Motion carried.

ORDINANCE NO. 06-11-02/336:

On motion by Bunsness and seconded by Agnitsch, the City unanimously voted to approve First Reading of Ordinance No. 06-11-02/336.

Moved by Feickert, seconded by Wiese to approve First Reading of Ordinance No. 06-11-02/336, An Ordinance amending Ordinance No. 1164 to rezone the following described property from its present zoning designation of Section 701 (A-1) Agricultural District to Section 704 (R-2) Medium Density Residential District: Witte Lot 1 of Aberdeen Creek Side Subdivision in the E ½ of Sec 25-T123N-R64W of the 5th P.M., Brown County, SD. All members present voting aye. Motion carried.

ORDINANCE NO. 06-11-03/337:

On motion by Agnitsch and seconded by Aman, the City unanimously voted to approve First Reading of Ordinance No. 06-11-03/337.

Moved by Wiese, seconded by Feickert to approve First Reading of Ordinance No. 06-11-03/337, An Ordinance amending Ordinance No. 1164 to rezone the following described property from its present zoning designation of Section 701 (A-1) Agricultural District to Section 714 (M-AG), Mini-Agricultural District: Gardner's OL A in the SE ¼ of Sec 25-T123NR64W and portion of Halls OL 1, Brown County, SD. All members present voting aye. Motion carried.

ORDINANCE NO. 06-11-04/338:

On motion by McQuillen and seconded by Bunsness, the City unanimously voted to approve First Reading of Ordinance No. 06-11-04/338.

Moved by Feickert, seconded by Wiese to approve First Reading of Ordinance No. 06-11-04/338, An Ordinance amending Ordinance No. 1164 to rezone the following described property from its present zoning designation of Section 707 (C-2) Highway Commercial District and Section 704 (R-2) Medium Density Residential District to Section 707 (C-2) Highway Commercial District: Hettich First Addition in the NE ¼ of Sec 22-T123N-R64W of the 5th P.M., Brown County, SD. All members present voting aye. Motion carried.

The City Council adjourned and the County Commission continued into the regular meeting.

Maxine Taylor - Brown County Auditor

The Brown County Commission and the Aberdeen City Council 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 Council Members Aman, Campbell, Hodgin, McQuillen, Rux and Mayor Levsen. Absent Council Members Agnitsch, Bunsness and Mitchell. Present from County were Commissioners Fischbach, Feickert, Wiese and Knecht. Absent Commissioner Hansen.

ORDINANCE NO. 06-11-01/335:

On motion by Aman and seconded by Hodgin, the City unanimously voted to approve Second Reading and Adoption of Ordinance No. 06-11-01/335.

Moved by Fischbach, seconded by Wiese to approve Second Reading and Adoption of Ordinance No. 06-11-01/335, An Ordinance amending Ordinance No. 1164 to rezone the following described property from its present zoning designation of Section 701 (A-1) Agricultural District to Section 714 (M-AG) Mini-Agricultural District: Mayers Subdivision in the SE ¼ of Sec 25-T124N-R64W of the 5th P.M., Brown County, SD. Roll call vote: Commissioners Hansen-absent, Fischbach-aye, Feickert-aye, Wiese-aye, Knecht-aye. Ordinance adopted.

ORDINANCE NO. 06-11-02/336:

On motion by Rux and seconded by Campbell, the City unanimously voted to approve Second Reading and Adoption of Ordinance No. 06-11-02/336.

Moved by Wiese, seconded by Fischbach to approve Second Reading and Adoption of Ordinance No. 06-11-02/336, An Ordinance amending Ordinance No. 1164 to rezone the following described property from its present zoning designation of Section 701 (A-1) Agricultural District to Section 704 (R-2) Medium Density Residential District: Witte Lot 1 of Aberdeen Creek Side Subdivision in the E ½ of Sec 25-T123N-R64W of the 5th P.M., Brown County, SD. Roll call vote: Commissioners Hansen-absent, Fischbach-aye, Feickert-aye, Wiese-aye, Knecht-aye. Ordinance adopted.

ORDINANCE NO. 06-11-03/337:

On motion by McQuillen and seconded by Aman, the City unanimously voted to approve Second Reading and Adoption of Ordinance No. 06-11-03/337.

Moved by Wiese, seconded by Feickert to approve Second Reading and Adoption of Ordinance No. 06-11-03/337, An Ordinance amending Ordinance No. 1164 to rezone the following described property from its present zoning designation of Section 701 (A-1) Agricultural District to Section 714 (M-AG), Mini-Agricultural District: Gardner's OL A in the SE ¼ of Sec 25-T123NR64W and portion of Halls OL 1, Brown County, SD. Roll call vote: Commissioners Hansen-absent, Fischbach-aye, Feickert-aye, Wiese-aye, Knecht-aye. Ordinance adopted.

ORDINANCE NO. 06-11-04/338:

On motion by McQuillen and seconded by Campbell, the City unanimously voted to approve Second Reading and Adoption of Ordinance No. 06-11-04/338.

Moved by Feickert, seconded by Wiese to approve Second Reading and Adoption of Ordinance No. 06-11-04/338, An Ordinance amending Ordinance No. 1164 to rezone the following described property from its present zoning designation of Section 707 (C-2) Highway Commercial District and Section 704 (R-2) Medium Density Residential District to Section 707 (C-2) Highway Commercial District: Hettich First Addition in the NE ¼ of Sec 22-T123N-R64W of the 5th P.M., Brown County, SD. Roll call vote: Commissioners Hansen-absent, Fischbach-aye, Feickert-aye, Wiese-aye, Knecht-aye. Ordinance adopted.

The City Council adjourned and the County Commission continued into the regular meeting.

Maxine Taylor - Brown County Auditor

December 5, 2006 Joint City/County Meeting

DECEMBER 5, 2006 – GENERAL MEETING

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

MINUTES:

Moved by Feickert, seconded by Wiese to approve the Joint City/County Meeting minutes and the General Meeting minutes of November 28, 2006. All members present voting aye. Motion carried.

CLAIMS:

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

Supplies: Heartland Paper..\$2438.75, CMRS-FP..\$5000.00, Office Equip..\$174.67, Quality Quick Print..\$105.48, ES&S..\$10,376.74, Electronic Security..\$2857.15, SD Continuing Legal Ed..\$90.00, West Payment Center..\$2613.26, Penton Tech..\$54.95, Semaphore..\$211.00, State Bar of SD..\$1260.00, New Trends..\$325.47, Dept of Rev..\$5460.78, Exec Mgmt..\$3008.53, Ameripride..\$41.76, Runnings..\$592.58, IAAO..\$175.00, McLeods..\$3300.00, Best Business..\$210.48, Dakota Electronics..\$15,392.45, Hoven Auto..\$231.13, Trail Chev..\$134.00, Walmart..\$575.05, Racom..\$329.60, Aberdeen Chrysler..\$554.60, Schwan Welding..\$1309.84, Vantek..\$23.00, Sodak Sport..\$23.17, Pierson..\$502.70, Z&S Dust Control..\$2520.56, Vanderwerff Impl..\$215.30, Hagan Ins..\$180.00, SD Division of Motor Vehicles..\$13.00, Sewer Duck..\$60.00, S&S Lumber..\$3145.98, Ramkota..\$292.00, Praxair..\$22.64, Prairie Tool..\$240.00, Power Plan..\$191.38, Mutt Chassis..\$66.00, Macs..\$109.71, L&O Acres..\$450.45, HF Jacobs..\$3089.40, Don Gunther..\$1225.90, Violet Dinger..\$4599.79, Crawford Trucks..\$2446.94, HC Clark..\$282.98, Butler Machinery..\$19.76, Bierschbach..\$24.00, Aberdeen Asphalt..\$1399.73, Les Frohling..\$200.00, Dorothy Hedges..\$250.00, Jeanette Kline..\$250.00, Menards..\$21.99, Forman Charter..\$1500.00, Northern Tool..\$125.01, Pizza Ranch..\$54.95, Dakota Electronics..\$16,413.15, Kirks Auto..\$27.00, Woodman Refrig..\$3188.10, Butler Machinery..\$388.55, Praxair..\$33.67, Bricks TV..\$1566.75, DENR..\$500.00, Genius Web..\$29.97, Davis Instruments..\$110.00, Milbank Comm..\$60.00:

