

JANUARY 2, 2007 -REORGANIZATION MEETING

This being the reorganization meeting of the Brown County Commission for year 2007, 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. Commissioners Tom Fischbach, Nancy Hansen, Mike Wiese and Sheriff Mark Milbrandt completed their Oath of Office for the new four-year term. Pastor Gary Wileman, First Assembly of God Church of Aberdeen led the Pledge of Allegiance and opened with Prayer.

Maxine Taylor, Brown County Auditor, called for nominations for Brown County Commission Chairman for year 2007, pursuant to SDCL 7-8-15.

Commissioner Hansen nominated Mike Wiese for Chairman. Moved by Fischbach, seconded by Hansen that nominations cease and a unanimous ballot be cast for Mike Wiese, 2007 Chairman. All members present voting aye. Motion carried.

Commissioner Feickert nominated Deb Knecht for Vice Chairman. Moved by Hansen, seconded by Fischbach that nominations cease and a unanimous ballot be cast for Deb Knecht, 2007 Vice Chairman. All members present voting aye. Motion carried.

MINUTES:

Moved by Hansen, seconded by Fischbach to approve the General Meeting minutes of December 26, 2006. All members present voting aye. Motion carried.

CLAIMS:

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

Professional Fees: South Dakota Municipal League..\$101,930.00, South Dakota Public Assurance Alliance..\$187,910.37. All members present voting aye. Motion carried.

PERSONNEL:

Moved by Feickert, seconded by Knecht to approve employee status change for Don Fischer to Assistant Landfill Manager, effective December 17, 2006 @ \$13.71 per hour. All members present voting aye. Motion carried.

Moved by Feickert, seconded by Fischbach to approve the following employee step increases, effective December 31, 2006: Jan Erickson @ \$13.19 per hour, John VanderHoek @ \$18.22 per hour, Nancy Radke @ \$16.30 per hour, Craig Nelson @ \$15.74 per hour, Kathy Schlecht @ \$13.86 per hour. All members present voting aye. Motion carried.

Moved by Knecht, seconded by Hansen 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.

Moved by Hansen, seconded by Knecht to authorize the Sheriff Department advertise for position of Jail Secretary at a salary of \$10.93 per hour. All members present voting aye. Motion carried.

Moved by Hansen, seconded by Feickert to list the following volunteers for work comp purposes: John Aman, Chad Bierman, Don Craft, Barb Crawford, Arnold Dinger, Colin Dutenhoffer, Curt Erickson, Kristie Erickson, Jeanette Hassebrook, Roger Huettl, Duane Jark, Dave Johnson, Joey Kaven, Nathan Kessler, Darcey Leshner, Carla Meints, Barb Paepke, Rick Pigors, Jamie Pulfrey, Butch Sauvage, Kathy Schaanaman, Brian Sharp, Stu Swenson, 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, Becky Berreth, Tom Kessler, Lois Pletten, David Shultis, Marilee Frankenberger, Freddie Robinson, 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 Saylor, Linda Schwabe, Judith Sheldon, Justin Shultis, Bonnie Siebrecht, Martha Smith, Donna Stearns, Rose Cathy Thornton, Merle Voeller, Corey Wipf, Dion Bahr, Kerry Beckler, Paul Bohling, Mercedes Buchanan, Lance Bunke, Becky Burdick, Diane Burns, Darcie Engel, Ryan Engel, Dave Green, Nancy Gross, Gerald Helm, Pat Helm, Janet Herman, Rick Humphries, Geneva Hurlburt, Lynn Isackson, Chad Kampa, Matthew Klundt, Michael Kost, Ron Kost, Carla Kramer, Brad Liechtner, Janet Malsom, Tim Mattern, Deborah Munger, Cindy Olson, Gayle Opp, James Petrich, Nancy Schrenk, Janice Sippel, Glenda Smith, Justin Steiger, Jesse Swallow, Terri Traxinger, Toyna Vilhauer, Barney Williams, Brad Wollman, Cara Wollman, Evelyn Blum, Allen Gates, Randy Grismer, Bill Hild, Mary Jo Hilk, Carole Jansen, Neil Schaunaman, Bob Webb, Kathy Webb, Dean Webb, Dennis White. All members present voting aye. Motion carried.

SET HEARING DATE:

Moved by Feickert, seconded by Knecht to set date for joint public meeting of the Brown County Commission and Aberdeen City Council for 5:30 p.m. on January 22, 2007 in the Aberdeen City Council Chambers, 123 S Lincoln Street for First Reading of the following: Ordinance No. 07-01-01/339, An Ordinance to rezone the following property from Section 714 (M-AG) Mini-Agricultural District to Section 707 (C-2) Highway Commercial District: Lot 1 and Lot 3, REA First Addition in the NW ¼ of Sec 23-T123N-R63W of the 5th P.M., Brown County, SD. All members present voting aye. Motion carried.

SURPLUS PROPERTY SALE:

Moved by Hansen, seconded by Feickert 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 January 23, 2007 in the Commissioner's Chambers, Courthouse Annex, Brown County, SD. All members present voting aye. Motion carried.

PARTIAL PAYMENTS:

Moved by Fischbach, seconded by Feickert to authorize Sheila Enderson, County Treasurer to accept partial payments for taxes (as authorized by SDCL 10-21-7) in amount of \$1,000.00 per month on Lot 19-20 Pierce's Subd Blk 103 Hagerty & Lloyds Addition to Aberdeen, effective January 6, 2007. All members present voting aye. Motion carried.

Moved by Knecht, seconded by Hansen to authorize Sheila Enderson, County Treasurer to accept partial payments for taxes (as authorized by SDCL 10-21-7) in amount of \$2,500.00 by January 12, 2007 and balance in full by December 31, 2007 on Lot 14 Blk 2 Park Addition to Westport, Brown County, SD. All members present voting aye. Motion carried.

DESIGNATION OF DEPUTIES:

Commissioner Fischbach offered the following Resolution:

RESOLUTION NO. 1-07

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

OFFICIAL NEWSPAPERS:

Moved by Hansen, seconded by Feickert to designate the following as the official Brown County newspapers for year 2007 (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 Feickert, seconded by Knecht 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. 2-07

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

EXPENSE POLICY:

Moved by Feickert, seconded by Knecht 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 Knecht, seconded by Fischbach 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.

EXPENSE POLICY FOR BROWN COUNTY BOARDS:

Moved by Feickert, seconded by Knecht to set the following policy for the boards appointed by the Brown County Commission.

1. Dacotah Prairie Museum Board – No per diem - Maximum two three-year terms.
2. Extension Board – Mileage per County policy if reside out of Aberdeen City – Maximum two three-year terms.
3. Fair Board – No per diem – Maximum two three-year terms.
4. Local Emergency Planning Committee – No per diem – No term length/limit.
5. Planning/Zoning Board - \$25.00 per meeting attended, plus mileage per County policy – Five-year terms – No term limit per January 1, 2004 Commission Minutes.
6. Rationing Board – No per diem – No term length/limit.
7. Weed & Pest Control Board - \$25.00 per meeting attended, plus mileage per County policy, if reside out of Aberdeen City – Three year terms – No term limit.

Appointments to fill vacated positions on a board will be for the remainder of the term of the position vacated. If the remainder of the term is over one-half of the regular term, this appointment will count as a full term regarding term limits.

Appointees to all boards shall not receive pay or other forms of benefit or benefits that extend beyond the termination or expiration of their appointment to a county board. All members present voting aye. Motion carried.

TAX DEED NOTICES:

Commissioner Hansen offered the following Resolution:

RESOLUTION NO. 3-07

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

COMMISSION APPOINTMENTS:

Moved by Feickert, seconded by Hansen to approve the following Commission Committee appointments for 2007: 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, CART, NECOG, Aberdeen Development Corporation; Nancy Hansen - Union Negotiations, NE Mental Health Board, Communications Center Council, City Net, SDACC First Vice, Senior Citizens Board; Mike Wiese - Planning & Zoning Board, Liaison to Welfare, NECOG, Museum Board, Airport Board, SD Public Assurance Alliance Board Member, Communications Center Council, BID, Boys & Girls Club, Glacial Lakes; Dennis Feickert - Weed Board, SDACC Catastrophic Legal Board, Fair Board, Extension Board and FIT. All members present voting aye. Motion carried.

BOARD APPOINTMENTS:

Moved by Knecht, seconded by Hansen to appoint the following to the Extension Board: Kathy Vitense, First Term, effective January 1, 2007 – December 31, 2009; and appoint Jesslyn Latt, Second Term, effective January 1, 2007 – December 31, 2009. All members present voting aye. Motion carried.

Moved by Feickert, seconded by Fischbach to appoint the following to the Local Emergency Planning Committee (LEPC): Dave McNeil, John McQuillen, Chad Madsen, Dave Mowers, James Scarlett, Lynn Hovel, Rob Senger, Paul Peterson, Richard Bakeberg, Toby Sullivan; and further remove the following members: Roger Bortnem, Ron Feickert, Sean Johnson, Ralph Labbee, Steve Marquardt, George Marshall, Mark Milbrandt, Freddie Robinson, Keith Sharisky, Aberdeen American News. All members present voting aye. Motion carried.

COUNTY RANGELAND FIRE PROTECTION:

Commissioner Knecht offered the following Resolution:

RESOLUTION NO. 4-07 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.

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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, Scott Meints and Bill Winter.

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

FAIRGROUNDS/YOUTH CAMP RENTAL RATES:

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

FAIRGROUNDS RENTAL RATE - EFFECTIVE JANUARY 1, 2007

Storage Space Rental: October 15 to April 1st - Prepaid Least -No Refunds - 4% SALES TAX - A copy of registration must be show for campers and boats to verify lengths.

Campers under 25' 11" (\$130.00 + \$5.20 Tax) Campers 26' 29' 11" (\$140.00 + \$5.60 Tax), Campers 30' and over (\$150.00 plus \$6.00 tax) Pop-up Campers (\$90.00 plus \$3.60 tax) Vehicles, Boats up to 16' (\$90.00 plus \$3.60 tax) Boats over 16' (\$100.00 plus \$4.00 tax) Pontoons, Deck Boats, Cabin Cruisers (\$130.00 plus \$5.20 tax) Contracts made in 2006 for 2007 will be honored with 2006 prices.

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 \$275.00 - Per day for days over two \$135.00 - Clean-up additional \$75.00. 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 \$250.00 - Per day for days over two.....\$125.00 If fairgrounds personnel needs to clean up after the activity..... Clean-up/horse shows \$300.00 - Clean-up/other activities.....\$175.00

Holum Expo Building: 120' x 240' - Per day \$450.00 plus utililtes - Per day for days over two...\$225.00 plus utilities. If fairgrounds personnel needs to clean-up after the activity.....Clean-up/horse shows \$300.00 - Clean-up/other Activities....\$175.00

Horse Stalls: Set up fee - per stall. \$8.00

Orange Corral Panels:- per day.....\$25.00

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 event \$80.00

People Movers - \$10.00 per event (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

10" Benches: \$1.00 per bench per event.

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

RICHMOND YOUTH CAMP RENTAL RATES- EFFECTIVE JANUARY 1ST, 2007

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 per day: \$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.)

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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, Ste. 1, Aberdeen, SD 57401.

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

All members present voting aye. Motion carried.

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 the following action taken as a result of the discussion.

2007 SALARY SCHEDULE:

Moved by Feickert, seconded by Hansen to approve the following salaries, effective December 17, 2006:

Annually States Attorney Mark McNeary 57,166; Sheriff Mark Milbrandt 56,347 (plus \$500 per pay period to oversee Communications Center); Auditor Maxine Taylor, Treasurer Sheila Enderson, Register of Deeds Carol Sherman 44,881; Commissioners Tom Fischbach, Dennis Feickert, Nancy Hansen, Mike Wiese, Deb Knecht 14,955 (plus county paid portion of optional insurance coverage); Deputy States Attorney's Kim Dorsett 45,000; Lori Ehlers, Rachel Wilkins 41,000, Jodi Brown 24,000; Chief Deputy Sheriff Tom Schmitt 50,712; Building Superintendent Mick Palmer 34,632; Museum Director Sue Gates 36,205; Veterans Service Officer Tom Gohn 36,798; EM Director Scott Meints 41,000; Fairgrounds Superintendent Kurt Smith 34,673; Welfare Director Charlene Millim 42,139; Deputy Sheriff/Communications Director John McQuillen 46,000; Highway Superintendent Dirk Rogers 49,520 (plus \$500 per pay period for Planning/zoning/Drainage duties); Director of Equalization Mary Worlie 44,512; GIS Coordinator Scott Madsen 46,200; Landfill Manager Mike Scott 47,034; Computer Programmer/Analyst Bill Meink 47,034; Fair Board Manager Larry Gerlach 27,421; Sheriff/JDC Nurse Marcy Fritz 36,560; Juvenile Detention Supervisor Amy Lake-Harmon 38,425; Highway Project Coordinator Richard Burns 42,975; Highway Shop Foreman Mark Wendt 35,229; Deputy Director of Equalization Leo Leshner 37,041. **Per Hour** Weed Supervisor Roger Johnson 13.61. Assistant Landfill Manager Don Fischer 13.71. Senior Fieldman Gene Loeschke 16.72. Chief Office Deputies (Auditor, Treasurer, Register of Deeds) Jeanette Nietert, Jan Beckler, Dorene Borchard, Catherine Lindemann 17.81. Planning Zoning/Appraisers/Computer Support Specialist: Allan Vietmeier 12.80, Chris Stucke 14.90, Kathy Fischer 15.80. Chief Office Deputies (Sheriff, Welfare, States Attorney, Maintenance, Director of Equalization, EM, Veterans Service) Polly Rush 12.96, Ginger Walker 13.61, Kathy Schlecht 13.58, Janice Moore 16.07, Penny Hart 19.57, Mavis Kempf 16.02, Judy Dosch 16.52. States Attorney's Office Secretaries Kristina Vetter 10.92, Tracy Madsen 11.37, Jane Jensen 12.68. Office Deputies, Museum Curators, Secretaries/Clerks Roxanne Hilgenberg, Lisa Samson, Mariann Malsom, JoAnn Sheffield, Teoni Taylor 10.77; Jackie Ormand, Jessi Mather 10.98, Kimberly Droog 11.20, Danielle Radke 11.42, Carol White 11.75, Lora Schaunaman, Sherry Theobald 11.91, Cindy Meyers 12.06, Sandra Green 12.39, Jolene Forsting 12.44, Patty Van Meter 12.54, Sherri Rawstern 12.69, Jan Erickson 13.14, Geri Sillman 13.64. Clerk, Secretary & Maintenance Mickey Schulz 11.35, Monte Podoll 11.68. Sheriff Department Clerical & Cooks Margaret Unser 11.48, Diane Mielke 13.66, Joyce DesCamps 14.06, Carol Wolf 14.01, Kathy Neitzel 14.26. Dispatchers James Petich, Anthony Sorenson, Kim Fischbach, Janet Plank 11.83; Jennifer Himes 12.09, Sarah Jesz 12.93, Sandy Hjermstad 13.20, Betty Haar, Sheila Anderson 14.70, Mary Browning 14.95. Chief Dispatcher Nancy Radke 16.25. Highway (Labor Grade 3) Mervyn Heaton, William Moon, Roy Hedges 11.49; Jon Koeniguer, Michael Rohrbach, Robert Jensen 11.70, Roger Johnson 11.92, Nick Fullmer 12.15, Jason Heagley 12.63, Ben Hofer, Casey Thorstenson,

Melvin Ernst 12.78, Joseph Malsom 13.11, Larry Hardy 13.26, John Weig 13.96. Highway (Labor Grade 4) John Heidenreich 11.83, Dennis VanHeerde 13.07, Kendell Titze 13.24, Nyle Jenson 13.29, Carl Wright 14.39. Highway (Labor Grade 5) Janet Weismantel 14.51, David Bruckner, Daryl Lloyd 14.36, Marcus Selzler 14.21. Highway Mechanics Labor Grade (B) Jason Hammrich 13.73, Ronald Glugla 13.88. Field Deputy Sheriff/Chief Jailers Levi Jensen, Joshua Boll, Keith Baker 14.64; Damian Bahr 15.18, Craig Nelson 15.46, Brian Koens 15.74, Terrence Evans 16.02, John VanderHoek 17.66, David Fair 17.57, Scott Kolb 17.77, Bryan Locke 17.87, John Heine 17.82, Craig Anderson 17.92. Jail Deputy/Home Detention Supervisor/Assistant JDC Supervisor Brenda Hammrich 13.38, Kristal Biegler 14.22. Jailers (Adult and JDC) Brandon Engleking, Ashby Schrock, Barbara Greiner, Michael Bowser, John Sandal, Joseph Embury, Brandi Hagen, Tricia Jondahl, Ryan Kotzea 11.57; Shawna Everson, Michael Ernst, Jesse Milbrandt, Nathan Smith, Samiuela Mouna, Marissa McDermond, Teri Jondahl 11.85, Joni Gaulrapp, Harlan Place 12.13, Marjorie Lammon 12.41, Matthew Farley 12.97, Russ Ochsner 13.25, Cindy Mitchell, Jeffrey Kirnan 13.53. **Part time employees – per hour:** Doris Adler, Robert Heintzman, Bob Gardner 7.62, Dean Sinclair, Sally Swanson, Daryl Thomas 7.78, Ron Leighty 7.88, Richard Schooley 8.03, James Crouch 8.65, Irene Gese 9.16, Kay Albrecht, Michelle Thex, Julie Hermansen, Brandi Hagen, Kelly Moinichen, Duane Anderson, Christopher Rinkenberger, Nathan Smith, Jason Goette, Larry Harper, Reagan Flamboe, Kale Miller 9.67; Holly Ann Schumacher, Stacie Wasem, Rodney Johnson, Jamie Beard 10.38; Todd Harder, Carrie Hall, Tom Lammon 11.16, Jerry Dempsey, Robert Retzer, Leon Vickers 12.44, Tabatha Lemke 13.80, Lorah Houser Jankord, Cynthia Schwan 15.26. **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. **Dispatchers for Training at Terminals:** \$0.30 per hour all shifts. 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 – Robert Baumgartner, Nathan Wood, Lesley Farmen, Darin Swanston, Brock Schifrel, Trenton Lundstrom, Kyle Stoddard, Mary Clawson, Marcy Fritz, Debra Anderson, Rod Grismer, Jesse Chagolla, Brook Brown. All members present voting aye. Motion carried.

CORONER:

Moved by Hansen, seconded by Fischbach to set salary for Coroner and Deputy Coroner's at \$150.00 per call. All members present voting aye. Motion carried.

RECESS:

The Chairman declared the Commission recessed until January 9, 2007.

Maxine Taylor - Brown County Auditor

JANUARY 9, 2007 – GENERAL MEETING

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

MINUTES:

Moved by Hansen, seconded by Feickert to approve the General Meeting minutes of January 2, 2007. All members present voting aye. Motion carried.

CLAIMS:

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

Payroll: Commissioners..\$2,876.00; Auditor..\$7,016.06; Treasurer..\$9,058.20; Data Processing..\$3,001.00; State's Attorney..\$12,126.22; Maintenance..\$5,564.25; Assessor..\$8,828.52; Planning & Zoning..\$500.00; Register of Deeds..\$4,866.60; Veterans Service Office..\$2,809.03; GIS..\$1,776.93; Sheriff..\$66,210.63; Communications..\$16,266.50; Welfare Office..\$2,902.34; Museum..\$5,178.90; Fairgrounds & Parks..\$3,063.82; Fairboard..\$1,493.86; Extension..\$1,866.40; Weed..\$108.88; Coroner..\$300.00; Emergency Management..\$2,665.73; Teen Court..\$207.00; Highway..\$26,738.12; Landfill..7,590.50 Matching Benefits: FICA..\$11,243.07; Medicare..\$2,629.40: Supplies: Quality Quick Print..\$787.88, CDW Govt..\$378.87, Tyler Tech..\$1904.05, Active Data..\$8911.90, Taylor Laundry..\$35.00, Crescent Elec..\$255.34, McLeod..\$745.30, Medtox..\$250.90, Best Business..\$100.29, Lust..\$32.95, HRS..\$318.63, OK Tire..\$10.00, Hoven Auto..\$17.52, Accurint..\$31.07, Aberdeen Chrysler..\$10.00, Avera St Lukes..\$68.50, Amoco..\$28.91, MOCIC..\$150.00, FedEx..\$8.17, SD Division of Motor Vehicles..\$13.00, SD DOT..\$136,818.30, North Central Rental & Leasing..\$17,150.00, JD Evans..\$162.36, Economy Propane..\$1136.85, Crawford Trucks..\$14,390.00, Clark Engineering..\$62.32, Cass County Heating..\$84.52, CNH Capital America..\$18,272.79, Artz Equip..\$3700.00, Ext Service..\$217.78, Glacial Lakes..\$750.00, Emergency Film Group..\$1545.00, Best Western..\$90.00, Neve's Uniforms..\$80.63, John McQuillen..\$4.05, Dakota Electronics..\$60.00, New World..\$59,488.00, SD Dept of Revenue..\$2967.16, Advanced Weighing System..\$1500.00, MN Pollution Control Agency..\$210.00, Virginia Mitchell..\$50.00, Helms & Assoc..\$2309.83, Al's Electric..\$100.23, Erdmann Oil..\$6569.55, Graham Tire..\$618.70, Runnings..\$378.19: Professional Fees: Sheriff of Yankton County..\$16.50, Scott Meints..\$659.00: Transcriptions: Michelle Gaikowski..\$20.40: Travel: Jason Warrington..\$25.60, Deb Munger..\$10.24: Utilities: FSH Communications..\$55.00, City of Aberdeen..\$1215.49, Northern Valley..\$95.72, Montana Dakota..\$20.33, James Valley..\$140.33, Town of Frederick..\$28.25, Verizon..\$131.61, Northern Wireless..\$80.95, Northwestern Energy..\$285.71, Dependable Sanitation..\$15,880.02: Care of Poor: Dr/Hospital – 4 recipients..Aberdeen Surgical Assoc..\$1060.02, SD Urban Indian Health..\$46.30, Anesthesia Care..\$112.00, Sioux Valley Hospital..\$12,725.71; Rent – 2 recipients..Pat Preston..\$220.00, Gohn Rentals..\$240.00; Insurance – 1 recipient.. Runnings..\$299.00. All members present voting aye. Motion carried.

PERSONNEL:

Moved by Hansen, seconded by Feickert to approve hiring Melony Flinn as Dispatcher, effective January 9, 2007 at \$11.83 per hour. All members present voting aye. Motion carried.

Moved by Hansen, seconded by Feickert to acknowledge resignation of Kim Fischbach, effective January 3, 2007. All members present voting aye. Motion carried.

Moved by Feickert, seconded by Hansen to approve employee status change for Nathan Schutz, from part-time Corrections Officer to regular part-time Corrections Officer, effective December 31, 2006 at \$9.67 per hour. All members present voting aye. Motion carried.

Moved by Hansen, seconded by Feickert to approve employee status change for Casey Thorstenson, from Labor Grade 3 to Labor Grade 5 Step 7, effective January 14, 2007 at \$12.98 per hour. All members present voting aye. Motion carried.

AUDITORS REPORT OF ACCOUNT:

Moved by Hansen, seconded by Fischbach to approve the December 2006 Auditor's Report of Account with the County Treasurer in total amount of \$10,876,291.53 (total amount of actual cash @ \$3,043.68, Wells Fargo Bank @ \$3,694.79, US Bank @ \$13,059.58, Dacotah Bank @ \$257,624.32, Petty Cash @ \$1,800.00, Fund Investments @ \$10,596,612.84, Outstanding Checks @ \$456.32). All members present voting aye. Motion carried.

INTEREST STATEMENT:

Moved by Fischbach, seconded by Hansen to accept for filing the October – December 2006 Interest Statement, submitted by County Treasurer Sheila Enderson. All members present voting aye. Motion carried.

UNCOLLECTIBLE TAX LIST:

Moved by Feickert, seconded by Fischbach to acknowledge uncollectible tax list (two parcels remaining), as submitted by Sheila Enderson, Brown County Treasurer. All members present voting aye. Motion carried.

ABATEMENTS:

Moved by Hansen, seconded by Fischbach to approve the following Abatements: Gregory Wieker, incorrect value (Lt 12 Blk 2 Rolling Meadows NW 1-123-64) for 2006 @ \$287.89; Arlene Bain, tax freeze (Lt 2-17 Blk 1 Winstons Addn Frederick) for 2006 @ \$112.29; Bret Flihs, home destroyed (SW ¼ 21-126-60) for 2006 @ \$273.66; Brown County, tax exempt (Lt 11-12 Blk 8 Barnes & Lucas 2nd Addn Ordway) for 2006 @ \$4.97, (Lt 1-2 Blk 6 OP Ordway) for 2006 @ \$358.65, (Lt 3 Blk 16 Hagerty & Lloyds Addn) for 2006 @ \$762.40, (S 5 acre W ½ SW ¼ 19-124-64 ex lake easement) for 2006 @ \$5.49, (Lt 8-9 Howells Addn Frederick) for 2006 @ \$635.64, (Lt 7 Blk 7 Prairiewood Village) for 2006 @ \$205.99, Lt 9 Blk 6 Prairiewood Village) for 2006 @ \$191.66; City of Hecla, tax exempt (NE 25-128-62) for 2006 @ \$122.76; Lonnie Anderson, incorrect value (Lt 7 Blk 1 Mehlhoffs 11th Addn) for 2006 @ \$521.28; Raymond Reiger, tax freeze (Lt 21-22 Blk 41 Hagerty & Lloyds Addn) for 2006 @ \$38.53; Jody Zueger, fire damage (Lt 2 Hichenbothams 1st Rearrang of Lt 1-2 Blk 58 2nd Addn) for 2006 @ \$254.52; City of Frederick, tax exempt (E ½ Lt 8 Blk 4 OP Frederick) for 2006 @ \$4.61, (Lt 9 Blk 4 OP Frederick) for 2006 @ \$9.18, (Lt 10 Blk 4 OP Frederick) for 2006 @ \$9.18; RNR Development, mobile home moved (BOLS Country Village #120) for 2004 @ \$831.36, for 2005 @ \$747.08, for 2006 @ \$683.23; NESDECC, 2006 taxes paid in Day County (BOLS Lt 8 Blk 1 OP Columbia) for 2006 @ \$409.95;

TRANSFER:

Moved by Feickert, seconded by Hansen to approve and authorize the following transfer of spending authority and cash, as reflected in the 2007 General Fund #101 Budget: \$1,000,000.00 to Road & Bridge Fund #201. All members present voting aye. Motion carried.

GIS PARCEL PROJECT UPDATE:

Scott Madsen, GIS Coordinator and Travis Acklin, District III Representation presented update of GIS parcel project in Brown County. Ninety-five percent of the parcel layer is complete and research will be completed on the remaining five percent during the next two months.

APPLICATION FOR OCCUPANCY:

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Moved by Hansen, seconded by Fischbach to approve application, submitted by James Valley Telecommunications for occupancy of Brown County Highway #11 in Sec 30-T125N-R61W of the 5th P.M., Brown County, SD. All members present voting aye. Motion carried.

EXECUTIVE SESSION:

Moved by Feickert, 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 the following action taken as a result of the discussion.

FAIR BOARD APPOINTMENT:

Moved by Feickert, seconded by Fischbach to appoint Joe Akkerman to First Term on the Fair Board, effective January 1, 2007 – December 31, 2009. All members present voting aye. Motion carried.

EXECUTIVE SESSION:

Moved by Fischbach, seconded by Hansen 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 the following action taken as a result of the discussion.

SALARY SCHEDULE POLICY – AMENDED:

Moved by Feickert, seconded by Fischbach to amend the salary schedule policy for purpose of clarification, effective January 9, 2007, as follows:

1. Step increases are not automatic. Supervisor shall make an evaluation of work performed and recommend promotion.
2. New people coming in would start in step one. (In some cases in a higher step in hard to fill positions).
3. Employees moving to another classification would be placed in a step equivalent to a minimum of a step increase from current pay.
4. Step increases are eligible as follows: Steps 1 - 10 require one year of service in each step.
5. Increases shall be implemented on the first full pay period following the anniversary date of each employee and will be denied only for good cause.
6. When an employee changes to another classification, date of change shall be used for future step increases, not date of hire. If an employee is at step ten of their current classification and changed classification, said employee shall retain additional nickels per year earned, but will not accrue additional nickel until completing the Step 10 level in new classification.
7. All employees on the 10-year Step Plan who reach Step 10 in the classification assigned shall receive \$0.05 per hour after completing a full year at Step 10, applied as per #5 and/or #6 above. (Example: Step 10 plus one year - \$0.05 per hour). NOTE: Amount following employee name represents base pay plus additional earned at step 10 in any classification).

All members present voting aye. Motion carried.

RECESS:

The Chairman declared the Commission recessed until January 19, 2007.

Maxine Taylor – Brown County Auditor

JANUARY 16, 2007 – GENERAL MEETING

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

MINUTES:

Moved by Hansen, seconded by Feickert to approve the General Meeting minutes of January 9, 2007. All members present voting aye. Motion carried.

CLAIMS:

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

Supplies: Best Business..\$59.90, K-Mart..\$19.90, Thomsen West..\$258.00, Office Equip..\$20.70, Exec Mgmt..\$50.48, Lien Trans..\$953.75, Custom Sheet Metal..\$46.00, Heartland Paper..\$1965.94, Duane Amoco..\$32.85, SD Fed Property..\$106.50, Sewing Shoppe..\$20.00, House of Glass..\$348.01, Schwan Welding..\$145.00, Tri State Water..\$25.20, Wallwork Truck Center..\$244.01, SDDOT..\$25.00, SDACHS..\$195.00, North Central Rental..\$2750.00, James Loterbauer..\$378.00, Huron Culvert..\$4272.00, Howes Oil..\$40.00, Ameripride..\$45.32, Quality Quick Print..\$31.78, Joe Hauck..\$75.00, Vi Colombe..\$80.00, Kleins..\$14.83, Midstates Printing..\$250.00, Runnings..\$146.33, Dakota Electronics..\$37.50, Photo Xpress..\$5.88, Dakota Silk Screen..\$115.80, Farnams..\$39.47, Dayle Luedeke..\$500.00, Weed & Pest Conf..\$200.00, Tabatha Lemke..\$50.00, NASAR..\$267.65, RDJ Specialists..\$1002.71, Warner Library..\$750.00:

Publications: American News..\$994.09:

Professional Fees: witness fees..\$20.00, Maui Medical Center..\$28.00, Jason Engel..\$60.00, Jackie Schraeder..\$90.00, Pam Smid..\$240.00, NE Mental Health Center..\$468.16, Lewis & Clark BHS..\$130.00, Nelva Kooistra..\$15.00, Cathy Reh fuss..\$15.00, Donna Dietrich..\$126.99, Jason Knutson..\$30.00:

Transcriptions: Cheryl Hook..\$106.40, Slowey Court Reporting..\$50.00:

Travel: Tom Gohn..\$250.00, Mike Elsen..\$47.36:

Court Appointed Attorney: Kuck Law Office..\$473.68:

Utilities: Northwestern Energy..\$8352.91, Northern Electric..\$9.40, Qwest..\$80.00, Richmond Sanitary Dist..\$2088.00, Northern Valley Comm..\$69.56, James Valley Telecommunications..\$201.93, Northern Elec..\$98.37:

Care of Poor: Dr/Hospital – 4 recipients..Avera St Lukes..\$14,379.02, Internal Medicine..\$152.08; Rent – 7 recipients..Tom Hinz..\$200.00, Fred Marnette..\$260.00, Elmer Sayler..\$110.00, Gary Newell..\$130.00, Danne Inc..\$410.00, Foxridge Apts..\$140.00; Utilities – 1 recipient..NWPS..\$110.00. All members present voting aye. Motion carried.

PERSONNEL:

Moved by Feickert, seconded by Fischbach to approve the following employee step increases, effective January 14, 2007: Jane Jensen @ \$12.73 per hour, Craig Anderson @ \$17.97 per hour, Mickey Schulz @ \$11.52 per hour, Jackie Ormand @ \$11.20 per hour, Patty VanMeter @ \$12.59 per hour, Kathy Neitzel @ \$14.31 per hour, Joni Gaulrapp @ \$12.41 per hour, Jason Hammerich @ \$13.88 per hour. All members present voting aye. Motion carried.

Moved by Hansen, seconded by Feickert to approve hiring Gary Vetter as Zoning and E911 Addressing Administrator, effective February 5, 2007 at pro-rated annual salary of \$38,000.00. All members present voting aye. Motion carried.

ABATEMENTS:

Moved by Fischbach, seconded by Hansen to approve the following abatements: Tracy A Leberman, incorrect value (Lt 41-42 Hoffmans 3rd Richmond Lake Subd) for 2006 @ \$4,908.37; Knights of Columbus, tax exempt (Lt 4-6 ex E 90' Blk 3 OP to Abdn) BID for 2006 @ \$312.00; Jean Ries, destroyed by fire (BOLS Tacoma Park #7 east side from north) solid waste for 2006 @ \$30.00. All members present voting aye. Motion carried.

FAIR BOARD BY-LAW AMENDMENT:

Moved by Fischbach, seconded by Feickert to approve Fair Board By-law amendment in regard to month for holding election of officers for Fair Board. All members present voting aye. Motion carried.

ADDENDUMS – PHASE II JAIL BID:

Moved by Hansen, seconded by Fischbach to approve Addendum #1 to general plans and specifications for Phase II Addition and Remodeling to Brown County Jail to delete all plan references to Penthouse Deduct Alternate #1. All members present voting aye. Motion carried.

Moved by Fischbach, seconded by Feickert to approve Addendum #2 to general plans and specifications for Phase II Addition and Remodeling to Brown County Jail changing foundation plan. All members present voting aye. Motion carried.

BID – PHASE II JAIL:

Time and place, as advertised to open, read and consider sealed bids for labor and material required for the Phase II Addition and Remodeling to Brown County Jail Building. One bid received from Tellinghuisen Construction, Willow Lake, SD. Moved by Feickert, seconded by Hansen to refer the bid from Tellinghuisen Construction to the Maintenance Department for review and recommendation. All members present voting aye. Motion carried.

EXECUTIVE SESSION:

Moved by Feickert, 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 taken as a result of the discussion.

RECESS:

The Chairman declared the Commission recessed until January 23, 2007.

Maxine Taylor – Brown County Auditor

JANUARY 23, 2007 – GENERAL MEETING

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

MINUTES:

Moved by Fischbach, seconded by Hansen to approve the General Meeting minutes of January 16, 2007. All members present voting aye. Motion carried.

CLAIMS:

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

Payroll: Commissioners..\$2,876.00; Auditor..\$6,987.92; Treasurer..\$9,638.92; Data Processing..\$3,001.00, State's Attorney..\$12,612.42; Maintenance..\$5,716.78; Assessor..\$8,954.42; Planning & Zoning..\$500.00; Register of Deeds..\$4,952.12; Veterans Service Office..\$2,650.19; GIS..\$1,776.93; Sheriff..\$64,654.54; Communications..\$15,680.48; Coroner..\$300.00; Welfare Office..\$2,902.34; Museum..\$5,178.90; Fairboard..\$1,493.86; Fairgrounds & Parks..\$3,063.82; Extension..\$1,866.40; Weed..\$108.88; Emergency Management..\$2,665.73; Teen Court..\$262.20; Highway..\$30,027.82; Landfill..\$7,477.96; Matching Benefits: FICA..\$11,474.60, Medicare..\$2,683.53, Wellmark BCBS Life..\$653.68, Wellmark BCBS Health..\$59,071.88, Delta Dental..\$4,089.00, SD State Retirement..\$22,828.29:

Supplies: House of Glass..\$1149.06, Heartland Paper..\$3004.19, Office Equip..\$889.73, Aberdeen Insurance Agency..\$75.00, SDACC..\$5975.54, McFarland Supply..\$14.87, Janitors Closet..\$86.04, Chris & Don's..\$24.00, Menards..\$41.19, Aberdeen Plumbing..\$111.47, HSBC..\$1437.44, ESRI..\$4600.00, Scott Madsen..\$35.64, DT Pharm..\$1632.01, New Trends..\$119.23, Shell Fleet..\$27.00, Parcel Erickson..\$38.68, Myers Enterprises..\$507.99, Bureau of Info..\$4950.00, Best Business..\$184.91, Bob Barker..\$795.16, AE Nelson..\$242.51, Earthgrains..\$89.20, Evercom..\$1900.00, SD Division of Motor Vehicles..\$13.00, Hagen Ins..\$18.00, Share Corp..\$98.00, Outlaw Graphics..\$28.50, M-R Signs..\$872.29, Lawson Products..\$1036.69, First Gold Hotel..\$176.48, Exhaust Pros..\$69.95, JD Evans..\$15,769.43, Erdmann Fuels..\$3766.32, Dakota Riggers..\$163.28, American Safety..\$242.94, Gardner Locksmith..\$28.14, Store Supply..\$242.81, DPM Merchantile..\$19.99, Parts Now..\$25.30, Kleins..\$21.40, Soil Testing Lab..\$16.00, NSU..\$60.00, Advanced Auto..\$7.97, SD Dept of Ag..\$120.00, Aberdeen Dev Corp..\$20,000.00, Area IV Nutrition..\$2250.00, Hitch 'N Post..\$67.98, Priority Dispatch..\$620.00, Lang's Audio..\$154.93, North Central Steel..\$27,511.05, CDW Govt..\$1205.60, Aberdeen Equip..\$986.55, Ameripride..\$69.81, Schwan Welding..\$382.02, SDEMA..\$60.00, Macs..\$25.43, Frederick Comm Store..\$100.00, SDACC..\$160.00:

Publications: American News..\$518.85:

Professional Fees: witness fees..\$168.00, LCM Pathologists..\$1530.00, Joan Kittelson..\$15.00, Donna Dietrich..\$129.69, Nelva Kooistra..\$15.00, Avera St Lukes..\$580.00, Northern Plains Psych..\$273.09, Language Lines..\$89.55:

Transcriptions: Sara VandeWalle..\$54.40, Michelle Gaikowski..\$272.00, Shepherd Reporting..\$2.50:

Travel: Leo Leshner..\$178.24, Gene Loeschke..\$147.84, Larry Gerlach..\$497.84:

Court Appointed Attorney: Harmelink & Fox..\$239.20:

Utilities: Dependable Sanitation..\$212.00, Northwestern Energy..\$1146.75, Alltel..\$1387.39, City of Hecla..\$119.60, Qwest..\$3106.14, Northern Elec..\$1439.37, Verizon..\$68.73:

Jury: Thomas Barber..\$65.20, Gary Beck..\$42.00 Charissa Bendewald..\$11.28, Patricia Bishop..\$11.28, Gerold Bitz..\$11.28, Patricia Bladow..\$11.28, Lory Bretsch..\$63.28, Michael Brumbaugh..\$11.28, Hugo Carlson..\$11.28, Robert Chandler..\$11.28, Alan Chapman..\$11.28, Donald Craft..\$11.28, Opal Cross..\$11.28, James Dockter..\$11.28, Debra Droog..\$13.20, Earl Martin..\$70.96, James Eisenbeisz..\$63.28, Mark Engelhart..\$11.28, Jessica Falken..\$11.28, Dixie Frohling..\$15.12, Scottie Gilbert..\$65.20, Evonne Gilborne..\$11.28, Trevor Haaland..\$17.68, Bryce Hanson..\$22.80, Gerrit Heier..\$11.28, Debora Heine..\$11.28, Melissa Hellwig..\$12.56, Todd Imbery..\$11.28, Nancy Jark-

Krumm..\$74.80, Sylvia Jasinski..\$11.28, Chantell Johnson..\$11.28, Noel Johnson..\$11.28, Alyssa Jordanger..\$63.28, Eric Juenger..\$11.28, Justin Kallas..\$63.28, Wade Kappenman..\$11.28, Jerome Ketelhut..\$11.28, Nicole Kimball..\$22.80, Colleen Klein..\$11.28, Steven Kraft..\$51.28, Barbara Kusler..\$11.28, Ervin Kusler..\$11.92, Blaze Leadercharge..\$11.28, Marilyn Lickfelt..\$11.28, Dennis Lyke..\$11.28, Kimberly Mitzel..\$65.20, Carol Moffenbier..\$11.28, Joni Napton..\$11.28, Leah Nelson..\$63.28, Leon Patterson..\$31.12, John Peldo..\$29.84, Karren Peterson..\$11.28, Troy Plummer..\$12.56, James Reeve..\$11.28, Jonielle Rohman..\$11.28, Jessica Rychlik..\$11.28, Bryan Samson..\$11.28, Carrie Shuey..\$11.28, Scott Sikkink..\$11.28, Brooke Solaas..\$11.28, Ron Spencer..\$36.88, Gladys Sprecher..\$11.28, Ann Stein..\$15.12, Shane Storm..\$18.32, Matthew Svensen..\$11.28, Paul Swanston..\$11.28, Viola Tetherow..\$63.28, Donald Thompson..\$11.28, Kerry Vanhunnik..\$63.28, Anna Wampler..\$32.40, Carol Wiedebush..\$26.00, Cynthia Winegar..\$11.28, Judith Zimmerman..\$11.28:

Care of Poor: Dr/Hospital – 5 recipients..Dakota Plains Surgical Center..\$322.00, Sioux Valley Hospital..\$1162.21, Avera St Lukes..\$1934.62; Rent – 4 recipients..Lakeside Estates..\$100.00, Erdmann Prop..\$220.00, K&T Rentals..\$220.00, Cleone Pekelder..\$130.00; Burial – 1 recipient.. City of Aberdeen..\$400.00; Medication - 3 recipients..Jones Drug..\$21.79, Econofoods Pharm..\$5.00, Walmart Pharm..\$29.68; Transportation – 2 recipients..Jefferson Lines..\$192.15; Insurance – 1 recipient..Midstates Printing..\$330.00. All members present voting aye. Motion carried.

PERSONNEL:

Moved by Feickert, seconded by Fischbach to approve the following employee step increases, effective January 28, 2007: Penny Hart @ \$19.62 per hour, Teri Jondahl @ \$12.13 per hour. All members present voting aye. Motion carried.

ABATEMENTS:

Moved by Knecht, seconded by Hansen to approve the following abatements: Mark Nixon, empty lot (Lt 15, Blk 34 1st Addn to Frederick) solid waste for 2006 @ \$18.72; Brown County, tax exempt (Lt 1 1st Replat Dahme Northview Addn) for 2006 @ \$292.96; David Koslowski, incorrect value (N 11.5' of Lt 20 & Lot 21-24 Blk 24 Corrected Plat of Highlands) for 2006 @ \$2,233.63. All members present voting aye. Motion carried.

PROPERTY TRANSFER:

Moved by Feickert, seconded by Fischbach to approve and authorize the Chairman sign agreement with the following entity who received equipment from the 2004 ODP Equipment Grant Program: Aberdeen Police Department (pagers). All members present voting aye. Motion carried.

BLOOD DRAW AGREEMENT:

Moved by Hansen, seconded by Knecht to approve and authorize the Chairman sign the Blood Draw Agreement with Scott Weitbrecht. 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. No bids were received.

DONATION – COMMAND VAN:

Moved by Feickert, seconded by Knecht to declare Decal #3273 Thor 25' Camper (Command Van) SN4XTTN252X1C126014 Surplus Property and further donate the unit to Aberdeen City with no monetary exchange (valued at \$9,270.00). All members present voting aye. Motion carried.

EXECUTIVE SESSION:

Moved by Knecht, 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.

BID AWARD – PHASE II JAIL PROJECT:

Moved by Hansen, seconded by Knecht to award bid, submitted by Tellinghuisen Inc. (only bid received) for labor and material required for the Phase II Addition and Remodeling to the Brown County Jail Building in total amount of \$1,470,000.00. All members present voting aye. Motion carried.

BCCHC REPORT:

DeAnna Kyburz presented the Brown County Community Health Center Report for October - December 2006.

HOSPITAL CLAIMS:

Moved by Feickert, seconded by Fischbach to deny payment of the following hospital bills: 34 year old male @ \$6,725.39 and a 48 year old female @ \$7,960.74, as the individuals have not provided sufficient information to determine if indigent. All members present voting aye. Motion carried.

COUNTY LAND:

The Commission discussed the County owned land in Palmyra Township and the option of leasing or selling the property. No action was taken at this time.

RECESS:

The Chairman declared the Commission recessed until January 30, 2007.

Maxine Taylor – Brown County Auditor

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JANUARY 29, 2007 - 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. 07-01-01/339:

On motion by Mitchell and seconded by McQuillen, the City unanimously voted to approve Second Reading and Adoption of Ordinance No. 07-01-01/339.

Moved by Fischbach, seconded by Hansen to approve Second Reading and Adoption of Ordinance No. 07-01-01/339, An Ordinance amending Ordinance No. 1164 to rezone the following described property from its present zoning designation of Section 714 (M-AG) Mini-Agricultural District to Section 707 (C-2) Highway Commercial District: Lot 1 and Lot 3, REA First Addition in the NW ¼ of Sec 22-T123N-R63W of the 5th P.M., Brown County, SD. Roll call vote: Commissioners Hansen-aye, Fischbach-aye, Feickert-aye, Knecht-aye, Wiese-aye. Ordinance adopted.

ADJOURNMENT:

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

Maxine Taylor - Brown County Auditor

JANUARY 30, 2007 – GENERAL MEETING

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

MINUTES:

Moved by Feickert, seconded by Hansen to approve the Joint City/County Meeting minutes of January 22, 2007 and the General Meeting minutes of January 23, 2007. All members present voting aye. Motion carried.

CLAIMS:

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

Supplies: Dakota Mailing..\$202.12, Quill..\$96.18, Tessco..\$151.84, Training Consortium..\$2590.00, Menards..\$9.99, SD Dept of Rev..\$1214.00, Aberdeen Plumbing..\$72.08, OK Tire..\$8.00, Ecolab..\$162.50, Crescent Elec..\$337.89, Chemlawn..\$297.60, Central Supply..\$1063.75, Shopko..\$49.99, Best Business..\$76.25, NE Dept of Roads..\$250.00, Aberdak Travel..\$620.30, TelServ..\$32.50, Exec Mgmt..\$1913.00, Runnings..\$58.76, Phillips 66..\$71.67, 3-D Spec..\$2513.84, Spec Mfg..\$56.72, Presco Sales..\$2147.60, Outlaw Graphics..\$42.00, Newman Signs..\$5131.06, Huron Culvert..\$4272.00, Howes Oil..\$14,740.97, Harry Impl..\$74.14, Habecks Radiator..\$105.10, Farm Power..\$1373.90, Diesel Machinery..\$3750.00, Dakota Riggers..\$442.33, Quality Quick Print..\$27.06, House of Glass..\$16.66, Preserve SD..\$50.00, Sherwin-Williams..\$16.98, Brown County..\$254.93, Dominiks Equip..\$68.00, Northern Tool..\$41.23, Macs..\$498.49, HSBC..\$60.51, Century Business..\$70.00, Shopko..\$36.56, Foreman Charters..\$620.00, Frederick Library..\$750.00, Micronel US..\$104.34, APCO..\$64.00, RACOM..\$82.40, Ed Feld Co..\$300.00, CMRS..\$5,000.00:

Publications: American News..\$108.57, Bismarck Tribune..\$17.68:

Professional Fees: Avera St Lukes..\$3394.06, Lyrita Wilkie..\$30.00, Jason Engel..\$150.00, Scott Weitbrecht..\$60.00, Pam Smid..\$360.00, NADRIC..\$1666.67, Keypoints Training..\$840.96, Todd Struwe..\$1200.00:

Travel: Extension Service..\$175.91:

Court Appointed Attorney: William Gerdes..\$4166.67, Kelly Marnette..\$4166.67, Christy Serr..\$4166.67, Randy Turner..\$4166.67, Kuck Law Office..\$4166.67, Gary Mikelson..\$172.17:

Utilities: Midcontinent Cable..\$178.91, Northwestern Energy..\$3764.91, Montana Dakota..\$29.13, Qwest..\$162.82, Alltel..\$150.87, Northern Elec..\$323.91, Midcontinent Comm..\$54.31:

Care of Poor: Dr/Hospital – 5 recipients..United Clinic..\$308.05, Great Plains Rehab..\$114.71, Dr Conklin..\$9320.79, Avera St Lukes..\$14,538.17. All members present voting aye. Motion carried.

PERSONNEL:

Moved by Hansen, seconded by Knecht to approve hiring Jonathan Waldner as full-time Corrections Officer in the Jail, effective January 30, 2007 at \$11.57 per hour. All members present voting aye. Motion carried.

Moved by Feickert, seconded by Knecht to acknowledge the resignation of Dispatcher Janet Plank, effective January 19, 2007 and Corrections Officer Brandon Engleking, effective January 23, 2007. All members present voting aye. Motion carried.

ABATEMENTS:

Moved by Hansen, seconded by Knecht to approve the following Abatements: Mary L Whitney, house removed (Lt 5 Blk 44 Hagerty & Lloyds Addn to Aberdeen) solid waste for 2006 @ 72.80; Eugene Young, property replatted (Lt 1 Culberts SD NW 25-123-64) solid waste for 2006 @ \$70.00; William Parsons, mobile home moved (BOLS 1997 Friendship MH) for 2006 @ \$421.59; XL Homes Corp, mobile home moved (BOLS 1997 Friendship MH) for 2006 @ \$735.59; BNSF Railroad, tax credits

(centrally assessed line) for 2006 @ \$67,795.44; DM&E Railroad, tax credits (centrally assessed line) for 2006 @ \$338.38; Steven Smith, mobile home moved (BOLS 1981 Liberty) 2006 @ \$102.64; St. Mary's Church, tax exempt (Lt 2 Hagerty & Lloyds 1st SD to Aberdeen) for 2006 @ \$1,079.54. All members present voting aye. Motion carried.

SHERIFF REPORTS:

Moved by Knecht, seconded by Hansen to approve the following December 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.

ABERDEEN BROWN COUNTY REGIONAL RAILROAD AUTHORITY:

Commissioner Hansen offered the following Resolution:

RESOLUTION NO. 5-07

A RESOLUTION OF CONTINUED PARTICIPATION IN THE ABERDEEN BROWN COUNTY REGIONAL RAILROAD AUTHORITY AND AUTHORIZING THE CHAIR TO SIGN THE RESTATEMENT OF THE AGREEMENT ESTABLISHING THE ABERDEEN BROWN COUNTY REGIONAL RAIL AUTHORITY

WHEREAS, SDCL Chapter 49-17A authorizes the creation of Regional Rail Authorities; and

WHEREAS, the Aberdeen Brown County Regional Rail Authority was established in 1991 and membership currently includes the City of Aberdeen, Brown County, Edmunds County, Spink County, and Beadle County (collectively, the "Members"); and

WHEREAS, the Members desire to amend and restate the Agreement by which the ABCRRA is organized and operated.

NOW, THEREFORE, BE IT HEREBY RESOLVED that Brown County shall continue its membership in the ABCRRA in accordance with the Restatement of the Agreement Establishing the ABCRRA; and

BE IT FURTHER RESOLVED that Tom Fischbach is hereby appointed as the Commissioner of the ABCRRA from Brown County for the 2007 calendar year; and

BE IT FURTHER RESOLVED that the Chair shall sign the Restatement of Agreement evidencing Brown County's continued membership in the ABCRRA.

Dated this 30th day of January 2007.

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

PLAT:

Commissioner Hansen offered the following Resolution:

RESOLUTION NO. 6-07

BE IT RESOLVED by the Board of Commissioners of Brown County, SD, that the plat showing "Koslowski Replat of Lot 2, Premach's 2nd Subdivision in the E ½ of Sec 14-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 11-6, and any amendments thereof.

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

SURPLUS PROPERTY:

Moved by Feickert, seconded by Knecht to declare Decal #410 1989 Ford F350 Truck surplus for sale to Brookings County for \$10,000.00. All members present voting aye. Motion carried.

ABERDEEN/LINCOLN TOWNSHIP AGREEMENT:

Jerry Cope, Lincoln Township and David Feickert and Rolly Aman, Aberdeen Township presented Agreement between Aberdeen and Lincoln Townships for the maintenance of three miles of Aberdeen/Lincoln Township Road in Brown County, SD and terminate prior agreement.

Moved by Feickert, seconded by Fischbach to acknowledge Agreement between Aberdeen Township and Lincoln Township for the maintenance of three miles of Aberdeen/Lincoln Township Road in Brown County, SD; and further agree that this agreement terminates the Joint Powers Agreement dated May 16, 1995 between Brown County, Aberdeen Township and Lincoln Township. All members present voting aye. Motion carried.

BID – PALMYRA TOWNSHIP LAND LEASE:

Mark McNeary, Jim Thorpe, Art Russo, Dirk Rogers, Mary Clawson and Bill Antonides met to discuss the options of easements, leasing or selling the County owned land in Palmyra Township currently leased for grazing to LR Corp and Thorpe Ranch. The following action ensued after discussion:

Moved by Fischbach, seconded by Feickert to authorize advertising time and place to receive verbal bids for a one-year Lease with no option on the following County Land in Palmyra Township, with a minimum bid of \$14.50 per acre: 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, February 19, 2007. All members present voting aye. Motion carried.

JAIL COMMISSARY:

John VanderHoek informed the Commission about a Company that offers Jail Commissary Services. A representative will be on-site in February to answer additional questions and provide a product list.

APPLICAITON FOR OCCUPANCY:

Moved by Hansen, seconded by Fischbach to approve application, submitted by Heartland Fuels for occupancy of Brown County Highway #12WA in Sec 23-24-T123N-R65W and Highway #6 in Sec 19-T123N-R64W and Highway #19 in Sec 20-21-T123N-R64W of 5th P.M., Brown County, SD to bore gas line. All members present voting aye. Motion carried.

BID DATES SET FOR HIGHWAY:

Moved by Feickert, seconded by Knecht 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: Gravel Material at 8:45 a.m. and Asphalt Concrete Plant Mix at 9:15 a.m. on February 27, 2007. All members present voting aye. Motion carried.

LANDFILL EQUIPMENT PURCHASES:

Mike Scott, Landfill Manager presented the list of equipment on the budget schedule to be purchased in 2007.

DRAINAGE DISCUSSION:

Orville Crawford met to discuss a drainage issue. The Commission will sit as the Drainage Commission at a meeting to be held on February 20, 2007 at 10:00 a.m. in the Commissioner's Chambers, Courthouse Annex, Brown County, SD.

SENATE BILLS DISCUSSED:

Dirk Rogers, Highway Superintendent discussed Senate Bill 10 and Mary Worlie, Director of Equalization discussed Senate Bill 173.

RECESS:

The Chairman declared the Commission recessed until February 6, 2007.

Maxine Taylor – Brown County Auditor

FEBRUARY 6, 2007 – GENERAL MEETING

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

MINUTES:

Moved by Hansen, seconded by Knecht to approve the Joint City/County Meeting minutes of January 29, 2007 and the General Meeting minutes of January 30, 2007. All members present voting aye. Motion carried.

CLAIMS:

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

Payroll: Commissioners..\$2,876.00; Auditor..\$6,987.92; Treasurer..\$9,946.20; Data Processing..\$3,001.00; State's Attorney..\$12,373.60; Maintenance..\$5,515.34; Assessor..\$8,996.38; Planning & Zoning..\$500.00; Register of Deeds..\$4,908.60; Veterans Service Office..\$2,689.59; GIS..\$1,776.93; Sheriff..\$65,645.78; Communications..\$15,226.34; Welfare Office..\$2,902.34; Museum..\$5,196.50; Fairgrounds & Parks..\$3,105.70; Fairboard..\$1,493.86; Extension..\$1,866.40; Weed..\$217.76; Emergency Management..\$2,665.73; Teen Court..\$276.00; Highway..\$28,026.45; Landfill..7,653.11 Matching Benefits: FICA..\$11,377.49; Medicare..\$2,660.75:
Supplies: Langs..\$24.50, Office Equip..\$138.97, Exec Mgmt..\$48.17, Beadle Floral..\$41.00, Heartland Paper..\$272.29, House of Glass..\$35.59, Taylor Laundry..\$36.00, HKG Architect..\$6853.10, Hedahls..\$21.22, Herseth Office Supply..\$33.02, Karst Car Care..\$42.95, Ryan Kotzea..\$44.99, TG Industries..\$1496.93, Runnings..\$1944.99, Quality Quick Print..\$355.95, Macs..\$309.38, House of Glass..\$3.31, Huron Culvert..\$13,630.50, Hecla Impl..\$76.85, Harry Impl..\$74.14, Dakota Brush..\$206.50, Crawford Trucks..\$363.31, Clark Engineering..\$461.10, Butler Machinery..\$4569.67, Best Business..\$15.48, Hub City Radio..\$60.00, Aberdeen Area Arts Council..\$185.00, Midwest Alarm..\$678.02, Am Assoc of Museums..\$74.75, JD Evans..\$6475.00, Ken's Alignment..\$49.92, Reuers Auto..\$154.90, Western States Fire..\$1354.46, Farnams..\$5.36, Graham Tire..\$1540.99, IAFE..\$708.00, Nutrition Seminar..\$115.00, SD Dept of Ag..\$120.00, Walmart..\$43.97, Kesslers..\$10.52, Successful Farming..\$15.95, Erdmann Oil..\$4440.43, Benco..\$3751.00, Menards..\$399.85, Lab Safety..\$380.96, Gemplers..\$641.00, SD Dept of Rev..\$3030.87, Powerplan..\$1132.98, Pierson Ford..\$38.05:
Publications: American News..\$249.57:
Professional Fees: Jason Engel..\$120.00, Pam Smid..\$90.00, Lyrita Wilkie..\$60.00, Witness fee..\$195.97, Avera United Clinic..\$59.24:
Travel: Allan Vietmeier..\$65.28, Gene Loeschke..\$36.48:
Utilities: Northwestern Energy..\$10,038.30, City of Aberdeen..\$570.07, Northern Valley Comm..\$69.99, James Valley Telecomm..\$375.90, Midcontinent Cable..\$55.00, Qwest..\$32.25, Web..\$120.76:
Care of Poor: Dr/Hospital – 3 recipients..Avera St Lukes..\$20,278.54; Rent - 6 recipients.. Jeff Joachim..\$220.00, Bob Goos..\$220.00, Tom Appletoft..\$370.00, P&H Investments..\$240.00, White House Inn..\$35.00, DILO..\$220.00; Insurance – 1 recipient..Runnings..\$299.00. All members present voting aye. Motion carried.

PERSONNEL:

Moved by Fischbach, seconded by Knecht to approve the following employee step increases, effective February 11, 2007: Brian Koens @ \$16.02 per hour, Tricia Johdahl @ \$11.85 per hour, Mary Browning @ \$15.00 per hour, Robert Jenson @ \$11.92 per hour. All members present voting aye. Motion carried.

Moved by Fischbach, seconded by Knecht to establish \$7.00 per hour as salary for part-time maintenance person at the Extension Building. All members present voting aye. Motion carried.

Moved by Knecht, seconded by Hansen to acknowledge resignation of Barb Greiner, effective January 28, 2007. All members present voting aye. Motion carried.

Moved by Hansen, seconded by Feickert to approve employee status change for Larry Harper from part-time to full-time Corrections Officer, effective February 1, 2007 at \$11.57 per hour. All members present voting aye. Motion carried.

Moved by Knecht, seconded by Hansen to acknowledge resignation of Tabatha Lemke as Teen Court Coordinator, effective March 2, 2007 and authorize advertising for replacement. All members present voting aye. Motion carried.

Moved by Hansen, seconded by Knecht that effective March 2, 2007 Dirk Rogers will no longer be interim Planner/Zoner at salary of \$500 per pay period, as Gary Vetter has been hired. 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 5:30 p.m. on February 26, 2007 in the Aberdeen City Council Chambers, 123 S Lincoln Street for First Reading of the following: Ordinance No. 07-02-02/340, An Ordinance to rezone the following property from Section 701 (A-1) Agricultural District to Section 714 (M-AG) Mini-Agricultural District: Feickert Tract 1 in the NW ¼ of Sec 27-T124N-R64W of the 5th P.M., Brown County, SD. All members present voting aye. Motion carried.

AUDITORS REPORT OF ACCOUNT:

Moved by Hansen, seconded by Feickert to approve the January 2007 Auditor's Report of Account with the County Treasurer in total amount of \$10,765,450.72 (total amount of actual cash @ \$3,151.50, Wells Fargo Bank @ \$3,694.79, US Bank @ \$9,377.73, Dacotah Bank @ \$266,841.14, Petty Cash @ \$1,800.00, Fund Investments @ \$10,471,237.06, Outstanding Checks @ \$348.50). All members present voting aye. Motion carried.

REGISTER OF DEEDS RECORDS MANAGMENT PROGRAM:

Moved by Feickert, seconded by Hansen to acknowledge the County Register of Deeds Records Retention and Destruction Schedule Manual. All members present voting aye. Motion carried.

ABATEMENTS:

Moved by Fischbach, seconded by Knecht to approve the following Solid Waste Abatements: Donald Eimers, garage (Lt 10-11 Lutgen & Davis Richmond Lake Subd) for 2006 @ \$72.80; Richard Huettl, vacant house (Lt 8 Blk 2 Park Addn Westport) for 2006 @ \$72.80; George Holmes, vacant house (Lt 4-6 Blk 3 Mansfield) for 2006 @ 72.80; Anne Marie Muldoon, garage (Lt 10 Schaunamans Replat Louis Millers Richmond Lake Subd) for 2006 @ \$72.80. All members present voting aye. Motion carried.

BID AWARD - CULVERTS:

Moved by Feickert, seconded by Fischbach 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 9, 2007; 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 AWARD - CRACK SEALING:

Moved by Hansen, seconded by Knecht to approve hiring Highway Improvement Inc for crack sealing within Brown County, as awarded on State Bid. All members present voting aye. Motion carried.

TAX DEED PROPERTY:

Attorney Joe Barnett and Kim Smith requested that property obtained by the County through the Tax Deed Process be re-conveyed to the owner. Board concurred. Moved by Fischbach, seconded by Feickert to re-convey Lots 1 & 2 Blk 6 Original Plat to Ordway, Brown County, SD to Kim Smith upon payment of \$3,600.00 plus filing fees. All members present voting aye. Motion carried.

LANDMARK COMMISSION:

Dr. Art Buntin delivered copies of the 2006 Landmark Commission Annual Report.

FAIRGROUNDS UPDATE:

Kurt Smith, Fairgrounds Manager discussed personnel, equipment needs and the restroom facility to be bid.

EXECUTIVE SESSION:

Moved by Fischbach, seconded by Feickert to go into executive session for personnel discussion with Kurt Smith 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 13, 2007.

Maxine Taylor – Brown County Auditor

FEBRUARY 13, 2007 – GENERAL MEETING

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

MINUTES:

Moved by Hansen, seconded by Knecht to approve the General Meeting minutes of February 6, 2007. All members present voting aye. Motion carried.

CLAIMS:

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

Supplies: Best Business..\$293.96, Hewlett-Packard..\$11,204.00, SD Assoc of County Comm..\$60.00, CDW Govt..\$7707.92, Quality Quick Print..\$184.16, Office Equip..\$35.94, New Trends..\$38.25, Supt of Documents..\$122.00, Eide Bailly..\$259.50, Hoven Auto..\$115.49, SD State Board of Nursing..\$90.00, David Fair..\$147.37, Velvet Uniforms..\$121.90, SD Trans..\$25.00, Tri State Water..\$18.90, Safety Service..\$192.04, Runnings..\$126.44, Western Printing..\$184.00, Duanes Amoco..\$49.38, Dicks Westside..\$34.00, Moore Medical..\$579.38, Ultramax..\$1147.00, Parcel Erickson..\$12.60, Trail Chev..\$80.17, Macs..\$15.49, Nat'l Target..\$127.27, Racom..\$247.20, BP Amoco..\$83.15, Kesslers..\$275.24, Accurint..\$31.00, Bonnie Bitz..\$96.00, Bob Barker..\$491.36, Lust Chev..\$753.76, Mobile Electronic Service..\$4200.00, City of Aberdeen..\$647.02, Walmart..\$398.25, Dakota Electronics..\$326.65, Zastrow Service..\$18.00, SD Fed Property..\$45.00, Sheehan Mack Sales..\$1066.27, Powerplan..\$2241.23, Pierson Ford..\$156.73, North Central..\$2925.00, Newman Signs..\$596.42, Menards..\$2083.78, Larson Blacksmith..\$75.00, Kampa Const..\$630.00, John Deere..\$49,449.19, Interstate Battery System..\$242.85, Huron Culvert..\$3861.00, House of Glass..\$220.50, Hollands Auto Care..\$4.79, Great Western Tire..\$2238.01, Fastenal..\$297.76, Farnams Genuine Parts..\$50.79, Evergreen Supply..\$276.72, Erdmann Fuels..\$1061.20, Economy Propane..\$2975.30, Dakota Oil..\$201.90, Dakota Fluid..\$1278.71, Cartney Bearing..\$55.68, Ameripride..\$217.42, Aberdeen Equip..\$10.77, Glacial Lakes..\$335.00, Sherri Rawstern..\$22.74, Kleins..\$12.99, Rocky Hartberg..\$300.00, Alonzo Ward..\$135.00, Celebrations..\$13.85, Store Supply Warehouse..\$28.91, Bricks Propane..\$20.35, RDR..\$2003.73, Overhead Door..\$100.00, Conlin Furniture..\$79.99, Joey Kaven..\$582.98, Photo Xpress..\$4.09, Larry Gerlach..\$7.41, HSBC..\$11.45, Telserv..\$96.40, SD Dept of Ag..\$40.00, Dakota Fluid Power..\$1599.13, Office Equip..\$405.00, Ameripride..\$98.80, Aberdeen Hearing..\$185.00, Safety Service..\$118.43, Diesel Machinery..\$166.71, Praxair..\$17.07, Gemplers..\$390.00, Dakota Electronics..\$345.50, Pizza Ranch..\$51.95, AOS Computer..\$4909.30, Sec of State..\$14.00, HRS..\$4000.32, Beck Motors..\$33,309.00:

Publications: American News..\$655.82:

Professional Fees: Aberdeen Family Physicians..\$75.28, Avera St Lukes..\$1683.56, Dental Center..\$77.98, Dept of Social Services..\$20,616.00, Sheriff of Yankton County..\$116.50, Nelva Kooistra..\$30.00, Donna Dietrich..\$301.88, Scott Weitbrecht..\$150.00, Pam Smid..\$240.00, Jason Engel..\$30.00, Jackie Schraeder..\$30.00, Lyrita Wilkie..\$90.00:

Transcriptions: Shepherd Reporting..\$22.50, Kristi Kost..\$52.50:

Travel: Mike Wiese..\$207.80:

Court Appointed Attorney: Yankton County..\$194.60, Fox, Youngberg & Lewno..\$183.64, Creighton Thurman..\$274.49:

Utilities: FSH Comm..\$55.00, Midcontinent Comm..\$41.24, Qwest..\$779.93, Town of Frederick..\$28.25, Northern Valley Communications..\$69.78, Northwestern Energy..\$267.78, Dependable Sanitation..\$14,438.02, Northern Comm..\$80.95, Verizon..\$126.15, Northern Elec..\$116.16:

Care of Poor: Dr/Hospital – 3 recipients..Dakota Plains Surgical Center..\$7568.65, Avera St Lukes..\$18,010.14, Dakota Imaging..\$41.51; Rent - 5 recipients..Erdmann Properties..\$260.00, Colonial Mgmt Group..\$260.00, Bruce Boschee..\$175.00, Elmer Saylor..\$195.00, Fred Marnette..\$260.00; Transportation – 2 recipient.. Aberdeen Advanced Care Ambulance..\$101.57, Brown County..\$36.38,

Burial – 1 recipient..Spitzer –Miller Funeral Home..\$1610.00. All members present voting aye. Motion carried.

PERSONNEL:

Moved by Feickert, seconded by Hansen to approve hiring Janet Fischer, as Jail Secretary, effective February 26, 2007 at \$10.93 per hour. All members present voting aye. Motion carried.

BID – FAIRGROUNDS COMFORT STATION:

Moved by Feickert, seconded by Knecht to authorize advertising public hearing to open, read and consider bids for labor and material required for the Brown County Fairgrounds Comfort Station, to be held at 8:45 A.M., March 6, 2007 in the Commissioner's Chambers, Courthouse Annex, Brown County, SD. All members present voting aye. Motion carried.

ABATEMENTS:

Moved by Knecht, seconded by Feickert to approve the following Abatements: KGIM, tower removed (BOLS Lt 1 Berkshire Addn) for 2005 @ \$327.81, for 2006 @ \$316.91; Charles Pride, house vacant (Lt 1 Barnard School SD) solid waste for 2006 @ \$72.80; Steven Krueger, vacant lot (Lt 11 Blk 1 Ferney) solid waste for 2006 @ \$72.80. All members present voting aye. Motion carried.

PHASE II JAIL PROJECT – CONTRACTS:

Moved by Knecht, seconded by Feickert to approve and authorize the Chairman sign Contract with Tellinghuisen Inc of Willow Lake, SD for labor and material for completion of the Phase II Addition and Remodeling Brown County Jail Project. All members present voting aye. Motion carried.

BID AWARD – SHERIFF VEHICLE:

Moved by Fischbach, seconded by Knecht to award State Bid Contract No. 22649 for one 2007 Chevrolet Tahoe/Yukon to Beck Motors Inc in amount of \$33,309.00 (base bid \$32,684.00 plus options in amount of \$625.00) for the Sheriff's Department. All members present voting aye. Motion carried.

SB 173:

Commissioner Feickert offered the following Resolution:

RESOLUTION NO: 7-07
RESOLUTION IN OPPOSITION TO SENATE BILL NO. 173, AS AMENDED

WHEREAS, Senate Bill No. 173 is an Act to revise certain provisions concerning the assessment of real property, to revise certain tax levy limitations for schools, to determine the deferred value and taxes of agricultural land that is changed to another classification of property, and to repeal the nonagricultural acreage classification; and

WHEREAS, the passage of SB 173 will have adverse affects on the overall equalization of real property in Brown County for taxation purposes.

NOW, THEREFORE BE IT RESOLVED that the Brown County Commission respectfully requests that all State Senators oppose the passage of SB 173, as amended.

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

MUSEUM ANNUAL REPORT:

Sue Gates, Museum Director presented the 2006 Dacotah Prairie Museum Annual Report.

RICHMOND LAKE PROPERTY:

Adam Altman, Aberdeen City Attorney presented update on property at Richmond Lake (approximately 60 acres) and requested an executive session to discuss contract information.

Moved by Knecht, seconded by Fischbach to go into executive session to discuss contract information with Adam Altman 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 Knecht, seconded by Fischbach to authorize City Attorney Adam Altman act on behalf of the County in coordination with the City and proceed with advertising for sale the property owned jointly by the City and the County located at Richmond Lake; which property is described as the portion lying north of the lake in the SE ¼ of Sec 23-T124N-R65W of the 5th P.M., Brown County, SD. All members present voting aye. Motion carried.

LIEN CORRECTION:

Moved by Hansen, seconded by Feickert to remove portion of lien filed against an individual in error (\$360.00 on 6/25/1999). All members present voting aye. Motion carried.

RESIGNATION/APPOINTMENT:

Moved by Fischbach, seconded by Knecht to accept resignation of Mark McNeary as States Attorney, effective no later than July 1, 2007. All members present voting aye. Motion carried.

Moved by Hansen, seconded by Feickert to appoint Kim Dorsett as States Attorney, effective on date to be determined later. All members present voting aye. Motion carried.

TAX EXEMPT PROPERTY DISCUSSED:

Pastor Tim Douglas, Church of God questioned why the Church parking lot, described as Lt 3 Church of God 1st Addn had lost tax exempt status in 2006 and informed the Commission that the area was still being used for church related parking. After discussion the following action ensued:

Moved by Fischbach, seconded by Feickert to reinstate tax exempt status for Lot 3 Church of God 1st Addn, owned by Church of God for 2006 and further to abate \$551.48 real estate taxes for 2006 payable 2007. All members present voting aye. Motion carried.

BID AWARD – UTILITY VEHICLE:

Moved by Feickert, seconded by Knecht to award bid for one 2007 Kubota Utility Vehicle to HC Clark Implement in amount of \$15,995.00 for the Brown County Landfill, as bid by Aberdeen City on January 25, 2007. All members present voting aye. Motion carried.

QUOTE ACCEPTED:

Moved by Feickert, seconded by Hansen to accept quote submitted by Hase Plumbing for labor and material to install an air supply line throughout the new Landfill Shop Building in amount of \$7,100.00; rejecting quote submitted by Aberdeen Plumbing & Heating in amount of \$9,995.00. All members present voting aye. Motion carried.

EXECUTIVE SESSION:

Moved by Knecht, seconded by Hansen to go into executive session for personnel discussion 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.

TAX DEED PROPERTY:

Mike Olson, Aberdeen City Code Enforcement Officer, Brett Bill, Sheila Enderson, Dirk Rogers and Mike Scott met to discuss the condition of the tax deed property at 519 North Penn. Moved by Knecht, seconded by Feickert to authorize the county owned (obtained through tax deed process) structure at 519 North Penn be demolished for disposal at the Landfill, as the property is a safety and health hazard. All members present voting aye. Motion carried.

RECESS:

The Chairman declared the Commission recessed until February 20, 2007.

Maxine Taylor – Brown County Auditor

FEBRUARY 20, 2007 – GENERAL MEETING

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

MINUTES:

Moved by Hansen, seconded by Fischbach to approve the General Meeting minutes of February 13, 2007. All members present voting aye. Motion carried.

