

JANUARY 2, 2008 -REORGANIZATION MEETING

This being the reorganization meeting of the Brown County Commission for year 2008, 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. Commissioner Deb Knecht led the Pledge of Allegiance and opened with Prayer.

Maxine Taylor, Brown County Auditor, called for nominations for Brown County Commission Chairman for year 2008, pursuant to SDCL 7-8-15.

Commissioner Fischbach nominated Mike Wiese for Chairman. Moved by Fischbach, seconded by Hansen that nominations cease and a unanimous ballot be cast for Mike Wiese, 2008 Chairman. All members present voting aye. Motion carried.

Commissioner Knecht nominated Tom Fischbach for Vice Chairman. Moved by Feickert, seconded by Hansen that nominations cease and a unanimous ballot be cast for Tom Fischbach, 2008 Vice Chairman. All members present voting aye. Motion carried.

MINUTES:

Moved by Hansen, seconded by Feickert to approve the General Meeting minutes of December 27, 2007. All members present voting aye. Motion carried.

CLAIMS:

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

Supplies: SD Muncipal League..\$93,167.00, SD Public Assurance Alliance..\$155,570.00, Quality Quick Print..\$1630.38, Office Equipment..\$103.99, Racom..\$42.40, McLeods Printing..\$3400.00, Weismantel Rent-All..\$455.00, Economy Oil..\$570.00, SDDOT..\$2038.12, Merv Heaton..\$3.91, Sherwin Williams..\$27.48, Kesslers..\$6.16, Dick's Westside..\$30.00, Trail Chev..\$63.38:

Professional Fees: Jackie Schraeder..\$175.00, Scott Weitbrecht..\$140.00, Lyrity Wilkie..\$175.00:

Publications: American News..\$1049.04:

Transcriptions: Neal Reporting..\$228.00:

Utilities: Qwest..2459.50, Alltel..\$1019.37, Montana Dakota..\$31.27, Northwestern Energy..\$8099.56.

All members present voting aye. Motion carried.

PERSONNEL:

Moved by Knecht, seconded by Fischbach to approve the following employee step increases, effective December 30, 2007: Jan Erickson @ \$13.74 per hour, Nancy Radke @ \$17.00 per hour, Craig Nelson @ \$16.66 per hour, Kathy Schlecht @ \$14.66 per hour. All members present voting aye. Motion carried.

Moved by Hansen, seconded by Knecht to re-appoint Tom Gohn as Veterans Service Officer for an additional four-year term, per SDCL 33-16-24. All members present voting aye. Motion carried.

Moved by Knecht, seconded by Fischbach to list the following volunteers for work comp purposes: Cole Adema, Richard Adema, Joe Akkerman, John Aman, Trent Anderson, Dion Bahr, Richard Bakeberg, Diana Banker, Cindy Beard, Kerry Beckler, Becky Berreth, Chad Bierman, Sandra Bierman, Evelyn Blum, Paul Bohling, Diane Bruns, Mercedes Buchanan, Lance Bunke, Becky Burdick, Condal Burgard, Tom Carlson, Luann Cunningham, Ryan Cunningham, Fae Dayton, Bill Dennert, Tammy Dennert, Marvin Dreesen, Colin Dutenhoffer, Darcie Engel, Ryan Engel, Curt Erickson, Kristie Erickson, Barry Eske, Rieck Eske, Brad Fiechtner, Gwyn Fischbach, Allen Gates, Randy Grismer, Nancy Gross, Steven Hairgrove, Jeanette Hassebroek, Gerald Helm, Pat Helm, Janet Herman, Trixie Hettich, Bill Hild, Mary Jo Hild, Roger Huettl, Richard Humphries, Geneva Hurlburt, Donald Hurst, Randy Imberi, Tony

Ingemansen, Lynn Isackson, Carole Jansen, Robert Janssen, Duane Jark, Janne Jockheck, Dave Johnson, Tony Jones, Chad Kampa, Joey Kaven, Zach Kern, Jamie Kern, Tom Kessler, Nathan Kessler, Rich Kezar, Randy Kingery, Matthew Klundt, Lee Koch, Michael Kost, Ron Kost, Carla Kramer, Brian LaCroix, Josh Latterell, Randall Long, Janet Malsom, Jason Malson, Tim Mattern, Jodi McQuillen, Joyce Mehaffey, Carla Meints, Jesse Milbrandt, Mike Miller, Roland Moerke, Deborah Munger, Elizabeth Myers, Heidi Olsen, Cindy Olson, Gayle Opp, Barb Paepke, Tom Paepke, Mike Paye, Cindy Pigors, Rick Pigors, Lois Pletten, Jamie Pulfrey, Rick Rainford, Douglas Reiersen, Jayne Reuer, Freddie Robinson, Butch Sauvage, Kathy Schaunaman, Neil Schaunaman, Jacie Schley, Deb Schlosser, Joel Schneider, Kimberly Schneider, Nancy Schrenk, Linda Schwabe, Brian Sharp, Gretchen Sharp, Judith Sheldon, Dave Shultis, Justin Shultis, Bonnie Siebrecht, Glenda Smith, Barry Smith, Keith Starks, Donna Stearns, Justin Steiger, Jessi Stucke, Liz Sutherland, Jesse Swallow, Marian Swanson, Brent Swenson, Stu Swenson, Tom Tarnowski, Keigh Theroux, Rose Cathy Thornton, Terri Traxinger, Kevin Vaughn, Nina Vilhauer, Dave Volek, Marlys Volzke, Brad Waage, Joan Walter, Pat Waltman, Kent Warrey, Bob Webb, Kathy Webb, Dennis White, Barney Williams, Corey Wipf, Brad Wollman, Cara Wollman, Jeffrey Zeltwanger, Jennifer Zeltwanger. All members present voting aye. Motion carried.

CLAIM ASSIGNMENT:

Moved by Feickert, seconded by Knecht 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.

ABATEMENTS:

Moved by Knecht, seconded by Hansen to approve and authorize the Chairman sign the following abatements: George Holmes @ \$72.80, Steven Krueger @ \$145.60, John Ries @ \$30.00, Knights of Columbus @ \$312.00, Richard Saylor @ \$721.38, Richard Biegler @ \$699.34, Roger Wilson @ \$2,433.41, Robert Suurmeyer @ \$860.21, Brown County @ \$85.83, Warner Street @ 201.96, Brown County @ \$32.57, Matthew Muellenberg @ \$41.54, Matthew Muellenberg @ \$42.50, Stuart Lonning @ \$109.26, Michael Knapp @ \$4,561.14, Lori Brown @ \$72.73, Dale Truenbenbach @ \$916.84, Columbia City @ \$47.06, Jeffrey Heupel @ \$6.18, Grace Fischer @ \$93.09, Peter Hesla @ \$1,596.18, Joel Helm @ \$749.68, Dillon Cutler @ \$386.78, Duane Pekarski @ \$26.93, Kim Marin @ \$135.83, Sean Delaney @ \$129.94, Steven King @ \$426.15, Marlo Knoepfle @ \$485.95, Larry Brick @ \$1,559.54, Pamela Lindner @ \$752.11, Lichi Hsueh @ \$188.19, James Burns @ \$502.82, Edward Mehlhaff @ \$333.38, Alex Alsleben @ \$1,210.23, Jeanne Atchley @ \$693.82, Viola Seidel @ \$745.67, Elsie Wells @ \$842.59, Gloraine Yost @ \$621.53, Richard Thomas @ \$503.84, Paul Ferguson @ \$482.69, Lauri Hasz @ \$671.07, Randall Weber @ \$326.95, Sherry Bennett @ \$628.05, Todd Cunningham @ \$557.68, Jessica Buttke @ \$728.90, Eric Gray @ \$343.75, Justin Shultis @ \$539.75, Brandi Pfeiffer @ \$508.56, Leona Mullner @ \$281.36, Barb Gardner @ \$469.78, Shane Otten @ \$472.87, James Fettig @ \$426.87, Regina Heintman @ \$178.95, Brad Grismer @ \$1,114.23, Darlene Wahl @ \$507.82, Calix Dix @ \$171.99, Leroy Lewis @ \$1,110.18, Rod Eikamp @ \$379.68, Corey Vosika @ \$281.53, David Vick @ \$1,263.07, Hollie Ward @ \$1,143.35, Krueger/Schlepp Associates @ \$151.30, Rocky Currington @ \$1,027.33, Raphael Mack @ \$799.86, Michael Dick @ \$1,364.77, Thomas Ochocki @ \$991.87, Sondra Faeth @ \$858.01, Elmer Bitz @ \$556.41, Doris Kindel @ \$457.33, Geraldine Rye @ \$593.62, Mary Sippel @ \$519.14, Dan Zumbaum @ \$453.42, Karol Freshour @ \$766.12, Hope Joachim @ \$193.96, Ervin Marzolf @ \$1,318.55, Helen Biegler @ \$373.43, J&L Renters LLC @ \$676.28, Kenneth Dohn @ \$332.72, Delbert Harty @ \$334.44, Paul Kostboth @ \$298.78, Donne Stoia @ \$1,196.51, Gary Holler @ \$254.17, Helen Alden @ \$675.99, Esther Horvath @ \$438.71, Bobbie Wirth @ \$587.95. All members present voting aye. Motion carried.

PROPERTY PURCHASE:

Moved by Feickert, seconded by Knecht to accept offer, submitted by Steven A and Charlotte L Green to sell parcel of land to Brown County described as the NW ¼ of Sec 13-T123N-R65W of the 5th P.M.,

Brown County, SD for the sum of \$300,000.00. Roll call vote: Commissioners Hansen-abstain, Fischbach-aye, Feickert-aye, Knecht-aye, Wiese-aye. Motion carried.

BID – PALMYRA TOWNSHIP LAND LEASE:

Moved by Hansen, seconded by Knecht to authorize advertising time and place to receive verbal bids for a ten-month Lease (February 1, 2008 – October 1, 2008) 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, January 28, 2008. All members present voting aye. Motion carried.

DESIGNATION OF DEPUTIES:

Commissioner Feickert offered the following Resolution:

RESOLUTION NO. 1-08

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

OFFICIAL NEWSPAPERS:

Moved by Fischbach, seconded by Knecht to designate the following as the official Brown County newspapers for year 2008 (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 2008 (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. 2-08

WHEREAS, the nature of tax collections and other revenue is such that cash on deposit in the County's depositories at times exceeds the requirement for current expenditures; and

WHEREAS, it is in the best interest of the County to invest these monies not required for immediate expenditure.

NOW, THEREFORE, BE IT RESOLVED, that the Brown County Treasurer is hereby directed to invest Brown County public funds at the highest rate of interest possible at said time on available monies at financial institutions, as designated by the Brown County Commission, and

FURTHER, to furnish quarterly reports detailing same, as authorized by SDCL 4-5-8.

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

EXPENSE POLICY:

Moved by Knecht, seconded by Hansen to set the following expense rates for Brown County employees for year 2008: 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:

- 37 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 Knecht, seconded by Hansen 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. 3-08

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 Kim Dorsett and States Attorney Office personnel to act as agents to process said tax deeds and notices.

Seconded by Commissioner Knecht. 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 2008: 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 President, 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 Hansen, seconded by Fischbach to appoint the following additional CERT Members: Richard Bakeberg, Diana Banker, Chad Bierman, Sandra Bierman, Luann Cunningham, Ryan Cunningham, Bill Dennert, Tammy Dennert, Rieck Eske, Brad Fiechtner, Jane Jenson, Jamie Kern, Biran LaCroix, Josh Latterell, Randall Long, Jason Malson, Joyce Mehaffey, Kathy Neitzel, Jesse Milbrandt, Heidi Olsen, Barb Paepke, Tom Paepke, Cindy Pigors, Rick Pigors, Douglas A Reiersen, Joel Schneider, Kimberly Schneider, Brian Sharp, Gretchen, Sharp, Liz Sutherland, Marian Swanson, Keith Theroux, Jeffrey Zeltwanger, Jennifer Zeltwanger; and further remove the following CERT Members: Viola Benting, Dale Carr, Marian Carter, Dave Green. All members present voting aye. Motion carried.

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Moved by Knecht, seconded by Hansen to appoint the following to the Dacotah Prairie Museum Board: Ed Bohlander, First Term, effective January 1, 2007 – December 31, 2009; Eric Vetter, First Term to replace Tom Richard, term expires December 31, 2008; Jacie Schley, First Term, effective January 1, 2008 – December 31, 2010; Randy Grismer, Second Term, effective January 1, 2007 – December 31, 2009; Connie Groop, 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 member to the Dive Team: Janne Jockheck; and remove the following members: Lynn Hovel and Lee Swenson. All members present voting aye. Motion carried.

Moved by Hansen, seconded by Knecht to appoint the following to the Local Emergency Planning Committee (LEPC): Elizabeth Myers and Jennifer Zeltwanger; and further remove the following members: Burt Elliott, Marilee Frankenberger, Doug Glaser, Harlan Radke, Dirk Rogers and Ed Rombs. All members present voting aye. Motion carried.

FAIRGROUNDS/YOUTH CAMP RENTAL RATES:

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

FAIRGROUNDS RENTAL RATE - EFFECTIVE JANUARY 1, 2008

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).

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

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RICHMOND YOUTH CAMP RENTAL RATES- EFFECTIVE JANUARY 1ST, 2008

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.)

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.

2008 SALARY SCHEDULE:

Moved by Fischbach, seconded by Knecht to approve the following salaries, effective December 16, 2007: **Annually** States Attorney Kim Dorsett 57,166; Sheriff Mark Milbrandt 58,601 (plus \$500 per pay period to oversee Communications Center); Auditor Maxine Taylor, Treasurer Sheila Enderson, Register of Deeds Carol Sherman 46,676; Commissioners Tom Fischbach, Dennis Feickert, Nancy Hansen, Mike Wiese, Deb Knecht 15,553 (plus county paid portion of optional insurance coverage); Deputy States Attorney's Lori Ehlers 45,000; Rachel Wilkins 43,500, Rebecca Millan \$39,000, Jodi Brown 12,000; Chief Deputy Sheriff Tom Schmitt 52,740; Building Superintendent Mick Palmer 36,017; Museum Director Sue Gates 37,653; Veterans Service Officer Tom Gohn 38,270; EM Director Scott Meints 42,640; Fairgrounds Superintendent Kurt Smith 36,060; Planning/Zoning/Drainage/E911 Rural Addressing Director Gary Vetter 39,520; Welfare Director Charlene Millim 43,825; Deputy Sheriff/Communications Director John McQuillen 47,840; Interim Highway Superintendent Richard Burns 51,501; Director of Equalization Mary Worlie 46,292; GIS Coordinator Scott Madsen 48,048; Landfill Manager Mike Scott 48,915; Computer Programmer/Analyst Bill Meink 48,915; Fair Board Manager Larry Gerlach 28,518; Sheriff/JDC Nurse Marcy Fritz 38,022; Juvenile Detention Supervisor Amy Lake-Harmon 39,962; Highway Shop Foreman Mark Wendt 36,628; Deputy Director of Equalization Leo Leshner 38,523. **Per Hour** Weed Supervisor Roger Johnson 14.15. Assistant Landfill Manager Don Fischer 14.26. Senior Fieldman Gene Loeschke 17.39. Chief Office Deputies (Auditor, Treasurer, Register of Deeds) Jeanette Nietert, Jan Beckler, Dorene Borchard, Catherine Lindemann 18.52. Planning Zoning/Appraisers/Computer Support Specialist: Allan Vietmeier 14.89, Chris Stucke 15.80, Kathy Fischer 16.74. Chief Office Deputies (Sheriff, Welfare, States Attorney, Maintenance, Director of Equalization, EM, Veterans Service) Polly Rush 13.76, Ginger Walker 14.41, Kathy Schlecht 14.38, Janice Moore 16.74, Penny Hart 20.24, Mavis Kempf 16.69, Judy Dosch 17.19. States Attorney's Office Secretaries Kristina Vetter 11.60, Tracy Madsen 12.06, Jane Jensen 13.24. Office Deputies, Museum Curators, Secretaries/Clerks Teoni Taylor, Bobbie Bierman, Sara Hagman, Pam Sudlow 11.20; Roxanne Hilgenberg, Lisa Samson, Mariann Malsom, JoAnn Sheffield 11.42; Jackie Ormand 11.65, Kimberly Byram 11.88, Carol White 12.39, Lora Schaunaman, Sherry Theobald 12.54, Cindy Meyers 12.73, Sandra Green 12.94, Jolene Forsting 12.99, Patty Van Meter 13.09, Sherri Rawstern 13.24, Jan Erickson 13.69, Geri Sillman 14.19. Clerk, Secretary & Maintenance Mickey Schulz 11.98, Monte Podoll 12.32. Sheriff Department Clerical & Cooks Sandy Mielke 11.37, Margaret Unser 12.21, Diane Mielke 14.26, Joyce DesCamps 14.66, Carol Wolf 14.61, Kathy Neitzel 14.86. Dispatchers Tonya Delzer 12.30, James Petich, Anthony Sorenson 12.57; Jennifer Stoddard 12.86, Melony Flinn 13.45, Sarah Jesz 13.73,

Betty Haar, Sheila Anderson 15.33, Mary Browning 15.58. Chief Dispatcher Nancy Radke 16.95. Highway (Labor Grade 3) Bryan Owens, Scott Odgen, Brad Nehlich 11.95, Mervyn Heaton, William Moon, Roy Hedges 12.17; Jon Koeniguer, Michael Rohrbach 12.40, Roger Johnson 12.64, Jason Heagley 13.29, Ben Hofer 13.48, Joseph Malsom 13.63, Larry Hardy 13.83, John Weig 14.53. Highway (Labor Grade 4) John Heidenreich 12.51, Dennis VanHeerde 13.77, Kendell Titze 13.82, Nyle Jenson 13.87, Carl Wright 14.97. Highway (Labor Grade 5) Casey Thorstenson 13.50, Janet Weismantel 15.10, David Bruckner, Daryl Lloyd 14.95, Marcus Selzler 14.80. Highway Mechanics Labor Grade (B) Jason Hammrich 14.44, Ronald Glugla 14.61. Field Deputy Sheriff/Chief Jailers Joshua Boll, Keith Baker 15.52; Damian Bahr 16.08, Craig Nelson 16.37, Brian Koens 16.66, Terrence Evans 16.95, John VanderHoek 18.92, David Fair 18.32, Scott Kolb 18.52, Bryan Locke 18.62, John Heine 18.57, Craig Anderson 18.67. Jail Deputy/Home Detention Supervisor/Assistant JDC Supervisor Brenda Hammrich 14.21, Kristal Biegler 15.08. Jailers (Adult and JDC) Ross Erickson, Larry Harper, Jonathan Waldner, Kyle Fadness 12.03, Ashby Schrock, Michael Bowser, John Sandal, Brandi Hagen, Tricia Jondahl 12.32; Shawna Everson, Michael Ernst, Jesse Milbrandt, Nathan Smith, Samiuela Mouna, Marissa McDermond, Teri Jondahl 12.62, Joni Odenbach, Harlan Place 12.91 Matthew Farley 13.78, Russ Ochsner 14.07, Cindy Mitchell, Jeffrey Kirnan 14.36. **Part time employees – per hour:** Paul Opp 7.40, Doris Adler, Andrew Janusz 8.02, Dean Sinclair, Sally Swanson, Daryl Thomas 8.18, Ron Leighty 8.28, Richard Schooley 8.43 Irene Gese 9.56, Kay Albrecht, Julie Hermansen, Kelly Moinichen, Christopher Rinkenberger, Nathan Schutz, Jason Goette, Reagan Flamboe, Dawn Reiners, Jeffrey Neal, Carrie Kleindl, Amber Crouch, Jamie Kern 10.07; Stacie Wasem, Jamie Beard 10.80; Todd Harder, Carrie Hall, Tom Lammon, Kathy Fischbach, Steve Mauk 11.61, Jerry Dempsey, Robert Retzer, Leon Vickers 12.94, Emily Hughes 14.04, Lorah Houser Jankord, Cynthia Schwan 15.87. **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 Farnen, Darin Swanston, Brock Schifrel, Trenton Lundstrom, Kyle Stoddard, Ken Hostetter Dan Kaiser, Rod Grismer, Jesse Chagolla, Brook Brown, Erik Red Hill. All members present voting aye. Motion carried.

CORONER:

Moved by Hansen, seconded by Knecht 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 8, 2008.

Maxine Taylor - Brown County Auditor

JANUARY 8, 2008 – 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 Reorganization Meeting minutes of January 2, 2008. All members present voting aye. Motion carried.

CLAIMS:

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

Payroll: Commissioners..\$2,991.00; Auditor..\$7,321.14; Treasurer..\$10,373.91; Data Processing..\$3,145.35; State's Attorney..\$12,135.29; Maintenance..\$5,705.63; Assessor..\$9,478.09; Register of Deeds..\$5,461.64; Veterans Service Office..\$2,945.25; GIS..\$1,848.00; Sheriff..\$67,395.98; Communications..\$16,247.50; Welfare Office..\$3,020.78; Museum..\$5,433.80; Fairgrounds & Parks..\$3,571.10; Fairboard..\$1,992.85; Extension..\$1,916.80; Weed..\$113.20; Planning and Zoning..\$1,520.00; Emergency Management..\$2,792.80; Teen Court..\$308.88; Highway..\$27,464.97; Landfill..\$8,214.20; Coroner..\$300.00; Matching Benefits: FICA..\$11,889.97; Medicare..\$2,780.69; Supplies: Jan Beckler..\$8.66, United Accounts..\$232.56, Quality Quick Print..\$860.00, Best Business..\$5362.05, Glacial Lakes..\$750.00, SD Planners Assn..\$50.00, Diane Mielke..\$250.00, Runnings..\$377.81, Lust Chev..\$62.71, Fed Signal..\$70,151.32, WS Darley..\$295.65, Indian Springs Spec Prod..\$808.74, Thompson Healthcare..\$1654.80, Haztech..\$362.48, RSO..\$270.00, Guild Assoc..\$397.00, Accts Rec Defense Group..\$250.00, Hagenmeyer..\$1620.00, Aramsco..\$556.78, Lab Safety..\$494.28, APCO..\$858.00, Carlson Travel..\$685.60, Midwest Alarm..\$51.50, Hub City Radio..\$500.00, Keener Enterprise..\$1114.53, Marcus Selzler..\$95.35, Dware..\$1125.00, Petroleum Partners..\$2236.80, Aberdeen Rural Fire..\$1308.00, Cunningham Elec..\$219.81, Ameripride..\$92.57, MVTL Labs..\$9137.60, Webb Shoe Co..\$459.75, SD Dept of Rev..\$3108.74, Butler..\$5269.68, Erdmann Oil..\$13,185.98, Brown County..\$144.94, Praxair..\$17.80, Dakota Fluid Power..\$44.42, Powerplan..\$2492.66, Sheehan Mack Sales..\$394.39, Menards..\$19.99, TSC..\$52.31, Sams Sound..\$948.00:

Professional Fees: Sherriff of Yankton County..\$25.00, Steven Green..\$1,000.00:

Publications: Groton Independent..\$212.98, Dakota Press..\$1830.00, American News..\$167.44:

Jury: Roberta Adolphsen..\$11.48, Troy Badmoccasin..\$62.74, Kerry Beckler..\$15.92, Wm Bordeaux..\$11.48, Virgil Braun..\$11.48, Kelly Charron..\$10.74, Sara Christensen..\$10.74, Arleen Cornelius..\$11.48, Dana Crawford..\$13.70, Claudine Cruse..\$10.74, Donna Davis..\$11.48, Jessica Daw..\$11.48, Steven Dayton..\$24.06, Arnold Dennert..\$24.80, Laura Dreis..\$10.74, Audrey Dutenhoffer..\$14.44, Larry Eckmann..\$62.74, Rosemary Eisenbeisz..\$11.48, Mary Ellestad..\$12.22, Colleen Erickson..\$10.74, Kathy Fischbach..\$76.80, Gail Fischer..\$10.74, Lisa Fischer..\$21.10, Kimberly Fordham-Lien..\$11.48, Lyle Fritz..\$17.40, Holly Gates..\$11.48, Randy Geist..\$11.48, Greg Gilbertson..\$12.22, Daniel Gisi..\$32.20, Mitchell Grieben..\$10.74, Sharon Hardina..\$10.74, Phyllis Haselhorst..\$12.22, Shirley Heagley..\$18.88, Kyle Heinrich..\$45.52, Mary Heitmann..\$63.48, Beatrice Hermansen..\$63.48, Diane Herseth..\$12.22, Kay Hohenecker..\$64.22, Kathleen Holm..\$78.28, Thomas Howell..\$71.62, Arnold Huizenga..\$12.22, Constance Kast..\$11.48, Wm Keahey..\$13.70, Kayla Knettel..\$11.48, Laura Kramp..\$51.48, Linda Larson..\$63.48, Robert Lathrop..\$13.70, James Mattern..\$24.80, Ramona Motis..\$10.74, Chad Nilson..\$10.74, Heather Ormand..\$11.48, Gerianne Pfeiffer..\$15.92, Marilyn Pulfrey..\$39.60, Jason Reitz..\$11.48, Dennis Rieker..\$10.74, Michele Rosendahl..\$16.66, Cherie Sauer..\$12.22, Rachel Sauvage..\$62.74, Janet Schatz..\$16.66, Amanda Schauer..\$10.74, Jennifer Streifel..\$10.74, Barbara Stugelmayer..\$12.22, Robert Uttermark..\$11.48, Lorrie Vance..\$62.74, Teresa Vearrier..\$12.22, Jon Mark Wilson..\$63.48, Patricia Zens..\$11.48:

Utilities: FSH..\$60.00, Northern Elec..\$100.00, Verizon..\$115.19, Northern Valley Comm..\$140.63, James Valley Comm..\$159.85, Town of Frederick..\$32.25, Dependable..\$16,646.52, Web..\$84.34, NW Energy..\$1363.69, Qwest..\$32.38:

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Care of Poor: Dr/Hospital – 1 recipients..Orthopedic Surgery..\$399.32; Rent - 3 recipients..Larson Rentals..\$220.00, Jeremy Sampson..\$280.00, Falcon Rentals..\$240.00. All members present voting aye. Motion carried.

PERSONNEL:

Moved by Hansen, seconded by Feickert to approve the following employee step increases, effective January 13, 2008: Jane Jensen @ \$13.29 per hour, Craig Anderson @ \$18.72 per hour, Mickey Schulz @ \$12.15 per hour, Jackie Ormand @ \$11.88 per hour, Patty VanMeter @ \$13.14 per hour, Kathy Neitzel @ \$14.91 per hour, Joni Odenbach @ \$13.19 per hour, Jason Hammrich @ \$14.61 per hour, Teoni Taylor @ \$11.42 per hour; and John VanderHoek @ \$18.97 per hour, effective December 30 2007. All members present voting aye. Motion carried.

Moved by Hansen, seconded by Knecht to approve hiring Ben Smith as full-time Deputy Sheriff, effective January 22, 2008 at \$15.23 per hour. All members present voting aye. Motion carried.

EXTENSION BOARD:

Moved by Hansen, seconded by Knecht to appoint Alan Ryckman to the Extension Board (First Term), effective January 1, 2008 – December 31, 2010. All members present voting aye. Motion carried.

AUDITORS REPORT OF ACCOUNT:

Moved by Hansen, seconded by Knecht to approve the December 2007 Auditor's Report of Account with the County Treasurer in total amount of \$11,655,124.35 (total amount of actual cash @ \$3,178.81, Wells Fargo Bank @ \$3,694.79, US Bank @ \$281,086.76, Dacotah Bank @ \$222,583.57, Petty Cash @ \$1,800.00, Fund Investments @ \$11,141,459.23, Outstanding Checks @ \$1,321.19). All members present voting aye. Motion carried.

INTEREST STATEMENT:

Moved by Knecht, seconded by Hansen to accept for filing the October – December 2007 Interest Statement, submitted by County Treasurer Sheila Enderson. All members present voting aye. Motion carried.

ABATEMENTS:

Moved by Knecht, seconded by Hansen to approve the following Solid Waste Abatements: Dawn Allam @ \$41.60, Aberdeen City @ \$18.00, St Mary's Church @ \$18.00, Brown County @ \$18.00. All members present voting aye. Motion carried.

PRE-DISASTER MITIGATION PLAN:

Moved by Hansen, seconded by Knecht to approve and authorize the Chairman sign the Project Conditions and Assurances Section of the Pre-Disaster Mitigation Plat Grant Application. All members present voting aye. Motion carried.

SURPLUS PROPERTY:

Moved by Feickert, seconded by Knecht to declare scrap iron at the Highway Department surplus property for purpose of sale. All members present voting aye. Motion carried.

INVENTORY TRANSFER:

Moved by Knecht, seconded by Fischbach to transfer Decal #1947 Canon Copier from Highway Department to Veterans Service Office. All members present voting aye. Motion carried.

BID – MOTOR GRADER:

Time and place, as advertised to open, read and consider bids for one (1) new 2008 Rear Articulated Motor Grader for the Highway Department. Bids were received from the following: Butler Machinery,

Diesel Machinery, RDO Equipment, Sheehan Equipment and Titan Machinery. Moved by Knecht, seconded by Fischbach to refer all bids to Richard Burns, Interim Highway Superintendent for review and recommendation. All members present voting aye. Motion carried.

PROPERTY PURCHASE:
Commissioner Feickert offered the following Resolution:

RESOLUTION NO. 04-08

BE IT RESOLVED by the Brown County Commission that,

WHEREAS, Brown County seeks to own real estate property for investment purposes,

AND WHEREAS, Steven and Charlotte Green extended an offer to sell real estate property as described below for the amount of \$300,000.00,

Northwest Quarter (NW ¼) of Section Thirteen (13), Township One Hundred Twenty-three (123) North, Range Sixty-five (65) West, totaling 157 acres in Brown County, SD

AND WHEREAS, there having been two (2) formal public hearings and there having been no opposition to the purchase of said property,

IT IS HEREBY RESOLVED that Brown County agrees to purchase the real property as listed below for the amount of \$300,000.00 and shall execute all documents to effect that purchase:

Northwest Quarter (NW ¼) of Section Thirteen (13), Township One Hundred Twenty-three (123) North, Range Sixty-five (65) West, totaling 157 acres in Brown County, SD

Adopted this 8th day of January, 2008

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

CREDIT CARD:
Moved by Hansen, seconded by Fischbach to authorize Sheriff Mark Milbrandt to establish a new credit card account with multiple users for use by the Sheriff Department and further to cancel all existing Sheriff Department credit card accounts upon activation of new account. All members present voting aye. Motion carried.

COMMUNICATIONS CENTER UPDATE:
Mark Milbrandt and John McQuillen, Communications Center Director presented an update on the Communications Center.

VENDING MACHINES:
Tim Hixon, C&C Vending inquired about change of vending machine provider in Courthouse and Annex. The Commission accepted recommendation submitted by the Employee Coffee Club several weeks ago.

RECESS:
The Chairman declared the Commission recessed until January 15, 2008.

Maxine Taylor – Brown County Auditor

JANUARY 14, 2008 - 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, Kraft, Mitchell, Rux and Mayor Levsen. Present from County were Commissioners Feickert, Fischbach and Wiese. Absent Commissioners Knecht and Hansen.

ORDINANCE NO. 07-12-01/358:

On motion by Bunsness and seconded by Aman, the City unanimously voted to approve Second Reading and Adoption of Ordinance No. 07-12-01/358.

Moved by Fischbach, seconded by Feickert to approve Second Reading and Adoption of Ordinance No. 07-12-01/358, An Ordinance amending Ordinance No. 1164 to rezone the following described property from its present zoning designation of Section 701 (A-1) Agricultural District to Section 714 (M-AG) Mini-Agricultural District: Lot 14, Evelo's Outlots in the NE ¼ of Sec 2-T122N-R64W of the 5th P.M., Brown County, SD. Roll call vote: Commissioners Hansen-absent, Fischbach-aye, Feickert-aye, Knecht-absent, Wiese-aye. Ordinance adopted.

ADJOURNMENT:

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

Maxine Taylor - Brown County Auditor

JANUARY 15, 2008 – 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 Feickert, seconded by Fischbach to approve the Joint City/County Meeting minutes of January 7, 2008 and the General Meeting minutes of January 8, 2008. All members present voting aye. Motion carried.

CLAIMS:

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

Supplies: SDACC..\$200.00, Tellinghuisen..\$139,199.70, Menards..\$29.84, Macs..\$3.96, Dakota Supply Group..\$38.10, Office Equip..\$264.91, Cartney Bearing..\$10.07, Heartland Paper..\$640.89, Kessler..\$14.65, Moore Medical..\$422.22, Quality Quick Print..\$49.95, Sewing Shoppe..\$16.00, Lust Chev..\$119.74, Fire Safety First..\$15.70, Karst Car Care..\$16.32, Electronic Security..\$425.00, Dicks Westside..\$30.00, Best Business..\$39.61, Tri-State Water..\$20.55, Lambs Chev..\$32,723.00, Gardner Locksmith..\$373.23, West Payment Center..\$228.00, Active Data..\$2398.00, Vantek..\$34.50, MOCIC..\$150.00, Dakota Electronics..\$73.40, Earthgrains..\$99.24, Sec of State..\$7.00, SDDOT..\$30.00, Habecks Radiator..\$110.50, Gilland Ent..\$154.96, ATSSA..\$190.00, Area IV Nutrition..\$2250.00, Kleins..\$31.65, Lacey Costume Wig..\$28.00, Runnings..\$94.74, Graham Tire..\$47.70, Dakota Electronics..\$220.35, SDSU Print Lab..\$161.35, Dakota Farmer..\$18.95, NECOG..\$20,669.23, NESDCAP..\$2000.00, Aberdeen Dev Corp..\$20,000.00, CDW Govt..\$89.12, U of Missouri..\$9119.54, SDEMA..\$60.00, Aramsco..\$1630.63, DCLE..\$55.00, DVC Girls..\$388.95, MVTL Labs..\$34.40, Advanced Weighing System..\$1500.00, New Waste Concepts..\$487.00, GEO Data Systems..\$445.60, Professional Fees: Sherri of Yankton County..\$25.00, witness fees..\$357.48, Avera Queen of Peace..\$53.50, NE Mental Health..\$87.78, Nelva Kooistra..\$15.00, Bob Walser..\$15.00, Donna Dietrich..\$130.21, Avera St Lukes..\$3077.81, Lewis & Clark BHS..\$390.00:

Publications: American News..\$952.95:

Travel: Leo Leshar..\$105.82, Gene Loeschke..\$136.90:

Transcriptions: Richard Neal..\$166.60, Kristi Kost..\$17.00:

Utilities: Northwestern Energy..\$9478.06, City of Aberdeen..\$1203.75, Dependable Sanitation..\$212.00, Qwest..\$457.62, Northern Elec..\$1689.09, Verizon..\$82.59, James Valley..\$223.13, Northern Wireless..\$61.95:

Care of Poor: Dr/Hospital – 5 recipients..Dr Heloise Westbrook..\$37.64, Avera St Lukes..\$10,176.87, Avera Heart Hosp..\$8970.53; Rent - 7 recipients..Dallas Niederbaumer..\$220.00, Dakota Square..\$231.00, Jeff Rich..\$220.00, J&M Enterprise..\$210.00, Danne..\$360.25, Shirley Fries..\$220.00; Medication – 2 recipients..Kessler Pharm..\$54.72, Medical Center Pharm..\$58.31. All members present voting aye. Motion carried.

PERSONNEL:

Moved by Feickert, seconded by Fischbach to approve hiring Michael Flanigan as a part-time Dispatcher, effective January 10, 2008 at \$12.30 per hour. All members present voting aye. Motion carried.

Moved by Feickert, seconded by Fischbach to approve employee status change for Anthony Sorensen from Dispatcher to full-time Deputy Sheriff, effective January 22, 2008 at \$15.23 per hour. All members present voting aye. Motion carried.

Moved by Fischbach, seconded by Feickert to approve hiring Rabecca Heintzman as part-time Home Detention Officer, effective January 14, 2008 at \$10.80 per hour. All members present voting aye. Motion carried.

Moved by Feickert, seconded by Fischbach to approve hiring Matthew Olson as guard for purpose of prisoner transport, effective January 9, 2008. All members present voting aye. Motion carried.

Moved by Fischbach, seconded by Feickert to acknowledge the following resignations: Josh Boll, effective January 9, 2008, Carrie Kleindl, effective January 9, 2008 and Jonathan Waldner, effective January 24, 2008. All members present voting aye. Motion carried.

Moved by Feickert, seconded by Fischbach to approve hiring the following for purpose of performing blood draws at \$35.00 each, effective January 1, 2008: Lyrita Wilkie, Scott Weitbrecht, Jason Engel, Jacqueline Schrader and Pam Smid. All members present voting aye. Motion carried.

ORDINANCE NO. 050:

Moved by Fischbach, seconded by Feickert to set hearing date for Brown County Ordinance No. 050, An Ordinance amending Second Revision Brown County Ordinances, Title 4, specifically Chapter 4.01 Definitions and Chapter 4.19 Floodplain District (FP) regarding the new flood insurance rate map and flood insurance study that will become effective on March 18, 2008, to be held in the Commissioner's Chambers, Courthouse Annex, Brown County, SD at 9:00 a.m. on January 29, 2008. All members present voting aye. Motion carried.

FLOOD INSURANCE STUDY:

Moved by Fischbach, seconded by Feickert to approve Flood Insurance Study #46013CV000A, effective March 18, 2008. All members present voting aye. Motion carried.

FIRM FLOOD INSURANCE RATE MAP:

Moved by Feickert, seconded by Fischbach to approve FIRM Flood Insurance Rate Map (Index #46013CIND0A), effective March 18, 2008. All members present voting aye. Motion carried.

MEMORANDUM OF UNDERSTANDING:

Moved by Feickert, seconded by Fischbach to approve and authorize the Chairman to sign Memorandum of Understanding between SDSU and Brown County for Extension services. All members present voting aye. Motion carried.

ABATEMENT:

Moved by Fischbach, seconded by Feickert to approve the following Abatement: Cindy Huff @ \$342.01. All members present voting aye. Motion carried.

FSA DOCUMENTATION:

Moved by Feickert, seconded by Wiese to appoint Tom Fischbach as the authorized Brown County representative for all FSA documents regarding County owned property. All members present voting aye. Motion carried.

RELAY FOR LIFE:

Moved by Fischbach, seconded by Feickert to waive fee for lease of the Holum Expo Building for the Relay for Life event to be held on June 6 and 7, 2008, as requested by American Cancer Society representatives Angie Stephen, Sharon Hanna and Lindy Currington. All members present voting aye. Motion carried.

HIGHWAY UPDATE:

Richard Burns, Interim Highway Superintendent discussed the following: motor grader bids, rental agreement, personnel, work exchange with Edmunds County and purchase of a pickup.

JDC/JAIL NURSE UPDATE:

Marcy Fritz, JDC/Jail Nurse presented report recapping 2007 activities and goals for 2008.

EQUIPMENT:

Mick Palmer, Maintenance Supervisor and Sheriff Mark Milbrandt discussed the need for the purchase of a dishwasher for the Jail/JDC kitchen. Board concurred.

EXECUTIVE SESSION:

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

DISPATCH UPDATE:

John McQuillen, Communications Director discussed personnel and upcoming APCO Conference.

FAIR UPDATE:

Larry Gerlach, Fair Manager discussed entertainment news release and requested permission to hire a part-time employee while current secretary is on maternity leave, if needed.

RECESS:

The Chairman declared the Commission recessed until January 22, 2008.

Maxine Taylor – Brown County Auditor

JANUARY 22, 2008 – 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 January 14, 2008 and the General Meeting minutes of January 15, 2008. All members present voting aye. Motion carried.

CLAIMS:

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

Payroll: Commissioners..\$2,991.00; Auditor..\$7,484.77; Treasurer..\$10,372.79; Data Processing..\$3,145.35, State's Attorney..\$12,730.29; Maintenance..\$5,877.48; Assessor..\$9,636.79; Register of Deeds..\$5,351.14; Veterans Service Office..\$2,868.29; GIS..\$1,848.00; Sheriff..\$69,857.15; Communications..\$15,513.46; Welfare Office..\$3,020.78; Museum..\$5,433.80; Fairboard..\$1,992.85; Fairgrounds & Parks..\$3,505.32; Extension..\$1,916.80; Weed..\$113.20; Planning & Zoning..\$1,520.00; E & D..\$2,792.80; Teen Court..\$421.20; Highway..\$27,294.42; Landfill..\$7,875.22; Matching Benefits: FICA..\$12,018.56; Medicare..\$2,810.75, Wellmark BCBS Life..\$662.20, Wellmark BCBS Health..\$63,227.52; Delta Dental..\$4,144.00, SD State Retirement..\$24,703.98:
Supplies: Office Equip..\$359.45, Dive Rescue..\$2555.00, Adj Training Center..\$1000.00, CMRS-FP..\$5000.00, Thompson Pub..\$418.50, Sanford..\$28.25, Towing Plus..\$150.00, Youngs..\$85.13, Best Business..\$184.91, Evercom..\$1900.00, Pacer Service..\$13.84, Shell..\$121.60, Office Max..\$1022.37, CDW..\$2905.00, Hewlett Packard..\$1650.00, Smiths Detection..\$960.00, Pizza Ranch..\$58.94, Tyler Tech..\$1958.00, Active Data..\$8946.90, Virginia Mitchell..\$50.00, Sheehan Mack Sales..\$25000.00, Cartney Bearing..\$8.65, Crescent Elec..\$4.64, Central Supply..\$295.10:
Professional Fees: Sheriff of Yankton County..\$50.00, Donna Dietrich..\$158.41, Nelva Kooistra..\$24.00, Cathy Rehfuss..\$24.00, Keypoint Training..\$700.00, Avera St Lukes..\$1823.45, Sioux County Sheriff..\$61.28, Sheriff of Hughes County..\$390.00, Dental Center..\$31.68, United Clinic..\$10.03:
Attorney Fees: Yankton County..\$295.65:
Publications: American News..\$1175.12:
Utilities: TelServ..\$65.00, Alltel..\$161.47, Northern Elec..\$1200.00:
Care of Poor: Dr/Hospital – 1 recipient..Harbert Orthopedics..\$64.89; Rent - 3 recipients..White House..\$163.80, Dennis Lambert..\$240.00. All members present voting aye. Motion carried.

PERSONNEL:

Moved by Hansen, seconded by Fischbach to approve the following employee step increases, effective January 27, 2008: Penny Hart @ \$20.29 per hour, Teri Jondahl @ \$12.91 per hour, Casey Thorstenson @ \$13.66 per hour. All members present voting aye. Motion carried.

Moved by Fischbach, seconded by Feickert to approve employee status change for Leon Vickers from part-time Highway employee to full-time @ \$12.31 per hour, effective January 22, 2008, with all benefits except insurance. All members present voting aye. Motion carried.

VACATE PLAT:

Moved by Hansen, seconded by Fischbach to authorize advertising public hearing to consider approval of petition to vacate a plat, described as Podoll's First Heritage Subdivision in the NW ¼ of the SW ¼ of Sec 9-T125N-R63W of the 5th P.M., Brown County, SD, to be held at 10:00 A.M. on February 5, 2008 in the Commissioner's Chambers, Courthouse Annex, Brown County, SD. All members present voting aye. Motion carried.

SW DISPOSAL FACILITY RENEWAL:

Moved by Hansen, seconded by Knecht to acknowledge and approve application to renew the permit issued by the SD DENR for the Town of Claremont to operate a restricted use solid waste facility in the NW ¼ of the NE ¼ of Sec 2-T125N-R60W, Brown County, SD to dispose of trees and wood waste; yard waste composting; and white goods storage. All members present voting aye. Motion carried.

ABATEMENT:

Moved by Fischbach, seconded by Knecht to approve the following Abatement: Roger Bitz @ \$31.32. All members present voting aye. Motion carried.

ORDINANCE NO. 046 – FIRST READING:

Time and place, as advertised for First Reading of Ordinance No. 046. No one appeared with testimony, comments and/or questions for discussion. Moved by Hansen, seconded by Knecht to approve First Reading of Ordinance No. 046, An Ordinance amending Second Revision Brown County Ordinances to rezone the following described property from its present zoning designation of Chapter 4.10 Lake Front Residential District (R-3) and Chapter 4.06 Agriculture 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. All members present voting aye. Motion carried.

ORDINANCE NO. 047 – FIRST READING:

Time and place, as advertised for First Reading of Ordinance No. 047. Written request for further review received from Jerald McNeary will be addressed next week. Moved by Fischbach, seconded by Hansen to approve First Reading of Ordinance No. 047, An Ordinance amending Second Revision Brown County Ordinances to rezone the following described property from its present zoning designation of Chapter 4.06 Agriculture Preservation District (AG-P) to Chapter 4.11 Rural Urban District (RU): Replat of Miller's Outlot F in the SE ¼ of Sec 24-T124N-R65W of the 5th P.M., Brown County, SD. All members present voting aye. Motion carried.

ORDINANCE NO. 048 – FIRST READING:

Time and place, as advertised for First Reading of Ordinance No. 048. No one appeared with testimony, comments and/or questions for discussion. Moved by Knecht, seconded by Feickert to approve First Reading of Ordinance No. 048, An Ordinance amending Second Revision Brown County Ordinances to rezone the following described property from its present zoning designation of Chapter 4.06 Agriculture Preservation District (AG-P) to Chapter 4.07 Mini-Ag District (M-Ag): Legacy Development in the NE ¼ of Sec 1-T123N-R65W of the 5th P.M., Brown County, SD. All members present voting aye. Motion carried.

ORDINANCE NO. 049 – FIRST READING:

Time and place, as advertised for First Reading of Ordinance No. 049. No one appeared with testimony, comments and/or questions for discussion. Moved by Fischbach, seconded by Feickert to approve First Reading of Ordinance No. 049, An Ordinance amending Second Revision Brown County Ordinances to rezone the following described property from its present zoning designation of Chapter 4.06 Agriculture Preservation District (AG-P) to Chapter 4.07 Mini-Ag District (M-Ag): Plat of Fischer Richmond Lake Estates in the NE ¼ of Sec 23-124N-R65W of the 5th P.M., Brown County, SD. All members present voting aye. Motion carried.

AWARD Bid - MOTOR GRADER:

Moved by Knecht, seconded by Fischbach to award the following bid, submitted by Diesel Machinery Inc for a 2008 Kamatsu GD655-3 Motor Grader on a five-year lease with annual payments of \$38,650.98 (total @ \$193,254.90); rejecting the following: Butler Machinery – outright purchase @ \$218,010.00, five-year lease @ \$45,541.61 (\$227,708.05), seven-year lease @ \$33,998.73 (\$237,991.11; Diesel

five-year lease @ \$45,541.61 (\$227,708.05), seven-year lease @ \$33,998.73 (\$237,991.11; Diesel Machinery Inc. – outright purchase @ \$178,948.00, seven-year lease @ \$29,390.31 (\$205,732.17); RDO Equipment – outright purchase @ \$186,000.00, five-year lease @ \$40,962.88 (\$204,814.40), seven-year lease @ \$30,880.37 (\$216,162.59); Sheehan Equipment – outright purchase @ \$175,570.00, five-year lease @ \$38,329.69 (\$191,648.45), seven-year lease @ \$28,624.08 (\$200,368.56 – machine does not meet specs because of fuel tank, engine displacement and horsepower; Alternate machine outright purchase @ \$190,755.00, five-year lease @ \$41,644.81 (\$208,224.05), seven-year lease @ \$31,099.77 (\$217,698.39); Titan Machinery – outright @ \$182,640.00, five-year lease @ \$39,887.87 (\$199,389.35), seven-year lease @ \$29,811.95 (\$208,683.65); Alternate 2007 machine @ \$182,935.00, five-year lease @ \$39,942.28 (\$199,711.40), seven-year lease @ \$29,860.10 (\$209,020.70). All members present voting aye. Motion carried.

DACOTAH PRAIRIE MUSEUM FEASIBILITY STUDY:

Sue Gates, Dacotah Prairie Museum Director presented the Pre-Campaign Feasibility Study Prospectus Winter 2008 Booklet that explains the completed needs assessment, plans to address the needs, and proposed capital campaign to raise funds for implementation and expansion.