Publications: American News..\$211.50, Groton Indep..\$309.16:

Professional Fees: Avera St Lukes..\$724.00, Lyrita Wilkie..\$90.00, Jayson Knutson..\$90.00, Jackie Schraeder..\$180.00, Pam Smid..\$150.00, Jason Engel..\$120.00, Slate Creek Counseling..\$83.16:

Transcriptions: Richard Neal..\$72.20:

Travel: Maxine Taylor..\$75.84, Leo Leshner..\$214.08, Mark Milbrandt..\$826.70, City of Groton..\$69.76, Jerry Mills..\$1004.34, Sarah Jesz..\$250.00:

Court Appointed Attorney: William Gerdes..\$133.44:

Utilities: Midcontinent Cable..\$329.46, City of Aberdeen..\$666.82, Northwestern Energy..\$7096.78, Qwest..\$80.75, Montana Dakota..\$21.74, WEB..\$53.96, Northern Elec..\$70.00:

Care of Poor: Dr/Hospital – 2 recipients..Sioux Valley Health..\$2452.13, Aberdeen Surgical Assoc..\$1060.02; Rent – 3 recipients..Greg Webb..\$280.00, RK Investments..\$280.00, Dale Bain..\$150.00; Utilities – 1 recipient..NWPS..\$220.00. All members present voting aye. Motion carried.

PERSONNEL:

Moved by Feickert, seconded by Wiese to approve hiring Jesse Chagolla as guard for purpose of prisoner transport, effective December 1, 2006. All members present voting aye. Motion carried.

Moved by Feickert, seconded by Fischbach to acknowledge the following miles driven and amount to be taxed for personal use of County vehicles during April through October 2006: Richard Burns – 438 @ \$194.91, Dirk Rogers – 4644 @ \$2,066.58, Mike Scott – 1190 @ \$529.55. All members present voting aye. Motion carried.

BCCHC CONTRACT:

Moved by Feickert, seconded by Wiese to approve and authorize the Chairman sign Contract with the State of South Dakota for providing community health nursing services in Brown County for fiscal year 2007 in amount of \$30,900.00. All members present voting aye. Motion carried.

ABATEMENT:

Moved by Wiese, seconded by Fischbach to approve the following abatement: Masonic Temple Association (Lt 8-12 Bk 30 1st Addn to Aberdeen) for 2005 BID assessment @ \$710.00. All members present voting aye. Motion carried.

RESOLUTION OF SUPPORT:

Commissioner Wiese, offered the following Resolution:

RESOLUTION NO. 79-06

WHEREAS, numerous incidents of intentional destruction of gravestones, markers and other private property located within cemeteries located within South Dakota have taken place within the past few years; and

WHEREAS, such intentional destruction of such property is especially grievous to the relatives of the person to whom the gravestone or marker is dedicated, both to the memory of the person and the expense of replacing the same; and

WHEREAS, currently the most serious charge that can be charged to the perpetrator is either a Class 1 or Class 2 misdemeanor depending on the extent of the damage; and

WHEREAS, the severity of the consequences does not, in the estimation of the Brown County Commission, rise to the level of the severity of the crime, now, therefore

BE IT HEREBY RESOLVED by the Brown County Board of Commissioners support the Resolution submitted by the Pennington County Commission suggesting that the Governor and Legislature of the State of South Dakota introduce and pass legislation which would increase the penalties for intentional destruction of gravestones, markers and other private property located within a cemetery to the level of felony designations.

Dated at Aberdeen, SD this 5th day of December 2006.

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

WEED AND SEED:

Moved by Fischbach, seconded by Feickert to approve and authorize the Chairman sign Categorical Assistance Progress Report for the Brown County Weed and Seed Grant #2005-WS-Q5-0089 for July 1, 2006 through September 30, 2006. All members present voting aye. Motion carried.

Moved by Wiese, seconded by Feickert to approve and authorize the Chairman sign Financial Form 269 (final) for July through September 2006 for the Brown County Weed and Seed Grant #2005-WS-Q5-0089. All members present voting aye. Motion carried.

PREVENTION GRANT:

Moved by Feickert, seconded by Fischbach to approve and authorize the Chairman sign Categorical Assistance Progress Report for the Brown County "Prevention and Intervention Programs for At-Risk and Detained Youth" Grant #2001-JS-FX-0014 for July 1, 2006 through September 30, 2006. All members present voting aye. Motion carried.

Moved by Wiese, seconded by Fischbach to approve and authorize the Chairman sign Financial Form 269 (final) for July through September 2006 for the Brown County Special Appropriation "Prevention and Intervention Programs for at-risk and detained youth" Grant #2001-JS-FX-0014. All members present voting aye. Motion carried.

PROPERTY TRANSFER:

Moved by Wiese, seconded by Feickert to approve and authorize the Chairman sign agreements with the following entities who received equipment from the 2004 ODP Equipment Grant Program: Aberdeen FD (verticus 6000 psi); Salvation Army (pager); Hutterville FD (pagers). All members present voting aye. Motion carried.

APPLICATION FOR OCCUPANCY:

Moved by Feickert, seconded by Wiese to approve application, submitted by James Valley Telecommunications for occupancy of Brown County Highway #11 in Sec 25 & 30-T125N-R62W of 5th P.M., Brown County, SD to provide communications. All members present voting aye. Motion carried.

PLATS:

Commissioner Wiese offered the following Resolution:

RESOLUTION NO. 80-06

BE IT RESOLVED by the County Commission of Brown County, SD, that the plat showing "Claeys' Outlot A in SE ¼ Sec 20-T128N-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 Hansen-absent, Fischbach-aye, Feickert-aye, Wiese-aye, Knecht-aye. Resolution adopted.

Commissioner Fischbach offered the following Resolution:

RESOLUTION NO. 81-06

BE IT RESOLVED by the County Commission of Brown County, SD, that the plat showing "Jones 2006-1 Subdivision in SW ¼ Sec 29-T124N-R62W 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 Wiese. Roll call vote: Commissioners Hansen-absent, Fischbach-aye, Feickert-aye, Wiese-aye, Knecht-aye. Resolution adopted.