Claims:

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

Payroll: Commissioners..\$2,876.00; Auditor..\$6,927.80; Treasurer..\$9,957.40; Data Processing..\$3,001.00, State's Attorney..\$12,373.60 ; Maintenance..\$5,481.05; Assessor..\$8,977.31; Planning & Zoning..\$1,230.77; Register of Deeds..\$4,908.60; Veterans Service Office..\$2,803.85; GIS..\$1,776.93; Sheriff..\$63,918.54; Communications..\$13,429.36; Welfare Office..\$2,902.34; Museum..\$5,196.50; Fairboard..\$1,493.86; Fairgrounds & Parks..\$3,063.82; Extension..\$1,866.40; Weed..\$401.52; Emergency Management..\$2,665.73; Teen Court..\$414.00; Highway..\$27,443.08; Data Processing..\$3,001.00, Landfill..\$7,401.64; Matching Benefits: FICA..\$11,171.54, Medicare..\$2,612.66, Wellmark BCBS Life..\$668.96, Wellmark BCBS Health..\$60,702.04, Delta Dental..\$4,088.00, SD State Retirement..\$23,421.38:

Supplies: West Payment Center..\$1941.26, Office Equip..\$175.00, Video Professor..\$148.85, Plaques & Engraving..\$28.50, Menards..\$137.41, Crescent Elec..\$464.90, Lien Transportation..\$190.00, Dakota Supply Group..\$10.76, Ecolab..\$185.00, HSBC..\$2940.13, McLeods..\$73.00, Civil Air Patrol..\$195.00, Midwest Alarm..\$204.00, Best Business..\$184.91, Pierson Ford..\$257.90, Lust Chev..\$329.42, Liebelt..\$77.25, New Trends..\$523.43, Schwan Welding..\$135.00, Eddies Northside..\$75.00, Shell Fleet..\$24.85, Hofers Repair..\$24.99, Mark Milbrandt..\$500.00, Earthgrains..\$411.68, Share Corp..\$153.00, Dean Rogers Auto..\$105.00, Pumps Tire..\$17.65, Meyers Auto..\$75.00, Lawson Products..\$214.35, K-Mart..\$4.48, Highway Impr..\$41,500.08, Brown County..\$150.40, Gen Traffic Controls..\$367.12, Carquest..\$709.18, Adv Auto..\$18.93, Macs..\$2.56, Roger Johnson..\$9.35, Language Line..\$89.55, Runnings..\$385.09, Evergreen Supply..\$86.40, Allens Elec..\$959.09, US Postmaster..\$72.00, SD Solid Waste Mgmt Assn..\$650.00, Earth Tech..\$150.00, Advance Auto..\$483.41, SD Drug Control Fund..\$45.00, SD Teen Court..\$320.00, Kesslers..\$17.43, Hyatt Hotels..\$545.50, Heartland CISM..\$250.00, Brown County..\$13.00:

Publications: American News..\$548.62:

Professional Fees: witness fees..\$40.00, NE Mental Health..\$497.42, Cathy Reh fuss..\$45.00, Sheriff of Yankton County..\$33.00, Donna Dietrich..\$130.19, Nelva Kooistra..\$15.00:

Travel: City of Groton..\$69.76, Mike Scott..\$30.52:

Court Appointed Attorney: David Hosmer..\$101.76:

Utilities: Northwestern Energy..\$10,943.69, Dependable Sanitation..\$371.00, Alltel..\$128.60, Northern Elec..\$1750.03, Richmond Lake Sanitary Dist..\$48.00, Qwest..\$1552.69, Verizon..\$68.73, Bureau of Admin..\$550.26:

Care of Poor: Dr/Hospital – 4 recipients..Orthopedic Surgery Spec..\$4549.90, Avera St Lukes..\$672.01, Dr Richard Conklin..\$357.32, Dakota Plains Surgical Center..\$518.51; Rent - 3 recipients..DILO..\$220.00, Webb Shoe Co..\$314.00, Cleone Pekelder..\$220.00; Insurance – 1 recipient..Midstates Printing..\$330.00; Medication – 2 recipients.. Kessler Pharm..\$154.24. All members present voting aye. Motion carried.

PERSONNEL:

Moved by Hansen, seconded by Feickert to approve Paul Opp as part-time Maintenance at Extension/Welfare Office, effective February 19, 2007 at \$7.00 per hour. All members present voting aye. Motion carried.

Moved by Feickert, seconded by Knecht to approve the following employee step increases, effective February 25, 2007: Jan Weismantel @ \$14.56 per hour, Margaret Unser @ \$11.74 per hour, Jessi Mather @ \$11.20 per hour, Bill Moon @ \$11.70 per hour. All members present voting aye. Motion carried.

Moved by Knecht, seconded by Fischbach to approve hiring Andrew Janusz for a part-time position in the Register of Deeds to digitize records, effective February 20, 2007 at a salary of \$7.62 per hour, 20 hours per week with no benefits. All members present voting aye. Motion carried.

Moved by Fischbach, seconded by Hansen to approve Nick Fullmer move to Labor Grade 4 at a salary of \$12.26 per hour, effective February 25, 2007. All members present voting aye. Motion carried.

BID – ASPHALT ROLLER AND RENTAL OF EQUIPMENT:

Moved by Knecht, seconded by Feickert 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: Asphalt Roller at 9:15 a.m. and Rental of Equipment at 9:30 a.m. on March 13, 2007. All members present voting aye. Motion carried.

BID - FAIRGROUNDS SKID STEER:

Moved by Knecht, seconded by Feickert to authorize advertising public hearing to open, read and consider bids for one 2007 Skidsteer Loader for the Brown County Fairgrounds, to be held in the Commissioner's Chambers, Courthouse Annex, Brown County, SD on March 13, 2007 at 9:00 a.m. All members present voting aye. Motion carried.

BID - WEED CHEMICALS:

Moved by Knecht, seconded by Feickert to authorize advertising public hearing to open, read and consider bids for chemicals for Brown County Weed and Pest Board, to be held in the Commissioner's Chambers, Courthouse Annex, Brown County, SD on March 13, 2007 at 8:45 a.m. All members present voting aye. Motion carried.

GIS UPDATE:

Scott Madsen gave the commission an update on GIS implementation countywide. He will be holding a GIS training session at NSU on March 5-8, 2007. Cost of session will be \$100.00 for Brown County Employees, \$150.00 for non-county participants.

BEEF PLANT UPDATE:

Attorney Rory King, representing Dennis Hellwig and Norg Sanderson, presented an informational update on the Beef Plant. Aaron Johnson was also in attendance with questions involving the TIF.

ABATEMENTS:

Moved by Hansen, seconded by Feickert to approve the following Abatements: Consecro Finance, MH moved (BOLS Lakeside Est W2 26-123-64) for 2004 @ \$402.66, 2005 @ \$505.73, 2006 @ \$485.17; Dawn Nixon, corrected value, (Lt 1 Nixon SD SW 11-128-63) for 2006 @ \$229.02; David Beckel, MH moved, (BOLS Lt 1-24 Bk 45 WB Hayes Add Groton) for 2006 @ \$631.99; Consecro Finance, MH moved (BOLS Ctry Vlg # 136) for 2004 @ \$400.82, 2005 @ 374.99, 2006 @ \$361.20; Hecla Community Sportsmen Club, incorrect value (Lt 9 16-128-61) for 2006 @ \$162.51. All members present voting aye. Motion carried.

RECESS:

The Chairman declared the Commission recessed until February 27, 2007.

Jan Beckler, Deputy – Brown County Auditor

FEBRUARY 26, 2007 - 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 Fischbach, Feickert and Wiese. Absent Commissioners Knecht and Hansen.

ORDINANCE NO. 07-02-02/340:

On motion by McQuillen and seconded by Hodgin, the City unanimously voted to approve First Reading of Ordinance No. 07-02-02/340.

Moved by Fischbach, seconded by Feickert to approve First Reading of Ordinance No. 07-02-02/340, 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, said property being described as follows: Feickert Tract 1 in the NW $\frac{1}{4}$, Section 27, T124N, R64W of the 5th P.M. All members present voting aye. Motion carried.

SET HEARING DATE:

On motion by McQuillen and seconded by Rux, the City unanimously voted to set public hearing for Petition to Vacate Public Right-Of-Way.

Moved by Feickert, seconded by Fischbach to set public hearing for Petition to Vacate Public Right-Of-Way described as follows: The 20' x 578.44' Right-Of-Way adjacent to Lot 3, South Dakota Wheat Growers Addition and Lots 7 and 7A, Evelo Subdivision, all located in the NE $\frac{1}{4}$ -Sec 21-T123N-R64W of the 5th P.M., Brown County, South Dakota to be held on March 19, 2007 at 5:30 p.m. in the City Council Chambers, 123 S Lincoln Street, Aberdeen, SD. All members present voting aye. Motion carried.

ADJOURNMENT:

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

Jan Beckler – Deputy Brown County Auditor

FEBRUARY 27, 2007 – GENERAL MEETING

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

MINUTES:

Moved by Feickert, seconded by Hansen to approve the General Meeting minutes of February 20, 2007. All members present voting aye. Motion carried.

Claims:

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

Supplies: Hewlett Packard..\$5393.00, Lien Transportation..\$408.75, Menards..\$183.58, McFarland Supply..\$4.18, Don VonWald..\$181.00, Lar-Jos..\$406.00, McLeods..\$122.57, New Trends..\$33.87, Micks Scuba..\$38.00, Evercom..\$1900.00, Bob Barker..\$276.69, Phillips 66..\$71.54, Parcel-Erickson..\$29.20, Auto Glass..\$688.06, DT Pharmacy..\$1473.17, Tricia Jondahl..\$113.38, CDW Govt..\$948.81, George Sumption..\$200.00, Share Corp..\$307.50, Nat'l Assoc of County Engineers..\$475.00, Huron Culvert..\$13,453.20, Howes Oil..\$17,106.40, Exhaust Pros..\$14.00, Dware..\$975.00, Diesel Machinery..\$3750.00, Brown County..\$13.00, City of Hecla..\$750.00, RDR Plumbing..\$40.88, Kleins..\$20.10, Assoc of SD Museums..\$100.00, Menards..\$25.32, Extension Service..\$161.13, Century Business..\$70.00, Regional Health..\$224.00, Inventory Trading..\$92.75, Advanced Charger..\$15.15, Tessco..\$226.78, Walmart..\$329.20, HSBC..\$60.66, Kirks Auto..\$27.00, Racom..\$41.20, Wireless World..\$349.79, MN Valley Testing..\$464.40, North Central Steel..\$14,075.40, Aberdeen Rural Fire..\$100.00, Lab Safety..\$1398.74, Respond..\$478.80, CMRS-FP..\$5000.00,

Publications: American News..\$4534.45,

Professional Fees: Avera St Lukes..\$1232.00, Dept of Rev..\$2178.00, Jackie Schraeder..\$30.00, Scott Weitbrecht..\$30.00, Lyrita Wilkie..\$180.00, Pam Smid..\$150.00, Lewis & Clark BHS..\$390.00, NADRIC..\$1666.67, Nelva Kooistra..\$15.00, NECOG..\$20,333.72, Clinical Lab..\$1247.62, Eide Bailly..\$255.00,

Travel: Mark McNeary..\$197.60, Kevin Spitzer..\$227.52, Carl Wright..\$9.00, Don Fischer..\$9.00, Mike Scott..\$9.00,

Court Appointed Attorney: Randy Turner..\$4166.67, Kuck Law Office..\$4166.67, William Gerdes..\$4166.67, Kelly Marnette..\$4166.67, Christy Serr..\$4166.67, Brevik Law Office..\$180.70, Fox, Youngberg & Lewno..\$164.14, Garret Horn..\$549.20,

Utilities: Alltel..\$347.85, Midcontinent Cable..\$82.67, Northwestern Energy..\$3073.33, Montana Dakota..\$21.02, Qwest..\$2498.76, Northern Elec..\$100.00,

Care of Poor: Dr/Hospital – 1 recipient..Aberdeen Nephrology..\$37.64, Transportation – 1 recipient..Brown County..\$24.79, Medication – 3 recipients..Walmart..\$655.97, K-Mart..\$14.17. 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, and Everist, Ortonville. Moved by Knecht, seconded by Fischbach to refer all bids to Dirk Rogers, Highway Superintendent for review and recommendation. All members present voting aye. Motion carried.

BID – ASPHALT CONCRETE PLANT MIX:

Time and place, as advertised to open, read and consider bids for furnishing and delivery of one-year supply of Asphalt Concrete Plant Mix. Bids were received from Lien Transportation, Aberdeen,

Aberdeen Asphalt, Aberdeen, and Serocki Excavating, Browns Valley. Moved by Feickert, seconded by Fischbach to refer all bids to Dirk Rogers, Highway Superintendent for review and recommendation. All members present voting aye. Motion carried.

BOTTLED WATER AGREEMENT DURING FAIR:

Pat Rohl, Rohl Beverage, Rod Kurtz, Pepsi, and Jeff Toupal, Coca Cola, appeared before the board to discuss the bottled water agreement during the Brown County Fair. Larry Gerlach, Roger Huettl, and John Frohling were also in attendance. The commission requested they meet with the Brown County Fair Board.

KEYSTONE PIPELINE PROJECT:

Jeff Raugh, with the Keystone Pipeline Project, gave an informational update on the pipeline project.

AUTHORIZE PROPOSALS - HAY CUTTING AT YOUTH CAMP

Moved by Feickert, seconded by Fischbach to authorize advertising of proposals for hay cutting on County land – approximately 21 acres at Richmond Youth Camp, to be opened, read and considered on March 20, 2007 at 8:45 a.m. in the Commission Chambers, Courthouse Annex, Brown County, South Dakota. All members present voting aye. Motion carried.

ABATEMENTS:

Moved by Knecht, seconded by Feickert to approve the following Abatements: Phil Bodine, quit claim to county (Lt 15-16 Bk 2 Park Add Westport) for 2006 @\$54.81; Rob Sandquist, storm damage (BOLS Lt 5 Keyes OL Westport) for 2006 @ \$170.06. All members present voting aye. Motion carried.

PLATS:

Commissioner Hansen offered the following Resolution:

RESOLUTION NO. 8-07

BE IT RESOLVED BY the Board of Commissioners of Brown County, SD, that the plat showing "S & K Conservation Easement Tract 4 in the SE ¼ of Section 14-T123N-R62W of the 5th P.M.. Brown County, South Dakota", having been examined, is hereby approved in accordance with the Provisions of SDCL 11-3, and any amendments thereof.

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

Commissioner Hansen offered the following Resolution:

RESOLUTION NO. 9-07

BE IT RESOLVED BY the Board of Commissioners of Brown County, SD, that the plat showing "Barton Outlot A in NW ¼ Sec. 23-T123N-R63W of 5th P.M.. Brown County, South Dakota", having been examined, is hereby approved in accordance with the Provisions of SDCL 1967, Chapter 11-3 and any amendments thereof.

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

Commissioner Hansen offered the following Resolution:

RESOLUTION NO. 10-07

BE IT RESOLVED BY the Board of Commissioners of Brown County, SD, that the plat showing "Feickert Tract 1 in the NW ¼ of Section 27-T 124N-R64W of the 5th P.M.. Brown County, South Dakota", having been examined is hereby approved in accordance with the Provisions of SDCL of 1967, Chapter 11-3, and any amendments thereof.

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

PLAT:

Commissioner Hansen offered the following Resolution:

RESOLUTION NO. 11-07

BE IT RESOLVED BY the Board of Commissioners of Brown County, SD, that the plat showing "Carda Subdivision in the NE ¼ of Sec. 17-T123N-R63W of 5th P.M.. Brown County, South Dakota", having been examined, is hereby approved in accordance with the Provisions of SDCL 1967, Chapter 11-3 and any amendments thereof.

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

RECESS:

The Chairman declared the Commission recessed until March 6, 2007.

Jan Beckler, Deputy – Brown County Auditor

MARCH 5, 2007 - 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. 07-02-02/340:

On motion by Aman and seconded by Bunsness, the City unanimously voted to approve Second Reading and Adoption of Ordinance No. 07-02-02/340.

Moved by Fischbach, seconded by Feickert to approve Second Reading and Adoption of Ordinance No. 07-02-02/340, 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: Feickert Tract 1 in the NW ¼ of Sec 27-T124N-R64W of the 5th P.M., Brown County, SD. Roll call vote: Commissioners Hansen-absent, Fischbach-aye, Feickert-aye, Knecht-absent, Wiese-aye. Ordinance adopted.

SET HEARING DATE:

On motion by Rux and seconded by Agnitsch, the City unanimously voted to set hearing for Ordinance No. 07-03-02/342.

Moved by Feickert, seconded by Fischbach to set public hearing for 5:30 p.m. on March 26, 2007 in the Aberdeen City Council Chambers, 123 S Lincoln Street for First Reading of the following: Ordinance No. 07-03-02/342, An Ordinance to amend 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: Muldoon Tract 1 in the SW ¼ of Sec 30-T124N-R63W of the 5th P.M., Brown County, SD. 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.

Jan Beckler – Deputy Brown County Auditor

MARCH 6, 2007 – GENERAL MEETING

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

MINUTES:

Moved by Knecht, seconded by Feickert to approve the Joint City/County Meeting minutes of February 26, 2007 and the General Meeting minutes of February 27, 2007. All members present voting aye. Motion carried.

CLAIMS:

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

Payroll: Commissioners..\$2,876.00; Auditor..\$6,927.80; Treasurer..\$9,946.20; Data Processing..\$3,001.00; State's Attorney..\$12,381.60; Maintenance..\$5,471.26; Assessor..\$9,721.25; Planning & Zoning..\$1,961.54; Register of Deeds..\$5,000.04; Veterans Service Office..\$2,736.87; GIS..\$1,776.93; Sheriff..\$66,402.25; Communications..\$14,437.06; Welfare Office..\$2,929.82; Museum..\$5,196.50; Fairgrounds & Parks..\$3,063.82; Fairboard..\$1,493.86; Extension..\$1,866.40; Weed..\$684.50; Emergency Management..\$2,665.73; Teen Court..\$324.30; Coroner..\$1,450.00; Highway..\$27,287.53; Landfill..7,540.92; Matching Benefits: FICA..\$11,563.26; Medicare..\$2,704.24; Supplies: Dakota Mailing..\$140.74, Best Business..\$192.22, Office Equip..\$314.93, Don VonWald..\$130.50, Taylor Laundry..\$37.00, Crescent Elec..\$632.30, Lien Trans..\$427.50, GIS Workshop..\$860.00, Trail Chev..\$30.19, Walmart..\$481.02, RACOM..\$288.40, Holiday Inn..\$45.00, Velvet Uniforms..\$3430.24, Mobile Electronic..\$18.00, Micks Scuba..\$25.00, Ray O'Herron..\$66.73, Intoximeters..\$327.50, Exhaust Pros..\$22.95, Runnings..\$11.97, Velvet Uniforms..\$3343.10, SDACHS..\$65.00, Ricks..\$308.67, Macs..\$178.46, Kens Alignment..\$266.71, Crawford Trucks..\$972.57, Butler Machinery..\$273.12, Quality Quick Print..\$51.28, Hub City Radio..\$125.00, Sacred Heart Catholic Church..\$500.00, IAFE..\$1510.00, Overhead Door..\$114.28, Dakota Supply..\$74.46, Dakota Farmer..\$18.95, Cedar Shore..\$247.80, Pizza Ranch..\$67.94, Electronic Security Equip..\$2930.09, Dakota Electronics..\$638.40, Safety Service..\$483.94, Farm Power..\$72.50, Praxair..\$18.31, House of Glass..\$114.29, Farnams..\$64.99, Erdmann Oil..\$5993.15, Menards..\$713.36, SD Dept of Rev..\$2565.99, Pierson Ford..\$253.00, HJ Industries..\$9145.00, Midwest Pump & Tank..\$90.13, Fastenal..\$35.78, Dakota Fluid..\$1195.27, HC Clark..\$129.41, Aberdeen Equip..\$1616.34, NAPCO..\$464.70; Publications: American News..\$141.00, Groton Indep..\$983.11; Professional Fees: witness fees..\$20.00; Transcriptions: Richard Neal..\$50.80; Travel: Mike Wiese..\$340.44, Dennis Feickert...\$150.28, Deb Knecht..\$291.20; Court Appointed Attorney: Kelly Marnette..\$20.00; Utilities: City of Aberdeen..\$1744.31, Northwestern Energy..\$11,128.82, Qwest..\$72.81, Midcontinent Cable..\$246.79, Alltel..\$1282.92, Northern Valley Comm..\$164.64, James Valley Comm..\$150.56, Web..\$115.47; Care of Poor: Dr/Hospital – 2 recipients..McKenna Hosp..\$5545.88, Avera St Lukes..\$678.45; Transportation – 1 recipient..Brown County..\$15.58; Insurance – 1 recipient..Runnings..\$299.00; Rent – 2 recipients..Jim Burns..\$182.00, Dan Zumbaum..\$280.00. All members present voting aye. Motion carried.

PERSONNEL:

Moved by Knecht, seconded by Feickert to approve the following employee step increases, effective March 11, 2007: Carl Wright @ \$14.44 per hour, Cindy Mitchell @ \$13.81 per hour, John Heidenreich @ \$12.03 per hour, Marcus Selzler @ \$14.26 per hour, JoAnn Sheffield @ \$10.98 per hour, Roy Hedges @ \$11.70 per hour, Chris Stucke @ \$15.19 per hour. All members present voting aye. Motion carried.

Moved by Hansen, seconded by Fischbach to appoint Terry Serr and Joshua Bekaert, as Deputy Coroner's, effective March 6, 2007 at \$150.00 per call. All members present voting aye. Motion carried.

PROOF OF LOSS:

Moved by Feickert, seconded by Hansen to approve and authorize the Chairman sign Proof of Loss statements for property destroyed in accident (Highway trailer and roller). All members present voting aye. Motion carried.

SHERIFF REPORTS:

Moved by Fischbach, seconded by Knecht to approve the following January 2007 Sheriff Reports: Incidents and Offenses, Prisoner Care, JDC, Money deposited with the County Treasurer and Monthly activities. All members present voting aye. Motion carried.

PROCLAMATION:

Moved by Hansen, seconded by Knecht to approve and authorize the Chairman sign Prudential Spirit of Community Awards Program Proclamation to honor ADAM OCHSNER for volunteer community service; and further proclaim March 6, 2007 as the Adam Ochsner/Prudential Spirit of Community Recognition Day in Brown County. All members present voting aye. Motion carried.

NOXIOUS WEED NOTICE:

Moved by Feickert, seconded by Knecht to authorize advertising the 2007 Noxious Weed Notice. All members present voting aye. Motion carried.

AUDITORS REPORT OF ACCOUNT:

Moved by Hansen, seconded by Knecht to approve the February 2007 Auditor's Report of Account with the County Treasurer in total amount of \$10,776,301.87 (total amount of actual cash @ \$3,445.43, Wells Fargo Bank @ \$3,694.79, US Bank @ \$22,410.52, Dacotah Bank @ \$281,850.43, Petty Cash @ \$1,800.00, Fund Investments @ \$10,463,046.13, Outstanding Checks @ \$54.57). All members present voting aye. Motion carried.

EM VEHICLE DESIGNATION:

Moved by Feickert, seconded by Fischbach to designate the County owned vehicle driven by Emergency Management Director Scott Meints as an emergency vehicle, as defined in SDCL 32-14-1(2). All members present voting aye. Motion carried.

BID ADDENDUM:

Moved by Hansen, seconded by Knecht to approve Addendum No. G-1 dated February 22, 2006 for the Brown County Fairgrounds Comfort Station Project (plan and specification changes and clarifications). All members present voting aye. Motion carried.

BID – FAIRGROUNDS COMFORT STATION:

Time and place, as advertised to open, read and consider bid proposals for labor and material for completion of the Fairgrounds Comfort Station Project. Bids were received from the following: Nordling Construction Company, Aberdeen and Zeller Construction, Aberdeen. Moved by Hansen, seconded by Knecht to refer all bids to Kurt Smith, Larry Gerlach and Roger Huettl for review and recommendation. All members present voting aye. Motion carried.

Moved by Hansen, seconded by Knecht to accept bid submitted by Zeller Construction in amount of \$145,350.00 for completion of the Fairgrounds Comfort Station Project; rejecting bid submitted by Nordling Construction in amount of \$158,750.00. All members present voting aye. Motion carried.

EXECUTIVE SESSION:

Moved by Hansen, seconded by Feickert to go into executive session to discuss personnel with Mark McNeary 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.

CENTENNIAL VILLAGE ANNUAL REPORT:

Don Gisi presented the 2006 Centennial Village Annual Report.

CENTENNIAL VILLAGE RESTROOM DONATION:

Moved by Fischbach, seconded by Feickert to accept donation of the Centennial Village Restroom Facility valued at \$32,543.78 from Centennial Village, Inc as County property for purpose of all future maintenance, insurance and fees associated with the facility. All members present voting aye. Motion carried.

COMMISSARY:

Moved by Feickert, seconded by Fischbach to approve and authorize the Sheriff sign contract with Swanson Services Corporation to provide commissary items and accounting software to support a commissary for use by inmates housed in the Brown County Jail. All members present voting aye. Motion carried.

DRAINAGE UPDATE:

Gary Vetter, Planner/Zoner presented informational update and copies of the minutes from the Drainage Board meeting held on February 20, 2007.

BEEF PLANT DISCUSSION:

Norg Sanderson, representing H&S Land & Livestock informed the Commission that the proponents of the Beef Plant concur with the decision to bring Tax Increment Financing District question to a vote of the residents of Brown County.

RESCIND DECEMBER 5, 2006 ACTION:

Moved by Feickert, seconded by Knecht to rescind the following motion from the Brown County Commission Meeting minutes of December 5, 2006: "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." Roll call vote to rescind December 5, 2006 action: Hansen-aye, Fischbach-aye, Feickert-aye, Knecht-aye, Wiese-aye. Motion rescinded.

Moved by Fischbach, seconded by Feickert to accept the petitions requesting a public vote on Resolution No. 78-06 (Beef Plant TIF); and further set April 24, 2007 as date to hold the Special Brown County Election on Resolution No. 78-06. Roll call vote: Commissioners Hansen-nay, Fischbach-aye, Feickert-aye, Wiese-aye, Knecht-aye. Motion carried.

BID AWARD – GRAVEL MATERIAL:

Moved by Feickert, seconded by Knecht to award bids on Gravel Material, as per tabulation sheet on file in the Auditor's Office (available for public inspection Monday – Friday, 8:00 a.m. to 5:00 p.m.). All members present voting aye. Motion carried.

BID AWARD – HOT MIX:

Moved by Feickert, seconded by Fischbach to award all of the bids, purchasing various quantities based on availability and location: Aberdeen Asphalt for Class "D" Type II (1/2 inch) in amount of \$45.60 per

ton and for Class "D" Type I (3/4 inch) in amount of \$45.60 per ton (purchasing approximately 11,000 tons); Lien Transportation Class "D" Type II (1/2 inch) @ \$50.00 per ton and Class "D" Type II (3/4 inch) @ \$50.00 per ton (purchasing approximately 4,000 tons); Serocki Excavating Class "D" Type II (1/2 inch) @ \$50.00 per ton and Class "D" Type II (3/4 inch) @ \$48.25 per ton (purchasing approximately 14,500 tons). All members present voting aye. Motion carried.

LOAD LIMIT RESOLUTION:

Commissioner Fischbach offered the following Resolution:

RESOLUTION NO. 12-07

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

SEASONAL LOAD RESTRICTIONS:

Moved by Hansen, seconded by Knecht to approve the following seasonal load restrictions for 2007: The Brown County Highway Department seasonal load restrictions will go into effect Monday, March 12, 2007, 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.

RESCUE OPERATION UPDATE:

Scott Meints, EM Director presented update on search and rescue operations in Brown County concerning individual missing from Day County.

RECESS:

The Chairman declared the Commission recessed until March 13, 2007.

Maxine Taylor, Brown County Auditor

MARCH 13, 2007 – GENERAL MEETING

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

MINUTES:

Moved by Fischbach, seconded by Hansen to approve the Joint City/County Meeting minutes of March 5, 2007 and the General Meeting minutes of March 6, 2007, with amendment (load limit effective date of March 12, 2007). All members present voting aye. Motion carried.

CLAIMS:

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

Supplies: SDACC..\$250.00, Dakota Supply Group..\$94.76, Dept of Rev..\$385.00, Office Equip..\$139.71, Exec Mgmt..\$2242.75, New Trends..\$77.57, Moore Medical..\$48.98, Gardner Locksmith..\$135.10, Runnings..\$117.58, Lien Trans..\$1406.25, Ecolab Pest..\$86.00, Nelson Sales..\$68.66, Sanders..\$67.92, K-Mart..\$88.79, Polly Rush..\$40.79, McGraw-Hill..\$79.38, Tri-State Water..\$37.80, HRS..\$3869.57, Quality Quick Print..\$67.50, Chris & Dons..\$72.00, Langs..\$96.95, Best Business..\$56.96, Aberdeen Chrysler..\$816.99, Tom Schmitt..\$119.98, Dakota Elec..\$1181.28, PMI..\$131.94, Simulaid..\$151.66, Streichers..\$1166.99, Duanes Amoco..\$33.10, Hoven Auto..\$703.95, Accurint..\$25.81, Dakota Dist IAI..\$15.00, Bonnie Bitz..\$120.00, Kesslers..\$215.57, Lust Chev..\$32.95, Wallwork..\$40.21, Sheehan Sales..\$9209.25, Safety Service..\$2105.43, Quality Welding..\$65.15, Praxair Dist..\$169.87, Power Plan..\$1310.60, Pierson Ford..\$100.00, Outlaw Graphics..\$30.00, North Central Rentals..\$2250.00, Newman Signs..\$51.70, Midwest Pump & Tank..\$184.30, Menards..\$111.56, Langs Audio..\$119.98, Kens Alignment..\$234.56, Howes Oil..\$13,008.68, Hollands Auto..\$9.82, Hedahls..\$35.96, Hecla Impl..\$18.00, Great Western Tire..\$6929.31, Farnams..\$38.93, Farm Power..\$85.40, Evergreen Supply..\$183.89, JD Evans..\$494.14, Erdmann Fuels..\$3553.94, Economy Propane..\$1548.00, Diesel Machinery..\$6766.68, Dakota Oil..\$1775.19, Dakota Fluid Power..\$121.20, Custom Glass..\$420.00, Cartney Bearing..\$128.78, Aberdeen Chrysler..\$37.50, ATSSA..\$190.00, Carole Jansen..\$11.12, Ameripride..\$114.41, Vi Colombe..\$75.80, Academy Awards..\$10.00, PRCA..\$950.00, Shopko..\$239.94, HSBC..\$135.34, Aberdeen Awards..\$975.00, Jessi Mather..\$13.93, IAFE..\$215.00, Office Equip..\$27.99, SDACC..\$150.00, Walmart..\$218.44, Tellilnghuisen..\$31,662.55, Tabatha Lemke..\$100.00, SD Drug Control..\$90.00, Davis Instruments..\$111.00, HF Jacobs..\$1165.84, Hedahls..\$55.10, Petroleum Partners..\$1950.62, SD Fed Property..\$1100.00, OK Tire Store..\$35.00:

Publications: American News..\$568.61, Dakota Press..\$1068.96:

Professional Fees: witness fees..\$80.00, Avera St Lukes..\$93.00, Scott Weitbrecht..\$240.00, Lyrta Wilkie..\$30.00, Jackie Schraeder..\$150.00, Jason Engel..\$180.00, Pam Smid..\$60.00, Greentree Psych..\$200.00, Glas Consulting..\$868.75:

Transcriptions: Cheryl Hook..\$45.60:

Travel: Leo Leshner..\$124.16, Roger Johnson..\$120.68:

Utilities: FSH Comm..\$60.00, Northwestern Energy..\$8725.99, Town of Frederick..\$28.25, Verizon..\$126.70, James Valley..\$209.13, Qwest..\$687.01, Northern Elec..\$1488.54, Dependable Sanitation..\$13,636.42:

Care of Poor: Dr/Hospital – 3 recipients..Dakota Imaging..\$50.55, Physicians Labs..\$62.94, Avera St Lukes..\$3753.63; Transportation – 1 recipient..Brown County..\$20.00; Utilities - 3 recipients..City of Aberdeen..\$962.40; Rent – 3 recipients..J&M Ent..\$240.00, Elmer Sayler..\$136.00, Elmer Zahn..\$120.00; Burial - 3 recipients..Kostel Funeral Home..\$1990.00, Spitzer Miller Funeral Home..\$3220.00. All members present voting aye. Motion carried.

PERSONNEL:

Moved by Hansen, seconded by Feickert to approve hiring Emily Hilgemann, as Teen Court Coordinator, effective March 19, 2007 at \$13.50 per hour. All members present voting aye. Motion carried.

ABATEMENTS:

Moved by Fischbach, seconded by Hansen to approve the following Abatements: Darlene Vlasak, incorrect value (Lt 6 Blk 13 1st Addn to Highlands to Aberdeen) for 2006 @ \$199.79; Cynthia Nikolas, special assessment paid to entity (Lt 1-3 Blk 54 Hagerty & Lloyds Addn to Aberdeen) for 2006 @ \$619.53. All members present voting aye. Motion carried.

FAIR CONTRACTS:

Moved by Fischbach, seconded by Hansen to approve the entertainment contract for the 2007 Brown County Fair in total amount of \$125,000.00 (Craig Morgan with Taylor Swift on August 16, Triple Threat on August 17, and Lonestar on August 18, 2007). All members present voting aye. Motion carried.

AGREEMENT:

Moved by Hansen, seconded by Fischbach to approve and authorize the Chairman sign 2007 Emergency Management State and Local Agreement in amount not to exceed \$46,727.85 for essential county emergency management expenses, and further to provide 50% match for all funds received. All members present voting aye. Motion carried.

COMBINED ELECTION AGREEMENT:

Moved by Fischbach, seconded by Hansen to approve and authorize the Chairman sign Agreement between Brown County, Aberdeen School District 6-1 and the City of Aberdeen for the purpose of conducting a combined election as provided under the provisions of SDCL 9-13-37, 13-7-10.3 and 12-2-5 on June 5, 2007. 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 2007. Bids were received from Wilbur Ellis, Huron; VanDiest Co, Pierre; Univar, USA, CA; Performance Ag, Aberdeen. Moved by Feickert, seconded by Fischbach to refer all bids to Roger Johnson and the Weed Board for review and recommendation. All members present voting aye. Motion carried.

BID – SKID STEER:

Time and place, as advertised to open, read and consider bids for furnishing and delivery of one 2007 Skid Steer Loader for the Brown County Fairgrounds. Moved by Fischbach, seconded by Feickert to reject all bids and return unopened bids to dealers, due to error in specifications. All members present voting aye. Motion carried.

BID – SKID STEER FOR FAIRGROUNDS (REBID):

Moved by Fischbach, seconded by Hansen to authorize re-advertising public hearing to open, read and consider bids for furnishing and delivery of one 2007 Skid Steer Loader for the Brown County Fairgrounds, to be held at 8:45 A.M., March 27, 2007 in the Commission Chambers, Courthouse Annex, Brown County, SD. All members present voting aye. Motion carried.

BID AWARD – ROAD OIL:

Moved by Feickert, seconded by Fischbach to award bid, submitted by Flint Hills Resources, LP for furnishing and delivery of Road Oil MC-3000 @ \$462.35 per unit, as bid by Aberdeen City on February 21, 2007; rejecting bid submitted by Jebro Inc @ \$476.00 per unit. All members present voting aye. Motion carried.

STRIPING AGREEMENT:

Moved by Feickert, seconded by Hansen 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 Fischbach offered the following Resolution:

**RESOLUTION NO. 13-07
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 45 bridges in Brown County that require inspection.

Dated this 13th day of March 2007, at Aberdeen, SD.

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

BRIDGE DELETIONS:

Commissioner Fischbach offered the following resolution:

**RESOLUTION NO. 14-07
RESOLUTION TO DELETE BRIDGES 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:

07-306-160 (Bridge #279) 2.0 miles North and 3.4 miles West of Claremont, SD. Structure and roadway have been underwater since 1994. Bridge has been closed to all traffic.

07-324-110 (Bridge #327) 1.0 miles North and 7.4 miles East of Houghton, SD. Due to high water levels on the roadway since 1996, structure has been closed to all traffic.

The Commission is aware of the following stipulations once structures are deleted from the NBIS Inventory:

Federal Bridge funds will not be available for structure replacement or rehabilitation, and

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

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

BID – ASPHALT ROLLER:

Time and place, as advertised to open, read and consider bids for furnishing and delivery of one 2007 Asphalt Roller for the Brown County Highway Department. Bids were received from JD Evans; Butler/Cat; and DMI. Moved by Feickert, seconded by Fischbach 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 2007. Bids were received from Aberdeen Asphalt, Inc, Aberdeen; Lien Transportation, Aberdeen; HF Jacobs & Son Construction, Aberdeen; Saight Construction, Hecla; Kevin Bourdon, Aberdeen; Hanlon Brothers, Verdon; Howell Trucking, Aberdeen; Herb Dabbert Trucking, Aberdeen; Hollaway Construction, Mitchell; Cass Trucking, Redfield; Odland Construction & Gravel, Redfield; Gardner Trucking, Mina; Winburn Construction, Houghton, Upper Plains Contracting, Aberdeen. Moved by Feickert, seconded by Hansen to refer all bids to Dirk Rogers, Highway Superintendent for review and recommendation. All members present voting aye. Motion carried.

INDIGENT COUNSEL AGREEMENT ASSIGNMENT:

Moved by Feickert, seconded by Fischbach to approve and authorize the Chairman sign Assignment - 2006-2007 Indigent Counsel Agreement for Brown County; accepting Attorney Gina J Rogers as replacement for Kelly Marnette, effective March 1, 2007. All members present voting aye. Motion carried.

EXECUTIVE SESSION:

Moved by Feickert, seconded by Fischbach to go into executive session to discuss possible litigation with Mark McNeary and 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.

TAX DEED PROPERTY:

Moved by Feickert, seconded by Hansen to authorize Sheila Enderson, County Treasurer redeem a tax certificate paid in error, in amount of \$326.13 on Abandoned Railroad right-of-way in the NW ¼ of Sec 31-T123N-R60W of the 5th P.M., Brown County SD. All members present voting aye. Motion carried.

EXECUTIVE SESSION:

Moved by Fischbach, seconded by Hansen to go into executive session to discuss personnel with Mark McNeary, Tabatha Lemke and Bonnie Siebrecht 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 Hansen, seconded by Feickert to approve teen court advisory position if funding approved in JABG funding award. All members present voting aye. Motion carried.

JABG APPLICATION:

Moved by Fischbach, seconded by Hansen to approve and authorize the Chairman to sign application for Federal Fiscal Year 2004 Juvenile Accountability Block Grant - Teen Court/Diversion Program Funding in amount of \$22,200.00 (\$19,980.00 Federal share, \$2,220.00 match), through the SD Department of Corrections. All members present voting aye. Motion carried.

PRECINCT BOUNDARIES/POLLING PLACES – AMENDMENT #2:

Commissioner Fischbach offered the following Resolution:

RESOLUTION NO. 15-07

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, as amended on March 21, 2006 in Resolution No. 14-06; and

WHEREAS, the Civic Arena will not be available for use as a polling place for Precinct 005; and

WHEREAS, currently construction is taking place at the National Guard Armory and now can not accommodate Precinct 007 and Precinct 011; and

WHEREAS, the Central Labor Union Building will not be available for use as a polling place for Precinct 008 and Precinct 016; and

WHEREAS, construction at the Alexander Mitchell Library is complete and is adequate to accommodate Precinct 005; and

WHEREAS, Northeast Council of Governments rents space at Super City Mall for a Conference Room and the Conference Room is adequate to accommodate Precinct 007 and Precinct 011; and

WHEREAS, the School for the Blind and Visually Impaired currently hosts Precinct 010 and is adequate to accommodate Precinct 016, as well; and

WHEREAS, an adequate location to host Precinct 008 will be determined at a later date.

NOW, THEREFORE BE IT RESOLVED by the Brown County Commission to amend Resolution #27-05, as amended by Resolution 14-06 by changing the polling place locations for Precinct 005, Precinct 007, Precinct 011 and Precinct 016, as follows:

Precinct 005 – Alexander Mitchell Library, 519 S Kline, Aberdeen, SD

Precinct 007 – Super City Plaza (Northwest Entrance) – NECOG Conference Room, 2201 6th Ave SE, Aberdeen, SD

Precinct 011 – Super City Plaza (Northwest Entrance) – NECOG Conference Room, 2201 6th Ave SE, Aberdeen, SD

Precinct 016 – School for the Blind and Visually Impaired (south Gym entrance), 423 17th Ave SE, Aberdeen, SD

Dated this 13th day of March 2007.

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

BOTTLED WATER AGREEMENT DURING FAIR:

Pat Rohl, Rohl Beverage met to further discuss the bottled water agreement during the Brown County Fair. Tom McFarland, Ellwein Bros. was also in attendance. No action taken as a result of the discussion.

RICHMOND LAKE PROPERTY:

Ken Dulik met in regard to the county owned Richmond Lake property with various comments and questions that will be researched.

EXECUTIVE SESSION:

Moved by Feickert, seconded by Fischbach to go into executive session to discuss possible litigation 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.

RECESS:

The Chairman declared the Commission recessed until March 20, 2007.

Maxine Taylor – Brown County Auditor

MARCH 19, 2007 - 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.

RESOLUTION NO. 07-03-01/341:

On motion by McQuillen and seconded by Mitchell, the City unanimously voted to adopt Resolution No. 07-03-01/341.

PETITION TO VACATE:

Commissioner Fischbach offered the following Resolution:

BROWN COUNTY RESOLUTION NO. 16-07 ABERDEEN CITY RESOLUTION NO. 07-03-01/341

RESOLUTION TO VACATE PUBLIC RIGHT-OF-WAY

BE IT RESOLVED by the Brown County Commission, Aberdeen, South Dakota that the Petition to Vacate the Public Right-of-Way filed by Heartland Grain Fuels, LP and SD Wheat Growers Association is hereby granted and the public right-of-way is hereby vacated for the following described areas:

The 20' x 578.44' Right-Of-Way adjacent to Lot 3, South Dakota Wheat Growers Addition and Lots 7 and 7A, Evelo Subdivision, all located in the NE ¼, Section 21, T123N, R64W of the 5th P.M., Brown County, South Dakota.

BE IF FURTHER RESOLVED by the Brown County Commission, Aberdeen, South Dakota, that a certified copy of this Resolution shall be filed for record and duly recorded in the Office of the Register of Deeds in Brown County.

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

ADJOURNMENT:

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

Jan Beckler – Deputy Brown County Auditor

MARCH 20, 2007 – GENERAL MEETING

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

MINUTES:

Moved by Hansen, seconded by Feickert to approve the General Meeting minutes of March 13, 2007. All members present voting aye. Motion carried.

CLAIMS:

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

Payroll: Commissioners..\$2,876.00; Auditor..\$6,927.80; Treasurer..\$9,957.40; Data Processing..\$3,001.00, State's Attorney..\$12,373.60; Maintenance..\$5,481.05; Assessor..\$8,977.31; Planning & Zoning..\$1,230.77; Register of Deeds..\$4,908.60; Veterans Service Office..\$2,803.85; GIS..\$1,776.93; Sheriff..\$63,918.54; Communications..\$13,429.36; Welfare Office..\$2,902.34; Museum..\$5,196.50; Fairboard..\$1,493.86; Fairgrounds & Parks..\$3,063.82; Extension..\$1,866.40; Weed..\$401.52; Emergency Management..\$2,665.73; Teen Court..\$414.00; Highway..\$27,443.08; Data Processing..\$3,001.00, Landfill..\$7,401.64; Matching Benefits: FICA..\$11,171.54, Medicare..\$2,612.66, Wellmark BCBS Life..\$668.96, Wellmark BCBS Health..\$60,702.04, Delta Dental..\$4,088.00, SD State Retirement..\$23,421.38:

Supplies: Menards..\$282.55, Office Equip..\$172.91, Simplex..\$129.00, City of Warner..\$97.50, Crescent Elec..\$46.42, Office Max..\$678.30, Fleet..\$64.58, Best Business..\$39.32, Medtox..\$251.21, Sewing Shop..\$27.00, Earthgrains..\$441.37, UPS..\$10.19, Moore Medical..\$418.61, Share Corp..\$234.25, Lawson Products..\$307.47, Habecks Radiator Shop..\$90.25, Fastenal..\$341.23, Custom Glass..\$710.00, Carquest..\$1449.84, Bud How Co..\$1100.00, Avera Queen of Peace Health..\$107.00, Ameripride..\$176.16, Cecilla Rico..\$150.00, Lora Schaunaman..\$3.51, Dacotah Prairie Museum..\$2.80, Alonzo Ward Plaza..\$45.00, Mercury Cleaners..\$38.00, Walmart..\$39.96, Sherwin Williams..\$101.42, Kos Concrete..\$14,402.40, OK Tire..\$15.00, SD Assoc of County Weed/Pest..\$50.00, U of Calif..\$28.00, SDSU West River Ag Center..\$126.00, Best Business..\$107.59, Mallory Headsets..\$574.67, Language Lines..\$89.55, John McQuillen..\$79.98, AOS Computer..\$5088.00, Scott Madsen..\$62.65, Wipf Const..\$2105.01, Millborn Seeds..\$12,990.00, Advanced Auto..\$157.84, Century Business..\$106.60, Frey Elec..\$160.00, Overhead Door..\$81.63, Aberdeen Rural Fire..\$100.00, Dakota Brush..\$191.30:

Publications: American News..\$834.29:

Professional Fees: Jackie Schraeder..\$330.00, Lyrita Wilkie..\$30.00, Northeast Mental Health..\$190.19, Lewis & Clark BHS..\$130.00:

Travel: Carol Sherman..\$39.46, Mark Milbrandt..\$658.96, Larry Gerlach..\$585.08, Kurt Smith..\$151.61:

Utilities: Alltel..\$299.75, Dependable Sanitation..\$371.00, Northwestern Energy..\$1300.11, Tel Serv..\$35.00, Northern Elec..\$305.28, City of Hecla..\$148.15, Qwest..\$1595.66, Verizon..\$68.73, Bureau of Admin..\$595.61:

Care of Poor: Dr/Hospital – 8 recipients..Orthopeduc Surgery Spec..\$90.50, Dr J Gerber..\$720.48, Harlow Orthopedics..\$1201.38, Aberdeen Family Physicians..\$82.98, Anesthesia Care..\$256.00, Avera St Lukes..\$15,612.36, Dr Navaid Khan..\$245.80, PSI Health Care..\$50.00, Dakota Imaging..\$822.38; Medication – 2 recipients..Kesslers Pharm..\$71.11, Walmart Pharm..\$27.68; Utilities - 1 recipient..NWPS..\$240.00; Rent – 1 recipient..Chuck Currie..\$240.00; Transportation – 2 recipients..Emergency Poor Fund..\$65.00; Insurance – 2 recipients..Delta Dental..\$31.62, Avera Health Plans..\$418.20. All members present voting aye. Motion carried.

PERSONNEL:

Moved by Hansen, seconded by Knecht to approve the following step increases, effective March 25, 2007: Roger Johnson @ \$12.15 per hour, Danielle Radke @ \$11.58 per hour, Michael Rohrbach @ 11.92 per hour. All members present voting aye. Motion carried.

Moved by Feickert, seconded by Hansen to approve hiring Jeffrey Neal and Carrie Kleindl as part-time JDC Correctional Officers, effective April 4, 2007 at \$9.67 per hour. All members present voting aye. Motion carried.

Moved by Hansen, seconded by Knecht to approve employee status change for Joe Embury from full-time adult corrections officer to part-time adult corrections officer, effective March 27, 2007 at \$9.67 per hour. All members present voting aye. Motion carried.

Moved by Knecht, seconded by Hansen to authorize Kurt Smith, Fairgrounds Superintendent, advertise open position at the Fairgrounds. All members present voting aye. Motion carried.

ABATEMENTS:

Moved by Feickert, seconded by Hansen to approve the following Abatements: Charlotte Liebelt, incorrect value (Lt 1 Badgers Subd SE 24-124-65) for 2005 @ \$419.48 and for 2006 @ \$500.31. All members present voting aye. Motion carried.

SHERIFF REPORTS:

Moved by Feickert, seconded by Knecht to approve the following February 2007 Sheriff Reports: Incident and offenses, Prisoner care, JDC, Money deposited with the County Treasurer, and Monthly activities. 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 April 10, 2007 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 13 and 14, 2007. All members present voting aye. Motion carried.

WEED CHEMICALS - BIDS REJECTED:

Moved by Feickert, seconded by Hansen to reject all bids received March 13, 2007 for furnishing and delivery of Chemical for use by the Weed Board in 2007, as specifications incomplete. All members present voting aye.

WEED CHEMICALS – RE-BID:

Moved by Knecht, seconded by Feickert to authorize advertising public hearing to open, read and consider bids for furnishing and delivery of chemicals for Brown County Weed and Pest Board, to be held in the Commissioner's Chambers, Courthouse Annex, Brown County, SD on April 3, 2007 at 8:45 a.m. All members present voting aye. Motion carried.

HAY CUTTING BIDS – RICHMOND YOUTH CAMP:

Time and place, as advertised to open, read and consider proposals for hay cutting on County land – approximately 21 acres at Richmond Youth Camp. No bids were received.

Moved by Hansen, seconded by Feickert to authorize advertising of proposals for hay cutting on County land – approximately 21 acres at Richmond Youth Camp, to be opened, read and considered on April 10,

2007 at 8:45 a.m. in the Commission Chambers, Courthouse Annex, Brown County, South Dakota. All members present voting aye. Motion carried.

RICHMOND LAKE PROPERTY:

Adam Altman, Aberdeen City Attorney met to discuss options for selling property at Richmond Lake. After discussion it was determined that more extensive research must be completed prior to advertising property for sale.

NIMS TRAINING:

Scott Meints, EM Director informed the Commission that federal guidelines require additional National Incident Management Systems Training. Moved by Hansen, seconded by Knecht to approve training required for NIMS (National Incident Management Systems). All members present voting aye. Motion carried.

REGISTER OF DEEDS FEE INCREASE:

Commissioner Knecht offered the following Resolution:

RESOLUTION NO. 17-07

WHEREAS, SDCL 7-9-15-(2) allows fees to be changed by the Register of Deeds for digital copies; and

WHEREAS, due to the cost of new equipment and upgrading software costs, it is necessary to increase the fee charged for digital copies; and

WHEREAS, all fees collected by the Register of Deeds are deposited within the County General Fund for the ongoing operating costs of the County.

NOW, THEREFORE BE IT RESOLVED that the Brown County Commission increase the fee for digital copies charged by the Register of Deeds, per SDCL 7-9-15(2), as follows:

Effective July 1, 2007 - \$0.75 per copy

Effective January 1, 2008 - \$1.00 per copy

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

SURPLUS PROPERTY SALE:

Moved by Hansen, seconded by Feickert to authorize advertising Brown County Surplus Sale to be held at the Brown County Highway Department on May 11, 2007. All members present voting aye. Motion carried.

ASPHALT ROLLER BID AWARD:

Moved by Feickert, seconded by Hansen to award bid, submitted by Diesel Machinery Inc. Option C at total cost of \$37,955.00 for one 2007 522VHF Asphalt Roller; rejecting the following: Butler Machinery, Option A (four year lease) @ \$29,937.00 per year, Option B (two year lease w/trade) @ \$19,383.00 per year, Option C (purchase w/trade) @ \$38,116.00; DMI, Option A (four year lease) @ \$34,642.14 per year, Option B (two year lease w/trade) @ \$19,622.50 per year; JD Evans, Option A (four year lease) @ \$12,474.76 per year, Option B (two year lease w/trade) @ \$23,634.05 per year, Option C (purchase w/trade) @ \$43,495.00. All members present voting aye. Motion carried.

RENTAL OF EQUIPMENT BID AWARD:

Moved by Feickert, seconded by Knecht to award the following bids for Rental of Equipment: Dump Trucks to Odland Construction, 17 ton @ \$60.00 per hour; Semi Trailer to Cass Trucking, 27-28 ton @ \$70.00 per hour; Semi Tractor/Trailer with Pup Trailer to Odland Construction, 40 ton @ \$90.00 per hour; Side Dumps to H F Jacobs & Son Construction, 25 ton @ \$80.00 per hour; Dozer to H F Jacobs & Son Construction, Cat D8K @ \$165.00 per hour; Paving Equipment to Aberdeen Asphalt @ \$300.00 per hour; Patching Equipment to Aberdeen Asphalt @ \$250.00 per hour; Crushing Equipment to Hanlon Brothers and H F Jacobs & Son Construction ¾" @ \$2.00 per ton (depending upon location), H F Jacobs & Son Construction 1" @ \$1.75 per ton; Milling Equipment to Upper Plains Contracting @ \$0.35 per sq yd.; Bridge Equipment to Hollaway Construction @ \$263.00 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.

JAIL CELL DISCUSSION:

Mark Milbrandt, Brown County Sheriff and Representatives from Southern Steel, San Antonio TX discussed the need to upgrade and replace jail cell doors, due to non-availability to repair as 1927 system no longer on the market. Cost estimates will be obtained and a time table for replacements will be drafted. Mick Palmer was also in attendance.

RECESS:

The Chairman declared the Commission recessed until March 27, 2007.

Maxine Taylor – Brown County Auditor

MARCH 26, 2007 - 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 Knecht, Feickert and Wiese. Absent Commissioners Fischbach and Hansen.

ORDINANCE NO. 07-03-02/342:

On motion by McQuillen and seconded by Aman, the City unanimously voted to approve First Reading of Ordinance No. 07-03-02/342.

Moved by Knecht, seconded by Feickert to approve First Reading of Ordinance No. 07-03-02/342, 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: Muldoon Tract 1 in the SW ¼ of Sec 30-T124N-R63W of the 5th P.M., Brown County, SD. All members present voting aye. Motion carried.

FIREWORKS PERMIT:

On motion by McQuillen and seconded by Rux, the City unanimously voted to approve a Fireworks Permit.

Moved by Feickert, seconded by Knecht to approve and authorize the Chairman sign Fireworks Public Display Permit, submitted by Jeff Koster, Premier Pyrotechnics, 305 Lewis and Clark Trail, Yankton, SD for a Class B Fireworks Display to be held on March 26, 2007 at the Brown County Fairgrounds. All members present voting aye. Motion carried.

ADJOURNMENT:

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

Maxine Taylor - Brown County Auditor

MARCH 27, 2007 – GENERAL MEETING

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

MINUTES:

Moved by Knecht, seconded by Feickert to approve the Joint City/County Meeting minutes of March 19, 2007 and the General Meeting minutes of March 20, 2007. All members present voting aye. Motion carried.

CLAIMS:

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

Supplies: ES&S..\$5794.00, Quality Quick Print..\$25.78, Office Equip..\$9.78, New Trends..\$344.91, Dept of Revenue..\$2151.00, Grote Roofing..\$77.50, Menards..\$23.26, K-Mart..\$273.20, Aberdeen Plumbing..\$89.25, NCRAAO..\$1000.00, SDAAO..\$540.00, HSBC..\$329.74, Best Business..\$191.21, Phillips 66..\$111.00, Electronic Security..\$135.39, Evercom..\$1900.00, Marsh-Seabury & Smith..\$98.00, JF Saddlery..\$56.00, Velvet Uniforms..\$74.05, Lamb Chev..\$18,246.00, Vantek..\$34.50, UPS..\$22.09, Runnings..\$911.71, Poms..\$83.60, Jensen Rock & Sand..\$122,100.00, Gardner Locksmith..\$40.00, Custom Glass..\$85.17, Advanced Auto..\$33.85, AW Direct..\$103.88, IAFE..\$500.00, Lora Schaunaman..\$3.26, Sherwin Williams..\$27.09, Walmart..\$274.81, Midwest Alarms..\$51.50, Carol White..\$33.92, ASD County Weed & Pest..\$100.00, Century Business..\$105.85, Karls..\$148.95, SDEMA..\$30.00, Tri-Combined Resources..\$274.22, Service Signs..\$336.60, Hase Plumbing..\$1200.00, Earth Tech..\$400.00, Custom Coating..\$2240.06, City of Aberdeen..\$234.00, Nat'l Double Track Training..\$195.00, Nat'l Crime Prevention..\$10.75:

Publications: American News..\$1517.21, Groton Independent..\$ 923.92, Midland Press..\$40.00:

Professional Fees: Jason Engel..\$150.00, Lyrita Wilkie..\$60.00, Jackie Schraeder..\$30.00, Pam Smid..\$60.00, Scott Weitbrecht..\$60.00, Orthopedic Surgery Spec..\$341.61, Dakota Imaging..\$37.05, United Clinic..\$64.08, NADRIC..\$1666.67, Donna Dietrich..\$242.78, Yankton County..\$312.15, Nelva Kooistra..\$30.00, Cathy Rehfuuss..\$30.00, Avera St Lukes..\$580.00:

Transcriptions: Kristi Kost..\$67.50:

Travel: Allen Vietmeier..\$93.76, Kathy Fischer..\$58.24, Gene Loeschke..\$102.72, City of Groton..\$56.00, Kendell Titze..\$72.00, Richard Burns..\$92.00, Charlene Millim..\$118.40, Best Western Ramkota..\$75.00, John McQuillen..\$220.58, Anthony Sorensen..\$139.20:

Court Appointed Attorney: Randy Turner..\$4166.67, Kuck Law Office..\$4166.67, William Gerdes..\$4166.67, Christy Serr..\$4166.67, Gina Rogers..\$4166.67, Kelly Marnette..\$2615.25:

Utilities: Alltel..\$1401.17, TelServ..\$828.24, Northwestern Energy..\$3007.08, Montana Dakota..\$31.23, Midcontinent Comm..\$55.00, Qwest..\$2498.96, Northern Elec..\$100.00:

Care of Poor: Dr/Hospital – 5 recipients..Aberdeen Family Physicians..\$440.46, Avera St Lukes..\$10,233.58, Dental Center..\$561.83; Utilities - 1 recipient..NWPS..\$280.00; Rent – 6 recipients..Danne..\$240.00, Valley Inn..\$239.75, Rieger Mgmt..\$260.00, DILO..\$175.00, Melissa Weismantel..\$126.00, Rockford Apts..\$145.00; Transportation – 1 recipient..Brown County Highway..\$19.21; Insurance – 2 recipients..Midstates Printing..\$330.00, RBD Elec..\$1159.74. All members present voting aye. Motion carried.

ABATEMENTS:

Moved by Fischbach, seconded by Knecht to approve the following abatements: Catherine Kasch, owner/occupied (1976 Hillcrest Mobile Home) for 2007 @ \$21.06; Erik Stewart, owner/occupied (1962 Redman Mobile Home) for 2007 @ \$2.56; Erdmann Properties, owner/occupied (1971 Detroit Mobile Home) for 2007 @ \$14.68; Thomas D Green, incorrect value (N 326.2' Lt 1 Evangelisto's Subd NW 2-

121-64) for 2006 @ \$244.83; Jahnath L Weber, mobile home moved (1976 Chickasha) for 2007 @ \$181.98. All members present voting aye. Motion carried.

WEED & PEST GRANT AGREEMENT:

Moved by Feickert, seconded by Fischbach 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 \$2,000 on a 50/50 cost share basis for chemical, promotional items, radio ads and seasonal labor, effective July 1, 2007 to June 1, 2008. All members present voting aye. Motion carried.

INCREASE SPENDING AUTHORITY/ESTIMATED REVENUE:

Moved by Fischbach, seconded by Knecht to increase spending authority in Fund #234-211.03-426 and increase estimated revenue in Fund #234-331.04 in amount of \$1,254.00 for Bulletproof Vest Partnership Grant. All members present voting aye. Motion carried.

PRECINCT BOUNDARIES/POLLING PLACES – AMENDMENT #3:

Commissioner Knecht offered the following Resolution:

RESOLUTION NO. 18-07

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, as amended on March 21, 2006 in Resolution No. 14-06 and on March 13, 2007 in Resolution No. 15-07; and

WHEREAS, the Central Labor Union Building will not be available for use as a polling place for Precinct 008; and

WHEREAS, the White House Inn has rental space on the third floor that is available for various meetings and activities on a day-by-day basis and this meeting room is adequate to accommodate Precinct 008.

NOW, THEREFORE BE IT RESOLVED by the Brown County Commission to amend Resolution #27-05, as amended by Resolution #14-06 and amended by Resolution #17-07 by changing the polling place location for Precinct 008, as follows:

Precinct 008 – White House Inn - Third Floor Meeting Room, 500 6th Ave SW, Aberdeen, SD

Dated this 27th day of March 2007.

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

CONTRACTS:

Moved by Knecht, 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.

SURPLUS PROPERTY:

Moved by Feickert, seconded by Fischbach to declare the following property surplus: Decal #1930 2001 Volvo Blade from Highway for purpose of trade; Decal #2123 Roller from Highway, totaled in an accident; and Decal #797 2000 Melros Bobcat Skid-steer Loader from Fairgrounds for purpose of trade. All members present voting aye. Motion carried.

PLATS:

Commissioner Knecht offered the following Resolution:

RESOLUTION NO. 19-07

BE IT RESOLVED by the County Commission of Brown County, SD, that the plat showing "Fischer's Second Addition in the NW ¼ of Sec 30-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 Fischbach. Roll call vote: Commissioners Hansen-absent, Fischbach-aye, Feickert-aye, Knecht-aye, Wiese-aye. Resolution adopted.

Commissioner Knecht offered the following Resolution:

RESOLUTION NO. 20-07

BE IT RESOLVED by the Board of Commissioners of Brown County, SD, that the plat showing "Muldoon Tract 1 in the SW ¼ of Sec 30-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 Fischbach. Roll call vote: Commissioners Hansen-absent, Fischbach-aye, Feickert-aye, Knecht-aye, Wiese-aye. Resolution adopted.

BID – SKID-STEER LOADER:

Time and place, as advertised to open, read and consider bids for purchase and delivery of a 2007 Skid-steer Loader. Bids were received from HC Clark Implement, Aberdeen and J Gross Equipment, Aberdeen. Moved by Fischbach, seconded by Feickert to refer all bids to Kurt Smith, Fairgrounds Superintendent for review and recommendation. All members present voting aye. Motion carried.

Moved by Feickert, seconded by Fischbach to award bid, submitted by HC Clark Implement in amount of \$16,400.00 (with trade) for a 2007 Bobcat Model 5250 Skid-steer Loader; rejecting bid without trade, submitted by HC Clark Implement in amount of \$27,550.00; and rejecting bids in amount of \$28,900.00 (without trade) and \$19,900.00 (with trade), submitted by J. Gross Equipment. All members present voting aye. Motion carried.

Moved by Feickert, seconded by Fischbach to approve and authorize the Chairman sign Contract agreement with Titan Machinery DBA HC Clark Implement for purchase and delivery of a 2007 Bobcat Model 5250 Skid-steer Loader. All members present voting aye. Motion carried.

EM UPDATE:

Scott Meints, EM Director informed Commission that entities, including Brown County involved in recent search and rescue will not seek reimbursement. Mr. Meints also discussed "POD" Point of Distribution full-scale mass inoculation exercise to be held on May 24, 2007.

CONTRACT FOR SERVICES:

Moved by Knecht, seconded by Fischbach to approve and authorize the Chairman sign Contract with the Aberdeen Area Humane Society for the purpose of assisting the County in animal control situations, in cooperation with the Sheriff's Department. All members present voting aye. Motion carried.

LANDFILL SPRING RESIDENTIAL CLEANUP:

Moved by Feickert, seconded by Fischbach 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 27 thru June 2, 2007. No free waste will be accepted from Commercial Contractors or Businesses (including mobile homes). All members present voting aye. Motion carried.

SD DEPARTMENT OF LABOR:

Darla Bockorny, Workforce Services Representative for the SD Department of Labor presented information on the Department's involvement in different areas of labor market, human resources and described the Governor's program for keeping people in communities "Dakota Roots Program".

ADJOURNMENT:

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

Maxine Taylor – Brown County Auditor

APRIL 2, 2007 - 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 Wiese, Fischbach and Hansen. Absent Commissioners Feickert and Knecht.

ORDINANCE NO. 07-03-02/342:

On motion by McQuillen and seconded by Bunsness, the City unanimously voted to approve Second Reading and Adoption of Ordinance No. 07-03-02/342.

Moved by Fischbach, seconded by Hansen to approve Second Reading and Adoption of Ordinance No. 07-03-02/342, 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: Muldoon Tract 1 in the SW ¼ of Sec 30-T124N-R63W of the 5th P.M., Brown County, SD. Roll call vote: Commissioners Hansen-aye, Fischbach-aye, Feickert-absent, Knecht-absent, Wiese-aye. Ordinance adopted.

ADJOURNMENT:

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

Maxine Taylor - Brown County Auditor

APRIL 3, 2007 – 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 and Wiese. Absent Commissioners Feickert and Knecht.

MINUTES:

Moved by Fischbach, seconded by Hansen to approve the Joint City/County Meeting minutes of March 26, 2007 and the General Meeting minutes of March 27, 2007. All members present voting aye. Motion carried.

CLAIMS:

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

Payroll: Commissioners..\$2,876.00; Auditor..\$7,043.48; Treasurer..\$9,873.40; Data Processing..\$3,024.20, State's Attorney..\$12,377.60; Maintenance..\$5,541.54; Assessor..\$8,786.56; Planning & Zoning..\$1,461.54; Register of Deeds..\$5,213.40; Veterans Service Office..\$2,732.93; GIS..\$1,776.93; Sheriff..\$65,344.95; Communications..\$14,334.78; Welfare Office..\$2,975.62; Museum..\$5,196.50; Fairboard..\$1,502.66; Fairgrounds & Parks..\$3,063.82; Extension..\$952.80; Weed..\$1,560.09; Emergency Management..\$2,665.73; Teen Court..\$121.50; Coroner..\$750.00; Highway..\$27,317.28; Landfill..\$7,837.75; Matching Benefits: FICA..\$12,048.53, Medicare..\$2,817.74, Wellmark BCBS Life..\$673.46, Wellmark BCBS Health..\$61,218.78, Delta Dental..\$4,228.00, SD State Retirement..\$36,053.23:

Supplies: Ron Fischer..\$3245.00, CMRS-FP..\$5000.00, Office Equip..\$8.24, Pizza Ranch..\$127.81, McLeods Printing..\$356.22, Best Business..\$36.85, MN CLE..\$700.00, Division of Motor Vehicles..\$26.00, Hofers Repair..\$113.46, DT Pharm..\$1596.84, Langs..\$752.99, Racom..\$329.60, Walmart..\$529.66, Tom Schmitt..\$26.00, Travelodge..\$264.68, HC Clark..\$127.62, Crawford Trucks..\$1914.71, Butler Machinery..\$4713.80, Barnes Dist..\$114.82, SD Asphalt Conf..\$190.00, Extension Service..\$163.78, Runnings..\$2809.25, North Central Steel..\$431.13, UPS..\$339.44, Fastenal..\$35.78, Macs..\$997.09, Powerplan..\$190.89, Firestone..\$187.00, EPG Co..\$125.12, McFarland..\$494.82, Farm Power..\$4845.28, Pierson Ford..\$36.85, K-Mart..\$9.98, Pizza Ranch..\$67.94, DSS Image Apparel..\$34.95, Electronic Security Equip..\$81.25:

Publications: American News..\$641.88, Groton Indep..\$200.23:

Professional Fees: Eide Bailly..\$243.00:

Travel: Mike Wiese..\$187.24, Dennis Feickert..\$134.24, Scott Madsen..\$574.44, John McQuillen..\$36.67:

Court Appointed Attorney: Randy Turner..\$16.14:

Utilities: Qwest..\$72.81, Midcontinent Cable..\$274.46, Alltel..\$77.12, Web Water..\$106.83, NWPS..\$1111.10, Northern Valley..\$25.00:

Care of Poor: Dr/Hospital – 7 recipients..Am Musculoskeletal Wellness..\$1090.71, Dr John Adams..\$90.50, Aberdeen Surgical Assoc..\$217.68, Aberdeen Assoc of Ortho..\$220.81, Avera St Lukes..\$22,060.58; Utilities - 2 recipients..NWPS..\$280.00, City of Aberdeen..\$159.40; Rent – 2 recipients..Lakesides Estates..\$170.00, Dorothy Meyers..\$240.00; Transportation – 1 recipient..Brown County Highway..\$20.22; Insurance – 1 recipient..Runnings..\$299.00. All members present voting aye. Motion carried.

PERSONNEL:

Moved by Hansen, seconded by Fischbach to approve the following employee step increases, effective April 8, 2007: Jo Forsting @ \$12.49 per hour, Geri Sillman @ \$13.69 per hour, David Fair @ \$17.62 per hour, Jeff Kirnan @ \$13.81 per hour, Judy Dosch @ \$16.57 per hour, Jon Koeniguer @ \$11.92 per hour. All members present voting aye. Motion carried.

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ABATEMENTS:

Moved by Hansen, seconded by Fischbach to approve the following Abatements: Velda Forkel, sanitary sewer fee paid to entity (BOLS OL 1 Fritz Subd), Bath sewer for 2006 @ \$127.50; Miles Kunze, mobile home moved (1993 Champion MH) for 2006 @ \$363.55. All members present voting aye. Motion carried.

COURT SECURITY GRANT APPLICATION:

Moved by Hansen, seconded by Fischbach to approve and authorize the Chairman sign Court Security Grant application letter in amount of \$15,358.00 (50/50 match grant). 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 use by the Weed and Pest Board in 2007. Bids were received from Hefty Seed, Aberdeen; Performance Ag, Aberdeen; Univar, West Sacramento, CA; Van Diest Company, Pierre; Wilbur-Ellis Company, Huron. Moved by Fischbach, seconded by Hansen to refer all bids to Roger Johnson, Weed Supervisor for review and recommendation. All members present voting aye. Motion carried.

FAIR DISCUSSION:

Dave Ellwein discussed obtaining contracts to provide alcoholic beverages during the Brown County Fair. As current contracts are complete, Mr. Ellwein was encouraged to attend the September Fair Board Meeting.

DRAINAGE ISSUE:

Dennis Jones discussed action he has taken in regard to a drainage issue. Mr. Jones was advised to contact Gary Vetter, Drainage Coordinator for copies of proper drainage laws, per ordinance.

SURPLUS SALE:

Moved by Hansen, seconded by Fischbach to authorize Dirk Rogers, Highway Superintendent to hire Buntrock Auction to coordinate the Surplus Sale to be held May 11, 2007. All members present voting aye. Motion carried.

BID - AWARD FUEL BIDS:

Moved by Fischbach, seconded by Hansen to award bids for fuel, to be used by the Highway Department to Howes Oil Company, Inc (Contract #15100), from contract on State Bid Proposal #23199, effective April 1, 2007 thru March 31, 2008 (complete listing available for public inspection Monday – Friday, 8:00 a.m. – 5:00 p.m.). All members present voting aye. Motion carried.

EQUALIZATION UPDATE:

Mary Worlie, Director of Equalization distributed copies of the Township Board Equalization Minutes and discussed schedule of equalization appointments for the upcoming weeks.

HOMELAND SECURITY UPDATE:

Scott Meints, EM Director informed the Commission that Brown County will receive approximately \$158,996.00 for four Homeland Security Projects in 2007.

RECESS:

The Chairman declared the Commission recessed until April 10, 2007.

Maxine Taylor – Brown County Auditor

APRIL 10, 2007 – CONSOLIDATED BOARD OF EQUALIZATION

Members of the Brown County Commission, Aberdeen City Council and Aberdeen School District 6-1 organized themselves as the 2007 Consolidated Board of Equalization, in accordance with SDCL 10-11-66 at 1:30 P.M. on April 10, 2007 in the Commissioner's Chambers, Courthouse Annex, Brown County, South Dakota. Oaths of Office were taken by Tom Fischbach, Dennis Feickert, Mike Wiese, Duane Alm and Mike Levsen. Mary E Worlie, Director of Equalization was also in attendance. Deputy Auditor Jan Beckler called the meeting to order and called for nominations for Chairman.

Commissioner Feickert nominated Commissioner Wiese as Chairman for the 2007 Consolidated Board of Equalization. Moved by Fischbach, seconded by Levsen that nominations cease and a unanimous ballot be cast. All members present voting aye. Motion carried.

Commissioner Feickert nominated Commissioner Fischbach as Vice Chairman for the 2007 Consolidated Board of Equalization. Moved by Feickert, seconded by Levsen 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 24, 2007.

Maxine Taylor – Brown County Auditor

APRIL 10, 2007 – BROWN COUNTY BOARD OF EQUALIZATION

This being the second Tuesday, April 10, 2007, 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, Kathy Fischer and Lisa Samson from Director of Equalization Office were also present. Deputy Auditor Jan Beckler called the meeting to order.

Commissioner Fischbach nominated Mike Wiese as Chairman for the 2007 Brown County Board of Equalization. Moved by Knecht, seconded by Feickert that nominations cease and a unanimous ballot be cast. All members present voting aye. Motion carried.

Commissioner Knecht nominated Tom Fischbach as Vice Chairman for the 2007 Brown County Board of Equalization. Moved by Knecht, seconded by Feickert that nominations cease and a unanimous ballot be cast. All members present voting aye. Motion carried.

Moved by Fischbach, seconded by Knecht to approve all qualified senior freeze applications for 2007. All members present voting aye. Motion carried.

Moved by Feickert, seconded by Knecht to approve Paralegic Tax Exempt Status for the following applications: **Debra K Fickett** on Lt 8 Blk 4 17th Addition of Highland North Addition 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 Knecht to deny Paralegic Tax Exempt Status for the following: **Jesse A. Luce Jr.** on #2102 Lot 1 Blk 1 Lakeview 1st Replat, as does not meet criteria as prescribed by State Law. All members present voting aye. Motion carried.

Moved by Knecht, seconded by Fischbach to approve 100% Tax Exempt status, as requested on the following: **Aberdeen City #32 Avera St Luke's Hospital** on Avera St Lukes Clinic Subd (Bk 72 H&L & OL 2 Lanes) (Imaging Center); **HAPI** on Lt 1-2 Blk 6 Howard & Hedger Replat of NW Addn and W 17' N Congress Street (Training Facility); **West Rondell Twp #57 Oakwood Cemetary** on 2 acres in the SE ¼ 25-121-63 (Cemetery); and further to approve 62% Tax Exempt status on the following: **Aberdeen City #32 Aberdeen Development Corporation** on Lt 1 Abdn Dev Corp 2001-1 Subd NE 16-123-63 (Office). All members present voting aye. Motion carried.

Moved by Feickert, seconded by Fischbach to deny 100% Tax Exempt status, as requested on the following: **Aberdeen City #32 Concordia Foundation** on Lt 346-349 Morning Heights Addn Ex Lt H1 (Office); **Aberdeen Township #20 Family Stations, Inc** on Robert's Radio Addn SE 36-123-64 (Religious Broadcasting). All members present voting aye. Motion carried.

Moved by Knecht, seconded by Feickert to remove Tax Exempt status from the following: **Aberdeen City #32 The Old Apostolic Lutheran Church**-W 70' of N ½ of Lot 18 & W 70' of Lots 19-24 Inc Dawson & Lowe Replat. **Hecla Township #50 Houghton Post Office/Library**-E 10' of Lot 18 and all of Lot 19 Blk 2 Houghton. All members present voting aye. Motion carried.