Information was also presented in regard to the scope of duties required for the Dacotah Prairie Museum to administer the All Dakota High School Arts Exhibition held each spring at the Granary Rural Cultural Center.

HOSPITAL CLAIMS:

Moved by Knecht, seconded by Hansen to deny payment of the hospital bill for a 38 year old male @ \$4,242.82, as the individual has not provided sufficient information to determine if indigent. All members present voting aye. Motion carried.

Moved by Hansen, seconded by Fischbach to deny payment of the hospital bill for a 34 year old male @ \$8,565.49, as the individual has not provided sufficient information to determine if indigent. All members present voting aye. Motion carried.

PLATS:

Commissioner Fischbach offered the following Resolution:

RESOLUTION NO. 05-08

BE IT RESOLVED by the Board of County Commissioners of Brown County, SD, that the plat showing "Engelhart Conservation Easement Tract 1 in the SW ¼ of Sec 14-T126N-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 Hansen. Roll call vote: Commissioners Hansen-aye, Fischbach-aye, Feickert-aye, Knecht-aye, Wiese-aye. Resolution adopted.

Commissioner Knecht offered the following Resolution:

RESOLUTION NO. 06-08

BE IT RESOLVED by the Board of Commissioners of Brown County, SD, that the plat showing "Cooper Addition in the SE ¼ of Sec 27-T124N-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. 07-08

BE IT RESOLVED by the Board of Commissioners of Brown County, SD, that the plat showing "D & C Roettele Addition in the SE ¼ of Sec 17-T125N-R62W of the 5th P.M., Brown County, SD" having been examined, is hereby approved in accordance with the provisions of SDCL of 1967, Chapter 11-3, and any amendments thereof.

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

Commissioner Fischbach offered the following Resolution:

RESOLUTION NO. 08-08

BE IT RESOLVED by the Board of Commissioners of Brown County, SD, that the plat showing "Sultz Addition in the NW ¼ of Sec 16-T125N-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 Hansen offered the following Resolution:

RESOLUTION NO. 09-08

BE IT RESOLVED by the County Commission of Brown County, SD, that the plat showing "Ellwein Lot 1 in NE ¼ Sec 23-T126N-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. 10-08

BE IT RESOLVED by the County Commission of Brown County, SD, that the plat showing "Dunker Family Subdivision in NE ¼ Sec 35-T121N-R61W of the 5th P.M., Brown County, SD" having been examined, is hereby approved in accordance with the provisions of SDCL of 1967, Chapter 11-3, and any amendments thereof.

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

Commissioner Fischbach offered the following Resolution:

RESOLUTION NO. 11-08

BE IT RESOLVED by the County Commission of Brown County, SD, that the plat showing "Barnard Elevator Outlot 1, in the NE ¼ Sec 14-T126N-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.

Commissioner Fischbach offered the following Resolution:

RESOLUTION NO. 12-08

BE IT RESOLVED by the Board of County Commissioners of Brown County, SD, that the plat showing "James Tract 1 in the SE ¼ of Sec 17-T124N-R62W of the 5th P.M., Brown County, SD" having been examined, is hereby approved in accordance with the provisions of SDCL of 1967, Chapter 11-3, and any amendments thereof.

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

Commissioner Feickert offered the following Resolution:

RESOLUTION NO. 13-08

BE IT RESOLVED by the Board of Commissioners of Brown County, SD, that the plat showing "James Addition in the NE ¼ of Sec 20-T124N-R62W of the 5th P.M., Brown County, SD" having been examined, is hereby approved in accordance with the provisions of SDCL of 1967, Chapter 11-3, and any amendments thereof.

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

EXECUTIVE SESSION:

Moved by Feickert, seconded by Knecht to go into executive session for personnel discussion with Kim Dorsett and Jeanette Nietert in attendance. All members present voting aye. Motion carried.

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

RECESS:

The Chairman declared the Commission recessed until January 29, 2008.

Maxine Taylor – Brown County Auditor

JANUARY 28, 2008 - 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, Kraft, Mitchell, Rux and Mayor Levsen. Present from County were Commissioners Hansen, Fischbach and Wiese. Absent Commissioners Knecht and Feickert.

ORDINANCE NO. 08-01-02/359:

On motion by Mitchell and seconded by Aman, the City unanimously voted to approve First Reading of Ordinance No. 08-01-02/359.

Moved by Fischbach, seconded by Hansen to approve First Reading of Ordinance No. 08-01-02/359, 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: Goldade Tract 1 in the NE ¼ of Sec 35-T123N-R64W of the 5th P.M., Brown County, SD, except Foot Creek. All members present voting aye. Motion carried.

ORDINANCE NO. 08-01-04/360:

Motion by Aman and seconded by Hodgin to approve First Reading of Ordinance No. 08-01-04/360. After discussion motion by Bunsness and seconded by Kraft to continue First Reading hearing until next week (February 4, 2008).

Moved by Hansen, seconded by Fischbach to continue First Reading hearing for Ordinance No. 08-01-04/360, An Ordinance to amend Ordinance No. 1164 – Part E of Section 5, until February 4, 2008 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 Fischbach, seconded by Hansen to adjourn the Brown County Commission. All members present voting aye. Motion carried.

Maxine Taylor - Brown County Auditor

JANUARY 29, 2008 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:

Move by Knecht, seconded by Hansen to approve the General Meeting minutes of January 22, 2008. All members present voting aye. Motion carried.

CLAIMS:

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

Supplies: John McQuillen..\$78.00, Heartland Paper..\$370.93, Langs..\$120.00, Central Supply..\$1049.50, House of Glass..\$294.74, HSBC..\$315.98, New Trends..\$27.16, Brown County..\$10.00, Hoven Auto Repair..\$122.75, Bob Barker..\$1573.82, Exec Mgmt..\$1477.50, Intoximeters..\$1000.00, Office Equip..\$455.83, Best Business..\$37.85, Academy..\$18.00, Quill..\$493.65, Lawson Products..\$117.32, Howes Oil..\$22,791.20, Habecks Radiator..\$90.00, Custom Glass..\$250.00, Cass County Heating..\$34.36, Butler Machinery..\$3413.00, Buskerud Const..\$8130.00, Ramkota..\$219.00, Asphalt Institute..\$134.40, Anderson Ind..\$945.22, Quality Quick Print..\$58.84, Lora Schaunaman..\$12.86, Advantage Self Storage..\$129.00, Sherri Rawstern..\$22.77, Walmart..\$86.47, Midwest Alarm..\$341.60, Nathen Cantwell..\$227.50, Sherwin-Williams..\$232.70, PRCA..\$950.00, Drury Plaza Hotel..\$198.00, IAFE..\$530.00, Weed & Pest Conf..\$290.00, SD Division of Ag Services..\$200.00, Merv Heaton..\$30.00, Ext Service..\$241.05, Glas Consulting..\$600.00, Racom..\$84.80, Language Lines..\$121.82, Aberdeen C&F..\$176.50, Earth Tech..\$9493.78, Danny Webb..\$27.49, Western States Fire..\$205.20, TSC..\$87.49, Safety Service..\$63.00, HC Clark..\$26.78, Macs..\$11.50, Brick Propane..\$11.05, Runnings..\$41.97, Premier Auto..\$248.96, SD Law Review..\$66.04, Matthew Bender..\$133.90, Thomson West..\$2493.37, Snap On Tools..\$803.00, Heartland Paper..\$170.05:

Professional Fees: witness fees..\$177.00, Volk Upholstery..\$276.70, NADRIC..\$1666.66, Nelva Kooistra..\$30.00, Cathy Refhuss..\$30.00, Sheriff of Yankton County..\$25.00, Donna Dietrich..\$266.32, Avera St Lukes..\$1356.00:

Attorney Fees: Christy Serr..\$4416.67, Kuck Law Office..\$4166.67, Gina Rogers..\$4166.67, William Gerdes..\$4166.67, Randy Turner..\$4416.67, Brevik Law Office..\$438.62:

Publications: American News..\$304.56, Groton Indep..\$284.25:

Travel: Al Vietmeier..\$99.16, Gene Loeschke..\$68.82, Mark Milbrandt..\$345.00, Marcus Selzler..\$23.00, John Heidenreich..\$23.00, Richard Burns..\$23.00:

Transcriptions: Kristi Kost..\$24.00:

Utilities: Bureau of Admin..\$544.37, Qwest..\$4056.24, Alltel..\$1248.34, Richmond Lake San Dist..\$2319.00, Midcontinent Cable..\$236.43, Bureau of Info..\$4950.00, Verizon..\$46.86, Northwestern Energy..\$3773.51, Northern Elec..\$9.40, Montana Dakota..\$26.32, City of Hecla..\$169.64, Dependable Sanitation..\$159.00:

Care of Poor: Dr/Hospital – 2 recipients.. Heloise Westbrook..\$37.64, Avera St Lukes..\$18411.04; Rent - 3 recipients..Zumbaum Prop..\$280.00, Key Investment..\$220.00, Tom Appletoft..\$185.00; Transportation – 1 recipient..Jefferson Lines..\$57.75. All members present voting aye. Motion carried.

ABATEMENTS:

Moved by Fischbach, seconded by Knecht to approve the following Abatements: US Post Office @ \$1,800.00; USA GSA @ \$3600.00; Anna Schlosser @ \$72.80; Mike Wilson @ \$72.80; Rod Eikamp @ \$400.43. All members present voting aye. Motion carried.

PLANNING & ZONING APPOINTMENT:

Moved by Hansen, seconded by Feickert to appoint Patrick Keatts to First Term on the Brown County Planning and Zoning Board, effective January 1, 2008 – December 31, 2012. All members present voting aye. Motion carried.

LEASE AGREEMENTS:

Moved by Hansen, seconded by Fischbach to approve and authorize the Chairman sign the following Lease Agreements: Tract 1 – SW ¼ of Sec 30 and NW ¼ of Sec 31-T128N-R65W (254 acres more or less) to L.R. Corporation for \$14.50 per acre (\$3,683.00). Tract 2 – SW ¼ of NW ¼, W ½ of SW ¼ and SE ¼ of SW ¼ of Sec 20-T128N-R65W (142 acres more or less) to Thorpe Ranch for \$14.50 per acre (\$2,059.00), effective February 1, 2008 to October 1, 2008, with no option to renew this lease after October 1, 2008 with Brown County or to purchase through this lease. All members present voting aye. Motion carried.

LANDFILL PERMIT RENEWAL DOCUMENTATION:

Moved by Fischbach, seconded by Feickert to approve and authorize the Chairman sign the following documents for the Brown County Landfill Permit Renewal: Application for Department of the Army Permit (west quarter Landfill expansion); SD DENR renewal application to operate a solid waste disposal facility (landfill); Air Quality Permit application form Title V (Part 70) operating permit, general information form and certification of applicant form. All members present voting aye. Motion carried.

SHERIFF REPORTS:

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

PDM MATCH:

Moved by Feickert, seconded by Knecht to approve and authorize the Chairman to sign letter of commitment to meet the matching fund requirements for the FEMA PDM-C Pre-Disaster Mitigation Plan Project in amount of \$4,333.00. All members present voting aye. Motion carried.

CITIZENS CORP GRANT AGREEMENT:

Moved by Hansen, seconded by Knecht to approve and authorize the Chairman sign Citizens Corps Grant Agreement with the SD Office of Emergency Management. All members present voting aye. Motion carried.

ORDINANCE NO. 046:

Moved by Hansen, seconded by Fischbach to approve Second Reading and Adoption of Ordinance No. 046, An Ordinance amending Second Revision Brown County Ordinances to rezone the following described property from its present zoning designation of Chapter 4.10 Lake Front Residential District (R-3) and Chapter 4.06 Agriculture Preservation District (AG-P) to Chapter 4.10 Lake Front Residential District (R-3): Keatts Fifth Subdivision in the W ½ of the NW ¼ of Sec 23-T124N-R65W of the 5th P.M., Brown County, SD. Roll call vote: Commissioners Hansen-aye, Fischbach-aye, Feickert-aye, Knecht-aye, Wiese-aye. Ordinance adopted.

ORDINANCE NO. 047:

Moved by Feickert, seconded by Hansen to continue public hearing for Second Reading of Ordinance No. 047, An Ordinance amending Second Revision Brown County Ordinances to rezone the following described property from its present zoning designation of Chapter 4.06 Agriculture Preservation District (AG-P) to Chapter 4.11 Rural Urban District (RU): Replat of Miller's Outlot F in the SE ¼ of Sec 24-T124N-R65W of the 5th P.M., Brown County, SD until February 12, 2008 at 8:45 a.m. All members present voting aye. Motion carried.

ORDINANCE NO. 048:

Moved by Hansen, seconded by Feickert to approve Second Reading and Adoption of Ordinance No. 048, An Ordinance amending Second Revision Brown County Ordinances to rezone the following described property from its present zoning designation of Chapter 4.06 Agriculture Preservation District (AG-P) to Chapter 4.07 Mini-Ag District (M-Ag): Legacy Development in the NE ¼ of Sec 1-T123N-R65W 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. 049:

Moved by Fischbach, seconded by Hansen to approve Second Reading and Adoption of Ordinance No. 049, An Ordinance amending Second Revision Brown County Ordinances to rezone the following described property from its present zoning designation of Chapter 4.06 Agriculture Preservation District (AG-P) to Chapter 4.07 Mini-Ag District (M-Ag): Plat of Fischer Richmond Lake Estates in the NE ¼ of Sec 23-124N-R65W 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. 050 – FIRST READING:

Moved by Knecht, seconded by Hansen to approve First Reading of Ordinance No. 050, An Ordinance amending Second Revision Brown County Ordinances, Title 4, specifically Chapter 4.01 Definitions and Chapter 4.19 Floodplain District (FP) regarding the new flood insurance rate map and flood insurance study that will become effective on March 18, 2008. All members present voting aye. Motion carried.

APPLICATION FOR OCCUPANCY:

Moved by Fischbach, seconded by Knecht to approve application, submitted by NorthWestern Energy for occupancy of Brown County Highway #14 in Sec 16-T123N-R63W, Brown County, SD to install natural gas pipeline. All members present voting aye. Motion carried.

BID AWARD - CULVERTS:

Moved by Knecht, seconded by Hansen to award low bid, submitted by Huron Culvert & Tank Company for furnishing and delivery of metal culverts and bridge material, as bid by Beadle County on January 8, 2008; 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.

HIGHWAY UPDATE:

Richard Burns, Interim Highway Superintendent recommended proceeding with the following bridge projects: Bridge #51 80/20 match of estimated cost @ \$865,000.00, Bridge #31 80/20 match of estimated cost @ \$411,000.00, to be bid by the SDDOT. Board concurred. Inquiry received from Don Widstrom, Liberty Township about options for obtaining gravel for township roads was referred to the Highway Department.

RICHMOND LAKE DAM STUDY:

The Commission discussed the request from the Office of the SD Commissioner of School and Public Lands for cost share funding for Richmond Lake Dam study. Gary Vetter, Scott Meints and Mary Clawson were also present for the discussion. A telephone conference with all interested parties will be held later.

RECESS:

The Chairman declared the Commission recessed until February 5, 2008.

Maxine Taylor – Brown County Auditor

FEBRUARY 4, 2008 - JOINT CITY/COUNTY MEETING

The Brown County Commission and the Aberdeen City Council met in joint session at 5:30 P.M. in the City Commission Chambers, 123 S Lincoln Street, Aberdeen, South Dakota. Present from City were Council Members Agnitsch, Aman, Bunsness, Campbell, Hodgins, Kraft, Mitchell, Rux and Mayor Levensen. Present from County were Commissioners Hansen, Fischbach and Wiese. Absent Commissioners Knecht and Feickert.

ORDINANCE NO. 08-01-02/359:

On motion by Mitchell and seconded by Agnitsch, the City unanimously voted to approve Second Reading and Adoption of Ordinance No. 08-01-02/359.

Moved by Fischbach, seconded by Hansen to approve Second Reading and Adoption of Ordinance No. 08-01-02/359, 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: Goldade Tract 1 in the NE ¼ of Sec 35-T123N-R64W of the 5th P.M., Brown County, SD, except Foot Creek. Roll call vote: Commissioners Hansen-aye, Fischbach-aye, Feickert-absent, Knecht-absent, Wiese-aye. Ordinance adopted.

ORDINANCE NO. 08-01-04/360:

On motion by Campbell and seconded by Aman, the City unanimously voted to continue the hearing for Ordinance No. 08-01-04/360 until next week (February 11, 2008).

Moved by Hansen, seconded by Fischbach to continue the hearing for Ordinance No. 08-01-04/360, An Ordinance to amend Ordinance No. 1164 – Part E of Section 5, until February 11, 2008 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 Hansen, seconded by Fischbach to adjourn the Brown County Commission. All members present voting aye. Motion carried.

Maxine Taylor - Brown County Auditor

FEBRUARY 5, 2008 – GENERAL MEETING

Meeting called to order by Chairman Wiese at 9:00 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 Joint City/County Meeting minutes of January 28, 2008 and the General Meeting minutes of January 29, 2008. All members present voting aye. Motion carried.

CLAIMS:

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

Payroll: Commissioners..\$2,991.00; Auditor..\$7,304.84; Treasurer..\$10,365.64; Data Processing..\$3,145.35; State's Attorney..\$12,489.29; Maintenance..\$5,870.16; Assessor..\$9,682.94; Register of Deeds..\$5,429.56; Veterans Service Office..\$2,793.77; GIS..\$1,848.00; Sheriff..\$68,865.28; Communications..\$15,208.09; Welfare Office..\$3,020.78; Museum..\$5,452.20; Fairgrounds & Parks..\$3,505.32; Fairboard..\$2,010.45; Extension..\$1,916.80; Weed..\$141.50; Planning and Zoning..\$1,520.00; Emergency Management..\$2,792.80; Teen Court..\$421.20; Highway..\$27,193.34; Landfill..\$8,280.14; Matching Benefits: FICA..\$11,924.15; Medicare..\$2,788.65;
Supplies: New Trends..\$137.99, CMRS-FP..\$5000.00, SD Dept of Revenue..\$1365.00, Exec Mgmt Finance..\$66.58, Central Supply..\$1811.05, Heartland Paper..\$3324.28, Tellinghuisen..\$53,164.85, Ecolab Pest..\$162.50, HKG..\$2098.20, Sanders Sew 'N Vac..\$52.70, 3-D Spec..\$266.11, Runnings..\$1674.38, Menards..\$496.34, Best Business..\$233.49, Deluxe Business Checks..\$254.00, Walmart..\$233.67, Lust..\$34.93, Racom..\$254.40, Langs..\$91.50, David Fair..\$227.84, Medtox..\$259.08, SDDOT..\$188.78, Reliable Office Supplies..\$63.06, Power Plan..\$301.50, North Central Rental..\$3825.00, Macs..\$140.74, Ken's Alignment..\$203.28, Great Western Tire..\$5747.65, Diesel Machinery..\$2075.00, Crawford Trucks..\$8263.47, CHN Capital..\$1357.00, Bridgestone..\$176.50, Kleins..\$7.60, JoAnn Meserve..\$62.50, Dakota Electronics..\$303.75, SD Dept of Rev..\$3099.74, Praxair..\$4152.28, Dakota Wood Grinding..\$5820.00, Lab Safety..\$606.97, Farm Power..\$922.44, Butler Machinery..\$5019.97;
Professional Fees: Clark Title..\$2573.76, Sheriff of Bon Homme County..\$35.32, Sheriff of York County..\$6.00, SD Assoc of County Commissioners..\$2904.00, Dakota Imaging..\$32.01, Avera St Lukes..\$875.32, Days Inn..\$50.99;
Publications: American News..\$484.36, Groton Indep..\$558.90;
Travel: Mike Wiese..\$418.30, Nancy Hansen..\$132.40, Ramkota..\$87.99, Dennis Feickert..\$194.15, Leo Leshner..\$181.30, Gene Loeschke..\$66.97, Lorah House Jankord..\$27.75, John McQuillen..\$1271.15, Chris Stucke..\$208.00;
Transcriptions: Tammy Erickson..\$120.00;
Utilities: FSH..\$60.00, Northwestern Energy..\$10,422.57, City of Aberdeen..\$578.05, Midcontinent Cable..\$97.28, Verizon..\$67.33, WEB..\$60.25;
Care of Poor: Dr/Hospital – 4 recipients..Dental Center..\$1194.99, Avera St Lukes..\$4125.53; Rent - 3 recipients..Richard Ludwig..\$195.00, Tom Appletoft..\$250.00, Danne..\$220.00; Transportation – 3 recipients..Aberdeen Ambulance Service..\$1531.44, Brown County..\$12.63. All members present voting aye. Motion carried.

PERSONNEL:

Moved by Feickert, seconded by Knecht to approve the following employee step increases, effective February 10, 2008: Brian Koens @ \$16.95 per hour, Mary Browning @ \$15.63 per hour, Tricia Jondahl @ \$12.62 per hour, Larry Harper @ \$12.32 per hour. All members present voting aye. Motion carried.

ABATEMENTS:

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Moved by Hansen, seconded by Fischbach to approve the following abatements: James Fetting @ \$80.00, Larry Kumpf @ \$2,324.07, Dennis Dahme @ \$631.44, Donald Thorsness @ \$97.64, William Long @ \$969.36, Lloyd Brick @ \$584.37. All members present voting aye. Motion carried.

SURPLUS PROPERTY:

Moved by Hansen, seconded by Knecht to declare 8 light bars surplus for purpose of donation to rural fire departments within Brown County from the Sheriff's Department. All members present voting aye. Motion carried.

BID – SHERIFF VEHICLE:

Moved by Knecht, seconded by Fischbach to approve the purchase of a 2008 Chevrolet Suburban from Lamb Chevrolet in total amount of \$32,723.00, as bid on State Contract #15270. All members present voting aye. Motion carried.

EXECUTIVE SESSION:

Moved by Feickert, seconded by Knecht to go into executive session for personnel discussion with Kim Dorsett, Maxine Taylor and Jan Beckler 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.

FLAG PRESENTATION:

A Flag was presented to the Brown County Sheriff Department by Kelly Kissner who was stationed at Bagram Airfield, Afghanistan, acting on FBI authority in support of our armed forces to fight terrorism. The Certificate that accompanied the flag said "flag was flown with great honor and pride over the compound of our nations elite task forces fighting in the global war on terrorism in remembrance of all who lost their lives on the 11th of September, 2001".

VACATE PLAT:

Commissioner Hansen offered the following Resolution:

RESOLUTION NO. 14-08

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

Podoll's First Heritage Subdivision in the NW ¼ of the SW ¼ of Sec 9-T125N-R63W of the 5th P.M., 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:

Podoll's First Heritage Subdivision in the NW ¼ of the SW ¼ of Sec 9-T125N-R63W of the 5th P.M., Brown County, South Dakota

is hereby vacated.

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

ORDINANCE NO. 050:

Moved by Hansen, seconded by Knecht to approve Second Reading and Adoption of Ordinance No. 050, An Ordinance amending Second Revision Brown County Ordinances, Title 4, specifically Chapter 4.01 Definitions and Chapter 4.19 Floodplain District (FP) regarding the new flood insurance rate map and flood insurance study that will become effective on March 18, 2008. Roll call vote: Commissioners Hansen-aye, Fischbach-aye, Feickert-aye, Knecht-aye, Wiese-aye. Ordinance adopted.

BCCHC REPORT:

DeAnna Kyburz presented the Brown County Community Health Center Report for October – December 2007.

JAIL UPDATE:

John VanderHoek, Jail Administrator discussed the 24/7 Sobriety Program, purchase of radios, and grant funding being pursued.

TEMPORARY CONSTRUCTION EASEMENT:

Moved by Fischbach, seconded by Knecht to approve and authorize the Chairman to sign application to the Burlington Northern and Santa Fe Railway Company for temporary occupancy easement to facilitate the construction of a replacement bridge on County Highway #10, located just upstream from the railroad bridge. All members present voting aye. Motion carried.

FORCE ACCOUNT AGREEMENT:

Moved by Feickert, seconded by Hansen to approve and authorize the Chairman to sign Force Account Agreement with the SD Department of Transportation for reimbursement to the county for eligible costs associated with the following approved Emergency Relief projects: ER 6599(04) @ \$7,841, ER 6251(08) @ \$11,394, ER 6462(03) @ \$83,472, ER 6452(03) @ \$7,030, with reimbursement based on available funding. All members present voting aye. Motion carried.

FUEL CONTROL SYSTEM:

Moved by Hansen, seconded by Fischbach to approve purchase of fuel control system at the Highway Department to be used by all entities fueling at the Department. All members present voting aye. Motion carried.

BID DATES SET FOR HIGHWAY:

Moved by Feickert, seconded by Fischbach to authorize advertising public hearing to open, read and consider the following bids for the Highway Department, to be held in the Commissioner's Chambers, Courthouse Annex, Brown County, SD: Hot Mix at 8:45 a.m. and Gravel Material at 9:00 a.m. on February 26, 2008; and Rental of Equipment at 8:45 a.m. on March 11, 2008. All members present voting aye. Motion carried.

HENRY TOWNSHIP PROPERTY:

Lena Cox, Henry Township resident discussed a discrepancy between the legal description of a lot owned by the Township and the property she owns in the unincorporated Town of James. The Commission agreed to waive county planning fees when the property is platted to clarify the boundaries and ownership.

PLAT DISCUSSION:

Gary Vetter, Planning/Zoning Administrator discussed plats to be filed at the Register of Deeds Office at no cost.

BMX TRACK:

Kyle Oswald, BMX Track Supervisor met to inquire about future of land adjacent to the Boys and Girls Club and if the BMX Track's location was in jeopardy. The Commission stated that no request has been received from the Boys and Girls Club for purchase or lease of county property.

LANDFILL UPDATE:

Mike Scott, Landfill Manager presented preliminary cost estimates for the new cell and requested to purchase equipment from the SD Federal Property Agency. Board concurred.

AGREEMENT:

Moved by Fischbach, seconded by Knecht to approve and authorize the Chairman to sign Agreement for Professional Services with Helms and Associates for the Brown County Landfill Expansion Project at an estimated cost of \$205,400.00. All members present voting aye. Motion carried.

FEES WAIVED:

Moved by Fischbach, seconded by Hansen to waive Landfill fee for disposal of a mobile home owned by David Holsworth, due to destruction by fire of primary residence and lack of insurance. All members present voting aye. Motion carried.

RECESS:

The Chairman declared the Commission recessed until February 12, 2008.

Maxine Taylor – Brown County Auditor

FEBRUARY 11, 2008 - JOINT CITY/COUNTY MEETING

The Brown County Commission and the Aberdeen City Council met in joint session at 5:30 P.M. in the City Commission Chambers, 123 S Lincoln Street, Aberdeen, South Dakota. Present from City were Council Members Agnitsch, Aman, Bunsness, Campbell, Hodgins, Kraft, Mitchell, Rux and Mayor Levsen. Present from County were Commissioners Feickert, Fischbach and Wiese. Absent Commissioners Knecht and Hansen.

ORDINANCE NO. 08-01-04/360:

Motion by Bunsness and seconded by Campbell to refer Ordinance No. 08-01-04/360 to Aberdeen City Planning and Zoning for further review and recommendation. Motion carried.

Moved by Fischbach, seconded by Feickert to refer Ordinance No. 08-01-04/360, An Ordinance to amend Ordinance No. 1164 – Part E of Section 5 to Aberdeen City Planning and Zoning for further review and recommendation. 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.

Maxine Taylor - Brown County Auditor

FEBRUARY 12, 2008 – GENERAL MEETING

Meeting called to order by the 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 Joint City/County meeting minutes of February 4, 2008 and the General Meeting minutes of February 5, 2008. All members present voting aye. Motion carried.

CLAIMS:

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

Supplies: Heartland Paper..\$3050.25, Simplex..\$264.88, Central Supply..\$314.50, Taylor Laundry..\$56.00, Ecolab..\$185.00, New Trends..\$20.99, First Safety First..\$304.70, DT Pharmacy..\$754.27, BP Amoco..\$222.06, Cash Wa..\$3750.95, Accurint..\$30.00, Tri State Water..\$34.25, Taylor Laundry..\$35.00, Bonnie Bitz..\$120.00, Dakota Electronics..\$3271.65, Trail Chev..\$222.68, Jail Craft..\$123.04, Mike Ernst..\$10.80, Lar Jos..\$63.45, Chris & Dons..\$92.00, Tom Schmitt..\$90.03, MES Companies..\$8260.00, Quality Quick Print..\$364.03, Dicks Westside..\$32.75, Exhaust Pros..\$22.95, Sewing Shoppe..\$51.50, Office Equip..\$83.12, George Sumption..\$200.00, Sheehan Mack Sales..\$9401.55, Share Corp..\$113.00, Safety Service..\$635.85, Runnings..\$97.88, Plastic Works..\$6380.00, Midwest Pump & Tank..\$112.57, Menards..\$337.50, Light & Siren..\$79.79, Interstate Battery..\$79.95, Howes Oil..\$21,569.25, Hollands Auto..\$24.07, Hecla Impl..\$20.00, Graham Tire..\$532.98, Farnams..\$136.06, Evergreen..\$132.74, Economy Propane..\$2886.00, Diesel Machinery..\$2041.02, Dakota Oil..\$1083.80, Dakota Fluid Power..\$94.17, Cunningham Elec..\$46.92, HC Clark..\$378.31, Clark Engineering..\$1211.13, Cass County Heating..\$34.36, Cartney Bearing..\$65.34, Richard Burns..\$10.62, Chris Allen..\$500.00, Sherwin Williams..\$93.34, Hub City Radio..\$500.00, Dacotah Prairie Merchantile..\$26.95, UBC..\$325.20, Kleins..\$53.85, Glas Consulting..\$191.25, Ameripride..\$163.51, Exhaust Pros..\$222.00, Lust Chev..\$2.62, Terry Voeltz..\$3000.00, Brick Propane..\$44.85, Division of Motor Vehicles..\$6.00, Farnams..\$2.49, Heartland Paper..\$888.37, PRCA..\$600.00, Dive Rescue..\$429.39, Walmart..\$11.80, Advanced Weighing..\$116.33, Erdmann Fuels..\$6952.94, Hedahls..\$181.42, Bricks TV..\$16.50, Minnesota Pollution..\$240.00, SD Fed Property Agency..\$212.50, Dakota Fluid Power..\$312.57, North Central Steel..\$527.23, Cole Papers..\$81.84, Advanced Auto..\$206.16, Aberdeen Rural Fire Dept..\$100.00, HJ Industries..\$1564.50, USPO..\$104.00, Webb Shoe..\$194.95, Fastenal..\$3344.60, SD Teen Court..\$50.00:

Professional Fees: witness fees..\$664.72, Avera St Lukes..\$2307.01, Dept of Social Services..\$16,245.00:

Publications: American News..\$672.22:

Transcriptions: Richard Neal..\$269.80:

Utilities: Northwestern Energy..\$9234.53, Northern Valley..\$140.88, James Valley Coop..\$151.94, Town of Frederick..\$32.25, WEB..\$47.90, Qwest..\$52.44, Northern Elec..\$2190.22, City of Aberdeen..\$719.10, Verizon..\$115.03, Dependable Sanitation..\$15,553.12, Northern Wireless..\$61.95:

Care of Poor: Dr/Hospital –5 recipients..Avera St Lukes..\$4652.26, Aberdeen Family Physicians..\$39.93, Northern Plains OMS..\$46.30; Rent - 3 recipients..Bruce Boschee..\$225.00, Danne..\$110.00, Tom Appletoft..\$185.00. All members present voting aye. Motion carried.

PERSONNEL:

Moved by Feickert, seconded by Fischbach to approve employee status change for Dawn Reiners and Amber Crouch from part-time employee to permanent part-time employees in the jail, effective February 10, 2008 at \$10.07 per hour. All members present voting aye. Motion carried.

Moved by Feickert, seconded by Fischbach to acknowledge resignation of Ross Erickson and Kyle Fadness from the Sheriff Department, effective February 25, 2008. All members present voting aye. Motion carried.

Moved by Fischbach, seconded by Feickert to approve hiring Joseph Embury, effective March 3, 2008 and Charles Tveit and Timothy Harford, effective February 19, 2008 as full-time correction officers in the Jail at \$12.03 per hour. All members present voting aye. Motion carried.

MALT BEVERAGE HEARING SET:

Moved by Fischbach, seconded by Feickert to authorize advertising public hearing to consider the following application for a Retail (On-Off Sale) Malt Beverage License, to be held in the Brown County Commission Chambers, Courthouse Annex at 8:45 a.m. on March 4, 2008: Retail (on-off sale) Malt Beverage License: Aberdeen Hockey Association, Inc., PO Box 515 Aberdeen, SD – Brown County Fairgrounds SW ¼ of Sec 1-T123N-R64W of the 5th P.M. (Odde Hockey Building – map indicating specific building on file with application). All members present voting aye. Motion carried.

PLATS:

Commissioner Feickert offered the following Resolution:

RESOLUTION NO. 15-08

BE IT RESOLVED by the Board of County Commissioners of Brown County, SD, that the plat showing “Kolb Subdivision in the NE ¼ of Sec 4-T125N-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 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. 16-08

BE IT RESOLVED by the Board of County Commissioners of Brown County, SD, that the plat showing “Didreckson Subdivision in the NW ¼ of Sec 26-T123N-R65W of the 5th P.M., Brown County, SD”, having been examined, is hereby approved in accordance with the provisions of SDCL 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. 17-08

BE IT RESOLVED by the County Commission of Brown County, SD, that the plat showing “WEB Water Lot 1 in SW ¼ Sec 35-T122N-R60W of 5th P.M., Brown County, SD”, having been examined, is hereby approved in accordance with the provisions of SDCL of 1967, Chapter 11-3, and any amendments thereof.

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

ORDINANCE NO. 047:

Time and place for second reading and possible adoption of Ordinance No. 047. Attorney Gerald McNeary and Attorney Rory King presented testimony against adoption of the ordinance. After discussion the following action ensued: Moved by Feickert, seconded by Fischbach to deny adoption of Ordinance No. 047, An Ordinance amending Second Revision Brown County Ordinances to rezone the following described property from its present zoning designation of Chapter 4.06 Agriculture Preservation District (AG-P) to Chapter 4.11 Rural Urban District (RU): Replat of Miller's Outlot F in the SE ¼ of Sec 24-T124N-R65W of the 5th P.M., Brown County, SD. Roll call vote: Commissioners Hansen-aye, Fischbach-aye, Feickert-aye, Knecht-absent, Wiese-aye. Ordinance denied.

LEASE DISCUSSION:

States Attorney Kim Dorsett and Fairgrounds Manager Kurt Smith discussed lease addendum for house at Richmond Lake to increase deposit amount. Board concurred.

EXECUTIVE SESSION:

Moved by Hansen, seconded by Feickert to go into executive session for personnel discussion with Richard Burns and Mark Wendt 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 Hansen to authorize Interim Highway Superintendent Richard Burns establish a personal cell phone use policy for the Highway Department. All members present voting aye. Motion carried.

BUILDING PERMIT FEE SCHEDULE:

David Heyd and Joel Durheim met to request the penalty for not obtaining a building permit be waived or lowered. The Commission will take under advisement.

RECESS:

The Chairman declared the Commission recessed until February 19, 2008.

Maxine Taylor – Brown County Auditor

FEBRUARY 19, 2008 – 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 Fischbach to approve the Joint City/County Meeting minutes of February 11, 2008 and the General Meeting minutes of February 12, 2008. All members present voting aye. Motion carried.

CLAIMS:

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

Payroll: Commissioners..\$2,991.00; Auditor..\$7,316.84; Treasurer..\$10,365.64; Data Processing..\$3,145.35, State's Attorney..\$12,913.29; Maintenance..\$5,877.78; Assessor..\$11,654.22; Register of Deeds..\$5,429.56; Veterans Service Office..\$2,967.65; GIS..\$1,848.00; Sheriff..\$67,621.98; Communications..\$15,069.46; Welfare Office..\$3,020.78; Museum..\$5,452.20; Fairboard..\$1,676.42; Fairgrounds & Parks..\$3,505.32; Extension..\$1,916.80; Weed..\$594.39; Planning & Zoning..\$1,520.00; E & D..\$2,792.80; Teen Court..\$421.20; Highway..\$27,040.14; Landfill..\$7,875.60; Coroner..\$150.00; Matching Benefits: FICA..\$11,975.86; Medicare..\$2,800.79;

Supplies: Best Business..\$296.19, Office Equip..\$10.43, New Trends..\$66.57, Office Equip..\$116.34, Heartland Paper..\$296.21, Custom Sheet Metal..\$37.00, House of Glass..\$34.00, Janitors Closet..\$92.52, Aberdeen Plumbing..\$191.58, SOS Garage Door..\$70.80, Lust Chev..\$32.95, Avera St Lukes..\$51.00, Gardner Locksmith..\$71.00, Kessler..\$392.22, Earthgrains..\$502.54, OK Tire..\$241.60, Duanes Amoco..\$45.20, Midwest Alarm..\$204.00, City of Groton..\$121.36, Hoven Auto Repair..\$54.50, McQuillen Creative Group..\$636.00, Carquest..\$1809.22, Avera Queen of Peace..\$53.50, Ameripride..\$214.45, Jan Weismantel..\$2.96, 3-D Spec..\$1772.00, SD Division of Motor Vehicles..\$8.00, Poms Tire..\$100.90, M-R Signs..\$368.86, Fastenal..\$5243.81, Chets Janitorial Supplies..\$95.00, Nathan Cantwell..\$145.00, Kleins..\$45.76, Office Max..\$715.33, Photo Xpress..\$13.56, Pheasantland Industries..\$292.18, Academy Trophy..\$48.00, Runnings..\$101.72, Premier Auto..\$2825.41, Horticulture..\$31.95, Quality Quick Print..\$72.35, Extension Service..\$248.91, Haztech Systems..\$147.47, Lab Safety Supply..\$583.40, Propac..\$2039.29, Kevin Vaughn..\$5789.00, Northwest Divers..\$1718.00, Priority Dispatch..\$620.00, SD DENR..\$100.00;

Professional Fees: City of Aberdeen..\$3346.18, witness fees..\$40.00, Sheriff of Yankton County..\$25.00, Lewis & Clark BHS..\$390.00;

Attorney Fees: Kabeiseman & Pollard..\$166.00, Harmelink, Fox..\$137.70;

Publications: Dakota Press..\$1127.23;

Travel: Comfort Inn..\$60.00;

Transcriptions: Richard Neal..\$102.60, Tammy Erickson..\$80.00;

Utilities: Dependable Sanitation..\$371.00, NW Energy..\$3169.35, Northern Elec..\$9.40, City of Hecla..\$137.36, Qwest..\$2018.69, James Valley Comm..\$211.13, Alltel..\$95.41, Bureau of Admin..\$487.62;

Care of Poor: Dr/Hospital – 9 recipients..Dakota Imaging..\$376.62, Avera St Lukes..\$12,827.16, North Central Heart..\$1197.45, Dr James Weekly..\$1349.49; Transportation - 1 recipient..Brown County..\$43.38; Medication – 4 recipients..Walmart Pharm..\$89.50, Kessler Pharm..\$109.61. All members present voting aye. Motion carried.

PERSONNEL:

Moved by Feickert, seconded by Hansen to approve the following employee step increases, effective February 24, 2008: Jan Weismantel @ \$15.15 per hour, Margaret Unser @ \$12.49 per hour, Bill Moon @ \$12.40 per hour. All members present voting aye. Motion carried.

Moved by Feickert, seconded by Fischbach to approve hiring Jonathan Waldner as guard for purpose of prisoner transport, effective February 11, 2008. All members present voting aye. Motion carried.

Moved by Hansen, seconded by Fischbach to approve hiring Mary Mehaffey, Judon Aldinger and Amber Johnson, as Dispatchers, effective February 4, 2008 at \$12.30 per hour. All members present voting aye. Motion carried.

ABATEMENTS:

Moved by Hansen, seconded by Feickert to approve the following abatements: Neko Resources, Inc @ \$3,945.26, Basin Electric Power Coop @ \$200,611.40, Northwestern Corporation @ \$2,116.73. All members present voting aye. Motion carried.

LEASE AGREEMENT:

Moved by Hansen, seconded by Feickert to approve agreement, submitted by the Aberdeen Humane Society for lease of the Club House on April 19 – 20, 2008. All members present voting aye. Motion carried.

LANDFILL AGREEMENT:

Moved by Feickert, seconded by Hansen to approve and authorize the Chairman to sign agreement with Leggette, Brashears and Graham, Inc. for completion of Hydrogeological Assessment for the expansion area at the Brown County Landfill at estimated cost of \$33,876.00. All members present voting aye. Motion carried.

EQUIPMENT STORAGE AT FAIRGROUNDS:

Kurt Smith, Fairgrounds Manager met to discuss request from Scott Madsen to store private business equipment at the Fairgrounds. A decision will be made at the March 4, 2008 General Meeting.

APPLICATION FOR OCCUPANCY:

Moved by Fischbach, seconded by Feickert to approve request submitted by Dalager Engineering Co on behalf of Northern Electric Coop for occupancy of various sites in the County for inspection and repair of existing utilities, with the stipulation that Northern Electric cannot cut through any Brown County roads, all repairs must be done by boring under Brown County roads. All members present voting aye. Motion carried.

BID AWARD – TIRES:

Moved by Hansen, seconded by Feickert to award state bid contract #15255 for tires, as contracted between the State of South Dakota and the Goodyear Tire and Rubber Company, effective November 1, 2007, to be purchased from local authorized dealer Graham Tire Company for the Highway Department. All members present voting aye. Motion carried.

BID AWARD – PICKUPS:

Moved by Feickert, seconded by Fischbach to award the following bids for the highway department: State Contract #15270 with Lamb Chevrolet for one 2008 Chevrolet Silverado ¾ ton 4x4 crew cab Pickup Truck in amount of \$23,214.00; State Contract #15269 with Lamb Motor Co. for one 2008 Ford F250 ¾ ton 4x4 extended cab Pickup Truck in amount of \$22,176.00. All members present voting aye. Motion carried.

EXECUTIVE SESSION:

Moved by Hansen, seconded by Feickert to go into executive session to discuss 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 Fischbach, seconded by Feickert to retain Timothy J Lamb PC to coordinate County involved litigation in Colorado in amount not to exceed \$3,000.00 unless prior approval given by the County. all members present voting aye. Motion carried.

Moved by Hansen, seconded by Feickert to hire Penny Hart, as Chief Office Deputy in the States Attorney's Office, effective March 10, 2008 at \$16.04 per hour, with additional \$3.50 per hour for secretarial duties for the Victims Assistance Program. All members present voting aye. Motion carried.

ABERDEEN HOUSING AUTHORITY – LANDFILL FEE DISCUSSION:

Bryan Samson, Deputy Director Aberdeen Housing Authority presented information about an application Aberdeen Housing Authority will submit to the South Dakota Housing Authority for Home Funds and Tax Credits for a housing project in Aberdeen; requesting that landfill fees be waived for the construction project. Mike Scott, Landfill Manager was also in attendance and after discussion, the following action ensued. Moved by Fischbach, seconded by Hansen to waive landfill fees for this project. The vote was 3-aye, 1-nay, 1-absent. Motion carried.

RECESS:

The Chairman declared the Commission recessed until February 26, 2008.

Maxine Taylor – Brown County Auditor

FEBRUARY 26, 2008 – 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 February 19, 2008. All members present voting aye. Motion carried.

CLAIMS:

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

Supplies: CMRS-FP..\$5000.00, Florida Micro..\$68.60, New Trends..\$392.44, Penton Tech..\$99.95, SonicWALL..\$335.00, Shafer & Feld..\$332.95, Lien Trans..\$295.00, Aberdeen Plumbing..\$87.26, Crescent Elec..\$87.73, Menards..\$54.21, Office Equip..\$310.05, Grafix..\$415.31, Eddie's Northside..\$12.00, Bob Barker..\$83.85, Double D..\$9308.59, Moore Medical..\$102.92, Lust Chev..\$131.35, Evercom..\$1900.00, Ultramax..\$1131.71, Exhaust Pros..\$24.20, Aberdeen School Dist..\$6.07, Civic Research Inst..\$169.95, Shell Fleet..\$79.51, HSBC..\$298.08, North Central Leasing..\$3960.00, M-R Signs..\$99.93, Habecks Radiator..\$142.00, Erdmann Fuels..\$4688.81, Caspers Hwd..\$229.50, Anderson Ind..\$487.50, Nadric..\$1666.66, Walmart..\$42.57, Kleins..\$24.17, Great Getaways..\$500.00, SDNA Dist 4..\$800.00, Best Business..\$4720.00, Language Lines..\$90.00, Hagenmeyer..\$3847.80, B&H Photo..\$2580.00, Mick's Scuba..\$7519.72, Command Concepts..\$371.00, Pizza Ranch..\$58.94, SD Dept of Rev..\$20.00:

Professional Fees: witness fees..\$63.68, Avera St Lukes..\$806.31, Sheriff of Yankton County..\$323.75:

Attorney Fees: Randy Turner..\$4435.27, Gina Rogers..\$4166.67, William Gerdes..\$4166.67, Kuck Law Office..\$4166.67, Christy Serr..\$4416.67, Gary Mikelson..\$282.45:

Publications: American News..\$1287.34:

Travel: Emily Hughes..\$118.40, Mike Wiese..\$280.29:

Transcriptions: Sara Van de Walle..\$50.40:

Utilities: Alltel..\$1012.30, Midcontinent Cable..\$139.15, Verizon..\$21.87, Northwestern

Energy..\$105.24, Montana Dakota..\$28.83, Qwest..\$2499.66, Northern Elec..\$100.00:

Care of Poor: Dr/Hospital – 5 recipients..Dr James Weekly..\$112.98, Aberdeen Family

Physicians..\$476.97, Avera St Lukes..\$15389.46; Rent - 3 recipients..Eddie Falcon..\$216.00, White House Inn..\$198.00. All members present voting aye. Motion carried.

PERSONNEL:

Moved by Hansen, seconded by Fischbach to acknowledge resignation of Todd Sandal from Sheriff Department, effective March 1, 2008. All members present voting aye. Motion carried.

Moved by Hansen, seconded by Knecht to approve hiring Shawn Mestas as full-time Corrections Officer, effective February 25, 2008 at \$12.03 per hour; and approve hiring Britney Lout, Kimberly Fischbach and Brandy Schwartz as part-time JDC Officers, effective February 27, 2008 at \$10.07 per hour. All members present voting aye. Motion carried.

Moved by Feickert, seconded by Knecht to approve hiring Deb Heine as guard for purpose of prisoner transport, effective February 22, 2008. All members present voting aye. Motion carried.

LEASE AGREEMENTS:

Moved by Knecht, seconded by Fischbach to approve the following agreements for lease of the Richmond Lake Youth Camp: Melgaard Park Baptist Church on June 22 – 29, 2008, Roncalli High School on September 4 – 4, 2008, Camp Good News on July 26 – August 1, 2008; and to approve lease of the Expo

Building to American Cancer Society Relay For Life on June 6 – 7, 2008. All members present voting aye. Motion carried.

LOTTERY APPLICATION:

Moved by Knecht, seconded by Fischbach to approve the application submitted by Stratford Community Theater for raffle to be held on March 2, 9 and 15, 2008. All members present voting aye. Motion carried.

CLAIM ASSIGNMENT:

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

ABATEMENTS – RESCIND:

Moved by Fischbach, seconded by Hansen to rescind action taken on February 19, 2008 in regard to abatements for Nekota Resources, NW Corp and Basin Electric, as information was not complete. All members present voting aye. Motion carried.

ABATEMENTS:

Moved by Knecht, seconded by Feickert to approve the following abatements: Linda Storm @ \$271.74, Fred Retzlaff @ \$85.80, Chad Casey @ \$414.77. All members present voting aye. Motion carried.