Commissioner Wiese offered the following Resolution:

RESOLUTION NO. 82-06

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BE IT RESOLVED by the County Commission of Brown County, SD, that the plat showing "Hansen's First Subdivision in S ½ NE ¼ and N ½ SE ¼ Sec 17-T121N-R62W 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 Feickert. Roll call vote: Commissioners Hansen-absent, Fischbach-aye, Feickert-aye, Wiese-aye, Knecht-aye. Resolution adopted.

BID AWARD – WEED & PEST TRUCK:

Moved by Wiese, seconded by Feickert to award bid on one 2007 Dodge 1-ton 4x4 Truck to Billion Auto as listed on the State of SD Bid List Contract #14993 at total cost of \$26,021.00 (base bid @ \$24,711.00 plus options @ \$1,310.00); and further to approve quote from ProAg for spray equipment in amount of \$6,340.60 and Specialty Trailer Sales for truck bed in amount of \$2,525.00, to be delivered in 2007 (grand total @ \$34,886.60. All members present voting aye. Motion carried.

AUDITORS REPORT OF ACCOUNT:

Moved by Wiese, seconded by Feickert to approve the November 2006 Auditor's Report of Account with the County Treasurer in total amount of \$15,058,568.99 (total amount of actual cash @ \$3,379.46, Wells Fargo Bank @ \$3,694.79, US Bank @ \$16,512.36, Dacotah Bank @ \$30,394.71, Petty Cash @ \$1,800.00, Fund Investments @ \$15,002,667.13, Outstanding Checks @ \$120.54). All members present voting aye. Motion carried.

CONTINGENCY TRANSFER:

Moved by Wiese, seconded by Feickert to approve the following Contingency Transfer (spending authority only): Fund #101: Account #111 Commission @ \$5,728.81 and #153 Abused and Neglect @ \$3,000.72. All members present voting aye. Motion carried.

INCREASE SPENDING AUTHORITY/ESTIMATED REVENUE:

Moved by Wiese, seconded by Hansen to increase spending authority in Fund #101-615-426.23 and estimated revenue in Fund #101-331 in amount of \$19,420.88; increase spending authority in Fund #234-211.01-411 @ \$4,510.40, 412.01 @ \$279.67, 412.02 @ \$65.40, 413 @ \$360.83 and estimated revenue in Fund #234-331.90 in amount of \$5,216.30; increase spending authority in Fund #234-211.03-426 and estimated revenue in Fund #234-331.04 in amount of \$.50; increase spending authority in Fund #234-615-423 @ 260.00, 426 @ \$123.57, 426.23 @ \$5,500.67 and increase estimated revenue in Fund #234-334.03 @ \$5,884.24. All members present voting aye. Motion carried.

ALCOHOLIC BEVERAGE LICENSE RENEWAL HEARING:

Time and place, as advertised to consider applications for transfer and renewal of Alcoholic Beverage Licenses to operate outside of the Municipality. Moved by Feickert, seconded by Wiese to approve the following applications for transfer and renewal of Alcoholic Beverage Licenses to operate outside of the Municipality: TRANSFER RETAIL (ON-SALE) AND SUNDAY LIQUOR: William Dean Mundhenke DBA Ferney Farmers Bar & Grill to Roderic L Hanson DBA Ferney Farmers Bar & Grill, (Lots 4 & 5, Block 5, Ferney 31-122-60). TRANSFER PACKAGE (OFF-SALE) LIQUOR: William Dean Mundhenke DBA Ferney Farmers Bar & Grill to Roderic L Hanson DBA Ferney Farmers Bar & Grill, (Lots 4 & 5, Block 5, Ferney 31-122-60). PACKAGE (OFF-SALE) LIQUOR: Venus & Kit Donley 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). Roderic L Hanson DBA Ferney Farmers Bar (Lots 4 & 5, Block 5, Ferney, 31-122-60). RETAIL (ON-SALE) AND SUNDAY LIQUOR: Venus & Kit Donley DBA Mansfield Bar & Grill (Lots 12, 13, 14, Block 4, Mansfield 32-121-64). Roderic L Hanson DBA Ferney Farmers Bar (Lots 4 & 5, Block 5, Ferney, 31-122-60). Moccasin Creek Country Club, Inc. (Prairiewood Village OL 7, 33-124-63). Dave Schumaker DBA Elm Lake Resort (Lot

1 Elm Lake Subdivision in the SE ¼ of 8-128-65). Larry Griffiths & Carolyn Crist DBA Griff's Place, (N218' of Lot A Replat of Evelo's Subd. in the NW ¼ of 21-123-64). Stacy Gossman DBA Big Fella's, (Lot 1B Gossman 1st Add. S ½ of 15-123-63). Jarrett O & Dennis O Jones DBA Tacoma Park Place (5 acres in NE corner of NW ¼ of 23-124N-62W). All members present voting aye. Motion carried.

EXTENSION:

Jerry Mills, Extension Agent informed Commission that the surplus office equipment from the Federal Building meets the needs of the Extension reception area and secretary work areas. Some electrical work and computer connections will be needed to complete the project.

PETITIONS IN REGARD TO RESOLUTION NO. 78-06 (BEEF PLANT TIF):

Commissioner Nancy Hansen was contacted by phone for the discussion and decision on the petitions in regard to Resolution No. 78-06 (Beef Plant TIF). Attendance roll call: Fischbach-present, Feickert-present, Wiese-present, Knecht-present, Hansen-present via conference call. States Attorney Mark McNeary presented opening remarks and reasons for not accepting petitions. Attorney David Fransen rebutted and several of the fifteen area residents in attendance spoke. Upon close of discussion the following action ensued:

Moved by Feickert to accept the petitions requesting a public vote on Resolution No. 78-06 (Beef Plant TIF). The motion died for lack of a second.

Moved by Fischbach, seconded by Hansen to reject the petitions requesting a public vote on Resolution No. 78-06 (Beef Plant TIF). Roll call vote: Commissioners Hansen-aye, Fischbach-aye, Feickert-nay, Wiese-aye, Knecht-aye. Motion carried.

INSURANCE DISCUSSION:

Judy Dosch and Jan Beckler returned for further discussion of building and content values for insurance purposes.

PLANNING/ZONING POSITION:

Scott Madsen, GIS Coordinator presented job description for Planning/Zoning/E911 Addressing Coordinator for approval and further discussed office space adequate to accommodate GIS, Planning and Zoning and E911 Addressing personnel. The Commission authorized posting the position and will review options for office space.

RECESS:

The Chairman declared the Commission recessed until December 12, 2006.

Maxine Taylor – Brown County Auditor

DECEMBER 12, 2006 – GENERAL MEETING

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

MINUTES:

Moved by Feickert, seconded by Wiese to approve the Joint City/County Meeting minutes and the General Meeting minutes of December 5, 2006. All members present voting aye. Motion carried.