Moved by Feickert, seconded by Knecht to approve partial Tax Exempt Status for the following applications: **Aberdeen City #32 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; **Montessori School %Eric Hofer** @ 25% Tax Exempt on Lot 10 Blk 3 Thomas Addn; **Resource Center for Women** @ 75% Tax

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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; **Avera St Luke's Hospital @ 93% Tax Exempt** on Lt 1 Avera St Lukes Addn (previously portions of Blk 86, 87 & 96 Hagerty & Lloyds Addn & vac Street); **Avera St Lukes Hospital @ 15% 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. **Frederick City #38 Frederick Lounge, Inc @ 60% Tax Exempt** on Lt 6-9 Blk 9 OP. **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 Fischbach, seconded by Knecht to approve the following applications to continue 100% Tax Exempt Status: **Aberdeen City #32 Aberdeen Alliance Church**-Francis Evelo Addn OL A NE ¼ 19-123-63. **Aberdeen Corporation of Jehovah's Witnesses**-Lt 2 Isaiah's Addn (Lt 5 & 6 MelRos Southview Addn). **Bethlehem Evangelical Lutheran Church**-Lincoln & Boyd's Addn OL 2 Blk F ex E 25' of 255' & Ex Lt 1 (land); Bethlehem Lutheran Church Addn Lot 1 SE ¼ 18-123-63. **Bnai Isaac**-W 66' of Lts 13 & 14 Blk 38 Hagerty & Lloyds Addn. **Church of God**-Lt 1 Northwest Pond Addn (Pt L 32 Auto Plaza). **Calvary Baptist Church**-Howard's OL A NE ¼ 14-123-64 & the strip of land immediately E of said OL between the OL and the W line of RR R/O/W. **Church of Christ**-Lts 1- 2 Blk 1 Gorders Replat of 4th Addn. **Calvary Chapel Community Church**-W 67' of Lt 7 & S 12' of W 67' of Lt 8 N 38' of Lt 8 ex the S 12' of the E 30' Bk 6 North Aberdeen. **Dakota Baptist Convention (formerly Dakota Southern Baptist Fellowship)**-Dakota Southern Baptist Fellowship Lts 10 & 12 Gugels 1st SD SW 6-123-63. **Dakota Conference of Wesleyan Methodist Church of America**-Wesleyan OL 1 SE ¼ 7-123-63. **Our Savior Lutheran**-Our Saviors Lutheran Church 1st Subd a Replat of Lts 15-24 Blk 9 Hagerty & Lloyds Addn. **Evangelical Free Church**-Lts 1 & 2 Blk 3 ex Lot H1 of Lot 1 Gorder's Replat of 4th Addn. **Faith United Methodist Church**-Lts 8-9 & W 83' of Lt 10 Union Subd of Blk 105 Hagerty & Lloyds Addn; Hoffer's 1st Addn Replat of Lt 2 Blk 6 Golden Acres 7th Addn. **First Baptist Church**-1st Replat of Southhaven 1st Addn NW ¼ 30-123-63. **First Church of Nazarene**- Lot 1 Nazarene 1st Subd. **First Presbyterian Church**-Lts 7-12 Blk 90 Hagerty & Lloyds Addn. **First Reformed Church**-Lts 1-3 Lawson's Replat Blk 10 Woolvertons Addn. **First United Methodist Church**- Lt 1 FUMC Corner Subd; Lot 8 Blk 2 Park Ridge Estates 1st Addn; Ashwood Heights Subd Lt 1 Blk 8 SW ¼ 8-123-63; Lots 1 & 2 Blk 29 1st Addn. **First United Pentecostal Church**-Lt 2 Jung's Golden Acre Addn (Meidinger 1st). **Good Shepherd Lutheran Church**-Lt 1 Good Shepherd Lutheran Church 2nd Subd. **Holly Cross Lutheran Church**-Lot D Lot 3 Pheasant Run Subd SW ¼ 11-123-64; Lt 14 Blk 10 11th Addn to Highland North. **Corporation of the Presiding Bishop of the Church of Jesus Christ of Latter-Day Saints**-Lot 5 Gugel's 1st Replat SW ¼ 6-123-63. **Melgaard Park Baptist Church**-W 100' Lot 1 NE ¼ 25-123-64. **North Highland United Methodist Church**-Lts 1-7 & Lts 11-12 Blk 3 1st Addn to Highlands. **Plymouth Congregational Church**-N 326' of the W 368' of Lt 4 & CM ST P RR OL #1 in Culberts Subd NW ¼ 25-123-64. **Aberdeen Christian Fellowship**-W 8.75' of Lt 4 and all of Lts 5-7 & the E 15' of Lt 8 Blk 77 Hagerty & Lloyds Addn. **Immanuel Bible Church**-Lt 14 Easton's 1st Subd of Blk 35 Bennett & Thomas Addn. **Sacred Heart Roman Catholic Church**-Lts 1-5 of Morgan's Replat of Lts 1-5 & Lts 6-17 & S ½ of Lt 18 Blk 80 Hagerty & Lloyds Addn; 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 Adventists**-Lts 15-16 Blk 1 Addison's Addn. **St Mark's Episcopal Church**-OL 2 Spaulding's 3rd Addn; Lts 1 & 2 Blk 5 Spauldings 4th Addn. **St Mary's Catholic Church**-Lts 1 & 2 Hagerty & Lloyd 1st Subd (B 38 H&L); E 76' of Lots 13 & 14 and all of Lts 15-22 Blk 38 Hagerty & Lloyds Addn; Lt 1 St Mary's Subd Bk 39 Hagerty & Lloyds Addn. **St Paul's Evangelical Lutheran Church**-St Paul SD (Bk 36 2nd Subd); 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 11-14 & 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. **Aberdeen Development Corp – Aberdeen Area Career Planning Center**-Lt 1 Abdn Dev Corp 1991-1 Subd NE 17-123-63. **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**-Portions of 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; Blk 1 Presentation Heights Addn. **St Mary's Catholic Church**-Blk 47 Hagerty & Lloyd Addn. **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. **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. **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. **Northeast Regional Health & Fitness Center, Inc**- Lt 1 Hagerty & Lloyds 3rd Subd SE 13-123-64; Lt 2 Hagerty & Lloyds 3rd Subd SE 13-123-64; Lts 1,3,4,5,6 Blk 67 Hagerty & Lloyds Addn. **Avera St Lukes Hospital**- Lt 3 Hagerty & Lloyds 3rd Subd SE 13-123-64; 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 Lt A Dakota Midland Hospital & ex Bike Trail Lt 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); Lts 18-19 Blk 88 Hagerty & Lloyd Addn. **Oneota Twp #6 Barnard Community Church**-Lt 1-2 1st Addn Barnard NE 13-126-64. **Shelby Twp #8 Trinity Lutheran Chruch**-W ½ Lt 7 and all of Lt 8 Blk 6 Houghton; NW District of the C&MA-E 75' of Lt 3 Blk 12 of the Subd entitled Blks 8-14 inc & OL E of Houghton in portion of NE 6-126-61. **Claremont Twp #10 Augustana Lutheran Church**-NE 35-125-60. **Bath Twp #19 Bath United Methodist Church**-Lts 13-18 Blk 10 Bath Twp. **Sunset Memorial Gardens**-1st Addn to Sunset Memorial Gardens Lts 2-5 15-123-63; NW corner of SW 14-123-63; W

295' of 166' lying N of S 966' of SW of SW 14-123-63; Garden of Gethsemane Subd of Lt 1 1st Sunset Memorial Gardens SE 15-123-63. Aberdeen Twp #20 First Assembly of God-Lot B of Century 21 OL 1 SW 2-123-64. 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-Lts 1 & 2 SPURS Addn NW 6-123-63. Aberdeen Motocross Association-Lt 3 Wolff's 1st Addn N ½ 21-123-64. Warner Twp #23 Foundation for Youth Firearms Safety Inc-N 820' of SE 15-122-64 ex Hwy lying E of CNW RR.; Mansfield Community Betterments-N 100' of Lt 1 and all of Lts 2 & 3 Blk 4 Town of Mansfield; S 50' of Lt 1 Blk 4. Gem Township #24 Scandinavia Lutheran Congregation-SE ¼ 19-122-62. 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. Savo Twp #30 Apostolic Lutheran Pioneer Church-10 acres in SE 3-128-63; Savo Hall Association-3 acres in SW corner 22-128-63; Savo Evangelical Lutheran Church-NW 27-128-63. Liberty Twp #31 Peace Lutheran Church-SE 21-128-62. Groton City #33 Groton Alliance Church-S 12'13" of Lot 3 and all of Lts 4-6 Blk 59 Third Addition; St John's Lutheran Church-Lts 1-3 and Lts 11-12 Blk 14 Original Plat; Emmanuel Lutheran Church-Lts 1-12 Blk 20 Randall's Addn; United Methodist Church-Randall's Addn Lts 1-16 Bk 22 ex .045 acres of Lts 11 & 12; First Presbyterian Church-Lts 5-12 Blk 9 Original Plat; Elizabeth Ann Seton Catholic Church-S 311.85' of W 150' in W ½ Priors OL 4; Groton Community Fire Dept Inc-Lt 10 Blk 4 OP; 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. Richland Twp #37 Aurland Church-1 acre in the E ½ SE ½ 33-127-63. Frederick City #38 Methodist Church-Lts 5-6 Blk 6 OP; St Paul's Lutheran Church-Lts 5-8 Curtis 1st Rearr of S ½ of Blk 14 1st Addn. Hecla City #40 St Anthony Catholic Church-Lt 4-5 Bk 14; Prince of Peace Lutheran Church-Lts 4-5 Blk 45; Lt 4 Blk 24; St John's Lutheran Church-Lt 1-2 Blk 14; United Methodist Church-Lts 9-12 Blk 4; 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 23, 25, 27, 26 & 28; Congregational Christian Church-Broadway Smith's Addn Lts 301, 303, 305, 307; 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. Stratford #45 St Paul's Lutheran Church-Lts 5-6 Blk 9 OP. Garland #46 St John's Lutheran Church-S ½ of NW ¼ of SW ¼ of NW ¼ 5-125-62. Putney Twp #48 Granary Memorial Gallery-Sieh's OL 1 N ½ of NE ¼ 29-124-61. Westport #51 Sacred Heart Catholic Church-Matteson's 2nd Subd of Resubd of Lt 1 & 6; Warner Town #52 St John's Lutheran Church-St John's Addn OL's 1-3. 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 10, 2007 – GENERAL MEETING

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

MINUTES:

Moved by Fischbach, seconded by Hansen to approve the Joint City/County Meeting minutes of April 2, 2007 and the General Meeting minutes of April 3, 2007. All members present voting aye. Motion carried.

CLAIMS:

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

Supplies: Best Business..\$200.34, CDW Govt..\$111.55, House of Glass..\$353.33, West Payment..\$2466.02, CSD..\$40.00, Office Equip..\$181.89, Quality Quick Print..\$311.74, Exec Mgmt..\$2310.60, SD Continuing Legal Ed..\$150.00, Sioux Valley..\$25.25, McFarland Supply..\$64.77, Tellinghuisen..\$8617.45, Taylor Laundry..\$69.50, Youngs..\$203.78, Heartland Paper..\$280.30, Cunningham Elec..\$80.60, Central Supply..\$664.50, Nelson Sales..\$115.93, Custom Sheet Metal..\$1295.91, Lar-Jos..\$1040.00, NSU..\$246.00, Ray O'Herron..\$484.58, Dakota Electronics..\$309.85, BP Amoco..\$53.21, Trail Chev..\$63.38, Lust Chev..\$35.44, FedEx..\$9.22, OK Tire..\$8.00, Intoximeters..\$173.50, Runnings..\$215.99, Reuers Auto..\$108.17, Powerplan..\$3727.74, Pierson Ford..\$282.47, North Central Rental..\$13,860.00, Newman Signs..\$864.10, Menards..\$692.56, Macs..\$2121.25, Kens Alignment..\$753.28, Interstate Battery..\$161.90, Howes Oil..\$18,828.92, Roy Hedges..\$80.00, Hecla Impl..\$15.43, Great Western..\$1229.14, Farnams..\$135.23, Farm Power..\$583.86, Evergreen Supply..\$198.80, Erdmann Fuels..\$10,634.05, Economy Propane..\$1461.60, Days Inn..\$118.00, Dakota Oil..\$2196.30, Custom Glass..\$230.68, Cunningham Elec..\$46.92, Cartney Bearing..\$11.79, Chris Allen..\$500.00, Aberdeen Chrysler..\$192.40, UBC..\$615.00, Gas 'N Goodies..\$8.00, Dakota Electronics..\$112.50, B&E Siding..\$4000.00, Bourdon Repairs..\$58.00, Schwan Welding..\$5207.45, Hub City Radio..\$125.00, GLAS Consulting..\$82.50, Dacotah Prairie Museum..\$7.95, SD Planners Assoc..\$50.00, Fastenal..\$464.76, Praxair..\$16.78, Hedahls..\$700.92, MVTL Labs..\$34.40, Cunningham Elec..\$5402.91, Brown County..\$101.52, Inman & McDonalds..\$260.42:

Publications: American News..\$1728.73:

Professional Fees: Adamsoft..\$10,000.00, Lyrita Wilkie..\$30.00, Jason Engel..\$180.00, Scott Weitbrecht..\$360.00, Jackie Schraeder..\$180.00, Pam Smid..\$120.00, Sheriff of Yankton County..\$16.50:

Transcriptions: Richard Neal..\$87.40:

Travel: William Meink..\$52.00, Alex Johnson Motel..\$252.00, Kim Dorsett..\$82.40, Leo Leshner..\$99.84, Gary Erickson..\$137.64, John McQuillen..\$154.10, James Petrich..\$351.36, Don Fischer..\$182.60, Becky Burdick..\$550.80, Paul Bohling..\$550.80:

Utilities: FSH..\$60.00, City of Aberdeen..\$1095.46, Northwestern Energy..\$13,623.25, Northern Valley Comm..\$141.16, James Valley Co-op..\$362.38, Town of Frederick..\$28.25, Verizon..\$83.25:

Care of Poor: Dr/Hospital – 6 recipients..Avera St Lukes..\$2205.59, PSI Health Care..\$50.00, Anesthesia Solutions..\$656.00, Neurology Assoc..\$154.68, Anesthesia Care..\$160.00, Great Plains Rehab..\$729.67; Medication – 2 recipients..Econofoods..\$1245.00, Walmart Pharm..\$73.84; Utilities - 1 recipient.. NWPS..\$705.00; Rent – 2 recipients..Valley Inn..\$47.95, Pat Preston..\$220.00. 11 members present voting aye. Motion carried.

PERSONNEL:

Moved by Hansen, seconded by Fischbach to approve hiring Bryan Owens, as full-time Fairgrounds employee, effective April 16, 2007 at \$11.49 per hour. All members present voting aye. Motion carried.

Moved by Knecht, seconded by Hansen to acknowledge resignation of Jessi Mather, effective April 18, 2007. All members present voting aye. Motion carried.

Moved by Knecht, seconded by Feickert to approve hiring Kathy Fischbach as part-time employee in the Auditor's Office, effective April 10, 2007 at \$11.16 per hour. All members present voting aye. Motion carried.

AUDITORS REPORT OF ACCOUNT:

Moved by Hansen, seconded by Knecht to approve the March 2007 Auditor's Report of Account with the County Treasurer in total amount of \$10,702,774.35 (total amount of actual cash @ \$2,901.13, Wells Fargo Bank @ \$3,694.79, US Bank @ \$1,812.34, Dacotah Bank @ \$38,482.72, Petty Cash @ \$1,800.00, Fund Investments @ \$10,653,484.50, Outstanding Checks @ \$598.87). All members present voting aye. Motion carried.

PROCLAMATION:

Commissioner Hansen offered the following Proclamation:

National Public-Safety Telecommunications Week

April 8-14, 2007

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 Brown County Commission declares the week of April 8 through 14, 2007 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 Knecht. Roll call vote: Commissioners Hansen-aye, Fischbach-aye, Feickert-aye, Knecht-aye, Wiese-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 Knecht, seconded by Fischbach to approve and authorize the Chairman sign the

following Special Malt Beverage License Application for use at the Brown County Fairgrounds, located in the SW ¼ Sec 1-T123N-R64W (map indicating specific building on file with applications): Aberdeen Hockey Association at the Odde Ice Arena, effective April 13, 14 and 15, 2007. All members present voting aye. Motion carried.

BIDS – HAY CUTTING AT RICHMOND YOUTH CAMP:

Time and place, as advertised to consider bids for the removal of hay at the Richmond Youth Camp (approximately 21 acres). Moved by Feickert, seconded by Fischbach to accept high bid, submitted by Les Frohling at \$27.50 per acre; rejecting the following: Cheryl/Tom Carlson @ \$10.00 per acre, Shane Noltner @ \$25.00 per acre, Mike Muldoon @ \$26.67 per acre. All members present voting aye. Motion carried.

BID AWARD – WEED CHEMICALS:

Moved by Feickert, seconded by Knecht to award low total bid for furnishing and delivery of chemicals for use by the Weed and Pest Department in 2007 to Van Diest Supply Company in total amount of \$94,599.43 (with Anvil) and \$71,638.59 without Anvil or equivalent); rejecting the following total bids: Performance Ag @ \$90,139.25 (with Masterline Control), \$74,783.25 (without Anvil or equivalent); Wilbur-Ellis Company @ \$83,329.75 (without Anvil or equivalent); Hefty Seed Company @ \$107,927.76 (with Anvil), \$83,130.81 (without Anvil or equivalent); Univar @ \$511.80 (only bid on Tempo 2). All members present voting aye. Motion carried.

EXECUTIVE SESSION:

Moved by Fischbach, seconded by Hansen to go into executive session for personnel discussion with Larry Gerlach, Fair Manager and Maxine Taylor (County Auditor was present via teleconference). 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 Feickert, seconded by Fischbach to approve hiring a full-time Fair Secretary and authorize advertising the position at \$10.54 per hour. All members present voting aye. Motion carried.

Moved by Hansen, seconded by Knecht to approve hiring a full-time Deputy Auditor and authorize advertising the position at \$10.77 per hour. All members present voting aye. Motion carried.

JAIL UPDATE:

Marcy Fritz, Jail/JDC Nurse presented an update on medical activities in the Jail and JDC; and further requested increasing the reimbursement fee paid to perform blood draws from \$30 to \$35. The Commission took no action on the request at this time.

AGREEMENT:

Moved by Knecht, seconded by Feickert to approve and authorize the Chairman sign Agreement between Brown County and United Clinic for the provision of medical services to the inmates of the Brown County Jail/JDC, effective April 1, 2007 through March 31, 2008. All members present voting aye. Motion carried.

RECESS:

The Chairman declared the Commission recessed until April 17, 2007.

Maxine Taylor – Brown County Auditor

APRIL 17, 2007 – GENERAL MEETING

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

MINUTES:

Moved by Fischbach, seconded by Feickert to approve the General Meeting minutes, the Brown County Board of Equalization Meeting minutes and the Consolidated Board of Equalization Meeting minutes of April 10, 2007. All members present voting aye. Motion carried.

CLAIMS:

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

Payroll: Commissioners..\$2,876.00; Auditor..\$6,893.11; Treasurer..\$9,940.60; Data Processing..\$3,024.20; State's Attorney..\$12,377.60; Maintenance..\$5,574.81; Assessor..\$8,660.66; Planning & Zoning..\$1,461.54; Register of Deeds..\$5,208.12; Veterans Service Office..\$2,665.95; GIS..\$1,776.93; Sheriff..\$64,497.92; Communications..\$13,358.34; Welfare Office..\$2,902.34; Museum..\$5,196.50; Fairgrounds & Parks..\$2,450.38; Fairboard..\$1,502.66; Extension..\$952.80; Weed..\$1,062.50; Emergency Management..\$2,665.73; Teen Court..\$344.25; Highway..\$27,899.34; Landfill..\$8,404.63; Matching Benefits: FICA..\$11,244.48; Medicare..\$2,629.62:
Supplies: Active Data..\$59.10, Florida Micro..\$1505.55, Brown & Saenger..\$116.27, SD Continuing Ed..\$52.50, Mark McNeary..\$181.06, New Trends..\$82.33, Heartland Paper..\$424.84, Central Supply..\$563.50, Lien Transportation..\$261.25, House of Glass..\$131.00, DT Pharm..\$1315.43, Safety Service..\$470.40, Duane Amoco..\$31.60, JF Saddlery..\$8.00, Electronic Security Equip..\$439.18, Crescent Elec..\$8.06, Dicks Westside..\$32.75, Sec of State..\$7.00, Office Equip..\$612.51, Tri-State Water..\$44.10, Bob Barker..\$350.46, Bonnie Bitz..\$96.00, Kesslers..\$235.25, Grafix Shop..\$383.81, Earthgrains..\$527.18, Shell Fleet..\$63.75, Hoven Auto..\$354.61, HRS..\$4089.56, Best Business..\$154.46, Accurint..\$35.17, Ameripride..\$2455.35, Advanced Auto..\$10.88, Vanderhaag..\$607.50, Specialty Mfg..\$52.00, Praxair..\$42.73, House of Glass..\$249.25, Holland Auto..\$63.01, Helms & Assoc..\$1637.50, Fastenal..\$47.33, JD Evans..\$567.68, Diesel Machinery..\$3379.38, Dakota Fluid Power..\$908.70, Central Supply..\$174.15, Carquest..\$1748.08, Lora Schaunaman..\$8.33, Midwest Alarms..\$51.50, Office Max..\$138.47, Riddles..\$94.00, Ramkota..\$1336.00, Photo Xpress..\$12.90, Alltel Store..\$12.99, DSS..\$122.75, Trudy Schaunaman..\$57.29, GLAS Consulting..\$127.50, Quality Quick Print..\$274.69, Country Magazine..\$10.00, Marlys Volzke..\$41.59, Mayo Clinic Health Letter..\$27.00, Billion Auto..\$25,983.00, SD Dept of Rev..\$3156.41, Advanced Weighing Systems..\$4288.54, Flexicraft Industries..\$1116.87, Hase Plumbing..\$400.00, Acme Electric..\$199.99, Heiman Fire..\$486.05, Abbott Travel..\$654.80, Custom Recording..\$97.60, Walmart..\$39.11, Kirks Auto..\$25.00, Dakota Electronic..\$503.10:

Publications: Groton Indep..\$233.70, Country Media Inc..\$377.00:

Professional Fees: Krystyn Ketola..\$269.68, Scott Weitbrecht..\$30.00, Jason Engel..\$30.00, Pam Smid..\$30.00, Jackie Schraeder..\$240.00, Avera University Psychiatry Assoc..\$4213.13, Avera St Lukes..\$3071.07, Avera Queen of Peace..\$20.00, Lewis & Clark BHS..\$260.00, NE Mental Health..\$87.78, Donna Dietrich..\$131.19, Nelva Kooistra..\$15.00, Cathy Rehfuuss..\$15.00:

Transcriptions: Sara Van de Walle..\$79.80:

Travel: Tom Fischbach..\$71.68, Kimberly Dorsett..\$96.00, Scott Madsen..\$41.28, City of Groton..\$59.84, Janice Moore..\$250.00, Amy Lake Harmon..\$250.00, Mark Milbrandt..\$397.50, Jerry Mills..\$74.24:

Court Appointed Attorney: Yankton County..\$137.55, Brevik Law Office..\$166.70:

Utilities: Northwestern Energy..\$937.37, Dependable Sanitation..\$15,555.22, Northern Elec..\$1051.23, City of Hecla..\$113.64, Northern Wireless..\$80.95, Genius Web..\$29.97, Verizon..\$119.84, Qwest..\$2169.89, Qwest Interprise..\$194.86, Bureau of Admin..\$631.84:

Care of Poor: Dr/Hospital – 5 recipients..Dental Center..\$332.56, McKennan Hosp..\$607.81, Avera St Lukes..\$5018.06, Orthopedic Surgery Spec..\$32.40, Dr Richard Conklin..\$474.82; Transportation – 1

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recipient..Brown County..\$16.77; Utilities - 1 recipient..NWPS..\$280.00; Rent – 5 recipients..Rod Eikamp..\$220.00, Black Acre..\$220.00, Tom Hinz..\$220.00, Brooks Briscoe..\$240.00, DILO..\$175.00. All members present voting aye. Motion carried.

PERSONNEL:

Moved by Feickert, seconded by Fischbach to approve the following employee step increases, effective April 22, 2007: Matthew Farley @ \$13.25 per hour, Ron Glugla @ \$14.05 per hour, Roxy Hilgenberg @ \$10.98 per hour, Diane Mielke @ \$13.71 per hour. All members present voting aye. Motion carried.

Moved by Feickert, seconded by Knecht to approve hiring Allan Knoll, as full-time Corrections Officer in the Jail, effective May 8, 2007 at \$11.57 per hour. All members present voting aye. Motion carried.

Moved by Fischbach, seconded by Hansen to approve hiring Ashley Pigors, as Extension Summer Assistant, effective May 30, 2007 at \$6.96 per hour. All members present voting aye. Motion carried.

Moved by Knecht, seconded by Hansen to approve hiring Bobbie Bierman, as part-time Fair Secretary, effective April 17, 2007 at \$11.16 per hour. All members present voting aye. Motion carried.

Moved by Hansen, seconded by Knecht to approve employee status change for Jason Goette, from part-time Corrections Officer to regular part-time Corrections Officer, effective April 22, 2007 at \$9.67 per hour. All members present voting aye. Motion carried.

AGREEMENT:

Moved by Knecht, seconded by Fischbach 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.

BLOOD DRAW FEE ADJUSTMENT:

Moved by Feickert, seconded by Hansen to increase the blood draw fee from \$30.00 to \$35.00, effective April 17, 2007. All members present voting aye. Motion carried.

NIMS PLAN:

Moved by Knecht, seconded by Fischbach to approve and authorize the Chairman sign the National Incident Management System Plan for the Emergency Management Department. All members present voting aye. Motion carried.

BID – LANDFILL LOADER:

Moved by Fischbach, seconded by Feickert to authorize advertising public hearing to open, read and consider bids for one new 2007 Loader for the Brown County Landfill, to be held in the Commissioner’s Chambers, Courthouse Annex, Brown County, SD at 9:00 a.m. on May 1, 2007. All members present voting aye. Motion carried.

SDDOT WEED CONTROL CONTRACT:

Moved by Feickert, seconded by Knecht 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, 2007 – October 15, 2007. All members present voting aye. Motion carried.

ABATEMENTS:

Moved by Hansen, seconded by Knecht to approve the following Abatements: City of Aberdeen, vacant lot (Drainage OL A Mehlhoff’s 11st Addn) Solid Waste for 2006 @ \$18.00; FUMC, tax exempt (Lt 6-8

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Blk 29 1st Addn) for 2006 @ \$688.80; Mary and Dennis Ladner, incorrect value (Lt 30 Blk 14 12th Addn to Highland North) for 2006 @ \$209.89; Edward Patterson, vacant lot (Pt NW SW 2-125-60 N of RR, Claremont) Solid Waste for 2006 @ \$72.80. 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 May 1, 2007 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 12 & 13, 2007; Grandstand effective May 12 & 13, 2007; Clubhouse effective May 19, 20, 26, 27 & 28, 2007; Grandstand effective May 19, 20, 26, 27 & 28, 2007. All members present voting aye. Motion carried.

INTEREST STATEMENT:

Moved by Feickert, seconded by Hansen to accept for filing the January – March 2007 Interest Statement, submitted by County Treasurer Sheila Anderson. All members present voting aye. Motion carried.

UNCOLLECTIBLE TAX LIST:

Moved by Hansen, seconded by Feickert to acknowledge uncollectible tax list (no parcels remaining), as submitted by Sheila Anderson, Brown County Treasurer. All members present voting aye. Motion carried.

RESOLUTION REMOVE LIEN FROM PROPERTY:

Commissioner Fischbach offered the following Resolution:

RESOLUTION NO. 21-07

WHEREAS, Brown County has filed a Poor Relief Lien in total amount of \$349.99, and Indigent Council Liens with a balance of \$110.00, 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.

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

NW ½ of Lot 15 Block 2, Benson's Addition, Claremont, Brown County, South Dakota
and
Lot 16, Block 2, Benson's Addition, Claremont, 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 17th day of April 2007.

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

SHERIFF REPORTS:

Moved by Hansen, seconded by Fischbach to approve the following March 2007 Sheriff's Reports: Incidents and offenses, Prisoner care, JDC, Money deposited with the County Treasurer, and Monthly activities. All members present voting aye. Motion carried.

HAY CUTTING AGREEMENT:

Moved by Fischbach, seconded by Hanson to approve and authorize the Chairman to sign agreement with Les Frohling for hay cutting at the Richmond Youth Camp, as bid on April 10, 2007. All members present voting aye. Motion carried.

BMX TRACT LIGHTING:

Kyle Oswald, representing the BMX Tract met to discuss need for additional lighting at the BMX Track. The Commission referred the question to Mick Palmer, Maintenance Supervisor.

DRAINAGE ISSUE:

Dennis Jones, Rick Sommers, Delilah Williams, Kari Bartling, Mark McNeary, Orville and Mrs. Crawford, Fran Brink and Gary Vetter gathered to discuss a drainage issue. The Commission set 1:30 p.m. on May 8, 2007 as time and place for a Drainage Board Meeting, at which time all testimony will be heard.

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 2006.

EXECUTIVE SESSION:

Moved by Hansen, seconded by Fischbach to go into executive session to discuss a contract with Kim Dorsett and 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.

EASEMENT DISCUSSION:

Jay Peterson, US Fish and Wildlife informed the Commission that his research shows that no illegal activities concerning their easements have occurred in regard to the Crawford property and Ronning property. Also present were Jeff Voeller, Julie Zastrow, Martin Ronning, James Goehring, Arley Crawford, Orville and Mrs. Crawford, Kim Dorsett and Gary Vetter.

RECESS:

The Chairman declared the Commission recessed until April 24, 2007.

Maxine Taylor – Brown County Auditor

APRIL 17, 2007 – BROWN COUNTY BOARD OF EQUALIZATION

Meeting called to order by Chairman Wiese 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, Lisa Samson and Leo Leshner, Director of Equalization Office were also in attendance.

TAX EXEMPT AMENDMENTS:

Moved by Feickert, seconded by Fischbach to amend motion from Brown County Board of Equalization Minutes dated April 10, 2007 on the following to read: approve 75% tax exempt status on Warner Twp #23 Foundation for Youth Firearms Safety Inc-N 820' of SE 15-122-64 ex Hwy lying E of CNW RR (previously stated @ 100% in error). All members present voting aye. Motion carried.

Moved by Knecht, seconded by Feickert to amend motion from Brown County Board of Equalization Minutes dated April 10, 2007 on the following to read: deny tax exempt status on **Northeast Regional Health & Fitness Center, Inc**-Lt 1 and Lts 3-6 Blk 67 Hagerty & Lloyds Addn (previously stated @ 100% in error). All members present voting aye. Motion carried.

APPEALS:

Moved by Feickert, seconded by Knecht to approve the following recommendations from the Director of Equalization: Greenfield Twp #2 1.Bruce Himanga-BOLS NW 21-127-62 from 18,330 to 16,040, adjust after review. 2.Lyle Wampler-BOLS NW 4-127-62 from 9,093 to 5,830, correct error. Frederick Twp #3 3-4.George Sumption-SE 11-127-64 Ex 30 A from 0 to 46,750; Lt 1 Sumption 1st Subd SE 11-127-64 from 56,335 to 10,942, correct error. Oneota Twp #6 5.Brian Ham-NW 9-126-64 from 143,804 to 143,003, remove buildings. Shelby Twp #8 6.Brent Miller-NE SW 25-126-61 from 56,703 to 30,095, correct error. 7.Donald Miller-SE SW 25-126-61 from 34,245 to 9,652, correct error. Carlisle Twp #13 8.Paul Hinz-SW 8-125-65 from 82,697 to 72,661, adjust after review. 9.William Welk-W2 SW 27-125-65 from 38,228 to 23,163, remove buildings. Ordway Twp #14 10.Diane McCormick-E 168' of N 1243.84' & S 425.91' OL A Engel Subd NE 18-124-63 from 132,184 to 110,934, adjust after review. Riverside Twp #16 11-12.Gerald Osterman-N2 NE 23-124-60 from 29,941 to 60,706, correct water factor; S2 NE 23-124-60 from 91,564 to 60,993, correct water factor. 13.Patricia Sanderson-NE 10-124-60 from 213,949 to 199,761, remove building. Bath Twp #19 14.Roger Cooper-Lt 3 Cooper's 1st Subd from 59,853 to 48,455, adjust after review. Aberdeen Twp #20 15.Larry Schumacher-150' W of E 1000' of N 333' NE 27-123-64 from 107,835 to 111,769, change class. New Hope Twp #22 16-22.Marvin Ristau-S2 SW 16-121-65 from 50,454 to 52,414; S2 NW 14-121-62 from 63,427 to 61,422; N2 NW 14-121-65 from 185,531 to 188,042; SE 14-121-65 from 105,320 to 109,496; SE 11-121-65 from 130,699 to 132,339; NE 10-121-65 from 123,089 to 124,255; SW 11-121-65 from 125,326 to 126,750, correct error. Warner Twp #23 23.Thadeus Banley Sr-BOLS #16 Meadows NE 2-122-64 from 17,370 to 37,505, correct error. 24.Thadeus Banley, Jr-BOLS #17 Meadows NE 2-122-64 from 37,505 to 17,370, correct error. 25.Steven Chandler-BOLS Meadows #12 NE 2-122-64 from 0 to 24,840, correct error. East Hanson Twp #25 26.LeRoy Bahr-SW 30-122-60 from 106,471 to 105,311, remove BOLS. Groton City #33 27.Shirlee Briggs-Lt A & B Doeringsfeld OL D from 80,266 to 69,815, adjust after review. 28.Steven Dunker-Lt 2 Wheat Growers Subd SE 19-123-60 from 22,940 to 18,879, adjust after review. 29.Collin Gengerke-Lt 2 & 3 Kistler's 1st Subd Palmer's OL from 190,250 to 183,145, correct error. 30.Connor Hanson-Lts 6 & 7 Blk 5 OP @ 52,630, add owner/occupied status. Ravinia Twp #34 31.Hanlon Brothers-W 265' OL 1 Youngs 24-123-61 from 34,190 to 28,995, adjust after review. 32.Roger Cooper-Lt 18 Lutgen's West Addn from 42,190 to 29,995, adjust after review. 33.James Fetting-SW 17-124-65 from 68,116 to 64,616, fire adjustment. 34.Harley Mohr-Lt 2 Patterson NW 12-124-65 from 73,482 to 66,757, adjust after review. Lincoln Twp #39 35.Gary Kost-OL 3 Hettichs SW 29-124-64 from 51,200 to 47,248, adjust after review. Warner City #52 36.Kevin Kendall-Lt 4 Blk 7 Schnabel's Repat @ 98,595, add owner/occupied status. South Detroit Twp #59 37.Darwin Frey-NE 26-

126-60 from 189,838 to 198,309, adjust after review. East Hanson Twp #25 **38.Janice Bahr-BOLS** SW 30-122-60 from 0 to 1,160, add BOLS. All members present voting aye. Motion carried.

Moved by Feickert, seconded by Fischbach to approve the following recommendations from the Director of Equalization: Greenfield Twp #2 **39.Mitchell-Broadview LLP**-NE 14-127-62 from 76,357 to 89,950. **40-41.Willie Jarvi**-SW 16-127-62 from 92,780 to 105,049; SE 17-127-62 from 92,578 to 100,375, uphold local board. Lansing Twp #5 **42.Shirley Tisher**-SE 9-127-61 from 126,366 to 130,357, uphold local board. **43-44.Dean Pulfrey**-NW 3-127-61 from 123,045 to 145,783; NW 23-127-61 ex 4.01 ac from 94,041 to 113,929, uphold local board. Greenfield Twp #2 **45.Daryls Himanga**-SE 8-124-60 @ 123,029, remove owner/occupied status. Riverside Twp #16 **46.Joycel Goodrich**-SW 2-124-60 from 211,299 to 217,940, uphold local board. Aberdeen Twp #20 **47.Deb Gross**-Lt 1 Seward's 1st Addn from 12,000 to 25,000, maintain equalization. Lincoln Twp #39 **48.Mark Black**-Lt 1 Droog Addn from 244,865 to 218,375, adjust after review. **49.Michael Schelske**-Lt 8 Blk 3 Pleasant Valley Estates from 8,325 to 88,360, correct error. Hecla City #40 **50.Dick's 5th Wheel**-Lt 1-4 Blk 4 OP @ 10,070, remove owner/occupied status. **51.Rickey Schell**-E2 Lt 8 Blk 19 OP @ 1,575, remove owner/occupied status. **52.Dorn Malpert**-Lt 10 Blk 28 OP @ 22,320, remove owner/occupied status. All members present voting aye. Motion carried.

Moved by Feickert, seconded by Fischbach to approve the following recommendation from the Director of Equalization: Claremont Twp #10 **53.Mike McCranie**-7 ac N2 NE 2-125-60 from 2,100 to 10,500, maintain equalization. All members present voting aye. Motion carried.

Moved by Fischbach, seconded by Knecht to approve the following recommendations from the Director of Equalization: Franklyn Twp #36 **54-56.William Edwards**-NE 14-126-65 from 62,460 to 66,160; NW 12-126-65 from 52,475 to 60,428; SE 10-126-65 from 51,103 to 60,658, uphold local board. All members present voting aye. Motion carried.

Moved by Fischbach, seconded by Feickert to approve the following recommendation from the Director of Equalization: Savo Twp #30 **57.Daniel Rahja**-SW 31-128-63 from 84,093 to 91,104, uphold local board. All members present voting aye. Motion carried.

Moved by Feickert, seconded by Fischbach to approve the following recommendation from the Director of Equalization: Savo Twp #30 **58.Terry Frohling**-SE 34-128-63 from 64,318 to 82,777, uphold local board. All members present voting aye. Motion carried.

The Chairman declared the 2007 Brown County Board of Equalization recessed until 10:00 a.m. April 24, 2007.

Maxine Taylor – Brown County Auditor

APRIL 24, 2007 – CONSOLIDATED BOARD OF EQUALIZATION:

Meeting called to order by Chairman Wiese at 10:00 A.M. in the Commissioner's Chambers, Courthouse Annex, Brown County, SD. Present were Commissioners Fischbach, Feickert, Alm and Levsen. Mary Worlie, Director of Equalization was also in attendance.

Moved by Fischbach, seconded by Alm to approve the following recommendations from the Director of Equalization: **1. Thomas Barondeau**-Lt 4 Blk 40 Thomas Addn from 50,245 to 43,720, office error. **2. Donald Bauer**-Lt 20 Blk 53 2nd Addn from 113,970 to 90,080, adjust after review. **3. Brian Boettcher**-Lt 3 Blk 27 Bennett & Thomas Addn from 51,268 to 40,255, office error. **4. Stacy Bohle**-Lt 11 Blk 20 1st Addn from 85,660 to 68,415, adjust after review. **5. Bruce Boschee**-Lt 15 Blk 30 Bennett & Thomas Addn from 46,991 to 37,850, office error. **6. Eric Brenner**-W 55' of Lt 6 Blk 8 North Aberdeen from 27,081 to 23,960, office error. **7. Larry Brick**-Lts 3-4 Blk 41 Thomas Addn from 48,270 to 42,045, office error. **8. Valoris Carlson**-Lt 9 Blk 14 Simmons 1st Addn from 54,270 to 38,600, office error. **9. John Carrels**-Lt 1 Blk 21 Thomas Addn from 84,690 to 72,640, office error. **10.**(see #59 County Board of Equalization). **11. Ronald Gage**-Lt 16 Blk 2 Woolverton's Addn from 51,580 to 33,010, office error. **12. Robert Gearey**-Lt 3 Blk 62 2nd Addn from 28,147 to 22,815, office error. **13. Lucas Hilgemann**-S 91' Lt 13 & W 12' of S 91' Lt 14 Blk 40 2nd Addn from 71,854 to 49,093, office error. **14-17. Thomas Hinz**-N 72' Lt 1 & E 5' Lts 2 & 3 Narregangs 4th Resubd of Lts 5-6 Blk 44 2nd Addn from 39,183 to 31,005, office error; E 70' Lts 7 & 8 Blk 10 North Aberdeen from 65,094 to 62,950, adjust after review; S2 Lts 2 & 3 Blk 46 Hagerty & Lloyds Addn from 61,537 to 38,489, office error; Lt 8 Blk 41 2nd Addn from 62,630 to 38,700, office error. **18. Douglas Hoikkala**-W2 Lt 2 & E 12.5' Lt 3 Blk 47 2nd Addn from 41,195 to 34,650, adjust after review. **19. Mike Jepsen**-Lt 5A of OL5 NW 23-123-64 @ 161,720, missed annexation. **20. Craig Jones**-Lt 3 Blk 6 Addisons Addn from 89,053 to 81,655, adjust after review. **21. Jacob Jundt**-Lt 13 Blk 50 Northwestern Addn & W 8' vacated alley from 26,030 to 13,700, adjust after review. **22. Jake Jundt**-N 51' Lts 821-824 Morning Heights Addn from 9,890 to 9,390, building gone. **23. Jarrod Kannas**-Lt 4 Blk 9 Ashwood Heights from 236,380 to 228,930, adjust after review. **24. Kenneth Kraus**-E 45' Lt 10 Blk 49 2nd Addn from 66,385 to 45,340, adjust after review. **25. Larry Kumpf**-Lt 2 Blk 7 Thomas Addn from 64,390 to 54,905, office error. **26. Mark Lehrkamp**-BOLS Hanger #29 W2 NE ¼ 21-123-64 @ 31,970 missed value. **27. Terrance Marko**-Lt 7 Blk 49 2nd Addn from 55,280 to 31,240, office error. **28. Bellest Nerland**-Lt 2 Blk 6 19th Addn to Highland North Addn from 137,150 to 111,400, adjust after review. **29. Sharon Peterson**-BOLS #1019 Lt 2 Blk 1 Park Village from 39,540 to 31,135, adjust after review. **30. Jerry Reif**-Lt 841-842 Morning Heights Ext Addn from 46,269 to 38,225, office error. **31. Norman Scott**-Lt 3 Blk 5 19th Addn to Highland North Addn from 129,525 to 124,475, adjust after review. **32. Kay Swanhorst**-42' next S of N 93' Lt 19-22 Blk 74 Hagerty & Lloyd Addn from 39,850 to 25,311, adjust after review. **33. Linda Vetsch**-Lt 428-429 Morning Heights Addn from 45,690 to 36,830, adjust after review. **34. Bertha Vic**-Lt 731-733 Morning Heights Addn from 99,936 to 67,684, office error. **35. Larry Vogel**-Lt 5 Blk 41 Thomas Addn from 68,640 to 59,480, office error. **36. Maureen Wolf**-Lt 3 and E 12' Lt 4 and W 56' Lt 6 Foster's 1st Subd of Lt 1-4 Blk 24 1st Addn from 35,120 to 24,730, office error. **37. BM Enterprise**-Lt 1 Heritage Business Plaza Subd from 211,460 to 198,214, missed plat. **38. Furniture Outlets USA**-Lt 3 Dial 2nd Addn from 3,622,570 to 2,625,000, adjust after review. **39. Graf & McCormack LLC**-Lt 3 Blk 41 2nd Addn from 51,400 to 40,350, office error. **40. Health Care Plus**-Lt 2 Heritage Business Plaza from 518,676 to 511,451, missed plat. **41. Heritage Business Plaza**-Lt 3 Heritage Business Plaza from 47,700 to 65,950, missed plat. **42. Howard Hedger Inc**-Lt 2 Thares-Hedger Subd from 224,881 to 1,592,481, office error. **43. Nash Finch (Econo)**-Lt A Aberdeen Motor Motel's Addn from 2,275,355 to 1,775,355, adjust after review. **44. Hollis Hurlbert Trust**-Lt 1-6 Blk 2 Simmons 1st Addn from 770,302 to 722,039, adjust after review. **45-52. Hangun Properties**-Lt 1 Elkgrove Addn @ 800,150; Lts 13-24 Blk 3 Corrected Plat of Highlands @ 226,930; Lts 1-6 Blk 3 Corrected Plat of Highlands @ 190,830; Lts 7-12 Blk 3 Corrected Plat of Highlands @ 185,330; Lts 7-9 Blk 13 Sullivan & Easton Subd @ 170,279; Lts 10-12 Blk 13 Sullivan & Eastons Subd @ 165,545; Lots 7-9 ex W 15' Blk 14 Sullivan & Eastons Subd @ 177,546; Lts 10-12 Blk

14 Sullivan & Eastons Subd @ 172,942, maintain equalization. All members present voting aye. Motion carried.

ADJOURNMENT:

Moved by Levsen, seconded by Feickert to adjourn the 2007 Consolidated Board of Equalization. All members present voting aye. Motion carried.

Maxine Taylor – Brown County Auditor

APRIL 24, 2007 – GENERAL MEETING

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

MINUTES:

Moved by Feickert, seconded by Fischbach to approve the General Meeting minutes and the Brown County Board of Equalization Meeting minutes of April 17, 2007. All members present voting aye. Motion carried.

CLAIMS:

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

Supplies: SD Assoc of County Officials..\$625.00, Time Works..\$425.66, Thompson Pub..\$428.50, Dept of Revenue..\$1766.00, Lar-Jos..\$48.00, Mobile Electronic Services..\$24.50, Hoven Auto..\$251.72, Galls..\$661.57, HSBC..\$2066.26, Phillips 66..\$192.06, New Trends..\$129.63, SD Fed Property..\$120.75, Office Equip..\$344.58, Evercom..\$1900.00, Service Signs..\$46.00, Best Business..\$184.91, Quill..\$285.84, Pacer Service Center..\$22.56, David Fair..\$127.16, Pumps Tire..\$1041.34, North Central Rental..\$4072.50, Michael Todd..\$2519.00, McFarland Supply..\$234.03, M-R Signs..\$131.19, James Loterbauer..\$324.00, Lawson Products..\$265.86, L G Everist..\$321.04, Diesel Machinery..\$37,955.00, Custom Glass..\$875.60, California Cont. Supplies..\$125.00, Jessie Apple..\$50.00, Emily Hilgemann..\$11.36, Heiman Fire Equip..\$1770.69, Hase Plumbing..\$116.74, Zeller Brothers Const..\$100.00, AOS Computer..\$14,421.25, Language Line..\$89.55, Crescent Elec..\$91.58, Century Business Products..\$111.57:

Professional Fees: Pierce County Sheriff..\$100.00, Jackie Schraeder..\$180.00, Pam Smid..\$120.00, Lyrita Wilkie..\$60.00, Dakota Imaging..\$39.88, Aberdeen Family Physicians..\$150.56, NE Mental Health..\$438.90, NADRIC..\$1666.67, Macs..\$2.49:

Publications: American News..\$658.50, Groton Indep..\$537.50:

Travel: Gene Loeschke..\$95.68, Bonnie Siebrecht..\$310.14:

Court Appointed Attorney: Christy Serr..\$4166.67, Gina Rogers..\$4166.67, Randy Turner..\$4166.67, Kuck Law Office..\$4166.67, Wm Gerdes..\$4166.67:

Utilities: Midcontinent Cable..\$82.67, Alltel..\$1325.40, Qwest..\$2521.18, Northern Elec..\$1563.76, Northwestern Energy..\$66.94:

Jury: Ella Aipperspach..\$217.12, Karla Aman..\$25.12, Timothy Baadte..\$11.92, James Bahr..\$48.16, Elizabeth Bostian..\$22.56, Brian Braaten..\$28.96, Burnette Burt..\$27.68, Derrick Dell..\$26.40, Stephanie Denbesten..\$165.12, Michelle Devries..\$23.84, Francis Dunn..\$22.56, Nancy Elfring..\$22.56, Roger Felix..\$87.36, Andrew Fergen..\$11.28, Kay Frederick..\$32.80, Joanne Gefre..\$22.56, Drew Gehring..\$22.56, Megan Gillis..\$22.56, Debora Grismer..\$12.56, Laura Hadrick..\$177.92, Mike Hahne..\$71.20, Diane Hall..\$22.56, Keith Hanson..\$40.48, Corey Harder..\$45.60, Steven Haug..\$11.28, Tamara Haynes..\$22.56, Penny Herther..\$39.20, Julie Hinds..\$268.32, Lelana Holguin..\$22.56, Gregory Hopfinger..\$23.84, James Hovland..\$22.56, Ann Johnson..\$217.12, Brook Karlen..\$11.28, Wilma Keller..\$65.12, Linda Kezar..\$22.56, Trent Kurtz..\$153.84, Marilyn Lahr..\$74.56, Laureen Larson..\$19.60, Marion Lehr..\$74.56, Laura London..\$22.56, Jennifer Lowery..\$165.12, Brian Lundquist..\$11.28, Gregory Maisch..\$23.84, Joy Mammenga..\$45.60, Mary McHugh..\$32.80, Shirley Meister..\$45.60, Dawn Menning..\$22.56, Erik Nolte..\$22.56, Shane Otten..\$74.56, Joyce Pfeiffer..\$217.12, Jonathan Pietz..\$11.28, Shirley Rausch..\$167.68, Bonita Redwing..\$22.56, Kerry Reinke..\$23.84, Joan Renelt..\$74.56, Robert Ronayne..\$155.76, Jamie Rystrom..\$22.56, William Schultz..\$12.56, Ronald Schwab..\$13.84, Anthony Schwan..\$12.56, Delores Severson..\$217.12, Courtney Smith..\$22.56, Laura Snover..\$74.56, Chad Speidel..\$165.12, Scott Thorson..\$46.88, Kevin VanMeter..\$11.28, Phyllis Vaughan..\$22.56, Lindsey Voeltz..\$11.28, Jeffrey Voigt..\$22.56, Joshua Wagers..\$11.28, Paulette Wagner..\$211.20, Evelyn Wahl..\$74.56, Mark Walker..\$22.56, Steven

Warren..\$23.84, Jason Warrington..\$45.60, Tyler Weig..\$11.28, Scott Weitbrecht..\$22.56, Gary Wileman..\$22.56:

Care of Poor: Dr/Hospital – 6 recipients..Avera St Lukes..\$26,372.62, Orthopedic Surgery Spec..\$408.17, Accupath Diag..\$2247.44, Dakota Plains..\$433.71, Northern Plains OMS..\$1129.31; Insurance – 1 recipient..Midstates Printing..\$330.00; Utilities - 1 recipient..NWPS..\$920.00; Rent – 2 recipients..Ron Erdmann..\$240.00, Cliff Schroeder..\$225.00. All members present voting aye. Motion carried.

PERSONNEL:

Moved by Hansen, seconded by Fischbach to approve hiring Don Fischer, as part-time employee for elections, effective April 24, 2007 at \$11.16 per hour. All members present voting aye. Motion carried.

ABATEMENTS:

Moved by Feickert, seconded by Hansen to approve the following Solid Waste Abatements: Craig Millett, garage (Lt 9 Lingor's Richmond Lake Subd) for 2006 @ \$72.80; Bryan Wells, no house (NE 6-126-62) for 2006 @ \$72.80; Cynthia Nikolas, house gone (Lts 1-3 Blk 54, Hagerty & Lloyds Addn) for 2006 @ \$18.72. All members present voting aye. Motion carried.

CLAIM ASSIGNMENTS:

Moved by Fischbach, seconded by Feickert to approve and authorize the Chairman sign documentation to assign claims against two individuals to L.F. Noll Inc. for purpose of collecting a lien. All members present voting aye. Motion carried.

PLATS:

Commissioner Fischbach offered the following Resolution:

RESOLUTION NO. 22-07

BE IT RESOLVED by the Board of County Commissioners of Brown County, SD, that the plat showing "Wallace Sieh Conservation Eastement Tract 1 in the SW ¼ of Sec 24-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 Hansen. Roll call vote: Commissioners Hansen-aye, Fischbach-aye, Feickert-aye, Knecht-absent, Wiese-aye. Resolution adopted.

Commissioner Feickert offered the following Resolution:

RESOLUTION NO. 23-07

BE IT RESOLVED by the Board of Commissioners of Brown County, SD, that the plat showing "River View Addition in the NE ¼ of Sec 32-T122N-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, Knecht-absent, Wiese-aye. Resolution adopted.

Commissioner Fischbach offered the following Resolution:

RESOLUTION NO. 24-07

BE IT RESOLVED by the County Commission of Brown County, SD, that the plat showing "HGF Addition in the NE 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 Feickert. Roll call vote: Commissioners Hansen-aye, Fischbach-aye, Feickert-aye, Knecht-absent, Wiese-aye. Resolution adopted.

Commissioner Feickert offered the following Resolution:

RESOLUTION NO. 25-07

BE IT RESOLVED by the Board of County Commissioners of Brown County, SD, that the plat showing "Wheat Grower's West Subdivision in the N ½ 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 11-3, and any amendments thereof.

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

Commissioner Hansen offered the following Resolution:

RESOLUTION NO. 26-07

BE IT RESOLVED by the Board of County Commissioners of Brown County, SD, that the plat showing "Aberdeen Regional Airport Subdivision in Sections 21, 22, 27 and 28-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 Feickert. Roll call vote: Commissioners Hansen-aye, Fischbach-aye, Feickert-aye, Knecht-absent, Wiese-aye. Resolution adopted.

Commissioner Fischbach offered the following Resolution:

RESOLUTION NO. 27-07

BE IT RESOLVED by the County Commission of Brown County, SD, that the plat showing "Hogg Addition in the NE 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, Feickert-aye, Knecht-absent, Wiese-aye. Resolution adopted.

QCD:

Moved by Fischbach, seconded by Hansen to approve and authorize the Chairman sign Quit Claim Deed to WMB, Inc., all interest held by Brown County in the following real estate: The SW ¼ of Sec 24-T121N-R63W, Brown County, SD. 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 \$432.64 per month, Family @ \$1,097.12 per month and Two-Party @ \$797.64 per month. Benefit period deductible @ \$1000 Single, \$2000 Two-person, \$3000 Family. 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, 2007 through June 30, 2008. 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, Knecht-absent, Wiese-aye. Motion carried.

MOSQUITO CONTROL GRANT:

Ted Dickey and Tabatha Lemke, NECOG presented the 2007 Mosquito Control Grant application and budget. Moved by Fischbach, seconded by Hansen to approve and authorize the Chairman sign application for SD Department of Health 2007 Mosquito Control Grant in amount of \$45,308.55. All members present voting aye. Motion carried.

JAIL PROJECT – PARKING:

Mick Palmer, Maintenance Supervisor and Scott Meints, EM Director informed the Commission that construction of the jail project will begin May 14, which will leave approximately 10 spaces available for parking in the north Courthouse lot. The Commission requested a memo be sent to all departments with suggested alternative parking options.

APPLICATION FOR OCCUPANCY:

Moved by Feickert, seconded by Fischbach to approve and authorize the Chairman sign application, submitted by WEB Water Development for occupancy of Brown County Highway #385 in Sec 34-T124N-R64W of the 5th P.M., Brown County, SD, for installation of water line. All members present voting aye. Motion carried.

LOAD LIMIT RESTRICTIONS – REMOVED:

Moved by Hansen, seconded by Fischbach to authorize removal of Load Limit Restrictions on April 30, 2007. All members present voting aye. Motion carried.

RECESS:

The Chairman declared the Commission recessed until May 1, 2007.

Maxine Taylor – Brown County Auditor

APRIL 24, 2007 – BROWN COUNTY BOARD OF EQUALIZATION

Meeting called to order by Chairman Wiese at 10:00 A.M. in the Commissioner's Chambers, Courthouse Annex, Brown County, SD. Present were Commissioners Fischbach and Feickert. Commissioners Hansen and Knecht were absent. Mary Worlie, Director of Equalization was also in attendance.

Moved by Fischbach, seconded by Feickert to amend motion from Brown County Board of Equalization Minutes dated April 10, 2007 on the following to read: approve tax exempt status on: Aberdeen City #32 The Old Apostolic Lutheran Church-W 70' of N ½ of Lot 18 & W 70' of Lots 19-24 Inc Dawson & Lowe Replat (tax exempt status previously denied in error). All members present voting aye. Motion carried.

Moved by Feickert, seconded by Fischbach to approve the following recommendation from the Director of Equalization: Aberdeen City #32 59.Frank Dowdy-BOLS #1245 Park Village @ 72,200, add owner/occupied status. All members present voting aye. Motion carried.

ADJOURNMENT:

Moved by Feickert, seconded by Fischbach to adjourn the 2007 Brown County Board of Equalization. All members present voting aye. Motion carried.

Maxine Taylor – Brown County Auditor

APRIL 26, 2007 – CANVASS OF APRIL 24, 2007 SPECIAL ELECTION

Brown County Commissioners Nancy Hansen, Dennis Feickert, Mike Wiese and Tom Fischbach convened for purpose of canvassing the April 24, 2007 Special Election, as authorized by SDCL 12-20-36 at 9:00 a.m. in the Commissioner's Chambers, Courthouse Annex, Brown County, SD. Absent Commissioner Knecht.

ABERDEEN CITY PRECINCTS

#001	Poll Book Count	958
	Ballots Counted	958
#002	Poll Book Count	560
	Ballots Counted	560
#003	Poll Book Count	783
	Ballots Counted	783
#004	Poll Book Count	411
	Ballots Counted	411
#005	Poll Book Count	348
	Ballots Counted	348
#006	Poll Book Count	978
	Ballots Counted	978
#007	Poll Book Count	747
	Ballots Counted	746
#008	Poll Book Count	406
	Ballots Counted	407
#009	Poll Book Count	728
	Ballots Counted	728
#010	Poll Book Count	453
	Ballots Counted	453
#011	Poll Book Count	623
	Ballots Counted	623

RURAL PRECINCTS

#012	Poll Book Count	422
	Ballots Counted	422
#013	Poll Book Count	260
	Ballots Counted	260
#014	Poll Book Count	180
	Ballots Counted	179
#015	Poll Book Count	577
	Ballots Counted	578
#016	Poll Book Count	269
	Ballots Counted	269
#017	Poll Book Count	430
	Ballots Counted	430
#018	Poll Book Count	190
	Ballots Counted	190
#019	Poll Book Count	511
	Ballots Counted	511
#020	Poll Book Count	123
	Ballots Counted	123
#021	Poll Book Count	238
	Ballots Counted	238
#022	Poll Book Count	184
	Ballots Counted	184

Moved by Hansen, seconded by Fischbach to adjourn the Canvass Meeting for the April 24, 2007 Special Election. All members present voting aye. Motion carried.

Maxine Taylor – Brown County Auditor

MAY 1, 1007 – GENERAL MEETING

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

MINUTES:

Moved by Fischbach, seconded by Knecht to approve the General Meeting minutes, Brown County Board of Equalization Meeting minutes, Consolidated Board of Equalization Meeting minutes of April 24, 2007 and the Special Election Canvass Meeting minutes of April 26, 2007. All members present voting aye. Motion carried.

CLAIMS:

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

Payroll: Commissioners..\$2,876.00; Auditor..\$8,209.54; Treasurer..\$9,948.60; Data Processing..\$3,024.20, State's Attorney..\$12,377.60; Maintenance..\$5,581.39; Assessor..\$8,790.37; Planning & Zoning..\$1,461.54; Register of Deeds..\$5,205.78; Veterans Service Office..\$2,665.95; GIS..\$1,776.93; Sheriff..\$63,825.27; Communications..\$13,822.09; Welfare Office..\$2,902.34; Museum..\$5,196.50; Fairboard..\$1,791.34; Fairgrounds & Parks..\$2,993.74; Extension..\$952.80; Weed..\$2,306.33; Emergency Management..\$2,829.09; Teen Court..\$256.50; Coroner..\$500.00; Highway..\$27,506.91; Landfill..\$7,732.48; Matching Benefits: FICA..\$11,422.02, Medicare..\$2,671.20, Wellmark BCBS Life..\$675.70, Wellmark BCBS Health..\$61,517.12, Delta Dental..\$4,144.00, SD State Retirement..\$23,210.29;

Supplies: Florida Micro..\$2213.56, Indoff..\$727.00, Nat'l Auto Research..\$51.00, Lien Trans..\$290.00, Ecolab..\$162.50, Menards..\$74.02, Macs..\$19.00, Grote Roofing..\$2387.00, Tellinghuisen..\$7757.70, Best Business..\$91.76, New Trends..\$117.33, Electronic Security..\$1598.76, Gardner Locksmith..\$14.01, Photo Xpress..\$4.79, Exec Mgmt Finance..\$2712.50, Quality Quick Print..\$14.00, Double D Body Shop..\$92.00, Lust Chev..\$30.12, Office Equip..\$51.90, SD Sheriff Assn..\$75.00, Velvet Uniforms..\$769.50, Parcel Erickson..\$26.95, Trail Chev..\$63.38, Exhaust Pros..\$58.05, Violet Dinger..\$3420.17, LG Everist..\$3907.98, Howes Oil..\$17,961.40, Michael Todd..\$2818.10, Dakota Supply..\$104.91, Runnings..\$1160.73, Farnams..\$5.34, Erdmann Fuels..\$685.16, House of Glass..\$117.50, Kleins..\$8.97, Midwest Alarm..\$51.50, Donna Quick Polka..\$140.00, Eli Condon..\$40.00, Kens Superfair Foods..\$26.53, Walmart..\$38.04, NESDCAP..\$2000.00, HSBC..\$113.94, Cartney Bearing..\$21.46, Patterson Repair..\$100.00, SD-NEAFCS..\$100.00, S&S Lumber..\$1616.13, Nat'l IAEM..\$975.00, Dakota Custom Laser..\$29.00, Racom..\$41.20, Macs..\$3.57, Aberdeen Fire Dept..\$69.50, Butler Machinery..\$3606.11, McFarland Supply..\$101.64, Custom Glass..\$340.00, Farm Power..\$39.14, Vosika Fencing..\$1730.00, New World System..\$1920.00;

Professional Fees: Orthopedic Surgery Spec..\$313.73, United Clinic..\$37.64, Cathy Reh fuss..\$15.00, Nelva Kooistra..\$15.00, Avera St Lukes..\$1160.00, Donna Dietrich..\$129.69;

Publications: American News..\$472.35;

Travel: Gary Vetter..\$69.94, Sherry Theobald..\$25.28, Mike Rohrbach..\$9.00, Roger Johnson..\$9.00, Gwen Fischbach..\$550.80;

Court Appointed Attorney: Kennedy, Rokhar, Pier & Knoff..\$207.60;

Utilities: Midcontinent Cable..\$246.79, NW Energy..\$3199.99, Alltel..\$105.46, Qwest..\$73.28, WEB..\$55.44;

Care of Poor: Burial – 1 recipient..Schrivers..\$2103.00; Utilities -2 recipients..NWPS..\$350.00; Rent –2 recipients..BMI..\$214.00, Darlene Niederman..\$220.00. All members present voting aye. Motion carried.

PERSONNEL:

Moved by Feickert, seconded by Knecht to approve the following employee step increases, effective May 6, 2007: Janice Moore @ \$16.12 per hour, Larry Hardy @ \$13.31 per hour, Carol Wolf @ \$14.06 per

hour, Monte Podoll @ \$11.85 per hour, John Weig @ \$14.01 per hour, Marissa McDermid @ \$12.13 per hour. All members present voting aye. Motion carried.

Moved by Hansen, seconded by Fischbach to approve employee status change for Kale Miller from part-time to regular part-time JDC Correctional Officer, effective May 6, 2007 at \$9.67 per hour. All members present voting aye. Motion carried.

Moved by Feickert, seconded by Knecht to approve hiring Laurie Bruening, as part-time Scale Operator at the Brown County Landfill, effective April 28, 2007 at \$11.16 per hour. All members present voting aye. Motion carried.

DIVE TEAM:

Moved by Knecht, seconded by Hansen to approve Shannon Arlene Wright as member of the Dive Team, effective May 1, 2007 for work comp purposes. All members present voting aye. Motion carried.

SET HEARING DATE:

Moved by Hansen, seconded by Knecht to set date for joint public meeting of the Brown County Commission and Aberdeen City Council for 5:30 p.m. on May 21, 2007 in the Aberdeen City Council Chambers, 123 S Lincoln Street for First Reading of the following: Ordinance No. 07-05-01/343, An Ordinance to rezone the following property from Section 701 (A-1) Agricultural District to Section 714 (M-AG) Mini-Agricultural District: Lot 3, Ham's East Richmond Road Subdivision located in the SE ¼ of Sec 28-T124N-R64W of the 5th P.M., Brown County, SD; Ordinance No. 07-05-02/344, An Ordinance to rezone the following property from Section 701 (A-1) Agricultural District to Section 710 (I-2) Unrestricted Industrial District: Brick Tract 1, SW ¼ of the SW ¼ of Sec 16-T123N-R64W of the 5th P.M., Brown County, SD; Ordinance No. 07-05-03/345, An Ordinance to rezone the following property from Section 701 (A-1) Agricultural District to Section 707 (C-2) Highway Commercial District: Barton OL A, NW ¼ of Sec 23-T123N-R63W of the 5th P.M., Brown County, SD; Ordinance No. 07-05-05/346, An Ordinance to rezone the following property from Section 714 (M-Ag) Mini-Agricultural District to Section 710 (I-2) Unrestricted Industrial District: Lot 7 Evelo Subdivision in the NE ¼ of Sec 21-T123N-R64W of the 5th P.M., Brown County, SD; Ordinance No. 07-05-06/347, An Ordinance to rezone the following property from Section 701 (A-1) Agricultural District and Section 713 (M) Municipal, State, and County Use District to Section 713 (M) Municipal, State and County Use District: Aberdeen Regional Airport Subdivision in Sections 21, 22, 27 & 28-T123N-R63W of the 5th P.M., Brown County, SD. All members present voting aye. Motion carried.

POD EXERCISE GRANT APPLICATION:

Moved by Fischbach, seconded by Hansen to approve and authorize the Chairman to sign application for SD Department of Health Preparedness and Response Grant Agreement, effective February 15, 2007 through May 31, 2007 in total amount of \$2,000.00 for purpose of conducting a Point of Distribution (POD) Exercise. All members present voting aye. Motion carried.

INVENTORY TRANSFER:

Moved by Hansen, seconded by Knecht to transfer the following items purchased with Weed and Seed Funding to Brown County Data Processing: 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 (previously transferred to Brown County Teen Court). 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 Licenses for the 2007 Northeast Area Horse Racing Season at the Fairgrounds. Moved by Feickert,

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seconded by Fischbach 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 and 13, 2007. Brown County Fairgrounds (Grandstand) SW ¼ Sec 1-T123N-R64W, effective May 12 and 13, 2007. Brown County Fairgrounds (Clubhouse) SW ¼ Sec 1-T123N-R64W, effective May 19, 20, 26, 27 and 28, 2007. Brown County Fairgrounds (Grandstand) SW ¼ Sec 1-T123N-R64W, effective May 19, 20, 26, 27 and 28, 2007 (map indicating specific buildings on file with applications). All members present voting aye. Motion carried.

BID – LANDFILL LOADER:

Time and place, as advertised to open, read and consider bids for one new 2007 Loader for the Brown County Landfill. Bids were received from Sheehan's, DMI, RDO, Butler/Cat and JD Evans. Moved by Feickert, seconded by Knecht to refer all bids to Mike Scott, Landfill Manager for review and recommendation. All members present voting aye. Motion carried.

BCCHC REPORT:

DeAnna Kyburz presented the Brown County Community Health Center Report for January – March 2007.

HOSPITAL CLAIM:

Moved by Fischbach, seconded by Hansen to deny request, submitted by Avera St. Lukes Hospital for payment in amount of \$5,366.47 for a 23 year old male, as the individual has not provided sufficient information to determine if indigent. All members present voting aye. Motion carried.

Moved by Knecht, seconded by Hansen to deny request, submitted by Avera St. Lukes Hospital for payment in amount of \$37,788.91 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.

QUOTE ACCEPTED:

Moved by Hansen, seconded by Feickert to accept the following quotes for security cameras, to be funded by the 2006 Homeland Security Grant: Roncalli St Mary's, accept Golden West @ \$13,580.15, rejecting Tel Serv @ \$14,255.56; Roncalli Sacred Heart, accept Golden West @ \$9,311.70, rejecting Tel Serv @ \$9,963.52; Courthouse, accept Electronic Security @ \$14,263.14, rejecting Big M Security @ \$15,972.00; Aberdeen Christian, accept Golden West @ \$5,042.45, rejecting Dakota Electronics @ \$6,446.95 and Tel Serv @ \$5,319.78; Aberdeen Airport, accept Dakota Electronics @ \$15,350.00, rejecting Dakota Security @ \$15,811.15. All members present voting aye. Motion carried.

BEEF PLANT DISCUSSION:

Aaron Johnson appeared before the Commission with concerns in regard to water discharge from the proposed beef plant.

NUISANCE PROPERTY DISPOSAL FEES:

Mike Olson, Aberdeen City Code Enforcement Officer discussed costs involved in disposal of nuisance properties from Lakeside Estates (mobile homes). Mike Scott stated the disposal fee at the Landfill and Mr. Olson felt that was equitable. Sheila Enderson explained the process for moving a mobile home.

RECESS:

The Chairman declared the Commission recessed until May 8, 2007.

Maxine Taylor – Brown County Auditor

MAY 8, 2007 – GENERAL MEETING

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

MINUTES:

Moved by Feickert, seconded by Hansen to approve the General Meeting minutes of May 1, 2007. All members present voting aye. Motion carried.

CLAIMS:

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

Supplies: Fischer Const..\$135.00, Best Business..\$305.74, White House Inn..\$70.00, Quality Quick Print..\$352.42, Pheasantland Industries..\$334.40, CDW Govt..\$1147.76, Lar-Jos..\$255.00, Velvet Uniforms..\$188.79, BP Amoco..\$214.66, Kesslers..\$191.69, HRS..\$3019.43, Office Equip..\$151.92, Safety Service..\$1768.49, Dakota Land..\$55.95, Medtox..\$251.19, Southern Folger..\$8512.00, UPS..\$10.17, Custom Micro..\$6000.00, SD Sheriff Assn..\$68.44, Racom..\$288.40, OK Tire..\$1166.00, Walmart..\$360.70, Moore Medical..\$112.15, Runnings..\$118.68, Bonnie Bitz..\$96.00, PESI..\$169.00, Z&S Dust..\$8398.52, Quality Welding..\$17.00, Outlaw Graphics..\$390.00, Macs..\$7.75, Kelly Inn..\$118.80, Great Western Tire..\$4400.68, Evergreen Supply..\$75.25, Crawford Trucks..\$691.75, HC Clark..\$20.14, Clark Engineering..\$909.30, Erdmann Fuels..\$8418.98, Dakota Supply Co..\$44.28, B&E Siding..\$8996.48, Menards..\$294.17, Butler Machinery..\$10.43, Titan Machinery..\$138.60, HC Clark..\$16,473.32, Aberdeen Asphalt..\$964.44, SD State Hist Society..\$45.00, Hub City Radio..\$125.00, AAM..\$200.00, Arts Council..\$185.00, SD Magazine..\$265.00, Specialty Mfg..\$299.88, Dakota Fluid Power..\$717.40, Meyer Auto..\$26.00, Light & Siren..\$489.90, Reuers Auto..\$153.82, Cartney Bearing..\$51.78, Farm Power..\$213.44, Sheehan Mack Sales..\$2080.72, Praxair..\$18.31, Safety Service..\$330.08, SD Dept of Revenue..\$3268.26, Harvin Schlosser..\$150.00, Wallwork Trucks..\$67.95, OK Tire..\$27.00, Cunningham Elec..\$555.24, Bricks TV..\$961.75, Hub City Radio..\$646.00, Petroleum Partners..\$584.29, Ameripride..\$78.13, Dakota Electronics..\$7718.64, Tessco..\$348.44, Frederick Community Store..\$20.00, Hecla Fire Dept..\$1000.00, New Deal Tire..\$884.26, C&S Motor Sports..\$308.90:

Professional Fees: Northern Plains OMS..\$92.60, Sheriff of Yankton County..\$33.00, HKG Architect..\$3134.00, Eide Bailly..\$243.00:

Publications: American News..\$2407.72, Groton Indep..\$344.89, Midland Press..\$810.00:

Travel: Leo Leshar..\$148.80, Gene Loeschke..\$152.00, Janice Moore..\$102.40, Danielle Radke..\$39.24, Gary Vetter..\$75.52:

Utilities: FSH Communications..\$60.00, Qwest..\$40.75, Northern Valley Comm..\$140.45, James Valley Comm..\$370.97, Town of Frederick..\$28.25, City of Aberdeen..\$231.75, Northwestern Energy..\$524.72, WEB..\$43.48, Verizon..\$82.68, Dependable Sanitation..\$16,180.22:

Elections: Mary Lamont..\$110.00, Sharon Dielke..\$110.00, Mary Jane Krause..\$100.00, Dennis Kotschevar..\$110.00, Diane Hickenbotham..\$115.00, Raymond Ackerman..\$110.00, Dorothy O'Keefe..\$110.00, Shirley Jahraus..\$110.00, Wendy Schaunaman..\$115.00, Ardys Gosch..\$110.00, Sally Hofer..\$110.00, Marlis Nack..\$110.00, Jean Rahja..\$110.00, Janna Larson..\$110.00, Marilee Frankenberger..\$115.00, Priscilla Pfeifle..\$110.00, Sharon Mizerny..\$110.00, Marie Geffre..\$110.00, Yolonda Jahraus..\$115.00, Karen Mogen..\$110.00, Ron Krogman..\$110.00, Deb Pagel..\$115.00, Donna Lout..\$110.00, Cindy Bauer..\$110.00, Rebecca Jeschke..\$100.00, Darleen Haselhorst..\$110.00, Evangeline Miller..\$110.00, Maryann Bierman..\$110.00, Barbara Masqai..\$110.00, Joyce Gage..\$110.00, Gayle Osman..\$110.00, Gladys Braun..\$115.00, Edith Wilt..\$100.00, Linda Siebrasse..\$122.68, Arline Hanson..\$110.00, Connie Howard..\$110.00, Kathie Vitense..\$127.80, Cyndy Larson..\$110.00, Sharon Zastrow..\$110.00, Gloria Gooding..\$110.00, Kathy Schaunaman..\$119.60, Shirley Bender..\$100.00, Pam Larson..\$110.00, Eleanor Haar..\$110.00, Faelynne Hammer..\$110.00, Marquerite Donaldson..\$115.00, Marilyn Gramlow..\$110.00, Carol Erdmann..\$110.00, Pam Erickson..\$117.04, Shirley Morgan..\$110.00,

Ellen Wiedebush..\$110.00, Charlean Erickson..\$122.80, Marion Potter..\$110.00, Myrna Stange..\$110.00, Darlene Daly..\$126.52, Patricia Larson..\$110.00, Robert Dedrickson..\$110.00, Darcey Leshner..\$136.24, Joan Thompson..\$110.00, Merlene Dunlavy..\$100.00, Delores Widstrom..\$110.00, Becky Berreth..\$142.00, Evelyn Telin..\$110.00, Deb Gustafson..\$129.20, Dianna Kopetsky..\$110.00, Dorothy Smith ..\$110.00, Mike Wilson..\$20.00:

Care of Poor: Transportation – 1 recipient..Aberdeen Advanced Care..\$24.72; Utilities - 1 recipient..NWPS..\$240.00; Rent – 2 recipients.. Dan Langford..\$240.00, Danne..\$153.00; Medications – 1 recipient..Kessler Pharm..\$33.97; Dr/Hospital – 11 recipients..PSI Health Care..\$50.00, OBGYN Assoc..\$965.36, Avera St Lukes..\$2153.19, , Dakota Plains Surgical Center..\$958.32, United Clinic..\$196.08, Dental Center..\$38.42, Dakota Dental..\$77.98; Insurance – 1 recipient..Avera Health Plans..\$418.20. All members present voting aye. Motion carried.