FAIR PARTICIPANT AGE:

Moved by Fischbach, seconded by Feickert to require everyone in the pit area and participants to be at least 18 years of age for the Antique Tractor Pull Events and the Auto Demolition Derbies held during the Brown County Fair, per recommendation from insurance carrier. 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. Moved by Fischbach, seconded by Feickert to award all of the bids, purchasing various quantities based on availability and location: Aberdeen Asphalt - Class "D" Type II (1/2 inch) in amount of \$49.50 per ton and Class "D" Type I (3/4 inch) in amount of \$49.50 per ton; Lien Transportation - Class "D" Type II (1/2 inch) @ \$55.00 per ton and Class "D" Type II (3/4 inch) @ \$55.00 per ton; Serocki Excavating - Class "D" Type II (1/2 inch) @ \$48.50 per ton and Class "D" Type II (3/4 inch) @ \$44.80 per ton. 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 B.W. Morrison Construction, Leola; Trins Construction, Aberdeen; Violet Dinger, Hecla; Fred Ludwig Trucking, Aberdeen; Hanlon Brothers, Verdon; Jensen Rock & Sand Inc, Mobridge; H F Jacobs & Son Construction Inc, Aberdeen. 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.

BRIDGE RE-INSPECTION:

Commissioner Hansen offered the following Resolution:

RESOLUTION NO. 18-08 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 107 bridges in Brown County that require inspection.

Dated this 26th day of February 2008, at Aberdeen, SD.

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

EXECUTIVE SESSION:

Moved by Hansen, seconded by Knecht 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.

HOSPITAL CLAIM:

Moved by Hansen, seconded by Knecht to deny payment of the hospital bill for a 37 year old female @ \$9,502.61, as the individual has not provided sufficient information to determine if indigent. All members present voting aye. Motion carried.

SET HEARING DATE:

Moved by Feickert, seconded by Fischbach to authorize advertising public hearing to be held at 9:15 a.m. on March 11, 2008 in the Commission Chambers, Courthouse Annex, Brown County, SD for First Reading of the following: Ordinance No. 051, An Ordinance to rezone the following property from Chapter 4.06 Agricultural Preservation District (AG-P) to Chapter 4.10 Lake Front Residential District (R-3): Lots 1-3 First Subdivision of Bauer's Outlot 1, Lots 5-9 First Subdivision of Bauer's Outlot, Lots 1-6 Second Subdivision of Bauer's Outlot and Lot 3 of Bauer's Third Addition in the SW ¼ of Sec 7-T123N-R65W of the 5th P.M., Brown County, SD. All members present voting aye. Motion carried.

PLATS:

Commissioner Knecht offered the following Resolution:

RESOLUTION NO. 19-08

BE IT RESOLVED by the County Commission of Brown County, SD, that the plat showing "Didreckson's Outlots 1 and 2 in NW ¼ Sec 26-T123N-R65W of the 5th P.M., Brown County, SD", having been examined, is hereby approved in accordance with the provisions of SDCL of 1967, Chapter 11-3, and any amendments thereof.

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

Commissioner Feickert offered the following Resolution:

RESOLUTION NO. 20-08

BE IT RESOLVED by the Board of Commissioners of Brown County, SD, that the plat showing "Walberg's Outlot 2 in the E ½ of Sec 21-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 Knecht. Roll call vote: Commissioners Hansen-aye, Fischbach-aye, Feickert-aye, Knecht-aye, Wiese-aye. Resolution adopted.

Commissioner Knecht offered the following Resolution:

RESOLUTION NO. 21-08

BE IT RESOLVED by the Board of Commissioners of Brown County, SD, that the plat showing "Beaman Tract 1 in the NE ¼ of Sec 9-T123N-R62W of the 5th P.M., Brown County, SD", having been examined, is hereby approved in accordance with the provisions of SDCL of 1967, Chapter 11-3, and any amendments thereof.

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

BUILDING PERMIT FEE SCHEDULE AMENDED:
Commissioner Feickert offered the following Resolution:

RESOLUTION NO. 22-08

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 fee schedule established by Resolution No. 47-07, be amended, and

WHEREAS, it has been determined that fees will be based upon 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, and

WHEREAS, it has been determined that an administrative fee 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% (1/2 %) surcharge, if fail to obtain a building permit prior to construction
- \$50.00 administrative fee, if fail to obtain a building permit prior to construction

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

LANDFILL CONTRACT RENEWAL:

Moved by Feickert, seconded by Knecht to approve and authorize the Chairman sign renewal option #3 with Dependable Sanitation, effective March 1, 2008 – March 1, 2011 for solid waste and yard waste collection services for the Brown County container sites, as authorized by initial contract dated January 28, 2002. All members present voting aye. Motion carried.

LANDFILL AGREEMENT:

Moved by Feickert, seconded by Hansen to approve and authorize the Chairman to sign agreement with Leggette, Brashears and Graham, Inc. for completion of ground water monitoring, methane monitoring, storm water monitoring, leachate monitoring, compost monitoring, and general environmental hydrogeologic consulting for the existing solid waste site at the Brown County Landfill at estimated cost of \$47,791.00. All members present voting aye. Motion carried.

RECESS:

The Chairman declared the Commission recessed until March 4, 2008.

Maxine Taylor – Brown County Auditor

MARCH 4, 2008 – 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 Hansen, to approve the General Meeting minutes of February 26, 2008. All members present voting aye. Motion carried.

CLAIMS:

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

Payroll: Commissioners..\$2,991.00; Auditor..\$7,342.44; Treasurer..\$10,376.79; Data Processing..\$3,145.35, State's Attorney..\$12,143.29; Blood Draws – SA..\$525.00; Maintenance..\$5,759.40; Assessor..\$9,941.03; Planning & Zoning..\$1,520.00; Register of Deeds..\$5,461.64; Veterans Service Office..\$2,967.65; GIS..\$1,848.00; Sheriff..\$69,489.91; Communications..\$18,020.51; Welfare Office..\$3,020.78; Museum..\$5,452.20; Fairboard..\$1,096.85; Fairgrounds & Parks..\$3,505.32; Extension..\$1,916.80; Weed..\$678.48; Emergency Management..\$2,792.80; Teen Court..\$1,058.52; Highway..\$27,223.78; Landfill..\$7,576.58; Matching Benefits: FICA..\$11,924.15, Medicare..\$2,788.65, Wellmark BCBS Life..\$666.70, Wellmark BCBS Health..\$64,092.80, Delta Dental..\$4,088.00, SD State Retirement..\$37,439.30;
Supplies: Dakota Mailing..\$160.90, Thomson West..\$1451.83, Quality Quick Print..\$1433.85, Florida Micro..\$1367.46, Menards..\$301.59, Vapor Power..\$1188.65, Runnings..\$161.32, Galls..\$134.28, Tellinghuisen..\$186,230.15, Heartland Paper..\$24.25, Exec Mgmt..\$3129.95, Best Business..\$270.18, Medtox..\$64.18, Timekeeping System..\$95.00, Infinity Gear..\$5562.05, Service Signs..\$45.58, Racom..\$339.20, Walmart..\$405.09, Moore Medical..\$323.77, Hagan Ins..\$314.00, SDACHS..\$260.00, Snap On..\$135.00, Share..\$147.40, Sanitation Products..\$1225.08, Macs..\$35.09, Lawson Products..\$84.88, Larson Blacksmith..\$300.00, Howes Oil..\$21,100.80, Great Western..\$10,151.12, Erdmann Fuels..\$1431.36, Diesel Machinery..\$2075.00, HC Clark..\$154.54, Butler Machinery..\$247.29, Bridgestone..\$203.00, Dacotah Prairie Museum..\$20.00, Lora Schaunaman..\$6.85, Advantage Self Storage..\$129.00, Farnams..\$15.50, Fastenal..\$132.21, Dakota Supply Group..\$152.40, Carquest..\$856.39, Shopko..\$20.37, HSBC..\$14.27, SD Federal Property..\$15,900.00, Best Western..\$141.00, Crucial Tech..\$239.92, Inventory Trading..\$198.00, Motorola..\$37,244.76, Firestone..\$20,928.28, Fawn Lake Welding..\$1470.00, Custom Glass..\$345.48, LBG..\$3931.24;
Professional Fees: witness fees..\$20.00, Dakota Imaging..\$12.82, Nelva Kooistra..\$30.00, Cathy Rehfuess..\$30.00, Donna Dietrich..\$268.32, Sheriff of Yankton County..\$50.00, Avera St Lukes..\$2712.00, Eide Bailly..\$234.00;
Publications: American News..\$184.16;
Travel: Dennis Feickert..\$157.62, Kathy Fischer..\$160.58, Gene Loeschke..\$80.29, Allan Vietmeier..\$78.44, Roger Johnson..\$102.26;
Transcriptions: Shepherd Reporting..\$50.00;
Utilities: Northwestern Energy..\$11,246.44, City of Aberdeen..\$844.19, Qwest..\$73.01, Midcontinent Cable..\$194.56, WEB..\$93.44, Alltel..\$120.77;
 Care of Poor: Dr/Hospital – 5 recipients..Dr Heloise Westbrook..\$79.86, Dental Center..\$129.83, Anesthesia Care..\$188.00; Burial - 1 recipient..City of Aberdeen..\$400.00; Utilities – 2 recipients..Brick Propane..\$260.00, NWPS..\$440.00. All members present voting aye. Motion carried.

PERSONNEL:

Moved by Feickert, seconded by Fischbach to approve the following employee step increases, effective March 9, 2008: Carl Wright @ \$15.02 per hour, Roy Hedges @ \$12.40 per hour, Cindy Mitchell @ \$14.93 per hour, JoAnn Sheffield @ \$11.65 per hour, John Heidenreich @ \$12.75 per hour. All members present voting aye. Motion carried.

Moved by Hansen, seconded by Knecht to acknowledge resignation of Teoni Taylor as Fair Secretary, effective February 27, 2008. All members present voting aye. Motion carried.

ABATEMENT:

Moved by Hansen, seconded by Knecht to approve the following abatement: John Anderson @ \$325.17. All members present voting aye. Motion carried.

SET HEARING DATE:

Moved by Hansen, seconded by Knecht to set public hearing for 5:30 p.m. on March 24, 2008 in the Aberdeen City Council Chambers, 123 S Lincoln Street for First Reading of the following: Ordinance No. 08-03-01/361, An Ordinance to rezone the following property from Section 701 (A-1) Agricultural District to Section 714 (M-AG) Mini-Agricultural District: Lot 7, Block 1, Richmond Heights Subdivision in the SE ¼ of Sec 32-T124N-R64W of the 5th P.M., Brown County, SD. All members present voting aye. Motion carried.

SHERIFF REPORTS:

Moved by Hansen, seconded by Knecht to approve the following January 2008 Sheriff Reports: Incidents and Offenses, Prisoner Care, JDC, Money deposited with the County Treasurer and Monthly activities. All members present voting aye. Motion carried.

NOXIOUS WEED NOTICE:

Moved by Feickert, seconded by Knecht to authorize advertising the 2008 Noxious Weed Notice. All members present voting aye. Motion carried.

MALT BEVERAGE LICENSE HEARING:

Time and place, as advertised for public hearing to consider application, submitted by Aberdeen Hockey Association for an annual Retail (on-off sale) Malt Beverage License. Moved by Hansen, seconded by Knecht to approve the following application for a Retail (On-Off Sale) Malt Beverage License, effective until June 30, 2008: Retail (on-off sale) Malt Beverage License: Aberdeen Hockey Association, Inc., PO Box 515 Aberdeen, SD – Brown County Fairgrounds SW ¼ of Sec 1-T123N-R64W of the 5th P.M. (Odde Hockey Building – map indicating specific building on file with application). All members present voting aye. Motion carried.

EQUIPMENT RENTAL SPACE AT FAIRGROUNDS:

Kurt Smith, Fairgrounds Manager returned for further discussion and decision in regard to request from Scott Madsen to rent year around storage space at the Fairgrounds for private business equipment. The Commission denied the request, as the Fairgrounds would not be able to accommodate similar year around storage space rental requests from the public in addition to the current established winter rental of the various buildings for storage.

SAFETY COMMITTEE REPORT:

Safety Committee members Lisa Samson, Scott Meints and Judy Dosch presented information on the Employee Health Fair to be held from 10 a.m. to 2 p.m. on March 20, 2008 requesting Commission support. The members also discussed several ice related accidents, which occurred last month; and outlined procedure for employee safety training in the future. The Commission thanked the members for their efforts with the Health Fair and will encourage all employees to attend.

LOAD LIMIT RESOLUTION:

Commissioner Knecht offered the following Resolution:

RESOLUTION NO. 23-08

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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

Dated this 4th day of March, 2008

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

SEASONAL LOAD RESTRICTIONS:

Moved by Feickert, seconded by Hansen to approve the following seasonal load restrictions for 2008: The Brown County Highway Department seasonal load restrictions will go into effect Wednesday, March 12, 2008, 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.

SURPLUS PROPERTY SALE:

Moved by Knecht, seconded by Fischbach to authorize advertising Brown County Surplus Sale to be held at the Brown County Highway Department on April 18, 2008. All members present voting aye. Motion carried.

CONTRACTS:

Moved by Feickert, seconded by Hansen 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.

TEEN COURT JABG FUNDING:

Bonnie Siebrecht, Teen Court read a prepared statement in regard to difficulty working with the Auditor on the Juvenile Accountability Block Grant.

Moved by Hansen, seconded by Feickert to approve hiring Bonnie Siebrecht at \$10.00 per hour, retroactively to November 1, 2007, as that was the wage stated in the Juvenile Accountability Block Grant application for Teen Court. All members present voting aye. Motion carried.

CENTENNIAL VILLAGE ANNUAL REPORT:

Don Gisi presented the 2007 Centennial Village Annual Report.

PHASE II JAIL PROJECT UPDATE:

Mick Palmer, Tom Schmitt and Mark Milbrandt discussed areas of the Phase II Jail Project that are not complete. Dean Markse said the target date for completion is Friday, March 7, however, the floor must cure for seven days after all painting is complete and the elevator will take longer.

EXECUTIVE SESSION:

Moved by Fischbach, seconded by Knecht 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.

2008 SALARY SCHEDULE AMENDED:

Moved by Fischbach, seconded by Hansen to amend the 2008 Salary Schedule, as follows, to be effective March 9, 2008:

- 1) Change heading from Planning/Zoning and Appraisers/Computer Support Specialist category to read **Appraisers**.
- 2) Establish new category **Computer/Technology Support Specialist:**

Step	Wage per hour
1	16.64
2	16.99
3	17.35
4	17.72
5	18.09
6	18.47
7	18.86
8	19.26
9	19.67
10	20.08
- 3) All other components of the Salary Schedule to remain unchanged.

All members present voting aye. Motion carried.

EMPLOYEE STATUS CHANGE:

Moved by Fischbach, seconded by Hansen to approve employee status change for Chris Stucke from Step 5 in former category (\$15.80 per hour) to Step 3 in new Computer/Technology Support Specialist category at \$17.35 per hour, effective March 9, 2008. All members present voting aye. Motion carried.

RECESS:

The Chairman declared the Commission recessed until March 11, 2008.

Maxine Taylor – Brown County Auditor

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MARCH 11, 2008 – 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 March 4, 2008. All members present voting aye. Motion carried.

CLAIMS:

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

Supplies: Parts Now..\$393.70, Prof Mailing..\$1744.12, Hewlett Packard..\$3299.00, CDW Govt..\$1412.32, Tescos..\$141.27, Best Business..\$173.31, Crescent Elec..\$2.39, Interior Design..\$849.10, Taylor Laundry..\$43.50, Time Works..\$169.50, Tyco/Simplex/Grinnell..\$109.00, Aberdeen Plumbing..\$114.29, Menards..\$2235.78, Cunningham Elec..\$5979.43, House of Glass..\$666.87, Central Supply..\$274.90, Sanders..\$611.90, Quality Quick Print..\$174.57, SD Veterans Service Officer Assoc..\$50.00, GIS Workshop..\$860.00, Office Equip..\$3.46, Ray O'Herron..\$369.91, Dakota Electronics..\$105.00, Double D Body Shop..\$92.00, Medical Waste..\$55.00, OK Tire..\$217.60, Tri-State Water..\$41.10, Taylor Laundry..\$28.00, Cash Wa..\$10,841.81, BP..\$137.85, Earthgrains..\$571.88, Bob Barker..\$120.18, Trail Chev..\$66.43, Academy of Correctional Health..\$75.00, Lust..\$372.31, Accurint..\$30.00, Velvet Uniforms..\$92.05, Superior Diving Repair..\$68.00, Bonnie Bitz..\$144.00, Minnesota School of Diving..\$286.95, K-Mart..\$604.94, Tom Schmitt..\$26.47, Aberdeen Chrysler..\$28.54, Zastrow Service..\$40.00, Thill Tractor..\$900.00, Snop On Tools..\$172.20, Sheehan Mack Sales..\$29.05, Safety Service..\$157.50, Runnings..\$1568.07, Power Plan..\$616.40, Pierson Ford..\$624.76, North Central Rental..\$2379.75, Midwest Pump & Tank..\$205.45, Interstate Battery..\$79.95, Howes Oil..\$25,443.07, Farm Power..\$326.01, Farnams..\$329.35, Evergreen Supply..\$316.93, JD Evans..\$130.08, Erdmann Fuels..\$16,391.69, Economy Propane..\$5074.00, Dakota Oil..\$2459.22, Dakota Fluid Power..\$445.75, Crawford Trucks..\$2639.06, Cartney Bearing..\$216.12, Brick Propane..\$92.85, SD Assoc of County Commission..\$150.00, Country Magazine..\$12.98, Office Equip..\$93.26, Macs..\$265.98, Brick Propane..\$22.10, Gas 'N Goodies..\$8.00, Carquest..\$2.77, Kos Concrete..\$13,767.96, Dacotah Prairie Museum..\$5.26, Glas Consulting..\$326.25, Midwest Alarms..\$51.50, Hub City Radio..\$500.00, Kleins..\$78.00, Glacial Lakes..\$210.00, Natural Abundance..\$3.20, NASCO..\$48.90, Division of Motor Vehicles..\$6.00, Spec Mfg..\$122.10, Kesslers..\$19.80, Walmart..\$13.66, Aberdeen Rural Fire..\$550.00, SDSWMA..\$270.00, Sewer Duck..\$216.00, Ameripride..\$90.94, Fastenal..\$1019.01, Sheehan Mack Sales..\$814.57, Petroleum Partners..\$1577.93, Hedahls..\$484.32, Midwest Pump & Tank..\$3507.45, Butler Machinery..\$1754.24, Helms & Assoc..\$35775.00, Powerplan..\$110.26, Titan Access..\$562.84, Graham Tire..\$545.45, OK Tires..\$15.00, SD Dept of Rev..\$2795.94, SD Drug Control..\$90.00, Mattern Elec..\$1094.47, Brown County..\$41.37, Gold Star..\$255.10, UPS..\$11.82:

Professional Fees: Avera St Lukes..\$3390.00, Aberdeen Family Physicians..\$130.41:

Attorney Fees: Scott Kuck..\$9.25, Brevik Law Office..\$338.62:

Publications: Groton Indep..\$579.81:

Travel: Kathie Vitense..\$33.30, Roger Johnson..\$77.08, Gary Erickson..\$74.47, Mike Scott..\$369.32:

Utilities: FSH..\$60.00, Northwestern Energy..\$10,047.02, Northern Valley..\$142.27, James Valley..\$386.76, Town of Frederick..\$32.25, City of Aberdeen..\$2533.68, Verizon..\$115.03, Genius Web..\$29.97, Qwest..\$538.27, Dependable Sanitation..\$15,126.72, Northern Elec..\$1412.08, Northern Wireless..\$61.95:

Care of Poor: Medication – 2 recipients..Walmart Pharm..\$40.68, K-Mart Pharm..\$246.18; Insurance - 1 recipient..Allied Benefit Systems..\$469.30; Rent – 2 recipients..J&M Ent..\$260.00, Tom Hinz..\$260.00. All members present voting aye. Motion carried.

PERSONNEL:

Moved by Fischbach, seconded by Hansen to approve hiring the following board members at \$25.00 per meeting attended, effective January 1, 2008: Weed Board Members Dennis Wiedebush, Mark Hoven; and Planning & Zoning Board Members Harley Gage, Stanley Beckler, Patrick Keatts, George Hansen, David North and Jerry Streckfuss. All members present voting aye. Motion carried.

AUDITORS REPORT OF ACCOUNT:

Moved by Hansen, seconded by Feickert approve the January 2008 Auditor's Report of Account with the County Treasurer in total amount of \$11,462,393.54 (total amount of actual cash @ \$3,087.76, Wells Fargo Bank @ \$3,694.79, US Bank @ \$286,258.26, Dacotah Bank @ \$84,288.60, Petty Cash @ \$1,800.00, Fund Investments @ \$11,082,851.89, Outstanding Checks @ \$412.24). All members present voting aye. Motion carried.

Moved by Hansen, seconded by Feickert to approve the February 2008 Auditor's Report of Account with the County Treasurer in total amount of \$11,248,916.26 (total amount of actual cash @ \$3,334.16, Wells Fargo Bank @ \$3,694.79, US Bank @ \$58,320.30, Dacotah Bank @ \$27,940.67, Petty Cash @ \$1,800.00, Fund Investments @ \$11,153,660.50, Outstanding Checks @ \$165.84). All members present voting aye. Motion carried.

LOTTERY APPLICATION:

Moved by Feickert, seconded by Fischbach to approve the application submitted by Granary Memorial Gallery, Inc., for raffle to be held on June 15 and July 6, 2008. All members present voting aye. Motion carried.

EQUALIZATION NOTICES:

Moved by Fischbach, seconded by Feickert to authorize publishing notices for the Brown County Board of Equalization and the Consolidated Board of Equalization. All members present voting aye. Motion carried.

WELFARE DEPARTMENT ANNUAL REPORT:

Moved by Hansen, seconded by Feickert to accept for filing the 2007 Welfare Department Annual Report, submitted by Charlene Millim, Welfare Director.

SURPLUS PROPERTY:

Moved by Feickert, seconded by Hansen to declare miscellaneous salvageable material surplus for sale from the Dacotah Prairie Museum (i.e. scrap tin, brass, copper). 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 2008. Bids were received from Aberdeen Asphalt, Inc, Aberdeen; Lien Transportation, Aberdeen; HF Jacobs & Son Construction, Aberdeen; Slight Construction, Hecla; Kevin Bourdon, Aberdeen; Hanlon Brothers, Verdon; Howell Trucking, Aberdeen; Herb Dabbert Trucking, Aberdeen; Hollaway Construction, Mitchell; Odland Construction & Gravel, Redfield; David Gardner Trucking, Mina; Fred Ludwig Trucking, Aberdeen; Upper Plains Contracting, Aberdeen. Moved by Fischbach, seconded by Feickert to refer all bids to Richard Burns, Interim Highway Superintendent for tabulation, review and recommendation. 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.

ORDINANCE NO. 051 – FIRST READING:

Time and place, as advertised for First Reading of Ordinance No. 051. No one appeared with testimony, comments and/or questions for discussion. Moved by Hansen, seconded by Fischbach to approve First Reading of Ordinance No. 051, An Ordinance amending Second Revision Brown County Ordinances to rezone the following described property from its present zoning designation of Chapter 4.06 Agriculture Preservation District (AG-P) to Chapter 4.10 Lake Front Residential District (R-3): Lots 1-3 First Subdivision of Bauer's Outlot, Lots 5-9 First Subdivision of Bauer's Outlot, Lots 1-6 Second Subdivision of Bauer's Outlot and Lot 3 of Bauer's Third Addition in the SW ¼ of Sec 7-T123N-R65W of the 5th P.M., Brown County, SD. All members present voting aye. Motion carried.

COURTHOUSE PARKING LOT:

Mick Palmer, Maintenance Supervisor discussed resurfacing the Courthouse parking lot. The Commission requested it be bid with options of an asphalt surface or a concrete surface.

PHASE II JAIL PROJECT:

Mick Palmer and Dean Marske informed Commission that most of the clean-up/touch-up work was complete on the Phase II Jail Project, the garage floor will be painted this week and the correct elevator track has been ordered.

RACE TRACK ADDENDUM NO. 1:

Moved by Fischbach, seconded by Feickert to approve and authorize the Chairman to sign First Addendum to lease agreement for the Brown County Raceway with Al Malsam DBA A&E Promotions, to allow the following racing events: Monster Truck Event on July 26, 2008 and World of Outlaws Late Model Division on July 18, 2008, with balance and remainder of lease agreement remaining unchanged and in full force and effect. All members present voting aye. Motion carried.

EXECUTIVE SESSION:

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

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

RECESS:

The Chairman declared the Commission recessed until March 18, 2008.

Maxine Taylor – Brown County Auditor

MARCH 18, 2008 – 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 11, 2008. All members present voting aye. Motion carried.

CLAIMS:

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

Payroll: Commissioners..\$2,991.00; Auditor..\$7,406.84; Treasurer..\$10,365.64; Data Processing..\$3,145.35; State's Attorney..\$10,520.09; Blood Draws...\$1,155.00; Maintenance..\$5,887.86; Assessor..\$9,561.41; Register of Deeds..\$5,461.64; Veterans Service Office..\$2,967.65; GIS..\$1,848.00; Sheriff..\$74,278.59; Coroner..\$225.00; Communications..\$16,609.57; Welfare Office..\$3,020.78; Museum..\$5,452.20; Fairgrounds & Parks..\$3,505.32; Fairboard..\$1,096.85; Extension..\$1,916.80; Weed..\$413.28; Planning and Zoning..\$1,520.00; Emergency Management..\$2,792.80; Teen Court..\$646.00; Highway..\$27,466.18; Landfill..\$8,039.72; Matching Benefits: FICA..\$12,335.89; Medicare..\$2,884.94;

Supplies: Quality Quick Print..\$125.54, McLeods..\$308.98, Exec Mgmt..\$92.31, Clerk of Courts..\$12.00, Office Equip..\$169.03, Shafer & Feld..\$14.00, Dept of Revenue..\$1801.00, Brown County..\$238.25, New Trends..\$59.00, Shell Fleet..\$107.45, Lust..\$32.95, Electronic Security Equip..\$425.00, SD Sheriff Assoc..\$29.00, Crisis Prevention..\$677.70, Galls..\$221.84, Civil Air Patrol..\$195.00, Sewer Duck..\$89.00, HSBC..\$14.37, Quality Welding..\$24.00, Praxair..\$10.26, James Loterbauer..\$108.00, HF Jacobs..\$75.00, Fastenal..\$252.02, Carquest..\$1726.55, Ameripride..\$215.47, Lora Schaunaman..\$7.41, TelServ..\$16.98, Successful Farming..\$15.95, Language Line..\$90.00, Mattern Elec..\$841.97, Clark Title Escrow..\$298,306.37, JT Electric Motor Service..\$1671.00, Evergreen Supply..\$113.40, Youngs..\$62.27, UBC..\$3.49, Menards..\$43.15, Hoven Auto..\$423.68, Wright & Sudlow..\$3776.00, Gardner Locksmith..\$80.85, Office Max..\$94.28;

Professional Fees: Avera St Lukes..\$1516.00, Pennington County Sheriff..\$27.58, Avera Queen of Peace..\$160.50, Donna Dietrich..\$131.16, Nelva Kooistra..\$15.00, Cathy Rehfuess..\$15.00;

Publications: Groton Indep..\$513.45, American News..\$1147.22;

Travel: City of Groton..\$116.18, Mary Mehaffey..\$45.00, Judon Aldinger..\$281.80, Scott Meints..\$54.02;

Transcriptions: Richard Neal..\$270.00, Tammy Erickson..\$165.10, Kristi Kost..\$108.75;

Utilities: Northwestern Energy..\$3038.49, Northern Elec..\$9.40, City of Hecla..\$130.02, Dependable Sanitation..\$371.00, Bureau of Admin..\$841.37, Qwest..\$1480.60, Alltel..\$94.34;

Care of Poor: Medication –recipients..Walmart Pharm..\$44.68; Burials - 1 recipient..Schrivers..\$1735.00; Rent – 2 recipients..Erdmann Properties..\$260.00, Danne Inc..\$235.00; Emergency Poor Fund..\$85.00; Dr/Hospital - 9 recipients..Dr Heloise Westbrook..\$79.86, Eckrich Urology..\$144.93, Avera St Lukes..\$12,261.85, River Ridge Oral Surg Center..\$100.22; Transportation – 1 recipient..City-Wide Taxi..\$102.78. All members present voting aye. Motion carried.

PERSONNEL:

Moved by Feickert, seconded by Hansen to approve the following employee step increases, effective March 23, 2008: Roger Johnson @ \$12.79 per hour, Michael Rohrbach @ \$12.64 per hour, Marcus Selzler @ \$14.85 per hour. All members present voting aye. Motion carried.

MALT BEVERAGE LICENSE TRANSFER APPLICATION:

Moved by Hansen, seconded by Feickert to authorize advertising public hearing to consider the following malt beverage license application: Transfer Retail (on-off sale) Malt Liquor License from Terry Voeltz,

DBA T's Promotions to Al Malsam DBA A&E Promotions Brown County Speedway – Brown County Fairgrounds (Grandstand) SW ¼-Sec 1-T123N-R64W (map indicating specific building on file with application), to be held in the Commissioner's Chambers, Courthouse Annex, Brown County, SD at 9:00 A.M. April 8, 2008. All members present voting aye. Motion carried.

WELFARE GUIDELINES AMENDED:

Commissioner Knecht offered the following Resolution:

RESOLUTION NO. 24-08

WHEREAS, Title 2, Second Revision of Brown County Ordinances, as amended, requires the Brown County Commission, by resolution, to adopt rules, regulations and appendixes necessary for the implementation of a County Welfare Program, in accordance with SDCL 28-13; and

WHEREAS, the Brown County Commission adopted the Brown County Welfare Guidelines by Resolution No. 4-98, dated January 6th 1998; amended by Resolution No. 2-06, dated April 4, 2006, and

WHEREAS, it is deemed necessary and in the best interest of the residents of Brown County to amend Appendix A Income Eligibility/Determination Tests – Poverty Guidelines.

NOW, THEREFORE BE IT RESOLVED that Appendix A Income Eligibility/Determination Tests – Poverty Guidelines be amended as follows:

<u>Family Size</u>	<u>Poverty Guidelines</u> <u>Monthly</u>
1	867
2	1,167
3	1,467
4	1,767
5	2,067
6	2,367
7	2,667
8	2,967
9	3,267
10	3,567

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. 25-08

WHEREAS, Title 2, Second Revision of Brown County Ordinances, as amended, requires the Brown County Commission, by resolution, to adopt rules, regulations and appendixes necessary for the implementation of a County Welfare Program, in accordance with SDCL 28-13; and

WHEREAS, the Brown County Commission adopted the Brown County Welfare Guidelines by Resolution No. 4-98, dated January 6th 1998; amended by Resolution No. 2-06, dated April 4, 2006, and

WHEREAS, it is deemed necessary and in the best interest of the residents of Brown County to amend Appendix B Housing Assistance.

NOW, THEREFORE BE IT RESOLVED that Appendix B Housing Assistance be amended as follows:

The maximum rental supplement per household per month shall not exceed the following, including utilities:

1 Person Household	\$240 (monthly rent)
2 Person Household	\$260 (monthly rent)
3 Person Household	\$280 (monthly rent)
4 Person Household	\$300 (monthly rent)

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

ABATEMENTS:

Moved by Knecht, seconded by Feickert to approve the following abatements: Lakeside Estates 10 mobile homes @ \$56.47; Corey Herman @ \$269.53; Hangan Properties, Inc @ \$471.53, @ \$637.07, @ \$491.98, @ \$619.20, @ \$507.27, @ \$467.45, @ \$649.41; Neko Resources, Inc @ \$3,945.26, Basin Electric Power Coop @ \$200,611.40, Northwestern Corporation @ \$2,116.73. All members present voting aye. Motion carried.

SHERIFF REPORTS:

Moved by Feickert, seconded by Knecht to approve the following February 2008 Sheriff Reports: Incidents and offenses, Prisoner care, JDC, Money deposited with the County Treasurer and Monthly activities. All members present voting aye. Motion carried.

ORDINANCE NO. 051:

Moved by Hansen, seconded by Feickert to approve Second Reading and Adoption of Ordinance No. 051, An Ordinance amending Second Revision Brown County Ordinances to rezone the following described property from its present zoning designation of Chapter 4.06 Agriculture Preservation District (AG-P) to Chapter 4.10 Lake Front Residential District (R-3): Lots 1-3 First Subdivision of Bauer's Outlot, Lots 5-9 First Subdivision of Bauer's Outlot, Lots 1-6 Second Subdivision of Bauer's Outlot and Lot 3 of Bauer's Third Addition in the SW ¼ of Sec 7-T123N-R65W of the 5th P.M., Brown County, SD. Roll call vote: Commissioners Hansen-aye, Fischbach-absent, Feickert-aye, Knecht-aye, Wiese-aye. Ordinance adopted.

EXECUTIVE SESSION:

Moved by Feickert, seconded by Knecht 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.

CHEMICAL BIDS:

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 2008. One bid was received from VanDiest Supply Company, Pierre, SD. Moved by Feickert, seconded by Knecht to refer bid to Brown County Weed and Pest Supervisor for tabulation and recommendation. All members present voting aye. Motion carried.

SPEED LIMIT DISCUSSION:

Al Waltman met with the Commission to discuss the speed limit across the spillway at Richmond Lake Dam. There was no action taken by the Commission at this time.

EXECUTIVE SESSION:

Moved by Hansen, seconded by Feickert to go into executive session for contract discussion with Mick Palmer and Richard 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.

COURTHOUSE PARKING LOT:

Mick Palmer and Richard Burns discussed bid options for completion of the Courthouse Parking Lot Project. The Commission authorized Mick Palmer to proceed with the bid process.

RENTAL OF EQUIPMENT BID AWARD:

Moved by Feickert, seconded by Hansen to award the following bids for Rental of Equipment: Dump Trucks to Fred Ludwig Trucking, 16.5 ton @ \$64.95 per hour (fuel over \$3.50 per gallon and haul over 14 miles add \$2.00 per hour); Semi Trailer to Odland Construction, 28 ton @ \$80.00 per hour; Semi Tractor/Trailer with Pup Trailer to Odland Construction, 40 ton @ \$95.00 per hour; Side Dumps to H F Jacobs & Son Construction, 25 ton @ \$90.00 per hour; Dozer to H F Jacobs & Son Construction, Cat D8R @ \$90.00 per hour; Paving Equipment to Aberdeen Asphalt @ \$340.00 per hour; Patching Equipment to Aberdeen Asphalt @ \$290.00 per hour; Crushing Equipment to H F Jacobs & Son Construction ¾" @ \$2.25 per ton, 1" @ \$1.95 per ton; Milling Equipment to Upper Plains Contracting @ \$0.35 per sq yd.; Bridge Equipment to Hollaway Construction @ \$274.00 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.

AUCTIONEER QUOTES:

Moved by Hansen, seconded by Knecht to accept quote from Buntrock Auction Service for Brown County Surplus Sale @ 3% of gross sales or \$250.00, whichever is greater; rejecting quotes submitted by Thorpe Auction Service, Inc @ 4% of gross sales or \$600, whichever is greater; and Jark/Worlie Auction Service @ \$1,000.00 plus sales tax and advertising. All members present voting aye. Motion carried.

BID AWARD – ROAD OIL MC-3000:

Moved by Knecht, seconded by Hansen to award bid, submitted by Flint Hills Resources, LP for furnishing and delivery of Road Oil MC-3000 @ \$448.51 per ton, as bid by Edmunds County on February 19, 2008; rejecting bid submitted by Jebro Inc @ \$477.60 per ton. All members present voting aye. Motion carried.

BID AWARD – ROAD OIL MC-70:

Moved by Hansen, seconded by Feickert to award bid, submitted by Flint Hills Resources, LP for furnishing and delivery of Road Oil MC-70 @ \$548.85 per ton, as bid by Day County on March 4, 2008; rejecting bid submitted by Jebro Inc @ \$575.00 per ton. All members present voting aye. Motion carried.

RECESS:

Chairman Wiese declared the Commission recessed from 10:00 a.m. to 10:30 a.m., at which time the Commission reconvened with Commissioners Wiese, Hansen, Feickert and Knecht present.

ORDINANCE NO. 052:

Moved by Feickert, seconded by Hansen to set hearing date for Brown County Ordinance No. 052, An Ordinance amending Second Revision Brown County Ordinances, Title 4, Chapter 4.1918 subsection 1. by deleting the following sentence "Properties that have received a Letter of Map Amendment or Letter of Map Revision based upon fill must still have their lowest floor elevated to one foot above the base flood elevation", to be held in the Commissioner's Chambers, Courthouse Annex, Brown County, SD at 8:45 a.m. on April 8, 2008. All members present voting aye. Motion carried.

FAIRGROUNDS ROAD CONSTRUCTION PROJECT:

Aberdeen City Engineer Robin Bobzien and Mayor Mike Levsen presented preliminary engineering plans for the Fairgrounds Road 2008 Construction Project, beginning at the intersection of Brown County 10 and Fairgrounds Road, extending east approximately one-half mile. Anticipated bid date for project is April 9, 2008, with initial completion date of August 9, 2008. Permanent and temporary easements will be presented at a later date for review and execution between Brown County and the City for the Project.

LANDFILL SPRING RESIDENTIAL CLEANUP:

Moved by Hansen, seconded by Knecht 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 25 thru May 31, 2008. No free waste will be accepted from Commercial Contractors or Businesses (including mobile homes). In the event circumstances beyond the control of Brown County (flood, tornado, fire, other) would occur during the FREE Cleanup period the Brown County Commission would reserve the right to end the free cleanup period at such time and implement the regular fee structure. All members present voting aye. Motion carried.

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 Feickert, seconded by Hansen to appoint Janet Weismantel as Brown County Highway Superintendent, at an annual pro-rated salary of \$51,501.00, effective April 21, 2008 – April 20, 2010 (per SDCL 31-11-1 two year term). All members present voting aye. Motion carried.

RECESS:

The Chairman declared the Commission recessed until March 25, 2008.

Maxine Taylor – Brown County Auditor

MARCH 24, 2008 - 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 Aman, Bunsness, Campbell, Hodgin, Kraft, Mitchell, Rux and Mayor Levsen. Absent Council Member Agnitsch. Present from County were Commissioners Feickert, Fischbach and Wiese. Absent Commissioners Knecht and Hansen.

ORDINANCE NO. 08-03-01/361:

On motion by Mitchell and seconded by Aman, the City unanimously voted to approve First Reading of Ordinance No. 08-03-01/361.

Moved by Fischbach, seconded by Feickert to approve First Reading of Ordinance No. 08-03-01/361, An Ordinance amending Ordinance No. 1164 to rezone the following described property from its present zoning designation of Section 701 (A-1) Agricultural District to Section 714 (M-AG) Mini-Agricultural District: Lot 7, Block 1, Richmond Heights Subdivision in the SE ¼ of Sec 32-T124N-R64W of the 5th P.M., Brown County, 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.

Maxine Taylor - Brown County Auditor

MARCH 25, 2008 – 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 Hansen to approve the General Meeting minutes of March 18, 2008. All members present voting aye. Motion carried.

CLAIMS:

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

Supplies: McLeods..\$998.50, Office Equip..\$55.53, Sanford Health..\$40.00, MN CLE..\$745.00, C&R Controls..\$62.35, Menards..\$85.40, Dakota Fluid Power..\$5.66, McFarland Supply..\$14.80, Central Supply..\$82.00, UBC..\$60.10, Walmart..\$87.53, Kesslers..\$212.34, Sewing Shop..\$49.50, Intoximeters..\$1000.00, Best Business..\$243.23, Schwan Welding..\$110.00, New Trends..\$86.59, Kmart..\$12.50, DT Pharm..\$767.18, SD Asphalt Conf..\$300.00, Quality Welding..\$16.60, Lawson Prod..\$132.63, Hedahls..\$103.76, Custom Glass..\$124.04, Jacobson Elec..\$6992.28, B&E Siding..\$3000.00, Dahme Const..\$3047.00, Carquest..\$43.66, Tennant..\$1780.40, Sherwin Williams..\$54.96, Runnings..\$57.37, Erdmann Fuels..\$1336.06, Macs..\$4.49, IAFE..\$540.00, ASDM..\$100.00, Midwest Alarm..\$76.00, Extension Service..\$144.89, Firestone..\$28.00, Vosika Fencing..\$3975.00, SD Fed Property..\$8510.00, Hase Plumbing..\$175.39, HSBC..\$292.25, Evergreen Supply..\$37.80, CDW Govt..\$1322.77, Florida Micro..\$772.05, Shopko..\$12.50, SD Drug Control..\$45.00, Aberdeen Rural Fire..\$162.50:

Professional Fees: witness fee..\$122.90, Aberdeen Advanced Care..\$213.52, Lewis & Clark BHS..\$260.00, NADRIC..\$1666.66:

Attorney Fees: Randy Turner..\$4538.57, Gina Rogers..\$4166.67, Christy Serr..\$4416.67, Kuck Law Office..\$4166.67, Wm Gerdes..\$4166.67, Yankton County..\$202.50:

Publications: American News..\$403.18, Groton Indep..\$104.83:

Travel: Larry Gerlach..\$501.24, Kurt Smith..\$481.24:

Utilities: Alltel..\$1301.30, Verizon..\$46.86, Northern Elec..\$234.93, Qwest..\$2561.60, Midcontinent..\$55.00, Northwestern Energy..\$53.81:

Care of Poor: Medication – 2 recipients..VCA Aberdeen..\$124.00, K-Mart Pharm..\$19.00, Kessler Pharm..\$54.72; Utilities - 1 recipient.. NWPS..\$156.97; Rent – 6 recipients..White House Inn..\$127.80, Lakeside Estates..\$240.00, JD Shultis..\$280.00, Steve Thorson..\$120.00, Lenny Evangelisto..\$220.00; Dr/Hospital – 2 recipients..Avera St Lukes..\$137.24; Insurance – 1 recipient..SD Risk Pool..\$957.06. All members present voting aye. Motion carried.

PERSONNEL:

Moved by Hansen, seconded by Feickert to acknowledge the following miles driven and amount to be taxed for personal use of County vehicles during November and December 2007 and January and February 2008: Richard Burns – 304 @ \$150.48, Mike Scott – 610 @ \$301.85. All members present voting aye. Motion carried.

Moved by Knecht, seconded by Hansen to approve hiring Rochelle Moser as Fair Secretary, effective April 14, 2008 at \$11.20 per hour. All members present voting aye. Motion carried.

TRANSFER:

Moved by Hansen, seconded by Knecht to approve and authorize the following transfer of spending authority and cash (total of \$1,724,441.59), as reflected in the 2008 General Fund #101 Budget: \$1,343,402.77 to Road & Bridge Fund #201; \$242,350.32 to E911 Fund #207; \$82,929.89 to EM Fund

#226, \$5,758.61 to Teen Court Fund #230, \$50,000.00 to Courthouse/Jail Improvement Fund #233. All members present voting aye. Motion carried.

PLATS:

Commissioner Feickert offered the following Resolution:

RESOLUTION NO. 26-08

BE IT RESOLVED by the County Commission of Brown County, SD, that the plat showing "Cox First Subdivision in James, 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-aye, Wiese-aye. Resolution adopted.

Commissioner Fischbach offered the following Resolution:

RESOLUTION NO. 27-08

BE IT RESOLVED by the Board of County Commissioners of Brown County, SD, that the plat showing "River View 2nd 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 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. 28-08

BE IT RESOLVED by the County Commission of Brown County, SD, that the plat showing "Volk Richmond Townsite Subdivision in SE ¼ Sec 26-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 Feickert. Roll call vote: Commissioners Hansen-aye, Fischbach-aye, Feickert-aye, Knecht-aye, Wiese-aye. Resolution adopted.

GRANT APPLICATION – SHERIFF DEPARTMENT:

Moved by Feickert, seconded by Fischbach to approve and authorize the Chairman sign application for sub-grant offered by the South Dakota Department of Corrections (DOC) for Federal PREA Grant (specifically based on program for protecting inmates and safeguarding communities) in amount of \$30,132.55 (federal share \$15,000, county share \$15,132.55). All members present voting aye. Motion carried.

GRANT APPLICATION – LANDFILL:

Moved by Knecht, seconded by Hansen to approve and authorize the Chairman sign application for Solid Waste Grant Program offered by the South Dakota Department of Environment and Natural Resources in amount of \$468,450.00 (county share @ \$234,225, state share @ \$234,225) for Phase II (consisting of

equipment and office facility, fencing and tire removal) of expansion project at the Brown County Landfill. All members present voting aye. Motion carried.

SURPLUS CASH ANALYSIS REPORT:

Moved by Hansen, seconded by Knecht to approve the following General Fund Surplus Cash Analysis Report: December 2007 @ \$2,587,498.08 (21.75%). All members present voting aye. Motion carried.

EXECUTIVE SESSION:

Moved by Hansen, seconded by Feickert to go into executive session for personnel discussion with Jan Weismantel and Richard 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.

BRIDGE 229:

Moved by Feickert, seconded by Knecht to authorize moving Bridge 229 to the 2009 South Dakota Department of Transportation priority list. All members present voting aye. Motion carried.

JAMES RIVER BANK DISCUSSION:

Darrel Raschke, representing James River Water Development District, Randy Stanley and Robert Pray met to discuss County participation in rip-rapping the James River bank adjacent to the property owned by Robert Pray. The Highway Department will calculate cost estimates for further discussion prior to final decision to participate.

CHEMICAL BID AWARD:

Moved by Feickert, seconded by Knecht to award bid submitted by VanDiest Supply Company (only bid received) for furnishing of chemical for the Brown County Weed and Pest Board for 2008 (complete tabulation sheet listing all chemicals and individual prices available for public inspection at the Auditor's Office Monday – Friday, 8:00 a.m. to 5:00 p.m.). All members present voting aye. Motion carried.

WEED BOARD APPOINTMENT:

Moved by Hansen, seconded by Knecht to appoint Duane Jark to the Brown County Weed & Pest Control Board, completing vacant three-year term ending on March 31, 2009. Roll call vote: Commissioners Hansen-aye, Fischbach-aye, Feickert-aye, Knecht-aye, Wiese-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 31, 2008 - JOINT CITY/COUNTY MEETING

The Brown County Commission and the Aberdeen City Council met in joint session at 5:30 P.M. in the City Commission Chambers, 123 S Lincoln Street, Aberdeen, South Dakota. Present from City were Council Members Agnitsch, Aman, Bunsness, Campbell, Hodgins, Kraft, Mitchell, Rux and Mayor Levensen. Present from County were Commissioners Feickert, Fischbach and Wiese. Absent Commissioners Knecht and Hansen.

ORDINANCE NO. 08-03-01/361:

On motion by Mitchell and seconded by Agnitsch, the City unanimously voted to approve Second Reading and Adoption of Ordinance No. 08-03-01/361.

Moved by Fischbach, seconded by Feickert to approve Second Reading and Adoption of Ordinance No. 08-03-01/361, An Ordinance amending Ordinance No. 1164 to rezone the following described property from its present zoning designation of Section 701 (A-1) Agricultural District to Section 714 (M-AG) Mini-Agricultural District: Lot 7, Block 1, Richmond Heights Subdivision in the SE ¼ of Sec 32-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 Aman, the City unanimously voted to set hearing for Ordinance No. 08-04-04/362 and Ordinance No. 08-04-05/363.

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 April 21, 2008 in the City Council Chambers, 123 S Lincoln Street, Aberdeen, SD for First Reading of the following: Ordinance No. 08-04-04/362, An Ordinance to rezone the following property from Section 701 (A-1) Agricultural District to Section 714 (M-AG) Mini-Agricultural District: Lot 1, Evelo's Second Subdivision in the NW ¼ and the S ½ of Sec 29-T123N-R63W of the 5th P.M., Brown County, SD (Currently the 996.83' of Lot 1, Evelo's First Subdivision and 4 rods lying west of quarter line to north section line). Ordinance No. 08-04-05/363, An Ordinance to rezone the following property from Section 701 (A-1) Agricultural District to Section 714 (M-AG) Mini-Agricultural District: N. 990' of the W. 1,320' of Bierman First Subdivision in the NW ¼ of Sec 33-T123N-R63W of the 5th P.M., Brown County, SD. All members present voting aye. Motion carried.

COMBINED ELECTION AGREEMENT:

On motion by Mitchell and seconded by Kraft, the City unanimously voted to approve a Combined Election Agreement with Brown County and the Aberdeen School District.

Moved by Fischbach, seconded by Feickert 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 3, 2008. 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.