CLAIMS:

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

Payroll: Commissioners..\$2,779.85; Auditor..\$7,084.72; Treasurer..\$8,806.16; Data Processing..\$2,894.93; State's Attorney..\$12,126.22; Maintenance..\$5,430.41; Assessor..\$8,788.55; Planning & Zoning..\$500.00; Register of Deeds..\$4,774.14; Veterans Service Office..\$2,616.75; GIS..\$1,738.47; Sheriff..\$63,067.65; Communications..\$15,304.37; Welfare Office..\$2,831.87; Museum..\$4,986.04; Fairgrounds & Parks..\$2,974.16; Fairboard..\$1,445.17; Extension..\$1,802.40; Emergency Management..\$2,568.86; Teen Court..\$330.75; Highway..\$28,825.22; Landfill..7,071.97
Matching Benefits: FICA..\$11,243.07; Medicare..\$2,629.40:
Supplies: Best Business..\$547.60, Office Equip..\$267.41, Menards..\$814.47, New Trends..\$278.40, ECR Inc..\$1450.00, Carol Wolf..\$31.98, Dakota Custom Laster..\$27.00, Sewing Shoppe..\$340.00, Sentinel Scientific..\$57.44, Evercom..\$1900.00, Lust Chev..\$233.38, Kesslers..\$482.79, DT Pharm..\$74.00, Accurint..\$21.00, Duanes Amoco..\$226.98, Hoven Auto..\$21.50, HRS..\$3466.31, Aberdeen Chrysler..\$467.88, Bonnie Bitz..\$376.00, Quality Quick Print..\$1020.58, West Payment..\$205.50, Wanderwerff Impl..\$2209.90, Spec Mfg..\$9.38, Sheehan Mack Sales..\$29.32, Safety Service..\$199.16, Runnings..\$156.09, ProAg..\$2.60, Nelson Sales..\$32.70, Midwest Pump..\$142.26, L&O Acres..\$1125.10, Howes Oil..\$19034.60, Holland Auto..\$14.89, Jon Heidenreich..\$180.19, Freys Electronics..\$10.00, Farm Power..\$12.15, Erdmann Fuels..\$5638.11, DVC Girls..\$3.00, Diesel Machinery..\$7750.00, Clark Engineering..\$236.40, Cartney Bearing..\$43.56, Biersbach Equip..\$239.83, Aberdeen Equip..\$33.64, Bricks TV..\$1379.25, North Central Steel..\$77,319.55, MVTL Labs..\$5702.40, Cunningham Elec..\$890.26, OK Tire..\$60.00, Earth Tech..\$2207.90, Fastenal..\$18.95, Pierson Ford..\$248.18, Hedahls..\$43.84, Town & Country..\$44.07, Chamber of Commerce..\$215.00, Ameripride..\$66.55, Teemark Corp..\$27.00, Dakota Fluid Power..\$185.45, UBC..\$13.03, Midwest Alarms..\$51.50, US Postal Service..\$30.00, Extension Service..\$1171.17, Streichers..\$416.79, Dakota Electronics..\$9.00, Groton Library..\$750.00, Brian Shishnia..\$20.00, OK Tire..\$10.50, SD Fed Property..\$11,616.00, Mohr's Fencing..\$612.25, Gas 'N Goodies..\$4.00, Jason Lemke..\$74.37:
Publications: Dacotah Press..\$1648.92, American News..\$514.02:
Professional Fees: NE Mental Health..\$321.86, Avera St Lukes..\$627.50, Dakota Imaging..\$12.82, United Clinic..\$82.58, Aberdeen Advanced Care..\$101.57, Avera McKennan..\$1160.00, Avera University Psychiatry..\$121.20, Todd Struwe..\$1500.00, Eide Bailly..\$243.00, Kirmuss & Assoc..\$250.00:
Travel: Gene Loeschke..\$86.72, Craig Anderson..\$250.00:
Utilities: Northern Valley Comm..\$140.94, James Valley Co-Op..\$133.85, Town of Frederick..\$28.25, City of Aberdeen..\$735.60, Dependable Sanitation..\$21,112.42, Northwestern Energy..\$882.61, Tel Serv..\$1388.98, Verizon..\$43.84, Northern Elec..\$83.55, FSH Comm..\$55.00, Qwest..\$687.25:
Care of Poor: Dr/Hospital – 7 recipients..Dr Richard Conklin..\$112.27, Dr Heloise Westbrook..\$252.18, Anesthesia Care..\$380.00, Avera St Lukes..\$4749.79, Avera Heart Hospital..\$3414.00; Rent – 6 recipients..Gary Wald..\$360.00, Rollie White..\$110.00, White House Inn..\$93.60, Bruce Boschee..\$112.50, Key Investment..\$300.00; Utilities – 1 recipient..NWPS..\$280.00; Insurance – 1 recipient..Runnings..\$299.00. All members present voting aye. Motion carried.

PERSONNEL:

Moved by Feickert, seconded by Wiese to approve the following employee step increases, effective December 17, 2006: Sarah Jesz @ \$12.18 per hour, Ginger Walker @ \$13.21 per hour. All members present voting aye. Motion carried.

Moved by Fischbach, seconded by Feickert to acknowledge resignation of Joshua Arkulary, effective December 4, 2006. All members present voting aye. Motion carried.

Moved by Feickert, seconded by Wiese to approve employee status change for Christopher Rinkenberger from part-time JDC Correctional Officer to Regular Part-time JDC Employee at \$9.37 per hour, effective December 17, 2006. All members present voting aye. Motion carried.

CITIZENS CORP MEMBERS:

Moved by Wiese, seconded by Fischbach to appoint the following to the Citizens Corp Council: Tom Kessler and Lois Pletten, Representatives at large; Becky Berreth, Medical Community representative; Tony Jones (replacing Dave Mowers), Salvation Army representative, with all terms ending December 31, 2009. All members present voting aye. Motion carried.

PROPERTY TRANSFER:

Moved by Wiese, seconded by Fischbach to approve and authorize the Chairman sign agreement with the following entity who received equipment from the 2005 ODP Equipment Grant Program: Frederick Ambulance (gurney). All members present voting aye. Motion carried.

INCREASE SPENDING AUTHORITY/ESTIMATED REVENUE:

Moved by Feickert, seconded by Wiese to increase spending authority in Fund #234-211.01-411 @ \$2,843.57, 412.01 @ \$176.30, 412.02 @ \$40.85, 413 @ \$227.47 and estimated revenue in Fund #234-331.90 in amount of \$3,288.19; increase spending authority in Fund #234-151-429 and estimated revenue in Fund #234-331.97 in amount of \$1,055.00. All members present voting aye. Motion carried.

BUDGET SUPPLEMENT – FAIRGROUNDS/FAIR:

Commissioner Feickert offered the following Resolution:

RESOLUTION NO. 83-06

WHEREAS, due to the failure to provide adequate spending authority within the following Brown County Budget for year 2006, to enable expenditures for Fairgrounds Campground and the Fair Benches/Tables:

Fairgrounds Campground-----	\$6,992.36
Fair Benches/Tables-----	\$ 170.13

WHEREAS, the County has chosen to incur this obligation and expenditure by supplementing the following 2006 fiscal Brown County Budget, and to fund same from the following:

Fairground Campground:	
Donations -----	\$6,992.36
Fair Benches/Tables:	
Donations -----	\$ 170.13

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 26, 2006 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 Wiese. Roll call vote: Commissioners Hansen-absent, Fischbach-aye, Feickert-aye, Wiese-absent, Knecht-aye. Resolution adopted.