PERSONNEL:

Moved by Knecht, seconded by Fischbach to approve hiring Shannon Koens as guard for purpose of prisoner transport, effective April 23, 2007. All members present voting aye. Motion carried.

Moved by Hansen, seconded by Knecht to approve hiring Rebecca Millan as Deputy States Attorney, effective June 1, 2007 at pro-rated annual salary of \$39,000.00. All members present voting aye. Motion carried.

CONTRACT:

Moved by Feickert, seconded by Fischbach to approve and authorize the Chairman to sign contract agreement with Van Diest Supply Company for furnishing and delivery of chemical to the Weed Department, effective April 15, 2007 – October 31, 2007. All members present voting aye. Motion carried.

ABATEMENTS:

Moved by Fischbach, seconded by Knecht to approve the following Abatements for 2006 to correct Outside Corp tax levy: AT&T @ \$2,896.49; Qwest @ \$6,526.27; SD Network @ \$2,376.53. All members present voting aye. Motion carried.

SURPLUS CASH REPORT:

Moved by Feickert, seconded by Fischbach to approve the following General Fund Surplus Cash Analysis Reports: December 2005 @ \$2,436,197.68 (24.54%), March 2006 @ \$707,612.50 (7.13%), September 2006 @ -\$498,012.93 (-4.18%), December 2006 @ \$1,608,790.16 (13.49%), and March 2007 @ \$403,147.42 (3.38%). All members present voting aye. Motion carried.

AUDITORS REPORT OF ACCOUNT:

Moved by Fischbach, seconded by Feickert to approve the April 2007 Auditor's Report of Account with the County Treasurer in total amount of \$20,768,040.94 (total amount of actual cash @ \$3,251.05, Wells Fargo Bank @ \$3,694.79, US Bank @ \$48,507.05, Dacotah Bank @ \$16,320.91, Petty Cash @ \$1,800.00, Fund Investments @ \$20,694,218.19, Outstanding Checks @ \$248.95). All members present voting aye. Motion carried.

DISASTER DECLARATION – 2007 FLOOD:

Commissioner Knecht offered the following Resolution:

RESOLUTION NO. 28-07 RESOLUTION FOR DECLARATION OF EMERGENCY/DISASTER

WHEREAS, Brown County, SD has suffered severe damage brought on by a Flood on the date of May 5, 2007; and

WHEREAS, Public Infrastructure and Personal Property have received substantial damage due to flood conditions; and

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

NOW, THEREFORE BE IT RESOLVED that the Brown County Board of Commission at a regular meeting held on May 8, 2007, hereby request the Governor of the State of South Dakota declare a disaster exists in the County of Brown.

Adopted this 8th day of May 2007.

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

BID AWARD – LANDFILL PAYLOADER:

Moved by Feickert, seconded by Hansen to award bid, submitted by Sheehan Equipment for one 2007 Volvo L120F Pay Loader for the Brown County Landfill in amount of \$213,021.00; rejecting the following: DMI @ \$237,794.00, RDO @ \$230,885.00, Butler/Cat @ \$252,323.00, JD Evans @ \$263,922.00. All members present voting aye. Motion carried.

LANDFILL FLOOD UPDATE:

Mike Scott, Landfill Manager informed Commission of activities at the Landfill and area Dumpster Sites to accommodate disposal of flood debris.

NACO CONFERENCE:

Moved by Knecht, seconded by Fischbach to approve travel and related expenses for Nancy Hansen to attend the Annual NACO Conference in Richmond, VA. All members present voting aye. Motion carried.

EXECUTIVE SESSION:

Moved by Fischbach, seconded by Feickert 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 the following action taken as a result of the discussion:

PERSONNEL:

Moved by Knecht, seconded by Feickert to authorize employee transfer from the Treasurer's Office to the Fair Office and approve hiring Teoni Taylor as Fair Administrative Assistant, effective May 21, 2007 at \$10.54 per hour. All members present voting aye. Motion carried.

EM FLOOD UPDATE:

Scott Meints, EM Director informed the Commission that the water is receding; issues with city, county and township roads will have to be faced; and informed the Commission about a public meeting to be held May 8, 2007 at 7:00 p.m. at the Strode Center to provide information about health issues. Clean-up

kits will be available for anyone interested (bucket, mop, disinfectant). Governor Rounds commended Scott Meints on having everything under control on Sunday.

BRIDGE #5A - DELETE:

Commissioner Fischbach offered the following resolution:

RESOLUTION NO. 29-07
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:

07-004-440 (Bridge #5A) 4.0 miles North and 7.6 miles West of Mansfield, SD. Structure was removed with no intent of replacing.

The Commission is aware of the following stipulations once a structure is deleted from the NBIS Inventory:

Federal Bridge funds will not be available for structure replacement or rehabilitation, and 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.

HIGHWAY DISCUSSION:

Dirk Rogers, Highway Superintendent discussed the condition of Richmond Road and North Shore Drive and recommended base/blotter rather than seal coat. Commission concurred. Derrick Herther also appeared with input.

FAIR UPDATE:

Larry Gerlach, Fair Manager informed the Commission that donations for another campground west of Cottonwood (24 sites with water and electricity) are being solicited.

DRAINAGE UPDATE:

Gary Vetter, Planning/Zoning/Drainage Coordinator presented update on Ronning property.

RECESS:

The Chairman declared the Commission recessed until May 15, 2007.

Maxine Taylor – Brown County Auditor

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MAY 15, 2007 – GENERAL MEETING

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

MINUTES:

Moved by Feickert, seconded by Knecht to approve the General Meeting Minutes of May 8, 2007. All members present voting aye. Motion carried.

CLAIMS:

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

Payroll: Commissioners..\$2,876.00; Auditor..\$6,696.36; Elections..\$943.83; Treasurer..\$9,948.60; Data Processing..\$3,024.20; State's Attorney..\$12,377.60; Maintenance..\$5,593.60; Assessor..\$8,660.66; Planning & Zoning..\$1,461.54; Register of Deeds..\$5,182.92; Veterans Service Office..\$3,018.54; GIS..\$1,776.93; Sheriff..\$64,036.21; Communications..\$13,614.67; Welfare Office..\$2,902.34; Museum..\$5,196.50; Fairgrounds & Parks..\$3,369.58; Fairboard..\$1,679.62; Extension..\$952.80; Weed..\$3,485.12; Emergency Management..\$2,665.73; Teen Court..\$202.50; Highway..\$26,150.19; Landfill..\$8,600.76; Matching Benefits: FICA..\$11,463.83; Medicare..\$2,680.93:

Supplies: Office Max..\$332.35, CMRS-FP..\$5000.00, Office Equip..\$114.55, Penny Hart..\$6.32, Executive Mgmt..\$61.35, Dept of Revenue..\$803.00, Eilers..\$22.50, Dakota Supply Group..\$136.52, Nelson Sales..\$34.00, Taylor Laundry..\$50.00, Menards..\$69.33, Dakota Supply..\$39.10, Gardner Locksmith..\$55.43, Central Supply..\$380.10, Ecolab Pest..\$108.00, Runnings..\$1320.99, Hoven Auto..\$102.25, Safety Service..\$684.28, Best Business..\$108.36, Accurint..\$16.60, Center Printing..\$172.07, Sewing Shoppe..\$110.00, Tri-State Water..\$31.50, Lust Chev..\$72.45, Quality Quick Print..\$114.61, Nat'l Sheriff Assoc..\$100.00, Aberdeen Chrysler..\$1589.56, Safe Kids Worldwide..\$60.00, Ameripride..\$158.08, Wallwork Truck Center..\$65.52, 3-D Spec..\$262.28, Share Corp..\$310.25, Sheehan Mack Sales..\$658.32, Praxair..\$91.96, Power Plan..\$340.35, Poms Tire..\$3934.80, Nelson Auto..\$5.31, Midwest Pump & Tank..\$268.37, Menards..\$298.04, Interstate Battery..\$149.90, Hedahls..\$46.18, Fastenal..\$86.81, Farnams..\$214.74, Farm Power..\$80.67, Exhaust Pros..\$10.00, L G Everist..\$482.45, Economy Propane..\$187.20, Erdmann Fuels..\$3319.96, Diamond Mowers..\$166.81, Dakota Oil..\$345.30, Dakota Fluid Power..\$260.62, Central Supply..\$348.30, Carquest..\$756.03, Midwest Alarm..\$51.50, Lora Schaunaman..\$7.40, Ameripride..\$46.69, Ken's Superfair Foods..\$50.90, Glas Consulting..\$750.00, Photo Express..\$21.53, Northern Tool..\$99.98, Carquest..\$21.44, Tractor Supply..\$7.22, Brown County..\$13.00, Menards..\$169.28, Larsons Blacksmith..\$40.00, Cartney Bearing..\$76.68, Specialty Mfg..\$2620.00, Freys Electronics..\$265.00, MVTL..\$34.40, Earth Tech..\$1812.50, Reflective Apparel..\$128.43, M&T Fire..\$4452.00, Masimo..\$7507.52, On Target Challenge..\$970.00, Aramsco..\$11,425.00, Heiman Fire..\$298.93, Keypoints..\$1416.58:

Transcriptions: Sara VandeWalle..\$37.40, Kristi Kost..\$52.50, Slowey Court Reporting..\$262.50:

Professional Fees: witness fees..\$40.00, Avera St Lukes..\$724.77, King County..\$272.00, Jackie Schraeder..\$35.00, Lyrita Wilkie..\$175.00, Pam Smid..\$245.00, Scott Weitbrecht..\$105.00, Jason Engel..\$140.00, Dental Center..\$31.68, Avera Queen of Peace..\$160.50, NE Mental Health..\$29.26, Avera McKennan..\$3775.57, Helms & Assoc..\$6164.80:

Publications: American News..\$3268.74, Dakota Press..\$2230.24:

Travel: Roxanne Hilgenberg..\$91.20, Sheila Enderson..\$228.60, Allan Vietmeier..\$105.60, Carol Sherman..\$136.40:

Utilities: Dependable Sanitation..\$212.00, Northwestern Energy..\$10,509.83, City of Aberdeen..\$613.78, City of Hecla..\$129.26, Alltel..\$76.75, Northern Elec..\$819.29, Northern Wireless..\$80.95, Qwest..\$687.20, Verizon..\$74.93:

Care of Poor: Transportation – 1 recipient..Emergency Poor Fund..\$70.00; Utilities - 3 recipients..NWPS..\$640.00; Rent – 3 recipients.. Aberdeen Housing Authority..\$417.00, Melros Village..\$157.00; Burials – 1 recipient..Schrivers Memorial Mortuary..\$945.00; Dr/Hospital – 8 recipients..Anesthesia Care..\$128.00, Avera St Lukes..\$10,958.44, Avera Heart Hospital..\$20,174.96, Avera McKennan ..\$1495.27. All members present voting aye. Motion carried.

PERSONNEL:

Moved by Feickert, seconded by Knecht to approve the following employee step increases, effective May 20, 2007: Bryan Locke @ \$17.92 per hour, David Bruckner @ \$14.41 per hour, Shawna Everson @ \$12.13 per hour, Mervyn Heaton @ \$11.70 per hour. All members present voting aye. Motion carried.

Moved by Knecht, seconded by Hansen to amend date when Teoni Taylor transfer to Fair Office is effective to May 15, 2007. All members present voting aye. Motion carried.

Moved by Feickert, seconded by Knecht to cover volunteers who assisted during the 2007 Flood for liability and workmen's comp insurance. All members present voting aye. Motion carried.

TOWNSHIP BONDS:

Moved by Knecht, seconded by Hansen 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, Alfred Waltman; ORDWAY #14 - Kerry Howell, Mike McHugh; CAMBRIA #15 – Monte McNickel, Ron Ringgenberg; RIVERSIDE #16 – Steve Simon, Bruce Sippel; GROTON #17 – Jerry Locke, Jeff Howard; HENRY #18 – Matt Oswald, Janet Lehman; 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 HANSON #25 – Dennis Pigors, Betty Schinkel; GARDEN PRAIRIE #26 – Steve Dunker, Todd Osterman; EAST RONDELL #27 – Dennis Rossow, Kathy Williams; PALMYRA #28 - Sarah Monroe, Margaret Strand; OSCEOLA #29 - John Peldo, Chris Sumption; SAVO #30 - Calvin Raisanen, Judy Bretsch; 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; PUTNEY #48 – Bill Schuelke, Mark Thompson; WEST HANSON #49 - Tom Paepke, Arnold Bahr; HECLA #50 – Cliff Schroeder, Sharon Schroeder; PRAIRIEWOOD #53 – R Lee Ginsbach, Craig McFarland; WEST RONDELL #57 - Allen Ryckman, Larry Ihde; SOUTH DETROIT #59 - Mark Perkins, Mark Hoines. All members present voting aye. Motion carried.

GFP/USF&W LAND DISCUSSION:

Mary Clawson, GF&P and Jay Peterson and Gene Williams, USF&W explained proposed land exchanges between the two agencies in eleven counties, stating the affect on each counties real estate taxes should be minimal.

HIGHWAY UPDATE:

Dirk Rogers, Highway Superintendent discussed 2007 Brown County Flood Damage to roads in the County. A list of seven roads currently closed was presented and many culverts are plugged with debris. Gary Vetter, Planning/Zoning/Drainage Coordinator informed the Commission that seven or eight other

affected areas have been addressed. Edmunds and Dickey County's have assisted with spots on county lines.

EXECUTIVE SESSION:

Moved by Knecht, seconded by Hansen to go into executive session for personnel discussion with Mark Milbrandt and Tom Schmitt 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.

PHASE II JAIL PROJECT – CHANGE ORDER NO. 1:

Moved by Knecht, seconded by Hansen to approve and authorize Mick Palmer, Maintenance Supervisor to sign Change Order #1 for Phase II Jail Project, changing construction start date to April 29, 2007. All members present voting aye. Motion carried.

EM 2007 FLOOD UPDATE:

Scott Meints, Brown County Emergency Management Director and Jason Forrest, NE Regional SD Department of Emergency Management Director stated that the Emergency Operations Center was closed Monday, May 14, but now the focus of the State and Local Emergency Management Offices will be on recovery efforts. Mr. Forrest reported that 11 or 12 Counties have declared a disaster and that FEMA will begin doing damage assessments on infrastructure, roads, etc in the near future. If the President signs Disaster Declaration for the area, individuals may apply for public assistance, but it is vital that the public keep documentation for review. Scott Meints reported that the EOC (Emergency Operations Center) Plan will be enhanced to clarify policy and procedures for this type of disaster. The Commission and the SD EM commended Scott Meints and his department on a job well done.

BUILDING/DEMOLITION PERMITS:

Mary Worlie, Director of Equalization and Gary Vetter, Planning/Zoning/Drainage Coordinator discussed the importance for all residents to complete demolition permits and building permits for restoration projects, but recommended that the fees be waived. Moved by Hansen, seconded by Knecht to waive demolition permit fees and building permit fees for restoration projects, effective May 7 – November 1, 2007, but to remind all residents that obtaining the permits is still a requirement. All members present voting aye. Motion carried.

FAIRGROUNDS UPDATE:

Kurt Smith, Fairgrounds Superintendent and the Commission recognized Northeast Area Horse Association for help they provided with the flood waters in buildings at the Fairgrounds. The Commission approved use of campgrounds not being used by Northeast Area Horse Association at no charge by persons displaced from their homes by the 2007 Flood Disaster. Kurt Smith shall document who, why and how long the flood victims are in the campgrounds.

RECESS:

The Chairman declared the Commission recessed until May 22, 2007.

Maxine Taylor – Brown County Auditor

MAY 21, 2007 - 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 Knecht, Feickert and Wiese. Absent Commissioners Fischbach and Hansen.

ORDINANCE NO. 07-05-01/343:

On motion by McQuillen and seconded by Agnitsch, the City unanimously voted to approve First Reading of Ordinance No. 07-05-01/343.

Moved by Knecht, seconded by Feickert to approve First Reading of Ordinance No. 07-05-01/343, 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, said property being described as follows: Lot 3, Ham's East Richmond Road Subdivision located in the SE ¼ of Sec 28-T124N-R64W of the 5th P.M., Brown County SD. All members present voting aye. Motion carried.

ORDINANCE NO. 07-05-02/344:

On motion by Bunsness and seconded by McQuillen, the City unanimously voted to approve First Reading of Ordinance No. 07-05-02/344.

Moved by Feickert, seconded by Knecht to approve First Reading of Ordinance No. 07-05-02/344, 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, said property being described as follows: Brick Tract 1, SW ¼ of the SW ¼ of Sec 16-T123N-R64W of the 5th P.M., Brown County SD. All members present voting aye. Motion carried.

ORDINANCE NO. 07-05-03/345:

On motion by Bunsness and seconded by Aman, the City unanimously voted to approve First Reading of Ordinance No. 07-05-03/345.

Moved by Knecht, seconded by Feickert to approve First Reading of Ordinance No. 07-05-03/345, 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 707 (C-2) Highway Commercial District, said property being described as follows: Barton OL A, NW ¼ of Sec 23-T123N-R63W of the 5th P.M., Brown County SD. All members present voting aye. Motion carried.

ORDINANCE NO. 07-05-05/346:

On motion by Mitchell and seconded by Rux, the City unanimously voted to approve First Reading of Ordinance No. 07-05-05/346.

Moved by Feickert, seconded by Knecht to approve First Reading of Ordinance No. 07-05-05/346, An Ordinance amending Ordinance No. 1164 to rezone the following described property from its present zoning designation of Section 714 (M-AG) Mini-Agricultural District to Section 710 (I-2) Unrestricted Industrial District, said property being described as follows: Lot 7, Evelo 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.

ORDINANCE NO. 07-05-06/347:

On motion by Bunsness and seconded by Agnitsch, the City unanimously voted to approve First Reading of Ordinance No. 07-05-06/347.

Moved by Knecht, seconded by Feickert to approve First Reading of Ordinance No. 07-05-06/347, An Ordinance amending Ordinance No. 1164 to rezone the following described property from its present zoning designation of Section 701 (A-1) Agricultural District and Section 713 (M) Municipal, State, and County Use District to Section 713 (M) Municipal, State, and County Use District, said property being described as follows: Aberdeen Regional Airport Subdivision in Sections 21, 22, 27 and 28-T123N-R63W of the 5th P.M., Brown County SD. All members present voting aye. Motion carried.

ADJOURNMENT:

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

Maxine Taylor – Brown County Auditor

MAY 22, 2007 – GENERAL MEETING

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

MINUTES:

Moved by Knecht, seconded by Feickert to approve the General Meeting minutes of May 15, 2007. All members present voting aye. Motion carried.

CLAIMS:

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

Supplies: Dakota Mailing..\$143.00, Brown & Saenger..\$126.84, Quality Quick Print..\$37.41, Florida Micro..\$721.33, Menards..\$4.79, CDW Govt..\$2489.94, Office Equip..\$479.96, Adamsoft..\$3500.00, Nat'l Auto Research..\$51.00, McFarland Supply..\$161.17, Aberdeen Plumbing & Heating..\$147.94, Fire Safety First..\$459.08, Ecolab..\$77.00, SD Wheat Growers..\$128.25, HSBC Business Solutions..\$815.81, SDAAO..\$1790.00, Comfort Inn..\$90.00, Office Equip..\$81.99, Sterling Solutions..\$700.00, GeoSpatial Experts..\$1622.97, Phillips 66..\$333.65, DT Pharmacy..\$752.37, Shell..\$74.40, Kustom Signals..\$124.00, Photos Now..\$644.77, Lincoln County Auditor..\$132.61, Earthgrains..\$443.28, Best Business..\$184.91, Van Diest..\$3599.80, United Clinic..\$20.00, Hagan Ins..\$419.00, SDACHS..\$30.00, Palmer Dist..\$428.00, Newman Signs..\$2552.49, Lawson Products..\$199.04, Howes Oil..\$19,679.00, Erdmann Fuels..\$5590.69, Biersbach Equip..\$386.78, Advanced Auto..\$26.11, HRS..\$8.80, Ken's Superfair Foods..\$34.23, Hewlett Packard..\$2066.00, Western States Fire..\$408.80, Macks Auto Body..\$168.00, Runnings..\$964.71, RDO..\$9.08, House of Glass..\$121.76, Dakota Supply Group..\$20.45, Tractor Supply..\$15.96, Meyers Tractor Salvage..\$1040.00, Martech..\$154.00, Van Diest..\$8376.14, HC Clark..\$10.83, Dakota Fluid Power..\$70.22, Elec Security Equip..\$14,977.46, Scott Meints..\$15.24, Keeleys..\$14.90, Langs..\$727.00, Gardner Locksmith..\$169.84, Kesslers..\$42.12, Hardees..\$359.00, Artz Camera..\$9.98, SD Fed Surplus..\$4500.00, Macs..\$5.17, Schwan Welding..\$85.47, Matz..\$6.00, Nat'l Academies of Emergency Dispatch..\$45.00, Polk City Directory..\$258.50, Tessco Inc..\$92.54, Language Line..\$90.00, RDO..\$50.74, Diesel Machinery..\$416.47, Nelson Auto..\$62.00, Titan Machinery..\$137.45, ABC Seamless..\$559.30, Evergreen Supply..\$79.10, Zeller Const..\$23,859.00, Compasstools..\$2562.00, 1st Plan/Dev Dist..\$791.75, Plan/Dev Dist III..\$791.75, Joel Ford..\$240.00, Peter Rush..\$60.00:

Professional Fees: witness fees..\$526.40, NADRIC..\$1666.67:

Publications: American News..\$575.58:

Travel: Kathy Schlecht..\$66.00, Tom Gohn..\$66.00, Marg Zastrow..\$350.38, Ginger Walker..\$48.96, Gene Loeschke..\$99.52:

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

Utilities: Alltel..\$255.48, Verizon..\$47.00, Northwestern Energy..\$25.14, Dependable Sanitation..\$159.00, Qwest..\$3958.67, Northern Elec..\$315.37, Bureau of Admin..\$625.44:

Care of Poor: Transportation – 1 recipient..Brown County..\$37.30; Utilities - 2 recipients..NWPS..\$560.00; Dr/Hospital – 3 recipients..Dakota Imaging..\$32.49, Avera St Lukes..\$6539.64, Denture Clinic..\$980.00. All members present voting aye. Motion carried.

PERSONNEL:

Moved by Feickert, seconded by Hansen to approve hiring Bonnie Siebrecht as Teen Court Advisor, effective April 1, 2007 through September 30, 2007 at \$300.00 per month, with 90% of the funding to be reimbursed by SD DOC Juvenile Accountability Incentive Block Grant (remaining 10% from Teen Court Special Revenue Fund #230). All members present voting aye. Motion carried.

ORDINANCE NO. 044 - SET HEARING DATE:

Moved by Hansen, seconded by Knecht to set public hearing for 9:00 a.m. on June 5, 2007 in the Commission Chambers, Courthouse Annex, Brown County, SD for First Reading of Ordinance No. 044, An Ordinance to rezone the following property from Chapter 4.11 Rural Urban District (RU) to Chapter

4.07 Mini-Agricultural District (M-Ag): Lots 2-5 of Block A First Addition to Stratford in the SW¼ of Sec 4-T121N-R62W of the 5th P.M., Brown County, SD. All members present voting aye. Motion carried.

PROPERTY TRANSFER:

Moved by Feickert, seconded by Knecht to approve and authorize the Chairman sign agreements with the following entities who received equipment from the 2004 DOJ Equipment Grant Program: BCSO (command trailer), Joyce DesCamps (radios), John VanderHoek (radio); and agreements with the following entity who received equipment from the 2005 DOJ Equipment Grant Program: BCSO (cameras, batteries). All members present voting aye. Motion carried.

PLATS:

Commissioner Knecht offered the following Resolution:

RESOLUTION NO. 30-07

BE IT RESOLVED by the County Commission of Brown County, SD, that the plat showing "Hansen's Outlots 5 & 6 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: Hansen-abstain, Fischbach-aye, Feickert-aye, Knecht-aye, Wiese-aye. Resolution adopted.

Commissioner Knecht offered the following Resolution:

RESOLUTION NO. 31-07

BE IT RESOLVED by the Board of County Commissioners of Brown County, SD, that the plat showing "MDU-NBPL Subdivision in the SW ¼ of Sec 24-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 Fischbach. Roll call vote: Hansen-aye, Fischbach-aye, Feickert-aye, Knecht-aye, Wiese-aye. Resolution adopted.

Commissioner Knecht offered the following Resolution:

RESOLUTION NO. 32-07

BE IT RESOLVED by the Board of Commissioners of Brown County, SD, that the plat showing "Brick Tract 1 in the SW ¼ of the SW ¼ of Sec 16-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: Hansen-aye, Fischbach-aye, Feickert-aye, Knecht-aye, Wiese-aye. Resolution adopted.

Commissioner Knecht offered the following Resolution:

RESOLUTION NO. 33-07

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BE IT RESOLVED by the County Commission of Brown County, SD, that the plat showing "D & S Business Park, in the NW ¼ Sec 9-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 Fischbach. Roll call vote: Hansen-aye, Fischbach-aye, Feickert-aye, Knecht-aye, Wiese-aye. Resolution adopted.

CONTRACT AGREEMENT:

Moved by Knecht, seconded by Hansen to approve and authorize the Chairman sign Contract with Sheehan Mack Sales Equipment for delivery of a 2007 Pay Loader as bid for the Brown County Landfill. All members present voting aye. Motion carried.

JABG GRANT AWARD AGREEMENT:

Moved by Knecht, seconded by Hansen to approve and authorize the Chairman sign grant award agreement with the SD Department of Corrections for Juvenile Accountability Incentive Block Grant funding in amount of \$22,220.00 for Teen Court, effective April 1, 2007 through September 30, 2007. All members present voting aye. Motion carried.

TRAFFIC SAFETY ENFORCEMENT GRANT APPLICATION:

Moved by Feickert, seconded by Fischbach to approve and authorize the Chairman sign application for Department of Public Safety Highway Safety Task Grant for Brown County Traffic Safety Enforcement in amount of \$26,662.00 for Federal Fiscal Year 2008 (subsequent years needed 2009 @ \$28,000.00, 2010 @ \$30,000.00 and 2011 @ \$34,000.00. All members present voting aye. Motion carried.

EXECUTIVE SESSION:

Moved by Feickert, seconded by Fischbach to go into executive session to discuss contract with 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.

LANDFILL UPDATE:

Mike Scott, Landfill Manager reviewed a contract with Earth Tech; discussed future equipment purchases; reported that to date 2,508 tons of flood debris have been received at the Landfill; discussed the weekend fire at the Landfill; and discussed his directive to all haulers to use State Hwy 12 rather than County Road 12W.

AGREEMENT:

Moved by Knecht, seconded by Feickert to approve and authorize the Chairman to sign agreement with Earth Tech to provide consulting services for the Brown County Landfill in amount not to exceed \$68,500.00 for 2007. All members present voting aye. Motion carried.

EQUALIZATION APPEALS:

Mary Worlie, Director of Equalization reported that two appeals have been filed with the State Office of Hearing Examiners in Pierre; and informed the Commission that criteria for abatements on flood damaged residences will be drafted.

DRAINAGE UPDATE:

Gary Vetter, Planning/Zoning/Drainage Coordinator discussed a fence line that landowners feel is holding water. A Drainage Board Meeting will be called as soon as all pertinent information has been gathered.

PRECINCT BOUNDARIES/POLLING PLACES – AMENDMENT #4:

Commissioner Knecht offered the following Resolution:

RESOLUTION NO. 34-07

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, as amended on March 21, 2006 in Resolution No. 14-06 and on March 13, 2007 in Resolution No. 15-07 and on March 27, 2007 in Resolution No. 18-07; and

WHEREAS, the Washington Street Gym will not be available for use as a polling place for Precinct 001 and Precinct 002 for the June 5, 2007 Municipal Election; and

WHEREAS, the Primrose Gym has adequate space to accommodate Precinct 001 and Precinct 002, in addition to Precinct 003 already housed there.

NOW, THEREFORE BE IT RESOLVED by the Brown County Commission to amend Resolution #27-05, as amended by Resolution #14-06; Resolution #17-07; and Resolution #18-07 by changing the polling place location for Precinct 001 and Precinct 002, as follows:

- Precinct 001 – Primrose Corporate Office Gym, 613 8th Ave NW, Aberdeen, SD
- Precinct 002 – Primrose Corporate Office Gym, 613 8th Ave NW, Aberdeen, SD

Dated this 22nd day of May 2007.

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

POOR RELIEF:
Commissioner Feickert offered the following Resolution:

RESOLUTION NO. 35-07

WHEREAS, Brown County has filed a Poor Relief Lien in total amount of \$5,219.13 dated November 26, 1971 to February 25, 1980, and

WHEREAS, Brown County has determined it to be in the best interest of the taxpayers of Brown County to accept payment of \$2,000.00 as full payment of such lien, upon recommendation by Noll Collection.

NOW, THEREFORE BE IT RESOLVED that Brown County shall accept \$2,000.00 as full payment of lien in amount of \$5,219.13.

Dated this 22nd day of May 2007.

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

RECESS:
The Chairman declared the Commission recessed until May 29, 2007.

Maxine Taylor – Brown County Auditor

MAY 29, 2007 - JOINT CITY/COUNTY MEETING

The Brown County Commission and the Aberdeen City Council met in joint session at 8:45 A.M. in the County Commission Chambers, 25 Market Street, Aberdeen, South Dakota. Present from City were Council Members Agnitsch, Aman, Bunsness, Hodgins, McQuillen, Rux and Mayor Levsen. Absent Council Members Campbell and Mitchell. Present from County were Commissioners Hansen, Fischbach, Feickert, Knecht and Wiese.

ORDINANCE NO. 07-05-01/343:

On motion by Aman and seconded by Agnitsch, the City unanimously voted to approve Second Reading and Adoption of Ordinance No. 07-05-01/343.

Moved by Fischbach, seconded by Knecht to approve Second Reading and Adoption of Ordinance No. 07-05-01/343, 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, said property being described as follows: Lot 3, Ham's East Richmond Road Subdivision located in the SE ¼ of Sec 28-T124N-R64W of the 5th P.M., Brown County SD. Roll call vote: Commissioners Hansen-aye, Fischbach-aye, Feickert-aye, Knecht-aye, Weise-aye. Ordinance adopted.

ORDINANCE NO. 07-05-02/344:

On motion by McQuillen and seconded by Rux, the City unanimously voted to approve Second Reading and Adoption of Ordinance No. 07-05-02/344.

Moved by Feickert, seconded by Hansen to approve Second Reading and Adoption of Ordinance No. 07-05-02/344, 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, said property being described as follows: Brick Tract 1, SW ¼ of the SW ¼ of Sec 16-T123N-R64W of the 5th P.M., Brown County SD. Roll call vote: Commissioners Hansen-aye, Fischbach-aye, Feickert-aye, Knecht-aye, Weise-aye. Ordinance adopted.

ORDINANCE NO. 07-05-03/345:

On motion by Agnitsch and seconded by Rux, the City unanimously voted to approve Second Reading and Adoption of Ordinance No. 07-05-03/345.

Moved by Hansen, seconded by Feickert to approve Second Reading and Adoption of Ordinance No. 07-05-03/345, 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 707 (C-2) Highway Commercial District, said property being described as follows: Barton OL A, NW ¼ of Sec 23-T123N-R63W of the 5th P.M., Brown County SD. Roll call vote: Commissioners Hansen-aye, Fischbach-aye, Feickert-aye, Knecht-aye, Weise-aye. Ordinance adopted.

ORDINANCE NO. 07-05-05/346:

On motion by Bunsness and seconded by Rux, the City unanimously voted to approve Second Reading and Adoption of Ordinance No. 07-05-05/346.

Moved by Feickert, seconded by Hansen to approve Second Reading and Adoption of Ordinance No. 07-05-05/346, An Ordinance amending Ordinance No. 1164 to rezone the following described property from its present zoning designation of Section 714 (M-AG) Mini-Agricultural District to Section 710 (I-2) Unrestricted Industrial District, said property being described as follows: Lot 7, Evelo Subdivision in the

JUNE 12, 2007 - GENERAL MEETING

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

MINUTES:

Moved by Fischbach, seconded by Feickert to approve the General Meeting minutes of June 5, 2007. All members present voting aye. Motion carried.

CLAIMS:

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

Payroll: Commissioners..\$2,876.00; Auditor..\$6,527.21; Treasurer..\$9,091.72; Data Processing..\$3,024.20; State's Attorney..\$12,377.60; Maintenance..\$5,662.08; Assessor..\$8,660.66; Planning & Zoning..\$1,461.54; Register of Deeds..\$5,213.40; Veterans Service Office..\$2,768.39; GIS..\$1,776.93; Sheriff..\$67,347.08; Coroner..\$450.00; Communications..\$15,063.87; Welfare Office..\$2,902.34; Museum..\$5,196.50; Fairgrounds & Parks..\$3,526.62; Fairboard..\$1,975.98; Extension..\$2,140.20; Weed..\$3,746.78; Emergency Management..\$2,665.73; Teen Court..\$202.50; Highway..\$28,604.69; Landfill..8,908.86; Matching Benefits: FICA..\$11,939.61; Medicare..\$2,792.41; Supplies: Academy..\$25.00, Quality Quick Print..\$658.55, Maxine Taylor..\$37.01, UBC..\$59.05, Taylor Laundry..\$53.50, Menards..\$417.54, Central Supply..\$1230.00, Best Business..\$175.72, OK Tire..\$202.00, Inventory Trading..\$399.75, Dakota Electronics..\$637.05, Office Equip..\$31.56, Fire Safety First..\$74.95, Galls..\$78.46, Fox Valley..\$94.59, Avera St Lukes..\$3.50, Duanes Amoco..\$32.35, Sewing Shoppe..\$105.50, Exhaust Pros..\$22.95, Lust..\$65.90, Accurint..\$4.19, Medical Waste Transport..\$68.80, Pioneer Ford..\$25.05, CDW Govt..\$512.40, Tri-State Water..\$39.60, BP Amoco..\$480.59, Bonnie Bitz..\$144.00, Best Business..\$70.22, HRS..\$4693.94, 3-D Spec..\$2625.88, Spec Mfg..\$24.10, SDDOT..\$16588.85, Sheehan Mack Sales..\$70.15, Safety Service..\$402.49, Runnings..\$625.03, Pro Ag..\$152.90, Power Plan..\$2031.52, Pierson Ford..\$166.26, Macs..\$402.07, Lawson Products..\$387.31, Huron Culvert..\$21,814.04, Howes Oil..\$19,770.80, Hedahls..\$39.64, Hecla Impl..\$19.65, Graham Tire..\$606.65, Farnams Genuine Parts..\$146.54, Farmers Union..\$5.00, Farm Power..\$82161, JD Evans..\$5316.70, Economy Propane..\$1542.24, Diesel Machinery..\$10,702.32, Dakota Fluid Power..\$171.70, Crawford Trucks..\$1350.85, Clark Engineering..\$143.01, Cartney Bearing..\$34.62, Brick Propane..\$44.50, Ameripride..\$168.32, Erdmann Fuels..\$542.22, Parkview Nursery..\$830.44, Cunningham Elec..\$2983.46, Van Diest..\$3625.60, TSC..\$74.95, Meyers Tractor Salvage..\$50.00, Ken's Alignment..\$237.37, Aberdeen Parks & Rec..\$50.00, Bricks Roto Rooter..\$900.00, Dakota Electronics..\$19,100.00, Pizza Ranch..\$70.94, TelServ..\$656.15, Praxair..\$945.75, Ginger Walker..\$16.25, K-Mart..\$31.63, Micro Tek..\$894.00, Powerplan..\$3313.41, Overhead Door..\$872.19, Cartney Bearing..\$84.56, Sheehan Mack Sales..\$132.90, Custom Glass..\$189.02, Hub City Radio..\$2916.00, Glas Consulting..\$90.00, SD Dept of Rev..\$4293.84, Midwest Pump & Tank..\$697.75, Ameripride..\$95.81, House of Glass..\$164.81, Erdmann Fuels..\$7056.17, Central Supply..\$473.46, Image Apparel..\$454.20, E-Zee Supply..\$436.63, Brick Propane..\$16.50, Pierson Ford..\$37.45; Professional Fees: witness fees..\$20.00, Anesthesia Care..\$112.00, Avera St Lukes..\$230.17, Cathy Rehfuß..\$15.00, Donna Dietrich..\$130.21, Yankton County..\$528.75, Lincoln County..\$90.00; Publications: American News..\$2669.66, Midland Press..\$982.50; Travel: Mike Wiese..\$29.44, Gene Loeschke..\$144.00; Court Appointed Attorney: Gary Mikelson..\$23.40; Utilities: City of Aberdeen..\$3121.95, Northwestern Energy..\$1061.71, Northern Valley Comm..\$140.08, James Valley Coop..\$155.11, Town of Frederick..\$28.25, Midcontinent Cable..\$46.24, Verizon..\$88.80, Northern Elec..\$49.20, Northern Wireless Comm..\$80.95; Care of Poor: Medication – 1 recipient..Medical Center Pharm..\$143.87; Dr/Hospital – 2 recipients..Avera St Lukes..\$12,404.41; Rent – 5 recipients..Jared Hunstad..\$120.00, MelRos..\$277.00,

Lenny Evangelisto..\$280.00, Tom Hinz..\$220.00, Bruce Boschee..\$220.00; Utilities – 3 recipients..NWPS..\$460.00. All members present voting aye. Motion carried.

PERSONNEL:

Moved by Fischbach, seconded by Feickert to approve the following employee step increases, effective June 17, 2007: Cindy Meyers @ \$12.24 per hour, Casey Thorstenson @ \$12.96 per hour, Tracy Madsen @ \$11.60 per hour, Damian Bahr @ \$15.46 per hour, Sherry Theobald @ \$12.06 per hour, Polly Rush @ \$13.23 per hour, Levi Jensen @ \$14.92 per hour. All members present voting aye. Motion carried.

Moved by Fischbach, seconded by Feickert to acknowledge resignation of Joe Embury as part-time Corrections Officer, effective June 29, 2007. All members present voting aye. Motion carried.

Moved by Feickert, seconded by Fischbach to approve hiring Kyle Fadness as Corrections Officer in the Jail, effective June 11, 2007 at \$11.57 per hour. All members present voting aye. Motion carried.

Moved by Fischbach, seconded by Feickert to acknowledge the following miles driven and amount to be taxed for personal use of County vehicles during November through December 2006 and January through February 2007: Richard Burns – 278 @ \$130.11, Dirk Rogers – 2412 @ \$1,124.46, Mike Scott – 740 @ \$344.90. All members present voting aye. Motion carried.

TOWNSHIP BONDS:

Moved by Feickert, seconded by Fischbach to approve the following Township Bonds (Treasurer and Clerk): BATH #19- David Stahl, Scott Sperry; BATES #44- Kathy Dobberpuhl, Roger Ball. All members present voting aye. Motion carried.

FIREWORKS PERMIT:

Moved by Fischbach, seconded by Feickert to approve and authorize the Chairman sign Fireworks Public Display Permit, submitted by Steve Herther, 379464 S Shore Drive, Aberdeen, SD for a Class B Fireworks Display to be held on July 3, 2007 at Richmond Lake. All members present voting aye. Motion carried.

PROPERTY TRANSFER:

Moved by Feickert, seconded by Fischbach to approve and authorize the Chairman sign agreements with the following entities who received equipment from the 2005 DOJ Equipment Grant Program (HLS): Aberdeen Regional Hazmat (miscellaneous protective clothing items and equipment); Aberdeen Regional Airport (aircraft radio equipment); Aberdeen Central High School (passive antenna); BCDP (buffalo tera-station). All members present voting aye. Motion carried.

AFSCME CONTRACT ADDENDUM:

Moved by Fischbach, seconded by Feickert to approve and authorize Chairman to sign Addendum 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, 2007 – December 31, 2007. All members present voting aye. Motion carried.

PLAT:

Commissioner Feickert offered the following Resolution:

RESOLUTION NO. 37-07

BE IT RESOLVED by the County Commission of Brown County, SD, that the plat showing “Berbos/Krage Subdivision in NE ¼ Sec 22—T125N-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-absent, Fischbach-aye, Feickert-aye, Knecht-absent, Wiese-aye. Resolution adopted.

QUIT CLAIM DEED:

Moved by Fischbach, seconded by Feickert to approve and authorize the Chairman sign Quit Claim Deed conveying all interest held by Brown County in the following real estate: Lots 11 and 12, Block 8, Barnes and Luse Second Addition to Ordway, Brown County, SD to William O. Edwards; and further authorize the Register of Deeds to waive recording fee. All members present voting aye. Motion carried.

TAX DEED PROPERTY – RE-CONVEYED:

Commissioner Feickert offered the following Resolution:

RESOLUTION NO. 38-07

WHEREAS, it appearing to the satisfaction of the Commissioners of Brown County that a Tax Deed was taken on the following described real estate: Lots 1 and 2, Block 6, Ordway, according to the plat thereof of record, Brown County, SD, duly recorded in the Register of Deeds Office in Book 284, Page 620 on July 25, 2006, and

WHEREAS, 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 re-convey the above listed property and authorizes the Chairman of the Brown County Commission to execute a Quit Claim Deed transferring the interest of Brown County, South Dakota, back to the record owner of said property.

Dated this 12th day of June 2007.

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

PROPERTY LIEN:

Commissioner Fischbach offered the following Resolution:

RESOLUTION NO. 39-07

WHEREAS, Brown County has filed Indigent Council Liens in total amount of \$192,327.14 dated November 28, 1994 through February 9, 2004, 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, on condition that lien stays filed against the individual.

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

Lots 1 & 2, Block 6, Ordway, according to the plat thereof of record, Brown County, SD

is hereby released from the effect and force of said lien, on condition that lien stays filed against the individual.

Dated this 12th day of June 2007.

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

BID – 12W/384th AVE INTERSECTION IMPROVEMENT PROJECT:

Moved by Feickert, seconded by Fischbach to authorize advertising public hearing to open, read and consider sealed bids for the 12W/384th Ave Intersection Improvement Project, to be held at 9:00 a.m. on July 10, 2007 in the Commissioner's Chambers, Courthouse Annex, Brown County, SD. All members present voting aye. Motion carried.

CLAIM ASSIGNMENT:

Moved by Feickert, seconded by Fischbach to approve and authorize the Chairman sign documentation to assign a claim against an individual to L.F. Noll Inc. for purpose of collecting a lien. All members present voting aye. Motion carried.

INCREASE SPENDING AUTHORITY/ESTIMATED REVENUE:

Moved by Fischbach, seconded by Feickert to increase spending authority in Fund #234-161-426 and increase estimated revenue in Fund #234-331.18 in amount of \$7,679.00 for Court Security Grant. All members present voting aye. Motion carried.

GLACIAL LAKES ENERGY – WATER DISCHARGE:

Paul Calkins and Pete Buleen, Glacial Lakes Energy discussed the water discharge permit to be obtained from the SD Department of Environment and Natural Resources for the Edmunds County ethanol plant and requested preliminary approval from Brown County to discharge water into Snake Creek at a point below Mina Lake near US Highway #12. The Commission will hold a Drainage Meeting at 8:50 a.m. June 19, 2007 to address the matter.

EM UPDATE:

Scott Meints, Emergency Management Director appeared to discuss the following: 1) Commission representation on the Steering Committee to address long range planning for flooding; 2) report of public assistance meeting held Jun 11 to acquaint department officials with inspection and paper work procedures; 3) inquired about offering CERT training classes to county employees during work hours (approximately 20 hours); and 4) suggested the County co-sponsor an event for volunteers who helped with the flood (City officials have expressed interest as a co-sponsor).

APPLICATIONS FOR OCCUPANCY:

Moved by Feickert, seconded by Fischbach to approve and authorize the Chairman to sign the following applications, submitted by Qwest Corporation for occupancy of Brown County Highway 387 Ave in Sec 23-T122N-R64W; Brown County Highway 142 St in Sec 2-T121N-R63/64W; Brown County Highway 379 Ave and 133 St in Sec 24-T123N-R65W, Brown County, SD to provide telephone service. All members present voting aye. Motion carried.

Moved by Fischbach, seconded by Feickert to approve and authorize the Chairman to sign the following applications, submitted by Northern Electric for occupancy of Brown County Highway 12 in Sec 13-T123N-R65W; Brown County Highway 19 in Sec 22-T123N-R64W, Brown County, SD to provide electrical service. All members present voting aye. Motion carried.

RECESS:

The Chairman declared the Commission recessed until June 19, 2007.

Maxine Taylor – Brown County Auditor

NE ¼ of Sec 21-T123N-R64W of the 5th P.M., Brown County SD. Roll call vote: Commissioners Hansen-aye, Fischbach-aye, Feickert-aye, Knecht-aye, Weise-aye. Ordinance adopted.

ORDINANCE NO. 07-05-06/347:

On motion by McQuillen and seconded by Agnitsch, the City unanimously voted to approve Second Reading and Adoption of Ordinance No. 07-05-06/347.

Moved by Knecht, seconded by Hansen to approve Second Reading and Adoption of Ordinance No. 07-05-06/347, An Ordinance amending Ordinance No. 1164 to rezone the following described property from its present zoning designation of Section 701 (A-1) Agricultural District and Section 713 (M) Municipal, State, and County Use District to Section 713 (M) Municipal, State, and County Use District, said property being described as follows: Aberdeen Regional Airport Subdivision in Sections 21, 22, 27 and 28-T123N-R63W of the 5th P.M., Brown County SD. Roll call vote: Commissioners Hansen-aye, Fischbach-aye, Feickert-aye, Knecht-aye, Weise-aye. Ordinance adopted.

The City Council adjourned and the County Commission continued into the regular meeting.

Maxine Taylor – Brown County Auditor

MAY 29, 2007 – GENERAL MEETING

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

MINUTES:

Moved by Knecht, seconded by Feickert to approve the Joint City/County Meeting minutes of May 21, 2007 and the General Meeting minutes of May 22, 2007. All members present voting aye. Motion carried.

CLAIMS:

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

Payroll: Commissioners..\$2,876.00; Auditor..\$6,611.52; Treasurer..\$9,647.04; Data Processing..\$3,024.20, State's Attorney..\$12,377.60; Maintenance..\$5,465.88; Assessor..\$8,977.31; Planning & Zoning..\$1,461.54; Register of Deeds..\$5,213.40; Veterans Service Office..\$2,831.43; GIS..\$1,776.93; Sheriff..\$65,908.53; Communications..\$13,989.31; Welfare Office..\$2,902.34; Museum..\$5,196.50; Fairboard..\$2,044.49; Fairgrounds & Parks..\$3,740.74; Extension..\$1,879.20; Weed..\$4,103.18; Emergency Management..\$3,686.73; Teen Court..\$270.00; Highway..\$32,078.96; Landfill..\$10,253.77; Matching Benefits: FICA..\$12,161.41, Medicare..\$2,844.08, Wellmark BCBS Life..\$667.16, Wellmark BCBS Health..\$61,000.38, Delta Dental..\$4,200.00, SD State Retirement..\$24,125.49:

Supplies: Office Equip..\$1624.99, Dept of Revenue..\$1172.00, Capitol One Bank..\$14.84, Gardner Locksmith..\$38.93, Sewer Duck..\$89.00, DSS..\$129.70, Bob Barker..\$87.61, Best Business..\$46.65, Intermountain Gym..\$53.50, Velvet Uniform..\$76.87, Exec Mgmt..\$2395.00, OK Tire..\$8.00, Neves..\$26.52, Hagan Ins...\$50.00, Newman Signs..\$984.53, Kens Alignment..\$195.33, HF Jacobs..\$11,003.07, Habecks Radiator..\$62.50, Aberdeen Asphalt..\$12,086.28, SD Assoc of County Commission..\$10.00, Walmart..\$170.88, Ken's..\$45.57, Century Business Prod..\$181.32, Meyers Tractor Salvage..\$50.00, Menards..\$24.40, Dakota Fluid Power..\$87.78, H S B C..\$4527.94, Racom..\$41.20, HKG Architect..\$800.00, B&B Contracting..\$1448.98, Farm Power..\$100.00, UPS Store..\$15.57: Professional Fees: Pam Smid..\$210.00, Jason Engel..\$210.00, Jackie Schraeder..\$35.00, Scott Weitbrecht..\$35.00, Lyrta Wilkie..\$105.00, Avera St Lukes..\$124.23, United Clinic..\$23.81, Aberdeen Family Physicians..\$102.21, Aberdeen Advanced Care..\$105.47:

Publications: American News..\$19.74:

Travel: City of Groton..\$28.80, Mark Milbrandt..\$861.53, Daryl Lloyd..\$250.00, Eli Condon..\$105.93, Dennis Feickert..\$41.60, Deb Knecht..\$291.20:

Utilities: Qwest..\$81.13, Alltel..\$1186.34, Northwestern Energy..\$1765.50, Montana Dakota..\$19.97:

Care of Poor: Transportation – 1 recipient..Brown County Hwy..\$39.15; Utilities - 4 recipients..NWPS..\$960.00; Dr/Hospital – 4 recipients..North Central Heart..\$4638.57, Dental Center..\$393.19, Avera St Lukes..\$389.16; Insurance - 4 recipients..Delta Dental..\$31.62, Avera Health Plans..\$418.20, Runnings..\$330.00, Midstates Printing..\$330.00; Rent – 4 recipients..Dakota Square..\$280.00, PK Investments..\$280.00, Alan Olson..\$240.00, Webb Shoe Co..\$377.00. All members present voting aye. Motion carried.

PERSONNEL:

Moved by Feickert, seconded by Knecht to approve the following employee step increases, effective June 3, 2007: Harlan Place @ \$12.41 per hour, Ryan Kotzea @ \$11.85 per hour, Kendell Titze @ \$13.29 per hour, Brenda Hammrich @ \$13.66 per hour. All members present voting aye. Motion carried.

Moved by Fischbach, seconded by Knecht to approve employee status change for Raegan Flamboe, from part-time Corrections Officer to regular part-time Corrections Officer, effective June 3, 2007 at \$9.67 per hour. All members present voting aye. Motion carried.

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Moved by Fischbach, seconded by Feickert to approve hiring Amber Crouch as part-time Corrections Officer, effective June 18, 2007 at \$9.67 per hour. Roll call vote: Commissioners Hansen-abstain, Fischbach-aye, Feickert-aye, Knecht-aye, Wiese-aye. Motion carried.

Moved by Fischbach, seconded by Hansen to acknowledge resignation of Allan Knoll (Corrections Officer), effective May 24, 2007. All members present voting aye. Motion carried.

LEASE AGREEMENT:

Moved by Knecht, seconded by Feickert to approve agreement submitted by Northeast Area Horse Racing Inc for lease of various buildings, camping and parking areas at the Fairgrounds on May 12, 13, 19, 20, 26, 27, and 28, 2007. All members present voting aye. Motion carried.

SPECIAL MALT BEVERAGE HEARING SET:

Moved by Hansen, seconded by Knecht 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 8:45 a.m. on June 19, 2007: Special Malt Beverage License: Aberdeen Area Community Foundation, 1220 N Lincoln, Aberdeen, SD – Lot 1 Parkview Nursery Addn in NE ¼ Sec 25-T123N-R64W of 5th P.M., Brown County, SD, effective June 21, 2007. All members present voting aye. Motion carried.

SHERIFF REPORTS:

Moved by Hansen, seconded by Fischbach to approve the following April 2007 Sheriff Reports: Incidents and offenses, Prisoner care, JDC, Money deposited with the County Treasurer and Monthly activities. All members present voting aye. Motion carried.

FEMA/SDM CONTACTS:

Moved by Feickert, seconded by Fischbach to approve and authorize the Chairman sign State/Applicant Agreement State of South Dakota Disaster Contract DR-1702-SD in regard to the 2007 Flood Disaster; and further name Scott Meints as Primary Contact and Dirk Rogers as Alternate Contact for all FEMA public assistance for Brown County. All members present voting aye. Motion carried.

EXECUTIVE SESSION:

Moved by Hansen, seconded by Feickert to go into executive session to discuss possible litigation with Kim Dorsett, Deputy States Attorney 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.

RICHMOND LAKE OWNERSHIP:

Commissioner Fischbach offered the following Resolution:

RESOLUTION NO. 36-07
BROWN COUNTY

BE IT RESOLVED by the Brown County Commission:

THAT, WHEREAS, the County of Brown and the City of Aberdeen had previously each owned a one-half interest in certain real property located at Richmond Lake in Brown County, South Dakota,

WHEREAS, there exists a legal question as to the current ownership of said real estate,

IT IS HEREBY DECLARED NECESSARY, to resolve the question as to the ownership interest held by the County of Brown,

IT IS HEREBY FURTHER DECLARED NECESSARY, that the Brown County Commission does hereby authorize the Brown County States Attorney to institute whatever legal proceedings are necessary to resolve the question as to ownership interests in said real property.

Adopted this 29th day of May 2007.

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

NESDCAP 2008 BUDGET:

NESDCAP representative Larry Wattier presented program statistics for 2006 and information on programs available in 2007 in regard to the 2008 NESDCAP Budget request.

PLANNING/ZONING UPDATE:

Gary Vetter, Planning & Zoning/Drainage Administrator presented a study comparing building permit fee schedules from other counties to Brown County and also discussed nuisance properties in the County.

BUILDING USE FEE WAIVED:

Moved by Knecht, seconded by Feickert to waive fee for use of the Club House at the Fairgrounds when used by Julie Zastrow to conduct a fund raising event for flood victims. All members present voting aye. Motion carried.

HOSPITAL CLAIM:

Moved by Feickert, seconded by Fischbach to deny payment of the hospital bill for a 42 year old male @ \$19,537.72, as the individual has not provided sufficient information to determine if indigent. All members present voting aye. Motion carried.

MOSQUITO CONTROL GRANT – ADDITIONAL FUNDING:

Ted Dickey, NECOG and Roger Johnson, Weed & Pest Supervisor explained application for additional grant funding for the purpose of emergency mosquito control. Moved by Feickert, seconded by Knecht to approve and authorize the Chairman sign application for SD Department of Health 2007 Mosquito Control Grant in amount of \$22,654.28 for purpose of emergency mosquito control, effective May 16, 2007 through November 1, 2008. All members present voting aye. Motion carried.

APPLICATION FOR OCCUPANCY:

Moved by Feickert, seconded by Knecht to approve and authorize the following applications: WEB Water for occupancy of Brown County Highway 129th Street in Sec 27-T124N-R64W for water service; Northern Valley Communications for occupancy of Brown County Highway 12W in Sec 16 & 22-T123N-R64W and occupancy of Brown County Highway 14 and 13 in Sec 4-T123N-R63W and Sec 33-T124N-R63W for telecommunications services; Qwest Corporation for occupancy of Brown County Highway 391 Ave and 395 Ave in Sec 27, 20 & 32-T123N-R63W and occupancy of Brown County Highway 391 Ave & 123 Street in Sec 27-124N-R63W and Sec 34-T125N-R63W for telephone service. All members present voting aye. Motion carried.

SURPLUS SALE REPORT:

Moved by Hansen, seconded by Feickert to accept preliminary surplus sale report. All members present voting aye. Motion carried.

EQUALIZATION STIPULATION:

Moved by Fischbach, seconded by Feickert to accept Stipulation EQ 7-38 from the SD Office of Hearing Examiners approving tax exempt status for Family Stations, Inc. located on the following described property: Robert's Radio Addition in the SE ¼ of Sec 36-T123N-R64W of 5th P.M., Brown County, SD. All members present voting aye. Motion carried.

EM UPDATE:

Scott Meints, EM Director informed Commission that a meeting was held to explain and distribute flood damage report forms to County, City and Township Officials to be filed with FEMA representatives when arrive on or about June 11, 2007.

EXECUTIVE SESSION:

Moved by Fischbach, seconded by Feickert to go into executive session for personnel discussion with Jeanette Nietert, Deputy County Auditor 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 June 5, 2007.

Maxine Taylor – Brown County Auditor

JUNE 5, 2007 – GENERAL MEETING

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

MINUTES:

Moved by Hansen, seconded by Knecht to approve the Joint City County Meeting minutes and the General Meeting minutes of May 29, 2007. All members present voting aye. Motion carried.

CLAIMS:

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

Supplies: Office Equip..\$805.79, West Payment Center..\$2414.48, Dept of Revenue..\$593.00, Exec Mgmt..\$57.14, Shafer & Feld..\$316.95, SDACC..\$2324.42, Beadles Floral..\$31.99, Central Supply..\$442.00, Heartland Paper..\$641.65, Gardner Locksmith..\$55.40, Quality Quick Print..\$190.08, Scott Johnson..\$200.00, Electronic Security Equip..\$360.00, Best Business..\$169.98, FedEx..\$37.49, Trail Chev..\$94.28, Evercom..\$1900.00, New Trends..\$165.13, Racom..\$288.40, Exhaust Pros..\$22.95, Hedahls..\$1.52, Sheraton..\$67.74, Walmart..\$535.36, Diane Mielke..\$40.86, Great Western Tire..\$3138.70, Flint..\$7456.92, Fire Safety First..\$590.29, Custom Glass..\$100.00, HC Clark..\$298.93, Minnehaha County..\$135.00, Nicollette Center..\$100.00, HSBC Business..\$94.88, Century Business..\$126.81, Van Diest..\$17,928.30, Reuers Auto..\$23.05, Pro Ag Supply..\$7266.61, Menards..\$34.46, C&S Motor Sports..\$44.23, Superior Jetting..\$3622.82, Bridgestone Firestone..\$825.49, Fire Safety First..\$217.28, Butler Machinery..\$2254.66, Bryan Wells..\$35.00, Praxair..\$17.80, Runnings..\$529.35, Macs..\$332.07, OK Tire..\$22.00, GeniusWeb..\$29.97, Priority Dispatch..\$117.00, Langs..\$110.95, Heiman Fire Equip..\$602.50, Time Works..\$45.00, CDW Govt..\$259.00, Miles Tek..\$141.77, Gage Bros..\$2900.00, Custom Glass..\$171.13, RDO..\$65.55, Runnings..\$41.31, Woodman Refrigeration..\$201.53, Youngs..\$5.87, Cunningham Elec..\$40.80, Janitors Closet..\$335.00:
Professional Fees: witness fees..\$25.12, Scott Weitbrecht..\$140.00, Lyrita Wilkie..\$70.00, Donna Dietrich..\$490.46, Lewis & Clark BHS..\$390.00, Yankton County..\$230.10, Nelva Kooistra..\$69.00, Cathy Reh fuss..\$69.00, EideBailly..\$250.50:

Publications: American News..\$446.97, Groton Independent..\$1073.29:

Travel: Leo Leshar..\$103.36, Marcy Fritz..\$129.76, Janet Dosch..\$120.15, Extension Service..\$133.31, Gary Vetter..\$84.80:

Court Appointed Attorney: Kabeiseman & Pollard..\$360.60, Gary Mikelson..\$140.40, Jerry Pollard..\$39.00:

Utilities: Northwestern Energy..\$7302.60, Midcontinent Cable..\$298.26, WEB..\$104.76, James Valley Co-Op..\$209.13, Northern Elec..\$100.00, Qwest..\$73.28:

Care of Poor: Insurance – 1 recipient..Humana Military Healthcare..\$933.00; Dr/Hospital – 1 recipient..Avera St Lukes..\$429.12; Rent – 2 recipients..Tom Hinz..\$370.00, Webb Shoe Co..\$220.00. All members present voting aye. Motion carried.

PERSONNEL:

Moved by Fischbach, seconded by Knecht to approve hiring Jason Hammrich as guard for purpose of prisoner transport, effective May 31, 2007. All members present voting aye. Motion carried.

Moved by Knecht, seconded by Fischbach to acknowledge resignation of Danielle Radke (Extension/Weed Secretary), effective June 18, 2007. All members present voting aye. Motion carried.

Moved by Knecht, seconded by Hansen to approve hiring Pam Sudlow as Deputy Treasurer, effective July 9, 2007 at \$10.77 per hour. All members present voting aye. Motion carried.

Moved by Hansen, seconded by Fischbach to appoint Kim Dorsett as States Attorney, effective June 4, 2007 at pro-rated annual salary of \$57,166.00. All members present voting aye. Motion carried.

Moved by Fischbach, seconded by Hansen to appoint Mark McNeary as Deputy States Attorney, effective June 4, 2007 at pro-rated annual salary of \$45,000.00. All members present voting aye. Motion carried.

MOSQUITO CONTROL GRANT:

Moved by Hansen, seconded by Knecht to approve and authorize the Chairman sign application for SD Department of Health 2007 Mosquito Control Grant in amount of \$22,654.28 (50% County match) for purchase of mosquito control chemicals, effective May 16, 2007 through November 1, 2008. All members present voting aye. Motion carried.

AUDITORS REPORT OF ACCOUNT:

Moved by Knecht, seconded by Hansen to approve the May 2007 Auditor's Report of Account with the County Treasurer in total amount of \$17,070,078.87 (total amount of actual cash @ \$3,227.71, Wells Fargo Bank @ \$3,694.79, US Bank @ \$82,417.36, Dacotah Bank @ \$14,566.22, Petty Cash @ \$1,800.00, Fund Investments @ \$16,964,100.50, Outstanding Checks @ \$272.29). All members present voting aye. Motion carried.

SET HEARING DATE:

Moved by Fischbach, seconded by Hansen to set date for joint public meeting of the Brown County Commission and Aberdeen City Council for 5:30 p.m. on June 25, 2007 in the Aberdeen City Council Chambers, 123 S Lincoln Street for First Reading of the following: Ordinance No. 07-06-01/348, An Ordinance to rezone the following property from Section 701 (A-1) Agricultural District to Section 714 (M-Ag) Mini-Agricultural District: First Subdivision of Volin's Outlot 1 in the NW ¼ of Sec 1-T122N-R64W of the 5th P.M., Brown County, SD; Ordinance No. 07-06-03/349, An Ordinance to rezone the following property from Section 701 (A-1) Agricultural District to Section 714 (M-Ag) Mini-Agricultural District: Lot 1, Moulton's Second Subdivision in the SE ¼, Sec 2-T122N-R64W of the 5th P.M., Brown County, SD, formerly Lots 1 & 14, Block 2, Moulton's First Subdivision. 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. Moved by Fischbach, seconded by Knecht 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; Dave Schumaker DBA Elm Lake Resort; Moccasin Creek Country Club, Inc.; Alex and Diane Schaeffer, DBA Richmond Oasis LLC. All members present voting aye. Motion carried.

ORDINANCE NO. 044:

Time and place, as advertised for First Reading of Ordinance No. 044. Moved by Knecht, seconded by Fischbach to defer First Reading of Ordinance No. 044, An Ordinance to rezone the following property from Chapter 4.11 Rural Urban District (RU) to Chapter 4.07 Mini-Agricultural District (M-Ag): Lots 2-5 of Block A First Addition to Stratford in the SW¼ of Sec 4-T121N-R62W of the 5th P.M., Brown County, SD until June 26 at 8:45 A.M. in the Commissioner's Chambers, Courthouse Annex, Brown County, SD. All members present voting aye. Motion carried.

EXECUTIVE SESSION:

Moved by Knecht, seconded by Hansen to go into executive session for contract discussion with Mark McNeary 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.

LANDFILL UPDATE:

Mike Scott, Landfill Manager presented update on flood debris received at the Landfill (3,022.13 ton to date) and equipment purchase.

REVENUE BOND:

Bill Paulson and Revis L Stephenson III, Advanced BioEnergy inquired about possibility of Brown County acting as conduit in order to obtain tax exempt revenue bonds for equipment expansion at the Ethanol Plant near Groton. More information will be presented at a later date, at which time, action will be taken by the Commission.

SURPLUS PROPERTY:

Moved by Knecht, seconded by Fischbach to declare the following surplus for purpose of sale at the Brown County Surplus Sale: Decal #1865 1999 Trailez Trailer @ \$3,800.00 and Decal #1725 1994 GMC Pickup @ \$1,000.00 from Highway; Decal #3275 2001 Chev Impala @ \$1,300.00, Decal #3256 1999 Ford Crown Victoria @ \$1,400.00 and Decal #3267 2000 Chev Impala @ \$1,600.00 from Sheriff; and Miscellaneous items to numerous to list from all Departments @ \$7,679.00. All members present voting aye. Motion carried.

RECESS:

The Chairman declared the Commission recessed until June 12, 2007.

Maxine Taylor – Brown County Auditor

JUNE 12, 2007 - GENERAL MEETING

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

MINUTES:

Moved by Fischbach, seconded by Feickert to approve the General Meeting minutes of June 5, 2007. All members present voting aye. Motion carried.

CLAIMS:

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

Payroll: Commissioners..\$2,876.00; Auditor..\$6,527.21; Treasurer..\$9,091.72; Data Processing..\$3,024.20; State's Attorney..\$12,377.60; Maintenance..\$5,662.08; Assessor..\$8,660.66; Planning & Zoning..\$1,461.54; Register of Deeds..\$5,213.40; Veterans Service Office..\$2,768.39; GIS..\$1,776.93; Sheriff..\$67,347.08; Coroner..\$450.00; Communications..\$15,063.87; Welfare Office..\$2,902.34; Museum..\$5,196.50; Fairgrounds & Parks..\$3,526.62; Fairboard..\$1,975.98; Extension..\$2,140.20; Weed..\$3,746.78; Emergency Management..\$2,665.73; Teen Court..\$202.50; Highway..\$28,604.69; Landfill..8,908.86; Matching Benefits: FICA..\$11,939.61; Medicare..\$2,792.41; Supplies: Academy..\$25.00, Quality Quick Print..\$658.55, Maxine Taylor..\$37.01, UBC..\$59.05, Taylor Laundry..\$53.50, Menards..\$417.54, Central Supply..\$1230.00, Best Business..\$175.72, OK Tire..\$202.00, Inventory Trading..\$399.75, Dakota Electronics..\$637.05, Office Equip..\$31.56, Fire Safety First..\$74.95, Galls..\$78.46, Fox Valley..\$94.59, Avera St Lukes..\$3.50, Duanes Amoco..\$32.35, Sewing Shoppe..\$105.50, Exhaust Pros..\$22.95, Lust..\$65.90, Accurint..\$4.19, Medical Waste Transport..\$68.80, Pioneer Ford..\$25.05, CDW Govt..\$512.40, Tri-State Water..\$39.60, BP Amoco..\$480.59, Bonnie Bitz..\$144.00, Best Business..\$70.22, HRS..\$4693.94, 3-D Spec..\$2625.88, Spec Mfg..\$24.10, SDDOT..\$16588.85, Sheehan Mack Sales..\$70.15, Safety Service..\$402.49, Runnings..\$625.03, Pro Ag..\$152.90, Power Plan..\$2031.52, Pierson Ford..\$166.26, Macs..\$402.07, Lawson Products..\$387.31, Huron Culvert..\$21,814.04, Howes Oil..\$19,770.80, Hedahls..\$39.64, Hecla Impl..\$19.65, Graham Tire..\$606.65, Farnams Genuine Parts..\$146.54, Farmers Union..\$5.00, Farm Power..\$82161, JD Evans..\$5316.70, Economy Propane..\$1542.24, Diesel Machinery..\$10,702.32, Dakota Fluid Power..\$171.70, Crawford Trucks..\$1350.85, Clark Engineering..\$143.01, Cartney Bearing..\$34.62, Brick Propane..\$44.50, Ameripride..\$168.32, Erdmann Fuels..\$542.22, Parkview Nursery..\$830.44, Cunningham Elec..\$2983.46, Van Diest..\$3625.60, TSC..\$74.95, Meyers Tractor Salvage..\$50.00, Ken's Alignment..\$237.37, Aberdeen Parks & Rec..\$50.00, Bricks Roto Rooter..\$900.00, Dakota Electronics..\$19,100.00, Pizza Ranch..\$70.94, TelServ..\$656.15, Praxair..\$945.75, Ginger Walker..\$16.25, K-Mart..\$31.63, Micro Tek..\$894.00, Powerplan..\$3313.41, Overhead Door..\$872.19, Cartney Bearing..\$84.56, Sheehan Mack Sales..\$132.90, Custom Glass..\$189.02, Hub City Radio..\$2916.00, Glas Consulting..\$90.00, SD Dept of Rev..\$4293.84, Midwest Pump & Tank..\$697.75, Ameripride..\$95.81, House of Glass..\$164.81, Erdmann Fuels..\$7056.17, Central Supply..\$473.46, Image Apparel..\$454.20, E-Zee Supply..\$436.63, Brick Propane..\$16.50, Pierson Ford..\$37.45; Professional Fees: witness fees..\$20.00, Anesthesia Care..\$112.00, Avera St Lukes..\$230.17, Cathy Rehfu..\$15.00, Donna Dietrich..\$130.21, Yankton County..\$528.75, Lincoln County..\$90.00; Publications: American News..\$2669.66, Midland Press..\$982.50; Travel: Mike Wiese..\$29.44, Gene Loeschke..\$144.00; Court Appointed Attorney: Gary Mikelson..\$23.40; Utilities: City of Aberdeen..\$3121.95, Northwestern Energy..\$1061.71, Northern Valley Comm..\$140.08, James Valley Coop..\$155.11, Town of Frederick..\$28.25, Midcontinent Cable..\$46.24, Verizon..\$88.80, Northern Elec..\$49.20, Northern Wireless Comm..\$80.95; Care of Poor: Medication – 1 recipient..Medical Center Pharm..\$143.87; Dr/Hospital – 2 recipients..Avera St Lukes..\$12,404.41; Rent – 5 recipients..Jared Hunstad..\$120.00, MelRos..\$277.00,

Lenny Evangelisto..\$280.00, Tom Hinz..\$220.00, Bruce Boschee..\$220.00; Utilities – 3 recipients..NWPS..\$460.00. All members present voting aye. Motion carried.

PERSONNEL:

Moved by Fischbach, seconded by Feickert to approve the following employee step increases, effective June 17, 2007: Cindy Meyers @ \$12.24 per hour, Tracy Madsen @ \$11.60 per hour, Damian Bahr @ \$15.46 per hour, Sherry Theobald @ \$12.06 per hour, Polly Rush @ \$13.23 per hour, Levi Jensen @ \$14.92 per hour. All members present voting aye. Motion carried.

Moved by Fischbach, seconded by Feickert to acknowledge resignation of Joe Embury as part-time Corrections Officer, effective June 29, 2007. All members present voting aye. Motion carried.

Moved by Feickert, seconded by Fischbach to approve hiring Kyle Fadness as Corrections Officer in the Jail, effective June 11, 2007 at \$11.57 per hour. All members present voting aye. Motion carried.

Moved by Fischbach, seconded by Feickert to acknowledge the following miles driven and amount to be taxed for personal use of County vehicles during November through December 2006 and January through February 2007: Richard Burns – 278 @ \$130.11, Dirk Rogers – 2412 @ \$1,124.46, Mike Scott – 740 @ \$344.90. All members present voting aye. Motion carried.

TOWNSHIP BONDS:

Moved by Feickert, seconded by Fischbach to approve the following Township Bonds (Treasurer and Clerk): BATH #19- David Stahl, Scott Sperry; BATES #44- Kathy Dobberpuhl, Roger Ball. All members present voting aye. Motion carried.

FIREWORKS PERMIT:

Moved by Fischbach, seconded by Feickert to approve and authorize the Chairman sign Fireworks Public Display Permit, submitted by Steve Herther, 379464 S Shore Drive, Aberdeen, SD for a Class B Fireworks Display to be held on July 3, 2007 at Richmond Lake. All members present voting aye. Motion carried.

PROPERTY TRANSFER:

Moved by Feickert, seconded by Fischbach to approve and authorize the Chairman sign agreements with the following entities who received equipment from the 2005 DOJ Equipment Grant Program (HLS): Aberdeen Regional Hazmat (miscellaneous protective clothing items and equipment); Aberdeen Regional Airport (aircraft radio equipment); Aberdeen Central High School (passive antenna); BCDP (buffalo tera-station). All members present voting aye. Motion carried.

AFSCME CONTRACT ADDENDUM:

Moved by Fischbach, seconded by Feickert to approve and authorize Chairman to sign Addendum 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, 2007 – December 31, 2007. All members present voting aye. Motion carried.

PLAT:

Commissioner Feickert offered the following Resolution:

RESOLUTION NO. 37-07

BE IT RESOLVED by the County Commission of Brown County, SD, that the plat showing “Berbos/Krage Subdivision in NE ¼ Sec 22—T125N-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.

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

QUIT CLAIM DEED:

Moved by Fischbach, seconded by Feickert to approve and authorize the Chairman sign Quit Claim Deed conveying all interest held by Brown County in the following real estate: Lots 11 and 12, Block 8, Barnes and Luse Second Addition to Ordway, Brown County, SD to William O. Edwards; and further authorize the Register of Deeds to waive recording fee. All members present voting aye. Motion carried.

TAX DEED PROPERTY – RE-CONVEYED:

Commissioner Feickert offered the following Resolution:

RESOLUTION NO. 38-07

WHEREAS, it appearing to the satisfaction of the Commissioners of Brown County that a Tax Deed was taken on the following described real estate: Lots 1 and 2, Block 6, Ordway, according to the plat thereof of record, Brown County, SD, duly recorded in the Register of Deeds Office in Book 284, Page 620 on July 25, 2006, and

WHEREAS, 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 re-convey the above listed property and authorizes the Chairman of the Brown County Commission to execute a Quit Claim Deed transferring the interest of Brown County, South Dakota, back to the record owner of said property.

Dated this 12th day of June 2007.