Maxine Taylor - Brown County Auditor

APRIL 1, 2008 - JOINT WARNER CITY/COUNTY MEETING

The Brown County Commission and the Warner City Council met in joint session at 8:45 A.M. in the County Commission Chambers, 25 Market Street, Aberdeen, South Dakota. Present from Warner City were Council Members Dave Fair, Mike Bertsch, Gaylon Townsend and Finance Officer Louise Zumbaum. Present from County were Commissioners Hansen, Fischbach, Feickert, Knecht and Wiese.

SET HEARING DATE:

On motion by Fair and seconded by Bertsch, the Warner City unanimously voted to set hearing for Ordinance No. 053/0108.

Moved by Feickert, seconded by Hansen to set date for joint public meeting of the Brown County Commission and Warner City Council for 8:45 a.m. on April 22, 2008 in the County Commission Chambers, 25 Market Street for First Reading of the following: Ordinance No. 053/0108, An Ordinance to rezone the following property from Chapter 4.06 (AG-P) Agricultural Preservation District to Chapter 4.15 (L-I) Light Industrial District (North Central Elevator): Rieck Lot 1, Rieck-WEB Subdivision in the NE ¼ of Sec 3-T121N-R64W of the 5th P.M., Brown County, SD. Roll call vote: Commissioners Hansen-aye, Fischbach-abstain, Feickert-aye, Knecht-aye, Wiese-aye. Motion carried.

The Warner City Council adjourned and the Brown County Commission continued in regular session.

Maxine Taylor – Brown County Auditor

APRIL 1, 1008 – 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 Hansen, seconded by Feickert to approve the Joint City/County Meeting minutes of March 24, 2008 and the General Meeting minutes of March 25, 2008. All members present voting aye. Motion carried.

CLAIMS:

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

Payroll: Commissioners...\$2,991.00; Auditor...\$7,387.24; Treasurer...\$10,384.04; Data Processing...\$3,269.35; State's Attorney...\$12,083.29; Blood Draws-SA...\$875.00; Maintenance...\$6,194.91; Assessor...\$9,434.45; Planning & Zoning\$1,520.00; Register of Deeds...\$5,429.56; Veterans Service Office...\$2,835.17; GIS...\$1,848.00; Sheriff...\$67,937.86; Communications...\$16,173.46; Welfare...\$3,020.78; Museum...\$5,452.20; Fairboard...\$1,096.85; Fairgrounds & Parks...\$3,505.32; Extension...\$1,916.80; Weed...\$113.20; E&D...\$2,792.80; Teen Court...\$421.00; Highway...\$29,821.54; Landfill...\$8,182.56; Coroner...\$750.00; Matching Benefits: FICA...\$12,124.14; Medicare...\$2,835.46; Wellmark BCBS Life Ins...\$659.05; Delta Dental Ins...\$4,116.00; Wellmark BCBS Health...\$62,794.88; SD Retirement...\$25,150.43:
Supplies: Menards...\$31.95, Lamb Chevrolet...\$22,176.00, CMRS-FP...\$5,000.00, Office Equipment...\$2,088.45, London Fog...\$93.90, Ecolab Pest...\$90.50, Crescent Electric...\$368.56, Lien Transportation...\$288.75, MacFarland Supply...\$25.34, J Gross Equipment...\$202.07, Runnings...\$234.96, Dakota Supply...\$30.99, Web Water...\$108.69, Carpet Connection...\$330.00, Reuers Auto and Electric...\$180.76, Diesel Serv. Of Huron, Inc...\$2,287.00, Earth Tech...\$5,303.25, LBG, Inc. \$7,237.10, Century Business Products, Inc...\$67.00, Ezee Supply & Dist. Co...\$701.09, Div. of Motor Vehicles...\$6.00, Butler Machinery Co...\$6,922.46, New Deal Tire...\$3,259.20, Titan Access Acct...\$169.71, Power Plan...\$8,503.40, Bridgestone/Firestone...\$15.00, Diesel Machinery, Inc...\$2,075.00, M-R Sign Co., Inc...\$609.52, Overhead Door...\$818.00, Quill...\$206.98, Walmart...\$1,351.90, Advantage Self Storage...\$129.00, Volk Upholstery...\$129.63, HC Clark Equipment...\$52.18, Interstate Battery System of SD...\$79.95, Exhaust Pros...\$81.45, Qwest...\$73.01, GCR Tire Center...\$217.70, Dakota Supply Group...\$111.01, Graham Tire...\$154.16, Ex. Mgmnt Finance Office...\$2,778.90, Micontinent Communications...\$128.31, RACOM Corp...\$296.80, Safety Service...\$196.00, Langs...\$67.00, Vantek...\$34.50, Professional Mail & Market...\$28.00, Best Business Products...\$75.00:
Professional Fees: witness fee...\$336.34, SDPAA-Hagan Ins. Group...\$500.00, Turner County Sheriffs Office...\$21.44, Depart. Of Revenue Remittance Center...\$1794.00, Scott County Sheriffs Office...\$70.00, PMB Ex. Mgmnt Finace Off...\$68.71, Helms & Assoc...\$15,900.00:
Publications: American News...\$593.14, Groton Independent...\$195.18, Dakota Press...\$1500.98:
Travel: Jerome Streckfuss...\$28.86, David North...\$56.24, Stanley Beckler...\$15.54, Patrick Keatts...\$17.76, George Hansen...\$28.12, Harley Gage...\$26.64, Gary Vetter...\$130.24, Dennis Wiedebush...\$26.64, Lisa Samson...\$9.00, Mike Scott...\$117.00, Dave Bruckner...\$83.00, Ramada Plaza Stes, Fargo...\$209.28, Kendell Titze...\$83.00, Michael Ernst...\$127.28, Deb Knecht...\$284.90, Mike Wiese...\$12.58, Dennis Feickert...\$18.50:
Transcriptions: Michelle Gaikewski...\$26.60, Tammy Erickson...\$142.70, Kristi Kost...\$150.00:
Utilities: Northwestern Energy...\$10,947.84, Montana Dakota Utilities...\$26.83:
Care of Poor: Utilities –3 recipient..Midstates Printing, Inc...\$379.50, City of Aberdeen...\$400.00, Brown County Hwy Dept...\$26.38; Rent – 1 recipients..Sherman Apts...\$86.00; Dr/Hospital - 9 recipients..Avera St. Lukes...\$9,354.43, Anesthesia Solutions PC...\$128.00, Prairie Lakes Hospital...\$947.75, Orthopedic Surgery Specialists...\$987.70. All members present voting aye. Motion carried.

PERSONNEL:

Moved by Feickert, seconded by Knecht to approve the following employee step increases, effective April 6, 2008: Jo Forsting @ \$13.04 per hour, Geri Sillman @ \$14.24 per hour, David Fair @ \$18.37 per hour, Jeff Kirnan @ \$14.93 per hour, Judy Dosch @ \$17.24 per hour, Jon Koeniguer @ \$12.64 per hour. All members present voting aye. Motion carried.

Moved by Feickert, seconded by Fischbach to approve hiring the following part-time employees at the Sheriff Department for 24/7 Sobriety Program: Cheryl Grant, effective March 30, 2008 and Molly Peterson, Shirelle Stadel, Diane Brist, Robert Baumgartner, Dennis "Mike" Olson, and Kari Brandlee, effective March 24, 2008 at \$10.07 per hour. All members present voting aye. Motion carried.

Moved by Feickert, seconded by Knecht to approve hiring Dennis Ells part-time at the Fairgrounds, effective March 31, 2008 at \$8.48 per hour. All members present voting aye. Motion carried.

LANDMARK COMMISSION:

Moved by Feickert, seconded by Knecht to accept for filing the 2007 Landmarks Commission Annual Report. All members present voting aye. Motion carried.

LEASE AGREEMENT:

Moved by Knecht, seconded by Feickert to approve and authorize the Chairman sign agreement with Northeast Area Horse Racing, Inc. for lease of various Fairgrounds facilities from April 1, 2008 through May 29, 2008. 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, 2008 – October 15, 2008. All members present voting aye. Motion carried.

PLANNING & ZONING DISCUSSION:

Heidi Martilla Losure met to appeal the denial of building permit by the Planning and Zoning Board for a second residence on a farm site. After discussion the following action was taken. Moved by Knecht, seconded by Hansen to overturn the Planning and Zoning Board decision to deny building permit and recommended that the application be approved at the next meeting. All members present voting aye. Motion carried.

ATTORNEY GENERAL OPINION:

Kim Dorsett, States Attorney discussed inquiry from Dennis Feickert about requesting an Attorney General Opinion in regard to SDCL 11-9-42, which states no tax increments shall be used for the construction of residential structures. It was the general consensus of the Commission that the States Attorney requests an official opinion from the Office of the Attorney General.

PHASE II JAIL PROJECT – CHANGE ORDER:

Moved by Feickert, seconded by Fischbach to approve and authorize the Chairman to sign the following Change Orders for Phase II Jail Project: #7 increasing total cost by \$3,823.55; #7 decreasing total cost by \$840.82; and #9 increasing total cost by \$8,669.92, bringing total project cost to \$1,502,773.85. All members present voting aye. Motion carried.

COURTHOUSE PARKING LOT PROJECT:

Lonnie Anderson, Mick Palmer, Richard Burns and Jan Weismantel met to discuss Courthouse Parking Lot Project timeline. Moved by Knecht, seconded by Feickert to set date to open, read and consider sealed bids to complete the Courthouse Parking Lot Project for 9:15 a.m. on April 29, 2008 in the Commissioners Chambers, Courthouse Annex, Brown County, SD. All members present voting aye. Motion carried.

TAX DEED PROPERTY DISCUSSED:

Erling Podoll met to discuss a lot in Westport that his deceased father had an one/eighth interest in and questioned why all eight names aren't on the tax records. It was explained that when a property has multiple owners the first name listed on the deed is used followed by et al (and others). Once all tax deed proceedings are complete, Brown County will become the property owner.

SAFETY COMMITTEE:

Lisa Samson, Judy Dosch and Tom Schmitt met with the Commission to discuss the importance of and procedure for presenting safety education classes to employees. The Commission deemed the classes important and encouraged all department heads to have their employees participate. Classes will be offered in one or more of the following forms: classroom, video, on-line.

JAMES RIVER BANK PROJECT DECISION:

The County will not participate in the project of rip-rapping the James River bank adjacent to the property owned by Robert Pray, as requested by Darrel Raschke, James River Water Development District, Randy Stanley and Robert Pray, due to cost estimates and liability issues.

APPLICATION FOR OCCUPANCY:

Moved by Knecht, seconded by Feickert to approve and authorize the Chairman sign application, submitted by WEB Water Development for occupancy of Brown County Highway #10 in Sec 13-T126N-R64W of the 5th P.M., Brown County, SD, to install a potable water line. All members present voting aye. Motion carried.

HOUGHTON PROPERTY DISCUSSION:

Sheila Enderson and Kim Dorsett discussed nuisance complaint received on a property in Houghton. The States Attorney will contact owner and present options for resolving the problem.

EQUALIZATION:

Mary Worlie met to present preliminary information about the equalization process that begins next week.

RECESS:

The Chairman declared the Commission recessed until April 8, 2008.

Maxine Taylor – Brown County Auditor

APRIL 8, 2008 – BROWN COUNTY BOARD OF EQUALIZATION

This being the second Tuesday, April 8, 2008, 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 and Sara Hagman from Director of Equalization Office, Treasurer Sheila Enderson and Veterans Service Officer Tom Gohn were also present. Auditor Maxine Taylor called the meeting to order.

Commissioner Fischbach nominated Mike Wiese as Chairman for the 2008 Brown County Board of Equalization. Moved by Feickert, seconded by Fischbach that nominations cease and a unanimous ballot be cast. All members present voting aye. Motion carried.

Commissioner Feickert nominated Tom Fischbach as Vice Chairman for the 2008 Brown County Board of Equalization. Moved by Knecht, seconded by Wiese that nominations cease and a unanimous ballot be cast. All members present voting aye. Motion carried.

Moved by Feickert, seconded by Knecht to accept for filing the Review Board Minutes from the towns and townships within Brown County. All members present voting aye. Motion carried.

Moved by Knecht, seconded by Fischbach to instruct the Director of Equalization to reduce values on all properties qualifying for the Veteran Exemption for 2008. All members present voting aye. Motion carried.

Moved by Knecht, seconded by Feickert to instruct the Director of Equalization to reduce values on all properties qualifying for Assessment Freeze for the Elderly and Disabled for 2008. All members present voting aye. Motion carried.

Moved by Feickert, seconded by Fischbach to instruct the Director of Equalization to reduce values on all properties qualifying for Paraplegic Veteran Exemption for 2008. All members present voting aye. Motion carried.

Moved by Knecht, seconded by Feickert to approve 100% Tax Exempt status, as requested on the following: Aberdeen City #32: Aberdeen Catholic School on Lt 5 of Roche's 4th Subd of Lts 11-14 Blk 8 North Abdn Addn; Groton City #33 Groton Alliance Church on S 12'13" Lt 3 Blk 59 3rd Addn. All members present voting aye. Motion carried.

Moved by Fischbach, seconded by Feickert to deny 100% Tax Exempt status, as requested on the following: Aberdeen City #32 First United Methodist Church on Lt 7 Blk 30 1st Addn. All members present voting aye. Motion carried.

Moved by Fischbach, seconded by Feickert 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 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 (100% requested); VFW CC Croal Post #17 @ 50% Tax Exempt on Lt 19 Auto Plaza Addn (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 (60% requested); 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; **Avera St Luke's Hospital @ 40%** Tax Exempt on Lt 5 Avera Land 'O Lakes Subd (Farmers Union OL 3 Blk 71 H & L Addn); **Sacred Heart School @ 50%** Tax Exempt on the N ½ of Lt 21 & all of Lt 22 Bk 80 Hagerty & Lloyds Addn (requested 100%) **Aberdeen Development Corporation @ 62%** Tax Exempt status on Lt 1 Abdn Dev Corp 2001-1 Subd NE 16-123-63 (Office). Warner Twp #23 **Foundation for Youth Firearms Safety Inc-N 820'** of SE 15-122-64 ex Hwy lying E of CNW RR. 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 Knecht, seconded by Feickert to approve the applications to continue 100% Tax Exempt Status (complete listing available for public inspection Monday – Friday 8:00 a.m. to 5:00 p.m. at the Director of Equalization Office, 25 Market Street, Aberdeen, SD). All members present voting aye. Motion carried.

RECESS:

The Chairman declared the County Board of Equalization recessed until 10:00 on April 15, 2008.

Maxine Taylor – Brown County Auditor

APRIL 8, 2008 – CONSOLIDATED BOARD OF EQUALIZATION

Members of the Brown County Commission, Aberdeen City Council and Aberdeen School District 6-1 organized themselves as the 2008 Consolidated Board of Equalization, in accordance with SDCL 10-11-66 at 1:30 P.M. on April 8, 2008 in the Commissioner's Chambers, Courthouse Annex, Brown County, South Dakota. Oaths of Office were taken by Tom Fischbach, Deb Knecht, Mike Wiese, Duane Alm and Nancy Aman. Mary E Worlie, Director of Equalization was also in attendance. Auditor Maxine Taylor called the meeting to order and called for nominations for Chairman.

Commissioner Fischbach nominated Commissioner Wiese as Chairman for the 2008 Consolidated Board of Equalization. Moved by Aman, seconded by Alm that nominations cease and a unanimous ballot be cast. All members present voting aye. Motion carried.

Commissioner Aman nominated Commissioner Knecht as Vice Chairman for the 2008 Consolidated Board of Equalization. Moved by Fischbach, seconded by Alm 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 10:00 A.M., April 22, 2008.

Maxine Taylor – Brown County Auditor

APRIL 8, 2008 – 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 Aberdeen City/County Meeting minutes of March 31, 2008, the Joint Warner City/County Meeting minutes of April 1, 2008 and the General Meeting minutes of April 1, 2008. All members present voting aye. Motion carried.

CLAIMS:

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

Supplies: Best Business..\$204.49, Brown & Saenger..\$659.34, Pheasantland Ind..\$485.29, Cunningham Elec..\$196.55, Taylor Laundry..\$63.50, Crescent Elec..\$462.70, UBC..\$13.21, Gardner Locksmith..\$12.50, SD Assoc of County Comm..\$7893.67, New Trends..\$120.88, Medtox..\$251.67, Evercom..\$1900.00, Kesslers..\$222.62, Bonnie Bitz..\$144.00, Cash-Wa..\$4021.19, Tessco..\$584.35, Moore Medical..\$100.65, Hoven Auto..\$51.92, DCI..\$15.00, Graham Tire..\$23.09, Earthgrains..\$637.85, Trail Chev..\$49.11, Office Equip..\$85.65, Sewing Shoppe..\$21.50, Dakota Electronics..\$269.60, Lust Chev..\$65.90, Runnings..\$1159.69, Quality Quick Print..\$437.95, Power Plan..\$24,059.40, Menards..\$2137.94, Macs..\$125.32, Interstate Battery..\$79.95, Hecla Impl..\$10.62, Great Western Tire..\$7236.92, Gardner Locksmith..\$14.50, Farnams..\$11.65, Farm Power..\$1200.75, Erdmann Fuels..\$8314.33, Crawford Trucks..\$2690.13, HC Clark Impl..\$60.36, Cartney Bearing..\$183.57, Butler Machinery..\$1676.84, Hub City Radio..\$500.00, Kleins..\$19.31, Am Assoc of Museums..\$155.00, Marj Zastrow..\$45.00, Karst Car Care..\$95.00, Racom..\$42.40, Dakota Electronics..\$2040.85, Runnings..\$114.14, M&T Fire..\$80.72, Pizza Ranch..\$46.95, SD Dept of Rev..\$3219.60, Brown County..\$161.58, Ameripride..\$95.83, Pierson Ford..\$505.11, SD Fed Property..\$60.00, Dakota Fluid Power..\$61.12, Cathy Rehfuess..\$36.00, Nelva Kooistra..\$36.00, Donna Dietrich..\$283.57, Division of Motor Vehicles..\$12.00, Walmart..\$845.59:

Professional Fees: Avera St Lukes..\$1590.24, Aberdeen Advanced Care..\$213.52, NE Mental Health Center..\$87.78, Eide Bailly..\$258.00:

Attorney Fees: Yankton County..\$222.50:

Publications: Groton Indep..\$125.99, American News..\$1001.10:

Travel: Tom Fischbach..\$213.12, Maxine Taylor..\$130.48, Leo Leshner..\$221.26, Gene Loeschke..\$73.26, Mark Milbrandt..\$678.94, Hampton Inn..\$122.00, Larry Gerlach..\$1504.63, Sherry Theobald..\$20.72, Nyle Jenson..\$45.00, Don Fischer..\$45.00, Mike Scott..\$120.05:

Transcriptions: Slowey Court Reporting..\$150.00:

Utilities: FSH Communications..\$60.00, City of Aberdeen..\$1122.86, Northern Valley Comm..\$75.32, James Valley Co-Op..\$372.57, Town of Frederick..\$32.25, Northwestern Energy..\$291.91, Midcontinent Comm..\$139.15, Verizon..\$115.03, Northern Elec..\$100.00, Northern Wireless..\$61.95, Dependable..\$15,807.32:

Care of Poor: Medication – 7 recipients..Walmart Pharm..\$56.88, United Clinic Pharm..\$86.58, Plaza Pharm..\$30.37, K-Mart Pharm..\$10.07; Dr/Hospital – 4 recipients.. Dakota Plains Surgical Center..\$941.00, Aberdeen Surgical Assoc..\$850.86, Aberdeen Nephrology..\$39.93; Rent – 4 recipients..Betty Gilchrist..\$240.00, JD Shultis..\$300.00, Zumbaum Prop Mgmt..\$300.00, Chow Main..\$240.00. All members present voting aye. Motion carried.

PERSONNEL:

Moved by Feickert, seconded by Fischbach to appoint Darwin Bettmann to the Planning & Zoning Board, to fill term vacated by Harley Gage, effective until December 31, 2008. All members present voting aye. Motion carried.

Moved by Knecht, seconded by Fischbach to approve hiring Michelle Hittle as guard for purpose of prisoner transport, effective April 8, 2008. All members present voting aye. Motion carried.

CLAIM ASSIGNMENT:

Moved by Fischbach, seconded by Hansen to approve and authorize the Chairman to sign documentation to assign claims against three individuals to L.F. Noll Inc. for purpose of collecting a lien. 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 29, 2008 at 9:00 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 8, 10, 11, 17 & 18, 2008; Grandstand effective May 10, 11, 17 & 18, 2008; Clubhouse effective May 24, 25 & 26, 2008; Grandstand effective May 24, 25 & 26, 2008. All members present voting aye. Motion carried.

AUDITORS REPORT OF ACCOUNT:

Moved by Hansen, seconded by Knecht to approve the March 2008 Auditor's Report of Account with the County Treasurer in total amount of \$10,524,754.11 (total amount of actual cash @ \$3,036.03, Wells Fargo Bank @ \$3,694.79, US Bank @ \$175,757.96, Dacotah Bank @ \$37,434.53, Petty Cash @ \$1,800.00, Fund Investments @ \$10,302,566.83, Outstanding Checks @ \$463.97). All members present voting aye. Motion carried.

CONTRACT:

Moved by Fischbach, seconded by Feickert 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 1, 2008 – November 30, 2008. All members present voting aye. Motion carried.

INTEREST STATEMENT:

Moved by Knecht, seconded by Hansen to accept for filing the January – March 2008 Interest Statement, submitted by County Treasurer Sheila Enderson. All members present voting aye. Motion carried.

INCREASE SPENDING AUTHORITY/ESTIMATED REVENUE:

Moved by Feickert, seconded by Fischbach to increase spending authority in Fund #101-211-425 @ \$2,079.51 and increase estimated revenue in Fund #101-373.01 in amount of \$2,079.51 for unanticipated insurance reimbursement. All members present voting aye. Motion carried.

ABATEMENT:

Moved by Hansen, seconded by Knecht to approve and authorize the Chairman sign the following abatement: Rod Sandquist @ \$6.76. All members present voting aye. Motion carried.

RESCIND RESOLUTION NO. 38-05:

Moved by Knecht, seconded by Feickert to rescind Resolution No. 38-05 – Capital Accumulation for Fairgrounds Facility. All members present voting aye. Motion carried.

CAPITAL ASSET POLICY:

Moved by Hansen, seconded by Fischbach to adopt the following Capital Asset Policy, effective January 1, 2008 (replacing policy, effective March 30, 2004):

BROWN COUNTY CAPITAL ASSET POLICY:

Governmental Funds, Non-Governmental Funds and Enterprise Fund

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

Land and Land Rights – all purchases included

Buildings - \$25,000

Improvements other than buildings - \$25,000

Machinery and Equipment - \$5000

Infrastructure - \$25,000

Bridges – Structures greater than 20' (SDCL 31-14)

Roads – composite method: entire system including base, culverts and gravel surface

Paved Road surface only – composite method

Personal Property Listings – All county departments are required to file an additional personal property list, to be used for tracking items with an original cost less than \$5,000 for theft, insurance and disaster recovery purposes.

Effective January 1, 2008

All members present voting aye. Motion carried.

ORDINANCE NO. 052 – FIRST READING:

Moved by Hansen, seconded by Fischbach to approve First Reading of Ordinance No. 052, An Ordinance amending Second Revision Brown County Ordinances, Title 4, specifically Chapter 4.1918 subsection 1, by deleting the following sentence “Properties that have received a Letter of Map Amendment or Letter of Map Revision based upon fill must still have their lowest floor elevated to one foot above the base flood elevation”. All members present voting aye. Motion carried.

MALT BEVERAGE LICENSE TRANSFER HEARING:

Time and place, as advertised for public hearing to consider transfer of Retail (on-off sale) Malt Beverage License. Moved by Hansen, seconded by Knecht to approve the following: Transfer Retail (on-off sale) Malt Beverage License from Terry Voeltz, DBA T's Promotions to Al Malsam, DBA A&E Promotions Brown County Speedway, Brown County Fairgrounds in SW ¼ of Sec 1-T123N-R64W of 5th P.M., Brown County South Dakota (map of specific building on file with license application). All members present voting aye. Motion carried.

GAS UTILITY EASEMENT:

Monte White, Northwestern Energy presented information, formal request and documentation for a gas utility easement between Brown County and Northwestern Energy. Moved by Feickert, seconded by Fischbach to approve and authorize the Chairman sign Gas Utility Easement between Brown County and Northwestern Corporation, a Delaware Corporation, d/b/a Northwestern Energy for the installation, maintenance and operation of a natural gas regulator station and all related piping along with all appurtenances thereto over, under, upon and through the following county owned property: The East 29' of the North 52' of the South 232' of Lot 1 in Brown County Highway First Subdivision, a part of the SE ¼ and the SW ¼ of Sec 8-T123N-R63W of the 5th P.M., Brown County, SD, containing 0.04 acres more or less. All members present voting aye. Motion carried.

FUEL BID AWARD:

Moved by Fischbach, seconded by Hansen to award the following Fuel Bids from state bid contracts, effective April 1, 2008 through March 31, 2009 inclusive, as follows: Contract #15415 Howes Oil

Company, Inc for Transport Gasohol and Transport Diesel (all types); Contract #15412 McGillvrey Oil Company for Tankwagon Diesel (all types). All members present voting aye. Motion carried.

APPLICATIONS FOR OCCUPANCY:

Moved by Hansen, seconded by Knecht to approve and authorize the Chairman to sign the following applications, submitted by Northern Electric for occupancy of the following: Hwy #27 Sec 32-T121N-R64W (cable), Sec 32-T121N-R64W cable crossing, Sec 31-T121N-R65W (cable), SW Sec 35-T121N-R65W (cable), SW Sec 35-T121N-R65W (cable crossing), SW Sec 32-T121N-R64W (cable crossing); and occupancy of Hwy #6 in SE Sec 36-T121N-R65W (cable crossing), all located in Brown County, SD. All members present voting aye. Motion carried.

PURCHASE CARD SYSTEM:

Danene Miller, Teresa Granquist and Kae McNel presented information on a Purchase Card System offered by US Bank. The Commission took no action at this time.

PHASE II JAIL PROJECT/COURTHOUSE WATER SERVICE:

Dean Marske presented Phase II Jail Project update. Mick Palmer discussed Courthouse water service that needs to be re-evaluated prior to re-surfacing the Courthouse parking lot.

RECESS:

The Chairman declared the Commission recessed until April 15, 2008.

Maxine Taylor – Brown County Auditor

APRIL 15, 2008 – 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 General Meeting minutes, the Brown County Board of Equalization Meeting minutes and the Consolidated Board of Equalization Meeting minutes of April 8, 2008. All members present voting aye. Motion carried.

CLAIMS:

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

Payroll: Commissioners..\$2,991.00; Auditor..\$7,317.24; Treasurer..\$10,384.04; Data Processing..\$3,269.35; State's Attorney..\$12,083.29; Blood Draws...\$770.00; Maintenance..\$5,835.39; Assessor..\$9,386.84; Register of Deeds..\$5,081.48; Veterans Service Office..\$2,942.81; GIS..\$1,848.00; Sheriff..\$69,707.85; Coroner..\$825.00; Communications..\$17,562.84; Welfare Office..\$3,020.78; Museum..\$5,452.20; Fairgrounds & Parks..\$3,882.68; Fairboard..\$1,096.85; Extension..\$1,916.80; Weed..\$1,343.55; Planning and Zoning..\$1,895.00; Emergency Management..\$2,792.80; Teen Court..\$491.20; Highway..\$25,819.14; Landfill..\$8,013.62; Matching Benefits: FICA..\$12,123.26; Medicare..\$2,835.24;

Supplies: Thomson West..\$303.00, CSD..\$60.00, SD Assoc of County Officials..\$225.00, Florida Micro..\$876.83, Office Equip..\$1025.03, New Trends..\$124.71, SD Continuing Legal Ed..\$187.50, SDAAO..\$400.00, Hewlett Packard..\$2494.00, DT Pharm..\$1127.48, Tel Serv..\$283.82, Graham Tire..\$154.16, Best Business..\$486.63, Knight Towing..\$40.00, Accurint..\$48.65, Coast to Coast..\$224.07, Hoven Auto..\$93.89, Double D..\$615.40, Dicks Westside..\$33.75, Ameripride..\$170.46, SD Division of Motor Vehicles..\$13.00, Sheehan Mack Sales..\$2367.73, Poms Tire Service..\$94.45, North Central Leasing..\$4227.50, Howes Oil..\$26,046.40, Holland Auto..\$5.02, Hedahls..\$97.88, Graham Tire..\$34.00, Fastenal..\$131.08, JD Evans..\$2514.36, Diesel Machinery..\$508.45, Cass County Heating..\$164.19, Carquest..\$1146.36, Best Western Ramkota..\$240.00, Dakota Supply Group..\$31.25, Farnams..\$37.09, Gas 'N Goodies..\$8.00, Menards..\$436.01, Macs..\$11.98, Safety Service..\$159.86, Steven Lust Chev..\$61.74, Dakota Electronics..\$37.50, UBC..\$11.25, Rocky Mountain Assoc of Fairs..\$300.00, Jacobson Elec..\$501.26, Photo Xpress..\$21.09, Quality Quick Print..\$6.53, Sherri Rawstern..\$24.72, Glas Consulting..\$225.00, Ameripride..\$45.01, Dakota Supply Group..\$186.82, Dons Builders Hwd..\$43.30, CDW Govt..\$541.48, Mallory..\$552.09, Polk City Directory..\$260.00, Mattern Elec..\$841.97, Farm & Home Pub..\$27.50, JC Penney..\$39.98, Dakota Elec..\$121.30, Tessco..\$240.41, Walmart..\$36.62, Capitol Area Counseling..\$91.00, Tellinghusen..\$50,000.00, Carpet Plus..\$8581.73, Underground Utilities..\$121.50, Sewer Duck..\$125.00, Schwan Welding..\$85.00, Lien Transportation..\$210.00;

Professional Fees: Language Lines..\$159.00, witness fees..\$62.20, Avera St Lukes..\$2283.52, Dental Center..\$31.68;

Publications: American News..\$1730.86;

Travel: Al Vietmeier..\$88.43, Mark Milbrandt..\$159.13, Markcus Selzler..\$35.00, Brad Nehlich..\$35.00, John Heidenreich..\$35.00, John Aman..\$64.00, Roger Huettl..\$64.00, Deb Schlosser..\$64.00, Marlys Volzke..\$64.00, Marg Zastrow..\$66.30;

Transcriptions: Kristi Kost..\$322.20, Tammy Erickson..\$159.60;

Utilities: Northwestern Energy..\$9794.54, City of Hecla..\$135.53, Northern Valley..\$70.07, Northern Elec..\$187.94, Qwest..\$596.24, Dependable Sanitation..\$212.00, City of Aberdeen..\$85.22;

Care of Poor: Medication – 4 recipients..Kessler Pharm..\$205.99, PSI Health Care..\$1248.70; Dr/Hospital – 4 recipients..Avera St Lukes..\$14861.53, Anesthesia Care..\$160.00, OB/GYN..\$453.85; Rent – 4 recipients..JD Shultis..\$240.00, Lenny Evangelisto..\$240.00, Stan Albrecht..\$260.00, Dixie

Mattern..\$280.00; Burial – 2 recipients..Spitzer Funeral Home..\$3930.00; Utilities – 4 recipient..Northwestern Energy..\$629.68, City of Aberdeen..\$75.18. All members present voting aye. Motion carried.

PERSONNEL:

Moved by Feickert, seconded by Fischbach to approve the following employee step increases, effective April 20, 2008: Matthew Farley @ \$14.07 per hour, Roxy Hilgenberg @ \$11.65 per hour, Diane Mielke @ \$14.31 per hour, Bryan Owens @ \$12.17 per hour, Kathy Fischer @ \$17.06 per hour. All members present voting aye. Motion carried.

Moved by Fischbach, seconded by Feickert to acknowledge resignation of Matthew Farley, effective April 24, 2008. All members present voting aye. Motion carried.

BID – COURTHOUSE PARKING LOT:

Moved by Feickert, seconded by Knecht to authorize advertising public hearing to open, read and consider bids for 3" and 4" of Asphalt Surfacing of the Brown County Parking Lot north of the Courthouse and south of Railroad Avenue between Market Street and Court Street. Bids will also be received for 6" of non-reinforced concrete pavement for the same parking lot. The approximate parking lot area is 2,000 square yards, to be held in the Commissioner's Chambers, Courthouse Annex, Brown County, SD at 9:15 a.m. on April 29, 2008. All members present voting aye. Motion carried.

LOTTERY APPLICATION:

Moved by Knecht, seconded by Feickert to approve the application submitted by Mansfield Betterment Association for raffle to be held on April 19, 2008. All members present voting aye. Motion carried.

SURPLUS PROPERTY:

Moved by Knecht, seconded by Fischbach to declare the following surplus for purpose of sale to be held on April 18, 2008: Decal #1347 IHC Oil Distributor, Decal #1636 Chev Pickup, Decal #3358 Ford Crown Vic, Decal #3266 Chev Impala, Decal #1637 1990 Chev Pickup and miscellaneous personal property items from various departments (complete listing on file at the Auditor's Office). All members present voting aye. Motion carried.

Moved by Knecht, seconded by Fischbach to declare Decal #1338 Raygo Steel Roller-Double Drum and Decal #1452 Homemade Utility Trailer surplus from the Highway Department for sale to Sanborn County in amount of \$3,000.00. All members present voting aye. Motion carried.

ABATEMENT:

Moved by Knecht, seconded by Fischbach to approve and authorize the Chairman sign the following abatement: Dale Ringgenberg @ \$193.95. All members present voting aye. Motion carried.

CLAIM ASSIGNMENT:

Moved by Knecht, 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.

PRECINCT BOUNDARIES/POLLING PLACES – AMENDMENT #5:
Commissioner Fischbach offered the following Resolution:

RESOLUTION NO. 29-08

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, March 13, 2007 in Resolution No. 15-07, March 27, 2007 in Resolution No. 18-07 and on May 22, 2007 in Resolution No. 34-07, and

WHEREAS, the Washington Street Gym is available for use as a polling place for Precinct 001 and Precinct 002 at this time; and

WHEREAS, the White House Inn is not available for use as a polling place for Precinct 008 and the Courthouse Community Room has adequate space to accommodate Precinct 008, in addition to Precinct 004 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; Resolution #18-07; and Resolution 34-07 by changing the polling place location for Precinct 001, Precinct 002 and Precinct 008, as follows:

Precinct 001 – Washington Street Gym, 401 N Washington Street, Aberdeen, SD
 Precinct 002 – Washington Street Gym, 401 N Washington Street, Aberdeen, SD
 Precinct 008 – Community Room – Courthouse Annex, 25 Market Street, Aberdeen, SD

Dated this 15th day of April 2008.

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

ORDINANCE NO. 052 – ADOPTION:

Moved by Knecht, seconded by Feickert to approve Second Reading and Adoption of Ordinance No. 052, An Ordinance amending Second Revision Brown County Ordinances, Title 4, specifically Chapter 4.1918 subsection 1, by deleting the following sentence “Properties that have received a Letter of Map Amendment or Letter of Map Revision based upon fill must still have their lowest floor elevated to one foot above the base flood elevation”. Roll call vote: Commissioners Hansen-absent, Fischbach-aye, Feickert-aye, Knecht-aye, Wiese-aye. Ordinance adopted.

ABERDEEN COMMUNITY AWARD:

Jim Barringer, Nancy Krumm and Julie Johnson listed various activities and accomplishments that contributed to Aberdeen receiving the “Large Community of the Year” award.

JAMES RIVER BANK DISCUSSION:

Robert Pray, Randy Stanley and Craig Harms, Putney Township met to readdress the decision made April 1, 2008 by the Commission to not participate in the project of rip-rapping the James River bank adjacent to the property owned by Robert Pray. After discussion, no change was made to the decision to not participate in the project.

APPLICATIONS FOR OCCUPANCY:

Moved by Knecht, seconded by Feickert to approve and authorize the Chairman to sign the following application, submitted by B&B Contracting Inc for occupancy of Hwy #19 in Sec 9-T123N-R63W to install water main. All members present voting aye. Motion carried.

Moved by Feickert, seconded by Knecht to approve and authorize the Chairman to sign the following applications, submitted by WEB Water Development for occupancy of the following: Hwy #9 in Sec 9 &

16-T125N-R62W Brown County, SD for potable water line; and Hwy #21 in Sec 8 & 17-T122N-R60W for potable water line Brown County, SD. All members present voting aye. Motion carried.

AIRCRAFT LANDING PERMIT:

Moved by Knecht, seconded by Fischbach to deny blanket request to land aircraft on all Brown County Highways, submitted by Dakota Airspray, Inc.; however, individual requests submitted to the Highway Department will be presented to the Commission for final approval. All members present voting aye. Motion carried.

SPEED ZONE:

Moved by Knecht, seconded by Fischbach to defer decision to change speed limit on Road 6 across the dam and spillway until April 29, 2008. All members present voting aye. Motion carried.

EXECUTIVE SESSION:

Moved by Fischbach, seconded by Feickert to go into executive session for personnel discussion with Jan Weismantel 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 Feickert, seconded by Knecht to approve the following employee classification and salary changes, effective April 21, 2008: Ronald Glugla @ \$14.84 per hour, Jason Hammrich @ \$14.84 per hour, Marcus Selzler @ pro-rated annual salary of \$38,523, Kendell Titze @ pro-rated annual salary of \$38,523, Mark Wendt @ pro-rated annual salary of \$40,040.00. All members present voting aye. Motion carried.

RECESS:

The Chairman declared the Commission recessed until April 22, 2008.

Maxine Taylor – Brown County Auditor

APRIL 15, 2008 – 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 Knecht. Commissioner Hansen was absent. Mary Worlie, Leo Leshner and Al Vietmeier, Director of Equalization Office were also in attendance.

WATER REDUCTIONS:

Moved by Knecht, seconded by Fischbach to instruct the Director of Equalization to accept all qualified water reductions. All members present voting aye. Motion carried.

APPEALS:

Moved by Fischbach, seconded by Knecht to approve the following recommendation from the Director of Equalization: Bath Twp #19 1.Daniel J Heinz-Lt 6 Blk 2 Green Acres from 66,420 to 78,420, maintain equalization. All members present voting aye. Motion carried.

Moved by Fischbach, seconded by Feickert to approve the following recommendation from the Director of Equalization: Columbia Twp #11 2.Charlie H Mitchell-NE 2-125-62 from 155,000 to 173,787, maintain equalization. All members present voting aye. Motion carried.

Moved by Feickert, seconded by Fischbach to approve the following recommendations from the Director of Equalization: Bath Twp #19 3.Larry D Akkerman-S 227.9' of E 478' of E ½ SE 8-123-62 from 151,300 to 67,740, classification change. 4.Stanley Beckler-SE 23-123-63, ex road from 42,220 to 36,095, fire adjustment. Gem Twp #24 5.Daryl Bierman-N 250' Schwefel's OL 1 SE 11-122-63 from 81,541 to 72,795, adjust after review. Claremont City #42 6.Sheldon Braun (Al Merkel)-Lt 1-2 Benson's Addn from 14,085 to 4,520, adjust after review. Gem Twp #24 7.Albert Cox-Lt 2 James OL to James from 74,084 to 19,686, fire adjustment. Warner Twp #23 8.Colin Dutenhoffer-NW 1-122-64 ex RR and ex Volin's OL 1 from 165,480 to 111,061, adjust after review. Ordway Twp #14 9.Jane Fischer-Fischers 1st Subd NE 7-124-63 from 160,795 to 164,414, maintain equalization. Oneota Twp #6 10.Dennis J Hinz-Lt 2 Hinz Subd SE 29-126-64 from 225,890 to 157,087, change classification. Prairiewood Twp #53 11-16.Charles Hogg-Lt 1A Hogg Addn NE 33-124-63 from 17,550 to 30,000; Lt 1B Hogg Addn NE 33-124-63 from 23,630 to 3,000; Lt 2A Hogg Addn NE 33-124-63 from 11,930 to 25,000; Lt 2B Hogg Addn NE 33-124-63 from 14,400 to 2,000; Lt 3A Hogg Addn NW 33-124-63 from 11,930 to 25,000; Lt 3B Hogg Addn NE 33-124-63 from 13,050 to 2,000, adjust after review. Ordway Twp #14 17.Thomas Howell-Bosch OL 2 NW 14-124-63 from 21,200 to 21,590, change classification. Palmyra Twp #28 18.Timothy R Pelkofer-S ½ SE 8-128-65 east of river, ex land platted and deeded from 67,950 to 46,496, remove building. Groton City #33 19.Dale Ringgenberg-N 46' of Lt 18 and all of Lt 19 Blk 39 First Addition from 59,850 to 55,615, adjust after review. Westport City #51 20.Rob Sandquist-BOLS Lt 5 Keyes OL Westport from 250 to 0, remove building. Bates Twp #44 21.Dallas Sombke-SE 8-121-60 from 106,113 to 93,573, fire damage. Groton City #33 22.Harlan Williams-Rock Addn Lt 1 Blk 1 from 3,000 to 9,000, maintain equalization. Groton Twp #17 23-25.Alan Zoellner-NW SE 20-123-60 from 8,303 to 5,600; NE 20-123-60 from 32,797 to 22,120; S ½ NW and N ½ SW 22-123-60 from 74,589 to 48,354, adjust after review. Aberdeen Twp #20 26.Heartland Grain Fuels-Lt 4 Wheat Growers West Subd and Lt 2 Heartland Grain Fuels Addn N ½ 21-123-64 from 4,693,520 to 4,720,670, combine parcels. Gem Twp #24 27.Locken Ag-E portion NE SE 4-122-62 from 24,750 to 4,500, adjust after review. Aberdeen Twp #20 28.Performance Rentals, LLC-OL 1 Swenson (OL 1 Lowe's) SW 21-123-64 from 385,816 to 365,789, adjust after review. 29.South Dakota Wheat Growers-Lt 7 Evelos Subd NE 21-123-64 north of RR from 1,100 to 0, property re-platted. Bath Twp #19 30.Sterling Development-Lt 8 Blk 1 Mallard Pass 8-123-62 from 67,195 to 0, correct error. Aberdeen Twp #20 31-32.Lakeside Estates-BOLS Lakeside Estates W ½ 26-123-64 -1977 Greenwood from 1,000 to 0; 1977 Champion from 3,390 to 0, condemned. 33.Melissa Ann Olson-BOLS Lakeside Estates W ½ 26-123-64

1982 Redmond from 2,000 to 0, condemned. Groton City #33 **34.Darrel's Sinclair-BOLS** Railroad Property from 8,320 to 500, tanks removed. Ravinia Twp #34 **35-36.William Welk-Richmond** Resort OL 2 NE 25-124-65 from 190,650 to 181,125; Palmer's Richmond Resort Subd 1 (Subd OL 1 Richmond OL 1 & 2) from 620,090 to 424,985, adjust after review and remove owner/occupied status. Lansing Twp #5 **37-38.Knecht Farms Inc-S** 20 acres of SW 32-127-61 from 17,692 to 95,128, maintain equalization; OL 2 E ½ SW 6-126-61 from 10,300 to 103,000, NAZ. Riverside Twp #16 **39.Steve Simon-SE** 32-124-60 @ 303,100, NAZ. Putney Twp #48 **40. LR Corp-NW** 30-124-61, ex land deeded @ 66,634, maintain equalization. Warner Twp #23 **41.Connie Smith-Lt** 4 Blk 1 Moulton First Subd SE 2-122-64 from 80,000 to 79,555, adjust after review. Bath Twp #19 **42.John Kippley-NW** 8-123-62 ex Wrights' OL 1 @ 196,428, upheld local board. South Detroit Twp #59 **43-46.Michael McCranie-S** 40 acre SW 32-126-60 from 36,403 to 44,206; SE 35-126-60 ex rd from 103,172 to 136,678; SW 32-126-60 ex S 40 acres from 103,950 to 128,476; NE 28-126-60 from 144,604 to 160648, maintain equalization. **47.Monica McCranie-NE** 27-126-60 from 150591 to 172,403, maintain equalization. Groton Twp #17 **48.Jeffrey Howard-W** ½ SW 16-123-60 @ 16,398, maintain equalization. Portage Twp #1 **49.Tom Stehley-SW** 20-128-60 from 54,826 to 33,486, adjust after review. Palmyra Twp #28 **50.Fred Retzlaff-Lt** 1 W ½ SE 20-128-65 from 3,500 to 7,305, maintain equalization. Greenfield Twp #2 **51.Mitchell-Broadview-NE** 14-127-62 from 89,950 to 106,890, maintain equalization. Bath Twp #19 **52.Karen Sieber-NE** 3-123-62 from 41,955 to 54,490, maintain equalization. All members present voting aye. Motion carried.

The Chairman declared the 2008 Brown County Board of Equalization recessed for lunch.

The 2008 Brown County Board of Equalization reconvened at 2:10 p.m. with Feickert, Fischbach and Wiese present.

Moved by Feickert, seconded by Fischbach to approve the following recommendations from the Director of Equalization: Brainard Twp #7 **53-55.Jean Rahja-SW** 4-126-63 from 64,500 to 74,588; NW 4-126-63 from 40,000 to 78,529; NW 9-126-63 from 32,000 to 33,036, maintain equalization.

Moved by Fischbach, seconded by Feickert to approve the following recommendations from the Director of Equalization: North Detroit Twp #9 **56.Lavern Swenson-SW** 27-127-60 @ 81,948, maintain equalization. **57.Virginia Swenson-NW** 28-127-60 @ 102,443, maintain equalization. Putney Twp #48 **58.Robert Pray, Jr-S** ½ SE 30-124-61 from 62,150 to 58,035, maintain equalization. All members present voting aye. Motion carried.

Moved by Feickert, seconded by Fischbach to adjourn the 2008 Brown County Board of Equalization. All members present voting aye. Motion carried.

Maxine Taylor – Brown County Auditor

APRIL 21, 2008 - 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, Kraft, Mitchell, Rux and Mayor Levens. Present from County were Commissioners Hansen, Fischbach and Wiese. Absent Commissioners Knecht and Feickert.

ORDINANCE NO. 08-04-04/362:

On motion by Rux and seconded by Aman, the City unanimously voted to approve First Reading of Ordinance No. 08-04-04/362.

Moved by Fischbach, seconded by Hansen to approve First Reading of Ordinance No. 08-04-04/362, An Ordinance amending Ordinance No. 1164 to rezone the following described property from its present zoning designation of Section 701 (A-1) Agricultural District to Section 714 (M-AG) Mini-Agricultural District: Lot 1, Evelo's Second Subdivision in the NW ¼ and the S ½ of Sec 29-T123N-R63W of the 5th P.M., Brown County, SD (currently the 996.83' of Lot 1, Evelo's First Subdivision and 4 Rods lying West of Quarter-line to North Section Line). All members present voting aye. Motion carried.

ORDINANCE NO. 08-04-05/363:

Motion by Bunsness and seconded by Mitchell, the city unanimously voted to refer Ordinance No. 08-04-05/363 to the Joint Planning Commission Meeting to be held on May 20, 2008 for further discussion.

Moved by Hansen, seconded by Fischbach to refer Ordinance No. 08-04-05/363, 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: N 990' of the W 1,320' in the NW ¼ of Sec 33-T123N-R63W, Bierman First Subdivision in the NW ¼ of Sec 33-T123N-R63W of the 5th P.M., Brown County, SD to the Joint Planning Commission Meeting to be held on May 20, 2008 for further discussion. 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

APRIL 22, 2008 - JOINT WARNER CITY/COUNTY MEETING

The Brown County Commission and the Warner City Council met in joint session at 8:45 A.M. in the County Commission Chambers, 25 Market Street, Aberdeen, South Dakota. Present from Warner City were Council Members Dave Fair, Mike Bertsch and Gaylon Townsend. Present from County were Commissioners Hansen, Fischbach, Feickert, Knecht and Wiese.

ORDINANCE NO. 053/0108:

On motion by Bertsch and seconded by Townsend, the Warner City unanimously voted to approve First Reading of Ordinance No. 053/0108.