BUDGET SUPPLEMENT - MUSEUM:

Commissioner Feickert offered the following Resolution:

RESOLUTION NO. 84-06

WHEREAS, due to the failure to provide adequate spending authority within the Brown County Dacotah Prairie Museum Budget for year 2006, to enable the Museum to complete program planning in the following amount:

Program Advertising-----\$13,000.00

WHEREAS, the County has chosen to incur this obligation and expenditure by supplementing the 2006 fiscal Brown County Dacotah Prairie Museum Budget #101-512 in the amount of \$13,000.00, and to fund same from the following:

Aberdeen City Contribution-----\$13,000.00

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 26, 2006 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 Wiese. Roll call vote: Commissioners Hansen-absent, Fischbach-aye, Feickert-aye, Wiese-aye, Knecht-aye. Resolution adopted.

PLAT:

Commissioner Wiese offered the following Resolution:

RESOLUTION NO. 85-06

BE IT RESOLVED by the Board of Commissioners of Brown County, SD, that the plat showing "Webb Addition in the NE ¼ of Sec 19-T126N-R61W 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 Feickert. Roll call vote: Commissioners Hansen-absent, Fischbach-aye, Feickert-aye, Wiese-aye, Knecht-aye. Resolution adopted.

EASEMENT:

Moved by Wiese, seconded by Feickert to approve and authorize the Chairman sign Easement whereby Brown County grants a perpetual easement to Dacotah Bank for the use of the following area occupied by property owners garage, garage driveway and block retaining wall: The N 105.4' of the W 10' of the E

50' of the SE ¼ of Sec 18-T123-R62, lying south of the center line of Prairie Street except that portion of said 105.4' lying within the right-of-way of said Prairie Street. All members present voting aye. Motion carried.

APPLICAITON FOR OCCUPANCY:

Moved by Feickert, seconded by Wiese to approve application, submitted by James Valley Telecommunications for occupancy of Brown County Highway #10 in Sec 35-T126N-R64W, Brown County, SD to provide electricity to cell tower. All members present voting aye. Motion carried.

EXECUTIVE SESSION:

Moved by Wiese, seconded by Fischbach to go into executive session for contract discussion with States Attorney Mark McNeary in attendance. All members present voting aye. Motion carried.

The Chairman declared the executive session closed with no action taken as a result of the discussion.

GIS/PLANNING & ZONING:

Scott Madsen, Judy Dosch, Mick Palmer and Mary Worlie presented options for housing GIS/Planning and Zoning Personnel. The recommended option was to house GIS and Planning/Zoning in the northwest corner of the annex basement, commonly referred to as the studio. Board concurred.

RECESS:

The Chairman declared the Commission recessed until December 19, 2006.

Maxine Taylor – Brown County Auditor

DECEMBER 19, 2006 – GENERAL MEETING

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

MINUTES:

Moved by Wiese, seconded by Fischbach to approve the General Meeting minutes of December 12, 2006. All members present voting aye. Motion carried.

CLAIMS:

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

Supplies: Office Equip..\$699.62, Hewlett Packard..\$76.00, SDN Tech..\$395.00, CDW Govt..\$3659.76, SD State Attorney Assoc..\$600.00, Quality Quick Print..\$890.74, McFarland Supply..\$366.64, Heartland Paper..\$196.06, Central Supply..\$1259.00, Interstate Power..\$1780.00, Janitors Closet..\$390.00, UBC..\$44.49, Dakota Supply Group..\$1859.05, Custom Sheet Metal..\$1595.00, Taylor Laundry..\$21.00, Ecolab Pest..\$86.00, Gardner Locksmith..\$15.00, Menards..\$681.27, Crescent Elec..\$263.77, Pheasantland Industries..\$256.62, Western Printing..\$168.50, SD Dept of Rev & Reg..\$440.00, HSBC Business..\$989.82, McLeods..\$479.20, New Trends..\$518.37, SD Veterans Service Officers Assn..\$50.00, Shell Fleet..\$31.00, Dicks Westside..\$36.75, US Post Office..\$72.00, Sec of State..\$7.00, Hoven Auto Repair..\$112.83, Velvet Uniforms..\$81.14, Channing Bete..\$207.36, Moore Medical..\$263.29, Earthgrains..\$449.00, Electronic Security..\$307.84, Vantek..\$23.00, Exhaust Pros..\$22.95, Phillips 66..\$229.90, Dakota Electronics..\$282.00, SDDOT..\$1968.90, HF Jacobs..\$4914.10, Runnings..\$60.07, Power Plan..\$649.08, Poms Tire..\$1407.88, Macs..\$138.49, James Loterbauer..\$144.00, Interstate Battery System..\$237.85, Bridgestone Firestone..\$77.20, Fire Safety First..\$21.18, Fastenal..\$107.97, Farnams..\$71.31, JD Evans..\$908.90, Economy Propane..\$2342.20, Violet Dinger..\$5942.43, Diesel Machinery..\$3750.00, Dakota Oil..\$248.30, Dakota Fluid Power..\$129.85, Crawford Trucks..\$173.80, Cass County Heating..\$239.60, Cartney Bearing..\$110.84, Carquest..\$601.74, Butler Machinery..\$1087.96, Ameripride..\$322.55, Aberdeen Community Theater..\$295.00, Photo Express..\$30.52, Town & Country..\$974.65, Nelson Sales..\$24.38, Hewlett Packard..\$3235.00, SD Federal Surplus..\$722.00, Photo Express..\$38.74, Exhaust Pros..\$375.00, Academy..\$173.00, Farmers Union..\$52.00, K-Mart..\$219.98, Rocky Mt Assoc of Fairs..\$300.00, Cunningham Elec..\$175.06, Tractor Supply..\$99.98, Runnings..\$271.78, Streichers..\$17.95, Language Line..\$89.55, Greenman Tech..\$4204.52, Groton Fire Dept..\$218.50, Brick Propane..\$16.50, Dept of Public Safety..\$75.00:

Publications: American News..\$1022.25, Groton Dakota Press..\$32.45:

Professional Fees: Pennington County Sheriff..\$16.50, St Louis County Sheriff Dept..\$45.00, Pam Smid..\$280.00, Lyrita Wilkie..\$210.00, Jason Engel..\$120.00, Jayson Knutson..\$60.00, Jackie Schraeder..\$30.00, Avera St Lukes..\$2075.06, Avera United Clinic..\$104.98, Harlow Orthopedics..\$140.97, NADRIC..\$1666.67, Foster Grandparent Program..\$1000.00, Lewis & Clark BHS..\$130.00, HKG Architects..\$15,362.00:

Transcriptions: Kristy Kost..\$90.00:

Travel: Tom Gohn..\$9.00, Kathy Schlecht..\$77.48, Scott Madsen..\$165.00, City of Groton..\$54.40, Extension Service..\$766.23:

Court Appointed Attorney: Christy Serr..\$4166.67, Randy Turner..\$4166.67, William Gerdes..\$4166.67, Kuck Law Office..\$4166.67, Kelly Marnette..\$4166.67, Yankton County..\$96.05:

Utilities: Qwest..\$4096.33, Bureau of Admin..\$710.81, Alltel..\$97.62, Mark McNeary..\$346.03, Dependable Sanitation..\$371.00, Northwestern Energy..\$6559.61, Northwestern Energy..\$2263.23, Northern Elec..\$978.63, City of Hecla..\$97.84, Verizon..\$151.23, James Valley Telephone..\$217.93, Northern Wireless Comm..\$80.45:

Care of Poor: Dr/Hospital – 4 recipients..North Central Heart Inst..\$308.36, Aberdeen Surgical Assoc..\$376.27, Aberdeen Family Physicians..\$454.88, Avera St Lukes..\$30,931.39; Rent –3

recipients..Melrose..\$192.00, Carson Murdy..\$240.00, Dale Bain..\$197.00; Medication – 7 recipients..Jones Drug..\$114.79, Walmart Pharm..\$823.12, Kesslers Pharm..\$111.84, Transportation – 2 recipients.. Jefferson Lines..\$88.29. All members present voting aye. Motion carried.