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

PROPERTY LIEN:

Commissioner Fischbach offered the following Resolution:

RESOLUTION NO. 39-07

WHEREAS, Brown County has filed Indigent Council Liens in total amount of \$192,327.14 dated November 28, 1994 through February 9, 2004, 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, on condition that lien stays filed against the individual.

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

Lots 1 & 2, Block 6, Ordway, according to the plat thereof of record, Brown County, SD

is hereby released from the effect and force of said lien, on condition that lien stays filed against the individual.

Dated this 12th day of June 2007.

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

BID – 12W/384th AVE INTERSECTION IMPROVEMENT PROJECT:

Moved by Feickert, seconded by Fischbach to authorize advertising public hearing to open, read and consider sealed bids for the 12W/384th Ave Intersection Improvement Project, to be held at 9:00 a.m. on July 10, 2007 in the Commissioner's Chambers, Courthouse Annex, Brown County, SD. All members present voting aye. Motion carried.

CLAIM ASSIGNMENT:

Moved by Feickert, seconded by Fischbach to approve and authorize the Chairman sign documentation to assign a claim against an individual to L.F. Noll Inc. for purpose of collecting a lien. All members present voting aye. Motion carried.

INCREASE SPENDING AUTHORITY/ESTIMATED REVENUE:

Moved by Fischbach, seconded by Feickert to increase spending authority in Fund #234-161-426 and increase estimated revenue in Fund #234-331.18 in amount of \$7,679.00 for Court Security Grant. All members present voting aye. Motion carried.

GLACIAL LAKES ENERGY – WATER DISCHARGE:

Paul Calkins and Pete Buleen, Glacial Lakes Energy discussed the water discharge permit to be obtained from the SD Department of Environment and Natural Resources for the Edmunds County ethanol plant and requested preliminary approval from Brown County to discharge water into Snake Creek at a point below Mina Lake near US Highway #12. The Commission will hold a Drainage Meeting at 8:50 a.m. June 19, 2007 to address the matter.

EM UPDATE:

Scott Meints, Emergency Management Director appeared to discuss the following: 1) Commission representation on the Steering Committee to address long range planning for flooding; 2) report of public assistance meeting held Jun 11 to acquaint department officials with inspection and paper work procedures; 3) inquired about offering CERT training classes to county employees during work hours (approximately 20 hours); and 4) suggested the County co-sponsor an event for volunteers who helped with the flood (City officials have expressed interest as a co-sponsor).

APPLICATIONS FOR OCCUPANCY:

Moved by Feickert, seconded by Fischbach to approve and authorize the Chairman to sign the following applications, submitted by Qwest Corporation for occupancy of Brown County Highway 387 Ave in Sec 23-T122N-R64W; Brown County Highway 142 St in Sec 2-T121N-R63/64W; Brown County Highway 379 Ave and 133 St in Sec 24-T123N-R65W, Brown County, SD to provide telephone service. All members present voting aye. Motion carried.

Moved by Fischbach, seconded by Feickert to approve and authorize the Chairman to sign the following applications, submitted by Northern Electric for occupancy of Brown County Highway 12 in Sec 13-T123N-R65W; Brown County Highway 19 in Sec 22-T123N-R64W, Brown County, SD to provide electrical service. All members present voting aye. Motion carried.

RECESS:

The Chairman declared the Commission recessed until June 19, 2007.

Maxine Taylor – Brown County Auditor

JUNE 19, 2007 – GENERAL MEETING

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

MINUTES:

Moved by Knecht, seconded by Feickert to approve the General Meeting minutes of June 12, 2007. All members present voting aye. Motion carried.

CLAIMS:

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

Supplies: OK Tire..\$45.00, Office Equip..\$809.36, Hewlett Packard..\$1893.00, New Trends..\$341.62, Janitor Closet..\$65.00, Ecolab..\$86.00, Aberdeen Plumbing..\$395.27, Heartland Paper..\$234.76, Office Max..\$218.06, Exhaust Pros..\$32.80, Safety Service..\$764.72, Dave Fair..\$13.61, Kesslers..\$193.35, Shell Fleet Mngt..\$170.78, Earthgrains..\$541.41, Hoven Auto Repair..\$344.24, Pizza Ranch..\$48.54, Z&S Dust Control..\$2788.14, Mark Wendt..\$9.07, Pumps Tire..\$904.93, Macs..\$24.75, James Loterbauer..\$144.00, JF Jacobs..\$3660.15, Farm Plan..\$1053.27, Evergreen..\$41.90, Custom Glass..\$100.00, Carquest..\$552.80, Ameripride..\$160.07, Advanced Auto..\$11.88, Aberdeen Asphalt..\$159,979.18, Heartland Paper..\$90.71, Indoff..\$34.00, Kens Superfair Foods..\$37.36, Menards..\$69.52, Advantage Self Storage..\$359.00, Dacotah Prairie Museum..\$51.88, Midwest Alarm..\$51.50, Hub City Radio..\$125.00, Larry Gerlach..\$102.65, Fox Valley Systems..\$304.92, Runnings..\$59.70, Beadles..\$9.99, NSU..\$64.00, KSFY..\$225.00, KELO..\$900.00, Photo Express..\$24.39, SD Fairs..\$150.00, Watertown Public Opinion..\$275.00, Western Printing..\$760.63, Hedahls..\$60.74, Farm & Home Publishers..\$55.00, Language Line..\$89.55, Milbank Communications..\$1255.00, Nat'l Academies of Emergency Dispatch..\$45.00, Crucial Tech..\$159.98, Cole Papers..\$895.78, Dakota Oil..\$109.01, Groton Body Shop..\$302.00, Bonnie Siebrecht..\$267.62: Transcriptions: Michelle Gaikowski..\$91.20, Rachel Wilkins..\$51.94: Professional Fees: City of Aberdeen..\$4264.40, Cook County Sheriff..\$60.00, Cass County Sheriff..\$26.00, Pam Smid..\$280.00, Jackie Schraeder..\$70.00, Lyrita Wilkie..\$210.00, Lutheran Social Services..\$756.90, North Central Heart Institute..\$1115.93, Avera St Luke's Hospital..\$3585.50, NADRIC..\$1666.67, Nelva Kooistra..\$15.00, Sheriff of Yankton County..\$33.00, Donna Dietrich..\$131.21, Cathy Rehfuss..\$15.00: Publications: American News..\$2124.36, Groton Dakota Press..\$1119.91: Travel: Kimberly Dorsett..\$264.26, Lori Ehlers..\$24.00, City of Groton..\$107.20, US Marshals Services..\$923.91, Bonnie Siebrecht..\$254.80, Emily Hilgemann..\$450.72, Mike Scott..\$43.06: Court Appointed Attorney: Randy Turner..\$4166.67, Kuck Law Office..\$4166.67, William Gerdes..\$4166.67, Christy Serr..\$4166.67, Gina Rogers..\$4166.67: Utilities: Northwestern Energy..\$66.94, Dependable Sanitation..\$20,641.02, Alltel..\$151.44, Northern Elec..\$600.46, City of Hecla..\$57.32, Midcontinent Cable..\$900.00, Qwest..\$2173.28, Bureau of Admin..\$688.62, Verizon..\$83.01: Care of Poor: Medication – 1 recipient..Walmart Pharm..\$18.00; Dr/Hospital – 4 recipients..Orthopedic Surgery..\$374.67, Echrich Urology..\$1487.22, Dakota Plains Surgical Center..\$322.00, Avera St Lukes..\$7089.93; Rent – 2 recipients..Lonnie Frost..\$220.00, White House Inn..\$79.20; Utilities – 1 recipient..Northern Elec..\$91.17. All members present voting aye. Motion carried.

PERSONNEL:

Moved by Hansen, seconded by Feickert to rescind motion in May 8, 2007 General Meeting minutes hiring Rebecca Millan. All members present voting aye. Motion carried.

Moved by Feickert, seconded by Knecht to approve hiring Rebecca Millan as part-time Deputy States Attorney, effective June 25, 2007 at \$18.75 per hour; and further approve status change from part-time to

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full-time Deputy States Attorney, effective August 1, 2007 at pro-rated annual salary of \$39,000.00. All members present voting aye. Motion carried.

Moved by Knecht, seconded by Fischbach to approve hiring Sherrie Beckering, effective July 2, 2007 and Nancy Schrenk, effective July 9, 2007 as Dispatchers at \$11.83 per hour. All members present voting aye. Motion carried.

Moved by Feickert, seconded by Knecht to approve hiring Jamie Kern as part-time Corrections Officer, effective July 1, 2007 at \$9.67 per hour. All members present voting aye. Motion carried.

COMMISSARY ITEMS:

Moved by Fischbach, seconded by Feickert to approve and authorize Sheriff Mark Milbrandt sign contract with Swanson Services Corporation for purpose of furnishing commissary items to inmates held in the Brown County Jail; and further approve specific list of items to be available to the inmates with a markup of 10% on hygiene items and 15% on food items, effective June 11, 2007 (accounting recap to be filed monthly with the Brown County Commission). All members present voting aye. Motion carried.

CLAIM ASSIGNMENT:

Moved by Fischbach, 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.

DOC CONTRACT:

Moved by Hansen, seconded by Knecht 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, 2007 through June 30, 2008. All members present voting aye. Motion carried.

SHERIFF REPORT:

Moved by Fischbach, seconded by Hansen to approve the following May 2007 Sheriff Reports: Incidents and Offenses, Prisoner care, JDC, Money deposited with the County Treasurer and Monthly activities. 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 Hansen, seconded by Feickert 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 NE ¼ Sec 25-T123N-R64W of 5th P.M., Brown County, SD, effective June 21, 2007. All members present voting aye. Motion carried.

RECESS:

The Chairman declared the general meeting of the Commission recessed for purpose of Drainage Board Meeting until 10:30 a.m.

RE-CONVENE:

The Commission reconvened the general meeting with all members present at 10:30 a.m.

EM 2007 FLOOD UPDATE:

Scott Meints, Emergency Management Director reported that 3,263 individuals have registered for FEMA assistance due to damage from the 2007 Flood. The damage amount currently is estimated at over \$7,798,000.00.

FLOOD PLAN STEERING COMMITTEE:

Moved by Fischbach, seconded by Knecht to appoint Nancy Hansen as Commission representative on the long-range flood plan steering committee established through the Emergency Management Department. All members present voting aye. Motion carried.

ND/SD BORDER ROAD DISCUSSED:

Archie Halonen and John Martinson discussed the current condition of the Brown County maintained portion of road on the North Dakota/ South Dakota border. Dirk Rogers, Highway Superintendent was also in attendance and stated the road has been inspected and the tentative date for repair is June 21st.

APPLICATION FOR OCCUPANCY:

Moved by Feickert, seconded by Fischbach to approve application, submitted by Northern Valley Communications for occupancy of Brown County Highway #16 and #7 in Sec 8, 17 & 16-T126N-R62W, Brown County, SD for telecommunications services. All members present voting aye. Motion carried.

BMX TRACK:

Kyle Oswald, BMX Coordinator requested permission to place temporary storage shed on county owned property leased by BMX. The Board agreed to the placement of the storage shed.

SENIOR COMPANION 2008 BUDGET DISCUSSION:

Jim Hollawy presented information and statistics in regard to the 2008 Budget request submitted by the SD Senior Companion Program.

RECESS:

The Chairman declared the Commission recessed until June 26, 2007.

Maxine Taylor – Brown County Auditor

JUNE 25, 2007 - 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 Fischbach, Hansen and Wiese. Absent Commissioners Feickert and Knecht.

ORDINANCE NO. 07-06-01/348:

On motion by McQuillen and seconded by Rux, the City unanimously voted to approve First Reading of Ordinance No. 07-06-01/348.

Moved by Fischbach, seconded by Hansen to approve First Reading of Ordinance No. 07-06-01/348, 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, said property being described as follows: First Subdivision of Volin's Outlot 1 in the NW ¼ of Sec 1-T122N-R64W of the 5th P.M., Brown County SD. All members present voting aye. Motion carried.

ORDINANCE NO. 07-06-03/349:

On motion by Mitchell and seconded by Aman, the City unanimously voted to approve First Reading of Ordinance No. 07-06-03/349.

Moved by Hansen, seconded by Fischbach to approve First Reading of Ordinance No. 07-06-03/349, 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, said property being described as follows: Lot 1, Moulton's Second Subdivision in the SE ¼ of Sec 2-T122N-R64W of the 5th P.M., Brown County SD, formerly Lots 1 and 14, Block 2, Moulton's First Subdivision. 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

JUNE 26, 2007 – GENERAL MEETING

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

MINUTES:

Moved by Hansen, seconded by Knecht to approve the General Meeting minutes of June 19, 2007. All members present voting aye. Motion carried.

CLAIMS:

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

Payroll: Commissioners..\$2,876.00; Elections..\$303.85; Auditor..\$6,509.40; Treasurer..\$9,097.80; Data Processing..\$3,024.20, State's Attorney..\$12,377.60; Maintenance..\$5,559.91; Assessor..\$8,660.66; Planning & Zoning..\$1,461.54; Register of Deeds..\$5,213.40; Veterans Service Office..\$2,736.87; GIS..\$1,776.93; Sheriff..\$63,861.14; Communications..\$15,340.82; Welfare Office..\$2,902.34; Museum..\$5,196.50; Fairboard..\$1,897.86; Fairgrounds & Parks..\$3,415.62; Extension..\$2,324.64; Weed..\$3,593.06; Emergency Management..\$2,665.73; Teen Court..\$1,413.00; Highway..\$30,633.77; Landfill..\$8,119.84; Matching Benefits: FICA..\$11,866.68, Medicare..\$2,775.23, Wellmark BCBS Life..\$671.20, Wellmark BCBS Health..\$64,873.20, Delta Dental..\$4,200.00, SD State Retirement..\$24,437.49:

Supplies: Heartland Paper..\$130.22, Western Printing..\$1000.00, Aberdeen Asphalt Inc..\$98280.04, HSBC Business Solutions..\$1614.04, Helms & Associates..\$2455.00, Dept. Motor Vehicles..\$13.00, Light and Siren..\$158.95, Mutt Chassis..\$79.85, Share Corp..\$90.00, Paul Bohling..\$1237.74, Gwyn Fischbach..\$928.04, Becky Burdick..\$928.04, Dollar Tree..\$60.00, Walmart..\$1060.34, GCR Tire Center..\$14.00, Runnings..\$9.98, Menards..\$42.87, MicroTek Solutions..\$174.00, Ginger Walker..\$7.57, Language Line..\$431.75, Century Business Products..\$121.40, Van Diest Supply Company..\$4696.40, Lippincott Williams & Wilkins..\$55.01, Phillip 66..\$309.34, Wholesale Electronics..\$80.64, Mobile Electronic Service Inc..\$138.00, David Fair..\$52.99, Best Business Products..\$184.91, UPS..\$10.21, BC Weed & Pest..\$177.18, NAPA..\$4.68, Ringgenberg Electric..\$600.00, Zeller Brothers..\$74188.00, Nelson's Sales & Service..\$163.10, Ray O'Herron Co. Inc..\$821.44, SD Dept of Revenue & Regulation..\$1050.00, Olympic Sales Inc..\$7660.00, New Deal Tire..\$4343.40, Palmer Dist..\$48.45, Pro Ag Supply, Inc..\$180.50, House of Glass..\$95.92, SD Federal Property Agency..\$8500.00, Div of Motor Vehicles..\$13.00:

Professional Fees: Moore Medical Supply..\$437.82, PMI..\$264.17, Executive Mgmt Finance Office..\$3018.98, Jackie Schraeder..\$35.00, Pam Smid..\$70.00, Scott Weitbrecht..\$70.00, Lyrita Wilkie..\$210.00, Steele County Civil Process Invoice..\$75.00, Lien Transportation Co..\$19588.16:

Publications: American News..\$64.86:

Travel: Scott Madsen..\$129.64, Gary Erickson..\$147.61, Jerry Mills..\$61.60, Marj Zastrow..\$208.82:

Utilities: Northern Electric..\$310.45, Alltel..\$1235.14, Northwestern Energy..\$999.81, Wireless World..\$445.20, Verizon Wireless..\$133.30, Qwest..\$2521.26, Midcontinent Communications..\$55.00:

Care of Poor: Dr/Hospital – 9 recipients..Aberdeen Advanced Care..\$203.14, United Clinic..\$578.52, Dental Center..\$428.92, Aberdeen Nephrology..\$37.64, Dakota Plains Surgical Center..\$611.99, Avera St. Luke's Hospital..\$4566.01; Utilities – 1 recipient..NWPS..\$240.00; Insurance – 4 recipients..Midstates Printing..\$330.00, Avera Health Plans, Inc..\$836.40, Delta Dental..\$31.62; Transportation – BC Highway Dept..\$33.70. All members present voting aye. Motion carried.

PERSONNEL:

Moved by Knecht, seconded by Fischbach to approve the following employee step increases, effective July 1, 2007: Joyce DesCamps @ \$14.11 per hour, James Petrich @ \$12.09 per hour, Brandi Hagen @

\$11.85 per hour, Anthony Sorenson @ \$12.09 per hour. All members present voting aye. Motion carried.

Moved by Hansen, seconded by Fischbach to approve hiring Tonya Delzer in the Communications Center, effective July 9, 2007 at \$11.83 per hour. All members present voting aye. Motion carried.

Moved by Hansen, seconded by Knecht to acknowledge resignation of Sandy Hjermstad, effective July 4, 2007. All members present voting aye. Motion carried.

Moved by Fischbach, seconded by Hansen to approve employee status change for Melony Flinn from Step 1 Dispatcher to Step 5 Dispatcher with equivalent vacation, effective June 26 2007 at \$12.93 per hour. All members present voting aye. Motion carried.

Moved by Knecht, seconded by Fischbach to approve hiring Dennis Ells, as part-time Fairgrounds employee, effective June 26, 2007 at \$8.03 per hour. All members present voting aye. Motion carried.

JABG GRANT AWARD AGREEMENT - AMENDED:

Moved by Knecht, seconded by Hansen to approve and authorize the Chairman sign Amended Grant Award Agreement with the SD Department of Corrections for Juvenile Accountability Incentive Block Grant correcting funding amount to \$19,980.00 for Teen Court, effective April 1, 2007 through September 30, 2007. All members present voting aye. Motion carried.

CLAIM ASSIGNMENT:

Moved by Hansen, seconded by Fischbach to approve and authorize the Chairman to sign documentation to assign a claim against an individual to L.F. Noll Inc. for purpose of collecting a lien. All members present voting aye. Motion carried.

PLATS:

Commissioner Hansen offered the following Resolution:

Resolution No. 40-07

BE IT RESOLVED by the Board of County Commissioners of Brown County, SD, that the plat showing "Derry Subdivision in the NE ¼ of Sec 32-T127N-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 Knecht. Roll call vote: Commissioners Hansen-aye, Fischbach-aye, Feickert-absent, Knecht-aye, Wiese-aye. Resolution adopted.

Commissioner Hansen offered the following Resolution:

Resolution No. 41-07

BE IT RESOLVED by the Board of County Commissioners of Brown County, SD, that the plat showing "Harvey Oliver Conservation Easement Tract 1 in the SE ¼ of the SE ¼ of Sec 13; and the E ½ of the NE ¼ and the N ½ of the SE ¼ of Sec 24, all in T121N-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.

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

Commissioner Hansen offered the following Resolution:

Resolution No. 42-07

BE IT RESOLVED by the Board of County Commissioners of Brown County, SD, that the plat showing "WMB Conservation Easement Tract 1 and Tract 2 in Sec 24 and 25, T121N-R63W of the 5th P.M., Brown County, SD, (includes Girl Scouts Lot), (except James River and ordinary high water elevation), 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, Knecht-aye, Wiese-aye. Resolution adopted.

Commissioner Knecht offered the following Resolution:

Resolution No. 43-07

BE IT RESOLVED by the Board of Commissioners of Brown County, SD, that the plat showing "Hofer Addition in the SE ¼ of Sec 6-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 Hansen. Roll call vote: Commissioners Hansen-aye, Fischbach-aye, Feickert-absent, Knecht-aye, Wiese-aye. Resolution adopted.

Commissioner Hansen offered the following Resolution:

Resolution No. 44-07

BE IT RESOLVED by the County Commission of Brown County, SD, that the plat showing "SDWG Tract 1 in the NW ¼ of Sec 26-T127N-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, Feickert-absent, Knecht-abstain, Wiese-aye. Resolution adopted.

MOSQUITO CONTROL GRANT AGREEMENTS:

Moved by Knecht, seconded by Fischbach to approve and authorize the Chairman sign Mosquito Control Grant Agreements for the purchase of chemical through the Brown County's 2007 Mosquito Control Grant with the State. All members present voting aye. Motion carried.

EXPENSE POLICY AMENDED:

Moved by Fischbach, seconded by Knecht to amend the Expense Policy dated January 2, 2007 in regard to Mileage Rate: Reimbursement for use of personal vehicle for County business (item one only): 37 cents per mile, effective July 1, 2007. All members present voting aye. Motion carried.

DRAINAGE BOARD APPOINTMENT:

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Moved by Knecht, seconded by Fischbach to appoint Stan Beckler as temporary member of the Brown County Drainage Board. All members present voting aye. Motion carried.

FUNDS ESTABLISHED:

Moved by Knecht, seconded by Fischbach to establish the following Special Revenue Funds to account for all revenue and expenditures: Fund #231 – Drug Control; Fund #248 – 24/7 Sobriety Program. All members present voting aye. Motion carried.

ORDINANCE NO. 044:

Time and place, as re-scheduled on June 5, 2007 for First Reading of Ordinance No. 044. Moved by Hansen, seconded by Fischbach to approve First Reading of Ordinance No. 044, An Ordinance to rezone the following property from Chapter 4.11 Rural Urban District (RU) to Chapter 4.07 Mini-Agricultural District (M-Ag): Lots 2-5 of Block A First Addition to Stratford in the SW¼ of Sec 4-T121N-R62W of the 5th P.M., Brown County, SD. All members present voting aye. Motion carried.

RESOLUTION OF SUPPORT:

Commissioner Hansen offered the following Resolution:

RESOLUTION NO. 45-07

Resolution Supporting Inclusion of State's Attorneys as Law Enforcement for Retirement Purposes

Whereas: State's Attorneys are currently classified the same as all non-law enforcement employees of the County for purposes of South Dakota Retirement, with benefits similar to all other regular employees; and

Whereas Law Enforcement personnel are classified differently for purposes of South Dakota Retirement benefits; and

Whereas State's Attorneys interact with the criminal justice system to such an extent as to make them similar in many regards to those currently classified as Law Enforcement for retirement purposes as to make consideration of State's Attorneys as Law Enforcement personnel appropriate; and

Whereas the South Dakota Legislature, in 2005, amended SDCL 22-1-2(22) so as to include prosecutor in the definition of Law Enforcement Officer for purposes of the criminal code; and

Whereas inclusion of State's Attorneys as Class B employees for purposes of South Dakota Retirement will aid in recruitment and retention of highly qualified individuals for prosecutorial positions; and

Whereas the South Dakota State's Attorney's Association desires to petition the South Dakota State Legislature for a legislative change to include State's Attorneys as Class B, Law Enforcement personnel for purposes of South Dakota Retirement;

Therefore be it resolved by the Brown County Board of County Commissioners that the Commissioners endorse the efforts of the South Dakota State's Attorneys Association to reclassify State's Attorneys as Class B employees for purposes of South Dakota Retirement benefits.

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

PHASE II JAIL PROJECT – CHANGE ORDERS:

Moved by Knecht, seconded by Fischbach to amend motion (May 15, 2007 Minutes) approving Change Order #1 for Phase II Jail Project, to increase total project cost by \$2,404.66 to furnish a conduit from Room 01 of new addition into existing facility (total project cost at \$1,472,404.66). All members present voting aye. Motion carried.

Moved by Knecht, seconded by Fischbach to approve and authorize Mick Palmer, Maintenance Supervisor to sign Change Order #2 for Phase II Jail Project, increasing total cost by \$7,024.43 to furnish and install wiring/cable for elevator (total project cost at \$1,479,429.09). Roll call vote: Commissioners Hansen-aye, Fischbach-aye, Feickert-absent, Knecht-aye, Wiese-aye. Motion carried.

Moved by Hansen, seconded by Fischbach to approve and authorize Mick Palmer, Maintenance Supervisor to sign Change Order #3 for Phase II Jail Project, increasing total cost by \$1,236.49 to install CMU chases behind security toilets (total project cost at \$1,480,665.58). All members present voting aye. Motion carried.

PLAT:

Commissioner Knecht offered the following Resolution:

RESOLUTION NO. 46-07

BE IT RESOLVED by the Board of Commissioners of Brown County, SD, that the plat showing "First Replat of Lot 1, Schelhaas First Addition in the NW ¼ of Sec 31-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 Hansen. Roll call vote: Commissioners Hansen-aye, Fischbach-aye, Feickert-absent, Knecht-aye, Wiese-aye. Resolution adopted.

BUILDING PERMIT FEE SCHEDULE:

Commissioner Knecht offered the following Resolution:

RESOLUTION NO. 47-07

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 sliding scale fee schedule currently in place should be replaced with a set amount per thousand based upon value of the unit to be built; and

WHEREAS, it has been determined that a minimum fee be set; and

WHEREAS, it has been determined that a surcharge be charged when a structure is built prior to obtaining a building permit.

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 January 1, 2008:

- \$3.00 per \$1,000 of value of unit to be built
- \$5.00 minimum fee

- 5% surcharge, if fail to obtain a building permit

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

FIREWORKS PERMIT:

Moved by Knecht, seconded by Fischbach to approve and authorize the Chairman sign Fireworks Public Display Permit, submitted by Terry Voeltz, DBA T's Promotion, 2622 13th Ave SE, Aberdeen, SD for a Class B Fireworks Display to be held on July 3, 2007 at the Brown County Fairgrounds. All members present voting aye. Motion carried.

WAIVE INTEREST:

Moved by Knecht, seconded by Hansen to authorize Sheila Enderson, Brown County Treasurer waive penalty and interest fees on property taxes for Mesaba Airlines in amount of \$1,032.59, due to delayed legal issues preventing payment. All members present voting aye. Motion carried.

TAX FREEZE FILING DEADLINE:

Sheila Enderson, Brown County Treasurer recommends that the Commission honor the deadline of April first for filing the annual application for tax freeze, per SDCL 10-6A-4, unless appeal reveals extenuating circumstances.

TAX SALE RESOLUTION:

Commissioner Hansen offered the following Resolution:

RESOLUTION NO. 48-07

WHEREAS, by authority of SDCL 10-23-28.1, the Brown County Commission may waive the provision that prohibits the sale of tax certificates; and

WHEREAS, it has been determined that in certain circumstances it is in the best interest of the residents of Brown County to allow the assignment of Tax Certificates.

NOW, THEREFORE BE IT RESOLVED by authority of SDCL 10-23-28.1 that under certain circumstances, Brown County, on an individual basis, will offer assignment on certificates when a valid written request is submitted to the Treasurer's Offices; and

THEREFORE BE IT FURTHER RESOLVED to site the following as examples of valid and invalid requests:

Valid Request:

- financial interest in the property
- abandoned property
- estate issues

Invalid Request:

- investment purposes

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

GROW:

Trishna Batra and Jeremy Ferson met to discuss an upcoming campaign named "GROW", an initiative of Absolutely! Aberdeen. In Aberdeen, GROW is being used to describe the future and what the citizens want it to be like. A sculpture symbolizing this campaign has been commissioned and the GROW Committee requests that the sculpture be placed on the front lawn of the Courthouse. A tentative date for a ceremony to unveil the sculpture is scheduled for August 10, 2007. The Commission agreed to the placement on the front lawn of the Courthouse and asked the Committee to coordinate the project with Mick Palmer and Judy Dosch, who were also in attendance.

PERSONNEL:

Jeanette Nietert, Deputy Auditor discussed vacation time earned by employees.

ADJOURNMENT:

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

Maxine Taylor – Brown County Auditor

JULY 3, 2007 - JOINT CITY/COUNTY MEETING

The Brown County Commission and the Aberdeen City Council met in joint session at 8:45 A.M. in the County Commission Chambers, 25 Market Street, Aberdeen, South Dakota. Present from City were Council Members Aman, Bunsness, Campbell, Hodgin, Rux and Mayor Levsen. Absent Council Members Agnitsch, Kraft and Mitchell. Present from County were Commissioners Hansen, Fischbach, Feickert, Knecht and Wiese.

ORDINANCE NO. 07-06-01/348:

On motion by Hodgin and seconded by Rux, the City unanimously voted to approve Second Reading and Adoption of Ordinance No. 07-06-01/348.

Moved by Fischbach, seconded by Feickert to approve Second Reading and Adoption of Ordinance No. 07-06-01/348, 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, said property being described as follows: First Subdivision of Volin's Outlot 1 in the NW ¼ of Sec 1-T122N-R64W of the 5th P.M., Brown County SD. Roll call vote: Commissioners Hansen-aye, Fischbach-aye, Feickert-aye, Knecht-aye, Wiese-aye. Ordinance adopted.

ORDINANCE NO. 07-06-03/349:

On motion by Aman and seconded by Bunsness, the City unanimously voted to approve Second Reading and Adoption of Ordinance No. 07-06-03/349.

Moved by Feickert, seconded by Knecht to approve Second Reading and Adoption of Ordinance No. 07-06-03/349, 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, said property being described as follows: Lot 1, Moulton's Second Subdivision in the SE ¼ of Sec 2-T122N-R64W of the 5th P.M., Brown County SD, formerly Lots 1 and 14, Block 2, Moulton's First Subdivision. Roll call vote: Commissioners Hansen-aye, Fischbach-aye, Feickert-aye, Knecht-aye, Weise-aye. Ordinance adopted.

The City Council adjourned and the County Commission continued into the regular meeting.

Maxine Taylor – Brown County Auditor

JULY 3, 2007 – 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, Knecht and Wiese.

MINUTES:

Moved by Knecht, seconded by Hansen to approve the Joint City/County Meeting minutes of June 25, 2007 and the General Meeting minutes of June 26, 2007. All members present voting aye. Motion carried.

CLAIMS:

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

Supplies: Office Equipment..\$4.74, Diane Mielke..\$7.37, Velvet Uniforms..\$91.47, RACOM..\$329.60, Electronic Security Equipment..\$280.26, Youngs..\$112.87, Moore Medical..\$107.07, DT Pharmacy..\$1162.50, Best Business Office..\$208.34, Evercom..\$1900.00, Vantek..\$34.50, WalMart..\$453.02, Dakota Supply..\$28.57, McFarland Supply..\$56.62, Gardner Locksmithing..\$60.90, Van Diest Supply Company..\$15891.05, Kleins..\$8.98, HC Clark..\$94.41, NADA..\$70.00, Fordham Signs & Designs..\$192.00, Milbank Communications..\$300.00, Crawford Trucks & Equipment..\$504.66, Custom Glass & Repair..\$225.00, Howes Oil Company..\$15863.29, HF Jacobs & Son Const..\$17496.16, M & T Fire & Safety Inc..\$246.00, Newman Traffic Signs..\$194.39, Pizza Ranch..\$70.94, Menards..\$65.11, Simplexgrinnell LP..\$49.10, Mark Milbrandt..\$19.02,- Ron's Auto Sales..\$16,500.00:
Professional Fees: Nelva Kooistra..\$15.00, Lewis & Clark BHS..\$780.00, Eide Bailly..\$238.50, International Assoc. of Assessing Officers..\$72.92:

Publications: American News..\$225.60:

Travel: Mary E. Worlie..\$200.00, Anthony Sorensen..\$237.80, John McQuillen..\$78.92, Gary Vetter..\$52.16, Allan Vietmeier..\$150.68, Leo Leshner..\$318.04, Gene Loeschke..\$258.32, Kathy Fischer..\$219.83, Sioux Falls Sheraton & Convention Center..\$57.19, David Fair..\$209.33:

Court Appointed Attorney: Fox, Youngberg & Lewno..\$191.44:

Utilities: Midcontinent Communications..\$137.50, Qwest..\$40.75, The Electric Company..\$501.75, Alltel..\$76.49, Northwestern Energy..\$9425.09, Montana Dakota Utilities..\$16.18:

Care of Poor: Dr/Hospital – 6 recipients..Avera St.Luke's..\$9181.29, Orthopedic Surgery Specialists..\$486.20,Aberdeen Family Physicians..\$139.74, Dakota Imaging Prof. LLC..\$260.06, Eckrich Urology..\$1406.19; Rent – 3 recipients..Maureen Wolf..\$440.00, Hengel FB LLC..\$280.00; Utilities – 1 recipient..City of Aberdeen..\$148.00; Transportation – 2 recipients..BC Highway Dept..\$51.84. All members present voting aye. Motion carried.

TOWNSHIP BONDS:

Moved by Feickert, seconded by Fischbach to approve the following Township Bonds (Treasurer and Clerk): GARLAND #46- Lloyd Buntrock, Dwain Buntrock. All members present voting aye. Motion carried.

PLAT:

Commissioner Hansen offered the following Resolution:

RESOLUTION NO. 49-07

BE IT RESOLVED by the Board of Commissioners of Brown County, SD that the plat showing "First Subdivision of Volin's Outlot 1 in the NW ¼ of Sec 1-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 Feickert. Roll call vote: Commissioners Hansen-aye, Fischbach-aye, Feickert-aye, Knecht-aye, Wiese-aye. Resolution adopted.

ORDINANCE NO. 044:

Moved by Hansen, seconded by Knecht to approve Second Reading and Adoption of Ordinance No. 044, An Ordinance to rezone the following property from Chapter 4.11 Rural Urban District (RU) to Chapter 4.07 Mini-Agricultural District (M-Ag): Lots 2-5 of Block A First Addition to Stratford in the SW¼ of Sec 4-T121N-R62W of the 5th P.M., Brown County, SD. Roll call vote: Commissioners Hansen-aye, Fischbach-aye, Feickert-aye, Knecht-aye, Wiese-aye. Ordinance adopted.

DRUG DOG VEHICLE GRANT:

Sheriff Mark Milbrandt presented additional information about the drug dog trained for use in Brown County and the receipt of a \$25,000.00 state grant to fund a vehicle and related supplies and equipment. After the discussion the Commission recessed briefly to tour the Jail facility and meet the drug dog.

The Commission resumed their regular meeting upon returning from the jail tour.

HEARTLAND GRAIN FUELS CONDUIT FINANCING:

Commissioner Fischbach offered the following Resolution:

RESOLUTION NO. 50-07
RESOLUTION GIVING PRELIMINARY APPROVAL TO THE ISSUANCE
OF REVENUE BONDS TO FINANCE A PROJECT PURSUANT
TO SOUTH DAKOTA CODIFIED LAWS CHAPTER 9, TITIE 54;
AUTHORIZING A PUBLIC HEARING; DECLARING OFFICIAL INTENT
TO REIMBURSE PROJECT COSTS FROM BOND PROCEEDS:
AUTHORIZING THE APPLICATION FOR AN ALLOCATION OF
STATE VOLUME CAP PURSUANT TO SECTION 146 OF THE
INTERNAL REVENUE CODE OF 1986 AS AMENDED, AND
AUTHORIZING THE PREPARATION OF NECESSARY DOCUMENTS
(HEARTLAND GRAIN FUELS, LP PROJECT)

WHEREAS,

(a) The purpose of South Dakota Codified Laws Chapter 9-54 relating to economic development projects (the "Act") as found and determined by the legislature is to stimulate and develop the general economic welfare and prosperity of the state through the promotion and advancement of industrial, commercial, manufacturing, agricultural and natural resources; to encourage and assist in the location of new business and industry in this state and the expansion of existing business development; and to promote the economic stability of the state by providing the greater employment opportunities and diversification of industry, thus promoting the general welfare of the citizens by authorizing all municipalities of the state to issue revenue bonds to finance projects comprising real or personal property or both, useful for any of these purposes;

(b) Brown County, South Dakota (the "County") received a proposal from Heartland Grain Fuels, LP, a Delaware limited partnership (the "Borrower"), which is wholly owned by Advanced BioEnergy LLC, a Delaware limited liability company, that the County undertake to finance a Project hereinafter described, through the issuance of revenue bonds (hereinafter the "Bonds" or the "Revenue Bonds") pursuant to the Act;

(c) The County desires to stimulate and develop the general economic welfare and prosperity of the state through the promotion and advancement of industrial, commercial, manufacturing, agricultural and natural resources; to encourage and assist in the location of new business and industry in this state and the expansion of existing business development; and to promote the economic stability of the state by providing greater employment opportunities and diversification of industry thus promoting the general welfare of the citizens;

(d) The Project to be financed by the Bonds is the acquisition of certain solid waste disposal facilities, consisting primarily of equipment to be used in connection with and as part of an ethanol production plant to be built in the County at 38469 133rd Street, Aberdeen, South Dakota 57401 adjacent to the Borrower's existing facilities located at such address (the "Project").

(e) The Borrower is requesting an issue in the amount not to exceed \$20,000,000.

(f) The County has been advised by representatives of the Borrower that financing under the Act increases the viability of the Project compared to conventional, commercial financing and the ability of the Project to provide employment opportunities;

NOW, THEREFORE, BE IT RESOLVED by the County Commission of the County as follows:

1. The County Commission hereby indicates its preliminary intent to undertake financing the Project through the issuance of Bonds pursuant to the Act, and pursuant to a revenue agreement between the County and the Borrower upon such terms and conditions with provisions for revision from time to time as necessary, so as to produce income and revenues sufficient to pay, when due, the principal of and interest on the Bonds in the total principal amount of up to approximately \$20,000,000 to be issued pursuant to the Act to finance all or a portion of the costs of the Project.

2. On the basis of information available to this County Commission it appears, and the County Commission hereby finds, that the Project constitutes a project within the meaning set forth in the Act; that the Project furthers the purposes stated in Sections 9-54-1 of the Act; that the availability of the financing under the Act and willingness of the County to furnish such financing, substantially increases the financial viability of the Project, and the ability of the Project to stimulate and develop the general economic welfare and prosperity of the state through the promotion and advancement of industrial, commercial, manufacturing, agricultural and natural resources; to encourage and assist of the location of new business and industry in this state; and to promote the economic stability of the state by providing greater employment opportunities and diversification of industry thus promoting the general welfare of the citizens.

3. The Project is hereby given preliminary approval by the County subject to final approval by this County Commission, the Borrower, and the purchaser of the Bonds as to the ultimate details of the financing of the Project.

4. The Borrower has agreed, and it is hereby determined, that any and all costs incurred by the County in connection with the financing of the Project, including legal fees and whether or not the Project is carried to completion, will be paid by the Borrower.

5. Briggs and Morgan, Professional Association, is hereby appointed bond counsel to the County in connection with the issuance of the Bonds and is hereby authorized to prepare and review of necessary documents relating to the Bonds, to consult with the counsel to the County, the Borrower and the purchaser of the Bonds as to the maturities, interest rates and other terms and provisions of the Bonds and

as to the covenants and other provisions of the necessary documents and to submit such documents to the County Commission for final approval.

6. Nothing in this resolution or in the documents prepared pursuant hereto shall authorize the expenditure of any funds of the County on the Project other than the revenues derived from the Project or otherwise granted to the County for this purpose. The Bonds shall not constitute a charge, lien or encumbrance, legal or equitable, upon any property or funds of the County except the revenue and proceeds pledged to the payment thereof, nor shall the County be subject to any liability thereon. The holder of the Bonds shall never have the right to compel any exercise of the taxing power of the County to pay the outstanding principal of the Bonds or the interest thereon, or to enforce payment thereof against any property of the County. The Bonds shall recite in substance that the Bonds including interest thereon, are payable solely from the revenue and proceeds pledged to the payment thereof. The Bonds shall not constitute a debt of the County within the meaning of any constitutional or statutory limitation.

7. In anticipation of the issuance of the Bonds to finance a portion of the Project, and in order that completion of the Project will not be unduly delayed when approved, the Borrower is hereby authorized to make such expenditures and advances toward payment of that portion of the costs of the Project as the Borrower considers necessary, including the use of interim, short-term financing, subject to reimbursement from the proceeds of the Bonds if and when delivered but otherwise without liability on the part of the County Commission or the County.

8. The issuance of the Bonds is subject to the County Commission holding a public hearing on the issuance of the Bonds in compliance with the provisions of the Section 147(f) (2) (B) (i) of the Internal Revenue Code of 1986, as amended (the "Code") and hereby authorizes the calling of a public hearing at any regularly scheduled or special meeting of the County Commission for which notice is published. The County Auditor is hereby authorized and directed to publish notice of such hearing substantially in the form attached hereto as Exhibit A, with such changes as deemed appropriate by the County Auditor not inconsistent with the terms of this resolution, in a newspaper of general circulation in the area of the Project at least 14 days prior to the stated date of such hearing.

9. The County hereby declares its intent to be as follows:

(a) to incur debt in an amount reasonably expected not to exceed \$20,000,000 in principal amount for the Project;

(b) to reimburse the Borrower from the proceeds of such debt, as permitted under Treas. Reg. Par. 1.150-2 (the "Reimbursement Regulations"), (i) for expenditures paid for the Project not more than 60 days prior to the date of this resolution; (ii) for expenditures pertaining to costs of issuance; (iii) for expenditures that do not exceed the lesser of \$100,000 or 5% of the proceeds of the issue; (iv) for expenditures that do not exceed 20% of the aggregate issue price of the bonds which constitute preliminary expenditures within the meaning of Treas. Reg. Par. 1.150-2(b)(2);

(c) that this Resolution is a declaration of official intent under the Reimbursement Regulations.

(d) to issue such debt not later than 18 months after the latest of (i) the date on which the earliest expenditure to be reimbursed was paid, (ii) the date on which the property is placed in service or abandoned, but in no event more than three years after the earliest expenditure is paid, or (iii) the date otherwise permitted by the Code or the Reimbursement Regulations.

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10. The County hereby authorizes and consents to the Borrower making application and obtaining an allocation of state volume cap for the issuance of the Bonds as contemplated by Section 146 of the Code.

11. This resolution shall take effect immediately upon adoption.

Adopted by the County Commission of Brown County, South Dakota this 3rd day of July 2007.

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

FAIR UPDATE:

Larry Gerlach, Fair Manager discussed the following: update on fair, proposal to waive camping fee for fair board members, friends of the fair picnic date, water near race track.

NADRIC 2008 BUDGET:

NADRIC representatives Julie Pfeifer and Jan Patterson presented statistics and program information in regard to the 2008 NADRIC Budget request.

AGREEMENT:

Moved by Fischbach, seconded by Feickert to approve and authorize the Chairman to 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, 2007 through June 30, 2008. All members present voting aye. Motion carried.

NECOG REPRESENTATIVE:

Moved by Hansen, seconded by Fischbach to appoint Lloyd Trautman, as an at-large member representing Brown County on the NECOG (Northeast Council of Governments) Board, effective July 3, 2007. All members present voting aye. Motion carried.

RECESS:

The Chairman declared the Commission recessed until July 10, 2007.

Maxine Taylor – Brown County Auditor

JULY 10, 2007 – GENERAL MEETING

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

MINUTES:

Moved by Feickert, seconded by Knecht to approve the Joint City/County Meeting minutes and the General Meeting minutes of July 3, 2007. All members present voting aye. Motion carried.

CLAIMS:

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

Payroll: Commissioners..\$2,876.00; Auditor..\$6,658.12; Treasurer..\$9,101.40; Data Processing..\$3,024.20; State's Attorney..\$12,761.63; Maintenance..\$5,524.88; Assessor..\$8,789.08; Register of Deeds..\$5,213.40; Veterans Service Office..\$2,681.71; GIS..\$1,776.93; Sheriff..\$64,953.62; Coroner..\$900.00; Communications..\$13,843.68; Welfare Office..\$2,902.34; Museum..\$5,196.50; Fairgrounds & Parks..\$3,692.36; Fairboard..\$1,897.86; Extension..\$2,279.91; Weed..\$3,724.39; Planning and Zoning..\$1,461.54; Emergency Management..\$2,665.73; Teen Court..\$459.00; Highway..\$30,171.56; Landfill..\$7,985.08; Matching Benefits: FICA..\$11,786.88; Medicare..\$2,756.49:

Supplies: CMRS-FP..\$5000.00, K-Mart..\$17.16, Office Equip..\$368.30, Dept of Revenue..\$279.00, Quality Quick Print..\$624.95, Mark McNeary..\$150.00, McFarland Supply..\$163.74, Cunningham Elec..\$577.59, Tellinghusien..\$85,118.10, House of Glass..\$678.06, Mathew Bender..\$88.70, Runnings..\$966.78, Taylor Laundry..\$50.00, Aberdeen Plumbing..\$103.06, Florida Micro..\$790.75, South Dakota Magazine..\$265.00, Store Supply..\$269.98, Hub City Radio..\$934.00, Glas Consulting..\$75.00, Midwest Alarm..\$51.50, Nat'l Abundance..\$1.60, Dakota Supply Group..\$7427.50, Weigel Const..\$2450.00, Swanson Elec..\$3461.57, Menards..\$715.92, Dakota Elec..\$37.50, Hub City Rents..\$304.00, Central Supply..\$69.10, Brown County..\$180.06, AgBio..\$106.00, TSC..\$28.29, ProAg..\$4302.73, Macs..\$26.44, Ken's Alignment..\$195.69, GCR Tire Center..\$15.00, Farm Power..\$146.76, Best Business..\$77.20, Powerplan..\$702.64, HC Clark..\$15,995.00, Overhead Door..\$127.55, MVTL..\$6034.80, Aberdeen Rural Fire Dept..\$1672.50, Butler Machinery..\$496.96, Nelson Sales..\$327.82, Firestone..\$1039.50, Erdmann Oil..\$9203.03, SD Dept of Revenue..\$3649.29, Pierson Ford..\$92.55, Northland Truck Sales..\$22,750.00, Olympic Sales..\$8600.00, Safety Service..\$1594.84, HF Jacobs..\$3845.36, Menards..\$3744.20, Dakota Fluid Power..\$277.60, Ameripride..\$75.67, Kolker Law Office..\$326.13:

Professional Fees: witness fees..\$79.84, Lyrita Wilkie..\$210.00, Pam Smid..\$105.00, Jackie Schraeder..\$245.00, Donna Dietrich..\$224.66, David Knoff..\$46.80, Gary Mikelson..\$176.73, Marv Ekeren..\$18.00, Nelva Kooistra..\$33.00, Cathy Reh fuss..\$15.00:

Publications: American News..\$680.12, Groton Indep..\$456.88:

Transcriptions: Richard Neal..\$216.00, Cheryl Hook..\$2027.40, Michelle Gaikowski..\$47.60:

Travel: Jeanette Nietert..\$250.00, Sheila Enderson..\$250.00, Sherry Theobald..\$19.84, Carlson Travel..\$703.80:

Court Appointed Attorney: David Hosmer..\$105.66, Kennedy Rokahr Pier & Knoff..\$135.80:

Utilities: FSH..\$60.00, Midcontinent..\$137.00, City of Aberdeen..\$1015.05, Northwestern Energy..\$931.35, Qwest..\$73.28, Northern Valley Comm..\$69.66, Verizon..\$242.75, Dependable Sanitation..\$23,518.82, James Valley Communication..\$232.33:

Jury: Aguilar Melchor..\$10.64, Sharon Bain..\$29.20, Rita Beck..\$19.60, Cynthia Bosma..\$16.40, Roger Brick..\$19.60, Julie Brownell..\$11.28, Judy Bulian..\$12.56, Peggy Bunsness..\$11.28, Joseph Burckhard..\$10.64, Jonathan Dabney..\$11.28, Sylvia Darling..\$11.92, Lois Davis..\$20.24, Dianne Duhaime..\$10.64, George Eberle..\$11.92, Joseph Elspenger..\$15.12, Sharon Engelhart..\$29.20, Lisa Falcon..\$10.64, Laurence Fischer..\$13.84, Merla Freeman..\$10.64, Daniel Fritz..\$13.20, John Gardner..\$10.64, Geraldine Glaser..\$10.64, Alfred Green..\$11.28, Lucille Gross..\$11.28, Arlie

Haar..\$14.48, Delores Hall..\$11.28, Marc Hanson..\$22.80, Matthew Helde..\$14.48, Jeri Ingemansen..\$11.28, Spring Johnson..\$10.64, Craig Klein..\$10.64, Gary Kost..\$10.64, Jean Kramer..\$10.64, Penny Krogstrand..\$11.28, Denise Lyke..\$11.92, Dennis Lyke..\$10.64, Skyler Marshall..\$10.64, Edith Mattern..\$13.20, John May..\$11.28, Scott Mosey..\$10.64, Eric Olson..\$10.64, Heather Parker..\$10.64, Diana Pfister..\$11.28, Sandra Pietz..\$10.64, Lavidia Pleinis..\$11.28, Charles Rea..\$17.68, Steven Redler..\$12.56, Vanessa Reese..\$10.64, Jesse Salo..\$10.64, Roberta Sanderson..\$10.64, Jeffrey Scheel..\$11.28, Sherrie Scherbenske..\$13.20, Tyson Schick..\$11.28, Kristi Schlosser..\$17.04, Bonnie Schoen..\$10.64, Brenda Simon..\$10.64, Kapana Sing..\$10.64, Mandy Sizer..\$11.92, Susan Skowron..\$11.28, Elizabeth Smith..\$11.28, Jay Steger..\$16.40, Virgil Stucke..\$15.76, Evelyn Telin..\$38.80, Luella Thompson..\$11.28, Vickie VanderHoek..\$11.28, Jason Vyff..\$12.56, Kenneth Wedin..\$11.28, Diane Wolf..\$14.48:

Care of Poor: Dr/Hospital – 1 recipient..Avera St Lukes..\$7770.51; Rent – 1 recipient..Lonnie Frost..\$220.00; Utilities – 1 recipient..NWPS..\$220.00; Transportation – 2 recipients..Jefferson Lines..\$132.45. All members present voting aye. Motion carried.

PERSONNEL:

Moved by Feickert, seconded by Knecht to approve the following employee step increases, effective July 15, 2007: Sandy Green @ \$12.44 per hour, Jason Heagley @ \$12.78 per hour, Keith Baker @ \$14.92 per hour, Lisa Samson @ \$10.98 per hour. All members present voting aye. Motion carried.

AUDITORS REPORT OF ACCOUNT:

Moved by Feickert, seconded by Fischbach to approve the June 2007 Auditor's Report of Account with the County Treasurer in total amount of \$12,421,054.24 (total amount of actual cash @ \$3,292.06, Wells Fargo Bank @ \$3,694.79, US Bank @ \$327,273.90, Dacotah Bank @ \$22,375.91, Petty Cash @ \$1,800.00, Fund Investments @ \$12,062,409.64, Outstanding Checks @ \$207.94). All members present voting aye. Motion carried.

HOUSING & REDEVELOPMENT BOARD:

Moved by Fischbach, seconded by Feickert to re-appoint Lonnie Anderson for a five- year term ending July 9, 2012 on the Housing and Redevelopment Commission of Brown County. All members present voting aye. Motion carried.

SWAWA GRANT AWARD:

Moved by Fischbach, seconded by Knecht to approve and authorize Kim Dorsett to sign Grant Agreement between Brown County and the State of SD for a STOP Violence against Women Grant in amount of \$22,000.00, effective July 1, 2007 – June 30, 2008. All members present voting aye. Motion carried.

INTEREST STATEMENT:

Moved by Knecht, seconded by Fischbach to accept for filing the April – June 2007 Interest Statement, submitted by County Treasurer Sheila Enderson. All members present voting aye. Motion carried.

WELFARE ANNUAL REPORT:

Moved by Knecht, seconded by Feickert to accept for filing the 2006 Welfare Department Annual Report from Charlene Millim, Brown County Welfare Director. All members present voting aye. Motion carried.

CAR RACE TRACK PROPOSALS:

Moved by Fischbach, seconded by Feickert to authorize advertising a public hearing to open, read and consider proposals for the operation of the car race track at the Fairgrounds, to be held at 9:00 A.M. on July 31, 2007 in the Commissioner's Chambers, Courthouse Annex, Brown County, SD. All members present voting aye. Motion carried.

RIDE LINE:

Ride Line representative Dave Osborn presented program statistics and related information in regard to the 2008 Ride Line Budget request.

BID – BROWN COUNTY 12W/384th AVE INTERSECTION IMPROVEMENT PROJECT:

Time and place, as advertised to open, read and consider bids for furnishing all labor, material and equipment necessary to complete the 12W/384th Ave Intersection Improvement Project. Bids were received from Upper Plains Contracting, Inc (UPCI), Aberdeen, SD and Wright & Sudlow, Inc, Aberdeen, SD. Moved by Knecht, seconded by Feickert to refer all bids to Dirk Rogers, Highway Superintendent and Helms & Associates for review and recommendation. All members present voting aye. Motion carried.

2008 BUDGET DISCUSSION:

Mary Worlie, Brown County Director of Equalization explained the 2008 Director of Equalization Department Budget request.

NEMHC:

Northeastern Mental Health Center representatives Tom Barber, Bill Gerdes, Laura Boone and Lisa German presented center statistics and related information in regard to the 2008 NEMHC Budget request.

FGP:

Jodi McQuillen, Foster Grandparent Program presented program statistics and related information in regard to the 2008 FGP Budget request.

INSURANCE SURVEY ON STRUCTURES:

Gary Drewes, Hagan Benefits and Dan Mostek, Saftety Benefits presented structure survey information to be used for basis when establishing insurance coverage on each structure owned and operated by Brown County.

RECESS:

The Chairman declared the Commission recessed until July 17, 2007.

Maxine Taylor – Brown County Auditor

JULY 17, 2007 – GENERAL MEETING

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

MINUTES:

Moved by Fischbach, seconded by Feickert to approve the General Meeting minutes of July 10, 2007. All members present voting aye. Motion carried.

CLAIMS:

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

Supplies: Best Business..\$88.77, West Payment Center..\$170.00, Quality Quick Print..\$2305.22, Menards..\$430.83, Gardner Locksmith..\$19.04, Sheraton..\$457.52, SD Dept of Rev..\$180.00, HSBC..\$137.81, Bonnie Bitz..\$240.00, Duanes Amoco..\$31.10, Fire Safety First..\$13.49, Dakota Electronics..\$35.00, Velvet Uniforms..\$36.85, Ray Allen Mfg..\$2049.90, OK Tire..\$18.00, Runnings..\$672.18, Hoven Auto..\$141.02, Tri State Water..\$13.20, Cunningham Elec..\$57.65, Lust..\$70.40, New Trends..\$280.89, Bob Barker..\$821.69, Kesslers..\$200.85, Trail Chev..\$63.38, Double D..\$250.00, Earthgrains..\$702.50, Dicks Westside..\$196.25, Mobile Electronic Service..\$1535.00, Diane Mielke..\$4.23, HRS..\$4744.54, Pheasantland Ind..\$208.63, BP Amoco..\$96.83, Accurint..\$39.70, Sewing Shop..\$49.00, Trins..\$5298.97, Titan Machinery..\$2.56, State Property Mgmt..\$1000.00, Spec Mfg..\$10.99, Hagan Ins..\$83.00, Sheehan Mack Sales..\$44.86, Share Corp..\$102.00, Safety Service..\$822.05, Randys Auto Sales..\$30.00, Quill..\$202.99, Pro Ag..\$19.68, Power Plan..\$729.38, Poms Tire..\$149.40, New Pig..\$128.87, Newman Traffic Signs..\$600.00, Midwest Alarm..\$204.00, Macs..\$230.24, M-R Signs..\$91.61, Kens Alignment..\$221.20, Howes Oil..\$15,220.40, Hollands Auto..\$9.58, Highway Equip..\$3755.88, Hedahls..\$45.72, Habecks Radiator..\$124.00, Great Western Tire..\$9428.48, Nick Fullmer..\$197.09, Flint Hills..\$114,023.31, Fastenal..\$123.67, Farnams..\$416.98, Farm Power..\$163.17, Erdmann Fuels..\$3337.07, Dickey County Highway..\$4513.50, Dakota Oil..\$2771.87, Custom Air Photo..\$289.00, Cartney Bearing..\$189.83, Carquest..\$962.77, Calif Cont Supplies..\$219.90, Brick Propane..\$99.25, Biersbach Equip..\$29.11, Ameripride..\$275.26, Aberdeen Chrysler Center..\$25.87, Aberdeen Asphalt..\$44,627.21, Geffdog..\$29.22, Office Equip..\$494.53, Western Printing..\$50.00, Celebrations..\$55.00, Glas Consulting..\$105.00, Kens Superfair..\$24.67, SD Fed Property..\$30.00, Jean Hommel..\$140.00, Gene Carr..\$140.00, Brown County 4-H Leader..\$5000.00, Larry Gerlach..\$19.03, UBC..\$39.58, Dakota Supply Group..\$74.74, Parkview Nursery..\$804.16, SD Wheat Growers..\$220.00, Weigel Const..\$49.00, Ben Hofer Backhoe..\$125.00, Gas 'N Goodies..\$4.00, Brian Sharp..\$2290.00, Barb Crawford..\$25.00, USPO..\$175.00, Van Diest..\$7415.80, Reuers Auto..\$17.95, Dakota Fluid Power..\$17.06, Golden West..\$23,359.07, Walmart..\$141.35, Mobile Electronic Service..\$27.99, Language Lines..\$89.55, Milbank Comm..\$390.00, HSBC..\$94.35, Division of Motor Vehicles..\$13.00, Jeff Vilhauer..\$4629.20, Brown County..\$166.87, Praxair..\$18.31, Brick Propane..\$18.00, Northern Safety Co..\$152.65:
Professional Fees: witness fees..\$136.80, Avera St Lukes..\$1759.10, North Central Heart..\$55.34, Northeastern Mental Health..\$58.52:
Publications: American News..\$772.71:
Transcriptions: Michelle Gaikowski..\$27.20:
Travel: Lorah Houser Jankord..\$19.84, Allan Vietmeier..\$144.67, Gene Loeschke..\$127.28, City of Groton..\$63.36, Mark Milbrandt..\$840.47, Kevin Spitzer..\$12.80, Bonnie Siebrecht..\$58.60, Deb Knecht..\$215.60:
Utilities: Dependable Sanitation..\$371.00, Northern Valley..\$70.94, Northern Elec..\$1150.94, James Valley..\$150.07, Town of Frederick..\$28.25, City of Aberdeen..\$1633.65, Northwestern Energy..\$36.50, Qwest..\$751.25, Tel Serv..\$117.06, Northern Wireless Comm..\$120.95, MVTL Labs..\$34.40:

Care of Poor: Dr/Hospital – 4 recipients..Aberdeen Surgical..\$329.72, Avera St Lukes..\$3102.24; Medication – 4 recipients..Jones Drug..\$48.99, Kessler Pharm..\$69.31, Walmart Pharm..\$72.30; Rent - 3 recipients..Sand Lake Hotel..\$150.00, Webb Shoe Co..\$220.00, Tom Appletoft..\$100.00; Utilities – 1 recipient..NWPS..\$140.00; Transportation – 3 recipients..Emergency Poor Fund..\$210.00. All members present voting aye. Motion carried.

PERSONNEL:

Moved by Knecht, seconded by Fischbach to approve hiring Scott Stevenson as Deputy Coroner, effective July 10, 2007. All members present voting aye. Motion carried.

Moved by Feickert, seconded by Fischbach to approve overtime for Sherry Theobald and Ashley Pigors, Extension secretarial staff, for the week of the Brown County Fair. All members present voting aye. Motion carried.

Moved by Feickert, seconded by Knecht to acknowledge resignation of corrections officers Margorie Lammon, effective July 13, 2007, and Ryan Kotzea, effective July 27, 2007. All members present voting aye. Motion carried.

Moved by Knecht, seconded by Feickert to acknowledge the following miles driven and amount to be taxed for personal use of County vehicles during March through June 2007: Richard Burns – 212 @\$102.82, Dirk Rogers – 2412 @ 1,169.82, Mike Scott – 790 @ \$383.15. All members present voting aye. Motion carried.

PROPERTY TRANSFER:

Moved by Knecht, seconded by Fischbach to approve and authorize the Chairman sign agreements with the following entities who received equipment from the 2005 DOJ Equipment Grant Program (HLS): Stratford Fire Department (Kenwood Repeater at Hutterville); Brown County Fire Chiefs Association (Kenwood Repeater at Bath); Hecla Ambulance (Kenwood Repeater at Hecla, portable radios). All members present voting aye. Motion carried.

INCREASE SPENDING AUTHORITY/ESTIMATED REVENUE:

Moved by Fischbach, seconded by Knecht to increase spending authority in Fund #234-211.01-411 in amount of \$2,833.03, 412.01 @ \$175.65, 412.02 @ \$41.08, 413 @ \$226.64 and increase estimated revenue in Fund #234-331.90 in amount of \$3,276.40 for Underage Drinking Grant. All members present voting aye. Motion carried.

OPERATING TRANSFER:

Moved by Fischbach, seconded by Feickert to approve an operating transfer-out from General Fund #101-101 in amount of \$1,210,946.48 to E911 Fund 207 @ \$144,284.09, EM Fund 226 @ \$87,636.53, Teen Court Fund 230 @ \$4,358.61, Courthouse/Jail Fund 233 @ \$357,581.74, Hwy Fund 201 @ \$617,085.51. All members present voting aye. Motion carried.

HOSPITAL CLAIMS:

Moved by Knecht, seconded by Fischbach to deny payment of the hospital bill for a 35 year old male @ \$45,892.87, as the individual has not provided sufficient information to determine if indigent; and deny payment for a 57 year old female @ \$15,200.91, as individual is determined to be indigent by design. All members present voting aye. Motion carried.

MOSQUITO CONTROL EMERGENCY ADDENDUM GRANT AGREEMENTS:

Moved by Knecht, seconded by Fischbach to approve and authorize the Chairman sign 2007 Emergency Addendum to Mosquito Control Grant Agreements for the purchase of chemical through the Brown

County's 2007 Emergency Mosquito Control Grant with the State. All members present voting aye. Motion carried.

BID AWARD – 12W/384TH AVE INTERSECTION IMPROVEMENT PROJECT:

Moved by Fischbach, seconded by Knecht to award bid, submitted by Wright & Sudlow, Inc for labor, material and equipment necessary to complete the 12W/384th Ave Intersection Improvement Project in amount of \$72,968.66, rejecting bid submitted by Upper Plains Contracting @ \$99,509.00. All members present voting aye. Motion carried.

EXECUTIVE SESSION:

Moved by Knecht, 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 the following action taken, as a result of the discussion.

PERSONNEL:

Moved by Fischbach, seconded by Feickert to approve advertising for an Office Manager, Labor Grade 5 @ 11.84 per hour. All members present voting aye. Motion carried.

2008 BUDGET DISCUSSIONS:

Kim Dorsett, States Attorney, explained the 2008 States Attorney Department Budget request. Mick Palmer and Judy Dosch discussed the 2008 Maintenance Budget request.

BIKE PATH

Mick Palmer, Maintenance Supervisor and Judy Dosch discussed the bike path being constructed by the City of Aberdeen along Brown County property.

HEAT WAVE CLASSIFICATION

Scott Meints, Emergency Management, discussed the National Weather Service's criteria for a heat wave. Brown County will open the Emergency Operations Center for shelter when the excessive heat warning is received from the National Weather Service, and close the shelter when the warning is cancelled.

VOLUNTEER PICNIC

Scott Meints, Emergency Management, discussed a picnic at the Brown County Fairgrounds for the volunteers who helped out during the flood and asked that camping fees be waived for this event. Moved by Fischbach, seconded by Feickert to approve \$1,000.00 (with matching funds from the City of Aberdeen) toward the picnic. All members present voting aye. Motion carried.

RECESS:

The Chairman declared the Commission recessed until July 24, 2007.

Jan Beckler – Brown County Deputy Auditor

JULY 24, 2007 – GENERAL MEETING

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

MINUTES:

Moved by Fischbach, seconded by Feickert to approve the General Meeting minutes of July 17, 2007. All members present voting aye. Motion carried.

CLAIMS:

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

Payroll: Commissioners..\$2,876.00; Auditor..\$6,529.44; Treasurer..\$9,532.20; Data Processing..\$3,024.20, State's Attorney..\$12,396.00; Maintenance..\$5,580.00; Assessor..\$8,682.26; Register of Deeds..\$5,211.50; Veterans Service Office..\$2,831.43; GIS..\$1,776.93; Sheriff..\$67,566.20; Communications..\$17,907.92; Welfare Office..\$2,902.34; Museum..\$5,196.50; Fairboard..\$1,897.86; Fairgrounds & Parks..\$3,618.71; Extension..\$1,375.44; Weed..\$4,618.17; Planning & Zoning..\$1,461.54; E & D..\$2,665.73; Teen Court..\$433.50 Highway..\$29,808.05; Landfill..\$8,100.12; Coroner..\$150.00; Matching Benefits: FICA..\$12,207.59, Medicare..\$2,854.87, Wellmark BCBS Life..\$662.20, Wellmark BCBS Health..\$63,892.00; Delta Dental..\$4,144.00, SD State Retirement..\$24,527.64:
Supplies: Office Equip..\$275.48, Florida Micro..\$2085.43, Office Max..\$1196.89, Thompson West..\$1384.30, House of Glass..\$85.71, McDonald Supply..\$19.77, Cartney Bearing..\$8.58, Ecolab..\$162.50, Lar-Jos..\$367.00, DT Pharm..\$1714.99, Karst Car Care..\$628.26, Double D Body Shop..\$23.00, Pacer..\$12.24, Hoven Auto..\$103.10, Avera Health..\$350.00, Best Business..\$184.91, Galls..\$85.96, Share Corp..\$545.00, Wallwork Trucks..\$379.74, Quill..\$36.98, HF Jacobs..\$5250.96, MR Signs..\$72.03, Flint Hills..\$56,162.53, Ameripride..\$44.11, Parks & Rec..\$75.00, Advantage Self Storage..\$129.00, Century Business..\$70.00, Van Diest..\$9464.36, Menards..\$7.68, DSU Printing..\$1096.59:
Professional Fees: witness fees..\$177.76, Lyrita Wilkie..\$140.00, Jackie Schraeder..\$175.00, Pam Smid..\$70.00, Scott Weitbrecht..\$70.00, Aberdeen Family Physicians..\$162.49, Anesthesia Care..\$128.00, Avera St Lukes..\$219.94, NE Mental Health Center..\$58.52, Lewis & Clark BHS..\$520.00, NADRIC..\$1666.67:
Publications: American News..\$352.50, Tri-State Livestock News..\$165.00:
Transcriptions: Renee Kennedy..\$23.60:
Travel: Scott Madsen..\$228.35, Sherri Rawstern..\$33.50, Jerry Mills..\$519.40, Gary Erickson..\$198.84, Scott Meints..\$35.00:
Court Appointed Attorney: Randy Turner..\$4166.67, Kuck Law Office..\$4166.67, William Gerdes..\$4166.67, Christy Serr..\$4166.67, Gina Rogers..\$4166.67, Yankton County..\$197.10, Kabeiseman & Pollard..\$358.20:
Utilities: Alltel..\$1691.95, Kim Dorsett..\$28.75, Midcontinent Cable..\$134.16, Qwest..\$3891.36, Bureau of Admin..\$696.95, Northwestern Energy..\$1068.85, City of Hecla..\$68.54, Northern Elec..\$100.00:
Care of Poor: Dr/Hospital – 5 recipients..Delta Dental..\$31.62, Avera St Lukes..\$7093.12, Anesthesia Solutions..\$112.00, Aberdeen Pulmonary..\$91.30; Rent - 4 recipients..Tom Hinz..\$220.00, Zumbaum Property Mgmt..\$311.45, Briscoe Rental..\$280.00; Utilities – 1 recipient..NWPS..\$240.00; Insurance - 3 recipients..Avera Health Plans..\$836.40, Midstates Printing..\$429.00. All members present voting aye. Motion carried.

PERSONNEL:

Moved by Hansen, seconded by Fischbach to approve the following employee step increase, effective July 29, 2007: Russell Ochsner @ \$13.53 per hour. All members present voting aye. Motion carried.

Moved by Hansen, seconded by Fischbach to approve hiring Ross Erickson as full-time Correctional Officer in the Jail, effective July 24, 2007 at \$11.57 per hour and approve hiring Dawn Weig as part-time Correctional Officer in Jail, effective July 30, 2007 at \$9.67 per hour. All members present voting aye. Motion carried.

FIREWORKS PERMIT:

Moved by Feickert, seconded by Fischbach 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 18, 2007 at the Fairgrounds during the 2007 Brown County Fair. All members present voting aye. Motion carried.

SPECIAL MALT BEVERAGE LICENSE HEARING DATE SET:

Moved by Hansen, seconded by Feickert 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 13, 14, 15, 16, 17, 18 & 19, 2007; Centennial Village Inc - Brown County Fairgrounds (Centennial Village) SW ¼ Sec 1-T123N-R64W, effective August 14, 15, 16, 17, 18, 19, 2007; Boys & Girls Club - Brown County Fairgrounds (Grandstand) SW ¼ Sec 1-T123N-R64W, Special License effective August 13, 14, 15, 16, 17, 18, 19, 2007, to be held in the Commission Chambers, Courthouse Annex at 8:45 A.M. on the 7th day of August, 2007. All members present voting aye. Motion carried.

SET HEARING DATE:

Moved by Feickert, seconded by Hansen to set public hearing for Petition to Vacate Public Right-Of-Way described as follows: The South 50' of 129th Street Right-of-way starting 369.5' East of Quarter Line of Section 35 extending 849.25' East, according to plat of record entitled Anliker's Outlot 1 and Kallas' Outlot 1 in the NE ¼ of Sec 35-T124N-R64W, Brown County, SD, to be held on August 14, 2007 at 8:45 a.m. in the Brown County Commissioner's Chambers, Courthouse Annex, Brown County, SD. All members present voting aye. Motion carried.

NIMS SELF CERTIFICATION AND ICS REQUIREMENT:

Moved by Feickert, seconded by Fischbach to approve and authorize the Chairman sign the Self Certification for the National Incident Management System Plan (NIMS) and Incident Command System (ICS) Requirements for the Emergency Management Department. All members present voting aye. Motion carried.

PLATS:

Commissioner Hansen offered the following Resolution:

RESOLUTION NO. 51-07

BE IT RESOLVED by the Board of County Commissioners of Brown County, SD, that the plat showing "Nilsson West Subdivision in the SW ¼ of Sec 23-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 Feickert. Roll call vote: Commissioner's Hansen-aye, Fischbach-aye, Feickert-aye, Knecht-absent, Wiese-aye. Resolution adopted.

Commissioner Feickert offered the following Resolution:

RESOLUTION NO. 52-07

BE IT RESOLVED by the County Commission of Brown County, SD, that the plat showing "Hart Family Subdivision in SE ¼ Sec 8-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: Commissioner's Hansen-aye, Fischbach-aye, Feickert-aye, Knecht-absent, Wiese-aye. Resolution adopted.

Commissioner Hansen offered the following Resolution:

RESOLUTION NO. 53-07

BE IT RESOLVED by the Board of County Commissioners of Brown County, SD, that the plat showing "Johnson South Subdivision in the NE ¼ of Sec 22-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 Feickert. Roll call vote: Commissioner's Hansen-aye, Fischbach-aye, Feickert-aye, Knecht-absent, Wiese-aye. Resolution adopted.

Commissioner Fischbach offered the following Resolution:

RESOLUTION NO. 54-07

BE IT RESOLVED by the Board of Commissioners of Brown County, SD, that the plat showing "Cutler Tract 1 in the NW ¼ of Sec 11-T127N-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 Commissioner Feickert. Roll call vote: Commissioner's Hansen-aye, Fischbach-aye, Feickert-aye, Knecht-absent, Wiese-aye. Resolution adopted.

Commissioner Feickert offered the following Resolution:

RESOLUTION NO. 55-07

BE IT RESOLVED by the Board of County Commissioners of Brown County, SD, that the plat showing "Moulton's Second Subdivision in the SE ¼ of Sec 2-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 Fischbach. Roll call vote: Commissioner's Hansen-aye, Fischbach-aye, Feickert-aye, Knecht-absent, Wiese-aye. Resolution adopted.

Commissioner Fischbach offered the following Resolution:

RESOLUTION NO. 56-07

BE IT RESOLVED by the County Commission of Brown County, SD, that the plat showing "Har-Lo Young First Subdivision in SE ¼ Sec 26-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 Hansen. Roll call vote: Commissioner's Hansen-aye, Fischbach-aye, Feickert-aye, Knecht-absent, Wiese-aye. Resolution adopted.

PALMYRA LAND DISCUSSION:

Tim Wilson and Ryan Smith, Elm Lake Project discussed funding available from the Elm Lake Project and NRCS to establish a fenced grazing buffer zone around Elm Lake on county owned property for enhanced water quality in the lake. Jim Feeney and Gene Stueven, DENR were also in attendance. The Commission took no action at this time.

BMX TRACK:

Kyle Oswald, BMX Track Coordinator requested permission to replace wooden bleachers with new metal bleachers, which would increase seating capacity and reduce maintenance costs. The bleachers remain the property of the BMX Club, but their lease requires the Commission be informed about any changes made on county property. The Board concurred and agreed to the bleacher upgrade.

RECESS:

The Chairman declared the Commission recessed until July 31, 2007.

Maxine Taylor – Brown County Auditor

JUY 31, 2007 – GENERAL MEETING

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

MINUTES:

Moved by Fischbach, seconded by Feickert to approve the General Meeting minutes of July 24, 2007. All members present voting aye. Motion carried.