Moved by Feickert, seconded by Hansen to approve First Reading of Ordinance No. 053/0108, An Ordinance to rezone the following property from Chapter 4.06 (AG-P) Agricultural Preservation District to Chapter 4.15 (L-I) Light Industrial District (North Central Elevator): Rieck Lot 1, Rieck-WEB Subdivision in the NE ¼ of Sec 3-T121N-R64W of the 5th P.M., Brown County, SD. Roll call vote: Commissioners Hansen-aye, Fischbach-abstain, Feickert-aye, Knecht-aye, Wiese-aye. Motion carried.

The Warner City Council adjourned and the Brown County Commission continued in regular session.

Maxine Taylor – Brown County Auditor

APRIL 22, 2008 – 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. Oaths of Office were taken by Mike Levsen and Dennis Feickert. Mary Worlie, Director of Equalization was also in attendance.

Moved by Fischbach, seconded by Feickert to approve the following recommendation from the Director of Equalization: **1.Lizabeth Haberer-Solberg's OL #4** and portion of vacated road @ 146,180, maintain equalization. All members present voting aye. Motion carried.

Moved by Levsen, seconded by Feickert to approve the following recommendation from the Director of Equalization: **2.Herbert M & Abigail G Samson-Lt 8 Blk 1 Ashwood Heights Subd @ 320,915**, maintain equalization. All members present voting aye. Motion carried.

Moved by Feickert, seconded by Fischbach to approve the following recommendation from the Director of Equalization: **3.Larry Klebsch-Lt 3 Blk 5 Woolverton Addn from 70,250 to 65,400**, adjust after review. All members present voting aye. Motion carried.

Moved by Fischbach, seconded by Alm to approve the following recommendation from the Director of Equalization: **4.Roger & Evelyn Blum-Lt 2 Dahme Subd of Blk 54 & 59 Thomas Addn @ 55,324**, maintain equalization. All members present voting aye. Motion carried.

Moved by Levsen, seconded by Fischbach to approve the following recommendation from the Director of Equalization: **5.Thomas Burgard-Burgard's 1st Cons Subd (Lt 151-152 Morning Heights Addn) @ 135,090**, maintain equalization. All members present voting aye. Motion carried.

Moved by Levsen, seconded by Alm to approve the following recommendation from the Director of Equalization: **6.Steven Blinder-Lt 8 Blk 1 Cedar Heights Subd @ 371,240**, maintain equalization. All members present voting aye. Motion carried.

Moved by Feickert, seconded by Fischbach to approve the following recommendation from the Director of Equalization: **7.Delbert Harty-Lt 10 Blk 3 1st Addn Ashwood Heights Subd from 343,750 to 264,965**, adjust after review. All members present voting aye. Motion carried.

Moved by Fischbach, seconded by Levsen to approve the following recommendation from the Director of Equalization: **8.Scott Gefre-Lt 18 Blk 2 Hyde Park 3rd Addn @ 152,995**, maintain equalization. All members present voting aye. Motion carried.

Moved by Levsen, seconded by Alm to approve the following recommendations from the Director of Equalization: **9.Peter Adam-Lt 18 Rolling Hills Village 6th from 263,595 to 256,595**, adjust after review. **10.Larry E Afdahl-Lt 4 Blk 13 2nd Addn to Highland North from 124,015 to 110,345**, adjust after review. **11.Lola Binfet-Lt 8 Arthur's Court Addn (Camelot 2nd) @ 168,060**, owner occupied. **12.Dawn Birkla-Lt 14 Blk 4 Northview 5th Addn from 132,559 to 114,359**, adjust after review. **13.Elmer & Judith Bitz-L 945 & 946 Morning Heights Addn from 80,985 to 75,910**, office error. **14.Thomas & Deanne Blanchard-Lt 4 Blk 2 Northview 3rd Addn from 165,910 to 142,680**, adjust after review. **15.William Bowen-Lt 2 Rolling Hills Village 7th Addn (Lt 1 & 2 Blk 5 RHV) from 358,960 to 258,100**, adjust after review. **16.John & Dona Burckhard-N 92' of Lts 1 & 2 Blk 40 2nd Addn from 38,780 to 23,950**, office error. **17.James & Connie Carpenter-Lt 8 Blk 1 Addisons Addn from 69,305 to 56,320**, adjust after review. **18.Tina Castillo-Lt 4 Easton's 1st Subd Blk 36, Bennett & Thomas Addn from 44,615 to 41,550**, adjust after review. **19.Scott E & Rhonda R Clark-Lt 12 Blk 4 North Plains 2nd Addn**

from 206,892 to 182,390, adjust after review. **20.Rhoda J Schultz Crum**-Lts 7 & 8 Blk 29 Bennet & Thomas Addn from 66,350 to 25,000, adjust after review. **21.Eldon & Carolyn Eidahl**-Lt 7 Blk 6 Ashwood Heights Subd from 242,660 to 217,260, adjust after review. **22.Mary E Rinke Trustee Robert Erdmann**-W 17' of Lt 5 & all of Lt 6 Blk 13 Thomas Addn from 154,135 to 114,675, adjust after review. **23.Brad Grieben**-Lts 9-10 Blk 27 Hagerty & Lloyds Addn from 98,876 to 81,865, adjust after review. **24.Steve Hellwig**-42' next S of N 93' Lt 19-22 Blk 74 Hagerty & Lloyds Addn from 26,525 to 10,880, adjust after review. **25.Peter S Hesla**-Lt 4 Blk 1 Rolling Hills Village 1st from 283,180 to 255,000, adjust after review. **26.Michele Herr**-Lt 4 Blk 9 Northview 7th Addn from 104,453 to 94,330, adjust after review. **27.Ervin Heupel**-Lt 6 Blk 10 West Hill Addn from 39,495 to 33,915, adjust after review. **28.Sharon C Johs**-N 44' Lt 5-7 Blk 5 Pleasant Hill Addn from 40,330 to 10,725, adjust after review. **29.Peter & Tari Kilian**-Lt 1 Blk 20 Thomas Addn from 95,235 to 91,585, flood damage. **30.Merle & Betty Kost**-Lt 3 Blk 1 Park Ridge Estates 1st Addn from 162,850 to 134,774, adjust after review. **31.Mike Kwasniewski**-Lt 2 Blk 2 Ashwood Heights 2nd Subd from 432,475 to 380,055, adjust after review. **32.Joseph & Delores Lauinger**-Lt 9 Blk 2 5th Addn to Highland North from 277,825 to 272,238, adjust after review. **33-34.Florence Lehr**-Lt A H1 OL 1 Hoffman's Rearrangement OL 2 Highland Park Addn from 0 to 18,000; Lt B H1 OL 1 Hoffman's Rearrangement OL 2 Highland Park Addn, omitted. **35.Lon Lyke**-Lt 3 Lauzen's Replat of Lts 23-24 Blk 40 West Aberdeen Addn from 26,135 to 20,795, adjust after review. **36.Robert Lyke**-Lt 4 Blk 43 Hagerty & Lloyds Addn from 53,244 to 30,940, adjust after review. **37.James & Melony Malsom**-Lt 12 Blk 17 14th Addn to Highland North from 155,715 to 135,730, adjust after review. **38.Erwin Marzolf**-Lt 19 Blk 10 11th Addn to Highland North from 149,825 to 135,610, adjust after review. **39.Andrew & Cynthia Meyers**-35' E of W 35' Lts 7-8 Blk 50 Bennett & Thomas Addn from 35,010 to 29,410, adjust after review. **40.Kenneth G Mosey**-S 45' Lt 1 Blk 55 2nd Addn from 35,191 to 4,331, structure removed. **41.Brandt D & Amy M Munsen**-Lt 13 Blk 16 13th Addn to Highland North from 141,390 to 137,040, adjust after review. **42.Debora O'Donnell**-Lt 5 Huffmans 4th Addn from 163,161 to 142,310, adjust after review. **43.Raymond L Pomplun**-Lt 7 Blk 9 Ashwood Heights Subd from 259,390 to 237,425, adjust after review. **44.Edward Mehlhaff c/o Sara Price**-S ½ Lt 4-5 Morning Heights Addn from 12,465 to 9,600, adjust after review. **45.Donald Rose**-Lt 4 Blk 3 Mehlhoffs 10th Addn to North Plains from 348,430 to 189,090, adjust after review. **46.Travis Rux**-Lt 25 Blk 8 Nicollet Park from 98,245 to 83,365, adjust after review. **47.Geradline Rye**-Lts 13-14 Lawson's Addn from 97,675 to 82,300, adjust after review. **48.Jeff & Shannon Scheel**-Lt 3 Blk 1 6th Addn Mel Ros Addn from 220,052 to 212,520, adjust after review. **49.Rick Schlauch**-Lt 5 Blk 21 Simmons 1st Addn from 136,390 to 120,860, adjust after review. **50.Cynthia Schwan**-N 92' Lts 2-3 Blk 55 Hagerty & Lloyds Addn from 38,940 to 9,000, structure removed. **51.Norman W Scott**-Lt 3 Blk 5 19th Addn to Highland North from 137,280 to 133,015, adjust after review. **52.Orlando Sheets**-E 55' Lt 3 & W 40' Lt 4 Blk 4 Pagones 2nd Addn from 249,725 to 206,490, adjust after review. **53.Delton Sihrer**-Lts 20-21 Blk 20 Hagerty & Lloyds Addn from 161,140 to 140,210, adjust after review. **54.Larry J Spitzer**-Lt 7 Blk 12 Replat OL A 10th Addn of Highland North from 182,875 to 162,435, adjust after review. **55.Duane Sukut**-Lts 14-15 Ex E 5' Halls Subd Blk 7 Hagerty & Lloyds Addn from 73,128 to 67,166, adjust after review. **56.Gary Vetter**-Lt 3 Blk 3 2nd Addn to Forest Acres from 145,260 to 132,950, adjust after review. **57.Shawn Walberg**-Lts 5-6 Blk 39 West Aberdeen Addn from 50,143 to 40,450, adjust after review. **58.Thomas Washenburger**-Lt 13 Blk 12 Replat OL A 10th Addn of Highland North from 192,385 to 170,155, adjust after review. **59.Cameron Weber**-Lt 3 Resmussen's Replat Lts 4-6 Blk 56 Thomas Addn from 7,148 to 5,268, adjust after review. **60.Bernerd Yelken**-Lt 1 Blk 6 Addisons Addn from 84,270 to 57,270, office error. **61.Lee Volk**-Lt 1 Blk 1 Ashwood Heights Subd from 395,265 to 345,435, adjust after review. **62.Marcella Strudle (KRB)**-Lts 955 & 956 Morning Heights from 19,520 to 16,130, adjust after review. **63.S&H Inc**-Lts 15-16 ex Lt H-1 Blk 10 Nicollet Park Addn from 254,765 to 254,465, adjust after review. **64-67.James E Gohn**-Lt 3 Hawkins Subd of Lt 1-3 Blk 14 Thomas Addn @ \$55,820; W 50' Lt 10 & W 62' Lt 11-12 Blk 29 Bennett & Thomas Addn @ 75,690; 166' N of S 699' OL 1 ex W 60' 1st Addn Highlands from 277,335 to 262,219; Lt 1 Gohn's 2nd Subd (Lts 1-3 Golden West) @ 173,825, maintain equalization/adjust after review. **68.Four Quarters LLC**-Lt 8 Pheasant Run Subd @ 286,708, annexed to Aberdeen City. **69.Hurley D Gellhaus**-Lt 3 Beckley's Subd Lts 1-2 Blk 39

Thomas Addn @ 79,211, maintain equalization. **70.LeRoy F Gabriel**-Lt 1 Wards 1st Subd from 103,210 to 82,450, adjust after review. All members present voting aye. Motion carried.

ADJOURNMNET:

Moved by Levsen, seconded by Feickert to adjourn the 2008 Consolidated Board of Equalization. All members present voting aye. Motion carried.

Maxine Taylor – Brown County Auditor

APRIL 22, 2008 – 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 and the Brown County Board of Equalization Meeting minutes of April 15, 2008. All members present voting aye. Motion carried.

CLAIMS:

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

Supplies: Lar-Jos..\$239.00, Florida Micro..\$844.43, UPS..\$8.10, Office Equip..\$85.48, HSBC..\$646.13, Best Business..\$322.08, Galls..\$47.48, Knight Towing..\$40.00, Lust Chev..\$32.95, Hedahls..\$104.54, JC Penney..\$47.68, Prairie Tool..\$292.50, North Central Rentals..\$2430.00, Light & Siren..\$206.95, Lawson Products..\$132.03, Erdmann Fuels..\$4983.62, Quality Quick Print..\$76.00, Pizza Ranch..\$56.94, Gardner Locksmith..\$46.25, Macks Auto..\$406.40, Nat'l Academies of Em Dispatch..\$135.00, Language Line..\$118.20, Schwan Elec..\$2148.00, Emily Hughes..\$355.26, Aberdeen Rural Fire Dept..\$82.50, ProAg..\$4566.90, Hampton Inn..\$366.00, VanDiest..\$38.76, Frey Elec..\$123.95, Walmart..\$177.75, B&E Siding..\$9633.82, Tennant Sales..\$1246.00, Jacobson Elec..\$517.38, Weismantel Rental..\$125.00:
Professional Fees: witness..\$20.00, Avera St Lukes..\$2237.98, Aberdeen Family Physicians..\$51.68, Lewis & Clark BHS..\$260.00:

Attorney Fees: Brevik Law Office..\$186.30, Kettering Law Office..\$146.00:

Publications: American News..\$936.84, Dakota Press..\$1899.28, Groton Indep..\$777.86:

Travel: Sheila Enderson..\$32.80, Janice Moore..\$118.40, John Heidenreich..\$52.97, Jeanette Hassebroek..\$64.00, Extension Service..\$304.71:

Transcriptions: Richard Neal..\$71.60:

Utilities: Qwest..\$4083.99, Bureau of Admin..\$517.90, Alltel..\$1446.20, Northern Elec..\$1019.65, Dependable Sanitation..\$159.00, Northwestern Energy..\$1786.21:

Care of Poor: Dr/Hospital – 9 recipients..Dental Center..\$97.83, Aberdeen Family Physicians..\$622.98, Aberdeen Surgical Assoc..\$935.69, Avera St Lukes..\$16,163.43, Dakota Imaging..\$47.87, Dr Heoise Westbrook..\$79.86; Rent – 2 recipients..JD Shultis..\$150.00, J&B Rental..\$280.00; Utilities – 3 recipients..Northwestern Energy..\$721.23. All members present voting aye. Motion carried.

PERSONNEL:

Moved by Fischbach, seconded by Feickert to approve hiring Jeff Hayes, as part-time scale operator at the Landfill, effective April 26, 2008 at \$11.61 per hour. All members present voting aye. Motion carried.

Moved by Feickert, seconded by Fischbach to acknowledge resignation of Larry Harper, effective May 3, 2008. All members present voting aye. Motion carried.

LEASE AGREEMENTS:

Moved by Hansen, seconded by Knecht to approve the following agreements: Girl Scouts Dakota Horizons Council for lease of the Richmond Lake Youth Camp on July 6 – July 18, 2008; Shirley O'Brian for lease of the Richmond Lake Youth Camp on August 4 – 8, 2008; Rachel Flihs for lease of the Open Horse Arena on May 18, June 21 and September 21, 2008. All members present voting aye. Motion carried.

PLATS:

Commissioner Fischbach offered the following Resolution:

RESOLUTION NO. 30-08

BE IT RESOLVED by the County Commission of Brown County, SD, that the plat showing "Pettigrew's Tract 1 in the NW ¼ of Sec 6-T123N-R65W of the 5th P.M., Brown County, SD", having been examined, is hereby approved in accordance with the provisions of SDCL 1967, 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 Knecht offered the following Resolution:

RESOLUTION NO. 31-08

BE IT RESOLVED by the Board of County Commissioners of Brown County, SD, that the plat showing "Lot 1C of Lot 1 of Biegler Richmond Lake Second Subdivision in the SW ¼ of Sec 13-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-aye. Resolution adopted.

Commissioner Fischbach offered the following Resolution:

RESOLUTION NO. 32-08

BE IT RESOLVED by the Board of County Commissioners of Brown County, SD, that the plat showing "Steve Dunker Subdivision in the NW ¼ of Sec 11-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 Knecht. Roll call vote: Commissioners Hansen-aye, Fischbach-aye, Feickert-aye, Knecht-aye, Wiese-aye. Resolution adopted.

Commissioner Knecht offered the following Resolution:

RESOLUTION NO. 33-08

BE IT RESOLVED by the Board of County Commissioners of Brown County, SD, that the plat showing "Wheeting-Scott Subdivision in the SW ¼ of Sec 5-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.

VACATE PLAT:

Moved by Hansen, seconded by Fischbach to authorize advertising public hearing to consider approval of petition to vacate a plat, described as Zeck First Subdivision in the NW ¼ of Sec 31-T125N-R63W of the 5th P.M., Brown County, SD, to be held at 8:45 a.m. on May 6, 2008 in the Commissioner's Chambers, Courthouse Annex, Brown County, SD. All members present voting aye. Motion carried.

EAST RIVER ELECTRIC FRANCHISE:

Moved by Hansen, seconded by Knecht to authorize advertising public hearing to consider approval of application of the East River Electric Power Cooperative, Inc. for franchise for both the existing transmission system and the planned extension of the system, to be held at 9:00 a.m. on May 6, 2008 in the Commissioner's Chambers, Courthouse Annex, Brown County, SD. All members present voting aye. Motion carried.

SHERIFF REPORTS:

Moved by Hansen, seconded by Fischbach to approve the following March 2008 Sheriff Reports: Incidents and offenses, Prisoner care, JDC, Money deposited with the County Treasurer and Monthly activities. All members present voting aye. Motion carried.

MUSEUM EMPLOYEE:

Sue Gates, Museum Director requested permission to advertise a part-time summer position at the Museum, effective June 2 – August 22, 2008 at \$8.02 per hour. Board concurred.

COURTHOUSE PARKING LOT:

Mick Palmer and Lonnie Anderson informed the Commission that Aberdeen City considers the Courthouse Parking Lot Project new construction, therefore landscaping is required. A change order will be issued to accommodate the city ordinance stipulation.

RESOLUTION OF SUPPORT:

Commissioner Hansen offered the following Resolution:

RESOLUTION NO. 34-08
Resolution Supporting Inclusion of E-911 Dispatcher's
as Law Enforcement for Retirement Purposes

Whereas E-911 Dispatcher's 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 E-911 Dispatcher's interact with the public safety 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 E-911 Dispatcher's as Law Enforcement personnel appropriate; and

Whereas inclusion of E-911 Dispatcher's as Class B employees for purposes of South Dakota Retirement will aid in recruitment and retention of highly qualified individuals for dispatch positions; and

Whereas South Dakota Communications Professionals desire to petition the South Dakota State Legislature for a legislative change to include E-911 Dispatcher's 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 South Dakota Communications Professionals to reclassify E-911 Dispatcher's as Class B employees for purposes of South Dakota Retirement benefits.

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

EXECUTIVE SESSION

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

PERSONNEL:

Moved by Knecht, seconded by Feickert to approve classification change for John VanderHoek from Field Deputy to Jailer, effective April 27, 2008 at \$14.93 per hour. All members present voting aye. Motion carried.

Moved by Hansen, seconded by Fischbach to establish Jail Sergeant Differential Pay Classification at \$0.40 per hour for employees named by the Sheriff who work from 10:00 p.m. to 8:00 a.m. in the adult jail as shift supervisors. All members present voting aye. Motion carried.

RECESS:

The Chairman declared the Commission recessed until April 29, 2008.

Maxine Taylor – Brown County Auditor

APRIL 22, 2008 - JOINT WARNER CITY/COUNTY MEETING

The Brown County Commission and the Warner City Council met in joint session at 8:45 A.M. in the County Commission Chambers, 25 Market Street, Aberdeen, South Dakota. Present from Warner City were Council Members Dave Fair, Mike Bertsch and Gaylon Townsend. Present from County were Commissioners Hansen, Fischbach, Feickert, Knecht and Wiese.

ORDINANCE NO. 053/0108:

On motion by Bertsch and seconded by Townsend, the Warner City unanimously voted to approve First Reading of Ordinance No. 053/0108.

Moved by Feickert, seconded by Hansen to approve First Reading of Ordinance No. 053/0108, An Ordinance to rezone the following property from Chapter 4.06 (AG-P) Agricultural Preservation District to Chapter 4.15 (L-I) Light Industrial District (North Central Elevator): Rieck Lot 1, Rieck-WEB Subdivision in the NE ¼ of Sec 3-T121N-R64W of the 5th P.M., Brown County, SD. Roll call vote: Commissioners Hansen-aye, Fischbach-abstain, Feickert-aye, Knecht-aye, Wiese-aye. Motion carried.

The Warner City Council adjourned and the Brown County Commission continued in regular session.

Maxine Taylor – Brown County Auditor

APRIL 28, 2008 - JOINT CITY/COUNTY MEETING

The Brown County Commission and the Aberdeen City Council met in joint session at 5:30 P.M. in the City Commission Chambers, 123 S Lincoln Street, Aberdeen, South Dakota. Present from City were Council Members Agnitsch, Aman, Bunsness, Campbell, Hodgins, Kraft, Mitchell, Rux and Mayor Levsen. Present from County were Commissioners Feickert, Fischbach and Wiese. Absent Commissioners Knecht and Hansen.

ORDINANCE NO. 08-04-04/362:

On motion by Agnitsch and seconded by Aman, the City unanimously voted to approve Second Reading and Adoption of Ordinance No. 08-04-04/362.

Moved by Feickert, seconded by Fischbach to approve Second Reading and Adoption of Ordinance No. 08-04-04/362, An Ordinance amending Ordinance No. 1164 to rezone the following described property from its present zoning designation of Section 701 (A-1) Agricultural District to Section 714 (M-AG) Mini-Agricultural District: Lot 1, Evelo's Second Subdivision in the NW ¼ and the S ½ of Sec 29-T123N-R63W of the 5th P.M., Brown County, SD (currently the 996.83' of Lot 1, Evelo's First Subdivision and 4 Rods lying West of Quarter-line to North Section Line). Roll call vote: Commissioners Fischbach-aye, Feickert-aye, Wiese-aye, Hansen-absent, Knecht-absent. Ordinance adopted.

ADJOURNMENT:

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

Maxine Taylor - Brown County Auditor

APRIL 29, 2008 - JOINT WARNER CITY/COUNTY MEETING

The Brown County Commission and the Warner City Council met in joint session at 8:45 A.M. in the County Commission Chambers, 25 Market Street, Aberdeen, South Dakota. Present from Warner City were Council Members Dave Fair, Mike Bertsch and Gaylon Townsend. Present from County were Commissioners Fischbach, Feickert, Knecht and Wiese. Absent Commissioner Hansen

ORDINANCE NO. 053/0108:

On motion by Bertsch and seconded by Townsend, the Warner City unanimously voted to approve Second Reading and Adoption of Ordinance No. 053/0108.

Moved by Knecht, seconded by Feickert to approve Second Reading and Adoption of Ordinance No. 053/0108, An Ordinance to rezone the following property from Chapter 4.06 (AG-P) Agricultural Preservation District to Chapter 4.15 (L-I) Light Industrial District (North Central Elevator): Rieck Lot 1, Rieck-WEB Subdivision in the NE ¼ of Sec 3-T121N-R64W of the 5th P.M., Brown County, SD. Roll call vote: Commissioners Hansen-absent, Fischbach-abstain, Feickert-aye, Knecht-aye, Wiese-aye. Ordinance adopted.

The Warner City Council adjourned and the Brown County Commission continued in regular session.

Maxine Taylor – Brown County Auditor

APRIL 29, 2008 - 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 Aberdeen City/County Meeting minutes of April 21, 2008 and the Joint Warner City/County Meeting minutes, General Meeting minutes and Consolidated Equalization Meeting minutes of April 22, 2008. All members present voting aye. Motion carried.

CLAIMS:

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

Payroll: Commissioners...\$2,991.00; Auditor...\$7,325.64; Treasurer...\$10,392.04; Data Processing...\$3,269.35; State's Attorney...\$12,083.29; Blood Draws-SA...\$1,155.00; Maintenance...\$5,811.28; Assessor...\$9,521.74; Planning & Zoning...\$1,520.00; Register of Deeds...\$5,396.30; Veterans Service Office...\$2,967.65; GIS...\$1,848.00; Sheriff...\$69,534.95; Communications...\$17,048.00; Welfare...\$3,020.78; Museum...\$5,452.20; Fairboard...\$1,500.05; Fairgrounds & Parks...\$4,221.88; Extension...\$1,916.80; Weed...\$2,383.88; E&D...\$2,792.80; Teen Court...\$555.04; Highway...\$24,827.26; Landfill...\$7,879.14; Matching Benefits: FICA...\$12,103.11; Medicare...\$2,830.60; Wellmark BCBS Life Ins...\$683.12; Delta Dental Ins...\$4256.00; Wellmark BCBS Health...\$65,390.72; SD Retirement...\$24,996.06:

Supplies: Brown County...\$16.20, Jane Jensen...\$18.01, Dept of Revenue...\$2518.00, Carlson Travel...\$1071.00, Exec Mgmt...\$2850.56, Dakota Supply...\$26.00, Heartland Paper...\$426.67, Ecolab...\$171.00, House of Glass...\$1053.00, K-Mart...\$314.67, Aberdeen Plumbing...\$94.68, Fire Safety First...\$375.22, Gardner Locksmith...\$33.50, SDREC...\$300.00, SDAAO...\$1500.00, Lar-Jos...\$90.00, Quality Quick Print...\$119.89, Thompson West...\$27.50, Office Equip...\$308.62, Inventory Trading...\$106.50, Visa...\$1106.96, Tessco...\$199.66, Custom Micro...\$5400.00, Best Business...\$133.32, Hofers Repair...\$131.95, Pheasantland Industries...\$205.70, Pacer...\$16.88, Galls...\$659.67, SD Sheriff Assn...\$46.29, Dept of Human Services...\$132.64, Huron Culvert...\$16,332.36, Diesel Machinery...\$2075.00, Caspers Hwd...\$9.97, Bridgestone...\$78.03, Van Diest...\$4212.25, North Central Leasing...\$15,693.50, Newman Signs...\$7373.10, James Loterbauer...\$522.00, Lawson Products...\$230.41, Larson Blacksmith...\$60.00, Sherwin Williams...\$27.99, Am Assoc of Local History...\$22.50, Sherri Rawstern...\$30.02, NASCO...\$24.14, Jerry Mills...\$26.49, HSBC...\$1354.37, RACOM...\$84.80, Earth Tech...\$4633.72, Aberdeen C&F...\$3065.50, Superior Jetting...\$3477.62, LBG...\$4712.11, SD DENR...\$475.00:

Professional Fees: Walworth County Sheriff...\$44.35, NADRIC...\$1666.66:

Attorney Fees: Thomas Edwards...\$795.00, Tim Lamb...\$825.00, Kuck Law Office...\$4166.67, Wm Gerdes...\$4166.67, Gina Rogers...\$4166.67, Randy Turner...\$4416.67, Christy Serr...\$4416.67, John Billion...\$104.00:

Publications: American News...\$426.30, Groton Indep...\$312.02:

Travel: Rachel Morales...\$237.39, Spitzer-Miller Funeral Home...\$244.20, Gary Vetter...\$73.19:

Transcriptions: Sara Vande Walle...\$572.80, Tammy Erickson...\$270.85:

Utilities: Midcontinent Cable...\$194.15, Northwestern Energy...\$7484.09, Verizon...\$46.96, Alltel...\$184.46, Montana Dakota...\$27.69, Qwest...\$81.34:

Care of Poor: Dr/Hospital – 2 recipients..Orthopedic Surgery Spec...\$2072.22, Avera St Lukes...\$138.02; Transportation – 2 recipients..Aberdeen Ride Line...\$161.00; Rent – 3 recipients..Super 8...\$55.00, Steve Gauer...\$260.00, Tom Appletoft...\$300.00; Utilities – 3 recipients.. Northwestern Energy...\$450.00, Northern Elec...\$201.52; Insurance – 2 recipients..SD Risk Pool...\$319.02, Allied Benefit Systems...\$469.30. All members present voting aye. Motion carried.

PERSONNEL:

Moved by Knecht, seconded by Fischbach to approve the following employee step increases, effective May 4, 2008: Janice Moore @ \$16.79 per hour, Carol Wolf @ \$14.66 per hour, John Weig @ \$14.58 per hour, Larry Hardy @ \$13.88 per hour, Monte Podoll @ \$12.48 per hour. All members present voting aye. Motion carried.

Moved by Feickert, seconded by Fischbach to approve hiring Ashley Pigors as Summer Assistant at the Extension Office, effective May 27, 2008 at \$7.36 per hour. All members present voting aye. Motion carried.

Moved by Knecht, seconded by Feickert to approve hiring Jeanette Nietert as Chief Deputy Auditor, effective May 5, 2008 at \$18.52 per hour. All members present voting aye. Motion carried.

Moved by Fischbach, seconded by Knecht to acknowledge the following miles driven and amount to be taxed for personal use of County vehicles during March and April 2008: Richard Burns – 110 @\$55.55. All members present voting aye. Motion carried.

LEASE AGREEMENTS:

Moved by Feickert, seconded by Knecht to approve and authorize the Chairman sign the following agreements: Farmers Union Camp for lease of the Richmond Lake Youth Camp on June 29 – July 2, 2008; Liebelt RV for lease of the Holum Expo Building on March 18 – 30, 2008; Aberdeen Area Horsemen's Assn for lease of the Open Horse Arena on June 1, June 22, July 6 and August 3, 2008. All members present voting aye. Motion carried.

ABATEMENT:

Moved by Knecht, seconded by Fischbach to approve the following abatement: Aberdeen Christian Fellowship – BID at \$533.25. All members present voting aye. Motion carried.

SPECIAL MALT BEVERAGE HEARING:

Moved by Knecht, seconded by Feickert to authorize advertising a public hearing to be held in the Commissioners Chambers, Courthouse Annex, Brown County, SD on May 6, 2008 at 9:30 a.m. to consider the following application for a Special Malt Beverage License: Centennial Village, Inc., 615 S Main St, Aberdeen, S.D. 57401 at the Brown County Fairgrounds SW ¼ Sec 1-T123N-R64W (maps indicating specific building on file with application): Centennial Village, effective May 19, 2008. All members present voting aye. Motion carried.

PROPERTY TRANSFER:

Moved by Knecht, seconded by Fischbach to approve and authorize the Chairman sign agreement with the following entity that received equipment from the 2004 ODP Equipment Grant Program: Brown County Register of Deeds (weather radio). All members present voting aye. Motion carried.

SURPLUS SALE REPORT:

Moved by Fischbach, seconded by Knecht to accept surplus sale report and acknowledge proceeds in amount of \$11,148.49 (Decal #1967 Asphalt Paver declared no sale). All members present voting aye. Motion carried.

WATER RIGHT PERMIT APPLICATION:

Moved by Knecht, seconded by Fischbach to approve and authorize the Chairman sign Water Right Permit Application for the Brown County Sanitary Landfill for an un-named buried outwash located on

the Landfill Expansion area (NW ¼ Sec 14-T123N-R65W of the 5th P.M., Brown County, SD). All members present voting aye. Motion carried.

TAX DEED SALE:

Moved by Knecht, seconded by Fischbach to authorize advertising the following described property to be offered for sale by auction in the Community Room, Brown County Courthouse Annex, on May 20, 2008 at 2:00 p.m; and further to declare property surplus for purpose of sale (90% of minimum bid):

Frederick Twp: Abandoned RR r/o/w NE ¼ Sec 26-T127N-R64N of 5th P.M., Brown County, SD @ \$1,000.00; Warner City: Lot 9 and vacated alley Blk 1 Warner City @ \$3,000.00. All members present voting aye. Motion carried.

COURT SECURITY GRANT APPLICATION:

Moved by Fischbach, seconded by Feickert to approve and authorize the Chairman sign Court Security Grant application letter in amount of \$10,907.79 (50/50 match grant). All members present voting aye. Motion carried.

EXECUTIVE SESSION:

Moved by Fischbach, seconded by Knecht to go into executive session to discuss contract. All members present voting aye. Motion carried.

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

SPECIAL MALT BEVERAGE LICENSE HEARING:

Time and place, as advertised for public hearing to consider application for Special Malt Beverage Licenses for the 2008 Northeast Area Horse Racing Season at the Fairgrounds. Moved by Feickert, 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 8, 10, 11, 17 and 18, 2008. Brown County Fairgrounds (Grandstand) SW ¼ Sec 1-T123N-R64W, effective May 10, 11, 17 and 18, 2008. Brown County Fairgrounds (Clubhouse) SW ¼ Sec 1-T123N-R64W, effective May 24, 25 and 26, 2008. Brown County Fairgrounds (Grandstand) SW ¼ Sec 1-T123N-R64W, effective May 24, 25 and 26, 2008 (map indicating specific buildings on file with applications). All members present voting aye. Motion carried.

BID – COURTHOUSE PARKING LOT:

Time and place, as advertised to open, read and consider sealed bids to complete the Courthouse Parking Lot Project. Bids were received from Wright & Sudlow, Inc, Aberdeen Asphalt and Lien Transportation. Moved by Feickert, seconded by Knecht to refer all bids to Lonnie Anderson, Clark Engineering and Mick Palmer, Maintenance for review and recommendation. All members present voting aye. Motion carried.

KEEP YOUR PLATE – JULY '08:

Sheila Enderson, Treasurer distributed brochures provided by the SD Department of Revenue "Keep your plat – July '08", which explains how the SD vehicle registration system will change from license plate with vehicle to license plate with owner and further informed the Commission how the new system will affect the Treasurers Office.

PHASE II JAIL PROJECT:

Dean Marske, HKG and Mick Palmer, Maintenance presented update on the Phase II Jail Project.

BCCHC REPORT:

DeAnna Kyburz presented the Brown County Community Health Center Report for January – March 2008.

APPLICATIONS FOR OCCUPANCY:

Moved by Knecht, seconded by Feickert to approve application submitted by Northern Electric for occupancy of Brown County Highway #12W in Sec 14 & 23-T123N-R65W Brown County, SD to provide electrical service. All members present voting aye. Motion carried.

Moved by Feickert, seconded by Fischbach to approve application submitted by Northern Electric for occupancy of Brown County Highway #12 in Sec 5-T123N-R63W Brown County, SD to provide electrical service. All members present voting aye. Motion carried.

SPEED ZONE:

Moved by Knecht, seconded by Fischbach to deny request to change speed limit on Road 6 across the dam and spillway. All members present voting aye. Motion carried.

BID AWARD – MAGNESIUM CHLORIDE:

Moved by Feickert, seconded by Knecht to award bid for Magnesium Chloride, submitted by Z & S Dust Control Systems at \$.64 per gallon, as bid by Spink County on March 11, 2008. All members present voting aye. Motion carried.

APPROVE HIRING:

Moved by Fischbach, seconded by Feickert to authorize advertising the following available positions at the Highway Department: two full-time Labor Grade 3 Truck Driver/Laborer employees at \$11.95 per hour. All members present voting aye. Motion carried.

Moved by Feickert, seconded by Knecht to authorize advertising the following available positions at the Highway Department: one full-time Office Clerk at \$10.96 per hour; one seasonal laborer at \$8.79 per hour. All members present voting aye. Motion carried.

PERSONAL PROPERTY TRANSFER:

Moved by Knecht, seconded by Feickert to transfer a 1974 Trailer (personal property - not fixed asset) from the Fairgrounds to the Highway Department. All members present voting aye. Motion carried.

LOAD LIMIT RESTRICTIONS – REMOVED:

Moved by Feickert, seconded by Fischbach to authorize removal of Load Limit Restrictions on April 30, 2008. All members present voting aye. Motion carried.

EQUALIZATION UPDATE:

Mary Worlie, Director of Equalization informed the Commission that one individual has taken a consolidated equalization decision to the OHE and after review the property will be stipulated.

RECESS:

The Chairman declared the Commission recessed until May 6, 2008.

Maxine Taylor – Brown County Auditor

MAY 6, 2008 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 Aberdeen City/County Meeting minutes of April 28, 2008, the Joint Warner City/County Meeting minutes and the General Meeting minutes of April 29, 2008. All members present voting aye. Motion carried.

CLAIMS:

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

Supplies: CMFP..\$5000.00, Best Business..\$168.01, Thomson West..\$3919.16, Language Line..\$98.05, Office Equip..\$144.45, Kesslers..\$253.63, Trail Chev..\$387.25, Racom..\$254.40, Evercom..\$1900.00, Exhaust Pros..\$25.20, Hoven Auto..\$64.06, Towing Plus..\$75.00, Galls..\$134.22, Walmart..\$528.51, Moore Medical..\$100.74, John McQuillen..\$19.34, Share Corp..\$294.80, Markcus Selzler..\$60.00, Power Plan..\$882.79, Macs..\$299.01, Great Western Tire..\$937.95, Erdmann Fuels..\$10,629.22, Dakota Supply Group..\$49.96, Crawford Trucks..\$1142.67, Butler Machinery..\$248.59, Quality Quick Print..\$1254.05, Minnehaha County..\$234.00, Sheriff of Yankton County..\$25.00, Dakota Supply Group..\$21.90, Farnams..\$33.48, Kens Superfair Foods..\$20.76, Cash Wa Foods..\$25.50, Midwest Alarm..\$51.50, Hub City Radio..\$1250.00, Glas Consulting..\$191.25, Advantage Self Storage..\$129.00, Boys & Girls Club..\$5000.00, Walmart..\$88.95, Artz Camera..\$105.98, Keypoints..\$1550.00, HC Clark..\$4200.00, Pierson Ford..\$3.96, Pro Ag..\$4354.83, Runnings..\$256.35, Snap-On Tools..\$742.95, SD Dept of Rev..\$3970.59, Energy Alliance..\$7569.96, Vosika Fencing..\$4050.00, Dakota Electronics..\$451.38, Streichers..\$113.96, Electrical Engineering..\$308.00, AOS..\$7426.87, Titan Access..\$202.72, Eide Bailly..\$229.50, HSBC..\$778.90, Van Diest..\$611.02, The Sportsman..\$1510.01, Menards..\$51.43, Farm Power..\$23.60:

Professional Fees: witness fees..\$40.00, Clinical Labs..\$3095.24, Donna Dietrich..\$316.10, Cathy Reh Fuss..\$30.00, Nelva Kooistra..\$30.00, Avera St Lukes..\$3112.00:

Attorney Fees: Horn Law Office..\$192.60, Johnson, Miner..\$124.50:

Publications: American News..\$771.50, Groton Indep..\$337.03:

Travel: Gene Loeschke..\$70.30, Leo Leshner..\$87.69, Gary Vetter..\$31.45, Al Vietmeier..\$89.54:

Utilities: Qwest..\$73.19, Midcontinent Comm..\$142.56, Northern Valley Comm..\$78.65, James Valley Coop..\$147.53, Town of Frederick..\$32.25, NW Energy..\$791.29, WEB..\$102.86, Northern Elec..\$100.00:

Care of Poor: Dr/Hospital – 3 recipients..Avera St Lukes..\$5880.11, Dr Heloise Westbrook..\$79.86, Dr Ty Hanson..\$206.91; Medication – 3 recipients..Kessler Pharm..\$120.03, Walmart Pharm..\$24.08, K-Mart Pharm..\$122.81; Rent – 3 recipients..Mark Grasse..\$240.00, Erdmann Properties..\$300.00, Zumbaum Property..\$120.00; Utilities – 3 recipients..NW Energy..\$499.56; Burial – 1 recipient..Paetznick Garness Funeral Chapel..\$1450.00; Transportation – 3 recipient..Aberdeen Shuttle..\$230.00, Jefferson Lines..\$131.00. All members present voting aye. Motion carried.

SET HEARING DATE:

Moved by Hansen, seconded by Knecht to set public hearing for 8:45 a.m. on May 27, 2008 in the Aberdeen City Council Chambers, 123 Lincoln Street for First Reading of the following: Ordinance No. 08-05-03/364, An Ordinance to rezone the following property from Section 701 (A-1) Agricultural District to Section 707 (C-2) Highway Commercial District: Lot C of Schumachers Outlots in the NW ¼ of Sec 22-T123N-R63W of the 5th P.M. except that portion deeded for Hwy, Brown County, SD. All members present voting aye. Motion carried.

LEASE AGREEMENT:

Moved by Hansen, seconded by Knecht to approve and authorize the Chairman sign the following agreement: Linda Urlacher for lease of the Richmond Lake Youth Camp on May 30 – June 1, 2008. All members present voting aye. Motion carried.

AUDITORS REPORT OF ACCOUNT:

Moved by Hansen, seconded by Fischbach to approve the April 2008 Auditor's Report of Account with the County Treasurer in total amount of \$21,718,410.73 (total amount of actual cash @ \$3,475.00, Wells Fargo Bank @ \$3,694.79, US Bank @ \$48,081.85, Dacotah Bank @ \$51,452.74, Petty Cash @ \$1,800.00, Fund Investments @ \$21,609,881.35, Outstanding Checks @ \$25.00). All members present voting aye. Motion carried.

2007 FINANCIAL REPORTS:

Moved by Hansen, seconded by Knecht to accept the 2007 Financial Reports as presented March 25, 2008 and authorize the County Auditor to not prepare the M, D & A (Manager's Discussion and Analysis) as a supplement to the report. All members present voting aye. Motion carried.

LEPC:

Moved by Feickert, seconded by Hansen to approve the following changes to the LEPC (Local Emergency Planning Committee): Add Loy Stange and delete Tony Jones, Jesse Luce, Dave Mowers, Elizabeth Myers, James Scarlett and Jennifer Zeltwanger. All members present voting aye. Motion carried.

SURPLUS CASH REPORT:

Moved by Hansen, seconded by Fischbach to approve the following General Fund Surplus Cash Analysis Report: March 2008 @ \$389,036.91 (3.27%). All members present voting aye. Motion carried.

VACATE PLAT:

Commissioner Knecht offered the following Resolution:

RESOLUTION NO. 35-08

WHEREAS, John and Gail Zeck, pursuant to SDCL 11-3-20.1, presented an Application for Vacation of Plat legally identified as:

Zeck First Subdivision in the NW ¼ of Sec 31-T125N-R63W of the 5th P.M., 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:

Zeck First Subdivision in the NW ¼ of Sec 31-T125N-R63W of the 5th P.M., Brown County, South Dakota

is hereby vacated.

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

PLAT:

Commissioner Feickert offered the following Resolution:

RESOLUTION NO. 36-08

BE IT RESOLVED by the County Commission of Brown County, SD, that the plat showing "Hecla School Addition to the City of Hecla, 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.

EAST RIVER ELECTRIC POWER COOPERATIVE FRANCHISE

Commissioner Knecht offered the following Resolution:

RESOLUTION #37-08

WHEREAS, East River Electric Power Cooperative, Inc., a corporation, on the 17th day of April, 2008, filed with the County Auditor of the County of Brown, South Dakota, its duly verified petition for franchise for a grant of the right to construct, maintain, and operate poles and wires for the purpose of transmitting electricity and electric energy for lighting, heating, and power purposes over, upon, along, and across the following public highways in said County of Brown, to-wit:

1. Existing transmission system:

Entering Brown County from the east along the quarter line of Section Twelve (12), Township One Hundred Twenty Two (122) North, Range Sixty (60) West of the Fifth Principal Meridian, proceeding thence west along said quarter line across said Section Twelve (12) and across Sections Eleven (11), Ten (10), Nine (9) and to a point approximately in the center of Section Eight (8), same Township and Range, thence proceeding south across the south one-half of said Section Eight (8), continuing on south through Section Seventeen (17) to a point approximately thirty five (35) feet south of the north boundary of Section Twenty (20), thence westerly along the north boundary of the Northwest Quarter (NW1/4) of Section Twenty (20), continuing on in the same manner along the north boundary of Section Nineteen (19) to a point in the Northwest Quarter (NW1/4) of said Section Nineteen (19), thence north to a point in the Southwest Quarter (SW1/4) of the Southwest Quarter (SW1/4) of Section Eighteen (18), Township One Hundred Twenty Two (122) North, Range Sixty (60) West, the location of the United States Western Area Power Administration substation.

Also beginning at a point along the quarter line at the north boundary of Section Twenty Three (23), Township One Hundred Twenty Two (122) North, Range Sixty One (51) West, proceeding thence south along said quarter line across Sections Twenty Three (23), Twenty Six (26), and Thirty Five (35), same township and range, and proceeding south to a point approximately in the center of Section Two (2), Township One Hundred Twenty One (121) North, Range Sixty One (61) West, thence proceeding west along the quarter line across the west one-half of said Section Two (2), and across Section Three (3), thence north along the west section line of said Section Three (3), to the Cooperative's substation located in the northwest corner of the Northwest Quarter (NW1/4) of said Section Three (3), same township and range, a distance of approximately five and one-half (5 1/2) miles.

Also beginning at a point along the quarter line at the west boundary of Section Three (3), Township One Hundred Twenty One (121) North, Range Sixty One (61) West, proceeding thence west along said quarter line across Sections Four (4), Five (5), and Six (6), same township and range, and proceeding west across Section One (1), and across the east one-half of Section Two (2), to a point

approximately in the center of said Section Two (2), thence proceeding south to a point approximately in the center of Section Eleven (11), thence proceeding west across the west one-half of said Section Eleven (11) and across Sections Ten (10), Nine (9), Eight (8), and Seven (7), all in Township One Hundred Twenty One (121) North, Range Sixty Two (62) West, and continuing west across Sections Twelve (12), Eleven (11), Ten (10), Nine (9), Eight (8), and Seven (7), Township One Hundred Twenty One (121) North, Range Sixty Three (63) West, and continuing west across Sections Twelve (12), Eleven (11), Ten (10), Nine (9), Eight (8) and Seven (7), thence south along the west boundary of Section Seven (7) to the Cooperative's substation located in the southwest corner of the Southwest Quarter (SW1/4) of said Section Seven (7), Township One Hundred Twenty One (121) North, Range Sixty Four (64) West, a distance of approximately twenty two and one-half (22 1/2) miles.

Also beginning at a point in the Southwest Quarter of the Southwest Quarter (SW1/4SW1/4) of Section Eighteen (18), Township One Hundred Twenty Two (122) North, Range Sixty (60) West, the location of the United States Western Area Power Administration Substation, thence proceeding westerly crossing Highway 37 to a point along the east boundary of Section Thirteen (13), Township One Hundred Twenty Two (122) North, Range Sixty One (61) West, thence south to a point in the northeast corner of Section Twenty Four (24), same township and range, thence westerly along the north boundary of said Section Twenty Four (24) to a point along the north-south quarter line of Section Twenty Three (23), thence northerly through Sections Fourteen (14) and Eleven (11), and across Section Two (2), same township and range, and continuing north across Sections Thirty Five (35), Twenty Six (26), Twenty Three (23), Fourteen (14), Eleven (11), and Two (2), Township One Hundred Twenty Three (123) North, Range Sixty One (61) West, and continuing north across Sections Thirty Five (35), Twenty Six (26), Twenty Three (23), Fourteen (14), Eleven (11), and Two (2), Township One Hundred Twenty Four (124) North, Range Sixty One (61) West, and continuing north along the quarter line across Sections Thirty Five (35), Twenty Six (26), Twenty Three (23), Fourteen (14) and Eleven (11), to a point approximately in the center of Section Eleven (11), same Township and Range, thence proceeding east along the quarter line to a point approximately in the center of Section Twelve (12), same Township and Range, thence north to a point along the south boundary of Section One (1), same Township and Range, thence east to the cooperative's substation located in the southeast corner of the Southeast Quarter (SE1/4) of said Section One (1), all in Township One Hundred Twenty Five (125) North, Range Sixty One (61) West, a distance of approximately twenty (20) miles.