PERSONNEL:

Moved by Wiese, seconded by Hansen to approve hiring Larry Harper as part-time Corrections Officer in the Jail, effective December 11, 2006 at \$9.37 per hour. All members present voting aye. Motion carried.

FAIR CONTRACTS:

Moved by Hansen, seconded by Wiese to approve the following contracts for the 2007 Brown County Fair: Aberdeen Hockey Association to operate the Club House; amend agreement with Fran Romeo for entertainment contracts; amend agreement with TMS, Inc for sound system. All members present voting aye. Motion carried.

TAX DEED PROCEEDING:

Moved by Wiese, seconded by Fischbach to authorize Sheila Enderson, County Treasurer delay tax deed process on the W ½ Lt 7 Blk 48 2nd Addn to Aberdeen, on condition that \$1500.00 is paid by December 22, 2006 and the balance of delinquent taxes, penalty and interest is paid in full by the end of January 2007. All members present voting aye. Motion carried.

SURPLUS PROPERTY:

Moved by Wiese, seconded by Hansen to declare Decal #1489 JD Rotary Mower surplus for purpose of trade-in from the Highway Department. All members present voting aye. Motion carried.

INVENTORY TRANSFER:

Moved by Wiese, seconded by Fischbach to transfer Decal #4026 CAT Forklift from Landfill to Maintenance. All members present voting aye. Motion carried.

ASSESSMENT PLAN:

Moved by Hansen, seconded by Fischbach to accept the 2007 Assessment Plan (taxes payable in 2008), as recommended by Mary Worlie, Director of Equalization. All members present voting aye. Motion carried.

EXECUTIVE SESSION:

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

The Chairman declared the executive session closed with no action taken as a result of the discussion.

BID – PHASE II JAIL:

Moved by Hansen, seconded by Fischbach to authorize advertising public hearing to open, read and consider bids for the Phase II Jail Project, to be held in the Commissioner's Chambers, Courthouse Annex, Brown County, SD at 8:45 A.M. on January 16, 2007. All members present voting aye. Motion carried.

HOSPITAL CLAIM:

Moved by Feickert, seconded by Wiese to deny request, submitted by Avera St. Lukes Hospital for payment in amount of \$21,027.43 for a 25 year old female, as the individual has not provided sufficient information to determine if indigent. All members present voting aye. Motion carried.

NACO PRESCRIPTION DRUG CARD:

Charlene Millim, Welfare Director discussed the distribution points for the NACO Prescription Drug Cards and the press release that will announce their availability.

EXECUTIVE SESSION:

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

The Chairman declared the executive session closed with no action taken as a result of the discussion.

FAIR DISCUSSION:

Larry Gerlach and Roger Huettl requested permission to provide a pullover jacket for each Fair Board Member. Board concurred.

SHERIFF DEPARTMENT:

Mark Milbrandt, Tom Schmitt and John McQuillen met to thank the Commission in advance for any wage consideration for 2007.

EXECUTIVE SESSION:

Moved by Wiese, seconded by Fischbach to go into executive session to discuss personnel. All members present voting aye. Motion carried.

The Chairman declared the executive session closed, with no formal action taken as a result of the discussion.

RECESS:

The Chairman declared the Commission recessed until December 26, 2006.

Maxine Taylor – Brown County Auditor

DECEMBER 26, 2006 – GENERAL MEETING

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

MINUTES:

Moved by Wiese, seconded by Hansen to approve the General Meeting minutes of December 19, 2006. All members present voting aye. Motion carried.

CLAIMS:

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

Payroll: Commissioners..\$2,779.85; Auditor..\$7,003.27; Treasurer..\$8,795.74; Data Processing..\$2,894.93, State's Attorney..\$12,126.22; Maintenance..\$5,522.87; Assessor..\$8,852.13; Planning & Zoning..\$500.00; Register of Deeds..\$4,774.14; Veterans Service Office..\$2,692.55; GIS..\$1,738.47; Sheriff..\$60,963.71; Communications..\$14,714.06; Coroner..\$1,400.00; Welfare Office..\$2,831.87; Museum..\$5,012.44; Fairboard..\$1,445.17; Fairgrounds & Parks..\$2,974.16; Extension..\$1,802.40; Weed..\$513.12; Emergency Management..\$2,568.86; Teen Court..\$310.50; Highway..\$28,278.51; Landfill..\$7,143.62; Matching Benefits: FICA..\$10,999.29, Medicare..\$2,572.37, Wellmark BCBS Life..\$653.68, Wellmark BCBS Health..\$59,071.88, Delta Dental..\$4,089.00, SD State Retirement..\$22,828.29;