CLAIMS:

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

Supplies: Dakota Mailing..\$140.76, State Property Mgmt..\$158.34, West Payment..\$2777.48, CSD..\$40.00, Language Line..\$79.50, Youngs..\$16.19, DSG..\$722.34, Woodman Refrig..\$51.18, Grote Roofing..\$557.65, McFarland Supply..\$290.65, Nelson Auto..\$35.87, Gardner Locksmith..\$45.00, New Trends..\$158.40, Best Business..\$280.99, Carpet Plus..\$829.00, Phillips 66..\$181.30, RACOM..\$296.80, Safety Service..\$229.50, Office Equip..\$109.12, Velvet Uniforms..\$91.47, UPS..\$10.76, Herbergers..\$29.98, Moore Medical..\$167.40, Civic Research..\$133.95, Double D Body Shop..\$92.00, Walmart..\$487.73, Macs..\$31.19, HC Clark..\$35.81, Runnings..\$223.48, Sewer Duck..\$89.00, House of Glass..\$63.72, Lawson Products..\$381.33, Flint Hills..\$56,313.68, Catastrophic County Poor Relief..\$12,987.58, Carquest..\$101.78, Liebelts..\$66.84, Weigel Const..\$1963.50, Office Max..\$404.99, Dakota Oil..\$99.33, Hedahls..\$13.69, Menards..\$7.13, Van Diest..\$6438.00, Western Printing..\$139.90, Nat'l Curriculum..\$3579.15, Geffdog..\$191.56, Hitch 'N Post..\$69.98, K-Mart..\$52.98, Bureau of Info..\$2400.00, McFarland Supply..\$61.31, Butler Machinery..\$6994.24, Aberdeen C&F..\$527.00, Pro Ag Supply..\$2217.67, SDSWMA..\$950.00, Division of Motor Vehicles..\$13.00, Earth Tech..\$4466.80, Robert Stroh..\$163.00:

Professional Fees: Jason Engel..\$35.00, Pam Smid..\$70.00, Jackie Schraeder..\$70.00, Scott Weitbrecht..\$105.00, Cass County Sheriff..\$40.00, Dept of Rev..\$1443.00, Avera St Lukes..\$1952.00, Bureau of Info..\$1800.00, Eide Bailly..\$238.50, Clark Engineering..\$347.04:

Publications: American News..\$862.57, Dakota Press..\$1138.15, Groton Indep..\$605.54:

Transcriptions: Neal Reporting..\$81.60:

Travel: Gene Loeschke..\$114.70, Mike Wiese..\$84.94:

Utilities: Qwest..\$123.45, Midcontinent Cable..\$97.29, Alltel..\$76.48, Northwestern Energy..\$2964.45, Montana Dakota..\$15.19, Web..\$134.13:

Care of Poor: Dr/Hospital – 1 recipient..Orthopedic Surgery Spec..\$58.56; Utilities – 1 recipient..NWPS..\$220.00; Burial - 2 recipients..Carlsen Funeral Home..\$1200.00, Schrivvers Mortuary..\$2490.00. All members present voting aye. Motion carried.

PERSONNEL:

Moved by Knecht, seconded by Hansen to approve hiring Bobbie Bierman as part-time Deputy Auditor, effective July 17, 2007 at \$10.54 per hour. All members present voting aye. Motion carried.

Moved by Hansen, seconded by Fischbach to approve Roxanne Hilgenberg's transfer from Auditor's Office to Extension Office, effective August 6, 2007 at \$10.98 per hour. All members present voting aye. Motion carried.

SHERIFF REPORTS:

Moved by Hansen, seconded by Feickert to approve the following June 2007 Sheriff Reports: Incident & offenses, Prisoner care, JDC, Money deposited with the County Treasurer and Monthly activities. All members present voting aye. Motion carried.

HEARTLAND GRAIN FUELS – CONDUIT FINANCING HEARING:

Time and place, as advertised to conduct a public hearing on a proposal for the issuance of Revenue Bonds pursuant to SDCL Chapter 9-54 for the following Economic Development Project: Heartland Grain Fuels, LP, a Delaware limited partnership for certain solid waste disposal facilities, consisting primarily of equipment to be used in connection with and as part of an ethanol production plant to be built in the County at 38469 133rd Street, Aberdeen, SD adjacent to the existing facilities. No one appeared in opposition to the proposal. Bill Paulson was present from Heartland Grain Fuels and a conference call was conducted between Brigid McDonough and Paul Tietz, Briggs & Morgan, legal council for the Project, the Commission and States Attorney Kim Dorsett. After discussion the Chairman declared the public hearing closed and deferred any action until all documents are reviewed and approved by the States Attorney.

CAR RACE TRACK PROPOSALS:

Time and place, as advertised to open, read and consider proposals for the operation of the car race track at the Fairgrounds. Proposals were received from Doug, Wendy, Nick, Dwight Guthmiller, Dave Weisz DBA Next Generation Racing; Terry L and Jane Voeltz DBA T's Promotions Inc.; and Al Malsam. Moved by Feickert, seconded by Knecht to refer the proposals to the States Attorney's Office for review and recommendation. All members present voting aye. Motion carried.

BCCHC REPORT:

DeAnna Kyburz presented the Brown County Community Health Center Report for April – June 2007.

2008 BUDGET DISCUSSION:

Bill Meink, Brown County Data Processing Director explained the 2008 Data Processing Department Budget request.

FREDERICK LIBRARY:

Frederick Library representatives Tamie Nickelson and Peggy Worthy presented program statistics and related information in regard to the 2008 Frederick Library Budget request.

FAIR SECURITY:

Tom Schmitt, Mark Milbrandt and Larry Gerlach met to discuss the procedure for providing 24-hour security at the 2007 Brown County Fair, using uniformed officers and other Sheriff Department personnel (\$16.00 per hour for non-county personnel and overtime for county personnel unless duty coincides with regular shift).

12W/384th AVE PROJECT – NOTICE OF AWARD:

Moved by Feickert, seconded by Knecht to approve and authorize the Chairman sign Notice of Award to Wright and Sudlow Inc. for completion of Brown County 12W/384th Ave Intersection Improvement Project, as bid on July 10, 2007. All members present voting aye. Motion carried.

APPLICATIONS FOR OCCUPANCY:

Moved by Feickert, seconded by Knecht to approve and authorize the Chairman sign the following applications: East River Electric Power Coop for occupancy of Brown County Highway #134th in Sec 21-T123N-R64, Brown County, SD for transmission line; East River Electric Power Coop for occupancy of Brown County Highway #135th in Sec 31-T123N-R65, Brown County, SD for transmission line; James Valley Telecommunications for occupancy of Brown County Highway #9 in Sec 2-T125N-R60W, Brown County, SD for telecommunications; James Valley Telecommunications for occupancy of Brown County Highway #7 in Sec 17 & 18-T126N-R62W, Brown County, SD for telecommunications; Midcontinent Communications for occupancy of Brown County Highway #14W in Sec 26, 35 & 36-T123N-R63W, Brown County, SD for cable TV and data services; Northern Electric for occupancy of Brown County

Highway #13 in Sec 32-T124N-R60W, Brown County, SD for electrical service. All members present voting aye. Motion carried.

Moved by Fischbach, seconded by Feickert to approve and authorize the Chairman sign application, submitted by WEB Water for occupancy of Brown County Highway #16 in Sec 30-T121N-R62W, Brown County, SD to install water line. Roll call vote: Commissioners Hansen-abstain, Fischbach-aye, Feickert-aye, Knecht-aye, Wiese-aye. Motion carried.

HIGHWAY PROJECT UPDATE/EQUIPMENT:

Dirk Rogers, Highway Superintendent discussed current and future projects, equipment purchase and flood damage reports submitted to FEMA and the State.

Moved by Hansen, seconded by Feickert to approve purchase of Alamo Mower for the Highway Department in amount of \$14,875.00. All members present voting aye. Motion carried.

TAX DEED PROPERTY – RE-CONVEYED:

Commissioner Knecht offered the following Resolution:

RESOLUTION NO. 57-07

WHEREAS, it appearing to the satisfaction of the Commissioners of Brown County that a Tax Deed was taken on the following described real estate: The S 60.62' of Lot 15, Block 6, Gorder's Third Addition, Aberdeen, Brown County, SD, duly recorded in the Register of Deeds Office in Book 286, Page 227 on July 25, 2007, and

WHEREAS, 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 re-convey the above listed property and authorizes the Chairman of the Brown County Commission to execute a Quit Claim Deed transferring the interest of Brown County, South Dakota, back to the record owner of said property.

Dated this 31st day of July 2007.

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

RECESS:

The Chairman declared the Commission recessed until August 7, 2007.

Maxine Taylor – Brown County Auditor

AUGUST 7, 2007 – GENERAL MEETING

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

MINUTES:

Moved by Feickert, seconded by Knecht to approve the General Meeting minutes of July 31, 2007. All members present voting aye. Motion carried.

CLAIMS:

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

Payroll: Commissioners..\$2,876.00; Auditor..\$7,210.87; Treasurer..\$9,536.20; Data Processing..\$3,024.20; State's Attorney..\$10,665.24; Maintenance..\$5,605.99; Assessor..\$9,202.64; Register of Deeds..\$4,994.08; Veterans Service Office..\$2,831.43; GIS..\$1,776.93; Sheriff..\$66,008.22; Communications..\$16,344.38; Welfare Office..\$2,902.34; Museum..\$5,196.50; Fairgrounds & Parks..\$3,848.06; Fairboard..\$1,897.86; Extension..\$1,396.32; Weed..\$3,345.42; Planning and Zoning..\$1,461.54; Emergency Management..\$2,665.73; Teen Court..\$609.00; Highway..\$31,700.95; Landfill..\$7,911.91; Matching Benefits: FICA..\$11,932.61; Medicare..\$2,790.56;

Supplies: Office of Attorney General..\$15.00, Best Business..\$180.64, Quality Quick Print..\$3028.83, Dakota Electronics..\$60.00, Sanders Sew 'N Vac..\$43.55, Fire Safety First..\$3.25, Kesslers..\$95.04, Brown County..\$45.84, Woodman Refrig..\$4623.55, Runnings..\$510.84, House of Glass..\$2213.07, Aberdeen Plumbing..\$73.24, Tellinhuisen..\$192,374.05, Sheraton..\$57.19, Active Data System..\$356.99, Matthew Bender..\$1787.40, Mobile Electronic Services..\$150.00, Sewing Shoppe..\$8.25, Bob Barker..\$332.54, Streichers..\$103.78, Trail Chev..\$72.34, Office Equip..\$175.61, Hoven Auto..\$28.20, Exec Mgmt..\$2406.50, Titan Machinery..\$3.85, SD Division of Motor Vehicles..\$13.00, Lawson Products..\$15.70, Howes Oil..\$18,582.00, Helms & Assoc..\$4704.20, Great Western Tire..\$5526.53, Flint Hills..\$128,595.00, Farm Power..\$209.58, Custom Glass..\$129.94, Crawford Trucks..\$785.73, HC Clark..\$225.97, Butler Machinery..\$318.84, Evergreen Supply..\$14.52, Western Printing..\$702.60, Lois Davis..\$30.00, Fae Dayton..\$30.00, Ken's Superfair Foods..\$44.98, Macs..\$193.66, SD Fed Property..\$122.00, Todd Wren..\$153.00, Ace Refrigeration..\$150.45, NSU..\$50.00, A-1 Locksmith..\$29.00, Photo Xpress..\$10.30, Nadine Waite..\$4000.00, UPS Store..\$32.25, Midwest Golf Car..\$6283.50, Aberdeen Fire & Rescue..\$2860.00, Machinist Union..\$850.00, Three Season Tents..\$7300.00, Civil Air Patrol..\$950.00, Good Shepherd Lutheran Church..\$2100.00, Korkow Rodeos..\$22400.00, Parcel Erickson..\$25.00, Glacial Lakes Chili Cook Off..\$150.00, Geffdog..\$1539.40, TSC..\$34.18, Sams Sound..\$5750.00, Safe Harbor..\$300.00, FastClean..\$543.95, Susan Gerlach..\$80.00, DSS Image Apparel..\$111.30, Kristie Erickson..\$30.00, Craig Haugard..\$30.00, Schwan Welding..\$500.00, BSA Troop 51..\$2686.00, TBA Fairs & Festivals..\$134,000.00, Westport Little League..\$50.00, Specialized Comm..\$2174.00, Larry Gerlach..\$129.74, Van Diest..\$5842.86, Menards..\$80.55, Spot Slam..\$1455.00, Town & Country..\$130.00, Aberdeen Awards..\$6.00, Hub City Radio..\$125.00, Walmart..\$187.15, University of Ill..\$15.00, TelServ..\$881.47, Racom..\$42.40, Evergreen Supply..\$14.54, Dakota Electronics..\$8.25, Claritus..\$315.50, Pizza Ranch..\$67.94, Dakota Custom Laser..\$192.00, DOJ/Office of Justice Programs..\$4111.74, CMRS-FP..\$5000.00, Taryn Kranhold..\$4000.00, TBA Fairs & Festivals..\$2040.00, Cunningham Elec..\$68.19, Taylor Laundry..\$45.50, Farm & Home Pub..\$1787.50, Pam Linton..\$1500.00, Remily Parks..\$600.00, Phil Baker..\$500.00, Kathy Bender..\$875.00, SD Dept of Rev..\$3536.86;

Professional Fees: witness fees..\$25.92, United Clinic..\$10.03, Avera St Lukes..\$525.13, Todd Struwe..\$1813.18, LCM Pathologists..\$1843.71, Sheriff of Yankton County..\$49.50;

Publications: King County Publications..\$189.75;

Travel: Nancy Hansen..\$2860.02, Leo Leshner..\$165.02, Extension Service..\$449.73, Gary Vetter..\$37.00;

Court Appointed Attorney: Kettering Law Office..\$121.80;

Utilities: Northwestern Energy..\$8398.24, City of Aberdeen..\$990.51, Northern Valley Comm..\$70.76, James Valley Coop..\$143.17, Alltel..\$64.97, Midcontinent Cable..\$97.29, Verizon..\$115.23, Qwest..\$40.36, Wireless World..\$74.20, Web Water..\$56.18:

Care of Poor: Dr/Hospital – 6 recipients..OB/GYN Assoc..\$293.25, Orthopedic Surgery Spec..\$418.43, Avera St Lukes..\$5094.00, Dakota Plains Surgical Center..\$398.63; Rent – 4 recipients..Zumbaum Property..\$220.00, Bruce Boschee..\$240.00, Ron Erdmann..\$260.00, Dallas Niederbaumer..\$280.00; Transportation – 1 recipient..Brown County Highway..\$62.82; Medication - 1 recipient..Walmart Pharm..\$563.63. All members present voting aye. Motion carried.

PERSONNEL:

Moved by Feickert, seconded by Hansen to approve the following employee step increases, effective August 12, 2007: John Heine @ \$17.87 per hour, Scott Kolb @ \$17.82 per hour, Michael Ernst @ \$12.13 per hour, Sherri Rawstern @ \$12.74 per hour, Dennis VanHeerde @ \$13.24 per hour. All members present voting aye. Motion carried.

Moved by Knecht, seconded by Feickert to approve hiring the following part-time employees to work during the Brown County Fair: Fay Dayton @ \$8.24 per hour, Jacie Schley @ \$8.24 per hour, Bobbie Bierman @ \$10.54 per hour, effective August 13, 2007; and Dave Johnson @ \$15.00 per hour, effective August 10, 2007. All members present voting aye. Motion carried.

AUDITORS REPORT OF ACCOUNT:

Moved by Knecht, seconded by Hansen to approve the July 2007 Auditor's Report of Account with the County Treasurer in total amount of \$12,048,017.12 (total amount of actual cash @ \$3,192.70, Wells Fargo Bank @ \$3,694.79, US Bank @ \$226,977.80, Dacotah Bank @ \$77,469.07, Petty Cash @ \$1,800.00, Fund Investments @ \$11,734,575.46, Outstanding Checks @ \$307.30). All members present voting aye. Motion carried.

CONTRACT – BROWN COUNTY 12W/384th AVE INTERSECTION IMPROVEMENT PROJECT:

Moved by Fischbach, seconded by Hansen to approve and authorize the Chairman sign Contract Agreement with Wright & Sudlow to complete the 12W/384th Ave Intersection Improvement Project, as bid on July 10, 2007. All members present voting aye. Motion carried.

BID AWARD – MC 70 ROAD OIL:

Moved by Feickert, seconded by Fischbach to award MC 70 Road Oil (FOB Brown County locations), submitted by Flint Hills Resources, L.P. in amount of \$510.85 per ton, as bid by Day County February 27, 2007 (Jebro Inc. did not bid this item). All members present voting aye. Motion carried.

INCREASE SPENDING AUTHORITY/ESTIMATED REVENUE:

Moved by Fischbach, seconded by Knecht to increase spending authority in Fund #234-211-429 and estimated revenue in Fund #234-331.95 in amount of \$4,111.74 for closeout reimbursement for Disparate Jurisdiction Grant #2003-LBBX-1657. All members present voting aye. Motion carried.

AGREEMENTS:

Moved by Feickert, seconded by Knecht to approve Local Fountain Beverage Agreements executed by the Brown County Fair Board with Pepsi America's and Midwest Coca-Cola, effective March 26, 2007 through March 25, 2008, with automatic one-year renewal options. All members present voting aye. Motion carried.

SPECIAL MALT BEVERAGE LICENSE HEARING:

Time and place, as advertised for public hearing to consider applications for special malt beverage license's to operate during the Brown County Fair. Moved by Fischbach, seconded by Knecht to approve

and authorize the Chairman to sign 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 13, 14, 15, 16, 17, 18 & 19, 2007; Centennial Village Inc - Brown County Fairgrounds (Centennial Village) SW ¼ Sec 1-T123N-R64W, effective August 14, 15, 16, 17, 18, 19, 2007; Boys & Girls Club - Brown County Fairgrounds (Grandstand) SW ¼ Sec 1-T123N-R64W, effective August 13, 14, 15, 16, 17, 18, 19, 2007. All members present voting aye. Motion carried.

LANDFILL UPDATE:

Mike Scott, Landfill Manager and Scott Meints, Emergency Management Director informed the Commission that FEMA has denied approximately \$162,672.33 worth of related costs for disposal of flood debris because the free clean-up was in progress. A formal objection to the denial will be made at the proper time.

WOOD WASTE GRINDING – QUOTE ACCEPTED:

Moved by Feickert, seconded by Knecht to accept quote, submitted by Dakota Wood Grinding Inc, Rosemount, MN in amount of \$400.00 per hour, with \$700.00 mobilization fee for grinding wood waste for the Brown County Landfill in total amount of \$24,000.00. All members present voting aye. Motion carried.

WAIVE FEES – FALL CLEANUP:

Moved by Feickert, seconded by Hansen to approve waiving fees during the Fall Residential Cleanup Event for all materials received at the Landfill ONLY from August 31 thru September 8, 2007. Charges will apply to all mobile homes, business and commercial waste during this time frame. All members present voting aye. Motion carried.

LEASE AMOUNT DISCUSSED:

Sonny Lucas requested reduced rate for lease of the Holum Expo Building for the Rabbit Club State Show. Board concurred.

RELIEF LIEN:

Commissioner Feickert offered the following Resolution:

RESOLUTION NO.58-07

WHEREAS, Brown County has filed an Ambulance Lien in amount of \$90.00 dated January 1, 1983; a Poor Relief Lien in amount of \$3,958.28 dated April 3, 1996 through April 13, 2005; and an Indigent Counsel Lien in amount of \$700.00 dated January 1, 1980 through August 6, 1984 (total amount @ \$4,748.28), 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 all current and delinquent real estate taxes are paid in full, the lien remains filed against the individual and partial payment of \$500.00 is received.

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

Lots 8, 9, 10, 11 and 12, Block 1, Columbia, 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 current and delinquent real estate taxes are paid in full, the lien shall stay filed against the individual and a partial payment in amount of \$500.00 is received.

Dated this 7th day of August 2007.

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

USE OF PARKING LOT:

Moved by Knecht, seconded by Hansen to temporarily close the Brown County Parking Lot north of the Dacotah Prairie Museum to parking on August 25, 2007 in conjunction with Sizzlin' Summer Nights, as requested by Georgia Smith, Aberdeen Downtown Association. All members present voting aye. Motion carried.

CONTRACT ACCEPTANCE:

Moved by Knecht, seconded by Feickert to approve and authorize the Chairman sign letter to confirm acceptance of deliverables under the terms of the contract with Planning & Development District III, dated January 31, 2006. All members present voting aye. Motion carried.

RECESS:

The Chairman declared the Commission recessed until August 14, 2007.

Maxine Taylor – Brown County Auditor

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AUGUST 8, 2007 – SPECIAL MEETING

The Brown County Commission met in Special Session at 10:00 A.M. on August 8, 2007 in the Commissioner's Chambers, Courthouse Annex, Brown County, South Dakota for purpose of considering approval of Resolution relating to conduit financing for Heartland Grain Fuels, L.P. Present were Commissioners Hansen, Fischbach and Wiese. Absent Commissioners Feickert and Knecht. States Attorney Kim Dorsett and Heartland Grain Fuels representative Bill Paulsen were also in attendance.

HEARTLAND GRAIN FUELS:

Commissioner Fischbach offered the following Resolution:

RESOLUTION NO. 59-07

RESOLUTION AUTHORIZING THE ISSUANCE AND SALE OF SUBORDINATE SOLID WASTE DISPOSAL FACILITY REVENUE BONDS OF BROWN COUNTY, SOUTH DAKOTA IN AN AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED \$20,000,000 FOR THE PURPOSE OF FINANCING A PORTION OF THE COST OF CERTAIN FACILITIES FOR USE BY HEARTLAND GRAIN FUELS, L.P.; AUTHORIZING THE EXECUTION OF A LOAN AGREEMENT, A BOND TRUST INDENTURE SETTING FORTH THE TERMS OF THE BONDS, A BOND PURCHASE AGREEMENT, A TAX EXEMPTION AGREEMENT AND RELATED MATTERS.

WHEREAS, Brown County, South Dakota (hereinafter called the "*County*"), a political subdivision of the State of South Dakota, is by virtue of Chapter 9-54 of the South Dakota Codified Laws, as amended (the "*Act*"), is authorized and empowered to issue its revenue bonds for the purpose of providing funds to finance projects comprising real or personal property or both, useful for the promotion and advancement of industrial, commercial, manufacturing, agricultural and natural resources; to encourage and assist in the location of new business and industry in this state and the expansion of existing business development; and to promote the economic stability of the state by providing greater employment opportunities and diversification of industry, thus promoting the general welfare of the citizens; and

WHEREAS, Heartland Grain Fuels, L.P. (the "*Company*") has requested that the County issue its revenue bonds to finance a portion of the cost of the acquisition, construction and equipping of certain facilities which qualify for the purposes described under the Act to be used by the Company and which constitute solid waste disposal facilities, as contemplated by the Internal Revenue Code of 1986, as amended (the "*Code*"), used in connection with the Company's ethanol plant located at or adjacent to 38469-133rd Street, Aberdeen, South Dakota within the County (the "*Project*"); and

WHEREAS, the Company is a limited partnership duly organized under the laws of the State of Delaware and qualified to do business within the State of South Dakota; and

WHEREAS, the County proposes to issue its Subordinate Solid Waste Disposal Facility Revenue Bonds, with such designation as determined by the authorized officers of the County, in an aggregate principal amount not to exceed \$20,000,000 (the "*Bonds*"), all in accordance with the provisions of the Act for the purpose of providing funds (i) to finance a portion of the costs of

the Project, (ii) to pay a portion of the interest accruing on the Bonds during construction of the Project, (iii) to fund a debt service reserve fund for the Bonds, and (iv) to pay certain costs of issuance of the Bonds; and

WHEREAS, after giving notice in accordance with the Code, the County Commission held a public hearing on July 31, 2007 with regard to the proposed financing of the Project and the issuance of the Bonds;

NOW, THEREFORE, BE IT RESOLVED BY THE COUNTY COMMISSION OF THE COUNTY AS FOLLOWS:

Section 1. Incorporation of Preambles. The preambles to this Resolution (the "Bond Resolution") are hereby incorporated in this Bond Resolution as if set forth herein.

Section 2. Public Benefits. The County Commission hereby finds and determines that the financing of the Project will be in furtherance of the public purposes set out in the Act.

Section 3. Findings. The County Commission hereby finds that the Project constitutes certain facilities which qualify for the purposes described under the Act and that the financing of the Project, as authorized by this Bond Resolution, is of public benefit to the health and general welfare of the County.

Section 4. Authorization of Bonds. In order to provide funds (i) to finance a portion of the costs of the Project, (ii) to pay a portion of the interest accruing on the Bonds during construction of the Project, (iii) to fund a debt service reserve fund for the Bonds, and (iv) to pay certain costs of issuance of the Bonds, there are hereby authorized to be issued, sold and delivered the Bonds at one time, with such designation as determined by the authorized officers of the County. In accordance with Section 147(f) of the Code, the County Commission hereby approves the Bonds.

Section 5. Definitions. In addition to the words and terms defined in this Bond Resolution, the words and terms used in this Bond Resolution shall have the meanings set forth in the Bond Trust Indenture (hereinafter defined) and the Loan Agreement (hereinafter defined), unless the context or use indicates another or different meaning or intent.

Section 6. Terms for the Bonds. The total aggregate principal amount of the Bonds that may be issued is hereby expressly limited to an amount not to exceed \$20,000,000 and shall be issued, subject to the receipt of the allocation of state volume cap for the issuance of the Bonds as contemplated by Section 146 of the Code. The Bonds shall be issued as fully registered bonds in denominations set forth in the Bond Trust Indenture.

The Bonds shall mature on such date or dates not later than 15 years from their date of issuance and shall bear interest in accordance with the provisions of the associated Bond Trust Indenture; *provided, however*, that in no event shall the interest rate on the Bonds at any time exceed ten percent (10%) per annum. The Bonds shall be subject to mandatory and optional redemption prior to maturity all as set forth in the Bond Trust Indenture.

The Bonds shall be executed by the manual or facsimile signature of the Chairman of the County Commission (the "Chairman") and attested by the manual or facsimile signature of the County Auditor and delivered on the date provided in the Bond Purchase Agreement (hereinafter defined). The corporate seal of the County or a facsimile thereof shall be affixed, impressed,

imprinted or otherwise reproduced on the Bonds if required by law. As provided in the Bond Trust Indenture, the Bonds shall not be valid until such Bonds are manually authenticated by the Registrar (as defined in the Bond Trust Indenture).

If any of the officers who shall have signed or sealed the Bonds shall cease to be such officers of the County before the Bonds so signed and sealed shall have been actually delivered by the County, the Bonds nevertheless may be issued and delivered with the same force and effect as though the person or persons who signed or sealed the Bonds had not ceased to be such officer or officers of the County; and also any such Bonds may be signed and sealed on behalf of the County by those persons who, at the actual date of the execution of the Bonds, shall be the proper officers of the County, although at the nominal date of the Bonds any such persons shall not have been such officers of the County.

The Bonds are limited obligations of the County payable solely from Revenues (as defined in the Bond Trust Indenture) derived from the Loan Agreement. The Bonds will be secured solely by the Trust Estate (as defined in the Bond Trust Indenture).

Pursuant to the Bond Trust Indenture, the County will assign to the Trustee the County's rights under the Loan Agreement (except for certain unassigned rights), all as security for the payment of the Bonds. In addition, the Company will grant the Trustee under the Bond Trust Indenture (the "*Bond Trustee*") a mortgage lien on and security interest in certain property of the Company to secure payment of the Bonds.

The assignment of the Trust Estate will constitute the sole security for the Bonds. The Bonds and the interest thereon shall be a valid claim of the respective owners only against the Trust Estate. The rights of the Company to make payments on the Loan Agreement and certain security granted to the Bond Trustee shall be subordinate to the rights of the Lender, which is providing debt financing to the Company with respect to its facilities, of which the Project will be a part.

The Bonds do not and shall never constitute an indebtedness within the meaning of any constitutional or statutory limitation or a general obligation of, or a charge against the general credit or taxing power of the County, nor shall they be payable in any manner from revenues raised by taxation.

Section 7. Sale of the Bonds. The Chairman and the County Auditor are hereby authorized and directed to sell the Bonds pursuant to and upon the order of the underwriter for the Bonds (the "*Underwriter*") pursuant to a bond purchase agreement, substantially in the form of the Bond Purchase Agreement between the County, the Company and Dougherty & Company LLC, as underwriter, with all such Bonds being sold at a price of not less than 98% of par (except for original issue discount); *provided* that no more than two percent (2%) of the proceeds from the issuance of the Bonds shall be used for compensating the Underwriter or to pay costs of issuance of the Bonds, and the Company will use its own funds not derived from the issuance of the Bonds to pay any additional compensation of the Underwriter or costs of issuance. The Chairman and the County Auditor are hereby authorized to execute the Bond Purchase Agreement, providing for the sale of the Bonds on terms consistent with this Bond Resolution, in substantially the form submitted to this meeting and approved hereby with such changes as are necessary or appropriate for the issuance of the Bonds. Such Bond Purchase Agreement as executed and delivered shall fix and establish the principal amount of the Bonds, the initial interest rate or rates and the sale price or prices to the Underwriter.

Section 8. Indenture. In order to issue the Bonds and to secure the payment of the principal of, premium, if any, and interest on the Bonds, the Chairman and the County Auditor shall execute, acknowledge and deliver in the name and on behalf of the City, the Bond Trust Indenture, substantially in the form of the Bond Trust Indenture between the County and a trustee to be selected by the Company, submitted to this County Commission, which is hereby approved in all respects with such changes as are necessary or appropriate for the issuance of the Bonds. Said Indenture contains provisions authorized and permitted by the Act, and this Bond Resolution shall constitute a part thereof as therein provided and for all purposes of said Indenture.

Section 9. Loan Agreement. In order to provide for the loan of the proceeds of the Bonds to finance a portion of the cost of the Project and the payment by the Company of an amount sufficient to pay the principal of and premium, if any, and interest on the Bonds, the Chairman and the County Auditor shall execute, acknowledge and deliver in the name and on behalf of the County, the Loan Agreement, substantially in the form of the Loan Agreement between the County and the Company submitted to this County Commission, which is hereby approved in all respects with such changes as are necessary or appropriate for the issuance of the Bonds. Said Loan Agreement contains provisions authorized and permitted by the Act.

Section 10. Official Statement. In order to complete the sale of the Bonds to the public, the County hereby authorizes and directs the preparation and use of a Preliminary Official Statement and an Official Statement, substantially in the form of the Preliminary Official Statement which is before this meeting, with such changes as shall be necessary in order to make the Official Statement accurate and complete. The Company is hereby authorized to deem the Preliminary Official Statement as nearly final for the purposes of Rule 15c-2(12) of the Securities and Exchange Commission. The Underwriter is hereby authorized to distribute such Preliminary Official Statement and Official Statement, in conjunction with the offer, sale and delivery of the Bonds.

Section 11. General. The Chairman and the County Auditor be and they are hereby authorized and directed, in the name and on behalf of the County to execute any and all instruments, including a tax compliance agreement with such provisions as reasonably required or suggested by bond counsel, perform any and all acts, approve any and all matters, and do any and all things deemed by them, or any of them, to be necessary or desirable in order to carry out the purposes of this Bond Resolution (including the preambles hereto), the construction of the Project by the Company, the issuance and sale of the Bonds, and the securing of the Bonds under the Indenture.

All documents before this meeting, including the Bond Indenture, the Loan Agreement, the Preliminary Official Statement and the Bond Purchase Agreement are subject to completion in conformity with and changes not inconsistent with this Bond Resolution. The Chairman and the County Auditor, and each of them, is hereby authorized to execute and deliver said Indenture, Loan Agreement, Bond Purchase Agreement and Tax Exemption Agreement, in substantially the respective forms of said documents before this County Commission, on behalf of the County, with such changes therein as do not affect the terms contained in this Bond Resolution pursuant to the Act and as such officials with the advice of counsel may determine, as conclusively evidenced by their execution thereof, to be advisable and in the best interests of the County and in conformity with this Bond Resolution. In the absence of the Chairman or County Auditor, any person duly authorized to act on behalf of the Chairman or the County Auditor is authorized to execute all documents and take all actions which the Chairman and the County Auditor are authorized to execute or do hereunder.

Section 12. Prior Proceedings. All actions taken by the County Commission, whether before or after the effective date of the Act, in connection with the Project and the financing thereof are, to the extent not inconsistent with this Bond Resolution, ratified, confirmed and incorporated herein.

Section 13. Effective Date. This Bond Resolution shall be in effect upon its adoption by this County Commission as provided by law and all actions of the officers, agents and employees of the County that are in conformity with the purposes and intent of this Bond Resolution, whether taken before or after the adoption hereof, are hereby ratified, confirmed and adopted.

Seconded by Commissioner Hansen. Roll call vote: Commissioners Hansen-aye, Fischbach-aye, Feickert-absent, Knecht-absent, Wiese-aye. Resolution adopted on this 8th day of August, 2007, at the hour of 10:00 A.M.

ADJOURNMENT:

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

Maxine Taylor – Brown County Auditor

AUGUST 14, 2007 - JOINT CITY/COUNTY MEETING

The Brown County Commission and the Aberdeen City Council met in joint session at 8:45 A.M. in the County Commission Chambers, 25 Market Street, Aberdeen, South Dakota. Present from City were Council Members Agnitsch, Aman, Bunsness, Kraft, Mitchell, Rux and Mayor Levsen. Absent Council Members Campbell and Hodgin. Present from County were Commissioners Hansen, Fischbach, Feickert, Knecht and Wiese.

RESOLUTION NO. 07-08-01R:

On motion by Mitchell and seconded by Agnitsch, the City unanimously voted to adopt Resolution No 07-08-01R.

VACATE RIGHT-OF-WAY:

Commissioner Fischbach offered the following Resolution:

BROWN COUNTY RESOLUTION NO. 60-07
ABERDEEN CITY RESOLUTION NO. 07-08-01/R

RESOLUTION TO VACATE PUBLIC RIGHT-OF-WAY

BE IT RESOLVED by the Brown County Commission, Brown County, Aberdeen, South Dakota that the Petition to Vacate the Public Right-of-Way filed by Michael W and Karen L Opp is hereby granted and the public right-of-way is hereby vacated for the following described areas:

The South 50' of 129th Street Public Right-Of-Way starting 369.75' East of Quarter Line of Section 35 extending 849.25' East, according to plat of record entitled "Anliker's Outlot 1 and Kallas' Outlot 1 in the NE ¼ of Sec 35-T124N-R64W, Brown County, SD"

BE IF FURTHER RESOLVED by the Brown County Commission, Brown County, Aberdeen, South Dakota, that a certified copy of this Resolution shall be filed for record and duly recorded in the Office of the Register of Deeds in Brown County.

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

The City Council adjourned and the County Commission continued in regular session.

Maxine Taylor – Brown County Auditor

AUGUST 14, 2007 – GENERAL MEETING

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

MINUTES:

Moved by Hansen, seconded by Feickert to approve the General Meeting minutes of August 7, 2007 and the Special Meeting minutes of August 8, 2007. All members present voting aye. Motion carried.

CLAIMS:

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

Supplies: Office Equip..\$620.04, Menards..\$418.27, Central Supply..\$373.00, Youngs..\$130.65, Jarmens Water..\$690.00, Heartland Paper..\$596.91, Aberdeen Plumbing..\$111.40, Matthew Bender..\$47.25, Exec Mgmt..\$62.20, Plan & Dev Dist III..\$32,400.00, DT Pharm..\$1525.15, Accurint..\$30.00, Taylor Laundry..\$10.50, Lust..\$32.95, Duanes Amoco..\$39.10, CDW Govt..\$129.55, Galls..\$75.47, Hoven Auto..\$20.25, Crisis Prevention..\$75.00, Tri State Water..\$6.60, Evercom..\$1900.00, Mobile Electronic Services..\$73.50, Streichers..\$222.59, Safety Service..\$826.99, Photos Now..\$29.95, Bonnie Bitz..\$72.00, Quality Quick Print..\$89.00, Charm Tex..\$159.00, Bob Barker..\$417.95, HRS..\$5335.85, Kesslers..\$116.42, Dakota Electronics..\$1641.00, Mavis Kempf..\$4.08, Ameripride..\$157.75, Creative Signs..\$287.40, DPM Mercantile..\$3.95, Sherri Rawstern..\$6.14, Sherwin Williams..\$34.78, Quality Quick Print..\$16.75, TMS..\$15,650.00, Menards..\$583.11, Brown County..\$276.22, RDR..\$2541.27, Dakota Supply Group..\$923.79, Zeller Bros Construction..\$47,303.00, Swanston Elec..\$245.10, Hub City Rents..\$30.00, Evergreen..\$14.52, Vosika Fencing..\$171.00, Todd Wren..\$504.90, Farnams Genuine Parts..\$4.48, Duane Wolf..\$280.00, Parkview Nursery..\$110.50, Runnings..\$625.31, Erdmann Fuels..\$7540.05, Gas 'N Goodies..\$4.00, Macs..\$40.31, Cunningham Elec..\$800.34, Independence..\$350.00, Starting Line-Up..\$1200.00, Garret Bowder..\$300.00, Hitz Band..\$1600.00, Nick Bretz..\$1200.00, Gary Tyson Entertainment..\$1350.00, Dominant 7..\$1200.00, Uffda Brudders..\$1200.00, Nate Kellison..\$2500.00, Amy Engelhart..\$730.00, Open Class Livestock..\$370.00, Antique Tractor Pullers Assn..\$1200.00, Barb Crawford..\$495.00, Pizza Ranch..\$324.00, Van Diest..\$3527.25, Pro Ag..\$882.45, Kens Alignment..\$803.27, Electric Co..\$151.04, Ameripride..\$114.35, Walmart..\$61.69, Galls..\$337.02, Earth Tech..\$5554.04, Powerplan..\$1452.62, Sheehan Mack Sales..\$9812.91, Cunningham Elec..\$2769.49, Praxair..\$17.80, Dakota Oil..\$336.50, Gemplers..\$286.25, Vosika Fencing..\$1989.15, Graham Tire..\$757.72, OK Tire..\$39.00, HF Jacobs..\$173.40, Midwest Pump & Tank..\$23.36, Brick Propane..\$18.00, Pierson Ford..\$50.00, SD DENR..\$500.00, Heiman Fire..\$1751.00, USAED Omaha Dist..\$20,485.03, Emily Hughes..\$158.94, Inventory Trading..\$164.50, APCO..\$410.00, Priority Dispatch..\$4500.00:

Professional Fees: Sheriff of Steele County..\$150.00, witness fees..\$199.16, Avera St Lukes..\$299.73, Lyrita Wilkie..\$210.00, Jason Engel..\$175.00, Pam Smid..\$70.00, Jackie Schraeder..\$35.00, Beadle County Sheriff..\$500.00, Avera Queen of Peace..\$254.00:

Publications: American News..\$753.00:

Transcriptions: Kristi Kost..\$52.50:

Travel: Allan Vietmeier..\$127.65:

Utilities: FSH..\$60.00, Northwestern Energy..\$1177.99, TelServ..\$20.00, City of Aberdeen..\$2201.39, Northern Valley..\$69.66, Northern Elec..\$874.23, Qwest..\$52.54, Northern Wireless..\$80.95, Dependable Sanitation..\$18,688.22, Verizon..\$82.91:

Care of Poor: Dr/Hospital – 2 recipients..Avera St Lukes..\$815.00, Anesthesia Care..\$252.00, Harlow Orthopedics..\$1930.93; Rent – 5 recipients..J&M Ent..\$240.00, Robert Rennolet..\$260.00, Webb Shoe Co..\$220.00, Bill Mount..\$260.00, Bruce Boschee..\$225.00; Utilities – 1 recipient..NWPS..\$260.00; Medication - 3 recipients..Plaza Pharm..\$26.15, Walmart Phar..\$381.87, Kessler Pharm..\$42.79; Transportation – 1 recipient..Brown County Highway..\$49.73. All members present voting aye. Motion carried.

PERSONNEL:

Moved by Knecht, seconded by Feickert to approve hiring the following part-time employees to work during the 2007 Brown County Fair, effective August 15, 2007: Roger Dummer, Vernell Jensen, Laura Scholtz, Steven Newton, Heather Riese, John Grube, Wayne Neaveil, Shawn Butler at \$8.03 per hour; and Tim Norton, Dan Greeley, Sarah Greeley, Marian Greeley, Kristina Vester at \$8.08 per hour. All members present voting aye. Motion carried.

Moved by Feickert, seconded by Knecht to approve Jan Beckler as volunteer cashier in the ticket booth during the 2007 Brown County Fair. 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 who received equipment from the 2004 DOJ Equipment Grant Program (HLS): Paul Bohling (weather radio). All members present voting aye. Motion carried.

CANCEL SHERIFF CHECKS:

Moved by Hansen, seconded by Feickert to authorize the following checks be cancelled from the Sheriff Department Account: Check # 5412 @ \$6.00, Check #5101 @ \$7.36. All members present voting aye. Motion carried.

PLAT:

Commissioner Feickert offered the following Resolution:

RESOLUTION NO. 61-07

BE IT RESOLVED by the Board of County Commissioners of Brown County, SD, that the plat showing "Opp Subdivision in the NE ¼ of Sec 35-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 Knecht. Roll call vote: Commissioners Hansen-aye, Feickert-aye, Fischbach-aye, Knecht-aye, Wiese-aye. Resolution adopted.

BACK-ON-TRACK:

Laurie Swanson, Bill McQuillen and Jim Latterell explained the purpose and goals of Back-On-Track, Long Term Disaster Recovery as it relates to the 2007 flood victims and any future incidents.

NATIONAL ANIMAL IDENTIFICATION SYSTEM:

Wayne Nelson discussed draft resolution opposing the National Animal Identification System. The Commission took no action at this time.

APPLICATION FOR OCCUPANCY:

Moved by Feickert, seconded by Fischbach to approve and authorize the Chairman sign application, submitted by Northern Electric for occupancy of Brown County Highway #10 in Sec 1 & 2-T122N-R64W, Brown County, SD, to install primary electrical cable. All members present voting aye. Motion carried.

HIGHWAY UPDATE:

Dirk Rogers, Highway Superintendent discussed a portion of a lake road the residents had dust proofed. The Commission instructed the Highway Department to blade the road as needed regardless of residents dust proofing.

EXECUTIVE SESSION:

Moved by Feickert, seconded by Hansen to go into executive session to discuss contract with Kim Dorsett and individuals who submitted proposals for the contract 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.

2008 PROVISIONAL BUDGET:

Moved by Fischbach, seconded by Knecht to approve the 2008 Provisional Budget and authorize advertising public hearing to be held in the Commissioner's Chambers, Courthouse Annex, at 10:00 A.M. on September 4, 2007. Roll call vote: Commissioners Hansen-aye, Fischbach-aye, Feickert-aye, Knecht-aye, Wiese-aye. Motion carried.

RECESS:

The Chairman declared the Commission recessed until August 21, 2007.

Maxine Taylor – Brown County Auditor

AUGUST 21, 2007 – GENERAL MEETING

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

MINUTES:

Moved by Fischbach, seconded by Hansen to approve the Joint City/County Meeting minutes and the General Meeting minutes of August 14, 2007. All members present voting aye. Motion carried.

CLAIMS:

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

Payroll: Commissioners..\$2,876.00; Auditor..\$6,660.44; Treasurer..\$10,397.80; Data Processing..\$2,993.82; State's Attorney..\$11,865.24; Maintenance..\$5,640.91; Assessor..\$9,142.85; Register of Deeds..\$5,103.28; Veterans Service Office..\$2,831.43; GIS..\$1,776.93; Sheriff..\$65,468.66; Communications..\$16,121.83; Welfare Office..\$2,902.34; Museum..\$5,196.50; Fairgrounds & Parks..\$4,613.87; Fairboard..\$1,996.67; Extension..\$1,866.84; Weed..\$3,309.78; Planning and Zoning..\$1,461.54; Emergency Management..\$2,665.73; Teen Court..\$555.00; Highway..\$30,803.45; Landfill..\$8,190.17; Matching Benefits: FICA..\$12,028.93; Medicare..\$2,813.12:
Supplies: SD Assoc of County Commission..\$1440.00, Office Equip..\$469.75, CDW Govt..\$110.30, New Trends..\$64.88, McFarland Supply..\$116.56, Gardner Locksmith..\$315.72, Ecolab..\$77.00, HSBC..\$600.25, Moore Medical..\$268.31, Velvet Uniforms..\$91.59, Hoven Auto..\$40.00, Service Signs..\$35.00, Diane Mielke..\$66.17, Karst Car Care..\$437.52, Earthgrains..\$701.64, Shell Fleet..\$143.70, Z&S Dust..\$2796.20, Wallwork Truck Center..\$92.20, Upper Plains Contracting..\$1700.00, 3B6 Tech..\$91.43, Specialty Mfg..\$2.45, SD Fed Property..\$11.00, Sheehan Mack Sales..\$875.00, Praxair..\$6.30, Pumps Tire..\$62.65, Pierson Ford..\$3550.27, Outlaw Graphics..\$56.00, Nelson Sales..\$2.10, Midwest Pump & Tank..\$6.06, Menards..\$70.58, M-R Signs..\$338.50, Lawson Products..\$375.66, Interstate Battery..\$161.90, Heartland Paper..\$246.47, Frey's Electronics..\$178.50, Flint Hills..\$12,214.42, Fastenal..\$16.36, Farnams..\$9.32, Exhaust Pros..\$11.00, JD Evans..\$191.30, Erdmann Fuels..\$2226.25, Economy Propane..\$1699.20, Diamond Mowers..\$442.24, Dakota Oil..\$1036.65, Dakota Fluid Power..\$242.07, Clark Engineering..\$501.13, Carquest..\$1030.99, Artz Equip..\$208.00, Ameripride..\$209.24, Aberdeen Asphalt..\$228,086.60, Dakota Entertainment..\$975.00, Pizza Ranch..\$839.44, Golden West..\$5145.37, M&T Fire..\$1120.00, Farm & Home..\$27.50, Bath Fire Dept..\$1600.00, Columbia Fire Dept..\$3300.00, Warner Fire Dept..\$1490.00, Hutterville Fire Dept..\$1900.00, Stratford Fire Dept..\$720.00, Groton Fire Dept..\$246.50, Aberdeen Rural Fire Dept..\$14,240.00, Zastrow Service..\$15.00:
Professional Fees: Jackie Schraeder..\$350.00, Lyrita Wilkie..\$105.00, Pam Smid..\$105.00, Jason Engel..\$35.00, Sheriff of Yankton County..\$25.00, Cathy Rehfuß..\$15.00, Nelva Kooistra..\$15.00, Donna Dietrich..\$162.91, TBA..\$200.00, Scott McFall..\$1500.00, SE Pickup Pullers Assn..\$1000.00, Language Line..\$90.00:
Publications: American News..\$541.44, Groton Indep..\$480.73:
Travel: Gene Loeschke..\$166.87, Kathy Fischer..\$79.18, Levi Jensen..\$31.19, Gary Vetter..\$726.25, Mark Milbrandt..\$567.00, Garrett Bowder..\$100.00:
Utilities: Alltel..\$212.47, Dependable Sanitation..\$371.00, Northwestern Energy..\$1157.24, Northern Elec..\$9.40, City of Hecla..\$63.22, Town of Frederick..\$28.25, James Valley Telecomm..\$203.93, Qwest..\$3139.56:
Care of Poor: Dr/Hospital – 4 recipients..Avera St Lukes..\$6287.60, Orthopedic Surgery Spec..\$2072.22; Rent – 4 recipients..Super 8..\$61.62, White House Inn..\$220.50, Annette Schwan..\$220.00; Utilities – 1 recipient..City of Groton..\$130.00; Transportation – 1 recipient..Brown County Highway..\$47.12. All members present voting aye. Motion carried.

PERSONNEL:

Moved by Hansen, seconded by Knecht to approve the following employee step increases, effective August 26, 2007: Kristi Vetter @ \$11.15 per hour, Kimberly Byram @ \$11.42 per hour, Nathan Smith @ \$12.13 per hour; and further approve employee step increase for Kathy Fischer @ \$16.10 per hour, effective April 22, 2007. All members present voting aye. Motion carried.

Moved by Hansen, seconded by Knecht to designate Deputy States Attorney Jodi Brown as Victim's Assistant at pro-rated annual salary of \$10,000.00 (in addition to base pro-rated annual salary of \$24,000), effective August 13, 2007. All members present voting aye. Motion carried.

LANDFILL PERMIT:

Moved by Knecht, seconded by Feickert to approve and authorize the Chairman sign Brown County Solid Waste Landfill Permit, to be submitted to the SD Department of Environment and Natural Resources for approval. All members present voting aye. Motion carried.

EXECUTIVE SESSION:

Moved by Knecht, seconded by Hansen to go into executive session to discuss contract with 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.

CAR RACE TRACK PROPOSALS:

Moved by Hansen, seconded by Fischbach to accept proposal submitted by Al Malsam in amount of \$42,250.00 for the operation of the car racetrack at the Fairgrounds. Roll call vote: Commissioners Hansen-aye, Fischbach-aye, Feickert-nay, Knecht-nay, Wiese-nay. Motion failed.

Moved by Knecht, seconded by Feickert to accept proposal submitted by Doug, Wendy, Nick, Dwight Guthmiller and Dave Weisz DBA Next Generation Racing in amount of \$30,000.00 for the operation of the car racetrack at the Fairgrounds. Roll call vote: Commissioners Hansen-nay, Fischbach-nay, Feickert-aye, Knecht-aye, Wiese-nay. Motion failed.

Moved by Feickert, seconded by Wiese to accept proposal submitted by Terry L and Jane Voeltz DBA T's Promotions Inc in amount of \$32,000.00 for the operation of the car racetrack at the Fairgrounds. Roll call vote: Commissioners Hansen-nay, Fischbach-nay, Feickert-aye, Knecht-nay, Wiese-aye. Motion failed.

Moved by Knecht, seconded by Feickert to accept proposal submitted by Doug, Wendy, Nick, Dwight Guthmiller and Dave Weisz DBA Next Generation Racing in amount of \$30,000.00 for the operation of the car racetrack at the Fairgrounds. Roll call vote: Commissioners Hansen-nay, Fischbach-nay, Feickert-aye, Knecht-aye, Wiese-nay. Motion failed.

Moved by Fischbach, seconded by Feickert to table decision for the operation of the car racetrack at the Fairgrounds until August 28, 2007. All members present voting aye. Motion carried.

FEMA REIMBURSEMENT:

Scott Meints, EM Director and Mike Scott, Landfill Manager informed the Commission that FEMA will reimburse a portion of related costs for disposal of flood debris previously denied, based upon affect the extra debris had on the projected life of the landfill.

GIS UPDATE:

Scott Madsen, GIS Coordinator inquired about adjusting the fee schedule approved May 23, 2006 due to the increased ability and cost when providing information to the public and other interested parties. The

Commission advised tracking requests and actual production costs and review fees again at a later date. Also educational outreach programs were discussed and approved.

COUNTY FUNDING DISCUSSED:

District 2 State Representative Paul Dennert discussed a proposed resolution that may be presented to the 2008 Legislature, authorizing a capital outlay levy for counties to use on capital improvement projects.

RECESS:

The Chairman declared the Commission recessed until August 28, 2007.

Maxine Taylor – Brown County Auditor

AUGUST 28, 2007 – GENERL MEETING

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

MINUTES:

Moved by Hansen, seconded by Knecht to approve the General Meeting minutes of August 21, 2007. All members present voting aye. Motion carried.

CLAIMS:

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

Supplies: NADA..\$250.00, West Payment..\$1987.99, State Bar of SD..\$90.00, SD Continuing Ed..\$500.00, Dept of Rev..\$2028.00, Florida Micro..\$825.04, SD Assoc of County Commission..\$16,760.55, Cartney Bearing..\$15.24, Ecolab..\$108.00, DSG..\$351.53, Heartland Paper..\$249.10, Sec of State..\$7.00, Office Equip..\$59.47, Hitch 'N Post..\$104.97, Photos Now..\$159.00, Medtox..\$251.25, Best Business..\$137.11, Jan Weismantel..\$70.14, Serocki Excavating..\$3450.36, Howes Oil..\$20,596.40, Flint Hills..\$7332.59, Erdmann Fuels..\$2079.12, Dware..\$75.00, Walmart..\$39.31, Lora Schaunaman..\$6.25, Advantage Self Storage..\$129.00, Midwest Golf Car..\$6283.50, CMW Cleaning..\$540.00, Gompf Displays..\$1855.00, HSBC..\$186.17, Jerry Mills..\$15.00, Pro Ag..\$882.45, Carquest..\$28.53, Van Diest..\$5295.40, Graham Tire..\$16.00, Racom..\$42.40, Walmart..\$740.17, Climate Control..\$7527.96, Titan Machinery..\$43.20, RDO Equip..\$61.88, House of Glass..\$474.56, Crescent Elec..\$85.69, Ben Hofer Backhoe..\$5354.83, Sewer Duck..\$119.00, Macs..\$204.08, Runnings..\$9.88:

Professional Fees: Cass County Sheriff..\$40.00, Avera St Lukes..\$72.00, Pam Smid..\$245.00, Jackie Schraeder..\$245.00, Lyrita Wilkie..\$315.00, Scott Weitbrecht..\$245.00, NADRIC..\$1666.63:

Publications: American News..\$301.74:

Jury: Melissa Bock..\$11.48, Wilmer Bohlander..\$11.48, Mary Claeys..\$35.90, Marjorie Heinz..\$732.20, Molly Hornaman..\$783.68, Elizabeth Ketterling..\$11.48, Karen Mastel..\$629.24, Tanya Michlitsch..\$783.68, Allen Nies..\$436.64, Lyla Nikolas..\$629.24, Lisa Peterson..\$15.92, Jamie Schaunaman..\$11.48, Jennifer Schmidt..\$722.16, Janet Stuchl..\$783.68, Tonya Vilhauer..\$629.24, Casey Walker..\$15.92, Michelle Williams..\$715.82:

Travel: Leo Leshar..\$227.12, City of Groton..\$138.01, Larry Gerlach..\$223.69, Deb Knecht..\$196.70:

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

Utilities: Midcontinent Cable..\$129.90, Alltel..\$1250.12, Northwestern Energy..\$4925.29, Montana Dakota..\$15.97, Qwest..\$1604.45, Bureau of Admin..\$616.34:

Care of Poor: Dr/Hospital – 4 recipients..Orthopedic Surgery Spec..\$878.61, Avera St Lukes..\$975.71, Rent – 2 recipients..Wanzek Family..\$310.00, Lonnie Frost..\$220.00; Utilities – 1 recipient..NWPS..\$280.00; Transportation – 2 recipients..Jefferson Lines..\$148.00; Burial – 1 recipient..City of Aberdeen..\$400.00; Insurance – 1 recipient..Midstates Printing..\$379.50. All members present voting aye. Motion carried.

PERSONNEL:

Moved by Hansen, seconded by Knecht to approve Lisa Samson's transfer from Director of Equalization Office to Auditor's Office, effective August 27, 2007 at \$10.98 per hour. All members present voting aye. Motion carried.

Moved by Hansen, seconded by Feickert to approve hiring Sara Hagman, as employee in the Director of Equalization Office, effective September 4, 2007 at \$10.77 per hour. All members present voting aye. Motion carried.

LOTTERY APPLICATION:

Moved by Hansen, seconded by Fischbach to approve the application submitted by Aberdeen Area Modelaires for raffle to be held on October 10, 2007. All members present voting aye. Motion carried.

SHERIFF REPORTS:

Moved by Fischbach, seconded by Feickert to approve the following July 2007 Sheriff Reports: Incidents and offenses, Prisoner Care, JDC, Money deposited with the County Treasurer and Monthly activities. All members present voting aye. Motion carried.

VACATE PLAT:

Moved by Knecht, seconded by Fischbach to authorize advertising public hearing to consider approval of petition to vacate the plat, described as Olson's Outlot 1 in the SW ¼ of Sec 10-T123N-R62W, Brown County, SD, to be held at 9:45 A.M. on September 25, 2007 in the Commissioner's Chambers, Courthouse Annex, Brown County, SD. All members present voting aye. Motion carried.

SOLID WASTE SPECIAL ASSESSMENT FEES - 2008

Commissioner Feickert offered the following Resolution:

RESOLUTION NO. 62-07

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, 2008 through December 31, 2008, 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 28th of August 2007.

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

SW EQUALIZATION NOTICE:

Moved by Knecht, seconded by Hansen to authorize advertising the Solid Waste Special Assessment Equalization Notice. All members present voting aye. Motion carried.

PLATS:

Commissioner Hansen offered the following Resolution:

RESOLUTION NO. 63-07

BE IT RESOLVED by the County Commission of Brown County, SD, that the plat showing as "Inches First Subdivision in SW ¼ Sec 8-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 Knecht. Roll call vote: Commissioners Hansen-aye, Fischbach-aye, Feickert-aye, Knecht-aye, Wiese-aye. Resolution adopted.

Commissioner Fischbach offered the following Resolution:

RESOLUTION NO. 64-07

BE IT RESOLVED by the County Commission of Brown County, SD, that the plat showing "Moen 1st Subdivision in SW ¼ Sec 5-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-aye, Fischbach-aye, Feickert-aye, Knecht-aye, Wiese-aye. Resolution adopted.

Commissioner Feickert offered the following Resolution:

RESOLUTION NO. 65-07

BE IT RESOLVED by the County Commission of Brown County, SD, that the plat showing "Garrett's Subdivision of Lot 1 in Hagemann First Subdivision in SE ¼ Sec 26-T124N-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, Feickert-aye, Knecht-aye, Wiese-aye. Resolution adopted.

Commissioner Hansen offered the following Resolution:

RESOLUTION NO. 66-07

BE IT RESOLVED by the Board of County Commissioners of Brown County, SD, that the plat showing "Sperry Tract 1 in the SW ¼ of Sec 4-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 Feickert. Roll call vote: Commissioners Hansen-aye, Fischbach-aye, Feickert-aye, Knecht-aye, Wiese-aye. Resolution adopted.

Commissioner Feickert offered the following Resolution:

RESOLUTION NO. 67-07

BE IT RESOLVED by the Board of County Commissioners of Brown County, SD, that the plat showing plat of "Freudenthal Conservation Easement Tract 1 in Government Lots 11 and 12 in Sec 16-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 Knecht. Roll call vote: Commissioners Hansen-aye, Fischbach-aye, Feickert-aye, Knecht-aye, Wiese-aye. Resolution adopted.

Commissioner Feickert offered the following Resolution:

RESOLUTION NO. 68-07

BE IT RESOLVED by the County Commission of Brown County, SD, that the plat showing "Heartland Grain Fuels Outlots in the N ½ of Sec 20-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, Feickert-aye, Knecht-aye, Wiese-aye. Resolution adopted.

Commissioner Knecht offered the following Resolution:

RESOLUTION NO. 69-07

BE IT RESOLVED by the County Commission of Brown County, SD, that the plat showing "G & G Subdivision in Mallard Pass Subdivision in SW ¼ Sec 8-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, Knecht-aye, Wiese-aye. Resolution adopted.

Commissioner Hanson offered the following Resolution:

RESOLUTION NO. 70-07

BE IT RESOLVED by the Board of County Commissioners of Brown County, SD, that the plat showing "Zastrow Subdivision in the NE ¼ and SE ¼ of Sec 30-T125N-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.

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

EXECUTIVE SESSION:

Moved by Fischbach, seconded by Hansen to go into executive session for personnel discussion with Charlene Millim, Jeanette Nietert 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.

CAR RACE TRACK PROPOSALS:

Moved by Hansen, seconded by Fischbach to accept proposal submitted by Al Malsam in amount of \$42,250.00 for the operation of the Car Race Track at the Fairgrounds for the 2008 Racing Season, rejecting the following: Doug, Wendy, Nick, Dwight Guthmiller and Dave Weisz DBA Next Generation Racing in amount of \$30,000.00 and Terry L and Jane Voeltz DBA T's Promotions Inc in amount of \$32,000.00. Roll call vote: Commissioners Hansen-aye, Fischbach-aye, Feickert-nay, Knecht-aye, Wiese-nay. Motion carried.

AIRPORT DRAINAGE DISCUSSION:

Gary Vetter, Planning/Zoning and Drainage Coordinator reported the following drainage concern and Nancy Kiesz, area resident explained how drainage from airport land owned by Aberdeen City, being leased to the National Guard Armory, is being changed due to an expanded area of use which changes the flow of runoff water from the area and questioned what affect it will have on adjoining land owners and procedure for notice and hearings.

RECESS:

The Chairman declared the Commission recessed until September 4, 2007.

Maxine Taylor – Brown County Auditor

SEPTEMBER 4, 2007 – GENERAL MEETING

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

MINUTES:

Moved by Fischbach, seconded by Knecht to approve the General Meeting minutes of August 28, 2007. All members present voting aye. Motion carried.

CLAIMS:

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

Payroll: Commissioners..\$2,876.00; Auditor..\$5,883.96; Treasurer..\$9,967.00; Data Processing..\$3,024.20, State's Attorney..\$11,626.77; Maintenance..\$5,587.12; Assessor..\$9,203.75; Planning & Zoning..\$1,461.54; Register of Deeds..\$5,103.28; Veterans Service Office..\$2,689.59; GIS..\$1,776.93; Sheriff..\$64,350.27; Communications..\$16,865.90; Welfare Office..\$2,902.34; Museum..\$5,200.50; Fairboard..\$17,868.59; Fairgrounds & Parks..\$8,652.39; Extension..\$3,527.09; Weed..\$4,288.17; Emergency Management..\$2,665.73; Teen Court..\$420.00; Highway..\$29,039.83; Landfill..\$8,105.87; Matching Benefits: FICA..\$13,843.13, Medicare..\$3,237.49, Wellmark BCBS Life..\$689.20, Wellmark BCBS Health..\$64,525.44, Delta Dental..\$4,256.00, SD State Retirement..\$37,947.14:

Supplies: Quality Quick Print..\$273.48, Gardner Locksmith..\$45.00, Menards..\$160.42, Pro-Ed..\$149.00, New Trends..\$54.00, Central Supply..\$780.60, Best Business..\$464.37, Veterans Information..\$48.00, Coast to Coast..\$192.29, Office Equip..\$302.96, Grafix..\$432.08, Langs..\$85.50, Exec Mgmt..\$1906.50, Lust Chev..\$590.11, Racom..\$254.40, McPc..\$291.00, Polk City Directory..\$178.50, SD LTAP..\$70.00, Snap On Tools..\$58.35, Share Corp..\$446.50, Serocki Excavating..\$166,475.06, Reuers Auto..\$4.95, Palmer Dist..\$45.00, Newman Signs..\$132.58, Macs..\$46.44, M-R Signs..\$291.61, Kens Alignment..\$794.92, HSBC..\$202.83, Erdmann Fuels..\$3011.09, Custom Glass..\$220.00, Crescent Elec..\$164.76, Crawford Trucks..\$1427.92, Red River Pedal Pulls..\$490.00, Northstar Amusements..\$16,479.93, Dietrich Bus Service..\$140.00, Local 503..\$7020.00, Kleins..\$10.95, Natural Abundance..\$2.00, Trapline Lodges..\$733.00, AASHL..\$100.00, SD for the Arts..\$125.00, Extension Service..\$269.46, Eide Bailly..\$255.00, S&S Lumber..\$671.12, Maxine Taylor..\$49.81:

Professional Fees: witness fees..\$20.00, Donna Dietrich..\$72.36:

Travel: Gene Loeschke..\$74.00, Teoni Taylor..\$91.91:

Utilities: Northwestern Energy..\$8553.80, Qwest..\$40.81, Midcontinent Cable..\$152.29, WEB..\$71.72:

Care of Poor: Dr/Hospital – 3 recipients..United Clinic..\$380.56, Dakota Imaging..\$276.89; Rent – 1 recipient..Ed Sprecher..\$220.00; Utilities – 1 recipient..NWPS..\$242.11; Burial – 3 recipients..Carlsen Funeral Home..\$2083.00, Schrivvers Funeral Home..\$1783.00, City of Aberdeen..\$400.00. All members present voting aye. Motion carried.

PERSONNEL:

Moved by Fischbach, seconded by Knecht to approve the following employee step increases: Samiulela Mouna @ \$12.13 per hour, Ben Hofer @ \$12.96 per hour, effective September 9, 2007 and Jesse Milbrandt @ \$12.13 per hour, Jennifer Stoddard @ \$12.37 per hour, effective September 23, 2007. All members present voting aye. Motion carried.

Moved by Knecht, seconded by Fischbach to amend motion in General Meeting minutes dated August 21, 2007 to read: designate Deputy States Attorney Jodi Brown as Victim's Assistant at pro-rated annual salary of \$10,000.00 (no longer handling juvenile cases at pro-rated annual salary of \$24,000.00). All members present voting aye. Motion carried.

PLAT:

Commissioner Knecht offered the following Resolution:

RESOLUTION NO. 71-07

BE IT RESOLVED by the Board of Commissioners of Brown County, SD, that the plat showing "Bauer's Third Addition in the S ½ of Sec 7-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-absent, Fischbach-aye, Feickert-aye, Knecht-aye, Wiese-aye. Resolution adopted.

SET HEARING DATE:

Moved by Fischbach, seconded by Knecht to set date for joint public meeting of the Brown County Commission and Aberdeen City Council for 8:45 a.m. on September 25, 2007 in the County Commission Chambers, 25 Market Street for First Reading of the following: Ordinance No. 07-09-04/351, An Ordinance to rezone the following property from Section 701 (A-1) Agricultural District to Section 710 (I-2) Unrestricted Industrial District: Outlot 2, Heartland Grain Fuels Outlots in the N ½ of Sec 20-T123N-R64W of the 5th P.M., Brown County, SD; Ordinance No. 07-09-05/352, An Ordinance to rezone the following property from Section 701 (A-1) Agricultural District to Section 714 (M-Ag) Mini-Agricultural District: Mohr's Outlots in the NW ¼ of Sec 33-T124N-R64W of the 5th P.M., Brown County, SD excluding Foote Creek; Ordinance No. 07-09-06/353, An Ordinance to rezone the following property from Section 701 (A-1) Agricultural District to Section 714 (M-Ag) Mini-Agricultural District: Lots 1 and 2, Hedges' First Subdivision in the NE ¼, Sec 26-T124N-R64W of the 5th P.M., Brown County, SD. All members present voting aye. Motion carried.

CONTRACT:

Moved by Fischbach, seconded by Knecht to approve and authorize the Chairman sign contract with Beadle County for housing juveniles in the Beadle County Juvenile Detention Center, effective January 1, 2007 through December 31, 2007. All members present voting aye. Motion carried.

INCREASE SPENDING AUTHORITY/ESTIMATED REVENUE:

Moved by Knecht, seconded by Fischbach to increase spending authority in Fund 226-222-426 and increase estimated revenue in Fund 226-373.01 for unanticipated insurance reimbursement in amount of \$3,862.40. All members present voting aye. Motion carried.

HOSPITAL CLAIMS:

Moved by Knecht, seconded by Fischbach to deny payment of the hospital bill for a 44 year old female @ \$4,228.99, and deny payment for a 20 year old male @ \$8,992.44, as the individuals have not provided sufficient information to determine if indigent. All members present voting aye. Motion carried.

2008 PROVISIONAL BUDGET HEARING:

Time and place, as advertised for public hearing on the 2008 Provisional Budget. No one from the public appeared. Larry Gerlach, Fair Manager discussed expenses and revenue from the 2007 Fair and inquired about additional spending authority for 2008. No action will be taken on the Provisional Budget until September 25, 2007.

RECESS:

The Chairman declared the Commission recessed until September 11, 2007.

Maxine Taylor – Brown County Auditor

SEPTEMBER 11, 2007 – GENERAL MEETING

Meeting called to order by Chairman Wiese at 8:45 A.M. on September 11, 2007 in the Commissioner's Chambers, Courthouse Annex, Brown County, SD. Present were Commissioners Feickert and Knecht. Absent Commissioners Hansen and Fischbach.

MINUTES:

Moved by Knecht, seconded by Feickert to approve the General Meeting minutes of September 4, 2007. All members present voting aye. Motion carried.

CLAIMS:

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

Supplies: Best Business..\$449.36, Quality Quick Print..\$285.15, SD Dept of Revenue..\$35.00, Western Printing..\$44.90, Exec Mgmt..\$71.89, New Trends..\$101.49, Aberdeen Carpet Cleaning..\$435.00, Central Supply..\$227.55, Tellinghuisen..\$193,023.85, Runnings..\$567.70, Carpets Plus..\$10,000.00, Gardner Locksmith..\$136.40, Tiffin Metal..\$3425.00, Woodman Refrig..\$2704.36, Taylor Laundry..\$50.50, Coinsurance Aberdeen..\$50.00, Office Equip..\$104.72, Zastrow Service..\$20.00, Serocki Excav..\$157,030.11, Safety Service..\$669.71, Menards..\$94.52, James Loterbauer..\$108.00, Ken's Alignment..\$57.20, Great Western Tire..\$5749.34, Clark Engineering..\$331.16, Butler Machinery..\$59.57, Aberdeen Asphalt..\$7197.50, Interior Design..\$257.41, Hub City Radio..\$125.00, Kleins..\$4.13, Midwest Alarm..\$51.50, Sue Gates..\$37.82, Midwest Art Conservation Center..\$600.00, SD Magazine..\$265.00, UBC..\$17.47, Upbeat..\$1685.00, Northwind Machine..\$130.74, Nelson Sales..\$59.85, ProPac..\$1476.14, MES..\$726.63, Brown County..\$106.70, Erdmann Fuels..\$8466.01, Praxair..\$18.31, UPS..\$6.42, Fed Property..\$1900.00, Sheehan Mack Sales..\$2197.89, Powerplan..\$1647.40, Pierson Ford..\$155.30, Hub City Radio..\$150.00, SD Dept of Rev..\$3593.71, OK Tire..\$12.00, MVTL Labs..\$717.40, Century Business..\$66.95, Ameripride..\$152.07, Hedahls..\$15.12, Butler Machinery..\$7742.79, New Deal Tire..\$15,406.15, Firestone..\$206.15, Brick Propane..\$30.00, HKG..\$1314.50, Huron Culvert..\$624.37, Priority Dispatch..\$405.00, HSBC..\$26.96, John McQuillen..\$9.85, Racom..\$42.40, Walmart..\$44.65, Inventory Trading..\$106.50:
Professional Fees: witness fees..\$40.00, Avera St Lukes..\$1320.00, Lyrita Wilkie..\$35.00, Jason Engel..\$105.00, Jackie Schraeder..\$70.00, Scott Weitbrecht..\$175.00, Pam Smid..\$105.00, LCM Pathologists..\$210.00:
Publications: American News..\$1909.66, Dakota Press..\$728.03:
Transcriptions: Sara Van De Walle..\$23.80, Richard Neal..\$36.40:
Travel: Kathy Schlecht..\$358.31, Tom Gohn..\$25.00, Marj Zastrow..\$142.48:
Utilities: FSH..\$60.00, City of Aberdeen..\$1930.17, Northern Valley Comm..\$141.03, James Valley Coop..\$148.80, Town of Frederick..\$28.25, Alltel..\$129.47, Northwestern Energy..\$380.55, Verizon..\$115.22, Northern Elec..\$100.00, Northern Wireless..\$61.95, Geniusweb..\$29.97, Midcontinent Cable..\$66.55, Verizon..\$82.75, James Valley Telecomm..\$207.13:
Care of Poor: Rent – 4 recipients..Danne Inc..\$355.00, Brenner Properties..\$220.00, Briscoe Rentals..\$220.00, Zumbaum Properties..\$100.00; Utilities – 2 recipients..NWPS..\$406.39; Transportation – 1 recipient..Brown County Highway..\$37.02; Medication - 4 recipients..Jones Drug..\$48.99, Walmart Pharm..\$223.09. All members present voting aye. Motion carried.

PROPERTY TRANSFER:

Moved by Knecht, seconded by Feickert to approve and authorize the Chairman sign agreement with the following individual who received equipment from the 2004 DOJ Equipment Grant Program (HLS): Tim Mathern (NOAA radio). All members present voting aye. Motion carried.

INCREASE SPENDING AUTHORITY/ESTIMATED REVENUE:

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Moved by Knecht, seconded by Feickert to increase spending authority in Fund #234-211.01-411 @ \$3,844.78, 412.01 @ \$238.39, 412.02 @ \$55.75, 413 @ \$307.60 and increase estimated revenue in Fund #234-331.90 in amount of \$4,446.52 for Underage Drinking Control Grant. All members present voting aye. Motion carried.

AUDITORS REPORT OF ACCOUNT:

Moved by Feickert, seconded by Knecht to approve the August 2007 Auditor's Report of Account with the County Treasurer in total amount of \$11,525,662.74 (total amount of actual cash @ \$3,346.90, Wells Fargo Bank @ \$3,694.79, US Bank @ \$153,553.26, Dacotah Bank @ \$95,694.09, Petty Cash @ \$1,800.00, Fund Investments @ \$11,267,420.60, Outstanding Checks @ \$153.10). All members present voting aye. Motion carried.

EMPLOYEE RECOGNITION:

Moved by Knecht, seconded by Feickert to recognize Tom Gohn, Veterans Service Officer and Kathy Schlecht, Assistant Veterans Service Officer for achieving perfect scores on the exam given during the SD Division of Veterans Affairs annual training. All members present voting aye. Motion carried.

PHASE II JAIL PROJECT – CHANGE ORDERS:

Moved by Feickert, seconded by Knecht to approve and authorize Mick Palmer, Maintenance Supervisor to sign Change Order #4 for Phase II Jail Project, decreasing total cost by \$760.38 (delete lead floor drain flashings), bringing total project cost to \$1,479,905.20. All members present voting aye. Motion carried.

BRIDGE #234:

Dirk Rogers, Highway Superintendent discussed decrease in sufficiency rating on Bridge #234 (one mile south of Columbia over Elm River) that lowered the weight limit on the bridge and informed the Commission that all paper work will be filed to place the Bridge on the federal replacement plan. Area residents are concerned, due to the lowered weight limit and length of detour during harvest.

EXECUTIVE SESSIONS:

Moved by Knecht, seconded by Feickert to go into executive session for contract discussion with 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.

Moved by Feickert, seconded by Knecht to go into executive session for personnel discussion with Jeanette Nietert, Tom Schmitt, Cindy Meyers 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 September 25, 2007. (Note: The Commission will not meet on September 18, 2007, as they will be attending the 2007 County Convention in Spearfish, SD.)

Maxine Taylor – Brown County Auditor

SEPTEMBER 25, 2007 - JOINT CITY/COUNTY MEETING

The Brown County Commission and the Aberdeen City Council met in joint session at 8:45 A.M. in the County Commission Chambers, 25 Market Street, Aberdeen, South Dakota. Present from City were Council Members Agnitsch, Aman, Campbell, Hodgkin, Rux and Mayor Levsen. Absent Council Members Bunsness, Kraft and Mitchell, Present from County were Commissioners Fischbach, Hansen and Wiese. Absent Commissioners Feickert and Knecht.

ORDINANCE NO. 07-09-04/351:

On motion by Hodgkin and seconded by Rux, the City unanimously voted to approve First Reading of Ordinance No. 07-09-04/351.

Moved by Fischbach, seconded by Hansen to approve First Reading of Ordinance No. 07-09-04/351, 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, said property being described as follows: Outlot 2, Heartland Grain Fuel's Outlots in the N ½ of Sec 20-T123N-R64W of the 5th P.M., Brown County SD. All members present voting aye. Motion carried.

ORDINANCE NO. 07-09-05/352:

On motion by Agnitsch and seconded by Campbell, the City unanimously voted to approve First Reading of Ordinance No. 07-09-05/352.