Also beginning at a point on the existing transmission line of the cooperative near the center of Section Twenty Six (26), Township One Hundred Twenty Four (124) North, Range Sixty One (61) West of the Fifth Principal Meridian, proceeding thence west along the quarter section line across the west one-half of said Section Twenty Six (26) and across Sections Twenty Seven (27), Twenty Eight (28), Twenty Nine (29), and Thirty (30), same township and range, and continuing west across Sections Twenty Five (25), Twenty Six (26), Twenty Seven (27), Twenty Eight (28), Twenty Nine (29), and Thirty (30), Township One Hundred Twenty Four (124) North, Range Sixty Two (62) West, and continuing west across Sections Twenty Five (25) and Twenty Six (26), and to a point approximately one hundred thirty three (133) feet west of the east section line of Section Twenty Seven (27), all in Township One Hundred Twenty Four (124) North, Range Sixty Three (63) West, and thence proceeding north parallel to the east section line of said Section Twenty Seven (27) of said township and range to the site of the cooperative's substation located in the northeast corner of the Northeast Quarter (NE1/4) of said Section Twenty Seven (27), Township One Hundred Twenty Four (124) North, Range Sixty Three (63) West, a total distance of approximately thirteen (13) miles.

Entering Brown County from the south approximately fifty two (52) feet west of the southeast corner of Section Thirty One (31), Township One Hundred Twenty One (121) North, Range Sixty Two (62) West of the Fifth Principal Meridian, continuing north fifty two (52) feet west of the east boundaries of said Section Thirty One (31) and Sections Thirty (30), Nineteen (19), Eighteen (18), and to the east-

west quarter line of Section Seven (7), Township One Hundred Twenty One (121) North, Range Sixty Two (62) West, to the location of and point of connection with the cooperative's existing transmission line, a distance of approximately four and one-half (4 1/2) miles.

Also beginning at a point at the United States Western Area Power Administration substation in the Southwest Quarter of the Southwest Quarter (SW1/4SW1/4) of Section Eighteen (18), Township One Hundred Twenty Two (122) North, Range Sixty (60) West. At this point the transmission line crosses Highway 37 to a point in the Southeast Quarter Southeast Quarter (SE1/4SE1/4) of Section Thirteen (13), Township One Hundred Twenty Two (122) North, Range Sixty One (61) West. From this point turning north paralleling Highway 37 approximately seventy seven (77) feet west of road center along Section Thirteen (13), Township One Hundred Twenty Two (122) North, Range Sixty One (61) West, to a point in the Northeast Quarter Northeast Quarter (NE1/4NE1/4). At this point turning west, continuing westerly approximately forty seven (47) feet south of road center along Section Thirteen (13) and Northeast Quarter (NE1/4) of Section Fourteen (14), Township One Hundred Twenty Two (122) North, Range Sixty One (61) West. At this point East River Electric Power Cooperative, Inc. connects to their existing 69 KV line. Transmission line consists of approximately two and one half (2 1/2) miles.

Also beginning at a point in the Southwest Quarter Northwest Quarter (SW1/4NW1/4) of Section Eleven (11), Township One Hundred Twenty One (121) North, Range Sixty Three (63) West, of the Fifth Principal Meridian. Commencing at this point in a northerly direction paralleling west boundaries of Northwest Quarter (NW1/4) of Section Eleven (11) and Section Two (2), entering Section Thirty Five (35) in Southwest Quarter of Southwest Quarter (SW1/4SW1/4) of Township One Hundred Twenty Two (122) North, Range Sixty Three (63) West, continuing along west boundary of Section Thirty Five (35), Township One Hundred Twenty Two (122) North, Range Sixty Three (63) West, to the Northwest Quarter Southwest Quarter (NW1/4SW1/4) of Section Twenty Six (26), at this point crossing township road to Northeast Quarter Southeast Quarter (NE1/4SE1/4) of Section Twenty Seven (27), Township One Hundred Twenty Two (122) North, Range Sixty Three (63) West. At this point continuing northerly paralleling east boundary of the Northeast Quarter (NE1/4) of Section Twenty Seven (27), Township One Hundred Twenty Two (122) North, Range Sixty Three (63) West, continuing northerly along east boundary of Section Twenty Two (22), at this point crossing township road to the southwest corner of the Southwest Quarter (SW1/4) of Section Fourteen (14), Township One Hundred Twenty Two (122) North, Range Sixty Three (63) West, continuing northerly along the west boundary of Section Fourteen (14) to the southwest corner of the Southwest Quarter (SW1/4) of Section Eleven (11), Township One Hundred Twenty Two (122) North, Range Sixty Three (63) West, at this point crossing the township road to the southeast corner of the Southeast Quarter of Section Ten (10) Township One Hundred Twenty Two (122) North, Range Sixty Three (63) West, continuing north along the east boundary of Sections Ten (10) and Three (3), entering Section Thirty Four (34) in the Southeast Quarter of Southeast Quarter (SE1/4SE1/4) in Township One Hundred Twenty Three (123) North, Range Sixty Three (63) West, continuing northerly on east boundary of Sections Thirty Four (34) and Twenty Seven (27), to the Northeast Quarter of Southeast Quarter (NE1/4SE1/4) of Section Twenty Two (22). At this point crossing road to Southwest Quarter of Northwest Quarter (SW1/4NW1/4) of Section Twenty Three (23), Township One Hundred Twenty Three (123) North, Range Sixty Three (63) West. Continuing to the 69 KV substation located in the Northwest Quarter of Northwest Quarter (NW1/4NW1/4) of Section Twenty Three (23), Township One Hundred Twenty Three (123) North, Range Sixty Three (63) West.

Also at the point in the Northwest Quarter Northwest Quarter (NW1/4NW1/4) (from substation) continuing northerly crossing Highway 12 to the Southwest Quarter Southwest Quarter (SW1/4SW1/4) of Section Fourteen (14), Township One Hundred Twenty Three (123) North, Range Sixty Three (63) West, approximately thirty five (35) feet east of road center, continuing northerly paralleling the west boundary of Sections Fourteen (14), Eleven (11), and Two (2), all in Township One Hundred Twenty Three (123) North, Range Sixty Three (63) West, entering Section Thirty Five (35), Township One Hundred Twenty

Four (124) North, Range Sixty Three (63) West in the Southwest Quarter Southwest Quarter (SW1/4SW1/4) continuing northerly and paralleling west boundary of Section Thirty Five (35), to the Northwest Quarter Southwest Quarter (NW1/4SW1/4) of Section Twenty Six (26). At this point connecting to East River Electric Power Cooperative's existing 69 KV line. Line consisting of approximately fifteen (15) miles.

Also at a point in the northwest corner of the Northwest Quarter (NW1/4) of Section Two (2), Township One Hundred Twenty Two (122) North, Range Sixty Three (63) West of the Fifth Principal Meridian, approximately thirty five (35) feet south of road center. Continuing in a westerly direction paralleling north boundaries approximately thirty five (35) feet south of road center through Sections Three (3), Four (4), Five (5), and Six (6), all in Township One Hundred Twenty Two (122) North, Range Sixty Three (63) West. Continuing in the same manner through Sections One (1), Two (2), and Three (3), Township One Hundred Twenty Two (122) North, Range Sixty Four (64) West at a point in the northeast corner of the Northeast Quarter (NE1/4), Section Three (3), turning north at right angles. Entering Section Thirty Four (34), Township One Hundred Twenty Three (123) North, Range Sixty Four (64) West in the southeast corner of Southeast Quarter (SE1/4) continuing northerly approximately thirty five (35) feet east of road center, paralleling Section Thirty Four (34). At a point in the northwest corner of the Northwest Quarter (NW1/4), Section Thirty Four (34), crossing road to a point in the northeast corner of the Northeast Quarter (NE1/4), Section Thirty Three (33), Township One Hundred Twenty Three (123) North, Range Sixty Four (64) West. Continuing northerly paralleling east boundary approximately thirty five (35) feet west of road center through Section Twenty Eight (28), Township One Hundred Twenty Three (123) North, Range Sixty Four (64) West, crossing road to a point in the southeast corner of Southeast Quarter (SE1/4), Section Twenty One (21), Township One Hundred Twenty Three (123) North, Range Sixty Four (64) West. At this point turning west at right angle, continuing westerly paralleling south boundary approximately thirty five (35) feet south of road center of the Southwest Quarter (SW1/4) of Section Thirty One (31), Township One Hundred Twenty Three (123) North, Range Sixty Four (64) West to a point in the Southwest Quarter Southeast Quarter (SW1/4SE1/4), Section Thirty One (31), Township One Hundred Twenty Three (123) North, Range Sixty Four (64) West to the S.W. Aberdeen Substation. Line approximately nine and one-half (9 1/2) miles.

Also taking off from the existing line in the Northwest Quarter of the Northwest Quarter (NW1/4NW1/4) of Section Eleven (11), Township One Hundred Twenty Three (123) North, Range Sixty Three (63) West, thence westerly along the north edge of Section Ten (10) to a point in the Northwest Quarter (NW1/4) of Section Ten (10), stub pole and anchors along railroad right of way in Section Three (3), thence paralleling the Burlington Northern Railroad line to the southwest through Section Ten (10) and to a point in the Southeast Quarter (SE1/4) of the Northwest Quarter (NW1/4) of Section Nine (9), thence south along the quarter line to a point in the northeast corner of the Northwest Quarter (NW1/4), Section Sixteen (16) and west to a cooperative substation in the Northwest Quarter (NW1/4) of Section Sixteen (16). The line is approximately two and three-quarters (2 3/4) miles in length.

Also beginning in the southwest corner of the Southwest Quarter (SW1/4) of Section Twenty Six (26), Township One Hundred Twenty Four (124) North, Range Sixty Three (63) West of the Fifth Principal Meridian, thence west into the southeast corner of the Southeast Quarter (SE1/4) of Sections Twenty Seven (27), continuing west along the south edge of Section Twenty Seven (27) and Twenty Eight (28), into the southeast corner of the Southeast Quarter (SE1/4) of Section Twenty Nine (29), making a right angle turn to the north, with a stub pole and four anchors to the south into the northeast corner of the Northeast Quarter (NE1/4) of Section Thirty Two (32), and four anchors west in the southeast corner of the Southeast Quarter (SE1/4) of Section Twenty Nine (29), thence north along the east edge of Section Twenty Nine (29) into the southeast corner of the Southeast Quarter (SE1/4) of Section Twenty (20), making a right angle turn to the west, with four anchors to the north and a stub pole and four anchors into the southwest corner of the Southwest Quarter (SW1/4) of Section Twenty One

(21), thence west along the south edge of Section Twenty (20), Section Nineteen (19), all in Township One Hundred Twenty Four (124) North, Range Sixty Three (63) West of the Fifth Principal Meridian, continuing west into the southeast corner of the Southeast Quarter (SE1/4) of Section Twenty Four (24), Township One Hundred Twenty Four (124) North, Range Sixty Four (64) West of the Fifth Principal Meridian, thence west along the south edge of Section Twenty Four (24) and into Section Twenty Three (23), making a right angle turn to the south, with four anchors to the north and four anchors to the west in Section Twenty Three (23), thence south into Section Twenty Six (26), with four anchors to the east and four anchors to the south, thence west along the north edge of Section Twenty Six (26), Section Twenty Seven (27), Section Twenty Eight (28) and Section Twenty Nine (29), ending in the northwest corner of the Northwest Quarter (NW1/4) of Section Twenty Nine (29), Township One Hundred Twenty Four (124) North, Range Sixty Four (64) West of the Fifth Principal Meridian, in Lincoln Township, Brown County, South Dakota, the site of the N.W. Aberdeen Substation. The transmission line is approximately ten (10) miles.

Also a 115 KV substation is built in the South Six Hundred Feet (S 600'), the East Eight Hundred Fifty Feet (E 850') of the Southwest Quarter (SW1/4) of Section Twenty Eight (28), Township One Hundred Twenty Four (124) North, Range Sixty Two (62) West. There is one-half mile of double circuit line along the east edge of the Southwest Quarter (SW1/4), connecting into our line in the north corner of the Southwest Quarter (SW1/4) of Section Twenty Eight (28), Township One Hundred Twenty Four (124) North, Range Sixty Two (62) West.

Also East River Electric Power Cooperative, Inc., has constructed an electrical transmission line interconnecting with the N.W. Aberdeen Substation located in the northwest corner of the Northwest Quarter (NW1/4), Section Twenty Nine (29), Township One Hundred Twenty Four (124) North, Range Sixty Four (64) West of the Fifth Principal Meridian, thence southerly along the west edge of Section Twenty Nine (29), crossing into the northwest corner of Section Thirty Two (32), thence westerly along the north edge of Section Thirty One (31), Township One Hundred Twenty Four (124) North, Range Sixty Four (64) West of the Fifth Principal Meridian, continuing westerly along the north edges of Sections Thirty Six (36), Thirty Five (35), Thirty Four (34) and Thirty Three (33), Township One Hundred Twenty Four (124) North, Range Sixty Five (65) West of the Fifth Principal Meridian, thence extending into the southwest corner of Section Twenty Eight (28) and the northeast corner of Section Thirty Two (32) for the purpose of bracing and securing the transmission line, thence southerly along the west edge of Section Thirty Three (33), crossing into the northwest corner of Section Four (4), Township One Hundred Twenty Three (123) North, Range Sixty Five (65) West the Fifth Principal Meridian, thence westerly along the north edge of Sections Five (5) and Six (6), leaving Brown County in the northwest corner of Section Six(6), Township One Hundred Twenty Three (123) North, Range Sixty Five (65) West the Fifth Principal Meridian. The transmission line is approximately nine (9) miles.

Also East River Electric Power Cooperative, Inc. has constructed an electrical transmission line interconnecting with the Claremont Substation located in the Southeast Quarter (SE1/4) of Section One (1), Township One Hundred Twenty Five (125) North, Range Sixty One (61) West of the Fifth Principal Meridian, thence northerly along the east edge of Section One (1), Township One Hundred Twenty Five (125) North, Range Sixty One (61) West, continuing northerly along the east edge of Sections Thirty Six (36) and Twenty Five (25), Twenty Four (24), Thirteen (13), Twelve (12) and One (1), Township One Hundred Twenty Six (126) North, Range Sixty One (61) West, thence continuing north along the east edge of Sections Thirty Six (36) and Twenty Five (25), Township One Hundred Twenty Seven (127), Range Sixty One (61) North, to the Hecla Substation in the Southeast corner of the Southeast Quarter (SE1/4) of Section Twenty Four (24), Township One Hundred Twenty Seven (127), Range Sixty One (61) West of the 5th P.M.

Also constructed an electrical transmission line interconnecting with the existing S.W. Aberdeen Substation located in the southwest corner of the Southeast Quarter (SE1/4), Section Twenty One (21), Township One Hundred Twenty Three (123) North, Range Sixty Four (64) West of the Fifth Principal Meridian, thence westerly along the south edge of Section Twenty One (21), crossing into the southeast corner of Section Twenty (20), thence southerly along the east edge of Section Twenty Nine (29), crossing into the northeast corner of Section Thirty Two (32), thence westerly along the south edge of Section Thirty Two (32) and Section Thirty One (31) Township One Hundred Twenty Three (123) North, Range Sixty Four (64) West of the Fifth Principal Meridian, to the northeast corner of Section Thirty Six (36), Township One Hundred Twenty Three (123) North, Range Sixty Five (65) West of the Fifth Principal Meridian, continuing westerly across the south edge of Section Thirty Six (36), Section Thirty Five (35), Section Thirty Four (34), Section Thirty Three (33), Section Thirty Two (32), and Section Thirty One, leaving Brown County in the northwest corner of Section Thirty One (31), Township One Hundred Twenty Three (123) North, Range Sixty Five (65) West of the Fifth Principal Meridian. The transmission line is approximately nine and one half (9.5) miles.

Also constructed an electrical transmission line interconnecting with the existing Bath Substation located in the northwest corner of the Northwest Quarter (NW1/4), Section Twenty Three (23), Township One Hundred Twenty Three (123) North, Range Sixty Three (63) West of the Fifth Principal Meridian, thence easterly along the north edge to the northeast corner of Section Twenty Four (24), thence northerly along the east edge of Section Thirteen (13) to the northeast corner, thence easterly to the northwest corner of Section Eighteen (18), Township One Hundred Twenty Three (123) North, Range Sixty Two (62) West of the Fifth Principal Meridian, thence northerly along the west edge of Section Seven (7) and Section Six (6) crossing into the southwest corner of Section Thirty One (31), Township One Hundred Twenty Four (124) North, Range Sixty Two (62) West of the Fifth Principal Meridian, continuing northerly across railroad right of way to a point along the northern edge of said right of way, thence northeasterly along the north edge of railroad right of way to a point which intersects the south edge of Section Twenty Nine (29), thence easterly along the south edge of Section Twenty Nine (29) and Twenty Eight (28) to the Ordway Substation located in the southeast corner of the Southwest Quarter (SW1/4) of Section Twenty Eight (28), Township One Hundred Twenty Four (124) North, Range Sixty Two (62) West of the Fifth Principal Meridian. The transmission line is approximately seven and one half (7.5) miles.

East River Electric is proposing to construct an electrical transmission line interconnecting with the existing transmission line in the northeast corner of the Northeast Quarter (NE1/4), Section Seventeen (17), Township One Hundred Twenty Two (122) North, Range Sixty (60) West of the Fifth Principal Meridian, thence southerly along the west edge of Section Twenty (20) to the northwest corner of Section Twenty Nine (29), thence easterly along the north edge of said section to the northeast corner of said section, thence southerly along the east edge of said section, continuing southerly along the east edge of Section Thirty Two (32), crossing over to the northeast corner of Section Five (5), Township One Hundred Twenty One (121) North, Range Sixty (60) West of the Fifth Principal Meridian, thence southerly along the east edge of Section Five (5) and Section Eight (8) crossing into the northeast corner of Section Seventeen (17), thence easterly along the north edge of Section Sixteen (16), Section Fifteen (15), and Section Fourteen (14), leaving Brown County in the northeast corner of Section Thirteen (13), Township One Hundred Twenty One (121) North, Range Sixty (60) West of the Fifth Principal Meridian. The transmission line is approximately ten (10) miles.

WHEREAS, said application was heard by the Board of County Commissioners of said County of Brown, on the 6th day of May, 2008, at the hour of 9:00 o'clock A.M. at the office of said board in the Court House in the City of Aberdeen, Brown County, South Dakota, due notice of said hearing having been given by mail, in strict compliance with the requirements of law, to all persons, firms or corporations owning or operating transmission, telegraph, or telephone lines on or along any part of the highways

hereinbefore described which the proposed transmission or distribution line of the applicant is to occupy, all in accordance with the terms and provisions in SDCL Chapter 31-26 and all acts amendatory thereto.

WHEREAS, no person, firm, or corporation has appeared in opposition to the granting of such application, and it appearing to the satisfaction of the Board of County Commissioners that no differences have arisen or exist between the applicant, East River Electric Power Cooperative, Inc., and any owner of any transmission, telegraph, or telephone line on or along any part of said highways; and it further appearing to the satisfaction of the board that the construction, operation and maintenance of the applicant's distribution and transmission line as now installed and operating and with additions thereto will not interfere with the maintenance and operation of any other line upon any part of said highways;

NOW, THEREFORE, BE IT RESOLVED, by the Board of County Commissioners of the County of Brown and State of South Dakota that East River Electric Power Cooperative, Inc., is hereby granted, in addition to rights previously granted to it, the right to construct, maintain, and operate poles and wires for the purpose of transmitting electricity and electric energy for lighting, heating, and power purposes over, upon, along, and across the public highways hereinbefore described in said County of Brown for a period of twenty years from and after the date hereof be, subject to the terms and conditions of SDCL Chapter 31-26 and all acts amendatory thereto.

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

EMPLOYEE HEALTH INSURANCE:

Moved by Hansen, seconded by Feickert to renew the Brown County Employee Health Insurance Plan with Wellmark Blue Cross and Blue Shield of SD, as follows: 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, 2008 through June 30, 2009. 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-aye, Wiese-aye. Motion carried.

SPECIAL MALT BEVERAGE HEARING:

Moved by Feickert, seconded by Hansen to approve application for a Special Malt Beverage License: Centennial Village, Inc., 615 S Main St, Aberdeen, S.D. 57401 at the Brown County Fairgrounds SW ¼ Sec 1-T123N-R64W (maps indicating specific building on file with application): Centennial Village, effective May 19, 2008. All members present voting aye. Motion carried.

AUDIT ENTRANCE CONFERENCE:

Kay Fredrick, SD Department of Legislative Audits met with the Commission for Entrance Conference for the Audit being conducted for fiscal year 2007.

AWARD BID – COURTHOUSE PARKING LOT PROJECT:

Moved by Fischbach, seconded by Hansen to award bid, submitted by Wright & Sudlow in amount of \$92,996.32 for Courthouse Parking Lot Project - 6" Concrete Pavement; rejecting the following bids: Lien Transportation - 3" Bituminous Surfacing @ \$41,488.10 and 4" Bituminous Surfacing @ \$48,695.30 and Aberdeen Asphalt - 3" Bituminous Surfacing @ \$41,128.46 and 4" Bituminous Surfacing @ \$49,148.36. All members present voting aye. Motion carried.

MOSQUITO CONTROL GRANT FUNDING:

Ted Dickey, NECOG and Roger Johnson informed the Commission that the State has not determined if any funds will be allocated to counties for mosquito control in 2008. Even though the State has indicated that all funding will go strictly to municipalities, the Commission requested an application be prepared for submission for county funding to cover areas such as the Fairgrounds, Richmond Lake, Pleasant Valley, etc.

APPLICATIONS FOR OCCUPANCY:

Moved by Fischbach, seconded by Hansen to approve the following application, submitted by Northern Valley Communications for occupancy of Brown County Highway #19 in Sec 17 & 16-T123N-R63W of the 5th P.M., Brown County, SD for telecommunications. All members present voting aye. Motion carried.

Moved by Hansen, seconded by Feickert to approve the following application, submitted by Qwest Corporation for occupancy of Brown County Highway #19/134th Street in Sec 22-T123N-R64W of the 5th P.M., Brown County, SD to provide telephone service. All members present voting aye. Motion carried.

BID – CONCRETE BRIDGE MATERIALS:

Moved by Hansen, seconded by Feickert to award low bid, submitted by Cretex Concrete Products West, Inc. for prestressed concrete bridge material as bid by Day County on March 4, 2008 (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.

EASEMENTS – FAIRGROUNDS ROAD PROJECT:

Moved by Fischbach, seconded by Feickert to approve and authorize the Chairman sign document from Brown County to the City of Aberdeen granting a temporary construction easement over and across the following described real property: A portion of the SW ¼ of Sec 1-T123N-R64W of the 5th P.M., Brown County, SD, according to the construction plans filed with the original document. All members present voting aye. Motion carried.

Moved by Feickert, seconded by Fischbach to approve and authorize the Chairman sign document from Brown County to the City of Aberdeen granting a perpetual easement for right of way purposes for the benefit of the public, over, on and across the S 17' of the SW ¼ of Sec 1-T123N-R64W of the 5th P.M., Brown County, SD, as shown on Exhibit A filed with the original document. All members present voting aye. Motion carried.

RECESS:

The Chairman declared the Commission recessed until May 13, 2008.

Maxine Taylor – Brown County Auditor

MAY 13, 2008 – 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 May 6, 2008. All members present voting aye. Motion carried.

CLAIMS:

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

Payroll: Commissioners..\$2,991.00; Auditor..\$5,930.84; Treasurer..\$10,392.04; Data Processing..\$3,269.35; State's Attorney..\$12,083.29; Blood Draws...\$315.00; Maintenance..\$5,905.04; Assessor..\$9,674.30; Register of Deeds..\$5,304.62; Veterans Service Office..\$3,055.61; GIS..\$1,848.00; Sheriff..\$72,719.96; Coroner..\$460.00; Communications..\$15,849.31; Welfare Office..\$3,020.78; Museum..\$5,452.20; Fairgrounds & Parks..\$4,381.55; Fairboard..\$1,925.65; Extension..\$1,935.20; Weed..\$3,585.88; Planning and Zoning..\$1,520.00; Emergency Management..\$2,792.80; Teen Court..\$581.20; Highway..\$23,414.29; Landfill..\$8,563.91; Matching Benefits: FICA..\$12,203.80; Medicare..\$2,854.07:

Supplies: Dakota Mailing..\$135.00, Days Inn..\$93.00, New Trends..\$37.35, Quality Quick Print..\$654.95, Office Equip..\$377.76, Dahme Const..\$11,197.40, House of Glass..\$1558.24, Ecolab..\$194.50, Clark Engineering..\$3800.00, Taylor Laundry..\$113.50, Gardner Locksmith..\$10.00, UBC..\$4.52, Dakota Supply Group..\$120.39, Runnings..\$460.64, Heartland Paper..\$430.91, SDAAO..\$125.00, Sterling Solutions..\$700.00, Parcel Erickson..\$43.95, National Target..\$100.76, Photos Now..\$29.95, Infinity Gear..\$131.28, Nat'l Sheriff Assn..\$100.00, Baja Books..\$163.35, Accurint..\$45.95, Best Business..\$112.76, Esmet..\$36.73, Tri State Water..\$54.80, Aberdeen Chrysler..\$31.15, Earthgrains..\$625.64, Hoven Auto..\$51.50, Intoximeters..\$62.50, Cash-Wa..\$5349.36, Exhaust Pros..\$50.40, Dakota Electronics..\$3961.95, Bob Barker..\$87.24, Tessco..\$844.45, Bonnie Bitz..\$96.00, Wallworth..\$143.74, Volk Upholstery..\$52.00, Spec Mfg..\$66.17, SD Wheat Growers..\$216.00, Sheehan Mack Sales..\$6905.20, Ramada..\$209.28, Quality Welding..\$47.52, Pro Ag..\$279.74, Menards..\$543.73, Langs..\$729.98, Interstate Battery..\$90.95, Huron Culvert..\$608.16, Hedahls..\$87.78, Habecks..\$75.00, Farnams..\$23.54, Farm Power..\$1951.27, Evergreen Supply..\$221.61, JC Evans..\$5347.00, Economy Propane..\$1383.05, Dakota Oil..\$2082.02, Dakota Fluid Power..\$2255.99, Cunningham Elec..\$28.56, Clark Engineering..\$729.99, Cartney Bearing..\$22.65, Biersbach Equip..\$135.84, Aberdeen Chrysler..\$560.00, Exhaust Pros..\$16.50, Erdmann Fuels..\$1127.21, Sherwin Williams..\$123.70, Macs..\$23.99, SD Magazine..\$279.00, Kens Superfair Foods..\$55.95, Dacotah Prairie Museum..\$15.00, Goodman & Assoc..\$3152.00, ERI Intn't..\$986.00, Walmart..\$43.76, Kesslers..\$74.58, Language Line..\$90.00, Dakota Broadcasting..\$460.00, Hase Plumbing..\$85.51, Ameripride..\$149.71, Brick Propane..\$267.30, Cartney Bearing..\$59.85, Dakota Fluid Power..\$4.32, Cunningham Elec..\$3676.15, CDW Govt..\$2700.00:

Professional Fees: Pennington County Sheriff..\$52.58, Aurora County Sheriff..\$25.00, Hennepin County Sheriff..\$71.00, Avera St Lukes..\$143.00, Community Counseling..\$944.00:

Publications: American News..\$3222.03, Groton Indep..\$56.72, Midland Press..\$270.00:

Travel: Lisa Samson..\$119.14, Maxine Taylor..\$251.84, Sheila Enderson..\$253.66, Carol Sherman..\$152.40, Tom Gohn..\$149.60, Kathy Schlecht..\$89.66:

Transcriptions: Tammy Erickson..\$48.30, Maxine J Risty..\$73.04:

Utilities: FSH..\$60.00, City of Aberdeen..\$2227.59, Northwestern Energy..\$3839.13, Northern Valley Comm..\$69.83, Verizon..\$119.68, Qwest..\$553.84, James Valley..\$196.73, Northern Elec..\$891.39, Northern Wireless..\$61.95, Dependable Sanitation..\$17,139.72:

Care of Poor: Dr/Hospital – 8 recipients..Dakota Imaging..\$420.66, PSI Health Care..\$99.15, Northern Plains OMS..\$886.87, Avera St Lukes..\$10,203.76; Rent – 4 recipients..Wertman Properties..\$120.00, Dixie Mattern..\$260.00, Betty Gilchrist..\$240.00, Lenny Evangelisto..\$240.00; Utilities – 1 recipient..Northwestern Energy..\$158.75. All members present voting aye. Motion carried.

PERSONNEL:

Moved by Feickert, seconded by Knecht to approve the following employee step increases, effective May 18, 2008: David Bruckner @ \$15.00 per hour, Shawna Everson @ \$12.91 per hour, Marissa McDermand @ \$12.91 per hour, Mervyn Heaton @ \$12.40 per hour, Joseph Malsam @ \$13.68 per hour. All members present voting aye. Motion carried.

Moved by Knecht, seconded by Feickert to approve hiring Don Fischer, as part-time employee for elections, effective May 13, 2008 at \$11.61 per hour. All members present voting aye. Motion carried.

Moved by Feickert, seconded by Knecht to amend motion in minutes of April 22, 2008 to include longevity of \$0.80 in salary for John VanderHoek for total hourly wage of \$15.73, effective April 27, 2008. All members present voting aye. Motion carried.

Moved by Hansen, seconded by Fischbach to approve hiring Mattheus Badenhorst as full-time correctional officer in the Jail, effective May 12, 2008 at \$12.03 per hour. All members present voting aye. Motion carried.

Moved by Fischbach, seconded by Feickert to approve hiring Tim Hettich as Labor Grade 3 at the Highway Department, effective May 27, 2008 at \$11.95 per hour. All members present voting aye. Motion carried.

BID DOCUMENTS:

Moved by Feickert, seconded by Fischbach to approve and authorize the Chairman sign bid documentation for the Courthouse Parking Lot Project awarded to Wright and Sudlow, Inc. All members present voting aye. Motion carried.

GRANT APPLICATION:

Moved by Hansen, seconded by Knecht to approve and authorize the Chairman sign Highway Safety Grant Application for funding in amount of \$27,908.00. All members present voting aye. Motion carried.

PLAT:

Commissioner Knecht offered the following Resolution:

RESOLUTION NO. 38-08

BE IT RESOLVED by the County Commission of Brown County, SD, that the plat showing "Evelo's 2nd Subdivision in NW ¼ and S ½ Sec 29-T123N-R63W of the 5th P.M., Brown County, SD", having been examined, is hereby approved in accordance with the provisions of SDCL of 1967, Chapter 11-3, and any amendments thereof.

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

LEASE AGREEMENT:

Moved by Hansen, seconded by Knecht to approve application submitted by Reverend Snipes, Church of God for lease of the Richmond Youth Camp on July 20 – 25, 2008. All members present voting aye. Motion carried.

SET HEARING DATE – MALT BEVERAGE LICENSES:

Moved by Hansen, seconded by Knecht to authorize advertising public hearing to consider the following applications, to be held in the Brown County Commission Chambers, Courthouse Annex at 8:45 a.m. on June 3, 2008: Retail (On-Off Sale) Malt Beverage Marge Frohling DBA The Connection, Main Street, Box 62, Houghton, SD – Lots 10-11-12-13-&14, Block 2, Sec 31-T127-R61. Alan Lanphere DBA Bath

Quick Stop, RR 1, Box 96, Bath, SD – Lot B Weismantel's First Subd of Lot 1 ex N 12' Jenkins Subd E ½ of SE ¼ Sec.18-123-62. Alfred Malsam DBA A&E Promotions, 2423 North Brown County 19, Aberdeen, SD – Brown County Fairgrounds Grandstand limited to drawing on file - SW ¼ Sec 1-T123N-R64W, Brown County, SD. Moccasin Creek Country Club, Inc. 39084 130th St., Aberdeen, SD – Prairiewood Village Outlot 7 Sec 33-124-63. Dave Schumaker DBA Elm Lake Resort, 37594 102nd St, Forbes ND – Lot 1, Elm Lake Resort Subd in the SE ¼ of Sec 8-128-65, ex that portion of Road r/o/w. Larry Griffiths and Carolyn Crist DBA Griff's Place, 38401 133rd St, Aberdeen, SD – N218' of Lot A, Replat of Evelo's Subdivision in NW ¼ Sec 21-T123N-R64W, Brown County, SD. Alex and Diane Schaeffer, DBA Richmond Oasis LLC, 12845 382nd Ave, Aberdeen SD – Lot 4 Schaeffer Richmond Lake 2nd Addition in NE ¼ of Sec 25-T124N-R65W, Brown County, SD. Aberdeen Hockey Association Inc, PO Box 515, Aberdeen SD – Brown County Fairgrounds SW ¼ Sec 1-T123N-R64W (Odde Hockey Building – map indicating specific building on file with application). All members present voting aye. Motion carried.

HOSPITAL CLAIMS:

Moved by Hansen, seconded by Feickert to deny payment of the following hospital claims: 49 year old male @ \$11,466.83, 42 year old female @ \$3,179.42, 35 year old male @ \$3,955.40, as the individuals have not provided sufficient information to determine if indigent. All members present voting aye. Motion carried.

PALMYRA LAND DISCUSSION:

Kim Dorsett, States Attorney discussed obtaining quotes for surveying county owned land in Palmyra Township.

BID – DEMOLITION OF BUILDING:

Moved by Knecht, seconded by Fischbach to authorize advertising a hearing to publicly open, read and consider bids for the Demolition of County Owned Building/Backfill Excavated Area on Railroad Ave to be held in the Brown County Commissioner's Chambers, Courthouse Annex, Brown County, SD on June 10, 2008 at 9:00 A.M. All members present voting aye. Motion carried.

HIGHWAY UPDATE:

Jan Weismantel, Highway Superintendent discussed the speed limit on County Road 9 between Highway 281 and Westport. No action was taken at this time.

SURPLUS PROPERTY:

Moved by Feickert, seconded by Hansen to declare a refrigerator from the highway department surplus for disposal. All members present voting aye. Motion carried.

EXECUTIVE SESSION:

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

DEVELOPMENT ROAD DISCUSSION:

Michael Schulte, Ty and Denise Call met with the Commission to inquire about process for completing a road dedicated to the public on the plat of Edwards Third Subdivision. The Commission referred the individuals to the developer of the property.

RECESS:

The Chairman declared the Commission recessed until May 20, 2008.

Maxine Taylor – Brown County Auditor

MAY 20, 2008 – 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 May 13, 2008. All members present voting aye. Motion carried.

CLAIMS:

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

Supplies: Florida Micro..\$1150.72, Farm & Home..\$1220.00, Language Line..\$171.10, Thomsen West..\$1164.83, Midwest Alarm..\$1525.24, Deluxe Business Checks..\$66.98, Heartland Paper..\$637.14, HKG..\$2582.40, House of Glass..\$28.00, Crescent Electric..\$5.02, Tellinghuisen..\$30242.41, Sherwin Williams..\$314.38, John Kersten..\$1407.15, Dakota Supply..\$56.46, Menards..\$178.98, Aberdeen Plumbing..\$140.76, HSBC..\$850.14, SPAN Pub..\$278.00, DT Pharm..\$663.08, Best Business..\$184.91, Crisis Prev..\$499.00, Tel Serv..\$83.09, Office Equip..\$50.33, Knight Towing..\$40.00, Parcel Erickson..\$65.00, 3-D Spec..\$2679.12, Randy's Auto..\$40.00, Pumps Tire..\$92.10, M-R Signs..\$112.78, Langs TV..\$50.00, Howes Oil..\$29,505.40, Freys Elec..\$2693.15, Fastenal Co..\$73.27, Erdmann Fuels..\$1516.04, Carquest..\$956.09, Ameripride..\$304.68, Nat'l Abundance..\$3.20, Kleins..\$2.69, Sherri Rawstern..\$60.02, Aberdeen Parks & Rec..\$75.00, Ken's Superfair Foods..\$51.39, TSC..\$78.24, SD Fed Property..\$9743.00, Kesslers..\$103.09, GLAS Consulting..\$78.75, KSFY..\$225.00, KELO..\$1500.00, Midcontinent Comm..\$900.00, Photo Xpress..\$19.85, Dakota Supply..\$46.77, Runnings..\$50.50, Quality Welding..\$24.00, Butler Machinery..\$47.40, Farnams..\$28.42, Carquest..\$309.80, RDR..\$5175.68, Fire Safety First..\$58.43, Premier Auto..\$855.18, Gas 'N Goodies..\$4.24, Graham Tire..\$15.00, Rohl Vending..\$116.00, Crucial Tech..\$75.98, Karls..\$67.00, LBG..\$15,409.82, Harvin Schlosser..\$90.00: Professional Fees: Donna Dietrich..\$208.82, Nelva Kooistra..\$15.00, Cathy Rehfuss..\$15.00, NE Mental Health..\$87.78, Sheriff of Yankton County..\$75.00, Lewis & Clark BHS..\$390.00:

Attorney Fees: David Hosmer..\$128.86:

Publications: American News..\$1794.96, Groton Indep..\$377.98:

Travel: Jan Beckler..\$14.80, Gene Loeschke..\$88.80, Gary Erickson..\$128.10, Dennis VanHeerde..\$94.11:

Transcriptions: Sara Van De Walle..\$80.00:

Utilities: Alltel..\$245.68, Northwestern Energy..\$2705.80, Dependable Sanitation..\$371.00, Northern Elec..\$174.46, City of Hecla..\$119.59, Qwest..\$62.01:

Care of Poor: Dr/Hospital – 5 recipients..Dental Center..\$43.78, Avera St Lukes..\$459.33, Orthopedic Surgery..\$68.50, Northern Plains..\$888.67, Dakota Imaging..\$337.17: Rent – 3 recipients..Danne..\$130.00, Rockford Apt..\$229.00, White House Inn..\$132.30; Utilities – 2 recipients..NW Energy..\$560.00; Transportation – 1 recipient..Brown County Hwy..\$38.54. All members present voting aye. Motion carried.

PERSONNEL:

Moved by Feickert, seconded by Hansen to approve employee status change for Tom Lammon from part-time to seasonal with CDL at the Highway Department at \$11.61 per hour, effective May 19, 2008. All members present voting aye. Motion carried.

Moved by Knecht, seconded by Hansen to approve hiring Matthew Huettl as Seasonal without CDL, effective May 21, 2008 @ \$8.79 per hour at the Highway Department; and Richard Breitag as Labor Grade 3 Driver/Laborer, effective June 9, 2008 at \$11.95 per hour at the Highway Department. All members present voting aye. Motion carried.

Moved by Feickert, seconded by Hansen to approve hiring Meagan O'Malley as summer employee at the Dacotah Prairie Museum, effective June 2, 2008 at \$8.02 per hour. All members present voting aye. Motion carried.

CLAIM ASSIGNMENT:

Moved by Hansen, seconded by Feickert 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.

ABATEMENTS:

Moved by Hansen, seconded by Feickert to approve the following Abatements: Patrick Aldinger @ \$1,648.24, Lyle Goldade @ \$105.13 and @ \$65.57, George Bailes, Jr @ \$89.47 and @ \$46.52, Aberdeen Lakeside LLP @ \$55.83, Lavern Didreckson @ \$660.44, Jennifer Clackum @ \$39.35, Andrew Bertsch @ \$65.67 and @ \$110.80, Mike Hughes @ \$65.57 and @ \$76.49, Lakeside Estates @ \$37.21, Dean Sinclair @ \$16.76, Melissa Olson @ \$41.54, Christopher Wright @ \$65.67. All members present voting aye. Motion carried.

TOWNSHIP BONDS:

Moved by Hansen, seconded by Feickert to approve the following Township Bonds (Treasurer and Clerk): PORTAGE #1- Susan Gerdes, Tom Stehly; GREENFIELD #2 - Carol Luttrell, Karen Lunzman; FREDERICK #3 - Dan Rahja, Jill Gisi; ALLISON #4 - Dillon Cutler, Arlene Hixon; LANSING #5 - Sharon Lehr, Dixie Clark; ONEOTA #6 - Karla Engelhart, Neil Schaunaman; BRAINARD #7 - Charles Dennert, Diane Bruns; SHELBY #8 - Michael Knecht, Brent Miller; NORTH DETROIT #9 - Sandy Dinger, Cindy Olson; 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; BATH #29 - David Stahl, Scott Sperry; 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 - Craig 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; BATES #44 - Kathy Dobberpuhl, Roger Ball; 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.

LOTTERY APPLICATIONS:

Moved by Hansen, seconded by Feickert to approve the following applications for lottery: NSU Foundation/Alumni Association to be held at the Brown County Speedway on May 30, June 6, 13, 20, & 27, July 11, 12, & 25, August 1, 13, & 22, September 26 & 27, 2008; American Cancer Society to be held at the Brown County Speedway on July 18, 2008. All members present voting aye. Motion carried.

SHERIFF REPORTS:

Moved by Hansen, seconded by Feickert to approve the following April 2008 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 COMMUNITY AWARD:

Julie Johnson, Absolutely Aberdeen presented a duplicate copy of the award naming Aberdeen as an Outstanding Community to Brown County, in recognition to all residents living outside of the city limits, whose contributions helped lead to the accomplishments represented by the award.

SPEED ZONE AMENDMENT:

Commissioner Knecht offered the following Resolution:

RESOLUTION #39-08

WHEREAS, Chapter 6.03 Speed Zones of the Second Revision of Brown County Ordinances authorizes the Brown County Commission to change the speed limit or the extent of any such limited speed zones, at any time they may deem necessary, and

WHEREAS, all Speed Zones throughout the County were established by Resolution No. 46-05, as amended by Resolution No. 66-06, and

WHEREAS, the Highway Superintendent has recommended a speed zone change on a portion of County Road 9.

NOW THEREFORE BE IT RESOVLED that Resolution No. 46-05, as amended by Resolution No. 66-06 be amended as follows:

ADD:

County Road #9, beginning at the intersection of US 281 and Road 9, T125, R64W of the 5th PM, then east seven-tenths of a mile, 45 MPH.

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

APPLICATIONS FOR OCCUPANCY:

Moved by Feickert, seconded by Knecht to approve the following application, submitted by BDM Rural Water System, Inc, Hecla Area Expansion for occupancy of right/of/way under and along various Brown County Highways in Twp 127N-R60W, Twp 128N-R60W and Twp 128N-R61W to install water pipelines. All members present voting aye. Motion carried.

Moved by Knecht, seconded by Feickert to approve the following applications, submitted by WEB Water for occupancy of Brown County Highway #13 in Sec 34-T124N-R64W of the 5th P.M., Brown County, SD; and Brown County Highway #14W in Sec 30-T123N-R63W of the 5th P.M., Brown County, SD, to install portable water lines. All members present voting aye. Motion carried.

BRIDGE #51 REPLACEMENT:

Commissioner Hansen offered the following Resolution; and further moved to approve and authorize the Chairman sign the following documents in conjunction with the Resolution: 1) Utilities Certificate; 2) Letting Authorization; 3) Right-of-Way Certificate; 4) two Voluntary right/of/way Donation Forms.

RESOLUTION # 40-08

FEDERAL AID BRIDGE REPLACEMENT OR REHABILITATION PROGRAM RESOLUTION
FOR COUNTY AND URBAN PROJECTS

WHEREAS, Brown County desires the replacement of the bridge hereinafter described:

STRUCTURE NUMBER AND LOCATION: (Bridge #51) BRF 6176(3) PCN 415H

AND WHEREAS, Brown County is obligated and hereby agrees to provide proper maintenance as required by the Federal Highway Act as amended and supplemented thereto for project after construction is completed and to regulate or cause to be regulated the installation of utility facilities within the limits of the right-of-way of the proposed project in accordance with State and Federal requirements.

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

AND WHEREAS, the bridge is in need of replacement for the following reasons: 1) The sufficiency rating is 37.5%. 2) The bridge is not located on a County or Township designated Minimum Maintenance Road. 3) The load carrying capacity of the existing bridge cannot be improved to carry legal loads by rehabilitation of the existing bridge.

NOW THEREFORE BE IT RESOLVED, that the South Dakota Department of Transportation be and hereby is authorized and requested to program for construction, in accordance with the "Secondary Road Plan" and the State's "Standard Specifications For Roads and Bridges", the bridge replacement project at the above described location. Items to be handled by State forces with Federal Participation will include hydraulic study review, foundations investigation (if necessary), plan reviews, and construction administration.

Estimated Cost of Project Including Engineering:	\$865,725
Federal Share (80%):	\$692,580
Local Share (20%):	\$173,174

Proposed Year of Construction: 2009

Dated this 20th day of May 2008.

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

EXECUTIVE SESSION:

Moved by Feickert, seconded by Knecht to go into executive session to discuss personnel with Jan Weismantel 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.

MUSEUM ANNUAL REPORT:

Sue Gates, Museum Director presented the 2007 Dacotah Prairie Museum Annual Report.

FAIRGROUNDS BUILDING:

Kurt Smith and Dean Marske presented three building plan options for the Fairgrounds building. No action was taken at this time.

PALMYRA TOWNSHIP PROPERTY:

Kim Dorsett, States Attorney presented three quotes to perform surveying services and platting of county owned land in Palmyra Township. Moved by Knecht, seconded by Feickert to award quote, submitted by Helms & Associates at \$6,900.00 to perform surveying services and platting of county owned land in Palmyra Township; rejecting Clark Engineering at \$8,700.00 and Brink Engineering at \$18,000.00 to \$20,000.00. All members present voting aye. Motion carried.

FLOODPLAIN DISCUSSION:

Gary Vetter, Planning & Zoning Administrator discussed the new floodplain regulations that affect residents at area lakes and informed the Commission that he is meeting with a FIRM representative on Thursday. Larry Sime was also in attendance.

EXECUTIVE SESSION:

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.

RECESS:

The Chairman declared the Commission recessed until May 27, 2008.

Maxine Taylor – Brown County Auditor

MAY 27, 2008 - JOINT CITY/COUNTY MEETING

The Brown County Commission and the Aberdeen City Council met in joint session at 8:45 A.M. in the City Commission Chambers, 123 S Lincoln Street, Aberdeen, South Dakota. Present from City were Council Members Agnitsch, Aman, Bunsness, Campbell, Hodgins, Kraft, Mitchell, Rux and Mayor Levens. Present from County were Commissioners Hansen, Fischbach, Feickert, Knecht and Wiese.

ORDINANCE NO. 08-05-03/364:

On motion by Kraft and seconded by Aman, the City unanimously voted to approve First Reading of Ordinance No. 08-05-03/364.

Moved by Feickert, seconded by Knecht to approve First Reading of Ordinance No. 08-05-03/364, 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: Lot C of Schumachers Outlots in the NW ¼ of Sec 22-T123N-R63W of the 5th P.M., Brown County, SD, except that portion deeded for Hwy. All members present voting aye. Motion carried.

ORDINANCE NO. 08-04-05/363:

On motion by Aman and seconded by Bunsness, the City unanimously voted to approve First Reading of Ordinance No. 08-04-05/363

Moved by Fischbach, seconded by Feickert to approve First Reading of Ordinance No. 08-04-05/363, 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: Bierman First Subdivision in the NW ¼ of Sec 33-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 27, 2008 – GENERAL MEETING

Meeting called to order by Chairman Weise 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 May 20, 2008. All members present voting aye. Motion carried.