Supplies: Central Labor Union..\$150.00, CDW Govt..\$926.82, Planning & Dev Dist III..\$30,000.00, Menards..\$1175.30, Sanders Sew 'N Vac..\$149.48, Central Supply..\$381.50, Ameripride..\$84.02, Nelson Sales..\$34.00, Runnings..\$33.54, Adamsoft..\$4725.00, ASAAO..\$330.00, Best Business..\$911.82, Int'l Assoc of Assessing Officers..\$257.66, New Trends..\$270.91, Hofers Repair..\$24.99, DT Pharmacy..\$1600.89, Hagan Ins..\$300.00, SD Division of Motor Vehicles..\$28.00, Pumps Tire..\$273.90, L&O Acres..\$1132.27, HF Jacobs..\$6155.21, Huron Culvert..\$591.46, Howes Oil..\$18,294.99, General Traffic Controls..\$180.75, JD Evans..\$6700.00, DVC Girls Vac..\$34.99, Dakota Fluid Power..\$1195.75, Crawford Trucks..\$151.64, Crawford MS&F..\$260.58, Carquest..\$208.47, Butler Machinery..\$22,663.12, Quality Quick Print..\$810.67, Runnings..\$38.60, House of Glass..\$1486.00, Dacotah Prairie Museum..\$199.50, NSU..\$207.00, UBC..\$2.47, Office Equip..\$1101.88, Century Business Products..\$70.00, HSBC Business..\$897.09, SD Planners Assoc..\$495.00, Inventory Trading..\$918.25, Int'l Assoc of Chiefs of Police..\$400.00, Hedahls..\$119.68, Walmart..\$517.23, DSS Image Apparel..\$1517.10, Pizza Ranch..\$62.94, Sam Moran..\$40.00, Dakota Fluid Power..\$122.66, HC Clark..\$29.19, Greenman Tech..\$5770.30, Gemplers..\$193.67, North Central Steel..\$454.54, Fire Safety First..\$35.30, Dakota Oil..\$150.75, Aberdeen Rural Firefighters..\$100.00, Dakota Wood Grinding..\$9725.00, OK Tire..\$20.00, Petroleum Partners..\$786.79, Earth Tech..\$2435.00, Overhead Door..\$102.04, SD Sheriff Assn..\$525.00, Active Data..\$2398.00, Moore Medical..\$195.24, Sanders Sew 'N Vac..\$879.98, Cunningham Elec..\$63.04, Eagle Forms..\$107.21, CMRS-FP..\$5000.00, Sheryl Erickson..\$544.50, Geffdog..\$577.66, Northern Tool..\$76.11, IAFE..\$650.00, Zurich North America..\$60.00, Fordham Signs..\$86.65, Racom..\$329.60, Kesslers..\$338.93, Velvet Uniforms..\$74.00, HRS..\$3640.51, Earthgrains..\$445.27, Exec Mgmt..\$2604.00, Bonnie Bitz..\$72.00, University of MN..\$11.47, ASA..\$75.00, Sherrill..\$119.43, Powerplan..\$744.39, Pro Ag..\$296.87, Exchange Club..\$220.50, Mobile Electronic Service..\$1400.00, Galls..\$159.95, Mark McNeary..\$59.97, Dept of Revenue..\$1732.00, Hewlett Packard..\$7606.00, Active Data..\$57.75, Brown County..\$129.55, Trail Chev..\$94.58, Safety Service..\$305.39, State Property Mgmt..\$53.98, Gardner Locksmith..\$10.00, West Payment..\$1032.26, Penton Tech..\$54.95, Farm & Home Pub..\$510.00, Crescent Elec..\$10.11, Artz Camera..\$441.90, Language Line..\$87.60, Gardner Locksmith..\$423.75, Aberdeen Awards..\$1360.25, Kens Superfair Foods..\$12.00, McLeods..\$549.35, Century Business..\$36.14, Jeff Vilhauer..\$120.00, Sherwin Williams..\$26.99, Dakota Electronics..\$1116.70, Frederick Library..\$750.00, Hoven Auto..\$48.52:

Publications: American News..\$1510.36, Dakota Press..\$2862.12, Groton Indep..\$1092.58:

Professional Fees: Avera Queen of Peace..\$341.00, Sheriff of Yankton County..\$16.50, Eide Bailly..\$243.00, Glas Consulting..\$181.25, Jason Engel..\$240.00, Jackie Schraeder..\$120.00, Pam Smid..\$90.00, Jayson Knutson..\$180.00, Northeastern Mental Health..\$30,864.87, SDACC..\$4400.60, SDACO..\$2502.60:

Transcriptions: Kristi Kost..\$30.00:

Travel: Lorah Houser Jankord..\$143.04, Allan Vietmeier..\$135.04, Gene Loeschke..\$178.24, Leo Leshner..\$198.72, Kathy Fischer..\$96.64, Kevin Spitzer..\$40.32, Mark Hoven..\$200.00, Bernie Bain..\$353.60, Dennis Wiedebush..\$299.88, Marjorie Zastrow..\$76.20, Gary Erickson..\$111.97, Danielle Radke..\$29.60, Angela Keller..\$100.00, Stan Beckler..\$176.88, Jerry Streckfuss..\$263.92, George Hansen..\$222.96, Erling Podoll..\$153.90, Harley Gage..\$199.92, David North..\$295.92, Crossroads..\$195.00, Dennis Feickert..\$54.40, Deb Knecht..\$201.60, Tom Fischbach..\$62.72, City of Groton..\$60.16, Mark Milbrandt..\$675.00, Sherry Theobald..\$11.84, Curt Haaland..\$20.48, Mike Wiese..\$7.68, Charlene Millim..\$17.92, Gene Loeschke..\$69.44:

Court Appointed Attorney: Scott Kuck..\$11.04, Christy Serr..\$154.96:

Utilities: Midcontinent Cable..\$329.46, Alltel..\$1414.78, Northwestern Energy..\$8312.13, Northern Elec..\$100.00, Qwest..\$159.59, WEB..\$113.41:

Care of Poor: Dr/Hospital – 7 recipients..Aberdeen Surgical Assoc..\$1200.00, Orthopedic Surgery Spec..\$1066.67, Avera St Lukes..\$25,921.40, Dakota Imaging..\$152.41; Rent – 8 recipients..Lakeside Estates..\$430.00, Zumbaum Property..\$280.00, Gohn Rentals..\$240.00, John Gebhart..\$110.00, Webb Shoe Co..\$157.00, Karen Sjomeling..\$260.00; Medication – 1 recipient..Walmart Pharm..\$204.36. All members present voting aye. Motion carried.

PERSONNEL:

Moved by Fischbach, seconded by Wiese to approve hiring Teoni Taylor as Deputy Treasurer, effective January 4, 2007 at \$10.37 per hour. All members present voting aye. Motion carried.

WORK STUDY HOURS:

Moved by Hansen, seconded by Wiese to approve 348 hours of work-study hours for work comp purposes, completed by Sharna Thomason from January to December 2006. All members present voting aye. Motion carried.

QCD:

Moved by Hansen, seconded by Wiese to approve and authorize the Chairman sign Quit Claim Deed to the City of Aberdeen all interest held by Brown County in the following real estate: The S 3.5' Lot 23, Garden Addition to the City of Aberdeen, Brown County, SD. All members present voting aye. Motion carried.

WEED TRUCK AGREEMENT:

Moved by Wiese, seconded by Hansen to approve and authorize the Chairman sign Invoice for sale of 1989 Ford F-350 Weed Truck and equipment to Brookings County for \$10,000.00. All members present voting aye. Motion carried.

SHERIFFS REPORTS:

Moved by Wiese, seconded by Hansen to approve the following November Sheriff Reports: Incidents and 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. 86-06

BE IT RESOLVED by the Board of County Commissioners of Brown County, SD, that the plat showing "Airport First Subdivision in the NW ¼ Sec 27-T123N-R63W of the 5th P.M., Brown County, SD" 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, Fischbach-aye, Feickert-absent, Wiese-aye, Knecht-aye. Resolution adopted.

Commissioner Hansen offered the following Resolution:

RESOLUTION NO. 87-06

BE IT RESOLVED by the Board of Commissioners of Brown County, SD, that the plat showing "Bieber's First Replat of Bieber's Outlot 2 in the SE ¼ of Sec 19-T124N-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 Hansen-aye, Fischbach-aye, Feickert-absent, Wiese-aye, Knecht-aye. Resolution adopted.

Commissioner Hansen offered the following Resolution:

RESOLUTION NO. 88-06

BE IT RESOLVED by the Board of County Commissioners of Brown County, SD, that the plat showing "Fischer Richmond Lake Estates in the NE ¼ Sec 23-T124N-R65W of the 5th P.M., Brown County, SD" 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, Fischbach-aye, Feickert-absent, Wiese-aye, Knecht-aye. Resolution adopted.