Moved by Hansen, seconded by Fischbach to approve First Reading of Ordinance No. 07-09-05/352, 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, said property being described as follows: Mohr's Outlots in the NW ¼ of Sec 33-T124N-R64W of the 5th P.M., Brown County SD, excluding Foote Creek. All members present voting aye. Motion carried.

ORDINANCE NO. 07-09-06/353:

On motion by Campbell and seconded by Aman, the City unanimously voted to approve First Reading of Ordinance No. 07-09-06/353.

Moved by Fischbach, seconded by Hansen to approve First Reading of Ordinance No. 07-09-06/353, 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, said property being described as follows: Lots 1 and 2, Hedges' First Subdivision in the NE ¼ of Sec 26-T124N-R64W of the 5th P.M., Brown County SD. All members present voting aye. Motion carried.

The Aberdeen City Council adjourned and the Brown County Commission continued in regular session.

Maxine Taylor – Brown County Auditor

SEPTEMBER 25, 2007 – GENERAL MEETING

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

MINUTES:

Moved by Fischbach, seconded by Hansen to approve the General Meeting minutes of September 11, 2007. All members present voting aye. Motion carried.

CLAIMS:

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

Payroll: Commissioners..\$2,876.00; Auditor..\$7073.29; Treasurer..\$9967.00; Data Processing..\$3,024.20; State's Attorney..\$11,645.17; Maintenance..\$5,561.76; Assessor..\$8,467.80; Register of Deeds..\$5,170.04; Veterans Service Office..\$2,831.43; GIS..\$1,776.93; Sheriff..\$65,416.75; Communications..\$17,326.00; Welfare Office..\$2,902.34; Museum..\$5,200.50; Fairgrounds & Parks..\$3,630.54; Fairboard..\$1,967.44; Extension..\$1,843.20; Weed..\$3,134.14; Planning and Zoning..\$1,461.54; Emergency Management..\$2,665.73; Teen Court..\$609.00; Highway..\$30,618.04; Landfill..\$8,065.82; Coroner..\$750.00; Matching Benefits: FICA..\$11,998.29; Medicare..\$2,805.93;
Supplies: Dominos Pizza..\$174.44, Gloria Shafer..\$900.00, Abby Gibbs..\$25.00, Renae Borchard..\$30.00, Diane Leitheiser..\$30.00, Sherry Perrion..\$40.00, Phyllis Donat..\$30.00, Ellen Weber..\$25.00, Emily Sperry..\$25.00, US Post Office..\$189.02, Rocky Mt Assoc of Fairs..\$150.00, Billings Hotel..\$71.69, HSBC..\$1172.21, Merak Mail Server..\$2483.00, Crescent Elec..\$18.48, Grote Roofing..\$919.72, Cunningham Elec..\$974.20, Sewer Duck..\$192.50, US Rep Stephanie Herseth..\$206.12, Sec of State..\$25.00, New Trends..\$69.52, Lust..\$89.83, HRS..\$5429.95, Abdn School Dist..\$5.06, Moore Medical..\$247.90, Kesslers..\$645.69, Bonnie Bitz..\$144.00, Velvet Uniforms..\$157.61, Exhaust Pros..\$21.83, Tri State Water..\$6.60, Taylor Laundry..\$31.50, Sewing Shoppe..\$64.50, Accurint..\$33.10, Dicks..\$42.75, OK Tire..\$382.00, Best Business..\$38.94, Duanes Amoco..\$31.60, Trail Chev..\$118.43, Office Equip..\$452.31, Bob Barker..\$1749.12, Dakota Electronics..\$2973.71, FedEx..\$67.92, Grafix Shoppe..\$432.08, Medtox..\$251.25, Z&S Dust..\$2790.00, Spec Mfg..\$4.88, Share Corp..\$102.00, Sewer Duck..\$125.00, Serocki Excavating..\$155,869.70, Randys Auto..\$450.00, Pumps Tire..\$110.25, Midwest Pump..\$527.67, Langs Audio..\$34.99, Interstate Battery..\$74.95, Howes Oil..\$19,312.50, Hedahls..\$56.98, Graham Tire..\$137.80, Freys Elec..\$4384.71, Flint Hills..\$62.50, Fastenal..\$347.81, Farnams Parts..\$169.03, Farm Power..\$18.00, Erdmann Fuels..\$2825.18, Economy Propane..\$280.80, Diamond Mowers..\$117.72, Dakota Fluid Power..\$1456.31, Cartney Bearing..\$64.12, Carquest..\$1246.60, Adv Auto..\$11.91, Aberdeen Chrysler..\$35.00, Walmart..\$124.99, McFarland..\$5.62, John McQuillen..\$74.99, DMS..\$1194.32, Evergreen Supply..\$14.54, Menards..\$1469.36, HC Clark..\$77.16, Graham Tire..\$197.44, Randy's Salvage..\$130.00, Ameripride..\$81.40, Runnings..\$1082.86, Pro Ag..\$128.24, Ken's Alignment..\$416.51, MVTL..\$34.40, Quality Quick Print..\$426.29, Fleet..\$35.01, Service Signs..\$500.00, Macs..\$89.38, UBC..\$236.78, K-Mart..\$15.98, Brown County..\$942.38, Shopko..\$167.21, Town & Country..\$30.56, Sherwin Williams..\$54.51, Specialized Comm..\$395.11, Avera St Lukes..\$3407.37, Race West..\$156.50, Schwan Welding..\$672.88, Aberdeen Flying Service..\$165.60, Sacred Heart Church..\$700.00, SD Federal Property..\$122.00, American Cadet Alliance..\$900.00, CMW Cleaning..\$1321.16, Jacobson Elec..\$9102.06, Geoffdog Designs..\$815.83, Best Western Ramkota..\$62.99, Photo Xpress..\$529.17, Ramada..\$2349.51, Dakota Supply Group..\$898.19, Academy Trophy..\$244.00, Dutchs..\$32.37, Elm Valley Comm Club..\$8500.00, Jasons Truck..\$225.00, A-1 Locksmith..\$42.00, Safety Service..\$497.83, Bonn Express..\$66.30, Ace Refrig..\$313.40, TSC..\$26.53, Roto Rooter..\$4600.00, Strudles C Store..\$61.38, SD Wheat Growers..\$55.54, UPS..\$10.45, Parkview..\$40.00, Millstone..\$285.00, AmericInn..\$2156.40, Kens..\$2176.03, TBA Fairs..\$378.63, Kippley Accounting..\$500.00, Homestead Milk Delivery..\$597.00, Heartland Paper..\$4593.95, Quality Quick Print..\$319.04, Florida

Micro..\$775.33, CDW Govt..\$4042.42, Hewlett Packard..\$5057.00, McLeods Printing..\$1052.11, Ecolab..\$86.00, Gardner Locksmith..\$208.20, Hoven Auto..\$35.75, Aberdeen Plumbing..\$200.63, Central Supply..\$746.75, McFarland Supply..\$16.92, Lar-Jos..\$476.00, Tel-Serv..\$262.94, Earthgrains..\$697.38, Lutheran Social Services..\$649.65, Bob Barker..\$99.73, DT Pharm..\$858.42, Volk Upholstery..\$168.00, Serocki Excavating..\$123,216.50, Quill..\$279.97, Ameripride..\$212.77, Chris Aman..\$400.00, Advantage Self Storage..\$129.00, Dex East..\$120.00, Kleins..\$2.36, Ken's Superfair Foods..\$5.19, Earth Tech..\$9074.96, Frey's Elec..\$2719.20, Aberdeen Rural Fire..\$100.00, US Global Sat..\$656.90, Digitell..\$155.00, Inventory Trading..\$126.00, Motorola..\$747.00, Tessco..\$74.20, Radio Shack..\$19.98, Wireless World..\$79.95, Medtronic..\$161.56, Kesslers..\$89.10, S&S Lumber..\$671.12, Aberdeen Parks..\$20.00, Pepsi..\$564.00, Heartland Paper..\$1257.18, Language Lines..\$42.40, NBHA..\$900.00, Phillips 66..\$38.02, AB Dick..\$116.51, Hoven Auto..\$672.11, Dakota Mailing..\$40.38, Medtox..\$52.94, Schmidt Const..\$201.40, Swanson Elec..\$239.80, Service Signs..\$2050.00, Overhead Door..\$2275.00, Runnings..\$21.79, VanDiest..\$13,560.80:

Professional Fees: Lois Davis..\$30.00, Breanna Marzahn..\$25.00, Char Bachman..\$30.00, Katie Mattern..\$30.00, Vicki Forkel..\$50.00, Howard Anderson..\$30.00, Bobbie Bierman..\$30.00, Susan Busk..\$130.00, Becky Erickson..\$30.00, Brenda Artz..\$30.00, Chuck Tollefson..\$130.00, Cerrisa Brown..\$30.00, Fae Dayton..\$30.00, Candis Kub..\$45.00, Adrianne Schaunaman..\$25.00, Cynthia Marzahn..\$30.00, Pat Dennert..\$30.00, Michael Traxinger..\$30.00, Peggy Stager..\$40.00, Brad Sharp..\$30.00, Jim Rappe..\$30.00, Carol Hein..\$30.00, Jeannie Huettl..\$30.00, Susan Lehr..\$30.00, Kara Paulson..\$30.00, Barb Harr..\$30.00, Barb Jansen..\$30.00, Jeanette Lunders..\$30.00, Irene Plummer..\$30.00, Barb Hoops..\$30.00, Marjorie Krueger..\$30.00, Carrie Lashly..\$30.00, Joy Braun..\$40.00, Dianne Steinheuser..\$50.00, Duane Jark..\$60.00, Jon Oster..\$30.00, Justin Fruechte..\$150.00, Mary Bohn..\$65.00, Florence Kraus..\$30.00, Renee McKiver..\$30.00, Susan Gerlach..\$30.00, Ruth Casanova..\$30.00, Kathy Novstrup..\$30.00, Vicki Conn..\$30.00, Linda Huettl..\$30.00, Amy Engelhart..\$30.00, Janet Wright..\$150.00, Jeff VanderWal..\$110.00, Dave Pearson..\$235.00, Blaine Hyde..\$135.00, Wayne Fischer..\$150.00, Jane Cronin..\$135.00, Aaron Buchholz..\$180.00, Tyler Melroe..\$170.00, Grant Peterson..\$460.00, witness fees..\$40.00, Avera St Lukes..\$5586.53, United Clinic..\$197.50, Nadric..\$1666.67, Language Lines..\$90.04, Yankton County..\$98.55, Lincoln County..\$274.82, NE Mental Health..\$73.15, Clinical Lab..\$2607.77, Regional Health..\$224.00, Jackie Schraeder..\$420.00, Lyrta Wilkie..\$280.00, Pam Smid..\$70.00:

Publications: American News..\$1336.63, Jamestown Sun..\$120.00:

Transcriptions: Neal Reporting..\$129.80, Kristi Kost..\$82.50:

Travel: Nancy Hansen..\$584.20, Mike Wiese..\$690.68, Maxine Taylor..\$285.83, Sheila Enderson..\$568.07, Carol Sherman..\$286.24, City of Groton..\$65.49, Jerry Mills..\$481.03, Scott Meints..\$208.00, Scott Madsen..\$448.66, Mike Scott..\$105.00, Mark Milbrandt..\$837.02, Allan Vietmeier..\$151.33, Gene Loeschke..\$207.20, Leo Leshner..\$219.04, Sherry Theobald..\$48.10:

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

Utilities: Qwest..\$4697.09, Bureau of Admin..\$656.91, Alltel..\$1132.48, Midcontinent Comm..\$289.96, Northwestern Energy..\$11458.11, Alltel..\$204.90, City of Hecla..\$66.95, Dependable..\$17,835.42, Northern Elec..\$861.02, City of Aberdeen..\$3648.45, A-1 Sanitation..\$210.00:

Care of Poor: Rent – 9 recipients..Key Investments..\$240.00, Erik Stewart..\$280.00, Brenner Prop..\$240.00, Lonnie Frost..\$220.00, Danne Inc..\$220.00, J&L Renters..\$110.00, Bob Schatz..\$220.00, Zumbaum Property..\$140.00, Dakto..\$200.00; Utilities – 1 recipients..NWPS..\$290.79; Transportation – 2 recipients..Brown County..\$50.24; Dr/Hospital -5 recipients..Orthopedic Surgery Spec..\$355.35, Avera St Lukes..\$16,544.78, North Central Heart Institute..\$2128.42, Anesthesia Care..\$480.00; Burials – 1 recipients..Schrivers Mortuary..\$1200.00; Insurance – 1 recipient..Midstates Printing..\$379.50. All members present voting aye. Motion carried.

PERSONNEL:

Moved by Hansen, seconded by Fischbach to acknowledge resignation of JDC Correctional Officer Kale Miller, effective October 6, 2007. All members present voting aye. Motion carried.

Moved by Fischbach, seconded by Hansen to approve hiring Christopher Rinkenberger as part-time JDC Correctional Officer, effective September 25, 2007 at \$9.67 per hour. All members present voting aye. Motion carried.

Moved by Hansen, seconded by Fischbach to approve hiring Byron Gross as part-time Maintenance employee, effective October 9, 2007 at \$15.00 per hour to install cubicles at the Extension Office. All members present voting aye. Motion carried.

OPERATING TRANSFER:

Moved by Fischbach, seconded by Hansen to approve an operating transfer-out from General Fund #101-191-911 in amount of \$1,000,000.00 to Hwy Fund #201-371 in amount of \$1,000,000.00. All members present voting aye. Motion carried.

PROVISIONAL BUDGET CHANGES:

Moved by Fischbach, seconded by Hansen to make the following changes to the 2008 Provisional Budget – increase Mentally Ill Fund #101-441 \$6,480.00 – for total of \$20,000.00; increase Operating Transfer Out Fund #101-191 \$5,758.61 for Teen Court and decrease surplus cash applied in Fund #230 Teen Court \$5,758.61. All members present voting aye. Motion carried.

2008 ANNUAL BUDGET:

Commissioner Hansen offered the following Resolution:

ANNUAL BUDGET FOR BROWN COUNTY, SD
For the Year January 1, 2008 to December 31, 2008

RESOLUTION NO. 72-07

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, 2008 and ending December 31, 2008 and the same is hereby approved and adopted by the Board of County Commissioners of Brown County, South Dakota, this 25th day of September, 2007. 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, 2008 through December 31, 2008.

COUNTY TAX LEVIES WITHIN LIMITED LEVY	Dollars	\$'S/1,000
*General County Purposes (10-12-9)	\$9,053,161	4.40
Library	27,007	.03
TOTAL TAXES LEVIED BY COUNTY	\$9,080,168	4.43

*These amounts include the 25% to be distributed to cities.

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

VACATE PLAT:

Commissioner Hansen offered the following Resolution:

RESOLUTION NO. 73-07

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

Olson's Outlot 1 in the SW ¼ of Sec 10-T123N-R62W, 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:

Olson's Outlot 1 in the SW ¼ Sec 10-T123N-R62W, Brown County, South Dakota is hereby vacated.

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

PLATS:

Commissioner Fischbach offered the following Resolution:

RESOLUTION NO. 74-07

BE IT RESOLVED by the Board of Commissioners of Brown County, SD, that the plat showing "Wood Addition in the E ½ of the NW ¼ of Sec 1-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, Feickert-absent, Knecht-absent, Wiese-aye. Resolution adopted.

Commissioner Hansen offered the following Resolution:

RESOLUTION NO. 75-07

BE IT RESOLVED by the County Commission of Brown County, SD, that the plat showing "Griese's Outlot 1 in the NE ¼ of Sec 23-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, Knecht-absent, Wiese-aye. Resolution adopted.

Commissioner Hansen offered the following Resolution:

RESOLUTION NO. 76-07

BE IT RESOLVED by the Board of County Commissioners of Brown County, SD, that the plat showing "Fischer Richmond Lake Estates 2nd Subdivision in the NE 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 Fischbach. Roll call vote: Commissioners Hansen-aye, Fischbach-aye, Feickert-absent, Knecht-absent, Wiese-aye. Resolution adopted.

Commissioner Hansen offered the following Resolution:

RESOLUTION NO. 77-07

BE IT RESOLVED by the County Commission of Brown County, SD, that the plat showing "Mohr's Outlots in the NW ¼ of Sec 33-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 Fischbach. Roll call vote: Commissioners Hansen-aye, Fischbach-aye, Feickert-absent, Knecht-absent, Wiese-aye. Resolution adopted.

SHERIFF REPORTS:

Moved by Hansen, seconded by Fischbach to approve the following August 2007 Sheriff Reports: Incidents and offenses, Prisoner care, JDC, Money deposited with the County Treasurer and Monthly activities. All members present voting aye. Motion carried.

GRANT AGREEMENT:

Moved by Fischbach, seconded by Hansen to approve and authorize the Chairman sign 2008 Highway Safety Project Grant Agreement in amount of \$26,662.00, effective October 1, 2007 through September 30, 2008. All members present voting aye. Motion carried.

DISASTER DECLARATION:

Commissioner Fischbach offered the following Resolution:

RESOLUTION NO. 78-07

RESOLUTION FOR DECLARATION OF EMERGENCY/DISASTER

WHEREAS, Brown County, SD has suffered severe damage brought on by High Heat, Humidity, and Drought that resulted in the loss of 1500 head of cattle on the date of July 23, 24, 25, 26 & 27, 2007; and

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

NOW, THEREFORE BE IT RESOLVED by the Brown County Board of Commission at a regular meeting held on September 25, 2007, it is hereby requested that the Governor declare an emergency/disaster to exist in the County of Brown.

Adopted this 25th day of September 2007.

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

PALMYRA LAND DISCUSSION:

Doug Farrand, NRCS accompanied by Tim Wilson and Ryan Smith, Elm Lake Project further discussed funding available to establish a fenced grazing buffer zone around Elm Lake on county owned property for enhanced water quality in the lake. The Commission took no action at this time.

FAIR UPDATE:

Larry Gerlach, Fair Manager presented revenue totals for the 2007 Brown County Fair.

EXECUTIVE SESSIONS:

Moved by Hansen, seconded by Fischbach to go into executive session to discuss contract negotiations with Larry Gerlach 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.

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 no action taken as a result of the discussion.

MSAG BOUNDARY AGREEMENT:

Moved by Fischbach, seconded by Hansen to authorize Gary Vetter, Planning/Zoning to transfer street segments from Brown County to Edmunds County for purpose of rural addressing, as properties are located in Edmunds County. All members present voting aye. Motion carried.

FLOOD INSURANCE:

Scott Meints, EM Director and Sue Gates, Museum Director presented costs estimates for flood insurance compared to the reimbursement from FEMA for damage at the Dacotah Prairie Museum and recommended the County not purchase the insurance. Board concurred.

EXECUTIVE SESSION:

Moved by Hansen, 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 action taken as a result of the discussion.

FAIRGROUNDS BUILDING:

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Kurt Smith, Fairgrounds Superintendent discussed specifications for a building at the Fairgrounds to be used for equestrian events. More details will be presented at a later date.

LANDFILL ABBY AWARD:

The Commission congratulated Mike Scott, Landfill Manager, full time employees Don Fischer, Carl Wright, Nyle Jensen, Dennis VanHeerde and part-time employees Todd Harder, Carrie Hall, Laurie Bruening as recipients of the 2008 ABBY "Peoples Choice" Award and commended the department for their service to the residents of the County and dedication to the Brown County Landfill.

RELIEF LIEN:

Commissioner Hansen offered the following Resolution:

RESOLUTION NO.79-07

WHEREAS, Brown County adopted Resolution No. 58-07 on August 7, 2007 and it has been noted that two additional liens should have been included on said Resolution: a Poor Relief Lien in amount of \$377.88 dated October 29, 1971 through May 3, 1990; and an Indigent Counsel Lien in amount of \$110.00 dated March 26, 1986 (total additional amount @ \$487.88), and

WHEREAS, Brown County has determined it to be in the best interest of the taxpayers to release certain property from the effect of said liens, upon condition that liens remain filed against the individual.

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

Lots 8, 9, 10, 11 and 12, Block 1, Columbia, according to the plat thereof of record,
Brown County, South Dakota

is hereby released from the effect and force of said liens, upon condition that the liens shall stay filed against the individual.

Dated this 25th day of September 2007.

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

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 2, 2007 - JOINT CITY/COUNTY MEETING

The Brown County Commission and the Aberdeen City Council met in joint session at 8:45 A.M. in the County Commission Chambers, 25 Market Street, Aberdeen, South Dakota. Present from City were Council Members Agnitsch, Aman, Bunsness, Campbell, Kraft and Mayor Levsen. Absent Council Members Hodgins, Mitchell and Rux. Present from County were Commissioners Hansen, Fischbach, Feickert and Knecht. Absent Commissioner Wiese.

ORDINANCE NO. 07-09-04/351:

On motion by Aman and seconded by Campbell, the City unanimously voted to approve Second Reading and Adoption of Ordinance No. 07-09-04/351.

Moved by Fischbach, seconded by Hansen to approve Second Reading and Adoption of Ordinance No. 07-09-04/351, 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, said property being described as follows: Outlot 2, Heartland Grain Fuel's Outlots in the N ½ of Sec 20-T123N-R64W of the 5th P.M., Brown County SD. Roll call vote: Commissioners Hansen-aye, Fischbach-aye, Feickert-aye, Knecht-aye, Wiese-absent. Ordinance adopted.

ORDINANCE NO. 07-09-05/352:

On motion by Agnitsch and seconded by Kraft, the City unanimously voted to approve Second Reading and Adoption of Ordinance No. 07-09-05/352.

Moved by Feickert, seconded by Hansen to approve Second Reading and Adoption of Ordinance No. 07-09-05/352, 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, said property being described as follows: Mohr's Outlots in the NW ¼ of Sec 33-T124N-R64W of the 5th P.M., Brown County SD, excluding Foote Creek. Roll call vote: Commissioners Hansen-aye, Fischbach-aye, Feickert-aye, Knecht-aye, Wiese-absent. Ordinance adopted.

ORDINANCE NO. 07-09-06/353:

On motion by Bunsness and seconded by Aman, the City unanimously voted to approve Second Reading and Adoption of Ordinance No. 07-09-06/353.

Moved by Hansen, seconded by Fischbach to approve Second Reading and Adoption of Ordinance No. 07-09-06/353, 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, said property being described as follows: Lots 1 and 2, Hedges' First Subdivision in the NE ¼ of Sec 26-T124N-R64W of the 5th P.M., Brown County SD. Roll call vote: Commissioners Hansen-aye, Fischbach-aye, Feickert-aye, Knecht-aye, Wiese-absent. Ordinance adopted.

SET HEARING DATE:

On motion by Aman and seconded by Agnitsch, the City unanimously voted to set hearing for Ordinance No. 07-10-01/354 and Ordinance No. 07-10-04/355.

Moved by Feickert, seconded by Fischbach to set public hearing for 8:45 a.m. on October 23, 2007 in the County Commission Chambers, 25 Market Street for First Reading of the following: Ordinance No. 07-10-01/354, An Ordinance to amend 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: North 120' of the South 260' of Lot 1 of Evelo's Outlots in the SE ¼ of Sec 35-

T123N-R64W of the 5th P.M. and Railroad Right-of-Way, Brown County, SD. All members present voting aye. Motion carried.

Moved by Hansen, seconded by Feickert to set public hearing for 8:45 a.m. on October 23, 2007 in the County Commission Chambers, 25 Market Street for First Reading of the following: Ordinance No. 07-10-04/355, An Ordinance to amend 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, Beitelspacher Addition in the SW ¼ of Sec 16-T123N-R64W of the 5th P.M., Brown County, SD. All members present voting aye. Motion carried.

The Aberdeen City Council adjourned and the Brown County Commission continued in regular session.

Maxine Taylor – Brown County Auditor

OCTOBER 2, 2007 – 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 Commissioner Hansen, Fischbach and Feickert. Commissioner Wiese arrived at 10:20 a.m.

MINUTES:

Moved by Hansen, seconded by Fischbach to approve the Joint City/County Meeting minutes and the General Meeting minutes of September 25, 2007. All members present voting aye. Motion carried.

CLAIMS:

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

Payroll: Commissioners..\$2,876.00; Auditor..\$7,028.50; Treasurer..\$9,967.00; Data Processing..\$3,024.20, State's Attorney..\$11,645.17; Maintenance..\$5,525.40; Assessor..\$9,015.28; Register of Deeds..\$5,170.04; Veterans Service Office..\$2,831.43; GIS..\$1,776.93; Sheriff..\$65,231.79; Communications..\$16,013.27; Welfare Office..\$2,902.34; Museum..\$5,200.50; Fairboard..\$1,921.58; Fairgrounds & Parks..\$3,573.40; Extension..\$1,843.20; Weed..\$2,939.10; Planning & Zoning..\$1,461.54; E & D..\$2,665.73; Teen Court..\$555.00; Highway..\$28,635.76; Landfill..\$7,969.01; Matching Benefits: FICA..\$11,742.76, Medicare..\$2,746.24, Wellmark BCBS Life..\$684.70, Wellmark BCBS Health..\$65,939.28; Delta Dental..\$4,284.00, SD State Retirement..\$24,622.98;

Supplies: Dept. of Revenue..\$2116.00, Crecent Electric..\$115.30, Woodman Refrigeration.. \$76.53, Taylor Laundry..\$47.50, Tellhuisen Inc..\$171,497.00, Electronic Security Eq..\$4,571.62, Schwan Electric..\$1,575.00, Heartland Paper..\$735.69, Dakota Supply Group..\$1,026.96, Menards..\$72.96, Western Printing..\$327.00, IMT Insurance..\$50.00, Galls..\$308.50, Hedahls..\$17.68, Knight Towing & Recovery..\$45.00, Walmart..\$625.93, Evercom..\$1900.00, Center Printing Co..\$135.08, Best Business Products..\$405.28, Vantek..\$34.50, Quality Quick Print..\$9.98, Bob Barker..\$97.92, DPM Mercantile..\$5.99, Creative Signs..\$128.00, Rowman & Littlefield Pub Group..\$13.56, Walmart Community..\$16.38, Laurel Mehrer..\$65.00, Extension Service..\$270.83, Ride Line..\$2000.00, Alexander Mitchell Library..\$20,000.00, Boys & Girls Club..\$5,000.00, Human Relations Media..\$615.78, Intoximeters..\$1015.00, James Valley Telecommunications..\$224.73, RACOM Corp..\$84.80, Medtronic..\$190.16, Garys Auto Body..\$4,082.40, Custom Glass & Repair..\$181.77, Erdmann Fuels..\$6,376.23, Helms & Associates..\$2,275.90, Holiday Inn..\$252.24, Montana Dakota Utilities..\$14.44, Newman Traffic Signs..\$1,744.77, Northwestern Energy..\$29.57, Serocki Excavating..\$72,336.40, Wallwork Truck Center..\$98.20, Aberdeen Rural Firefighters..\$1,890.00, New Deal Tire..\$3,400.05, Mettler Sichmeller Engineering..\$385.00, Aberdeen C&F..\$1,646.00, Hlems & Associates..\$8,270.00, Butler Machinery..\$5,229.14, Pizza Ranch..\$73.94, Office Equipment..\$672.00, Thomas West..\$2,434.99, State Bar of SD..\$45.00, SD Assoc Of County Officials..\$30.00, Human Relations Media..\$1,638.49, Jodie McQuillen..\$1000.00, City of Groton..\$750.00, Super 8 Motel..\$150.00;

Professional Fees: Jason Engel..\$35.00, Jackie Schraeder..\$35.00, Pam Smid..\$35.00, Scott Weitbrecht..\$105.00, Lyrity Wilkie..\$210.00, PMB..\$87.23, Avera St. Lukes..\$2,830.80, Aberdeen Surgical Associates..\$1,476.21, Yankton County Sheriff..\$50.00;

Publications: Groton Independent..\$393.54, American News..\$66.27, Davison County..\$4.30;

Travel: Lorah Houser Jankord..\$131.72, Gene Loeschke..\$122.10, Don Fischer..\$31.00, Mike Scott..\$31.00, Tom Fischbach..\$155.40, Dennis Feickert..\$552.81;

Utilities: Northwestern Energy..\$7,641.91, Qwest..\$81.67, Midcontinent Communications..\$103.78, Alltell..\$168.80, Web Water..\$84.12;

Care of Poor: Rent – 8 recipients..Avera St. Lukes Hospital..\$2,812.15, NWPS..\$247.37, Heart Hospital..\$418.27, Dakota Plains Surgical Center..\$322.00, Jones Drug..\$187.98, Walmart Pharmacy..\$502.52, White House Inn..\$132.30, North Central Heart Institute..\$2,333.01; Insurance – 1 recipient..Avera Health Plan..\$418.20. All members present voting aye. Motion carried.

PERSONNEL:

Moved by Knecht, seconded by Hansen to approve the following employee step increases, effective October 7, 2007: Daryl Lloyd @ \$14.41 per hour, Terrence Evans @ \$16.30 per hour, Joshua Boll @ \$14.92 per hour, Alan Vietmeier @ \$14.32 per hour, Mariann Malsam @ \$10.98 per hour. All members present voting aye. Motion carried.

PREVENTION GRANT:

Moved by Hansen, seconded by Fischbach to acknowledge Grant Adjustment Notice No. 8 (GAN), stating Brown County Special Appropriation "Prevention and Intervention Programs for at-risk and detained youth" Grant #2001-JS-FX-0014 in total amount of \$1,496,700.00 has met all financial reporting and programmatic requirements and is deemed officially closed. All members present voting aye. Motion carried.

WEED AND SEED:

Moved by Knecht, seconded by Hansen to acknowledge Grant Adjustment Notice No. 2 (GAN), stating Grantee (Brown County) for Brown County Weed and Seed Grant #2005-WS-QX-0054 failed to expend the total grant funds awarded (\$175,000.00) so at the discretion of CCDO, the grant is being closed and the funds (\$16,135.02) will be de-obligated for a total expenditure of \$158,864.98. All members present voting aye. Motion carried.

PLAT:

Commissioner Fischbach offered the following Resolution:

RESOLUTION NO. 80-07

BE IT RESOLVED by the County Commission of Brown County, SD, that the plat showing "Hedges' First Subdivision in NE 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 Feickert. Roll call vote: Commissioners Hansen-aye, Fischbach-aye, Feickert-aye, Knecht-aye, Wiese-aye. Resolution adopted.

HAZARD MITIGATION GRANT FUNDING:

Moved by Hansen, seconded by Knecht to approve and authorize the Chairman sign Pre-Application – Hazard Mitigation Grant Funding with the SD Office of Emergency Management for all types of disasters that may occur in Brown County (Disaster #: FEMA-1702-DR-SD). All members present voting aye. Motion carried.

INTEREST STATEMENT:

Moved by Knecht, seconded by Fischbach to accept for filing the July – September 2007 Interest Statement, submitted by County Treasurer Sheila Enderson. All members present voting aye. Motion carried.

CLOSING AUDIT CONFERENCE:

Kay Fredrick, Department of Legislative Audits met with the Commission for closing conference for audit of fiscal year 2006.

Moved by Feickert, 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.

PERSONNEL DISCUSSION:

Charlene Millim, Welfare Director met to discuss a personnel issue.

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.

EXECUTIVE SESSION:

Moved by Feickert, seconded by Fischbach to go into executive session to discuss a contract with Kim Dorsett and Mark Milbrandt in attendance. All members present voting aye. Motion carried.

RECESS:

The Chairman declared the Commission recessed until October 9, 2007.

Maxine Taylor – Brown County Auditor

OCTOBER 9, 2007 – GENERAL MEETING

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

MINUTES:

Moved by Hansen, seconded by Fischbach to approve the Joint City/County Meeting minutes and the General Meeting minutes of October 2, 2007. All members present voting aye. Motion carried.

CLAIMS:

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

Supplies: Maxine Taylor..\$53.80, FSH Communications..\$60.00, SDACO..\$25.00, Best Business Products..\$148.12, Eilers..\$82.00, Cunningham..\$45.90, Kone Inc...\$1705.68, New Trends..\$13.00, LAR-JO'S..\$418.50, Accurint..\$30.00, Double D Body Shop..\$2,828.88, Dakota Electronics..\$218.20, OK Tire..\$210.00, Trail Chevrolet..\$42.89, Racom Inc...\$254.40, Quality Quick Print.. \$92.25, Office Equipment..\$48.63, Sewing Shoppe..\$28.00, BP..\$229.69, Medtox..\$251.26, Taylor Laundry..\$21.00, Bonnie Bitz..\$96.00, Executive Mgmt Finance Office..\$2,968.50, Tri-State Water..\$39.60, Arero Assemblies..\$45.00, HRS..\$4,209.11, Velvet Uniforms..\$116.81, Hoven Auto..\$20.25, Intoximeters..\$118.50, Earthgrains..\$678.72, Napa..\$63.17, HC Clark Implement..\$5.96, Runnings..\$453.74, Pro Ag Supply, Inc..\$22.08, Farm Power Mfg, Inc..\$90.27, Kesslers..\$1,018.97, MVTL Laboratories, Inc...\$34.40, Brown County Treasurer..\$594.18, UPS Store..\$85.88, SD Dept. of Revenue..\$3,261.04, Erdmann Oil Co.,..\$7,321.50, Dakota Wook-Grinding, Inc...\$24,830.00, Dakota Oil,..\$511.95, Dakota Fluid Power..\$165.15, Graham Tire Aberdeen..\$474.25, Ameripride Linen & Apparel Service..\$145.55, Aberdeen Rural Firefighters Inc..\$100.00, Brick's TV & Appliance..\$3,895.00, Dependable Sanitation Inc..\$18,749.12, Aberdeen Hockey Association..\$10,625.00:
Professional Fees: Nelva Kooistra..\$15.00, Norman Anderson..\$15.00, Donna Dietrich..\$262.42, Cathy Rehfuß..\$30.00, Yankton County Sheriff Office..\$25.00, Slowey Court Reporting Service..\$140.00, Brevik Law Office..\$321.11:
Publications: American News..\$652.40, Hub City Radio..\$625.00:
Travel: Mary Worlie..\$237.14, Lorah Houser-Jankord..\$211.98, Kathy Fischer..\$237.14, Allan Vietmeier..\$323.35, Howard Johnson Express Inn..\$290.85, Charlene Millim..\$353.52, Gary Vetter..\$44.40:
Utilities: City Treasurer..\$1365.33, Northwestern Energy..\$985.99, Qwest..\$33.64, Web Water..\$79.19:
Care of Poor: Rent – 3 recipients..Cleone Pekelder..\$220.00, Eisenbeis Mobile Home Court..\$260.00, Pat Preston..\$220.00; Dr/Hospital – 10 recipients..North Central Heart Institute..\$258.36, Anesthesia Solutions PC..\$80.00, Aberdeen Surgical Assoc LLP..\$127.32, Avera Heart Hospital of SD..\$6,760.10, Avera St. Lukes Hospital..\$1,474.31, Dr. Heloise D. Westbrook..\$26.93, Kesslers Pharmacy..\$25.34. All members present voting aye. Motion carried.

HOLIDAY CLOSING:

Moved by Fischbach, seconded by Feickert to close Friday, November 23rd and Monday, December 24th, with the following policy: each employee will be compensated for eight hours regular pay for each day, if an employee is required to work a full shift on November 23rd or December 24th, eight hours will be added to their vacation record – under no circumstances will premium pay be paid for these hours. All members present voting aye. Motion carried.

CHANGE ORDER #5 – PHASE II JAIL PROJECT:

Moved by Feickert, seconded by Hansen to approve and authorize the Chairman to sign Change Order #5 for Phase II Jail Project, decreasing total cost by \$80.16 (food pass assembly deduct \$222.57 and modify roof access door addition of 142.41), bringing total project cost to \$1,479,825.04. All members present voting aye. Motion carried.

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AUDITORS REPORT OF ACCOUNT:

Moved by Fischbach, seconded by Knecht to approve the September 2007 Auditor's Report of Account with the County Treasurer in total amount of \$10,228,674.41 (total amount of actual cash @ \$3,351.00, Wells Fargo Bank @ \$3,694.79, US Bank @ \$124,102.85, Dacotah Bank @ \$22,065.53, Petty Cash @ \$1,800.00, Fund Investments @ \$10,073,511.24, Outstanding Checks @ \$149.00). All members present voting aye. Motion carried.

PLAT:

Commissioner Knecht offered the following Resolution:

RESOLUTION NO. 81-07

BE IT RESOLVED by the Board of County Commissioners of Brown County, SD, that the plat showing plat of "Dobberpuhl Conservation Easement Tract 1 in the SW ¼ of Sec 11-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 Feickert. Roll call vote: Commissioners Hansen-aye, Fischbach-aye, Feickert-aye, Knecht-aye, Wiese-aye. Resolution adopted.

AGREEMENT:

Moved by Hansen, seconded by Fischbach to approve and authorize the Chairman to sign FFY 2008 Emergency Management State and Local Agreement with the South Dakota Office of Emergency Management. All members present voting aye. Motion carried.

FAIR SPONSORSHIP:

Dave Ellwein, Elwein Brothers discussed 2008 Brown County Fair sponsorship policies. The Fair Board will review policy and make a recommendation to the Commission at a later date.

COMMUNITY IRRIGATION PRESENTATION:

William Tooley, SARC and John Ries, Engineer presented an extensive explanation of a proposed Community Irrigation Project to be sponsored by Northern Beef Packers, LLC. Informational meetings will be scheduled for area property owners, operators and the general public at a later date.

RESIGNATION:

Moved by Knecht, seconded by Hansen to acknowledge resignation of Charlene Millim, effective October 12, 2007. All members present voting aye. Motion carried.

RECESS:

The Chairman declared the Commission recessed until October 16, 2007.

Maxine Taylor – Brown County Auditor

OCTOBER 16, 2007 – 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 Feickert. Absent Commissioner Wiese.

MINUTES:

Moved by Feickert, seconded by Hansen to approve the General Meeting minutes of October 9, 2007. All members present voting aye. Motion carried.

CLAIMS:

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

Payroll: Commissioners..\$2,876.00; Auditor..\$7,033.77; Treasurer..\$9,967.00; Data Processing..\$3,024.20; State's Attorney..\$11,645.17; Maintenance..\$5,587.46; Assessor..\$9,579.90; Register of Deeds..\$5,383.40; Veterans Service Office..\$2,697.47; GIS..\$1,776.93; Sheriff..\$63,480.55; Communications..\$15,649.10; Welfare Office..\$2,902.34; Museum..\$5,200.50; Fairgrounds & Parks..\$3,408.04; Fairboard..\$1,897.86; Extension..\$1,843.20; Weed..\$2,884.06; Planning and Zoning..\$1,461.54; Emergency Management..\$2,665.73; Teen Court..\$609.00; Highway..\$29,279.72; Landfill..\$8,693.74; Matching Benefits: FICA..\$11,781.52; Medicare..\$2,755.27:

Supplies: Moore Medical..\$1186.85, Electronic Security..\$1227.46, Office Equip..\$598.52, Dakota Electronics..\$408.55, West Payment..\$574.00, Florida Micro..\$153.17, Quality Quick Print..\$2590.42, Aberdeen Home Builders..\$275.00, DT Pharm..\$578.67, Kesslers..\$280.99, Hoven Auto..\$61.29, Bob Barker..\$84.94, Fire Safety First..\$16.40, Pacer Service..\$10.32, Lust..\$200.98, Aberdeen Chrysler..\$29.95, Ameripride..\$168.66, Best Business..\$12.31, Butler Machinery..\$1874.31, California Cont. Supplies..\$396.00, Carquest..\$313.32, Cartney Bearing..\$95.00, HC Clark..\$40.84, Crawford Trucks..\$434.63, Dakota Fluid Power..\$128.50, Dakota Oil..\$1805.61, Dakota Riggers..\$482.73, Diamond Mowers..\$1115.09, Diesel Machinery..\$14,875.00, Erdmann Fuels..\$4116.72, Evergreen Supply..\$91.55, Exhaust Pros..\$16.00, Farm Power..\$868.08, Farnams..\$201.22, Fastenal..\$45.36, Flint Hills..\$11,256.51, Great Western Tire..\$3565.70, Howes Oil..\$18,722.40, Huron Culvert..\$9606.00, Interstate Battery..\$242.85, HF Jacobs..\$102,108.75, Jensen Rock & Sand..\$1521.50, Keeley..\$85.45, Lawson Products..\$69.02, Macs..\$108.10, Menards..\$678.30, Outlaw Graphics..\$28.00, Pierson Ford..\$33.42, Pumps Tire..\$122.80, Power Plan..\$3673.29, Praxair..\$108.48, Runnings..\$24.99, Safety Service..\$15.90, Serocki..\$78,840.51, Sheehan Mack Sales..\$80.05, Hagan Ins..\$128.00, Wright & Sudlow..\$72,284.89, Z&S Dust..\$2788.76, Midwest Alarms..\$51.50, Hub City Radio..\$125.00, Sherri Rawstern..\$28.87, Ameripride..\$139.91, OK Tire..\$312.00, Midwest Alarm..\$432.00, Kleins..\$98.59, Central Supply..\$2012.40, City of Aberdeen..\$900.00, Photo Express..\$102.19, Kens Superfair Foods..\$389.00, Dietrichs Bus..\$3030.01, Kleins..\$24.84, Evergreen..\$337.00, SD Public Assurance Alliance..\$100.00, Division of Finance..\$715.33, Frederick Forward..\$250.00, Midwest Golf..\$1065.02, CDW Govt..\$4604.77, Florida Micro..\$67.20, Tessco..\$354.75, Marshall County..\$20.00, Streichers..\$116.98, Zoll Medical Corp..\$126.00, Walmart..\$105.01, Sheehan Mack Sales..\$192,776.07, SDPAA..\$130.00, Praxair..\$18.31, SD Dept of Public Safety..\$84.00, Emily Hughes..\$12.99, Geffdog..\$245.72, SD Assoc of Fairs..\$2,900.00:

Professional Fees: witness fees..\$57.00, Avera St Lukes..\$3301.90, Jason Engel..\$175.00, Lyrita Wilkie..\$210.00, Pam Smid..\$420.00, Jackie Schraeder..\$70.00, NE Mental Health Center..\$87.78:

Publications: American News..\$1491.28, Midland Press..\$555.00:

Transcriptions: Sara Van de Walle..\$1060.40, Capital Reporting Services..\$115.00:

Travel: Kim Dorsett..\$64.80, Ramkota..\$1205.00, Kathy Fischer..\$20.00, Leo Leshner..\$601.22, Scott Meints..\$238.28, Ramkota..\$355.00:

Court Appointed Attorney: Aaron McGowan..\$311.03, David Hosmer..\$100.00:

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Utilities: Town of Frederick..\$28.25, James Valley Co-Op..\$144.90, Northern Valley..\$422.25, Northwestern Energy..\$52.23, Qwest..\$757.42, Cellular One..\$19.99, Verizon..\$198.80, Northern Elec..\$798.54, Northern Wireless..\$61.95:

Care of Poor: Rent –4 recipients..Zumbaum Property..\$220.00, Prairie Heart Guest House..\$86.30, Ray Sauerwein..\$110.00, Key Investments..\$96.80; Transportation –1 recipient.. Brown County..\$39.17; Dr/Hospital – 4 recipients..Orthopedic Surgery..\$1734.91, Avera St Lukes..\$1016.78, Yankton Medical Clinic..\$136.66; Utilities – 1 recipient..NWPS..\$162.18. All members present voting aye. Motion carried.

PERSONNEL:

Moved by Feickert, seconded by Fischbach to approve the following employee step increases, effective October 21, 2007: Ashby Shrock @ \$11.85 per hour, Nyle Jensen @ \$13.34 per hour. All members present voting aye. Motion carried.

Moved by Fischbach, seconded by Hansen to acknowledge the following miles driven and amount to be taxed for personal use of County vehicles during July, August and September 2007: Richard Burns – 204 @ \$98.94, Dirk Rogers – 1206 @ \$584.91, Mike Scott – 530 @ \$257.05. All members present voting aye. Motion carried.

Moved by Fischbach, seconded by Hansen to approve hiring Sandy Mielke for jail secretary position, effective October 22, 2007 at \$10.93 per hour. All members present voting aye. Motion carried.

2008 FAIR LEASE AGREEMENT/CONTRACT:

Moved by Hansen, seconded by Feickert to acknowledge and approve lease agreement with the Boys and Girls Club to operate the concessions at the grandstand during scheduled grandstand events during the 2008 Brown County Fair; and acknowledge and approve contract with Aberdeen Hockey Association to operate the clubhouse during the 2008 Brown County Fair. All members present voting aye. Motion carried.

APPOINTMENT:

Moved by Hansen, seconded by Fischbach to re-appoint Linda Dillavou and Gloriane Yost as Brown County Representatives on the Northeast South Dakota Regional Aging Council (RAC) for 2008. All members present voting aye. Motion carried.

CONSOLIDATED BOARD OF EQUALIZATION:

Commissioner Fischbach offered the following Resolution:

RESOLUTION NO. 82-07

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.

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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 16th day of October 2007.

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

WEED & PEST GRANT APPLICATION:

Moved by Feickert, seconded by Fischbach to approve and authorize the Vice Chairman sign application for Weed & Pest Fund Grants for FY2009. All members present voting aye. Motion carried.

PLAT:

Commissioner Hansen offered the following Resolution:

RESOLUTION NO. 83-07

BE IT RESOLVED by the Board of County Commissioners of Brown County, SD, that the plat showing "Schaffer Conservation Easement Tract 1 in the W ½ of Sec 35-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 Feickert. Roll call vote: Commissioners Hansen-aye, Fischbach-aye, Feickert-aye, Knecht-aye, Wiese-absent. Resolution adopted.

SHERIFF REPORTS:

Moved by Hansen, seconded by Feickert to approve the following September 2007 Sheriff Reports: Incidents and offenses; Prisoner care, JDC, Money deposited with the County Treasurer and Monthly activities. All members present voting aye. Motion carried.

SURPLUS CASH REPORT:

Moved by Feickert, seconded by Fischbach to approve the following General Fund Surplus Cash Analysis Report: September 2007 @ -\$487,365.36 (-4.10%). All members present voting aye. Motion carried.

UNION NEGOTIATIONS:

Kim Dorsett, States Attorney discussed upcoming meetings to discuss union negotiations.

HIGHWAY UPDATE:

Dirk Rogers, Highway Superintendent discussed a requested speed limit change and equipment purchases planned for 2008.

APPLICATIONS FOR OCCUPANCY:

Moved by Fischbach, seconded by Feickert to approve and authorize the Vice Chairman sign application, submitted by WEB Water Development for occupancy of Brown County Highway #5 in Sec 3-T127N-R63W, Brown County, SD to provide water line. Roll call vote: Commissioners Hansen-abstain, Fischbach-aye, Feickert-aye, Knecht-aye, Wiese-absent. Motion carried.

Moved by Feickert, seconded by Hansen to approve and authorize the Vice Chairman sign application, submitted by Quest Corporation for occupancy of Brown County Highway #387th Ave in Sec 1-T122N-R64W, Brown County, SD to provide telephone service. All members present voting aye. Motion carried.

Moved by Fischbach, seconded by Feickert to approve and authorize the Vice Chairman sign application, submitted by Northern Electric Coop for occupancy of Brown County Highway #20 in Sec 2-T125N-R60W, Brown County, SD to provide cable crossing. All members present voting aye. Motion carried.

BID – BRIDGE MATERIALS:

Moved by Hansen, seconded by Fischbach to award low bid, submitted by Cretex Concrete Products West, Inc. for bridge material as bid by Day County on February 27, 2007; rejecting bids submitted by Huron Culvert & Tank Co. (complete listing available for public inspection at the Auditor's Office, 25 Market Street, Aberdeen, SD Monday – Friday from 8:00 a.m. to 5:00 p.m.) All members present voting aye. Motion carried.

RECESS:

The Vice Chairman declared the Commission recessed until October 23, 2007.

Maxine Taylor – Brown County Auditor

OCTOBER 23, 2007 - JOINT CITY/COUNTY MEETING

The Brown County Commission and the Aberdeen City Council met in joint session at 8:45 A.M. in the County Commission Chambers, 25 Market Street, Aberdeen, South Dakota. Present from City were Council Members Agnitsch, Aman, Campbell, Mitchell, Rux and Mayor Levsen. Absent Council Members Bunsness, Hodgin and Kraft. Present from County were Commissioners Hansen, Feickert, Knecht and Wiese. Absent Commissioner Fischbach.

ORDINANCE NO. 07-10-01/354:

On motion by Mitchell and seconded by Rux, the City unanimously voted to approve First Reading of Ordinance No. 07-10-01/354.

Moved by Knecht, seconded by Feickert to approve First Reading of Ordinance No. 07-10-01/354, 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, said property being described as follows: North 120' of the South 260' of Lot 1 of Evelo's Outlots in the SE ¼ of Sec 35-T123N-R64W of the 5th P.M. and Railroad Right-of-Way, Brown County SD. All members present voting aye. Motion carried.

ORDINANCE NO. 07-10-04/355:

On motion by Campbell and seconded by Agnitsch, the City unanimously voted to approve First Reading of Ordinance No. 07-10-04/355.

Moved by Feickert, seconded by Hansen to approve First Reading of Ordinance No. 07-10-04/355, 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, said property being described as follows: Lot 1 Beitelspacher Addition in the SW ¼ of Sec 16-T123N-R64W of the 5th P.M., Brown County SD. All members present voting aye. Motion carried.

The Aberdeen City Council adjourned and the Brown County Commission continued in regular session.

Maxine Taylor – Brown County Auditor

OCTOBER 23, 2007 – GENERAL MEETING

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

MINUTES:

Moved by Feickert, seconded by Knecht to approve the General Meeting minutes of October 16, 2007. All members present voting aye. Motion carried.

CLAIMS:

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

Supplies: FP Mailing Solutions..\$504.00, ES&S..\$6559.62, Office Equip..\$70.15, Active Data..\$59.16, Carpets Plus..\$2333.98, Bryon Gross..\$175.00, Midwest Alarm..\$612.00, Central Supply..\$732.10, Runnings..\$48.27, McFarland Supply..\$16.58, Grainger..\$364.50, Aberdeen Plumbing..\$356.03, HSBC..\$1207.39, Western Printing..\$2064.90, Best Business..\$184.91, Hewlett Packard..\$439.00, Florida Micro..\$339.10, Graham Tire..\$538.32, Shell Fleet..\$275.91, Bob Barker..\$85.75, Howes Oil..\$12,762.50, Custom Glass..\$368.40, Kleins..\$15.21, Streichers..\$104.93, Overhead Door..\$50.00, Fastenal..\$109.14, Pierson Ford..\$37.45, Fire Safety First..\$290.50, Petroleum Products..\$104.94, Emily Hughes..\$27.48, Central Supply..\$143.40, UBC..\$18.01:

Jury: June Ackman ..\$154.40, Susan Appl..\$114.44, Arthur Bahr..\$32.20, Dion Bahr..\$23.32, Tina Barnes..\$11.48, Judith Baumann..\$10.74, Sidney Beitelspacher..\$10.74, Linda Bitz..\$112.22, Larry Bohling..\$17.40, Cathy Braun..\$169.94, Denise Bruce..\$12.22, Matthew J Brust..\$11.48, Liana Claymore..\$10.74, Sandra Clocksene ..\$27.02, Anthony Cooper..\$114.44, Warren Criddle..\$23.32, Lyle Cutler..\$35.90, Gloria Dahme..\$11.48, Mary Davidson..\$11.48, Kirstin Deleon..\$17.40, Troy Dinger..\$121.10, Ronald Dobberpuhl..\$35.90, Jennifer Donnay..\$11.48, Angela Dornbush..\$10.74, Diane Drobny..\$11.48, Nancy Eckert..\$11.48, Brian Ellerbusch..\$11.48, Terry Ellingson..\$10.74, Arlin Elsen..\$42.56, Gary Feiock..\$11.48, Cheryl Felix..\$17.40, Gerald Fischer..\$10.74, Patricia Fischer..\$11.48, Carmen Fitch..\$11.48, Houston Forsting..\$10.74, Douglas Frohling..\$39.60, Sheryl Froiland..\$11.48, Tarah Gipp..\$10.74, Michael Glynn..\$17.40, James Goetz..\$114.44, Carol Gossman..\$12.22, Matt Groeblichhoff..\$26.28, Wayne Haas..\$154.40, Cathy Hall..\$11.48, Kenneth Ham..\$21.84, Renee Hanlon..\$39.60, Christine Harms..\$10.74, Becky Harty..\$11.48, Rabecca Heintzman..\$11.48, Willis Heiser..\$11.48, Michael Helmer..\$112.22, Kelly Herther..\$18.14, Marilou Hoines..\$10.74, Steven Huettl..\$11.48, Janet Hughes..\$13.70, Stanton Hundstad..\$11.48, Jeannine Hustel..\$10.74, Bernie Jark..\$28.50, Richard Jensen..\$15.92, Rose Jira..\$11.48, Paul Kendall..\$10.74, Dianne Klungseth..\$11.48, Loretta Kolker..\$24.80, Gordon Kopecky..\$11.48, John Kornder..\$10.74, Albert Kuebler..\$10.74, Rhonda Kvernevig..\$12.22, Richard Lanz..\$10.74, Jarold Larson..\$11.48, Lisa Lee..\$12.96, Lavonne Lemley..\$10.74, Michelle Lovrien..\$11.48, Leo Malsom..\$10.74, Kathy Marnette..\$17.40, Peggy Martens..\$14.44, Shaun Mathiason..\$11.48, Eileen Mattern..\$10.74, Raelyn McFarland..\$10.74, Lenette Melick..\$11.48, Rebecca Meyers..\$14.44, Donna Misslitz..\$10.74, Jeffrey Mitchell..\$11.48, Claudette Moran..\$11.48, Lila Morris..\$10.74, Barbara Myers..\$10.74, Richard Nelson..\$11.48, Rhonda Neubert..\$11.48, Connie Newell..\$10.74, Tammy Osborn..\$20.36, Dustin Parks..\$35.90, Lesia Patterson..\$35.90, Bernard Pence..\$10.74, Patrick Peterson..\$10.74, Jane Reder..\$15.92, Mark Remily..\$11.48, Monica Rosby..\$10.74, Twyla Sattler..\$10.74, John Sauer..\$17.40, Carrie Scepaniak..\$10.74, Donna Schaible..\$11.48, Carolyn Schaunaman..\$11.48, Jeff Schick..\$138.86, Casey Schmidt..\$12.22, Roger Schmidt..\$10.74, Beth Schwab..\$132.20, Bradley Schweitzer..\$10.74, Susan Selzer..\$14.44, Dimitri Serr..\$10.74, Carisa Severson..\$10.74, Sherri Shields..\$10.74, Jason Sperle..\$10.74, Trent Spurr..\$39.60, Shirley Stoddard..\$167.72, Jeremy Storly..\$15.18, Nicholas Stotz..\$11.48, Aaron Sunberg..\$10.74, Dustin Swalve..\$12.22, Judy Taylor..\$28.50, Peter Thrash..\$12.22, Christopher Totton..\$11.48, Kenneth Vance..\$12.22, Pius Vetter..\$11.48, Thomas Waage..\$12.22, Darlene Wahl..\$10.74, Raymond Walker..\$10.74, Joelle Weber..\$11.48, Justin Wegleitner..\$39.60, Nancy

Wells..\$10.74, Mark Wolf..\$11.48, Kim Youngerman..\$11.48, Marjorie Zastrow..\$12.96, Amy Zimney..\$10.74, Louise Zumbaum..\$17.40:

Professional Fees: Language Lines..\$348.49, witness fees..\$20.00, HKG..\$5681.28, Avera St Lukes..\$631.24, Hollaway Const..\$46575.01, Glas Consulting..\$750.00, Spitzer Const..\$550.80:

Publications: Dakota Press..\$968.22:

Transcriptions: Sara Van de Walle..\$19.20:

Travel: Ramkota..\$185.00, Scott Madsen..\$44.40, City of Groton..\$85.10, Jan Weismantel..\$40.00, Governors Inn..\$65.00, David North..\$455.28, Pat Hansen..\$224.86, Erling Podoll..\$128.25, Jerome Streckfuss..\$270.46, Stan Beckler..\$267.42, Harley Gage..\$229.96:

Utilities: Dependable Sanitation..\$371.00, Alltel..\$1089.38, Verizon..\$94.53, Northwestern Energy..\$956.86, Northern Elec..\$21.62, City of Hecla..\$72.49, Qwest..\$3933.00, Bureau of Admin..\$588.47:

Care of Poor: Rent – 2 recipients..DILO..\$220.00, Delton Hitchcock..\$260.00; Transportation – 2 recipients.. Brown County..\$46.41; Dr/Hospital – 1recipients..Avera St Lukes..\$1740.00; Burials – 2 recipients..Spitzer Miller Funeral Home..\$2833.88; Utilities – 2 recipient..NWPS..\$160.11, WEB water..\$119.89. All members present voting aye. Motion carried.

PERSONNEL:

Moved by Hansen, seconded by Knecht to appoint Charlene Millim as Brown County Welfare Director, effective October 29, 2007 at pro-rated annual salary of \$42,139.00. All members present voting aye. Motion carried.

PROPERTY TRANSFER:

Moved by Feickert, seconded by Hansen to approve and authorize the Chairman sign agreement with the following entities that received equipment from the 2006 DOJ Equipment Grant Program (HLS): First Baptist School (camera system); St Mary's School (camera system; Sacred Heart School (camera system). All members present voting aye. Motion carried.

TAX DEED SALE:

Moved by Hansen, seconded by Knecht to authorize advertising the following described property to be offered for sale by auction in the Community Room, Brown County Courthouse Annex, on November 5, 2007 at 10:00 a.m; and further to declare property surplus for purpose of sale (90% of minimum bid): Aberdeen City: Lot 3 Block 16 Hagerty & Lloyd's Addn @ \$4,375.00. All members present voting aye. Motion carried.

LEASE AGREEMENT:

Moved by Hansen, seconded by Feickert to approve agreement submitted by Northern State University (Hunt and Howl) for lease of the Club House at the Fairgrounds on October 26 – October 27, 2007; and further approve and authorize the Chairman sign alcohol use permission form. All members present voting aye. Motion carried.

PLATS:

Commissioner Hansen offered the following Resolution:

RESOLUTION NO. 84-07

BE IT RESOLVED by the Board of County Commissioners of Brown County, SD, that the plat showing "Williams Conservation Easement Tract 1 in the NE ¼ of Sec 26-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 Knecht. Roll call vote: Commissioners Hansen-aye, Fischbach-absent, Feickert-aye, Knecht-aye, Wiese-aye. Resolution adopted.

Commissioner Feickert offered the following Resolution:

RESOLUTION NO. 85-07

BE IT RESOLVED by the County Commission of Brown County, SD, that the plat showing "Hanson's Tract 1 in the NE ¼ of Sec 26-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-absent, Feickert-aye, Knecht-aye, Wiese-aye. Resolution adopted.

Commissioner Knecht offered the following Resolution:

RESOLUTION NO. 86-07

BE IT RESOLVED by the Board of County Commissioners of Brown County, SD, that the plat showing "Helm Replat of Lots 5 thru 10 of Schaunaman's Replat of Lots 53-70 of Miller's Richmond Lake Subdivision 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 Hansen. Roll call vote: Commissioners Hansen-aye, Fischbach-absent, Feickert-aye, Knecht-aye, Wiese-aye. Resolution adopted.

Commissioner Hansen offered the following Resolution:

RESOLUTION NO. 87-07

BE IT RESOLVED by the Board of County Commissioners of Brown County, SD, that the plat showing "A.G.C. Second Subdivision in the SE 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 11-3, and any amendments thereof.

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

Commissioner Knecht offered the following Resolution:

RESOLUTION NO. 88-07

BE IT RESOLVED by the County Commission of Brown County, SD, that the plat showing "4-Seasons Claremont Site Subdivision in NW ¼ and SW ¼ Sec 2-T125N-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-absent, Feickert-aye, Knecht-aye, Wiese-aye. Resolution adopted.

Commissioner Knecht offered the following Resolution:

RESOLUTION NO. 89-07

BE IT RESOLVED by the County Commission of Brown County, SD, that the plat showing "Schaunaman First Subdivision in SE ¼ Sec 19-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 Hansen. Roll call vote: Commissioners Hansen-aye, Fischbach-absent, Feickert-aye, Knecht-aye, Wiese-aye. Resolution adopted.

Commissioner Feickert offered the following Resolution:

RESOLUTION NO. 90-07

BE IT RESOLVED by the County Commission of Brown County, SD, that the plat showing "Parcel 1, U.S.F.W.S. Tract 34e, in the SW ¼ of the SW ¼ of Sec 10-T126N-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-absent, Feickert-aye, Knecht-aye, Wiese-aye. Resolution adopted.

Commissioner Hansen offered the following Resolution:

RESOLUTION NO. 91-07

BE IT RESOLVED by the Board of County Commissioners of Brown County, SD, that the plat showing "Beitelspacher Addition in the SW ¼ of Sec 16-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-aye, Fischbach-absent, Feickert-aye, Knecht-aye, Wiese-aye. Resolution adopted.

Commissioner Hansen offered the following Resolution:

RESOLUTION NO. 92-07

BE IT RESOLVED by the County Commission of Brown County, SD, that the plat showing "Bjur First Subdivision in SW 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 Knecht. Roll call vote: Commissioners Hansen-aye, Fischbach-absent, Feickert-aye, Knecht-aye, Wiese-aye. Resolution adopted.

EXECUTIVE SESSION:

Moved by Hansen, seconded by Knecht to go into executive session to discuss a contract with Kim Dorsett, States Attorney 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 October 30, 2007.

Maxine Taylor – Brown County Auditor

OCTOBER 30, 2007 - JOINT CITY/COUNTY MEETING

The Brown County Commission and the Aberdeen City Council met in joint session at 8:45 A.M. in the County Commission Chambers, 25 Market Street, Aberdeen, South Dakota. Present from City were Council Members Agnitsch, Aman, Campbell, Mitchell, Rux and Mayor Levsen. Absent Council Members Bunsness, Hodgins and Kraft. Present from County were Commissioners Hansen, Fischbach, Feickert, Knecht and Wiese.

ORDINANCE NO. 07-10-01/354:

On motion by Mitchell and seconded by Campbell, the City unanimously voted to approve Second Reading and Adoption of Ordinance No. 07-10-01/354.

Moved by Fischbach, seconded by Feickert to approve Second Reading and Adoption of Ordinance No. 07-10-01/354, 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, said property being described as follows: North 120' of the South 260' of Lot 1 of Evelo's Outlots in the SE ¼ of Sec 35-T123N-R64W of the 5th P.M. and Railroad Right-of-Way, Brown County SD. Roll call vote: Commissioners Hansen-aye, Fischbach-aye, Feickert-aye, Knecht-aye, Wiese-aye. Ordinance adopted.

ORDINANCE NO. 07-10-04/355:

On motion by Agnitsch and seconded by Aman, the City unanimously voted to approve Second Reading and Adoption of Ordinance No. 07-10-04/355.

Moved by Hansen, seconded by Knecht to approve Second Reading and Adoption of Ordinance No. 07-10-04/355, 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, said property being described as follows: Lot 1 Beitelspacher Addition in the SW ¼ of Sec 16-T123N-R64W of the 5th P.M., Brown County SD. Roll call vote: Commissioners Hansen-aye, Fischbach-aye, Feickert-aye, Knecht-aye, Wiese-aye. Ordinance adopted.

SET HEARING DATE:

On motion by Mitchell and seconded by Rux, the City unanimously voted to set hearing for Ordinance No. 07-11-02/356 and Ordinance No. 07-11-04/357.

Moved by Fischbach, seconded by Hansen to set date for joint public meeting of the Brown County Commission and Aberdeen City Council for 8:45 a.m. on November 27, 2007 in the County Commission Chambers, 25 Market Street for First Reading of the following: Ordinance No. 07-11-02/356, An Ordinance to rezone the following property from Section 715 (R-2A) Manufactured Housing and Medium Density Residential District to Section 714 (M-AG) Mini-Agricultural District: Lot 1, Wolf Addition in the NW ¼ of Sec 27-T124N-R64W of the 5th P.M., Brown County, SD; Ordinance No. 07-11-04/357, An Ordinance to rezone the following property from Section 701 (A-1) Agricultural District to Section 707 (C-2) Highway Commercial District: Lot 1 in the NE ¼ of Sec 34-T123N-R64W of the 5th P.M., Brown County, SD. All members present voting aye. Motion carried.

The Aberdeen City Council adjourned and the Brown County Commission continued in regular session.

Maxine Taylor – Brown County Auditor

OCTOBER 30, 2007 – GENERAL MEETING

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

MINUTES:

Moved by Feickert, seconded by Hansen to approve the Joint City/County Meeting minutes and the General Meeting minutes of October 23, 2007. All members present voting aye. Motion carried.

CLAIMS:

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

Payroll: Commissioners..\$2,876.00; Auditor..\$7,036.40; Treasurer..\$9,967.00; Data Processing..\$3,024.20, State's Attorney..\$11,645.17; Maintenance..\$5,581.00; Assessor..\$9,209.36; Register of Deeds..\$5,247.80; Veterans Service Office..\$2,736.87; GIS..\$1,776.93; Sheriff..\$66,461.50; Communications..\$16,548.82; Welfare Office..\$2,091.97; Museum..\$5,200.50; Fairboard..\$1,897.86; Fairgrounds & Parks..\$3,373.58; Extension..\$1,843.20; Weed..\$2,825.65; Planning & Zoning..\$1,461.54; E & D..\$2,665.73; Teen Court..\$405.00; Highway..\$29,852.97; Landfill..\$7,841.72; Matching Benefits: FICA..\$11,851.98, Medicare..\$2,771.75, Wellmark BCBS Life..\$689.20, Wellmark BCBS Health..\$67,237.20; Delta Dental..\$4,284.00, SD State Retirement..\$24,498.15:

Supplies: Safety Benefits..\$275.00, Office Equip..\$134.40, Electronic Security..\$328.92, Gardner Locksmith..\$716.55, Interstate Powersystems..\$2139.00, Best Business..\$83.20, John McQuillen..\$25.46, Phillips 66..\$116.14, Knight Towing..\$159.00, Retail Acquisition..\$203.94, Graham Tire..\$674.32, Nat'l Sheriff Assoc..\$250.00, SDDOT..\$4496.34, Lawson Products..\$494.89, Hollaway Const..\$68937.20, LG Everist..\$437.98, Aberdeen Asphalt..\$12414.14, Lora Schaunaman..\$13.09, Dacotah Prairie Museum..\$6.25, Walmart..\$210.28, Sherri Rawstern..\$19.05, Advantage Self Storage..\$129.00, Woodman Refrig..\$501.02, Kleins..\$22.34, B&B Contracting..\$1581.64, NAPA..\$73.84, Runnings..\$19.99, Menards..\$1498.36, Division of Ag..\$80.00, USPO..\$900.00, SD Planners..\$90.00, Overhead Door..\$137.75, Galls..\$328.94, Municipal Emergency Services..\$310.15, Florida Micro..\$93.74, Priority Dispatch..\$2790.00, Racom..\$42.40, AOS..\$2649.36, Butler Machinery..\$13,964.62, Dakota Brush..\$382.40, Custom Sheet Metal..\$3883.65, Earth Tech..\$1400.00, Firestone..\$10,144.52:

Professional Fees: witness fee..\$20.00, Pennington County Sheriff..\$19.16, Exec Mgmt..\$47.70, Dept of Revenue..\$2118.00, Avera St Lukes..\$2621.02, Pam Smid..\$105.00, Jackie Schraeder..\$105.00, Lyrta Wilkie..\$210.00, Jason Engel..\$210.00, Chris Stanley..\$2247.38, NADRIC..\$1666.67, Donna Dietrich..\$130.71, Sheriff of Yankton County..\$25.00:

Publications: American News..\$401.85:

Transcriptions: Valorie Olson..\$25.00:

Travel: Gene Loeschke..\$254.19, Extension Service..\$364.19, Gary Erickson..\$231.20, Deb Knecht..\$239.00:

Court Appointed Attorney: Randy Turner..\$4166.67, Gina Rogers..\$4166.66, Christy Serr..\$4166.67, William Gerdes..\$4166.67, Kuck Law Office..\$4166.67, Yankton County..\$204.90:

Utilities: Alltel..\$336.89, Qwest..\$91.11, Verizon..\$46.88, Northwestern Energy..\$3241.36, Montana Dakota..\$16.55, Northern Elec..\$141.20, Midcontinent Cable..\$139.15:

Care of Poor: Insurance – 1 recipient..Midstates Printing..\$379.50; Dr/Hospital – 2 recipients..Dr Heloise Westbrook..\$26.93, Sanford Health..\$2412.49; Utilities – 1 recipient..NWPS..\$280.00. All members present voting aye. Motion carried.

PERSONNEL:

Moved by Feickert, seconded by Knecht to approve the following employee step increases, effective November 4, 2007: Mavis Kempf @ \$16.07 per hour, Sheila Anderson @ \$14.75 per hour. All members present voting aye. Motion carried.

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Moved by Feickert, seconded by Fischbach to approve employee status change for Carrie Kleindl and Jeff Neal, from part-time Corrections Officer to regular part-time Corrections Officer, effective October 21, 2007 at \$9.67 per hour. All members present voting aye. Motion carried.

PLAT:

Commissioner Feickert offered the following Resolution:

RESOLUTION NO. 93-07

BE IT RESOLVED by the County Commission of Brown County, SD, that the plat showing "Cutler's First Subdivision in NE ¼ Sec 19-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 Fischbach. Roll call vote: Commissioners Hansen-aye, Fischbach-aye, Feickert-aye, Knecht-aye, Wiese-aye. Resolution adopted.

BCCHC REPORT:

DeAnna Kyburz presented the Brown County Community Health Center Report for July – September 2007.

BUILDING RENTAL:

Jeff Reuer, owner of Custom Sheet Metal has been renting the County owned building on Railroad Avenue and is relocating his business, but inquired about the possibility of still renting the county building (upstairs, basement, garage) for cold storage at a reduced rental rate than previously paying. The Board and Mick Palmer, Maintenance Supervisor (also in attendance) will discuss and contact Mr. Reuer at a later date with the decision.

HIGHWAY UPDATE:

Dirk Rogers, Highway Superintendent discussed personnel numbers and current projects.

RECESS:

The Chairman declared the Commission recessed until November 6, 2007.

Maxine Taylor – Brown County Auditor

NOVEMBER 6, 2007 - GENERAL MEETING

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

MINUTES:

Moved by Hansen, seconded by Feickert to approve the Joint City/County and General Meeting minutes of October 30, 2007. All members present voting aye. Motion carried.

CLAIMS:

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

Supplies: American Stamp..\$128.96, Taylor Laundry..\$50.5, Menards..\$117.17, Runnings..\$464.23, Tellinghuisen..\$149,014.95, Gardner Locksmith..\$48.99, K-Mart..\$102.50, House of Glass..\$65.12, Woodman Refrig..\$1524.92, New Trends..\$231.43, Bonnie Bitz..\$120.00, Best Business..\$196.07, Trail Chev..\$130.76, Racom..\$296.80, Executive Mgmt..\$2354.00, Langs..\$62.00, Office Equip..\$725.24, Exhaust Pros..\$21.83, Walmart..\$557.01, 3-D Spec..\$671.02, Team Labs..\$8904.00, Titan Machinery..\$93.25, Bill Moon..\$33.90, M-R Signs..\$45.22, Great Western Tire..\$12,960.53, Flint Hills..\$23,944.54, Erdmann Fuels..\$2816.11, Edmunds County..\$5380.56, Chris & Don's Repair..\$40.00, Butler Machinery..\$26.38, Lora Schaunaman..\$156.88, Quality Quick Print..\$312.80, Sherri Rawstern..\$19.05, Midwest Alarm..\$51.50, Kleins..\$47.08, UBC..\$15.24, Hub City Radio..\$125.00, House of Glass..\$20.95, Van Der Werff Impl..\$467.20, Firestone..\$129.98, Days Inn..\$558.00, APCO..\$792.00, Lyle Signs..\$1115.00, Dakota Electronics..\$259.85, Emily Hughes..\$100.00, Eide Bailly..\$243.00, Petroleum Partners..\$309.54, Hedahls..\$12.99, Farnams..\$60.98, Cole Papers..\$869.87, Erdmann Oil..\$6537.76, Ameripride..\$101.71, Powerplan..\$7894.18, SD Dept of Rev..\$3778.75, Fire Safety First..\$168.60, Praxair..\$17.80, IOMA..\$283.95, CMRS..\$5000.00:

Professional Fees: Sheriff of Yankton County..\$25.00, Marv Ekeren..\$30.00, Donna Dietrich..\$261.42, Nelva Kooistra..\$45.00, SD Human Service Center..\$400.00, Cathy Reh fuss..\$15.00:

Publications: American News..\$431.46:

Transcriptions: Sara Vande Walle..\$140.60:

Travel: Leo Leshner..\$367.04, Kathy Fischer..\$176.49, Kevin Spitzer..\$34.41:

Utilities: Northwestern Energy..\$7246.37, City of Aberdeen..\$585.71, Midcontinent Cable..\$194.56, Qwest..\$32.37, Web Water..\$119.48, James Valley..\$215.13, Verizon..\$116.11:

Care of Poor: Transportation – 3 recipients..Jefferson Lines..\$226.00, Brown County..\$12.21; Dr/Hospital – 1 recipient..Dental Center..\$200.69; Rent - 3 recipients..Mel Ros Village..\$240.00, David Mitzel..\$220.00, Danne Inc..\$200.00. All members present voting aye. Motion carried.

PERSONNEL:

Moved by Feickert, seconded by Knecht to approve hiring Steve Mauk, as part-time scale operator at the Landfill, effective November 5, 2007 at \$11.16 per hour. All members present voting aye. Motion carried.

FAIR BOARD APPOINTMENTS:

Moved by Knecht, seconded by Feickert to appoint John Aman and Kathy Schaunaman for their second three-year term and the following for their first three-year term on the Brown County Fair Board, effective January 1, 2008 – December 31, 2010: Conald Burgard, Jessi Stucke, Lee Koch, Thomas Carlson, Deb Schlosser, Fae Dayton and Keith Starks. All members present voting aye. Motion carried.

AUDITORS REPORT OF ACCOUNT:

Moved by Hansen, seconded by Fischbach to approve the October 2007 Auditor's Report of Account with the County Treasurer in total amount of \$20,774,000.00 (total amount of actual cash @ \$3,424.93, Wells Fargo Bank @ \$3,694.79, US Bank @ \$145,751.45, Dacotah Bank @ \$32,009.22, Petty Cash @

\$1,800.00, Fund Investments @ \$20,587,244.54, Outstanding Checks @ \$75.07). All members present voting aye. Motion carried.