CLAIMS:

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

Payroll: Commissioners...\$2,991.00; Auditor...\$7,387.24; Treasurer...\$10,392.04; Data Processing...\$3,269.35; State's Attorney...\$12,083.29; Blood Draws-SA...\$735.00; Maintenance...\$5,795.64; Assessor...\$9,682.23; Planning & Zoning\$1,520.00; Register of Deeds...\$5,304.62; Veterans Service Office...\$2,967.65; GIS...\$1,848.00; Sheriff...\$70,627.16; Communications...\$16,111.49; Welfare...\$3,020.78; Museum...\$5,452.20; Fairboard...\$1,992.85; Fairgrounds & Parks...\$4,270.93; Extension...\$1,935.20; Weed...\$4,152.00; E&D...\$2,792.80; Teen Court...\$421.20; Highway...\$23,719.68; Landfill...\$8,307.68; Coroner...\$150.00; Matching Benefits: FICA...\$12,185.19; Medicare...\$2,849.74; Wellmark BCBS Life Ins...\$669.62; Delta Dental Ins...\$4,228.00; Wellmark BCBS Health...\$64,092.80; SD Retirement...\$25,018.47;

Supplies: Menards...\$14.97, Florida Micro...\$1133.30, Plastic Surgery Assoc...\$31.78, Central Supply...\$431.30, Mick Palmer...\$108.62, Electronic Security...\$22645.77, SDACO...\$175.00, Graham Tire...\$17.00, Artz Camera...\$536.49, Office Equip...\$40.16, Best Business...\$239.35, Kustom Signals...\$81.00, Taser...\$95.00, Hoven Auto...\$102.80, 3-D Spec...\$305.51, Hagan Ins...\$100.00, Share Corp...\$187.75, North Central Rental...\$696.00, Langs...\$69.99, Huron Culvert...\$10,068.00, Freys Elec...\$170.00, Erdmann Fuels...\$2135.41, Trish Whitney...\$20.00, SD Historical Soc...\$45.00, Walmart...\$10.01, Ken's Superfair Foods...\$5.19, Sherri Rawstern...\$65.00, DMS...\$417.21, HSBC...\$437.91, Dietrichs...\$349.02, Pizza Ranch...\$56.94, Best Western...\$940.00, Division of Motor Vehicles...\$6.00, Hewlett Packard...\$1017.00, Visa...\$620.30, Runnings...\$327.66;

Professional Fees: Sheriff of Eau Claire County...\$105.00, Pennington County Sheriff...\$16.34, Avera St Lukes...\$5573.63, Northern Plains OMS...\$74.72, OG/GYN...\$211.13, Dental Center...\$348.20, NADRIC...\$1666.74;

Attorney Fees: Timothy Lamb...\$1481.51, Gina Rogers...\$4166.67, Randy Turner...\$4416.67, Christy Serr...\$4416.67, Kuck Law Office...\$4166.67, William Gerdes...\$4166.67, Yankton County...\$303.75;

Publications: American News...\$1025.94, Groton Indep...\$149.91, West River Eagle...\$10.61;

Travel: Leo Leshner...\$66.00, Al Vietmeier...\$310.20, Mary Worlie...\$66.00, Sherry Theobald...\$14.43, Extension Service...\$98.21, Comfort Inn...\$140.00;

Transcriptions: Tammy Erickson...\$135.00;

Utilities: Verizon...\$47.12, Telserv...\$65.51, Northwestern Energy...\$79.66, Montana Dakota...\$19.73, Alltel...\$1092.05, Midcontinent Cable...\$176.95, Qwest...\$3930.79, Bureau of Admin...\$556.32;

Care of Poor: Dr/Hospital – 9 recipients..Dakota Plains Surgical Center...\$14,850.77, Aberdeen Family Phys...\$103.66, Dental Center...\$58.85, Dakota Imaging...\$58.01, Aberdeen Surg Assoc...\$1060.02, Avera St Lukes...\$11,418.71; Rent – 1 recipients..Tom Appletoft...\$440.00; Burial – 1 recipients..City of Aberdeen...\$400.00; Insurance – 1 recipient..Allied Benefit Systems...\$469.30; Medication – 4 recipients..United Clinic Pharm...\$62.01, Dr Westbrook...\$62.59, K-Mart Phrm...\$259.77, Jones Drug...\$55.95; Utilities – 2 recipients..NW Energy...\$493.61. All members present voting aye. Motion carried.

PERSONNEL:

Moved by Feickert, seconded by Knecht to approve the following employee step increases, effective June 1, 2008: Harlan Place @ \$13.19 per hour, Brenda Hammrich @ \$14.50 per hour, Bryan Locke @ \$18.67 per hour. All members present voting aye. Motion carried.

TAX DEED SALE:

Moved by Knecht, seconded by Hansen to approve and authorize the Chairman sign Quit Claim Deeds to the successful bidders for the following Tax Deed property sold at public auction on May 20, 2008:

Frederick Township: Abandoned RR R/O/W NE ¼ Sec 26-T127N-R64W of the 5th P.M., Brown County, SD @ \$900.00; Warner City: Lot 9 and vac. alley Blk 1, Warner City, Brown County, SD @ \$2,700.00.

All members present voting aye. Motion carried.

WEED & PEST GRANT AGREEMENT:

Moved by Feickert, seconded by Hansen 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 \$2,200 on a 50/50 cost share basis for booth, chemical, promotional items, radio ads and seasonal labor, effective July 1, 2008 to June 1, 2009. All members present voting aye. Motion carried.

ABATEMENT:

Moved by Feickert, seconded by Knecht to approve and authorize the Chairman sign the following abatement: Roger Barondeau @ \$253.55. All members present voting aye. Motion carried.

PLATS:

Commissioner Knecht offered the following resolution:

RESOLUTION #41-08

BE IT RESOLVED by the Board of County Commissioners of Brown County, SD, that the plat showing "Playa Casa Subdivision Lots 3A through 8A and Lots 3B through 8B in the W ½ of Sec 12-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 Knecht offered the following resolution:

RESOLUTION #42-08

BE IT RESOLVED by the County Commission of Brown County, SD, that the plat showing "Schrenk's Second Addition in the SW ¼ of Sec 23-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.

Commissioner Hansen offered the following resolution:

RESOLUTION #43-08

BE IT RESOLVED by the Board of County Commissioners of Brown County, SD, that the plat showing "T & J Subdivision in Outlot A in the NE ¼ of Sec 1-T125N-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-aye, Wiese-aye. Resolution adopted.

Commissioner Feickert offered the following resolution:

RESOLUTION #44-08

BE IT RESOLVED by the Board of County Commissioners of Brown County, SD, that the plat showing "Holum Farms Conservation Easement Tract 1 in the SW 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 Hansen. Roll call vote: Commissioners Hansen-aye, Fischbach-aye, Feickert-aye, Knecht-aye, Wiese-aye. Resolution adopted.

Commissioner Knecht offered the following resolution:

RESOLUTION #45-08

BE IT RESOLVED by the Board of County Commissioners of Brown County, SD, that the plat showing "DeVoss Subdivision in the NE ¼ of Sec 34-T122N-R63W of the 5th P.M., Brown County, SD", having been examined is hereby approved in accordance with the provisions of SDCL 11-3, and any amendments thereof.

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

Commissioner Hansen offered the following resolution:

RESOLUTION #46-08

BE IT RESOLVED by the County Commission of Brown County, SD, that the plat showing "Rix Farms 1st Subdivision in SW ¼ Sec 7-T123N-R60W of the 5th P.M., Brown County, SD", having been examined is hereby approved in accordance with the provisions of SDCL of 1967, Chapter 11-3, and any amendments thereof.

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

NESDCAP 2009 BUDGET:

NESDCAP representative Larry Wattier presented 2007 Annual Report and submitted the 2009 NESDCAP Budget request.

BOYS & GIRLS CLUB:

Ken Fouts, Lauri Swanson, Curt Mitchell and Mark Hopfinger met to discuss options for the county owned property surrounding the Boys and Girls Club as it relates to the plans to construct a new building for the Boys and Girls Club. No action was taken at this time.

APPLICATION FOR OCCUPANCY:

Moved by Fischbach, seconded by Feickert to approve and authorize the Chairman sign application, submitted by Northwestern Energy for occupancy of Brown County Highway #12 (133rd Street) in Sec 21 & 16-T123N-R64N, Brown County, SD. All members present voting aye. Motion carried.

EXECUTIVE SESSION:

Moved by Feickert, seconded by Hansen to go into executive session to discuss contract negotiations. 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 3, 2008.

Maxine Taylor – Brown County Auditor

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JUNE 2, 2008 - JOINT CITY/COUNTY MEETING

The Brown County Commission and the Aberdeen City Council met in joint session at 5:30 P.M. in the City Commission Chambers, 123 S Lincoln Street, Aberdeen, South Dakota. Present from City were Council Members Agnitsch, Aman, Bunsness, Campbell, Hodgins, Kraft, Mitchell, Rux and Mayor Levens. Present from County were Commissioners Hansen, Fischbach and Wiese. Absent Commissioners Feickert and Knecht.

ORDINANCE NO. 08-05-03/364:

On motion by Agnitsch and seconded by Bunsness, the City unanimously voted to approve Second Reading and Adoption of Ordinance No. 08-05-03/364.

Moved by Fischbach, seconded by Hansen to approve Second Reading and Adoption of Ordinance No. 08-05-03/364, 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: Lot C of Schumachers Outlots in the NW ¼ of Sec 22-T123N-R63W of the 5th P.M., Brown County, SD, except that portion deeded for Hwy. Roll call vote: Commissioners Hansen-aye, Fischbach-aye, Feickert-absent, Knecht-absent, Wiese-aye. Ordinance adopted.

ORDINANCE NO. 08-04-05/363:

On motion by Bunsness and seconded by Mitchell, the City unanimously voted to approve Second Reading and Adoption of Ordinance No. 08-04-05/363.

Moved by Hansen, seconded by Fischbach to approve Second Reading and Adoption of Ordinance No. 08-04-05/363, 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: Bierman First Subdivision in the NW ¼ of Sec 33-T123N-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.

SET HEARING DATES:

On motion by Bunsness and seconded by Agnitsch, the City unanimously voted to set hearing for Ordinance No. 08-06-01/365 and Ordinance No. 08-05-06/366.

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 23, 2008 in the City Council Chambers, 123 S Lincoln Street, Aberdeen, SD for First Reading of the following: Ordinance No. 08-06-01/365, An Ordinance to rezone the following property from Section 701 (A-1) Agricultural District to Section 704 (R-2) Medium Density Residential District: Lot 2 of Lots 1-5, Lowary's First Subdivision in the SE ¼ of Sec 27-T123N-R64W of the 5th P.M., Brown County, SD. Ordinance No. 08-05-06/366, An Ordinance amending Section 1307 of Zoning Ordinance No. 1164 regarding Zoning Board of Adjustment fees. All members present voting aye. Motion carried.

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

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JUNE 3, 2008 – 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 Joint City/County Meeting minutes and the General Meeting minutes of May 27, 2008. All members present voting aye. Motion carried.

CLAIMS:

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

Supplies: Quality Quick Print..\$29.34, Office Equip..\$35.63, Fire Safety First..\$221.58, SimplexGrinnell..\$120.00, ADPAA..\$698.00, Central Supply..\$63.30, Dakota Supply..\$178.08, UBC..\$97.48, Deadwood Gulch..\$384.00, Exec Mgmt..\$2462.66, Trail Chev..\$159.75, Racom..\$339.20, Mobile Elec..\$250.93, Internat'l Police Tech..\$248.02, Lust Chev..\$32.95, Evercom..\$3800.00, Walmart..\$1239.45, Graham Tire..\$409.32, GCR Tire..\$24.50, Nat'l Sheriff Assn..\$180.00, Clinical Lab..\$2153.40, Pierson Ford..\$3037.12, Office Max..\$308.53, Northern Safety..\$200.21, Macs..\$299.65, Erdmann Fuels..\$4124.24, Crawford Trucks..\$914.55, Bridgestone Firestone..\$40.00, Hagan Ins..\$111.00, Dakota Supply Group..\$20.21, Premier Auto..\$502.38, Runnings..\$59.95, Farnams..\$9.82, C&S Motor Sports..\$417.95, Academy Trophy..\$25.00, Kleins..\$14.38, Eide Bailly..\$229.50, Best Business..\$134.92, Butler..\$623.67, Helms..\$7950.00, Climate Control..\$2272.82, New Deal Tire..\$4935.80, Vosika Fencing..\$3038.00, Genius Web.com..\$29.97, Overhead Door..\$91.84, Bricks TV..\$780.00, Fire Safety First..\$877.16, Farm Power..\$100.00, Fastenal..\$151.23, Aberdeen C&F..\$1220.00, Commercial Elec..\$395.00, AOS Computer..\$4042.82:

Professional Fees: witness fee..\$51.82, Avera St Lukes..\$179.10, Dental Center..\$113.60, Sheriff of Yankton County..\$25.00:

Publications: American News..\$3945.35, Dakota Press..\$1753.81, Groton Indep..\$634.54:

Travel: Deb Knecht..\$233.10, Mike Wiese..\$14.06, City of Groton..\$142.45, Gary Vetter..\$63.64, Rick Adema..\$66.00, Trent Anderson..\$66.00, Brad Waage..\$137.41, Mike Kost..\$66.00, Kevin Vaughn..\$66.00, Matt Farley..\$144.81, Cole Adema..\$66.00, Amber Johnson..\$355.20:

Transcriptions: Michelle Gaikowski..\$281.40, Richard Neal..\$116.00:

Utilities: FSH..\$60.00, Northwestern Energy..\$8236.53, Qwest..\$114.17, Midcontinent Comm..\$153.76, Alltel..\$213.57, Web..\$107.49, Tel Serv..\$19.90, Northern Elec..\$100.00:

Care of Poor: Dr/Hospital – 4 recipients..Avera St Lukes..\$851.92, Medical X-Ray..\$400.08, Dental Center..\$1073.79; Rent – 2 recipients..Jim Bomar..\$240.00, Erdmann Prop..\$130.00; Transportation – 1 recipient..Aberdeen Ambulance..\$567.43; Utilities – 2 recipients..NWPS..\$580.00. All members present voting aye. Motion carried.

PERSONNEL:

Moved by Fischbach, seconded by Knecht to approve hiring Sandra Green and Cynthia Meyers as part-time election employees, effective June 3, 2008 at \$11.61 per hour. All members present voting aye. Motion carried.

Moved by Feickert, seconded by Hansen to approve an additional \$10.00 for four precinct officials for overseeing the AutoMarks for multiple precincts. All members present voting aye. Motion carried.

Moved by Knecht, seconded by Fischbach to approve hiring Maggie Bell as part-time 24/7 Sobriety employee, effective June 2, 2008 at \$10.07 per hour. All members present voting aye. Motion carried.

Moved by Knecht, seconded by Hansen to approve hiring Curt Erickson as part-time Fairgrounds employee, effective June 12 2006 at \$8.43 per hour. All members present voting aye. Motion carried.

Moved by Knecht, seconded by Hansen to approve hiring the following part-time Highway employees: Richard Schaible, effective June 16, 2008 at \$9.69 per hour and Grant Goldade, effective June 23, 2008 at \$8.79 per hour. All members present voting aye. Motion carried.

PLAT:

Commissioner Fischbach offered the following resolution:

RESOLUTION NO. 47-08

BE IT RESOLVED by the County Commission of Brown County, SD, that the plat showing "Harms First Addition, in the SW ¼ Sec 23-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 Hansen. Roll call vote: Commissioners Hansen-aye, Fischbach-aye, Feickert-aye, Knecht-aye, Wiese-aye. Resolution adopted.

SURPLUS PROPERTY:

Moved by Hansen, seconded by Fischbach to declare scrap metal from recent water service replacement project at the Courthouse surplus for purpose of sale. All members present voting aye. Motion carried.

LEASE AGREEMENT:

Moved by Feickert, seconded by Fischbach to approve the following agreement with 4H for lease of the Richmond Youth Camp from June 4 through June 14, 2008. All members present voting aye. Motion carried.

ABATEMENTS:

Moved by Hansen, seconded by Knecht to approve the following Abatements: Scott Vincint @ \$26.93 and \$25.64. 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.

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 Hansen, seconded by Feickert 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; Alfred Malsam, DBA A&E Promotions (Brown County Speedway); Dave Schumaker DBA Elm Lake Resort; Moccasin Creek Country Club, Inc.; Alex and Diane Schaeffer, DBA Richmond Oasis LLC; Aberdeen Hockey Association Inc (Odde Hockey Building). All members present voting aye. Motion carried.

APPLICATION FOR OCCUPANCY:

Moved by Feickert, seconded by Knecht to approve application, submitted by Banner/AET for occupancy of Brown County Highway #382nd Ave in Sec 19/30-T124N-R64W of the 5th P.M., Brown County, SD, for borings at Richmond Lake Dam. All members present voting aye. Motion carried.

BID AWARD – CRACK SEALANT:

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Moved by Knecht, seconded by Hansen to award the following Asphalt Concrete Crack Sealant Bids from State Bid Contract – Project No. NH 0012(136)112, P 0063(34)252, P 0065(10)232, P 0130(01)196, effective April 24, 2008 through October 10, 2008, as follows: Highway Improvement, Inc. @ \$1.33 per lb. for use on County 23 from County 18 east to the County line prior to chip sealing in amount not to exceed \$50,000.00. All members present voting aye. Motion carried.

EXECUTIVE SESSION:

Moved by Knecht, seconded by Feickert to go into executive session for personnel discussion with Jan Weismantel 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:

Jan Weismantel, Highway Superintendent informed the Commission about the theft of fuel from a vehicle sitting in the Claremont Shop lot.

INMATE MEDICAL CARE DISCUSSION:

Craig Nelson, Jail Supervisor and Marcy Fritz, Jail/JDC Nurse discussed implementation of a system whereby inmates reimburse the county when medical attention is requested. No action was taken at this time.

RECESS:

The Chairman declared the Commission recessed until June 10, 2008.

Maxine Taylor – Brown County Auditor

JUNE 5, 2008 – CANVASS OF JUNE 3, 2008 PRIMARY ELECTION

Brown County Commissioners Nancy Hansen, Dennis Feickert, Mike Wiese and Tom Fischbach convened for purpose of canvassing the June 3, 2008 Primary Election, as authorized by SDCL 12-20-36 at 4:00 p.m. on June 5, 2008 in the Commissioner's Chambers, Courthouse Annex, Brown County, SD. Also in attendance for the Aberdeen School Board portion of the canvass were Penny Day, Tom Janish, Duane Alm and Brian Sharp.

ABERDEEN CITY PRECINCTS

#001	Poll Book Count	748
	Ballots Counted	749
#002	Poll Book Count	447
	Ballots Counted	447
#003	Poll Book Count	635
	Ballots Counted	634
#004	Poll Book Count	352
	Ballots Counted	351
#005	Poll Book Count	283
	Ballots Counted	283
#006	Poll Book Count	788
	Ballots Counted	787
#007	Poll Book Count	574
	Ballots Counted	573
#008	Poll Book Count	460
	Ballots Counted	460
#009	Poll Book Count	515
	Ballots Counted	515
#010	Poll Book Count	386
	Ballots Counted	385
#011	Poll Book Count	540
	Ballots Counted	541

RURAL PRECINCTS

#012	Poll Book Count	260
	Ballots Counted	261
#013	Poll Book Count	190
	Ballots Counted	190
#014	Poll Book Count	152
	Ballots Counted	152
#015	Poll Book Count	370
	Ballots Counted	370
#016	Poll Book Count	130
	Ballots Counted	130
#017	Poll Book Count	316
	Ballots Counted	315
#018	Poll Book Count	146
	Ballots Counted	145
#019	Poll Book Count	525
	Ballots Counted	524
#020	Poll Book Count	112
	Ballots Counted	111
#021	Poll Book Count	208
	Ballots Counted	208
#022	Poll Book Count	162
	Ballots Counted	162

Moved by Hansen, seconded by Feickert to adjourn the Canvass Meeting for the June 3, 2008 Primary Election. All members present voting aye. Motion carried.

Maxine Taylor – Brown County Auditor

JUNE 10, 2008 – 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 Joint City/County Meeting minutes of June 2, 2008, the General Meeting minutes of June 3, 2008 and the Primary Canvass Meeting minutes of June 5, 2008. All members present voting aye. Motion carried.

CLAIMS:

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

Payroll: Commissioners..\$2,991.00; Auditor..\$7,622.44; Elections..\$806.75; Treasurer..\$10,392.04; Data Processing..\$3,269.35; State's Attorney..\$12,083.29; Blood Draws...\$735.00; Maintenance..\$5,876.27; Assessor..\$9,432.28; Register of Deeds..\$5,586.59; Veterans Service Office..\$2,967.65; GIS..\$1,848.00; Sheriff..\$71,836.94; Coroner..\$450.00; Communications..\$17,187.79; Welfare Office..\$3,020.78; Museum..\$5,452.20; Fairgrounds & Parks..\$5,002.71; Fairboard..\$1,992.85; Extension..\$2,122.88; Weed..\$4,054.45; Planning and Zoning..\$1,520.00; Emergency Management..\$2,954.95; Teen Court..\$511.00; Highway..\$24,889.06; Landfill..\$8,550.27; Matching Benefits: FICA..\$12,560.20; Medicare..\$2,937.47:

Supplies: Best Business..\$165.07, CMRS-FP..\$5000.00, NE Mental Health Center..\$20.00, Office Equip..\$1819.74, Exec Mgmt Finance..\$76.97, Cash Wa..\$5186.46, Earthgrains..\$784.96, Accurint..\$36.90, Safety Service..\$206.00, Dicks Westside..\$32.75, New Trends..\$550.00, Bonnie Bitz..\$48.00, Graham Tire..\$872.13, Wholesale Electronics..\$81.14, Coast to Coast..\$205.08, Intoximeters..\$1000.00, HSBC..\$13.99, Farnams..\$44.83, Farm Power..\$157.83, Economy Propane..\$2289.00, Diesel Machinery..\$120.54, Dakota Oil..\$256.00, Dakota Fluid Power..\$546.46, Clark Engineering..\$296.00, Butler Machinery..\$58.03, Chrysler Center..\$117.46, Pierson Ford..\$616.96, Palmer Dist..\$19.00, Power Plan..\$2457.41, Pumps Tire..\$719.54, North Central Rental..\$12,930.20, Menards..\$302.95, MRCI..\$985.00, James Loterbauer..\$234.00, Lawson Products..\$153.17, Huron Culvert..\$3491.40, Great Western Tire..\$1011.26, Interstate Battery..\$248.85, Hagan Ins..\$267.00, SDDOT..\$879.66, Safety Service..\$374.38, Runnings..\$954.42, Midwest Alarm..\$51.50, Hub City Radio..\$500.00, Kesslers..\$238.72, Glas Consulting..\$123.75, US Post Office..\$180.00, Nasco..\$21.40, Van Diest..\$1645.05, Pro Ag Supply..\$887.74, Macs..\$76.03, Graham Tire..\$8.48, GeoSpatial Experts..\$359.00, Parkview..\$195.50, Dakota Communications..\$900.00, SD Fed Property..\$265.00, Dakota Electronics..\$167.10, Inventory Trading..\$118.50, Police Legal Sciences..\$1040.00, Priority Dispatch..\$117.00, SD Dept of Rev..\$3703.24, Hedahls..\$202.80, Quality Quick Print..\$77.00, Arcoa Ind..\$669.41, Pierson Ford..\$667.31, Dakota Broadcasting..\$460.00, Hub City Radio..\$2375.00, Cunningham Elec..\$686.76, Creative Signs..\$2301.97, Sheehan Mack Sales..\$2721.74, Jeff Kirnan..\$57.63:

Professional Fees: witness fee..\$28.14, Dept of Revenue..\$1293.00, Sheriff of Pennington County..\$15.48, Sheriff of Walworth County..\$240.00:

Attorney Fees: Randy Turner..\$20.10:

Publications: American News..\$7891.69, Groton Indep..\$135.37, Midland Press..\$505.00:

Travel: Maxine Taylor..\$56.76, Lisa Samson..\$106.56, Kim Dorsett..\$485.80, Rachel Morales..\$27.00, Lori Ehlers..\$27.00, Kathy Fischer..\$124.32, Lorah Jankord..\$56.24, Leo Leshner..\$180.19, Jerry Mills..\$310.75, Gary Erickson..\$108.88, Bonnie Siebrecht..\$124.44, Mary Mehaffey..\$139.40, Mark Milbrandt..\$789.52:

Transcriptions: Tammy Erickson..\$165.90, Richard Neal..\$74.80:

Utilities: City of Aberdeen..\$251.49, Northern Valley Comm..\$77.83, James Valley Co-Op..\$171.57, Town of Frederick..\$32.25, Northwestern Energy..\$367.33, Verizon..\$113.76:

Precinct Workers: Mary Lamont..\$115.00, Sharon Deilke..\$120.00, Mavis Hoffman..\$110.00, Dennis Kotschevar..\$110.00, Darlene Haselhorst..\$110.00, Raymond Ackerman..\$110.00, Dorothy O'Keefe..\$115.00, Shirley Jahraus..\$110.00, Wendy Schaunaman..\$110.00, Ardys Gosch..\$125.00, Marlis Nack..\$110.00, Sally Hofer..\$110.00, Fern Preston..\$110.00, Janna Larson..\$110.00, Marilee Frankenberger..\$115.00, Maureen Brink..\$115.00, Sharon Mizerny..\$110.00, Bonnie Lamont..\$115.00, Yolonda Jahraus..\$125.00, Karen Mogen..\$110.00, Mary Ann Ochs..\$110.00, Carol Wolff..\$115.00, Donna Lout..\$110.00, Karen Mastel..\$110.00, Rebecca Jeschke..\$115.00, Dallas Solberg..\$110.00, Evangeline Miller..\$110.00, Joyce Gage..\$110.00, Helen Plumage..\$110.00, Mary Ann Bierman..\$125.00, Donna Swanhorst..\$110.00, Edith Wilt..\$110.00, Gladys Braun..\$115.00, Linda Siebrasse..\$123.14, Arlene Hanson..\$110.00, Connie Howard..\$110.00, Kathy Vitense..\$110.00, Cyndy Larson..\$129.80, Judy Albrecht..\$110.00, Pauline Shaunaman..\$110.00, Laura Adema..\$119.99, Peggy Cruse..\$100.00, Pauline Peterson..\$110.00, Eleanor Haar..\$110.00, Pam Larson..\$110.00, Marguerite Donaldson..\$115.00, Caroline Erdmann..\$110.00, Marilyn Gramlow..\$110.00, Pam Erickson..\$110.00, Shirley Morgan..\$110.00, Jami Heinrich..\$123.14, Charlean Erickson..\$100.00, Marion Potter..\$110.00, Kathy Williams..\$129.80, Peggy Fliehs..\$110.00, Patricia Larson..\$110.00, Glenna Remington..\$129.80, Darcey Leshner..\$115.00, Kelly Clark..\$110.00, Joan Thompson..\$139.60, Becky Berreth..\$147.00, Linda Osterloh..\$110.00, Carol Luttrell..\$110.00, Deb Gustafson..\$110.00, Dianna Kopetsky..\$110.00, Marjorie Dosch..\$128.50:

Care of Poor: Dr/Hospital – 4 recipients..McGreevy Clinic..\$320.91, Anesthesia Care..\$160.00, Dakota Imaging..\$908.03, PSI Health Care..\$167.50; Rent – 6 recipients..Jon Holmes..\$260.00, Pat Preston..\$260.00, Randall Smith..\$130.00, Chow Main Prop..\$240.00, A&S Services..\$300.00, Tom Goehring..\$240.00; Transportation – 1 recipient..Jefferson Lines..\$54.00; Utilities – 3 recipients..NW Energy..\$540.00, City of Aberdeen..\$240.00. All members present voting aye. Motion carried.

PERSONNEL:

Moved by Feickert, seconded by Hansen to approve the following employee step increases, effective June 15, 2008: Cindy Meyers @ \$12.89 per hour, Tracy Madsen @ \$12.24 per hour, Damian Bahr @ \$16.37 per hour, Sherry Theobald @ \$12.73 per hour, Polly Rush @ \$14.03 per hour. All members present voting aye. Motion carried.

Moved by Feickert, seconded by Hansen to acknowledge resignation of Dawn Reiners, effective June 20, 2008 and Dean Sinclair, effective June 5, 2008. All members present voting aye. Motion carried.

Moved by Hansen, seconded by Fischbach to approve hiring Cindy Eppard as Clerk at the Highway Department, effective June 16, 2008 at \$10.96 per hour. All members present voting aye. Motion carried.

AUDITORS REPORT OF ACCOUNT:

Moved by Fischbach, seconded by Feickert to approve the May 2008 Auditor's Report of Account with the County Treasurer in total amount of \$17,341,560.60 (total amount of actual cash @ \$3,490.00, Wells Fargo Bank @ \$3,694.79, US Bank @ \$70,964.97, Dacotah Bank @ \$48,158.31, Petty Cash @ \$1,800.00, Fund Investments @ \$17,213,442.53, Outstanding Checks @ \$10.00). All members present voting aye. Motion carried.

WEED & PEST BOARD MEMBER AREA:

Commissioner Feickert offered the following Resolution:

RESOLUTION NO. 48-08

WHEREAS, Resolution No. 48-83 established the Brown County Weed and Pest board member areas, per SDCL 38-22-23.1, and

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WHEREAS, it has been determined to be in the best interest of the residents of Brown County to amend the board member areas at this time.

NOW, THEREFORE BE IT RESOLVED, that the Brown County Commission amend the Brown County Weed and Pest Board member areas, as follows:

Area I – Palmyra, Osceola, Savo, Liberty, Hecla, Portage, Allison, Frederick, Richland, Greenfield, Lansing, North Detroit, Franklyn, Oneota, Brainard, Shelby and South Detroit Townships; the Town of Frederick and Hecla City.

Area II – Carlisle, Westport, Garland, Ravinia, Lincoln, Ordway, Mercier, Aberdeen, Highland, New Hope, Warner and West Rondell Townships; and the Town of Westport and Town of Warner.

Area III – Columbia, Claremont, Cambria, Putney, Riverside, Bath, Henry, Groton, Gem, West Hanson, East Hanson, East Rondell, Garden Prairie and Bates Townships; and the Town of Columbia, Town of Claremont, City of Groton, Town of Stratford and Verdon Village.

Area IV – Aberdeen City

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

LOTTERY APPLICATION:

Moved by Fischbach, seconded by Hansen to approve the following application for lottery: American Legion Post 24 to be held at the Brown County Speedway on July 4, 2008. All members present voting aye. Motion carried.

SET HEARING DATE:

Moved by Hansen, seconded by Feickert to set public hearing for 5:30 p.m. on June 30, 2008 in the Aberdeen City Council Chambers, 123 S Lincoln Street for First Reading of the following: Ordinance No. 08-06-06/367, An Ordinance to rezone the following property from Section 701 (A-1) Agricultural District to Section 707 (C-2) Highway Commercial District: Lot 2, Auditor's Second Subdivision and Lot 1, Lowary's First Subdivision in the SE ¼ of Sec 27-T123N-R64W, and the 100' North of the South 33' of the East 300' of the NE ¼ of Sec 27-T123N-R64W of the 5th P.M., Brown County, SD. All members present voting aye. Motion carried.

PLAT:

Commissioner Hansen offered the following Resolution:

RESOLUTION NO. 49-08

BE IT RESOLVED by the Board of Commissioners of Brown County, SD, that the plat showing "Bitz Second Subdivision in the NW ¼ of Sec 25-T123N-R64W of the 5th P.M., Brown County, SD," having been examined is hereby approved in accordance with the provisions of SDCL of 1967, Chapter 11-3, and any amendments thereof.

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

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DOC CONTRACT:

Moved by Fischbach, seconded by Hansen to approve and authorize the Chairman sign contract with the SD Department of Corrections for housing juveniles under the jurisdiction of the State at the Brown County Juvenile Detention Center, effective June 1, 2008 through May 31, 2009. All members present voting aye. Motion carried.

GRANT APPLICATION AMENDMENT:

Moved by Feickert seconded by Fischbach to approve and authorize the Chairman sign Amended Highway Safety Grant Application for funding in amount of \$27,908.00. All members present voting aye. Motion carried.

SPECIAL MALT BEVERAGE HEARING:

Moved by Hansen, seconded by Fischbach to approve application for a Special Malt Beverage License: Aberdeen Area Community Foundation, 1220 N Lincoln, Aberdeen, S.D. 57401 at the Parkview Nursery located on Lot 1 Parkview Nursery Addition NE ¼ Sec 25-T123N-R64W of the 5th P.M., Brown County, SD, effective June 19, 2008. All members present voting aye. Motion carried.

BID DEMOLITION/BACKFILL COUNTY BUILDING:

Time and place, as advertised to open, read and consider sealed bids for the Demolition of County owned building located at 115 SE Railroad Ave and Backfill Excavated area. One bid received from Lien Transportation & Construction Asphalt & Aggregates. Moved by Feickert, seconded by Fischbach to refer bid to Mick Palmer, Maintenance Supervisor for review and recommendation. All members present voting aye. Motion carried.

PHASE II JAIL PROJECT – CHANGE ORDER:

Moved by Fischbach, seconded by Feickert to approve and authorize the Chairman to sign Change Order #10 for Phase II Jail Project, decreasing total cost by \$570.49 (not install yard cleanouts on north side of addition), bringing total project cost to \$1,502,203.36. All members present voting aye. Motion carried.

NEMHC:

Northeastern Mental Health Center representatives Joe Manuel, Dr. John Fritz, Laura Boone and Lisa German presented center statistics and related information in regard to the 2009 NEMHC Budget request.

SAFETY COMMITTEE:

Lisa Samson and Scott Meints discussed small appliances in offices and fire alarm safety.

EXECUTIVE SESSION:

Moved by Hansen, seconded by Fischbach to go into executive session for personnel discussion with Tom Gohn 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.

INMATE CO-PAY POLICY:

Moved by Feickert, seconded by Hansen to approve the Inmate Co-Pay Policy for certain services requested by the inmates from the Jail/JDC Nurse, to be effective July 1, 2008. All members present voting aye. Motion carried.

HIGHWAY UPDATE:

Jan Weismantel, Highway Superintendent discussed request from TransCanada pipeline to transport equipment across various Brown County roads; farming in the right/of/way; and current and projected cost of hot mix.

EXECUTIVE SESSION:

Moved by Feickert, seconded by Hansen to go into executive session for personnel discussion with Jan Weismantel 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.

PHONE SYSTEM DISCUSSED:

Bill Meink, Data Processing discussed draft request for quotes for a phone system, which is included in the 2008 budget for affected departments.

RECESS:

The Chairman declared the Commission recessed until June 17, 2008.

Maxine Taylor – Brown County Auditor

JUNE 17, 2008 – 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 June 10, 2008. All members present voting aye. Motion carried.

CLAIMS:

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

Supplies: Dependable Sanitation, Inc...\$19002.52, Ameripride Linen...\$348.51, Van Diest Supply Co...\$2395.90, Car Quest Auto Parts...\$3.69, Advance Auto Parts...\$10.56, Florida Micro...\$2051.84, Avera Queen of Peace Hospital...\$341.00, CDW Government, Inc. ...\$653.82, Hewlett-Packard Co...\$1015.00, Cunningham Electric...\$14206.05, Wal-Mart Business...\$147.03, Moore Medical...\$428.86, Best Business Products...\$63.36, Graham Tire...\$28.48, Office Equipment...\$194.06, Dakota Electronics...\$381.05, Medtox...\$251.77, Kesslers...\$448.33, Avera St. Lukes...\$21.00, Dixon Group...\$500.00, Miles Tek Corp...\$36.84, Western Printing...\$2211.10, QQP...\$15.49, Photo-X-Press...\$13.23, GLAS Consulting...\$191.25, Larry Gerlach...\$94.38, Brown County 4-H Leader's Assoc...\$5000.00, Menards...\$1103.29, Mike Wilson...\$20.00, NDSU...\$25.00, Ben Meadows...\$55.57, David Fair...\$92.15, Old Dominion Brush...\$821.15, Midwest Pump & Tank...\$18480.29, Howes Oil Co...\$29796.00, Frey's Electric...\$110.00, Safe Harbor...\$1210.00, James River Water...\$28575.50, Flint Hills Resources...\$10487.56, Fastenal Co...\$56.56, JD Evans Equipment...\$701.52, Erdman Fuels...\$1725.42, Diesel Machinery Inc...\$1050.00, Diamond Mowers, Inc...\$754.66, Dependable Sanitation...\$159.00, Carquest Automotive...\$1130.93, Buskerud Construction Inc...\$8058.00, Aberdeen Asphalt...\$80610.25, Beadle Floral and Nursery...\$407.11, Parkview...\$690.11, Ben Hofer Backhoe...\$4392.87, Erdman Fuels...\$896.18, Gas-n-Goodies...\$9.00, Schwan Welding...\$5687.88, Exhaust Pros...\$635.14, Rachel Morales...\$2207.46:
Professional Fees: Nelva Kooistra...\$15.00, Cathy Reh fuss...\$15.00, Donna Dietrich...\$311.19, Language Line...\$90.00, BNSF Railroad...\$1,850.00:
Attorney Fees: Yankton County...\$101.25:
Publications: American News...\$350.95, Groton Independent...\$186.66:
Travel: Jeanette Nietert...\$234.28, Gene Loeschke...\$77.70, Allan Vietmeier...\$153.18:
Transcriptions: Richard Neal...\$257.40:
Utilities: Northern Electric Cooperative...\$665.32, Northern Wireless Communications...\$61.95, Northwestern Energy...\$3103.62, City Treasurer...\$807.81, Tri-State Water...\$14.20, City of Hecla...\$89.30, Northern Valley Communications...\$69.66, Qwest...\$610.19:
Care of Poor: Dr/Hospital – 4 recipients..Avera St. Lukes Hospital...\$538.25, Kmart Pharmacy...\$17.75, United Clinic Pharmacy...\$96.79, PSI Healthcare...\$99.15, Aberdeen Family Physicians...\$546.81; Rent – 1 recipient..H&H Rentals...\$300.00; Utilities – 5 recipients..NW Energy...\$811.38. All members present voting aye. Motion carried.

PERSONNEL:

Moved by Hansen, seconded by Knecht to acknowledge resignation of Kari Brandlee, effective June 24, 2008 and Rachel Morales, effective June 13, 2008. All members present voting aye. Motion carried.

Moved by Knecht, seconded by Feickert to approve salary increase for Rebecca Millan, Deputy States Attorney to pro-rated annual salary of \$40,000.00, effective Jun 16, 2008. All members present voting aye. Motion carried.

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Moved by Hansen, seconded by Feickert to approve salary increase for Jodi Brown, Deputy States Attorney to pro-rated annual salary of \$21,000.00, effective June 16, 2008. All members present voting aye. Motion carried.

CONTRACT:

Moved Hansen, seconded by Fischbach to approve and authorize the Chairman sign contract with Helms and Associates for completion of boundary surveys on various parcels of County owned property in Palmyra Township. 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 Steve Herther, 379464 S Shore Drive, Aberdeen, SD for a Class B Fireworks Display to be held on July 4, 2008 at Richmond Lake. All members present voting aye. Motion carried.

AGREEMENT:

Moved by Knecht, seconded by Hansen 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, 2008 through June 30, 2009. All members present voting aye. Motion carried.

LANDFILL EXPANSION UPDATE:

Mike Scott, Landfill Manager, Jay Koch, Helms & Associates and Tim Kenyon, LBG presented update on the upcoming Cell construction to expand the Landfill and discussed the pros and cons to the hydro-geological findings to date.

LANDFILL GAS FEASIBILITY STUDY:

Moved by Fischbach, seconded by Hansen to approve and authorize the Chairman sign Agreement with Leggette, Brashears & Graham, Inc for completion of a Gas Feasibility Study, in amount not to exceed \$10,000.00 to explore the prospects for the beneficial use of the landfill gas from the Brown County Landfill. 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 2007.

AGREEMENT:

Moved by Feickert, seconded by Knecht to approve and authorize the Chairman sign Right-of-Way Agreement with Staubach Global, BNSF Railroad in conjunction with project for Bridge #031 south of Aberdeen on County Road 10. All members present voting aye. Motion carried.

APPLICATION FOR OCCUPANCY:

Moved by Knecht, seconded by Hansen to approve and authorize the Chairman sign application, submitted by Northern Valley Communications for occupancy of Brown County Highway No. 12W in Sec 16/21-T123N-R64W of the 5th P.M., Brown County, SD for telecommunications services. All members present voting aye. Motion carried.

BID DISCUSSION:

Mick Palmer, Maintenance Supervisor discussed recent bid for demolition of building/excavation project. No action was taken at this time on the bid. Also discussed use of building for training, with the following action taken: Moved by Hansen, seconded by Knecht to approve use of the building at 115 SE

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Railroad Ave for training exercises conducted by the Aberdeen Police and Fire Departments, with schedule to be coordinated with the Maintenance Department. All members present voting aye. Motion carried.

ONEOTA TOWNSHIP ROAD:

Lisa and Darrel Hinz met to discuss condition of township road (384th Ave) in Oneota Township. Township officials will be contacted to redefine obligations for township road maintenance.

EMERGENCY MANAGEMENT:

Scott Meints, EM Manager and Tom Schmitt, Chief Deputy Sheriff discussed volunteer picnic in recognition of the Dive Team and Cert Team; requested approval for installation of electric door opener with key access unit on Blue Building; and requested permission to remove fence and clean area north of the property at 115 SE RR Ave. Board concurred with all requests.

ASSESSMENT AREA:

Mary Worlie, Director of Equalization informed the Commission that an article will appear in the Aberdeen American News defining an area planned for inspections by the Appraisers in the upcoming weeks.

EXECUTIVE SESSION:

Moved by Feickert, seconded by Fischbach to go into executive session to discuss contract negotiation. 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 24, 2008.

Maxine Taylor – Brown County Auditor

JUNE 23, 2008 - JOINT CITY/COUNTY MEETING

The Brown County Commission and the Aberdeen City Council met in joint session at 5:30 P.M. in the City Commission Chambers, 123 S Lincoln Street, Aberdeen, South Dakota. Present from City were Council Members Agnitsch, Aman, Bunsness, Campbell, Hodgins, Kraft, Mitchell, Rux and Mayor Levensen. Present from County were Commissioners Hansen, Fischbach and Feickert. Absent Commissioners Knecht and Wiese.

ORDINANCE NO. 08-06-01/365:

On motion by Mitchell and seconded by Aman, the City unanimously voted to approve First Reading of Ordinance No. 08-06-01/365.

Moved by Feickert, seconded by Hansen to approve First Reading of Ordinance No. 08-06-01/365, An Ordinance amending Ordinance No. 1164 to rezone the following described property from its present zoning designation of Section 701 (A-1) Agricultural District to Section 704 (R-2) Medium Density Residential District: Lot 2 of Lots 1-5, Lowary's First Subdivision in the SE ¼ of Sec 27-T123N-R64W of the 5th P.M., Brown County, SD. All members present voting aye. Motion carried.

ORDINANCE NO. 08-05-06/366:

On motion by Rux and seconded by Bunsness, the City unanimously voted to approve First Reading of Ordinance No. 08-05-06/366

Moved by Feickert, seconded by Hansen to approve First Reading of Ordinance No. 08-05-06/366, An Ordinance amending Section 1307 of Zoning Ordinance No. 1164 regarding Zoning Board of Adjustment fees. All members present voting aye. Motion carried.

SET HEARING DATE:

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

Moved by Hansen, seconded by Feickert to set public hearing for Petition to Vacate Public Right-Of-Way described as follows: Dedicated Street lying immediately South of Lot A and immediately North of Lot D and immediately West of Olive Drive in Maloney Subdivision in the N ½ of Sec 11-T123N-R64W of the 5th P.M., Brown County, South Dakota to be held on July 15, 2008 at 8:45 a.m. in the County Commission Chambers, 25 Market Street, Aberdeen, SD. All members present voting aye. Motion carried.

ADJOURNMENT:

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

Maxine Taylor - Brown County Auditor

JUNE 24, 2008 – 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 June 17, 2008. All members present voting aye. Motion carried.

CLAIMS:

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

Payroll: Commissioners...\$2,991.00; Auditor...\$7,474.46; Elections...\$1,263.83; Treasurer...\$10,392.04; Data Processing...\$3,269.35; State's Attorney...\$13,756.37; Blood Draws-SA...\$525.00; Maintenance...\$5,532.89; Assessor...\$9,587.01; Planning & Zoning...\$1,520.00; Register of Deeds...\$5,461.64; Veterans Service Office...\$2,851.73; GIS...\$1,848.00; Sheriff...\$68,269.55; Communications...\$16,216.46; Welfare...\$3,020.78; Museum...\$6,093.80; Fairboard...\$1,992.85; Fairgrounds & Parks...\$4,618.21; Extension...\$2,413.60; Weed...\$4,042.07; E&D...\$2,792.80; Coroner...\$450.00; Teen Court...\$441.00; Highway...\$28,945.43; Landfill...\$7,809.31; Matching Benefits: FICA...\$12,592.53; Medicare...\$2,944.98; Wellmark BCBS Life Ins...\$674.12; Delta Dental Ins...\$4,172.00; Wellmark BCBS Health...\$64,525.44; SD Retirement...\$25,772.28; Supplies: NADA...\$78.00, West Payment...\$1324.33, Office Equip...\$315.20, Diane Mielke...\$3.18, Knight Towing...\$60.00, Best Business...\$380.94, Quality Quick Print...\$6.00, Velvet Uniforms...\$633.64, Pierson Ford...\$33.45, Town & Country...\$17.50, Exec Mgmt...\$3509.32, DT Pharm...\$1014.85, Hagan Ins...\$50.00, Share Corp...\$113.00, Newman Signs...\$1155.80, HF Jacobs...\$7770.60, Frey Elec...\$182.02, Nathan Cantwell...\$47.50, Ameripride...\$47.39, Van Diest...\$6560.26, Extension Service...\$436.49, Pizza Ranch...\$69.93, Chris Stanley...\$1821.43, Taylor Laundry...\$81.00, Dahme Const...\$794.58, Sanders Sew 'N Vac...\$137.72, Schwan Welding...\$225.00, House of Glass...\$174.84, UBC...\$153.32, Aberdeen Plumbing...\$11,367.28, Menards...\$51.99, Central Supply...\$500.25, Woodman Refrig...\$142.86, Runnings...\$92.41, HSBC...\$693.12, Visa...\$1,225.95; Professional Fees: Avera McKennan...\$15.00, Language Line...\$124.70, NADRIC...\$1666.66; Attorney Fees: Wm Gerdes...\$4166.67, Kuck Law Office...\$4166.67, Christy Serr...\$4416.67, Randy Turner...\$4595.72, Gina Rogers...\$4166.67; Publications: American News...\$321.91, Groton Indep...\$128.23; Travel: Casey Thorstenson...\$9.00, Roxy Hilgenberg...\$25.53; Utilities: Qwest...\$3973.20, Bureau of Admin...\$605.82, Midcontinent Cable...\$234.95, Alltel...\$1512.60, Verizon...\$47.12, NW Energy...\$48.77, Dependable Sanitation...\$212.00; Care of Poor: Dr/Hospital – 5 recipients..Avera St Lukes...\$1184.65, North Central Heart...\$1241.76, Dental Center...\$940.00; Rent – 2 recipients..Tom Appletoft...\$240.00, A&S Services...\$300.00; Burial – 1 recipient..Spitzer Miller Funeral Home...\$1660.00; Utilities – 1 recipient..NW Energy...\$136.17; Insurance – 2 recipients..Allied Benefit Systems Inc...\$469.30, SD Risk Pool...\$536.39. All members present voting aye. Motion carried.

PERSONNEL:

Moved by Feickert, seconded by Knecht to approve the following employee step increases, effective June 29, 2008: Brandi Hagen @ \$12.62 per hour, James Petrich @ \$12.86 per hour, Melony Flinn @ \$13.73 per hour. All members present voting aye. Motion carried.

FIREWORKS PERMIT:

Moved by Feickert, seconded by Hansen to approve and authorize the Chairman sign Fireworks Public Display Permit, submitted by Al Malsam, DBA Brown County Speedway for a Class B Fireworks

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Display to be held on July 4, 2008 in the infield of the racetrack at the Fairgrounds. All members present voting aye. Motion carried.

AGREEMENT:

Moved by Knecht, seconded by Hansen to approve and authorize the Chairman to sign FY 2008 (October 1, 2007 – September 30, 2008) Emergency Management State and Local Agreement Addendum with the South Dakota Office of Emergency Management in amount of \$49,818.25 (50-50 match). All members present voting aye. Motion carried.

LEASE AGREEMENTS:

Moved by Knecht, seconded by Feickert to approve the following applications: Monsanto for lease of the East Parking Lot of Expo Building on June 15 – 18, 2008; Randy Bonn for lease of the Richmond Lake Youth Camp on July 4 – 6, 2008. All members present voting aye. Motion carried.

PROPERTY TRANSFER:

Moved by Hansen, seconded by Fischbach to approve and authorize the Chairman sign agreement with the following entity that received equipment from the 2006 ODP Equipment Grant Program: City of Claremont (federal siren). All members present voting aye. Motion carried.

INCREASE SPENDING AUTHORITY/ESTIMATED REVENUE:

Moved by Feickert, seconded by Hansen to increase spending authority in Fund #201-311-425.01 @ \$8,058.00 and increase estimated revenue in Fund #201-373.01 in amount of \$8,058.00 for unanticipated insurance reimbursement. All members present voting aye. Motion carried.