Commissioner Fischbach offered the following Resolution:

RESOLUTION NO. 89-06

BE IT RESOLVED by the County Commission of Brown County, SD, that the plat showing "Legacy Development First Addition in the NE ¼ of Sec 1-T123N-R65W 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 Hansen. Roll call vote: Commissioners Hansen-aye, Fischbach-aye, Feickert-absent, Wiese-aye, Knecht-aye. Resolution adopted.

Commissioner Hansen offered the following Resolution:

RESOLUTION NO. 90-06

BE IT RESOLVED by the Board of County Commissioners of Brown County, SD, that the plat showing "Nash Conservation Easement Tract 1 in the E ½ of the NW ¼ of Sec 31-T121N-R64W of the 5th P.M., Brown County, SD" 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, Fischbach-aye, Feickert-absent, Wiese-aye, Knecht-aye. Resolution adopted.

Commissioner Wiese offered the following Resolution:

RESOLUTION NO. 91-06

BE IT RESOLVED by the Board of County Commissioners of Brown County, SD, that the plat showing "Freeland Conservation Easement Tract 1 in the S ½ of the NE ¼ of Sec 34-T127N-R61W of the 5th P.M., Brown County, SD" 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, Fischbach-aye, Feickert-absent, Wiese-aye, Knecht-aye. Resolution adopted.

Commissioner Wiese offered the following Resolution:

RESOLUTION NO. 92-06

BE IT RESOLVED by the Board of Commissioners of Brown County, SD, that the plat showing "Shirley J. Weismantel Addition in the NE ¼ of Sec 18-T123N-R62W 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 Fischbach. Roll call vote: Commissioners Hansen-aye, Fischbach-aye, Feickert-absent, Wiese-aye, Knecht-aye. Resolution adopted.

Commissioner Wiese offered the following Resolution:

RESOLUTION NO. 93-06

BE IT RESOLVED by the County Commission of Brown County, SD, that the plat showing "H & S First Subdivision in N ½ Sec 36-T123N-R64W 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 Hansen-aye, Fischbach-aye, Feickert-absent, Wiese-aye, Knecht-aye. Resolution adopted.

Commissioner Wiese offered the following Resolution:

RESOLUTION NO. 94-06

BE IT RESOLVED by the County Commission of Brown County, SD, that the plat showing "Podoll's First Heritage Subdivision in NW ¼ SW ¼ Sec 9-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 Hansen-aye, Fischbach-aye, Feickert-absent, Wiese-aye, Knecht-aye. Resolution adopted.

INTEREST TRANSFER IN/OUT:

Moved by Wiese, seconded by Fischbach to transfer interest from General to individual funds as current revenue; and further per Commission Policy transfer out to General Fund: #201 Highway @ \$23,444.99; #504 Solid Waste @ \$90,198.09; #207 Communications @ \$13,305.62; #233 Courthouse & Jail Improvements @ \$20,839.99. All members present voting aye. Motion carried.

INCREASE SPENDING AUTHORITY/ESTIMATED REVENUE:

Moved by Fischbach, seconded by Wiese to increase spending authority and estimated revenue for the following unanticipated grant funds: South Dakota Office of Highway Safety Grant (underage drinking): #234-211.01-411 @ \$3,875.84, 412.01 @ \$240.30, 412.02 @ \$56.20, 413 @ \$310.06 and #234-331.90 @ \$4,482.40; Homeland Security #236-211-426 @ \$18,445.35, #236-222.15-426 @ \$162,284.37, #236-222.16-426 @ \$1,778.98; #236-222.18-426 @ \$662.29; #236-222.19-426 @ \$4,198.83; #236-222.20-426 @ \$380,902.11, #236-222.21-426 @ \$8,523.04; #234-222-22-426 @ \$6,526.39 and #236-331 @ \$583,321.36. All members present voting aye. Motion carried.

OPERATING TRANSFER:

Moved by Fischbach, seconded by Hansen to approve an operating transfer-out from General Maintenance Fund #101-161 to Courthouse/Jail Fund #233 in amount of \$60,000.00. All members present voting aye. Motion carried.

GENERAL FUND LOAN:

Moved by Hansen, seconded by Fischbach to authorize cash from the General Fund be loaned to the following Funds until reimbursement/accounts receivable are received: Fund #234 Underage Drinking Grant @ \$4,482.40; Fund #236 Homeland Security Grant @ \$17.95; Fund #201 Highway @ \$70,200.28. All members present voting aye. Motion carried.

CONTINGENCY TRANSFERS:

Moved by Wiese, seconded by Fischbach to approve the following Contingency Transfers (spending authority only): Fund #101: 111 Commission @ \$32,011.86, 141 Auditor @ \$9,308.84, 151 States Attorney @ \$9,510.11, 153 CALC @ \$20,337.96, 154 A&N @ \$154.96, 165 Veterans Service @ \$847.38, 212 Jail @ \$59,040.62, 445 Mental Illness Board @ \$3,794.82; Fund #201 Highway @ \$99,924.72. All members present voting aye. Motion carried.

BUDGET SUPPLEMENTS:

Time and place, as advertised for public hearing to consider the following Budget Supplements for year 2006 for Fairgrounds Campground and Fair Benches/Tables. Moved by Wiese, seconded by Fischbach to approve the following Budget Supplements for year 2006: Fairgrounds Campground @ \$6,992.36 (donations @ 6,992.36); Fair Benches/Tables @ \$170.13 (donations @ 170.13). All members present voting aye. Motion carried.

Time and place, as advertised for public hearing to consider the following Budget Supplement for year 2006 for the Dacotah Prairie Museum. Moved by Wiese, seconded by Hansen to approve the following Budget Supplement for year 2006: Dacotah Prairie Museum @ \$13,000.00 (Aberdeen City Contribution @ 13,000.00). All members present voting aye. Motion carried.

TAX DEED PROPERTY:

Moved by Wiese, seconded by Fischbach to authorize Sheila Enderson, County Treasurer to submit all qualifying parcels to the States Attorney for completion of the tax deed process. All members present voting aye. Motion carried.

PARTIAL PAYMENTS:

Moved by Hansen, seconded by Wiese to authorize Sheila Enderson, County Treasurer to accept partial payments for taxes (as authorized by SDCL 10-21-7) in amount of \$100.00 per month on Lot 1 Bradke Subdivision in NW ¼ Sec 21-T126N-R63W of 5th P.M., Brown County, SD, effective January 6, 2007. All members present voting aye. Motion carried.

PARTIAL PAYMENTS CANCELLED:

Moved by Wiese, seconded by Hansen to authorize Sheila Enderson, County Treasurer to cancel partial payments for taxes (as authorized by SDCL 10-21-7) on the N ½ Lot 11 and Lot 12, Block 33 First Addition to Groton 1997 Friendship Mobile Home, due to non-payment and proceed with tax deed process. 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 McNeary and Jeanette Nietert in attendance. All members present voting aye. Motion carried.

The Chairman declared the executive session closed with no official action taken as a result of the discussion.

ADJOURNMENT:

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

Maxine Taylor – Brown County Auditor