PLAT:

Commissioner Feickert offered the following Resolution:

RESOLUTION NO. 94-07

BE IT RESOLVED by the Board of County Commissioners of Brown County, SD, that the plat showing "Dinger Conservation Easement Tract 1 in the NE ¼ of the NE ¼ of Sec 16-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 Knecht. Roll call vote: Commissioners Hansen-aye, Fischbach-aye, Feickert-aye, Knecht-aye, Wiese-aye. Resolution adopted.

PROPERTY TRANSFER:

Moved by Fischbach, seconded by Feickert to approve and authorize the Chairman sign agreement with the following entities who received equipment from the 2005 DOJ Equipment Grant Program (HLS): Aberdeen City Computing (buffalo terastation pro); and equipment from the 2006 DOJ Equipment Grant Program (HLS): Aberdeen Regional Airport (camera security system), Brown County Sheriff (camera system). All members present voting aye. Motion carried.

TAX DEED SALE:

Moved by Hansen, seconded by Feickert to approve and authorize the Chairman sign Quit Claim Deed to the successful bidder for the following Tax Deed property sold at public auction on November 5, 2007: Aberdeen City: Lt 3 Blk 16 Hagerty & Lloyd Addn @ \$5700.00. All members present voting aye. Motion carried.

HAZARD MITIGATION GRANT FUNDING:

Moved by Fischbach, seconded by Feickert to approve and authorize the Chairman sign South Dakota Department of Public Safety Office of Emergency Management Hazard Mitigation Grant Program Application for all types of disasters that may occur in Brown County (Disaster #: FEMA-1702-DR-SD). All members present voting aye. Motion carried.

RACE TRACK:

Al Malsam discussed the sale of advertising on the track barriers and condition of the track surface. The authority to sell advertising will be part of the lease and discussions with the highway department will determine if the County has raw material available for the track.

EXECUTIVE SESSION:

Moved by Fischbach, seconded by Hansen to go into executive session to discuss possible litigation and personnel with Kim Dorsett 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 Feickert, seconded by Knecht to authorize the States Attorney to request for acceptance a Quit Claim Deed from current record holder of property in Barnard, as property (elevator) is a public nuisance and needs to be demolished. All members present voting aye. Motion carried.

PALMYRA TOWNSHIP LAND:

Moved by Hansen, seconded by Knecht to authorize the States Attorney request a title search on county owned property in Palmyra Township to clarify county interest in property for potential sale. All members present voting aye. Motion carried.

PHASE II JAIL PROJECT – CHANGE ORDER:

Moved by Fischbach, seconded by Knecht to approve and authorize the Chairman to sign Change Order #6 for Phase II Jail Project, increasing total cost by \$11,296.16 (insulate soffit, additional framing of stairs, additional masonry at south wall, additional expense for removal of old jail building debris under parking lot), bringing total project cost to \$1,491,121.20. All members present voting aye. Motion carried.

RECESS:

The Chairman declared the Commission recessed until November 13, 2007.

Maxine Taylor – Brown County Auditor

NOVEMBER 13, 2007 – GENERAL MEETING

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

MINUTES:

Moved by Knecht, seconded by Fischbach to approve the General Meeting minutes of November 6, 2007. All members present voting aye. Motion carried.

CLAIMS:

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

Payroll: Commissioners..\$2,876.00; Auditor..\$7,023.23; Treasurer..\$9,967.00; Data Processing..\$3,024.20; State's Attorney..\$11,645.17; Maintenance..\$5,601.07; Assessor..\$8,946.13; Register of Deeds..\$5,247.80; Veterans Service Office..\$2,736.87; GIS..\$1,776.93; Sheriff..\$64,911.51; Communications..\$15,209.10; Welfare Office..\$2,091.97; Museum..\$5,200.50; Fairgrounds & Parks..\$3,373.58; Fairboard..\$1,897.86; Extension..\$1,843.20; Weed..\$2,051.34; Planning and Zoning..\$1,461.54; Emergency Management..\$2,665.73; Teen Court..\$351.00; Highway..\$28,691.76; Landfill..\$7,842.45; Coroner..\$1,200.00; Matching Benefits: FICA..\$11,606.53; Medicare..\$2,714.32; Supplies: Thomson West..\$1162.99, Office Equip..\$442.86, Eagle Business Forms..\$77.16, New Trends..\$344.88, Lar-Jos..\$132.00, Ecolab..\$347.50, Janitors Closet..\$76.32, McFarland Supply..\$125.23, Sewer Duck..\$89.00, Cunningham Elec..\$426.20, NACVSO..\$30.00, Artz Camera..\$115.71, Dakota Electronics..\$324.55, Dicks..\$62.75, Safety Service..\$240.00, Taylor Laundry..\$31.50, Sewing Shoppe..\$26.00, Accurint..\$30.00, Galls..\$307.50, Tri-State Water..\$19.80, Moore Medical..\$150.07, Best Business..\$39.98, Lust..\$32.95, Hewlett Packard..\$1192.00, OK Tire..\$10.00, Bob Barker..\$245.80, Hoven Auto..\$232.77, Earthgrains..\$575.91, Kesslers..\$156.22, Cash-Wa..\$4344.07, Evercom..\$1900.00, Vanderwerff Impl..\$2000.00, Upper Great Plains Trans..\$50.00, Safety Service..\$2803.00, S&S Lumber..\$1607.55, Runnings..\$1537.46, Quality Quick Print..\$61.35, Praxair..\$55.32, Power Plan..\$137.76, Pierson Ford..\$416.84, Menards..\$380.00, Macs..\$69.99, James Loterbauer..\$180.00, Kens Alignment..\$57.20, Jensen Rock & Sand..\$2272.75, Interstate Battery..\$74.95, Howes Oil..\$17,775.90, Farnams..\$112.96, Farm Power..\$616.06, Evergreen Supply..\$33.49, Diesel Machinery..\$4286.16, Dakota Oil..\$1363.01, Dakota Fluid Power..\$1809.85, Crawford Trucks..\$1001.79, Cartney Bearing..\$131.39, Brick Propane..\$6.00, Artz Equip..\$535.00, Aberdeen Chrysler..\$1050.58, Shopko..\$16.18, Ameripride..\$125.51, Trapline Lodges..\$515.00, Ken's Superfair Foods..\$10.38, Kleins..\$56.57, Rogers Hist Museum..\$125.00, Office Max..\$102.29, Aberdeen Hockey Assoc..\$1071.06, Fire Safety First..\$58.16, Photo Xpress..\$57.69, Midwest Coke..\$418.95, SD Assoc of Fairs..\$20.00, Barb Paepke..\$100.00, Consumer Reports..\$26.00, ProAg..\$40.52, Ken's Alignment..\$329.46, Firestone..\$14.50, Dakota Oil..\$49.26, Carquest..\$58.58, C&S Motor Sports..\$19.85, Neve's Uniforms..\$102.65, Town & Country..\$74.40, Walmart..\$36.19, DMS..\$384.02, Pizza Ranch..\$70.94, Emily Hughes..\$116.00;

Professional Fees: Ramsey County Sheriff..\$37.20, Hennepin County Sheriff..\$45.60, witness fees..\$20.00, Avera St Lukes..\$1279.94, Lyrita Wilkie..\$210.00, Jackie Schraeder..\$140.00, Scott Weitbrecht..\$35.00, Jason Engel..\$385.00, Pam Smid..\$175.00, Aberdeen Advanced Care..\$194.18, Dakota Imaging..\$10.59;

Publications: American News..\$618.63;

Transcriptions: Richard Neal..\$142.20, Shepherd Reporting..\$50.00;

Travel: Mike Wiese..\$230.13, Sherry Theobald..\$18.13, Tonya Delzer..\$433.86, Sherrie Beckering..\$382.80;

Court Appointed Attorney: Scott Kuck..\$40.00;

Utilities: FSH..\$60.00, Northwestern Energy..\$2737.50, Qwest..\$710.90, Northern Valley..\$70.47, James Valley..\$145.25, Town of Frederick..\$32.25, Verizon..\$82.50;

Care of Poor: Transportation – 4 recipients..Jefferson Lines..\$180.40, Brown County..\$65.96; Dr/Hospital – 4 recipients..Avera St Lukes..\$841.16, North Central Heart..\$1516.88, Dakota Plains..\$5056.61, Dental Center..\$83.01; Rent – 5 recipients.. Erik Stewart..\$280.00, Danne..\$480.00, J&M Ent..\$160.00, Tom Barondeau..\$200.00; Medication – 4 recipients..Kessler Pharm..\$97.77, United

Clinic Pharm..\$38.98, Walmart Pharm..\$20.00; Utilities – 1 recipient..NWPS..\$260.00. All members present voting aye. Motion carried.

PERSONNEL:

Moved by Knecht, seconded by Feickert to approve the following employee step increase, effective November 18, 2007: Betty Haar @ \$14.75 per hour. All members present voting aye. Motion carried.

LEASE AGREEMENT ADDENDUM:

Moved by Hansen, seconded by Feickert to approve and authorize the Chairman sign Addendum to agreement dated June 26, 2006 with Custom Sheet Metal, for lease of the county owned building located at 115 SE Railroad Avenue for cold storage at \$650.00 per month, effective November 1, 2007 through April 30, 2008. All members present voting aye. Motion carried.

BID – CRACK SEAL PROJECT:

Moved by Feickert, seconded by Fischbach to award bid for Crack Sealing of Asphalt Concrete, submitted by Highway Improvement, Inc. Sioux Falls, SD at \$.96 per mile, per award by the SD Department of Transportation dated April 10, 2007. All members present voting aye. Motion carried.

LEASE DISCUSSION:

Kurt Smith, Fairgrounds Superintendent and Jan Beckler, Deputy Auditor discussed timeline for agreements for lease of county owned property at the Fairgrounds and Richmond Youth Camp. All current leases will be reviewed by the States Attorney's Office.

EXECUTIVE SESSION:

Moved by Knecht, seconded by Hansen to go into executive session for personnel discussion with Mark Milbrandt, Tom Schmitt, Bryan Locke 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.

HOSPITAL CLAIMS:

Moved by Feickert, seconded by Fischbach to deny payment of the hospital bill for a 25 year old male @ \$3,718.80, as the individual has not provided sufficient information to determine if indigent. All members present voting aye. Motion carried.

Moved by Knecht, seconded by Feickert to deny payment of the hospital bill for a 57 year old female @ \$9,211.89, as the individual has not provided sufficient information to determine if indigent. All members present voting aye. Motion carried.

Moved by Hansen, seconded by Feickert to deny payment of the hospital bill for a 54 year old female @ \$4,409.01, 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 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.

RECESS:

The Chairman declared the Commission recessed until November 20, 2007.

Maxine Taylor – Brown County Auditor

NOVEMBER 20, 2007 – GENERAL MEETING

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

MINUTES:

Moved by Hansen, seconded by Feickert to approve the General Meeting minutes of November 13, 2007. All members present voting aye. Motion carried.

CLAIMS:

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

Supplies: Thomson West..\$1333.99, Farm & Home Pub..\$1124.00, Dakota Electronics..\$78.00, Tel Serv..\$668.30, Semaphore..\$262.00, SD Assoc of County Comm..\$2906.22, Aberdeen Plumbing..\$2039.40, Dakota Supply Group..\$145.44, Crescent Elec..\$79.87, Schwan Elec..\$178.92, Florida Micro..\$632.64, Digi Photo..\$39.80, HSBC Business Solutions..\$1710.65, Office Equip..\$142.18, Best Business..\$236.91, Hoven Auto..\$52.04, Velvet Uniforms..\$158.50, Civic Research..\$169.95, Moore Medical..\$8.79, Electronic Security..\$3104.96, Jail Craft..\$173.56, Shell Fleet..\$181.72, Phillips 66..\$7.00, Tri State Water..\$19.80, Huron Culvert..\$28190.39, Highway Impr..\$47,137.35, Fastenal..\$266.31, Erdmann Fuels..\$1652.25, Violet Dinger..\$660.27, Cass County..\$204.72, Carquest..\$892.82, Ameripride..\$221.53, Hagan Ins..\$301.00, SDDOT..\$18,332.70, Poms Tire..\$769.56, Runnings..\$16.37, Farnams..\$4.68, House of Glass..\$4.50, Farm Power..\$363.48, Fastenal..\$113.39, Brick Propane..\$26.00, UBC..\$994.00, Dacotah Prairie Merchantile..\$39.90, Menards..\$269.37, Sherri Rawstern..\$31.79, SD Public Assurance..\$50.00, Mayo Clinic..\$27.00, SDCAA..\$180.00, U of CA..\$28.00, Roxy Hilgenberg..\$18.01, Brick TV..\$1216.25, Cunningham Elec..\$1172.30, Aberdeen Chamber..\$225.00, Glas Consulting..\$60.00, City of Aberdeen..\$6950.00, Wearguard..\$125.42, Language Line..\$90.01, Streichers..\$616.99:

Professional Fees: Avera St Lukes..\$1216.25:

Publications: American News..\$350.27, Groton Indep..\$726.52, witness fees..\$20.00:

Transcriptions: Michelle Gaikowski..\$40.80, Kristi Kost..\$90.40:

Travel: Holiday Inn..\$312.00, Lisa Samson..\$18.00, Geri Sillman..\$18.00, Leo Leshner..\$132.46, Gene Loeschke..\$273.80, David Fair..\$46.50, City of Groton..\$68.08, Ramkota..\$146.00, Larry Gerlach..\$690.01, Gary Vetter..\$239.08, Stan Beckler..\$60.36, Roger Johnson..\$117.28:

Court Appointed Attorney: Brevik Law Office..\$188.51:

Utilities: Alltel..\$37.71, Dependable Sanitation..\$25,225.53, Northern Elec..\$899.11, City of Hecla..\$79.14, Northwestern Energy..\$1503.93, Qwest..\$3955.28, City of Aberdeen..\$1021.48, Northern Valley..\$132.18, Bureau of Admin..\$616.17:

Care of Poor: Transportation – 2 recipients..City of Aberdeen..\$312.83, Jefferson Lines..\$53.15; Dr/Hospital – 5 recipients..Avera St Lukes..\$7375.80, Avera McKennan..\$2151.63, Avera Heart Hosp..\$9184.10; Rent - 3 recipients..Lonnie Frost..\$145.00, Danne..\$220.00, Falcon Rentals..\$260.00; Utilities – 1 recipient..Water Development..\$157.85. All members present voting aye. Motion carried.

PERSONNEL:

Moved by Hansen, seconded by Feickert to approve hiring Erik Red Hill as guard for purpose of prisoner transport, effective November 15, 2007. All members present voting aye. Motion carried.

Moved by Fischbach, seconded by Hansen to acknowledge the following miles driven and amount to be taxed for personal use of County vehicles during October 2007: Richard Burns – 68 @ \$32.98, Dirk Rogers – 486 @ \$235.71, Mike Scott – 200 @ \$97.00. All members present voting aye. Motion carried.

ALCOHOLIC BEVERAGE LICENSE RENEWAL HEARING:

Moved by Feickert, 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 4, 2007: 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.

LIBRARY AGREEMENT:

Moved by Feickert, seconded by Fischbach to approve and authorize the Chairman sign agreement with the City of Aberdeen for the purpose of having a unified library service for the residents of Brown County for 2008. All members present voting aye. Motion carried.

PROPERTY TRANSFER:

Moved by Feickert, seconded by Fischbach to approve and authorize the Chairman sign agreement with the following entity that received equipment from the 2006 ODP Equipment Grant Program: Avera St. Luke's Hospital (repeater). All members present voting aye. Motion carried.

BCCHC CONTRACT:

Moved by Hansen, seconded by Feickert 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 2008 in amount of \$30,900.00. All members present voting aye. Motion carried.

INCREASE SPENDING AUTHORITY/ESTIMATED REVENUE:

Moved by Hansen, seconded by Fischbach to increase spending authority in Fund #234-151-411 @ \$1,760.00, 412.01 @ \$109.00, 412.02 @ \$25.40, 413 @ \$105.60 and increase estimated revenue in Fund #234-331.97 in amount of \$2,000.00 for Stop Violence Against Women Act Grant funding. All members present voting aye. Motion carried.

SHERIFF REPORTS:

Moved by Hansen, seconded by Fischbach to approve the following October 2007 Sheriff Reports: Incidents and offenses; Prisoner care, JDC, Money deposited with the County Treasurer and Monthly activities. All members present voting aye. Motion carried.

BID – SIREN SYSTEMS:

Moved by Feickert, seconded by Fischbach to award bid, submitted by Federal Signal Corporation for six outdoor warning sirens @ \$11,691.88 per unit (total of \$70,151.28), per bid from Minnehaha County opened on March 7, 2007; rejecting ATI Systems @ \$10,490.00 per unit (low bid submitted by ATI Systems was not accepted as their specifications did not meet the required 130 decible output, the battery and radio box were combined while separation reduces potential corroding of the components and Brown County currently uses Federal sirens); and Public Safety Equipment @ \$12,223.33 per unit. All members present voting aye. Motion carried.

LIEN DISCUSSION:

Kim Dorsett, States Attorney discussed placement of liens, pursuant to SDCL 34-20A-70.1 against petitioner in an involuntary commitment proceeding and recommended that placement of lien be waived under certain case-by-case circumstances. Board concurred.

BARNARD PROPERTY:

Moved by Feickert, seconded by Fischbach to accept for recording a Quit Claim Deed that conveys property in Barnard to the County, with the intent of demolishing the buildings, per recommendation from Kim Dorsett, States Attorney. All members present voting aye. Motion carried.

MOBILE HOME DISCUSSION:

Sheila Enderson, County Treasurer discussed delinquent taxes against an unlivable mobile home. States Attorney will research and make recommendation.

EXECUTIVE SESSION:

Moved by Hansen, seconded by Fischbach to go into executive session for personnel discussion with Kim Dorsett and Butch Burns 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 Fischbach, seconded by Feickert to approve application, submitted by Qwest Corporation for occupancy of Brown County Highway #135th Street in Sec 36-T123N-R64W, Brown County, SD to provide telephone service. All members present voting aye. Motion carried.

HIGHWAY UPDATE:

Butch Burns discussed condition of four pickups in the highway department and passed on information from a motor grader vendor.

RACE TRACK AGREEMENT:

Al Malsam discussed line items in the racetrack lease agreement, which will be addressed by the States Attorney prior to signing.

PHASE II JAIL PROJECT UPDATE:

Todd Geisler, HKG and Mick Palmer, Maintenance Supervisor discussed upcoming change orders for the Phase II Jail Project.

EXECUTIVE SESSION:

Moved by Feickert, 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.

RECESS:

The Chairman declared the Commission recessed until November 27, 2007.

Maxine Taylor – Brown County Auditor

NOVEMBER 27, 2007 - JOINT CITY/COUNTY MEETING

The Brown County Commission and the Aberdeen City Council met in joint session at 8:45 A.M. in the County Commission Chambers, 25 Market Street, Aberdeen, South Dakota. Present from City were Council Members Agnitsch, Aman, Bunsness, Campbell, Mitchell and Mayor Levsen. Absent Council Members Hodgkin, Kraft and Rux. Present from County were Commissioners Hansen, Fischbach, Feickert, Knecht and Wiese.

ORDINANCE NO. 07-11-02/356:

On motion by Mitchell and seconded by Aman, the City unanimously voted to approve First Reading of Ordinance No. 07-11-02/356.

Moved by Fischbach, seconded by Knecht to approve First Reading of Ordinance No. 07-11-02/356, An Ordinance amending Ordinance No. 1164 to rezone the following described property from its present zoning designation of Section 715 (R-2A) Manufactured Housing and Medium Density Residential District to Section 714 (M-AG) Mini Agricultural District, said property being described as follows: Lot 1, Wolf Addition in the NW¼ of Sec 27-T124N-R64W of the 5th P.M., Brown County SD. All members present voting aye. Motion carried.

ORDINANCE NO. 07-11-04/357:

On motion by Campbell and seconded by Agnitsch, the City unanimously voted to approve First Reading of Ordinance No. 07-11-04/357.

Moved by Feickert, seconded by Fischbach to approve First Reading of Ordinance No. 07-11-04/357, 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 707 (C-2) Highway Commercial District, said property being described as follows: Lot 1 in the NE ¼ of Sec 34-T123N-R64W of the 5th P.M., Brown County SD. All members present voting aye. Motion carried.

Mary Worlie, Director of Equalization informed the Council and Commission that discussions are taking place to decide whether an abatement for a portion of the 2007 taxes payable in 2008 be applied to approximately 75 homes uninhabitable due to the May 5, 2007 flood. A formal recommendation will be presented at a later date.

The Aberdeen City Council adjourned and the Brown County Commission continued in regular session.

Maxine Taylor – Brown County Auditor

NOVEMBER 27, 2007 – GENERAL MEETING

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

MINUTES:

Moved by Hansen, seconded by Fischbach to approve the General Meeting minutes of November 20, 2007. All members present voting aye. Motion carried.

CLAIMS:

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

Payroll: Commissioners..\$2,876.00; Auditor..\$7,004.78; Treasurer..\$9,967.00; Data Processing..\$3,024.20, State's Attorney..\$11,645.17; Maintenance..\$5,557.07; Assessor..\$9,087.28; Register of Deeds..\$5,247.80; Veterans Service Office..\$2,831.43; GIS..\$1,776.93; Sheriff..\$67,639.80; Communications..\$16,176.52; Welfare Office..\$2,906.34; Museum..\$5,200.50; Fairboard..\$1,897.86; Fairgrounds & Parks..\$3,373.58; Extension..\$1,843.20; Weed..\$248.39; Planning & Zoning..\$1,461.54; E & D..\$2,665.73; Teen Court..\$405.00; Highway..\$31,627.62; Landfill..\$8,081.21; Matching Benefits: FICA..\$11,962.26, Medicare..\$2,797.55, Wellmark BCBS Life..\$684.70, Wellmark BCBS Health..\$65,939.28; Delta Dental..\$4,256.00, SD State Retirement..\$24,393.80;
Supplies: Farm & Home Pub..\$1124.00, Electronic Security..\$70.00, Sewer Duck..\$69.00, Best Business..\$36.85, 3-D Spec..\$305.26, Palmer Dist..\$142.50, Huron Culvert..\$44,180.51, Howes Oil..\$21,487.80, Freys Elec..\$57.00, Diesel Machinery..\$7500.00, Dakota Riggers..\$32.27, Avera Queen of Peace..\$127.00, Aberdeen Asphalt..\$31,172.95, Gardner Locksmith..\$50.000, Sanders Sew 'N Vac..\$77.76, Macs..\$19.61, House of Glass..\$23.22, Hedahls..\$8.06, Runnings..\$7.79, DMI..\$265.00, Herc-u-Lift..\$322.33, Spec Communications..\$295.00, Shopko..\$7.49, Certification Programs..\$75.00, SD Assoc of County Weed & Pest..\$50.00;
Professional Fees: LCM Pathologists..\$279.90, NADRIC..\$1666.67;
Publications: Groton Indep..\$194.85;
Transcriptions: Shepherd Reporting..\$25.00;
Travel: Allan Vietmeier..\$195.73, Kendell Titze..\$18.00, Gary Erickson..\$132.86;
Court Appointed Attorney: Christy Serr..\$4166.63, William Gerdes..\$4166.63, Gina Rogers..\$4166.66, Randy Turner..\$4166.63, Kuck Law Office..\$4166.63;
Utilities: Midcontinent Cable..\$139.15, Alltel..\$418.02, Northwestern Energy..\$745.33, Montana Dakota..\$19.29;
Care of Poor: Dr/Hospital – 1 recipient..Anesthesia Care..\$96.00; Rent - 4 recipients..Erdmann Properties..\$220.00, White House Inn..\$44.10, Zumbaum Property..\$560.00, G&D Invest..\$110.00; Insurance – 1 recipient..Midstates Printing..\$379.50. All members present voting aye. Motion carried.

PERSONNEL:

Moved by Fischbach, seconded by Hansen to approve the following employee step increases, effective December 2, 2007: Lora Schaunaman @ \$12.06 per hour, Michael Bowser @ \$11.85 per hour, Kristal Biegler @ \$14.50 per hour, Carol White @ \$11.91 per hour. All members present voting aye. Motion carried.

Moved by Feickert, seconded by Hansen to approve employee status change for Teoni Taylor from Step 1 Clerk, Secretary and Maintenance category (\$10.54 per hour) to Step 1 Office Deputies, Museum Curators, Secretaries/Clerks category @ \$10.77 per hour, effective December 2, 2007, using date of hire for future step increases. All members present voting aye. Motion carried.

TEEN COURT JABG APPLICATION:

Moved by Hansen, seconded by Feickert to approve and authorize the Chairman sign application for Department of Corrections – Juvenile Accountability Block Grant in amount of \$22,200.00 (90% DOC, 10% County), effective October 1, 2007 – September 30, 2008. All members present voting aye. Motion carried.

RACE TRACK LEASE:

Moved by Fischbach, seconded by Hansen to approve and authorize the Chairman to sign Lease Agreement for the Brown County Raceway with Alan Malsom, effective November 26, 2007 to November 26, 2008, with four additional one-year options exercised according to terms of lease. All members present voting aye. Motion carried.

PROPERTY TRANSFER:

Moved by Feickert, seconded by Hansen to approve and authorize the Chairman sign agreement with the following entity that received equipment from the 2005 ODP Equipment Grant Program: Frederick Fire Department (repeater). All members present voting aye. Motion carried.

PLATS:

Commissioner Feickert offered the following Resolution:

RESOLUTION NO. 95-07

BE IT RESOLVED by the Board of Commissioners of Brown County, SD, that the plat showing “Reed’s Outlot 2 in the SW ¼ of Sec 30-T124N-R62W 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 Commissioner Fischbach. Roll call vote: Commissioners Hansen-aye, Fischbach-aye, Feickert-aye, Knecht-aye, Wiese-aye. Resolution adopted.

Commissioner Hansen offered the following Resolution:

RESOLUTION NO. 96-07

BE IT RESOLVED by the Board of County Commissioners of Brown County, SD, that the plat showing “Hunstad Conservation Easement Tract 1 in the W ½ of the SE ¼ of Sec 2-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 Knecht. Roll call vote: Commissioners Hansen-aye, Fischbach-aye, Feickert-aye, Knecht-aye, Wiese-aye. Resolution adopted.

Commissioner Fischbach offered the following Resolution:

RESOLUTION NO. 97-07

BE IT RESOLVED by the Board of County Commissioners of Brown County, SD, that the plat showing “Sombke Subdivision in the SW ¼ and SE ¼ of Sec 8-T121N-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-aye, Fischbach-aye, Feickert-aye, Knecht-aye, Wiese-aye. Resolution adopted.

Commissioner Knecht offered the following Resolution:

RESOLUTION NO. 98-07

BE IT RESOLVED by the Board of Commissioners of Brown County, SD, that the plat showing "Culp Addition in the NE ¼ of Sec 33-T127N-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, Knecht-aye, Wiese-aye. Resolution adopted.

Commissioner Feickert offered the following Resolution:

RESOLUTION NO. 99-07

BE IT RESOLVED by the Board of County Commissioners of Brown County, SD, that the plat showing "Keatt's Fifth 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, Feickert-aye, Knecht-aye, Wiese-aye. Resolution adopted.

Commissioner Fischbach offered the following Resolution:

RESOLUTION NO. 100-07

BE IT RESOLVED by the Board of Commissioners of Brown County, SD, that the plat showing "Feickert's Second Subdivision in the SE ¼ of Sec 20-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, Feickert-abstain, Knecht-aye, Wiese-aye. Resolution adopted.

Commissioner Knecht offered the following Resolution:

RESOLUTION NO. 101-07

BE IT RESOLVED by the Board of County Commissioners of Brown County, SD, that the plat entitled "Beaty Addition in the SE¼ of Sec 11-T122N-R63W of the 5th P.M., Brown County, SD," which has been submitted for examination pursuant to law, and it appearing that all taxes and special assessments have been paid and that such plat and the survey thereof have been made and executed according to law, the plat is hereby approved, and the County Auditor is hereby authorized and directed to endorse on such plat a copy of this Resolution and certify the same.

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

Commissioner Feickert offered the following Resolution:

RESOLUTION NO. 102-07

BE IT RESOLVED by the County Commission of Brown County, SD, that the plat showing "Bartz First Subdivision in SE ¼ Sec 11-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 Knecht. Roll call vote: Commissioners Hansen-aye, Fischbach-aye, Feickert-aye, Knecht-aye, Wiese-aye. Resolution adopted.

Commissioner Hansen offered the following Resolution:

RESOLUTION NO. 103-07

BE IT RESOLVED by the County Commission of Brown County, SD, that the plat showing "Jundt's Outlot 1 in the NE ¼, NW ¼ and SW ¼ of Sec 20-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, Feickert-aye, Knecht-aye, Wiese-aye. Resolution adopted.

Commissioner Hansen offered the following Resolution:

RESOLUTION NO. 104-07

BE IT RESOLVED by the Board of Commissioners of Brown County, SD, that the plat showing "Goldade Tract 1 in the NE ¼ of Sec 35-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-aye, Fischbach-aye, Feickert-aye, Knecht-aye, Wiese-aye. Resolution adopted.

EXECUTIVE SESSION:

Moved by Fischbach, seconded by Hansen to go into executive session for contract discussion with 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.

Moved by Knecht, seconded by Feickert 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.

HIGHWAY UPDATE:

Butch Burns, Highway Project Coordinator discussed purchase of a motor grader, 2008 gravel crushing, Barnard property and completion of Bridge 056 south of Warner.

BENEFIT PLAN:

Scott Madsen, GIS Coordinator discussed an addition to the employee benefit plan, which would allow employees to donate vacation leave to other employees. The Commission will take under advisement.

INCREASE SPENDING AUTHORITY/ESTIMATED REVENUE:

Moved by Hansen, seconded by Fischbach to increase spending authority in Fund 101-211-426.26 and estimated revenue in Fund 101-365 in amount of \$2000.00 for reimbursement from Northern Border Pipeline for purchase of a dry suit for the Dive Team (donation for unanticipated expenditure) per SDCL 7-21-32.1. All members present voting aye. Motion carried.

RECESS:

The Chairman declared the Commission recessed until December 4, 2007.

Maxine Taylor – Brown County Auditor

DECEMBER 4, 2007 – GENERAL MEETING

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

MINUTES:

Moved by Hansen, seconded by Knecht to approve the Joint City/County Meeting minutes and the General Meeting minutes of November 27, 2007. All members present voting aye. Motion carried.

CLAIMS:

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

Supplies: Sanders Sew 'N Vac..\$57.50, Crescent Elec..\$406.57, Central Supply..\$469.30, RE Carlson..\$110.26, Honeywell..\$17,876.00, SDAAO..\$330.00, Production Monkeys..\$75.00, Les Frohling..\$200.00, Jeanette Kline..\$250.00, Dorothy Hedges..\$250.00, Sherri Rawstern..\$50.87, Kleins..\$5.97, Advantage Self Storage..\$129.00, Midwest Alarm..\$51.50, Dacotah Prairie Merchantile..\$24.95, Shopko..\$19.24, Lora Schaunaman..\$31.20, Natural Abundance..\$2.80, Menards..\$88.61, HRS..\$5.10, Walmart..\$162.02, RDO Equip..\$9.28, Western States Fire..\$190.00, Graham Tire..\$288.65, Runnings..\$73.85, Meyers Tractor Salvage..\$140.00, Racom..\$84.80, APCO Int'l..\$748.00, Best Business..\$248.65, Dakota Electronics..\$94.00, Macs..\$65.51, Sheehan Mack Sales..\$2345.35, Powerplan..\$166.68, Hase Plumbing..\$138.10, Aberdeen Rural Fire Dept..\$100.00, Genius Web..\$29.97, HC Clark..\$575.00, Butler Machinery..\$569.87, Nat'l Dist Attorney Assn..\$165.00, State Bar of SD..\$1535.00, Exec Mgmt..\$2409.92, Dept of Revenue..\$2605.00, Exhaust Pros..\$29.55, Hoven Auto..\$379.59, Parcel Erickson..\$65.00, West Payment Center..\$116.60, Northwest Divers..\$699.42, Dave Fair..\$57.18, Kevin Vaughn..\$130.00, Health & Nutrition Newsletter..\$28.00, HSBC..\$168.89, Pizza Ranch..\$70.94, Artz Camera..\$299.98, IAAO..\$525.00:
Professional Fees: Lyrita Wilkie..\$35.00, Jason Engel..\$70.00, Pam Smid..\$350.00, Jackie Schraeder..\$420.00, Avera St Lukes..\$1838.00:
Publications: Groton Indep..\$87.12, American News..\$207.27:
Transcriptions: Cheryl Hook..\$57.00, Tammy Erickson..\$70.00:
Travel: Holiday Inn..\$349.75, Kathy Fischer..\$129.50, Gene Loeschke..\$78.44, Mark Milbrandt..\$976.58, Jerry Mills..\$429.75, Bonnie Siebrecht..\$124.07:
Court Appointed Attorney: Yankton County..\$295.65:
Utilities: Northwestern Energy..\$6353.34, Midcontinent Cable..\$194.56, Qwest..\$113.54, WEB Water..\$91.36, Alltel..\$1124.63:
Care of Poor: Dr/Hospital – 5 recipients..Anesthesia Care..\$176.00, Avera St Lukes..\$2766.48, Dental Center..\$44.51, Dr Heloise Westbrook..\$37.64; Rent - 3 recipients..Hengel FB..\$520.00, J & L Renters..\$210.00, Aberdeen Housing Authority..\$280.00; Utilities – 2 recipients..NWPS..\$520.00. All members present voting aye. Motion carried.

PERSONNEL:

Moved by Feickert, seconded by Fischbach to approve employee status change for Bobbie Bierman from Step 1 Clerk, Secretary and Maintenance category (\$10.54 per hour) to Step 1 Office Deputies, Museum Curators, Secretaries/Clerks category @ \$10.77 per hour, effective December 2, 2007, using date of hire for future step increases. All members present voting aye. Motion carried.

NECOG AGREEMENT:

Moved by Knecht, seconded by Hansen to approve and authorize the Chairman sign Joint Cooperative Agreement with NECOG for 2008. All members present voting aye. Motion carried.

CANCEL CHECKS:

Moved by Knecht, seconded by Fischbach to authorize canceling the following checks, due to date of issue or duplicate payment: #53670 @ \$45.00, #54632 @ \$30.00, #59517 @ \$22.32, #60274 @ \$20.00, #16034 @ \$1.65, #16143 @ \$5.00, #70108 @ \$1.78, #71475 @ \$11.28, #71505 @ \$11.28, #73130 @ \$10.50, #73873 @ \$22.56, #74148 @ \$20.00, #76913 @ \$267.68, #76908 @ \$11.28, #76911 @ \$626.64, #13319 @ \$6.52, #13328 @ \$17.75, #13400 @ \$20.00, #13591 @ \$10.00, #78141 @ \$11.28, #80078 @ \$11.28, #80112 @ \$11.28, #80116 @ \$11.92, #80124 @ \$11.92, #80737 @ \$20.00, #81878 @ \$30.00, #82938 @ \$11.28, #83364 @ \$7.84. All members present voting aye. Motion carried.

INCREASE SPENDING AUTHORITY/ESTIMATED REVENUE:

Moved by Feickert, seconded by Knecht to increase spending authority in Fund #101-615-426.45 and Estimated Revenue in Fund #101-331.07 in amount of \$16,046.35 for unanticipated emergency mosquito control funding from the State of South Dakota. All members present voting aye. Motion carried.

LIEN RELEASE FROM PROPERTY:

Commissioner Knecht offered the following Resolution:

RESOLUTION NO. 105-07

WHEREAS, Brown County has filed Care of Poor Liens in current amount of \$4,271.79 dated August 1996 through November 28, 2007 and \$123.00 dated June 30, 1977, and

WHEREAS, Brown County has determined it to be in the best interest of the taxpayers to release certain property from the effect of said liens, on condition that liens stay filed against the individuals and payments continue to be made per contract with the Welfare Office.

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

Lot 1 Culp Addition in the NE ¼ of Sec 33-T127N-R60W of the 5th P.M., according to the plat thereof of record, Brown County, SD

is hereby released from the effect and force of said liens, on condition that liens stay filed against the individuals and payments continue to be made per contract with the Welfare Office.

Dated this 4th day of December 2007.

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

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.

END OF LIFE MATTERS PRESENTATION:

Lisa Stachoviak, Executive Family Service Counselor for Sunset Memorial Gardens requested permission to visit with Brown County Employees about end of life matters. The Commission approved Ms. Stachoviak to be on site and available for employees to contact if they wish.

APPLICATION FOR OCCUPANCY:

Moved by Knecht, seconded by Fischbach to approve and authorize the Chairman sign application, submitted by Northern Valley Communications for occupancy of Brown County Highway #19 in Sec 8 and 9-T123N-R63W, Brown County, SD to provide telecommunications. All members present voting aye. Motion carried.

EXECUTIVE SESSION:

Moved by Knecht, seconded by Feickert to go into executive session for personnel discussion with Richard Burns and Jeanette Nietert 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 Hansen to approve hiring Richard Burns as temporary (one day less than six months) Highway Superintendent, effective December 10, 2007 at a prorated annual salary of \$49,520.00 with no benefits. All members present voting aye. Motion carried.

RECESS:

The Chairman declared the Commission recessed until December 11, 2007.

Maxine Taylor – Brown County Auditor

DECEMBER 4, 2007 - JOINT CITY/COUNTY MEETING

The Brown County Commission and the Aberdeen City Council met in joint session at 8:45 A.M. in the County Commission Chambers, 25 Market Street, Aberdeen, South Dakota. Present from City were Council Members Agnitsch, Aman, Campbell, Hodgins, Mitchell and Mayor Levens. Absent Council Members Bunsness, Kraft and Rux. Present from County were Commissioners Hansen, Fischbach, Feickert, Knecht and Wiese.

ORDINANCE NO. 07-11-02/356:

On motion by Mitchell and seconded by Aman, the City unanimously voted to approve Second Reading and Adoption of Ordinance No. 07-11-02/356.

Moved by Feickert, seconded by Knecht to approve Second Reading and Adoption of Ordinance No. 07-11-02/356, An Ordinance amending Ordinance No. 1164 to rezone the following described property from its present zoning designation of Section 715 (R-2A) Manufactured Housing and Medium Density Residential District to Section 714 (M-AG) Mini Agricultural District, said property being described as follows: Lot 1, Wolf Addition in the NW¼ of Sec 27-T124N-R64W of the 5th P.M., Brown County SD. Roll call vote: Commissioners Hansen-aye, Fischbach-aye, Feickert-aye, Knecht-aye, Wiese-aye. Ordinance adopted.

ORDINANCE NO. 07-11-04/357:

On motion by Campbell and seconded by Agnitsch, the City unanimously voted to approve Second Reading of Ordinance No. 07-11-04/357.

Moved by Fischbach, seconded by Feickert to approve Second Reading and Adoption of Ordinance No. 07-11-04/357, 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 707 (C-2) Highway Commercial District, said property being described as follows: Lot 1 in the NE ¼ of Sec 34-T123N-R64W of the 5th P.M., Brown County SD. Roll call vote: Commissioners Hansen-aye, Fischbach-aye, Feickert-aye, Knecht-aye, Wiese-aye. Ordinance adopted.

The Aberdeen City Council adjourned and the Brown County Commission continued in regular session.

Maxine Taylor – Brown County Auditor

DECEMBER 11, 2007 – GENERAL MEETING

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

MINUTES:

Moved by Fischbach, seconded by Feickert to approve the Joint City/County Meeting minutes and the General Meeting minutes of December 4, 2007. All members present voting aye. Motion carried.

CLAIMS:

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

Payroll: Commissioners..\$2,876.00; Auditor..\$7,020.59; Treasurer..\$9,967.00; Data Processing..\$3,024.20; State's Attorney..\$11,645.17; Maintenance..\$5,539.67; Assessor..\$9,087.28; Register of Deeds..\$5,186.84; Veterans Service Office..\$2,713.23; GIS..\$1,776.93; Sheriff..\$67,414.84; Communications..\$15,485.69; Welfare Office..\$2,096.34; Museum..\$5,200.50; Fairgrounds & Parks..\$3,373.58; Fairboard..\$1,897.86; Extension..\$1,843.20; Weed..\$108.88; Planning and Zoning..\$1,461.54; Emergency Management..\$2,665.73; Teen Court..\$405.00; Highway..\$25,360.95; Landfill..\$7,818.79; Coroner..\$450.00; Matching Benefits: FICA..\$11,606.53; Medicare..\$2,714.32:
Supplies: CMRS-FP..\$5000.00, Best Business..\$104.44, UPS..\$14.56, Heartland Paper..\$743.22, Lien Transportation..\$455.00, Crescent Elec..\$1029.44, Runnings..\$943.73, Quality Welding..\$24.00, Taylor Laundry..\$40.50, Cunningham Elec..\$288.53, Cartney Bearing..\$109.98, House of Glass..\$66.00, K-Mart..\$70.58, Tellinghuisen..\$194,871.09, HKG..\$5649.00, Menards..\$1335.17, Bonnie Bitz..\$96.00, OK Tire..\$915.80, Intoximeter..\$1000.00, Dakota Electronics..\$170.00, Racom..\$254.40, Office Equip..\$679.98, Accurint..\$30.00, New Trends..\$424.60, Tri State Water..\$13.20, Safety Service..\$432.75, Duanes Amoco..\$52.15, Hoven Auto..\$30.85, CDW..\$3844.43, Sewing Shoppe..\$14.00, Trail Chev..\$143.63, Micks Scuba..\$84.64, Taylor Laundry..\$35.00, DSS..\$36.95, BP Amoco..\$124.56, Earthgrains..\$525.49, Newman Signs..\$132.98, Scott Ogden..\$630.00, Power Plan..\$1299.10, Reuers Auto..\$64.95, Share Corp..\$225.00, SDDOT..\$4644.79, Spec Mfg..\$112.40, Titan Mfg..\$3.60, Vanderwerff Impl..\$1000.00, Zastrow Conoco..\$64.00, Butler Machinery..\$2591.27, Titan Machinery..\$3800.00, Carquest..\$519.39, Clark Engineering..\$483.80, HC Clark..\$201.75, Consolidated Ready Mix..\$454.50, Crawford Trucks..\$6912.36, Cretex..\$480.00, Dakota Fluid Power..\$146.25, Dakota Oil..\$403.60, Violet Dinger..\$1111.63, Economy Propane..\$3045.10, Erdmann Fuels..\$15,992.44, LG Everist..\$869.53, Great Western Tire..\$4096.14, Hecla Impl..\$21.30, Hollaway Const..\$59037.57, Interstate Battery..\$254.85, HF Jacobs..\$2487.16, Keeleys..\$115.20, Lawson Products..\$298.20, Macs..\$113.73, Midwest Pump..\$268.01, Quality Quick Print..\$110.63, UBC..\$42.53, Tractor Supply..\$46.24, Swanson Elec..\$61.22, Jensen Rock & Sand..\$682.50, Farnams..\$17.73, Chris & Dons Tarp..\$16.00, Kleins..\$7.10, Sherri Rawstern..\$134.42, CDW Govt..\$92.97, Kesslers..\$9.56, NEAFCS..\$115.00, Office Max..\$125.46, Mark Hoven..\$300.00, RDJ Spec..\$164.42, Graham Tire..\$630.83, Praxair..\$18.31, Jake Jundt..\$35.94, Century Business..\$100.23, Hedahls..\$49.95, SD Dept of Rev..\$3406.82, Cole Papers..\$1374.72, Sheehan Mack..\$1100.14, Walmart..\$64.90, Galls..\$148.95, Danko..\$350.00, Medtronic..\$222.03:
Professional Fees: witness fee..\$186.50, Eide Bailly..\$243.00, Avera St Lukes..\$847.98, Sheriff of Yankton County..\$50.00, NADRIC..\$1666.67, NE Mental Health..\$58.52:
Publications: Groton Indep..\$83.37, American News..\$492.23:
Transcriptions: Neal Reporting..\$51.20, Shepherd Reporting..\$25.00:
Travel: FSH..\$60.00, Leo Leshar..\$381.47, Tom Gohn..\$487.58, Marj Zastrow..\$228.05, Bernie Bain..\$493.66, Dennis Wiedebush..\$295.84:
Court Appointed Attorney: Christy Serr..\$4166.63, Gina Rogers..\$4166.66, William Gerdes..\$4166.63, Randy Turner..\$4166.63, Kuck Law Office..\$4166.63, Kennedy Rokahr..\$264.60:
Utilities: Northwestern Energy..\$6702.45, City of Aberdeen..\$1653.46, Northern Valley Comm..\$141.62, Town of Frederick..\$34.25, James Valley..\$376.44, Verizon..\$197.78:

Care of Poor: Dr/Hospital – 3 recipients..Dr Mark Harlow..\$205.61, Avera St Lukes..\$792.07; Rent - 4 recipients..Park Village..\$310.00, Justin Shultis..\$240.00, Bruce Boschee..\$220.00, Danne..\$240.00. All members present voting aye. Motion carried.

PERSONNEL:

Moved by Hansen, seconded by Feickert to approve the following employee step increases, effective December 16, 2007: Sarah Jesz @ \$13.20 per hour, John Sandal @ \$11.85 per hour, Ginger Walker @ \$13.88 per hour. All members present voting aye. Motion carried.

Moved by Hansen, seconded by Knecht to acknowledge the following resignations: Levi Jensen, effective November 30, 2007, Sherrie Beckering, effective November 28, 2007, Nancy Schrenk, effective October 15, 2007. All members present voting aye. Motion carried.

Moved by Fischbach, seconded by Feickert to approve hiring Scott Ogden at the Highway Department, effective December 12, 2007 at \$11.49 per hour (Labor Grade 3). All members present voting aye. Motion carried.

INCREASE SPENDING AUTHORITY/ESTIMATED REVENUE:

Moved by Fischbach, seconded by Feickert to increase spending authority in Fund #234-211.01-411 @ \$1,951.20, #412.01 @ \$120.98, 412.02 @ \$28.29, 413 @ \$156.15 and increase estimated revenue in Fund #234-331.90 in amount of \$2,256.62 for Underage Drinking Control Grant. All members present voting aye. Motion carried.

AUDITORS REPORT OF ACCOUNT:

Moved by Feickert, seconded by Knecht to approve the November 2007 Auditor's Report of Account with the County Treasurer in total amount of \$15,249,318.14 (total amount of actual cash @ \$3,248.63, Wells Fargo Bank @ \$3,694.79, US Bank @ \$276,429.64, Dacotah Bank @ \$21,393.09, Petty Cash @ \$1,800.00, Fund Investments @ \$14,942,500.62, Outstanding Checks @ \$251.37). All members present voting aye. Motion carried.

INTEREST OPERATING TRANSFER IN/OUT:

Moved by Knecht, seconded by Hansen to transfer interest from General to individual funds as current revenue; and further, per Commission Policy operating transfer out to General Fund: #201-191 Highway @ \$39,627.73; #504-191 Solid Waste @ \$113,335.30; #207-191 Communications @ \$6,736.71; #233-191 Courthouse & Jail Improvements @ \$20,210.14. All members present voting aye. Motion carried.

EXECUTIVE SESSION:

Moved by Fischbach, seconded by Feickert to go into executive session for personnel discussion with 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.

ORDINANCE NO. 045 – FIRST READING:

Time and place, as advertised for First Reading of Ordinance No. 045. No one appeared with testimony (written and oral), comments and/or questions for discussion. Moved by Feickert, seconded by Knecht to approve First Reading of Ordinance No. 045, An Ordinance amending Second Revision Brown County Ordinances to rezone the following described property from its present zoning designation of Chapter 4.11 Rural Urban District (RU) and Chapter 4.06 Agriculture Preservation (AG-P) to Chapter 4.15 Light Industrial District (L-I): Lot 1, 4-Seasons Claremont Site Subdivision in the NW ¼ and SW ¼ of Sec 2-T125N-R60W of the 5th P.M., Brown County, SD. All members present voting aye. Motion carried.

EXECUTIVE SESSION:

Moved by Hansen, seconded by Knecht to go into executive session for personnel discussion with 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.

SET HEARING DATE:

Moved by Hansen, seconded by Fischbach to set public hearing for 5:30 p.m. on January 7, 2008 in the Aberdeen City Council Chambers, 123 S Lincoln Street for First Reading of the following: Ordinance No. 07-12-01/358, An Ordinance to rezone the following property from Section 701 (A-1) Agricultural District to Section 714 (M-AG) Mini-Agricultural District: Lot 14, 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.

ABSOLUTELY! ABERDEEN:

Julie M. Johnson, Executive Director for Absolutely! Aberdeen, informed the Commission that when attending the 2008 Legislative Session as a Lobbyist for Absolutely! Aberdeen, she would be willing to lobby on behalf of Brown County interests (at no cost to the County), as she is doing for other groups. No action was taken at this time.

CITIZEN DISCUSSION:

Al Mathern met with the Commission to discuss two points: 1) recommended that David Bruckner be appointed as Highway Superintendent; 2) shared concerns he has about Bridge No. 29, which was bid by the State and reconstructed in 2007. No formal action was taken on either point.

2008 ASSESSMENT PLAN:

Moved by Fischbach, seconded by Hansen to support the 2008 Assessment Plan presented by Mary Worlie, Director of Equalization, which increases most homes and small acreages with no change to agricultural land or structures. All members present voting aye. Motion carried.

EOC UPDATES:

Moved by Hansen, seconded by Feickert to approve electronic updates to the EOC (Courthouse Annex Meeting Room), as recommended by Scott Meints, Emergency Manager, to be funded by 2007 Homeland Security Grant funds to be available in 2008. All members present voting aye. Motion carried.

APPLICATION FOR OCCUPANCY:

Moved by Feickert, seconded by Knecht to approve application, submitted by Northern Valley Communications for occupancy of Brown County Highway #16 in Sec 16 & 17-T125N-R62W of 5th P.M., Brown County, SD to provide telecommunications services. All members present voting aye. Motion carried.

INDIGENT COUNSEL AGREEMENT:

Moved by Knecht, seconded by Hansen to approve and authorize the Chairman sign Indigent Counsel Agreement with Bill Gerdes, Christy Serr, Scott Kuck, Randy Turner and Gina Rogers to provide indigent counsel services in Brown County, effective January 1, 2008 through December 31, 2009, with provision to allow the County to cancel the agreement on 30 days notice, in amount of \$256,000.00 per year. All members present voting aye. Motion carried.

RECESS:

The Chairman declared the Commission recessed until December 18, 2007.

Maxine Taylor – Brown County Auditor

DECEMBER 18, 2007 – GENERAL MEETING

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

MINUTES:

Moved by Knecht, seconded by Fischbach to approve the General Meeting minutes of December 11, 2007. All members present voting aye. Motion carried.

CLAIMS:

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

Supplies: Office Max..\$905.58, Dept of Rev..\$90.00, Office Equip..\$358.90, SD States Attny Assoc..\$575.00, New Trends..\$136.97, Lar-Jos..\$35.95, Electronic Security..\$58399.76, Crescent Elec..\$182.93, Dakota Supply..\$14.08, Trugreen Chemlawn..\$300.80, Macs..\$11.00, Gardner Locksmith..\$17.43, Menards..\$257.93, Ecolab Pest..\$86.00, Janitor's Closet..\$131.36, Best Business..\$655.86, Pheasantland Ind..\$244.63, Langs..\$87.00, Sandy Mielke..\$57.00, Keith Baker..\$3.37, Kesslers..\$365.52, USPO..\$104.00, Evercom..\$1900.00, Lust..\$164.90, JC Penney..\$233.88, Medtox..\$251.29, SD Sheriff Assn..\$1419.20, Lifetime Products..\$49.99, DT Pharm..\$486.71, Bob Barker..\$181.75, Intoximeter..\$453.00, Upper Plains Contracting..\$25195.90, Pumps Tire..\$106.05, Bill Moon..\$86.91, M-R Sign..\$2190.64, Meyers Tractor Salvage..\$525.00, James Loterbauer..\$180.00, Howes Oil..\$12159.20, Fastenal..\$3527.53, Evergreen Supply..\$67.29, Erdmann Fuels..\$1381.64, Diesel Machinery..\$8575.00, Consolidated Ready Mix..\$321.00, Ameripride..\$341.12, Aberdeen Transmission..\$3582.84, Dorfman Museum Figures..\$1980.00, Nettleton Hollow..\$45.50, Sam Vanorny..\$200.00, Custom Glass..\$2300.00, UBC..\$126.76, Sherri Rawstern..\$13.01, TSC..\$13.14, HC Clark..\$14.81, Farnams..\$29.57, Cartney Bearing..\$23.64, Runnings..\$48.11, Gas 'N Goodies..\$4.00, Glas Consulting..\$142.50, Photo Xpress..\$80.58, Glenn Bitz..\$100.00, Aberdeen Awards..\$1590.25, Ramkota..\$3658.00, Riddles..\$77.10, SDSU Print Lab..\$165.05, CDW Govt..\$80.99, Walmart..\$18.00, American Trade Mark..\$518.74, Nat'l Academies of Emergency Dispatch..\$45.00, Commercial Electronics..\$5208.00, New World..\$9360.00, Florida Micro..\$3091.61, SD Drug Control..\$45.00, Woodman Refrig..\$324.11, SWANA..\$239.00, Eide Bailly..\$267.00:

Professional Fees: witness fee..\$46.66, Clark Title..\$1600.00, Dept of Leg Audit..\$16324.47, Lyrita Wilkie..\$105.00, Pam Smid..\$280.00, Jason Engel..\$70.00, Jackie Schraeder..\$70.00, Avera St Lukes..\$302.50, SD Urban Indian Health..\$37.64, Avera Queen of Peace..\$147.00, David Hosmer..\$97.86:

Publications: Groton Indep..\$183.95, American News..\$435.69, West River Eagle..\$73.91:

Transcriptions: Kristi Kost..\$195.60, Sara Van de Walle..\$95.20, Tammy Erickson..\$70.00:

Travel: Lisa Samson..\$46.00, Maxine Taylor..\$305.60, Kim Dorsett..\$377.04, Tom Gohn..\$9.00, Kathy Schlecht..\$128.14, City of Groton..\$83.25, Roxy Hilgenberg..\$35.32, Ext Service..\$802.47, Gary Erickson..\$163.09:

Utilities: Dependable Sanitation..\$19815.52, Tel Serv..\$39.28, Northwestern Energy..\$2207.59, Northern Elec..\$1437.49, City of Hecla..\$115.64, Qwest..\$1343.74, Alltel..\$95.57, MVTL..\$34.40, Northern Wireless Comm..\$61.95, Bureau of Admin..\$640.47:

Care of Poor: Dr/Hospital – 1 recipient..Great Plains Rehab..\$366.25; Rent - 5 recipients..JD Shultis..\$220.00, Key Investments..\$240.00, Erik Stewart..\$280.00, J&J Properties..\$500.00; Medication - 2 recipients..Kessler Pharm..\$61.16, Walmart Pharm..\$4.00; Utilities – 1 recipient..NWPS..\$93.88; Transportation – 1 recipient..Emergency Poor Fund..\$25.00. All members present voting aye. Motion carried.

PERSONNEL:

Moved by Fischbach, seconded by Knecht to approve hiring Brad Nehlich at the Highway Department,

effective December 18, 2007 at \$11.49 per hour (Labor Grade 3). All members present voting aye. Motion carried.

EXECUTIVE SESSION:

Moved by Knecht, seconded by Fischbach to go into executive session to discuss contract 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.

ORDINANCE NO. 045:

Moved by Fischbach, seconded by Knecht to approve Second Reading and Adoption of Ordinance No. 045, An Ordinance amending Second Revision Brown County Ordinances to rezone the following described property from its present zoning designation of Chapter 4.11 Rural Urban District (RU) and Chapter 4.06 Agriculture Preservation (AG-P) to Chapter 4.15 Light Industrial District (L-I): Lot 1, 4-Seasons Claremont Site Subdivision in the NW ¼ and SW ¼ of Sec 2-T125N-R60W of the 5th P.M., Brown County, SD. Roll call vote: Commissioners Hansen-absent, Fischbach-aye, Feickert-absent, Knecht-aye, Wiese-aye. Ordinance adopted.

HIGHWAY UPDATE:

Richard Burns, Interim Highway Superintendent discussed current projects and list of possible bridges to be bid by the state in 2008.

POLICY #7.2 VACATION LEAVE POLICY:

Moved by Fischbach, seconded by Knecht to approve the following change to Policy #7.2 paragraph 1, as follows to be effective January 1, 2008 (all subsequent paragraphs remain unchanged): Paid vacation leave will be granted to all qualified employees (see policy 3). Vacation leave will accrue at a rate according to the following schedule:

Service Requirement:	Vacation Benefit:
0-5 years of service	3.5 hours per pay period (91 hours per year)
6-10 years of service	5 hours per pay period (130 hours per year)
11-19 years of service	6.5 hours per pay period (169 hours per year)
20+ years of service	8 hours per pay period (208 hours per year)

All members present voting aye. Motion carried.

RECESS:

The Chairman declared the Commission recessed until December 27, 2007.

Maxine Taylor – Brown County Auditor

DECEMBER 27, 2007 – GENERAL MEETING

Meeting called to order by Chairman Wiese at 9:45 a.m. in the Commissioner's Chambers, Courthouse Annex, Brown County, SD. Present were Commissioners Hansen, Fischbach, Feickert and Knecht.

MINUTES:

Moved by Knecht, seconded by Feickert to approve the General Meeting minutes of December 18, 2007. All members present voting aye. Motion carried.

CLAIMS:

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

Payroll: Commissioners..\$2,876.00; Auditor..\$7,047.90; Treasurer..\$9,967.00; Data Processing..\$3,024.20, State's Attorney..\$11,645.17; Maintenance..\$5,625.63; Assessor..\$9,175.03; Register of Deeds..\$5,247.80; Veterans Service Office..\$2,736.87; GIS..\$1,776.93; Sheriff..\$64,546.49; Communications..\$13,773.90; Welfare Office..\$2,906.34; Museum..\$5,225.30; Fairboard..\$1,916.26; Fairgrounds & Parks..\$3,373.58; Extension..\$1,843.20; Weed..\$108.88; Planning & Zoning..\$1,461.54; E & D..\$2,665.73; Teen Court..\$405.00; Highway..\$29,431.64; Landfill..\$7,728.97; Coroner..\$450.00; Matching Benefits: FICA..\$11,479.70; Medicare..\$2,684.70, Wellmark BCBS Life..\$666.70, Wellmark BCBS Health..\$64,092.80; Delta Dental..\$4,060.00, SD State Retirement..\$23,893.26;

Supplies: Brown County Tres..\$19.21, Dakota Mailing..\$194.23, Days Inn..\$186.00, Florida Micro..\$5127.10, Office Equip..\$817.24, Menards..\$1321.33, Alexander Open Systems..\$1243.00, Office Max..\$1794.45, New Trends..\$2620.20, Dept of Rev..\$1604.00, Exec Mgmt..\$84.28, Quality Quick Print..\$314.35, Kim Dorsett..\$185.10, Crescent Elec..\$4.77, Schwan Elec..\$760.00, Sherwin Williams..\$219.84, Taylor Laundry..\$47.50, Chris Stanley..\$226.10, House of Glass..\$250.41, Kerston Painting..\$1125.31, Cunningham Elec..\$46.00, McLeods Printing..\$12,449.00, Adamsoft..\$4961.25, Hewlett Packard..\$3186.00, Best Business..\$401.46, ESRI..\$11,120.00, Micks Scuba..\$1554.77, Northwest Divers..\$510.00, Taylor Laundry..\$38.50, OK Tire..\$105.80, Accurint..\$30.00, Racom..\$296.80, Bonnie Bitz..\$48.00, Titan Machinery..\$3800.00, Spec Mfg..\$35.50, S&S Lumber..\$63.04, Power Plan..\$1865.21, Pumps Tire..\$88.80, Macs..\$84.70, Interstate Battery..\$334.80, Huron Culvert..\$368.24, Helms & Assoc..\$634.50, Great Western Tire..\$6087.08, Graham Tire..\$61.00, Fastenal..\$4.00, Farnams..\$70.02, Farm Power..\$27.65, Evergreen..\$178.75, Economy Propane..\$1969.25, Diesel Machinery..\$2075.00, Dakota Oil..\$973.78, Dakota Fluid Power..\$647.11, Crawford Trucks..\$683.14, Cass County Heating..\$164.23, Carquest..\$113.90, Cartney Bearing..\$100.60, Calif Cont Supplies..\$90.00, Butler Machinery..\$289.33, Barnes Dist..\$115.39, Ameripride..\$172.02, Julius Pleinis..\$135.00, Nettleton Hollow..\$80.50, JoAnn Meserve..\$250.00, Kleins..\$75.73, Glas Consulting..\$3285.00, Dacotah Prairie Mercantile..\$26.85, Walmart..\$298.59, Heartland Paper..\$606.94, Lora Schaunaman..\$25.18, Aberdeen Comm Theatre..\$320.00, Runnings..\$16.45, HC Clark..\$84.90, Herc-U-Lift..\$17.30, RDO..\$48.47, Macks Auto..\$986.52, IAFE..\$650.00, Midwest Showmen's Assoc..\$125.00, Race West..\$325.50, Photo Xpress..\$9.90, NDSU..\$763.00, Exhaust Pros..\$134.73, U of Missouri..\$18,912.17, Pizza Ranch..\$80.93, NAED..\$230.00, CDW..\$747.99, New World..\$50,048.00, Carlson Travel..\$600.00, The Sportsman..\$433.95, Dakota Electronics..\$1100.10, Sound Decisions..\$39.99, NACO..\$772.00, NE Mental Health..\$34,010.32, TelServ..\$331.37, Advantage Self Storage..\$129.00, Exec Mgmt..\$2653.00, Kesslers..\$155.52, Earthgrains..\$416.24, Racom..\$296.80, Titan Machinery..\$3800.00, North Central Rental..\$2500.00, Little Falls Machinery..\$1308.40, Komatsu..\$54.87, Knight Truck..\$210.00, Howes Oil..\$18,876.95, Frey Elec..\$95.00, JD Evans..\$926.36, Erdmann Fuels..\$2813.76, Diesel Machinery..\$12,614.50, Dakota Oil..\$238.80, Crawford Trucks..\$159.06, Clark Engineering..\$2366.66, Carquest..\$1855.29, Lar-Jos..\$35.95, SDACC..\$4755.20, SDACO..\$3007.20, Dakota Mailing..\$445.00, HRS..\$2971.66, Center Printing..\$237.61, Hewlett Packard..\$402.00, Farm Power..\$176.83, Bricks TV..\$2008.00, Fastenal..\$152.76, Pierson Ford..\$1052.79, Aberdeen C&F..\$46.00, Helms & Assoc..\$4311.60, Brick Propane..\$19.50, LBG..\$1700.09, Weismantel..\$455.00, Economy Propane..\$570.00, SDDOT..\$2038.12, Merv

Heaton..\$3.91, States Attorney Investigation Fund..\$10,000.00, Dicks Westside..\$30.00, Trail Chev..\$63.38:

Professional Fees: witness fee..\$60.00, Pam Smid..\$210.00, Lyrita Wilkie..\$140.00, Jason Engel..\$175.00, Scott Weitbrecht..\$70.00, Sheriff of Yankton County..\$25.00, Auditor of Lincoln County..\$225.00, Cathy Rehfuß..\$15.00, Donna Dietrich..\$300.67, Nelva Kooistra..\$30.00, Denise Cody..\$15.00, SD Retirement System..\$45.00, Adamsoft..\$7500.00, Avera St Lukes..\$1258.00:

Publications: Groton Indep..\$604.38, American News..\$1098.14:

Transcriptions: Tammy Erickson..\$105.00, Kristi Kost..\$18.75, Slowey Court Reporting..\$130.00, Richard Neal..\$228.00:

Travel: Kathy Fischer..\$84.73, Al Vietmeier..\$109.52, Gene Loeschke..\$80.29, Leo Leshner..\$105.82, City of Groton..\$28.86, Jason Heagley..\$9.00, Marckus Selzler..\$9.00, Richard Burns..\$9.00, Charlene Millim..\$24.79, Curt Haaland..\$25.53, Kathie Vitense..\$29.60, David North..\$106.24, Jerome Streckfuß..\$103.86, George Hansen..\$39.06, Harley Gage..\$67.76, Stan Beckler..\$90.54, Dennis Feickert..\$32.56, Mike Wiese..\$10.36, Tom Fischbach..\$82.88, Deb Knecht..\$207.20, Extension Service..\$319.08:

Court Appointed Attorney: Matt Theophilus..\$409.50, John Billion..\$452.40, Garrett Horn..\$184.20:

Utilities: Alltel..\$1476.17, Midcontinent Comm..\$333.71, Verizon..\$46.20, Northwestern Energy..\$8870.58, Qwest..\$2561.88, Montana-Dakota..\$31.27:

Care of Poor: Dr/Hospital – 8 recipients..Dr Heloise Westbrook..\$37.64, Avera St Lukes..\$3518.35, Regional Medical Clinic..\$2379.60, Dental Care..\$1640.89, Dakota Plains Surgical..\$398.63; Rent - 1 recipient..CV Enterprises..\$115.00; Medication - 2 recipients..Walmart Pharm..\$208.40; Burial – 1 recipient..Spitzer Miller Funeral Home..\$2017.50; Transportation – 1 recipient..Aberdeen Adv Care..\$739.84; Utilities – 1 recipient..NWPS..\$158.04. All members present voting aye. Motion carried.

PLATS:

Commissioner Fischbach offered the following Resolution:

RESOLUTION NO. 106-07

BE IT RESOLVED by the Board of County Commissioners of Brown County, SD, that the plat showing “Thunderhead Lodge Conservation Easement Tract 1 in the SE ¼ of Sec 23-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 Knecht. Roll call vote: Commissioners Hansen-aye, Fischbach-aye, Feickert-aye, Knecht-aye, Weise-aye. Resolution adopted.

Commissioner Fischbach offered the following Resolution:

RESOLUTION NO. 107-07

BE IT RESOLVED by the County Commission of Brown County, SD, that the plat showing “Urdahl First Subdivision in Westport, South Dakota”, having been examined, is hereby approved in accordance with the provisions of SDCL of 1967, Chapter 11-3, and any amendments thereof.

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

Commissioner Hansen offered the following Resolution:

RESOLUTION NO. 108-07

BE IT RESOLVED by the County Commission of Brown County, SD, that the plat showing "Beckler Outlot 1 in the SW ¼ of Sec 3-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-aye, Fischbach-aye, Feickert-aye, Knecht-aye, Weise-aye. Resolution adopted.

Commissioner Knecht offered the following Resolution:

RESOLUTION NO. 109-07

BE IT RESOLVED by the County Commission of Brown County, SD, that the plat showing "Tebben Subdivision in Blocks 9 and 12, Prairiewood Village Subdivision, 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, Knecht-aye, Weise-aye. Resolution adopted.

Commissioner Hansen offered the following Resolution:

RESOLUTION NO. 110-07

BE IT RESOLVED by the County Commission of Brown County, SD, that the plat showing "Gab's Addition in the SW ¼ of Sec 28-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, Knecht-aye, Weise-aye. Resolution adopted.

Commissioner Knecht offered the following Resolution:

RESOLUTION NO. 111-07

BE IT RESOLVED by the Board of County Commissioners of Brown County, SD, that the plat showing "Hopkins Tract 1 in the SE ¼ of Sec 29-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 Fischbach. Roll call vote: Commissioners Hansen-aye, Fischbach-aye, Feickert-aye, Knecht-aye, Weise-aye. Resolution adopted.

SET HEARING DATE:

Moved by Feickert, seconded by Knecht to authorize advertising public hearing to be held at 8:45 a.m. on January 22, 2008 in the Commission Chambers, Courthouse Annex, Brown County, SD for First Reading of the following: Ordinance No. 046, An Ordinance to rezone the following property from Chapter 4.10 Lake Front Residential District (R-3) and Chapter 4.06 Agricultural Preservation District (AG-P) to Chapter 4.10 Lake Front Residential District (R-3): Keatt's Fifth Subdivision in the W ½ of the NW ¼ of

Sec 23-T124N-R65W of the 5th P.M., Brown County, SD; Ordinance No. 047, An Ordinance to rezone the following property from Chapter 4.06 Agricultural District (AG-P) to Chapter 4.11 Rural Urban (RU): Replat of Miller's Outlot F in the SE ¼ of Sec 24-T124N-R65W of the 5th P.M., Brown County, SD; Ordinance No. 048, An Ordinance to rezone the following property from Chapter 4.06 Agricultural District (AG-P) to Chapter 4.07 Mini-Ag (M-Ag): Legacy Development in the NE ¼ of Sec 1-T123N-R65W of the 5th P.M., Brown County, SD; Ordinance No. 049, An Ordinance to rezone the following property from Chapter 4.06 Agricultural District (AG-P) to Chapter 4.07 Mini-Ag (M-Ag): Plat of Fischer Richmond Lake Estates in the NE ¼ of Sec 23-T124N-R65W of the 5th P.M., Brown County, SD. All members present voting aye. Motion carried.

BID – HIGHWAY MOTOR GRADER:

Moved by Hansen, seconded by Feickert to authorize advertising public hearing to open, read and consider bids for one new 2008 Rear Articulated Motor Grader for the Brown County Highway, to be held in the Commissioner's Chambers, Courthouse Annex, Brown County, SD at 9:00 a.m. on January 8, 2008. All members present voting aye. Motion carried.

SHERIFF REPORTS:

Moved by Hansen, seconded by Knecht 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.

CERT GUIDELINES/ENROLLMENT FORM:

Moved by Hansen, seconded by Feickert to approve the CERT guideline changes and implementation of the "CERT Enrollment Form", effective January 1, 2008. All members present voting aye. Motion carried.

CITIZEN CORPS GUIDELINES:

Moved by Feickert, seconded by Knecht to approve the Citizen Corps guideline changes, effective January 1, 2008. All members present voting aye. Motion carried.

CITIZEN CORPS APPOINTMENTS:

Moved by Fischbach, seconded by Feickert to re-appoint the following for an additional three year term, which expires December 31, 2010: Roland Moerke – Hub City Amateau Radio Club, Freddie Robinson – At Large, Keith Theroux – Law Enforcement, Paul Bohling – At Large; and further appoint Elizabeth Myers to replace Marilee Frankenberger – Red Cross, with term expiring December 31, 2008. All members present voting aye. Motion carried.

BROWN COUNTY POLICY MANUAL:

Moved by Knecht, seconded by Hansen to approve additions and corrections to the Brown County Policy Manual, as recommended by Kim Dorsett, States Attorney. All members present voting aye. Motion carried.

EXECUTIVE SESSION:

Moved by Fischbach, seconded by Knecht to go into executive session for personnel discussion with 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.

INDIGENT COUNSEL AGREEMENT:

Moved by Feickert, seconded by Knecht to authorize the Chairman sign the Indigent Counsel Agreement with Randall B Turner, Christy Serr, Scott Kuck, William Gerdes and Gina Rogers, effective January 1,

2008 – December 31, 2009 in total amount of \$256,000.00. All members present voting aye. Motion carried.

TAX DEED PROPERTY:

Moved by Feickert, seconded by Knecht to authorize Sheila Enderson, County Treasurer to submit all qualifying parcels to the States Attorney for completion of the tax deed process, except parcel described as the S 14⁷ Lt 7 & Lt 8 Blk 44 Hagerty and Lloyd Addition will be submitted on March 1, 2008, if taxes, penalty and interest are not paid in full at that time. All members present voting aye. Motion carried.

PHASE II JAIL PROJECT UPDATE:

Dean Marske, HKG and Mick Palmer, Maintenance Supervisor presented update on the Phase II Jail Project stating the project is approximately 69% complete after Payment Request #9.

PROPERTY OFFER:

Mike Scott, Landfill Manager and Kim Dorsett, States Attorney discussed a landowner's offer to sell approximately 157 acres east of the Landfill to Brown County. No formal action was taken at this time.

CONTAINER SITE PROBLEMS:

Mike Scott requested the following reminders for residents using the Container Sites be broadcast by the media:

No ashes of any kind are to be disposed of at the Container Sites. Ashes must be brought to the Landfill. If Containers are full Do Not put waste on the ground.

CREDIT CARD DISCUSSION:

Tom Schmitt requested changing how the Sheriff Department handles credit cards. The Commission referred the changes to the States Attorney for review and recommendation.

EXECUTIVE SESSION:

Moved by Knecht, 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 the following action taken as a result of the discussion.

Moved by Fischbach, seconded by Knecht to increase salaries by 4%, with several exceptions, including but not limited to employees receiving \$10.00 or less per hour to receive \$0.40 per hour. All members present voting aye. Motion carried.

INCREASE SPENDING AUTHORITY/ESTIMATED REVENUE:

Moved by Knecht, seconded by Feickert to increase spending authority and estimated revenue for the following unanticipated grant funds: South Dakota Office of Attorney General Grant Fund (drug control) #231-211-426 @ \$6,831.51, #231-211-428.02 @ \$329.87, #231-211-434 @ \$16,500.00 and #231-331.93 @ \$23,661.38; Teen Court Juvenile Accountability Incentive Grant Fund #234-159-411 @ \$1,620.00, #234-159-426 @ \$12,593.42 and #234-331.99 @ \$14,213.42; Homeland Security Fund #236-222.21-426 @ \$1,340.20, #236-222.22-426 @ \$4,856.79; #236-222.23-426 @ \$8,280.65; #236-222.24-426 @ \$71,561.84; #236-222.25-426 @ \$19,902.52, #236-222.26-426 @ \$18,912.17 and #236-331 @ \$124,854.17; 24/7 Sobriety Fund #248-212-411 @ \$19,793.65, #248-212-412.01 @ \$1,227.30, #248-212-412.02 @ \$287.01, #248-212-413 @ \$1,583.49, #248-212-426 @ \$3,045.77 and #248-342.30 @ \$25,937.22. All members present voting aye. Motion carried.

CONTINGENCY TRANSFERS:

Moved by Fischbach, seconded by Knecht to approve the following Contingency Transfers with spending authority only: Fund #101: 165 Veterans Service @ \$499.01, 211 Sheriff @ \$33,309.48, 212 Jail @ \$47,863.47, 441 Mentally Ill @ \$14,029.02; 711 Planning & Zoning @ \$22,280.26, 524 Fair @ \$88,162.49, Fund #102 Fire @ \$221.13; Fund #229 Domestic Abuse @ \$140.00; Fund #233 Phase II Jail @ \$43,495.14. All members present voting aye. Motion carried.

ADJOURNMENT:

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

Maxine Taylor – Brown County Auditor

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