SHERIFF REPORTS:

Moved by Feickert, seconded by Hansen to approve the following May 2008 Sheriff Reports: Incidents and offenses, Prisoner care, JDC, Money deposited with the County Treasurer and Monthly activities. All members present voting aye. Motion carried.

FGP:

Jodi McQuillen, Foster Grandparent Program presented program statistics and related information in regard to the 2009 FGP Budget request.

SET HEARING DATE:

Moved by Hansen, seconded by Fischbach to authorize advertising public hearing to be held at 9:00 a.m. on July 8, 2008 in the Commission Chambers, Courthouse Annex, Brown County, SD for First Reading of the following: Ordinance No. 054, An Ordinance to rezone the following property from Chapter 4.06 Agricultural Preservation District (AG-P) to Chapter 4.10 Lake Front Residential District (R-3): Playa Casa Preliminary Subdivision and final plat of Playa Casa Subdivision Lots 3A thru 8A and Lots 3B thru 8B, in the W ½ of Sec 12-T124N-R65W of the 5th P.M., Brown County, SD. All members present voting aye. Motion carried.

PLATS:

Commissioner Fischbach offered the following Resolution:

RESOLUTION NO. 50-08

BE IT RESOLVED by the County Commission of Brown County, SD, that the plat showing "Rath 1st 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 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. 51-08

BE IT RESOLVED by the County Commission of Brown County, SD, that the plat showing "Jave's Tract 1 in the NE ¼ Sec 17-T126N-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 Hansen. Roll call vote: Commissioners Hansen-aye, Fischbach-aye, Feickert-aye, Knecht-aye, Wiese-aye. Resolution adopted.

Commissioner Feickert offered the following Resolution:

RESOLUTION NO. 52-08

BE IT RESOLVED by the County Commission of Brown County, SD, that the plat showing "Heupel's Subdivision, in the NW ¼ Sec 13-T124N-R65W of the 5th P.M., Brown County, SD", having been examined, is hereby approved in accordance with the provisions of SDCL 1967, Chapter 11-3, and any amendments thereof.

Seconded by 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. 53-08

BE IT RESOLVED by the County Commission of Brown County, SD, that the plat showing "Roettele Tract 1 in the NE ¼ Sec 25-T125N-R63W 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 Hansen. Roll call vote: Commissioners Hansen-aye, Fischbach-aye, Feickert-aye, Knecht-aye, Wiese-aye. Resolution adopted.

TIF APPLICATION FEE:

Moved by Knecht, seconded by Hansen to approve the following fee schedule for a Tax Increment Financial District (TIF) Application to Brown County, as follows:

- \$763 due upon submission to the Planning and Zoning Board (not refundable)
- \$4,845 due upon completion of financing
- Effective July 1, 2008

All members present voting aye. Motion carried.

TRANSCANADA:

Mike Liimatainen and Sarah Metcalf, Michael's Pipeline Construction discussed use of various County roads to transport service equipment and personnel during complete of the TransCanada Pipeline through

Day and Marshall Counties, explaining that the company will only use roads approved by the Highway Department during any specific time frame. Board concurred.

APPLICATIONS FOR OCCUPANCY:

Moved by Fischbach, seconded by Knecht to approve application, submitted by Northern Valley Communications for occupancy of Brown County Highway #19 in Sec 8/9-T123N-R63W of 5th P.M., Brown County, SD to provide telecommunications. All members present voting aye. Motion carried.

Moved by Knecht, seconded by Feickert to approve application, submitted by Northern Electric for occupancy of Brown County Highway #6 in Sec 12-T124N-R65W of 5th P.M., Brown County, SD to provide electricity. All members present voting aye. Motion carried.

POLICY DRAFT:

Kim Dorsett, States Attorney presented draft copies of various policy changes and/or additions. No action was taken at this time.

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

JUNE 30, 2008 - 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, Hodgins, Kraft, Mitchell, Rux and Mayor Levsen. Absent Council Member Campbell. Present from County were Commissioners Hansen, Fischbach and Wiese. Absent Commissioners Knecht and Feickert.

ORDINANCE NO. 08-06-01/365:

On motion by Rux and seconded by Mitchell, the City unanimously voted to approve Second Reading and Adoption of Ordinance No. 08-06-01/365.

Moved by Fischbach, seconded by Hansen to approve Second Reading and Adoption of Ordinance No. 08-06-01/365, An Ordinance amending Ordinance No. 1164 to rezone the following described property from its present zoning designation of Section 701 (A-1) Agricultural District to Section 704 (R-2) Medium Density Residential District: Lot 2 of Lots 1-5, Lowary's First Subdivision in the SE ¼ of Sec 27-T123N-R64W of the 5th P.M., Brown County, SD. Roll call vote: Commissioners Hansen-aye, Fischbach-aye, Wiese-aye. Ordinance adopted.

ORDINANCE NO. 08-05-06/366:

On motion by Bunsness and seconded by Agnitsch, the City unanimously voted to approve Second Reading and Adoption of Ordinance No. 08-05-06/366

Moved by Hansen, seconded by Fischbach to approve Second Reading and Adoption of Ordinance No. 08-05-06/366, An Ordinance amending Section 1307 of Zoning Ordinance No. 1164 regarding Zoning Board of Adjustment fees. Roll call vote: Commissioners Hansen-aye, Fischbach-aye, Wiese-aye. Ordinance adopted.

AMEND HEARING DATE:

On motion by Bunsness and seconded by Aman, the City unanimously voted to amend date of public hearing for Petition to Vacate Public Right-Of-Way.

Moved by Fischbach, seconded by Hansen to amend date of public hearing for Petition to Vacate Public Right-Of-Way described as follows: Dedicated Street lying immediately South of Lot A and immediately North of Lot D and immediately West of Olive Drive in Maloney Subdivision in the N ½ of Sec 11-T123N-R64W of the 5th P.M., Brown County, South Dakota to July 22, 2008 at 8:45 a.m. in the County Commission Chambers, 25 Market Street, Aberdeen, SD. All members present voting aye. Motion carried.

ORDINANCE NO. 08-06-06/367:

On motion by Bunsness and seconded by Hodgins, the City unanimously voted to amend wording for Ordinance No. 08-06-06/367 by striking Lot 1, Lowary's First Subdivision in the SE ¼ of Section 27-T123N-R64W of the 5th P.M., Brown County, SD from the legal description of the property.

On motion by Bunsness and seconded by Mitchell, the City unanimously voted to approve First Reading of Ordinance No. 08-06-06/367, as amended.

Moved by Hansen, seconded by Fischbach to amend wording for Ordinance No. 08-06-06/367 by striking Lot 1, Lowary's First Subdivision in the SE ¼ of Section 27-T123N-R64W of the 5th P.M., Brown County, SD from the legal description of the property. All members present voting aye. Motion carried.

Moved by Fischbach, seconded by Hansen to approve First Reading of Ordinance No. 08-06-06/367, as amended, 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: Lot 2, Auditor's Second Subdivision in the SE ¼ of Sec 27-T123N-R64W of the 5th P.M., Brown County, SD and the 100' North of the South 33' of the East 300' of the NE ¼ of Sec 27-T123N-R64W of the 5th P.M., Brown County, SD. All members present voting aye. Motion carried.

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

JULY 1, 2008 – 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 Feickert to approve the Joint City/County Meeting minutes of June 23, 2008 and the General Meeting minutes of June 24, 2008. All members present voting aye. Motion carried.

CLAIMS:

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

Supplies: Office Equip..\$215.44, Sheila Enderson..\$18.00, Western Printing..\$168.50, New Trends..\$303.08, Walmart..\$696.14, Sodak Sport..\$17.99, Karst Care Center..\$107.96, Charm Tex..\$1929.50, Amera-Chem..\$41.95, Nat'l Academy of Emergency Dispatch..\$75.00, New World System..\$1500.00, Moore Medical..\$223.51, Safety Service..\$509.86, Diane Mielke..\$6.36, Louie's Service..\$321.19, Lamb Motor Co..\$23,214.00, Dware..\$150.00, Central Supply..\$168.90, Aberdeen Asphalt..\$214,972.91, Foster Grandparent Program..\$1000.00, Farm Power..\$15.00, TSC..\$122.57, Macs..\$7.42, Runnings..\$195.88, Sewer Duck..\$434.00, HRS..\$14.10, Cartney Bearing..\$19.74, Sherwin Williams..\$692.80, Bonn Express..\$20.01, Hub City Rents..\$99.00, Dakota Supply Group..\$2767.16, Walmart..\$49.00, Lab Safety Supply..\$286.94, Racom..\$84.80, Best Business..\$16.59, Tessco..\$208.21, M&T Fire..\$678.17, LBG..\$21,189.30, McFarland Supply..\$62.09, Central Supply..\$645.15, UBC..\$108.25, Sanders Sew 'N Vac..\$33.58, Sherwin Wms..\$101.49, JCL Solutions..\$119.48, Wright & Sudlow..\$2775.20, Titan Machinery..\$209.02, Taylor Laundry..\$44.00, Heartland Paper..\$552.19, Van Diest..\$3863.10, Macs..\$10.72, GCR Tire..\$16.00:

Professional Fees: Avera St Lukes..\$986.30, Sheriff of Yankton County..\$25.00, Denise Cody..\$45.00, Nelva Kooistra..\$45.00, Donna Dietrich..\$401.51, Eide Bailly..\$229.50, Avera United Clinic..\$332.00, SD Dept of Human Services..\$400.00:

Attorney Fees: Brevik Law Office..\$268.35:

Publications: American News...\$176.91, Groton Indep..\$100.45:

Travel: Gene Loeschke..\$139.86, Leo Leshar..\$153.92, Lorah Houser Jankord..\$35.00, Gary Vetter..\$59.57, Tom Fischbach..\$118.52:

Transcriptions: Slowey Court Reporting..\$200.00, Richard Neal..\$57.00:

Utilities: Midcontinent Cable..\$98.76, Qwest..\$46.45, Montana Dakota..\$14.68, City of Aberdeen..\$1725.76, Northwestern Energy..\$15,738.31, Alltel..\$136.55, Northern Elec..\$158.49, James Valley..\$211.13, WEB..\$53.78:

Care of Poor: Dr/Hospital – 1 recipient..PSI Health Care..\$167.50; Rent – 4 recipients..Tree House Properties..\$225.00, White House Inn..\$220.30; Utilities – 2 recipients..NW Energy..\$480.00. All members present voting aye. Motion carried.

PERSONNEL:

Moved by Knecht, seconded by Feickert to acknowledge resignation of Joni Odenbach, effective July 3, 2008. All members present voting aye. Motion carried.

PROPERTY TRANSFER:

Moved by Fischbach, seconded by Feickert to approve and authorize the Chairman sign agreement with the following entity that received equipment from the 2006 ODP Equipment Grant Program: Brown County Sheriff (dive team equipment). All members present voting aye. Motion carried.

TOWNSHIP BONDS:

Moved by Feickert, seconded by Fischbach to approve the following Township Bonds (clerk/treasurer): Claremont #10 Justin Wegleitner, Donald Wegleitner; Lincoln #39 Glen Larson, Vickie Schrenk; Garland #46 Dwain Buntrock, Lloyd Buntrock. All members present voting aye. Motion carried.

SWAWA GRANT AGREEMENT:

Moved by Hansen, seconded by Fischbach to approve and authorize the Chairman sign STOP Violence Against Women (STOP-P) grant award in amount of \$45,625.00, effective July 1, 2008 through June 30, 2009. All members present voting aye. Motion carried.

JAIL/JDC NURSE DISCUSSION:

Mark Milbrandt and Marcy Fritz discussed duties in regard to Blood Alcohol Draws. No action was taken at this time.

2009 BUDGET PRESENTATIONS:

Sue Gates, Dacotah Prairie Museum presented information in regard to the 2009 budget request for the DPM.

Mary Worlie, Director of Equalization presented information in regard to the 2009 budget request for the Assessor's Office.

Tamie Nickelson, Librarian presented information in regard to the 2009 budget request for the Frederick Library.

Mick Palmer and Judy Dosch, Maintenance presented information in regard to the 2009 budget request for the Maintenance Department and Courthouse and Jail Improvement Fund.

AWARD BID – BUILDING DEMOLITION:

Moved by Feickert, seconded by Knecht to award bid submitted by Lien Transportation Company in amount of \$82,316.00 for Demolition/Backfill of County Building located at 115 SE Railroad Avenue. All members present voting aye. Motion carried.

COURTHOUSE PARKING LOT PROJECT:

Moved by Hansen, seconded by Feickert to approve Change Order #1 in amount of \$1,375.56 as awarded May 6, 2008 to Wright and Sudlow in original amount of \$92,996.32 with total project cost @ \$94,371.88 for the Courthouse Parking Lot Surfacing Project. All members present voting aye. Motion carried.

Moved by Fischbach, seconded by Knecht to approve and authorize the Chairman sign Certificate of Final Completion and Payment Request No 1 (Final) for the Brown County Courthouse Parking Lot Surfacing Project in total amount of \$94,371.88. All members present voting aye. Motion carried.

JAIL QUOTE:

Moved by Knecht, seconded by Hansen to authorize Maintenance Department accept quote for air conditioning units in the jail offices. All members present voting aye. Motion carried.

RECESS:

The Chairman declared the Commission recessed until July 8, 2008. All members present voting aye. Motion carried.

Maxine Taylor – Brown County Auditor

JULY 8, 2008 - 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 Hodgin, Kraft and Rux. Present from County were Commissioners Hansen, Fischbach, Feickert, Knecht and Wiese.

ORDINANCE NO. 08-06-06/367:

On motion by Mitchell and seconded by Aman, the City unanimously voted to approve Second Reading and Adoption of Ordinance No. 08-06-06/367.

Moved by Fischbach, seconded by Knecht to approve Second Reading and Adoption of Ordinance No. 08-06-06/367, 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 2, Auditor's Subdivision in the SE ¼ of Sec 27-T123N-R64W and the 100' North of the South 33' of the East 300' of the NE ¼ of Sec 27-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

JULY 8, 2008 – 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 June 30, 2008 and the General Meeting minutes of July 1, 2008. All members present voting aye. Motion carried.

CLAIMS:

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

Payroll: Commissioners..\$2,991.00; Auditor..\$7,331.24; Elections..\$27.35; Treasurer..\$10,404.84; Data Processing..\$3,269.35; State's Attorney..\$10,809.22; Blood Draws...\$560.00; Maintenance..\$5,627.93; Assessor..\$9,549.10; Register of Deeds..\$5,390.36; Veterans Service Office..\$2,818.61; GIS..\$1,848.00; Sheriff..\$68,749.86; Coroner..\$375.00; Communications..\$15,973.66; Welfare Office..\$3,020.78; Museum..\$6,093.80; Fairgrounds & Parks..\$4,679.81; Fairboard..\$1,992.85; Extension..\$2,456.40; Weed..\$4,566.61; Planning and Zoning..\$1,945.00; Emergency Management..\$2,792.80; Teen Court..\$180.00; Highway..\$37,754.41; Landfill..\$7,746.37; Matching Benefits: FICA..\$12,936.74; Medicare..\$3,025.43:

Supplies: Quality Quick Print..\$761.09, Midwest Rubber Stamp..\$50.00, Kaleidoscope News..\$175.00, Dept of Rev..\$1947.00, Exec Mgmt..\$71.66, House of Glass..\$229.25, Wright & Sudlow..\$94,371.88, Interior Design..\$994.10, Woodman Refrig..\$301.02, Electronic Security..\$5000.00, Langs..\$1413.98, Menards..\$823.95, Runnings..\$9.98, Best Business..\$207.93, Lar-Jos..\$132.00, Hoven Auto..\$26.50, Trail Chev..\$86.39, Sec of State..\$7.00, Exhaust Pros..\$67.27, Racom..\$254.40, Parks & Rec..\$24.99, Taylor Laundry..\$35.00, Center Printing..\$179.98, Elec Security..\$135.74, Hagan Benefits..\$200.00, Town & Country..\$17.50, Kesslers..\$272.59, Cash-Wa..\$4591.42, Bonnie Bitz..\$144.00, Walmart..\$279.92, Share Corp..\$230.85, Power Plan..\$408.57, Newman Traffic..\$280.57, Macs..\$23.32, Light & Siren..\$511.85, Lien Trans..\$8580.08, Lawson Prod..\$481.70, HF Jacobs..\$39,400.73, Howes Oil..\$30,323.00, Hewlett Packard..\$1137.00, Great Western Tire..\$2188.56, Farnams..\$181.02, Farm Power..\$405.17, Evergreen Supply..\$154.98, Erdmann Fuels..\$8065.01, Dinger, Violet..\$26,267.15, Clark Eng..\$731.50, Butler Machinery..\$980.24, Bridgestone/Firestone..\$480.37, Aberdeen Asphalt..\$175,766.58, Glas Consulting..\$202.50, Midwest Alarm..\$60.00, Nettleton Hollow Group..\$182.50, DSG..\$9489.55, Groton School Dist..\$250.00, RDO..\$1500.00, Fay's Elec..\$122.45, Dakota Ekec.,\$37.50, Heartland Paper..\$341.21, Van Diest..\$2804.98, Spec Mfg..\$120.00, Roxy Hilgenberg..\$79.12, Freys Elec..\$35.00, Fastenal..\$26.14, Florida Micro..\$268.60, Safety Service..\$5.34, Dakota Fluid Power..\$213.79, Sheehan Mack Sales..\$1802.15, Powerplan..\$218.21, Butler Machinery..\$2697.59, Dakota Oil..\$492.00, Ameripride..\$125.65, Brown County..\$155.18, SD Dept of Rev..\$4046.51, MVTL Lab..\$75.00, Carlson Travel..\$3141.00:

Professional Fees: Helms & Assoc..\$6900.00, Brule County Sheriff..\$11.72, Aberdeen Surgical Assoc..\$146.54, Avera St Lukes..\$1841.99, Donna Dietrich..\$94.59, Gary Mikelson..\$40.00, Cathy Rehfuß..\$15.00, Nelva Kooistra..\$15.00, Hub City Radio..\$1020.00:

Attorney Fees: Timothy Lamb..\$109.99, David Hosmer..\$240.66:

Publications: Dakota Press..\$1811.47, Groton Indep..\$172.49:

Travel: Best Western Ramkota..\$40.50:

Transcriptions: Tammy Erickson..\$45.00:

Utilities: Northwestern Energy..\$1300.59, Northern Valley..\$520.07, James Valley..\$373.23, Town of Frederick..\$32.25, Qwest..\$34.50, City of Aberdeen..\$2800.15, Web Water..\$50.24, Verizon..\$52.97, FSH..\$60.00:

Care of Poor: Dr/Hospital – 1 recipient..Dakota Imaging..\$81.49; Rent – 3 recipients..Ray Sauerwein..\$480.00, SD Real Estate..\$212.50, Zumbaum Property..\$150.00; Utilities – 3 recipients..NW Energy..\$606.62; Insurance – 1 recipient..Avera Health Plan..\$1361.70; Medication – 4

recipients..Walmart Pharm..\$268.15, K-Mart Pharm..\$139.25, Jones Drug..\$347.51. All members present voting aye. Motion carried.

PERSONNEL:

Moved by Feickert, seconded by Hansen to approve the following employee step increases, effective July 13, 2008: Sandy Green @ \$12.99 per hour, Jason Heagley @ \$13.48 per hour, Lisa Samson @ \$11.65 per hour, Keith Baker @ \$15.79 per hour, Tonya Delzer @ \$12.57 per hour, Pam Sudlow @ \$11.42 per hour, Joyce DesCamps @ \$14.71 per hour. All members present voting aye. Motion carried.

Moved by Hansen, seconded by Knecht to acknowledge resignation of Marissa McDermid, effective July 8, 2008. All members present voting aye. Motion carried.

Moved by Hansen, seconded by Knecht to amend salary, as approved in minutes of June 17, 2008, as follows: Jodi Brown, Deputy States Attorney to pro-rated annual salary of \$33,000.00, effective June 16, 2008. All members present voting aye. Motion carried.

Moved by Hansen, seconded by Knecht to approve hiring Tessa Ligon for purpose of performing blood draws at \$35.00 each, effective July 8, 2008. All members present voting aye. Motion carried.

LOTTERY APPLICATION:

Moved by Feickert, seconded by Hansen to approve the following application for lottery: Westport Little League to be held at the Brown County Speedway on July 26, 2008. All members present voting aye. Motion carried.

AUDITORS REPORT OF ACCOUNT:

Moved by Hansen, seconded by Fischbach to approve the June 2008 Auditor's Report of Account with the County Treasurer in total amount of \$12,905,377.43 (total amount of actual cash @ \$3,468.73, Wells Fargo Bank @ \$3,694.79, US Bank @ \$34,647.00, Dacotah Bank @ \$188,513.40, Petty Cash @ \$1,800.00, Fund Investments @ \$12,673,222.24, Outstanding Checks @ \$31.27). All members present voting aye. Motion carried.

PROPERTY TRANSFER:

Moved by Feickert, seconded by Knecht to approve and authorize the Chairman sign agreement with the following entity that received equipment from the 2006 ODP Equipment Grant Program: City of Columbia (federal siren). 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.

LEASE AGREEMENT:

Moved by Knecht, seconded by Hansen to approve the following agreement with Presentation College for lease of the Richmond Youth Camp on August 24 and 25, 2008. All members present voting aye. Motion carried.

LANDFILL GRANT AWARD AGREEMENTS:

Moved by Feickert, seconded by Hansen to approve and authorize the Chairman sign the following SD Department of Environment and Natural Resources Grant Program Funding Agreements: #2009G-SW-201 Brown County Waste Tire Disposal Project in amount of \$12,000.00 and #2009G-RLA-202 Brown

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County Landfill Equipment and Office Building and Fencing in amount of \$220,000. All members present voting aye. Motion carried.

SPECIAL MALT BEVERAGEWINE LICENSE HEARING DATE SET:

Moved by Knecht, 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 11, 12, 13, 14, 15, 16 & 17, 2008; Centennial Village Inc - Brown County Fairgrounds (Centennial Village) SW ¼ Sec 1-T123N-R64W, effective August 12, 13, 14, 15, 16, 17, 2008; Boys & Girls Club - Brown County Fairgrounds (Grandstand) SW ¼ Sec 1-T123N-R64W, effective August 11, 12, 13, 14, 15, 16, & 17, 2008; Aberdeen Chamber of Commerce - Brown County Fairgrounds (Wine Tent) SW ¼ Sec 1-T123N-R64W, effective August 13, 14, 15, 16 & 17, 2008; and further to consider the following Special Off-Sale Package Wine Dealers License: Aberdeen Chamber of Commerce - Brown County Fairgrounds (Wine Tent) SW ¼ Sec 1-T123N-R64W, effective August 13, 14, 15, 16 & 17, 2008, to be held in the Commission Chambers, Courthouse Annex at 9:00 A.M. on the 5th day of August, 2008. All members present voting aye. Motion carried.

ORDINANCE #054 - 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 Fischbach, seconded by Hansen to approve First Reading of Ordinance No. 054, An Ordinance amending Second Revision Brown County Ordinances to rezone the following described property from its present zoning designation of Chapter 4.06 Agricultural Preservation District (AG-P) to Chapter 4.10 Lake Front Residential District (R-3): Playa Casa Preliminary Subdivision and final plat of Playa Casa Subdivision Lots 3A thru 8A and Lots 3B thru 8B, in the W ½ of Sec 12-T124N-R65W of the 5th P.M., Brown County, SD. All members present voting aye. Motion carried.

RACE TRACK COMPLAINT:

Larry Lambert, area resident registered complaints about the car racing events being held at the Fairgrounds. No action was taken at this time.

TIF DISCUSSION:

Karl Alberts, Aberdeen City Finance Officer presented a spreadsheet with information about each TIF that Aberdeen City has approved.

2009 BUDGET PRESENTATION:

Scott Madsen, GIS Coordinator presented information in regard to the 2009 budget request for GIS activities.

Kim Dorsett, States Attorney presented information in regard to the 2009 budget request for the States Attorney Office, which includes blood draws.

TREASURER'S OFFICE OVERTIME:

Sheila Enderson, Treasurer explained need for overtime by employees due to new vehicle registration program from the State Department of Revenue. Board concurred.

APPLICATION FOR OCCUPANCY:

Moved by Fischbach, seconded by Feickert to approve application, submitted by WEB Water for occupancy of Brown County Highway #13 in Sec 25-T124N-R65W of the 5th P.M., Brown County, SD, for potable water line. All members present voting aye. Motion carried.

COUNTY ROAD #12W:

Jan Weismantel, Highway Superintendent presented update on County Road 12W as follows: prep-work will be completed in 2008 by Jacobs & Son Construction from Rental of Equipment (full operation) bid and the Highway Department will lay the asphalt in 2009.

FAIR EVENT:

Larry Gerlach, Fair Manager relayed request for a Wine Tent at the Brown County Fair where South Dakota Farm Winery products would be showcased and sold by a non-profit organization. Tom Schmitt, Chief Deputy Sheriff expressed concern about bottled beverages on the grounds during the Fair. The Fair Board will discuss the request at their next meeting.

RECESS:

The Chairman recessed the Brown County Commission until July 22, 2008. NOTE: THE COMMISSION WILL NOT MEET ON JULY 15, 2008.

Maxine Taylor – Brown County Auditor

JULY 22, 2008 - 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, Mitchell, Rux and Mayor Levsen. Absent Council Members Campbell and Kraft. Present from County were Commissioners Hansen, Fischbach, Feickert and Knecht. Absent Commissioner Wiese.

RESOLUTION NO. 08-07-01R:

On motion by Mitchell and seconded by Rux, the City unanimously voted to adopt Resolution No 08-07-01R.

VACATE RIGHT-OF-WAY:

Commissioner Knecht offered the following Resolution:

BROWN COUNTY RESOLUTION NO. 54-08
ABERDEEN CITY RESOLUTION NO. 08-07-01/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 Dennis Maloney for M & K Investment Co. Inc., is hereby granted and the public right-of-way is hereby vacated for the following described areas:

Dedicated Street lying immediately South of Lot A and immediately North of Lot D and immediately West of Olive Drive in Maloney Subdivision in the N ½ of Sec 11-T123N-R64W of the 5th P.M., Brown County, SD

BE IT 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 Hansen. Roll call vote: Hansen-aye, Fischbach –aye, Feickert-aye, Knecht-aye, Wiese-absent. Resolution adopted.

The City Council adjourned and the County Commission continued in regular session.

Maxine Taylor – Brown County Auditor

JULY 22, 2008 – GENERAL MEETING

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

MINUTES:

Moved by Hansen, seconded by Feickert to approve the Joint City/County Meeting minutes and General Meeting minutes of July 8, 2008. All members present voting aye. Motion carried.

CLAIMS:

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

Payroll: Commissioners...\$2,991.00; Auditor...\$7,465.64; Treasurer...\$9,758.27; Data Processing...\$3,269.35; State's Attorney...\$11,732.30; Blood Draws-SA...\$560.00; Maintenance...\$5,624.21; Assessor...\$9,616.55; Planning & Zoning...\$1,520.00; Register of Deeds...\$5,396.30; Veterans Service Office...\$2,810.33; GIS...\$1,848.00; Sheriff...\$80,120.81; Communications...\$16,869.75; Coroner...\$300.00; Welfare...\$3,020.78; Museum...\$6,093.80; Fairboard...\$1,992.85; Fairgrounds & Parks...\$4,365.30; Extension...\$2,425.12; Weed...\$4,430.11; E&D...\$2,792.80; Teen Court...\$551.00; Highway...\$30,231.87; Landfill...\$8,997.75; Matching Benefits: FICA...\$13,298.28; Medicare...\$3,110.08; Wellmark BCBS Life Ins...\$669.62; Delta Dental Ins...\$4,144.00; Wellmark BCBS Health...\$64,757.28; SD Retirement...\$25,898.42;

Supplies: CMRS-FP...\$5000.00, Florida Micro...\$45.48, Radio Shack...\$7.97, Z&S Dust Control...\$2917.76, SDDOT...\$3104.83, Sheehan Mack Sales...\$42.50, Safety Service...\$2516.60, Quality Welding...\$91.60, Pro Ag...\$1635.75, Midwest Alarm...\$204.00, M-R Sign...\$1595.75, Lust Chev...\$5.02, Holland Auto...\$8.84, Hedahls...\$102.00, JD Evans...\$62.09, Diesel Machinery...\$365.00, Dakota Oil...\$1729.98, Dakota Fluid Power...\$297.72, Clark Engineering...\$3364.47, Ameripride...\$283.30, Aberdeen Arts Council...\$82.00, Lora Schaunaman...\$13.23, SD Magazine...\$279.00, Kleins...\$61.42, Quality Quick Print...\$958.78, Karen Olson...\$210.00, Larry Gerlach...\$147.07, Dennis Volzke...\$25.27, Glas Consulting...\$157.50, Dacotah Bank...\$390.35, Red River Pedal Pulls...\$485.00, Service Signs...\$180.61, Geffdog...\$2861.82, Office Equip...\$39.90, Macs...\$22.09, Kesslers...\$12.44, Extension Service...\$51.15, AASHTO...\$201.60, Walmart...\$102.88, Steven Lust...\$62.90, Shopko...\$10.00, Zachary Kern...\$400.00, SD Teen Court...\$40.00, Frederick Library...\$750.00, Warner Library...\$750.00, Hecla Library...\$750.00, Groton Library...\$750.00, Alexander Mitchell Library...\$20,000.00, Brick Propane...\$19.50, Bricks TV...\$985.00, Vosika Fencing...\$335.00, Van Diest Supply Company...\$11,992.93, Runnings ...\$1465.57, Graham Tire...\$19.18, Consolidated Concrete...\$1069.50, Farm Power...\$192.68, NAPA...\$4.98, Menards...\$1656.78, Earthgrains...\$689.00, Exhaust Pros...\$29.40, Lippincott Williams & Wilkins...\$84.80, Electronic Security Equipment...\$638.74, Bob Barker...\$64.22, Reuers Auto Service...\$562.98, Duanes Inc...\$58.45, Best Business Products...\$338.87, Tri-State Water...\$28.40, Neve's...\$72.50, Lust...\$95.88, Accurint...\$30.00, Parcel Erickson...\$27.95, Office Equipment...\$360.99, Dick's West Side...\$110.00, Hutterville Fire Dept...\$1,000.00, Kyle Moser...\$510.00, Dennis Ells...\$20.00, West Payment Center...\$716.00, New Trends...\$278.49, Aberdeen American News...\$167.44, Carquest Automotive...\$516.88, Dependable Sanitation...\$159.00, Fastenal Compnay...\$184.39, Flint Hill Resources LP...\$14,528.06, Huron Culvert & Tank Co...\$563.27, Pomp's Tire Service...\$80.45, Brown County 4-H Leaders...\$415.31, Superintendent of Documents...\$122.00, Aberdeen Insurance Agency...\$75.00, Jeff Vilhauer...\$1,255.50, GCR Tire Centers...\$16.00, New World Systems...\$1,500.00, Pizza Ranch...\$59.94, Erdmann Fuels...\$15394.91, Midwest Pump & Tank...\$87.43, Dakota Wood-Grinding...\$13897.50, Miles Tek...\$37.38, Lar-Jos...\$435.00, Intab...\$44.94, DT Pharmacy...\$1172.60, RDJ Specialties...\$617.98, Office Max...\$415.31;

Jury: Donna Alberts...\$12.22, Mary Axlund...\$12.96, Marty Benda...\$24.80, Judy Biegler...\$21.10, Rebecca Blocker...\$63.48, Phyllis Brundell...\$10.74, Kelly Cape...\$64.22, Jeffrey Casanova...\$12.96, Frank Cascio...\$12.96, Robert Crossan...\$23.32, John Donbraska...\$11.48, Madia Droppers...\$11.48, Craig

JULY 22, 2008 – GENERAL MEETING

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

MINUTES:

Moved by Hansen, seconded by Feickert to approve the Joint City/County Meeting minutes and General Meeting minutes of July 8, 2008. All members present voting aye. Motion carried.

CLAIMS:

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

Payroll: Commissioners...\$2,991.00; Auditor...\$7,465.64; Treasurer...\$9,758.27; Data Processing...\$3,269.35; State's Attorney...\$11,732.30; Blood Draws-SA...\$560.00; Maintenance...\$5,624.21; Assessor...\$9,616.55; Planning & Zoning...\$1,520.00; Register of Deeds...\$5,396.30; Veterans Service Office...\$2,810.33; GIS...\$1,848.00; Sheriff...\$80,120.81; Communications...\$16,869.75; Coroner...\$300.00; Welfare...\$3,020.78; Museum...\$6,093.80; Fairboard...\$1,992.85; Fairgrounds & Parks...\$4,365.30; Extension...\$2,425.12; Weed...\$4,430.11; E&D...\$2,792.80; Teen Court...\$551.00; Highway...\$30,231.87; Landfill...\$8,997.75; Matching Benefits: FICA...\$13,298.28; Medicare...\$3,110.08; Wellmark BCBS Life Ins...\$669.62; Delta Dental Ins...\$4,144.00; Wellmark BCBS Health...\$64,757.28; SD Retirement...\$25,898.42;

Supplies: CMRS-FP...\$5000.00, Florida Micro...\$45.48, Radio Shack...\$7.97, Z&S Dust Control...\$2917.76, SDDOT...\$3104.83, Sheehan Mack Sales...\$42.50, Safety Service...\$2516.60, Quality Welding...\$91.60, Pro Ag...\$1635.75, Midwest Alarm...\$204.00, M-R Sign...\$1595.75, Lust Chev...\$5.02, Holland Auto...\$8.84, Hedahls...\$102.00, JD Evans...\$62.09, Diesel Machinery...\$365.00, Dakota Oil...\$1729.98, Dakota Fluid Power...\$297.72, Clark Engineering...\$3364.47, Ameripride...\$283.30, Aberdeen Arts Council...\$82.00, Lora Schaanman...\$13.23, SD Magazine...\$279.00, Kleins...\$61.42, Quality Quick Print...\$958.78, Karen Olson...\$210.00, Larry Gerlach...\$147.07, Dennis Volzke...\$25.27, Glas Consulting...\$157.50, Dacotah Bank...\$390.35, Red River Pedal Pulls...\$485.00, Service Signs...\$180.61, Geffdog...\$2861.82, Office Equip...\$39.90, Macs...\$22.09, Kesslers...\$12.44, Extension Service...\$51.15, AASHTO...\$201.60, Walmart...\$102.88, Steven Lust...\$62.90, Shopko...\$10.00, Zachary Kern...\$400.00, SD Teen Court...\$40.00, Frederick Library...\$750.00, Warner Library...\$750.00, Hecla Library...\$750.00, Groton Library...\$750.00, Alexander Mitchell Library...\$20,000.00, Brick Propane...\$19.50, Bricks TV...\$985.00, Vosika Fencing...\$335.00, Van Diest Supply Company...\$11,992.93, Runnings ...\$1465.57, Graham Tire...\$19.18, Consolidated Concrete...\$1069.50, Farm Power...\$192.68, NAPA...\$4.98, Menards...\$1656.78, Earthgrains...\$689.00, Exhaust Pros...\$29.40, Lippincott Williams & Wilkins...\$84.80, Electronic Security Equipment...\$638.74, Bob Barker...\$64.22, Reuers Auto Service...\$562.98, Duanes Inc...\$58.45, Best Business Products...\$338.87, Tri-State Water...\$28.40, Neve's...\$72.50, Lust...\$95.88, Accurint...\$30.00, Parcel Erickson...\$27.95, Office Equipment...\$360.99, Dick's West Side...\$110.00, Hutterville Fire Dept...\$1,000.00, Kyle Moser...\$510.00, Dennis Ells...\$20.00, West Payment Center...\$716.00, New Trends...\$278.49, Aberdeen American News...\$167.44, Carquest Automotive...\$516.88, Dependable Sanitation...\$159.00, Fastenal Compnay...\$184.39, Flint Hill Resources LP...\$14,528.06, Huron Culvert & Tank Co...\$563.27, Pomp's Tire Service...\$80.45, Brown County 4-H Leaders...\$415.31, Superintendent of Documents...\$122.00, Aberdeen Insurance Agency...\$75.00, Jeff Vilhauer...\$1,255.50, GCR Tire Centers...\$16.00, New World Systems...\$1,500.00, Pizza Ranch...\$59.94, Erdmann Fuels...\$15394.91, Midwest Pump & Tank...\$87.43, Dakota Wood-Grinding...\$13897.50, Miles Tek...\$37.38, Lar-Jos...\$435.00, Intab...\$44.94, DT Pharmacy...\$1172.60, RDJ Specialties...\$617.98, Office Max...\$415.31;

Jury: Donna Alberts...\$12.22, Mary Axlund...\$12.96, Marty Benda...\$24.80, Judy Biegler...\$21.10, Rebecca Blocker...\$63.48, Phyllis Brundell...\$10.74, Kelly Cape...\$64.22, Jeffrey Casanova...\$12.96, Frank Cascio...\$12.96, Robert Crossan...\$23.32, John Donbraska...\$11.48, Madia Droppers...\$11.48, Craig

Eschenbaum..\$11.48, Erma Feist..\$11.48, Milbert Fix..\$10.74, John Flemmer..\$10.74, Lorin Flihs..\$87.90, Kelly Ford..\$10.74, Shirley Frey..\$39.60, Gerald Gab..\$11.48, Evelyn Grieben..\$11.48, Roy Gruenstein..\$11.48, Faye Gunther..\$35.16, Arlen Hanson..\$28.50, Mitchel Hanson..\$11.48, Timothy Hart..\$12.96, Harold Heupel..\$63.48, Darlys Himanga..\$30.72, Vivian Hoff..\$11.48, Alicia Huber..\$10.74, Roger Imberi..\$62.74, Arleen Jarvis..\$17.40, Janne Jockheck Holt..\$10.74, Rebecca Johnson..\$51.48, Robert Johnson..\$11.48, Michael Kulm..\$10.74, Betty Lemler..\$12.22, Shawn Lesnar..\$10.74, Gail Malsom..\$11.48, Marie McIntosh..\$10.74, Lane Mielke..\$63.48, Amanda Mikkelson..\$62.74, Sherrie Mutschler..\$11.48, Paula Nelson..\$10.74, Samantha Ochsner..\$13.70, Jamie Osterloo..\$10.74, Daniel Otto..\$13.70, Tamara Paulsen..\$11.48, Dennis Pelkofer..\$12.22, Paul Perkins..\$26.28, James Petran..\$10.74, Kurt Reder..\$13.70, Peter Reszler..\$63.48, Brett Rezatto..\$10.74, Janette Ringer..\$11.48, Cristina Rohrbach..\$10.74, Susan Rosendahl..\$47.00, Dawn Sahli..\$19.62, Leonard Schaffer..\$10.74, Travis Schaunaman..\$10.74, Sunni Schell..\$11.48, Lawrence Schmit..\$19.62, Debora Schwan..\$66.44, Deb Silvernagel..\$11.48, Linda Simon..\$15.92, Ruby Speidel..\$10.74, Charles Stremick..\$15.18, Steven Sudlow..\$64.22, Kerry Swingler..\$64.22, Brandy Timmerman..\$11.48, Larry Twiss..\$10.74, Raymond Vanseveren..\$11.48, Marjorie Walker..\$11.48, Joan Washenberger..\$10.74, Raelene Weig..\$11.48, Randolph Weisz..\$17.40, Beverly Wendt..\$10.74, Renea Wensmann..\$13.70, Mitchell Wilson..\$71.62, Ramona Woodman..\$11.48, Christopher Wooverton..\$12.22, Doris Zoellner..\$24.06:

Professional Fees: Avera St. Lukes..\$678.00, Cathy Rehfuß..\$15.00, Nelva Kooistra..\$15.00, Donna Dietrich..\$132.92, Lewis & Clark BHS...\$710.00, Yankton County...\$607.50, Language Line...\$90.01:

Attorney Fees: Christy Serr..\$151.20, Johnson, Miner..\$153.77:

Publications: American News..\$891.91, West River Eagle...\$11.74

Travel: Gene Loeschke..\$88.06, Al Vietmeier..\$102.12, Sherri Rawstern..\$26.01, Bonnie Siebrecht..\$149.18, Nyle Jensen..\$9.00, Extension Service...\$622.69, Sherry Theobald...\$19.98, Kevin Spitzer...\$152.44, City of Groton...\$218.67, David North...\$84.36, George Hansen...\$28.12, Darwin Bettmann...\$7.40, Jerome Streckfuß...\$28.86, Patrick Keatts...\$26.64, Stanley Beckler...\$15.54, Harley Gage...\$8.88, Kimberly Dorsett...\$365.19, Nancy Hansen...\$2,303.27:

Transcriptions: Richard Neal..\$64.60:

Utilities: NW Energy..\$1186.2724, City of Hecla..\$84.39, Dependable Sanitation..\$20,358.32, Northern Elec..\$628.45, Northern Wireless..\$61.95, Kimberly Dorsett...\$220.44, Qwest...\$2,975.78, Alltel...\$578.45:

Care of Poor: Dr/Hospital – 15 recipients..Orthopedic Surgery Spec..\$83.06, Avera Cardiology Spec..\$480.90, PSI Health Care..\$99.15, United Clinic..\$389.28, Avera St Lukes..\$6894.71, Dakota Imaging Prof LLC...\$16.51, Aberdeen Family Physicians...\$37.06, North Central Heart Institute...\$870.68, Eckrich Urology...\$790.72, Avera McKennan Hospital...\$3,790.82, Regional Medical Clinic Neuro...\$119.70; Rent – 5 recipients..Rod Eikamp..\$240.00, Dennis Hasvold..\$260.00, Erdmann Properties, LLC...\$155.00, J&M Enterprises..\$162.50, Hangun Properties..\$171.00; Utilities – 4 recipients..NW Energy..\$509.61, City of Aberdeen...\$194.13; Transportation – 6 recipients..Jefferson Line..\$54.00, Emergency Poor Fund..\$200.00, Aberdeen Transfer Service...\$375.59, BC Highway Dept...\$49.94. All members present voting aye. Motion carried.

PERSONNEL:

Moved by Knecht, seconded by Feickert to approve the following employee step increases, effective July 27, 2008: Russell Ochsner @ \$14.36 per hour, Bobbie Bierman @ \$11.42 per hour. All members present voting aye. Motion carried.

Moved by Knecht, seconded by Feickert to approve hiring Nick Cochrane, Jonathan Waldner and Brook Brown as security guards at \$16.00 per hour for the passenger train housed in Aberdeen from June 28 through July 8, 2008, with full reimbursement from the Burlington Northern Railroad Company. All members present voting aye. Motion carried.

Moved by Knecht, seconded by Feickert to approve hiring Michael Bunke, effective July 16, 2008, Dale Farnen and Nick Cochrane, effective July 22, 2008, as guards for purpose of prisoner transport. All members present voting aye. Motion carried.

Moved by Feickert, seconded by Knecht to approve employee status change for Amber Crouch from part-time to full-time correctional officer in the jail, effective June 29, 2008 at \$12.03 per hour. Roll call vote: Commissioners Hansen-abstain, Fischbach-aye, Feickert-aye, Knecht-aye, Wiese-absent. Motion carried.

Moved by Hansen, seconded by Knecht to approve employee status change for Kelly Moinichen from part-time JDC Officer to 24/7 Sobriety Program, effective July 29, 2008 at \$10.07 per hour. All members present voting aye. Motion carried.

Moved by Hansen, seconded by Feickert to accept resignation of William Moon, effective July 24, 2008 and Casey Thorstenson, effective August 5, 2008; approve advertising 3 open positions in the Department; and approve hiring Darin Vilhauer, as Maintenance Mechanic @ \$13.25 per hour, effective July 23, 2008. All members present voting aye. Motion carried.

ABATEMENTS:

Moved by Hansen, seconded by Feickert to approve the following Abatements: Willeen Druley @ \$110.28 and \$110.60. All members present voting aye. Motion carried.

LOTTERY APPLICATION:

Moved by Hansen, seconded by Knecht to approve the following application for lottery: Frederick Athletic Association to be held at the Brown County Speedway on July 12, 2008. All members present voting aye. Motion carried.

PROPERTY TRANSFER:

Moved by Knecht, seconded by Hansen to approve and authorize the Vice Chairman sign agreement with the following entity that received equipment from the 2006 ODP Equipment Grant Program: City of Frederick (federal siren). All members present voting aye. Motion carried.

CONTRACT AGREEMENT DEMOLITION/BACKFILL COUNTY BUILDING:

Moved by Feickert, seconded by Hansen to approve and authorize the Vice Chairman sign Contract Agreement with Lien Transportation Company for Demolition/Backfill of County Building located at 115 SE Railroad Avenue in amount of \$82,316.00. All members present voting aye. Motion carried.

GRANT AGREEMENT:

Moved by Knecht, seconded by Hansen to approve and authorize the Vice Chairman sign agreement with Northeast Council of Governments for administrative support in amount of \$1,000.00 for the Solid Waste Management Grant to fund landfill projects. All members present voting aye. Motion carried.

SET HEARING DATE:

Moved by Hansen, seconded by Knecht to set public hearing to vacate the following Plats: Plat of H-1 in the W ½ of the SW ¼ of Sec 16-T123N-R64W of the 5th P.M, Brown County, SD; Plat of H-2 in the E ½ of the SW ¼ of Sec 16-T123N-R64W of the 5th P.M, Brown County, SD; Plat of H-3 in the E ½ of the SW ¼ of Sec 16-T123N-R64W of the 5th P.M, Brown County, SD, to be held on August 12, 2008 at 9:00 a.m. in the Brown County Commissioner's Chambers, Courthouse Annex, Brown County, SD. All members present voting aye. Motion carried.

LEASE AGREEMENTS:

Moved by Feickert, seconded by Knecht to approve personal property agreement with Al Malsam DBA A&E Promotions for lease of a motor grader from the County at rental rate of \$75.00 per hour plus fuel; and further acknowledge personal services addendum to personal property lease agreement. All members present voting aye. Motion carried.

Moved by Feickert, seconded by Knecht to approve agreement with Carson and Barnes Circus for lease of the parking lot area of the Brown County Fairgrounds on July 26-27, 2008. All members present voting aye. Motion carried.

ORDINANCE #054 – SECOND READING:

Moved by Hansen, seconded by Knecht to approve Second Reading and Adoption of Ordinance No. 054, An Ordinance amending Second Revision Brown County Ordinances to rezone the following described property from its present zoning designation of Chapter 4.06 Agricultural Preservation District (AG-P) to Chapter 4.10 Lake Front Residential District (R-3): Playa Casa Preliminary Subdivision and final plat of Playa Casa Subdivision Lots 3A thru 8A and Lots 3B thru 8B, in the W ½ of Sec 12-T124N-R65W of the 5th P.M., Brown County, SD. Roll call vote: Commissioners Hansen-aye, Fischbach-aye, Feickert-aye, Knecht-aye, Wiese-absent. Ordinance adopted.

NADRIC 2009 BUDGET:

NADRIC representatives Julie Pfeifer and Jan Patterson presented statistics and program information in regard to the 2009 NADRIC Budget request.

HIGHWAY UPDATE:

Jan Weismantel, Highway Superintendent discussed the following for informational purposes: semi tractor purchase, 404 Permit for Bridge #60, haul road agreement for County Road #14.

AGREEMENT:

Moved by Feickert, seconded by Hansen to approve and authorize the Vice Chairman sign haul road agreement with TransCanada/Michaels Pipeline for specific list of Brown County roads with restrictions, as specified by the Highway Superintendent. All members present voting aye. Motion carried.

BRIDGE #031 REPLACEMENT:

Commissioner Feickert offered the following Resolution; and further moved to approve and authorize the Chairman sign the following documents in conjunction with the Resolution: 1) Utilities Certificate; 2) Letting Authorization; 3) Right-of-Way Certificate; 4) Voluntary right/of/way Donation Form.

RESOLUTION # 55-08

FEDERAL AID BRIDGE REPLACEMENT OR REHABILITATION PROGRAM RESOLUTION FOR COUNTY AND URBAN PROJECTS

WHEREAS, Brown County desires the replacement of the bridge hereinafter described:

STRUCTURE NUMBER AND LOCATION: (Bridge #031) BRF 6599(3) PCN 6086 SN 07-110-356
Structure 2.4 S of Aberdeen on County Road #10 over Foot Creek

AND WHEREAS, Brown County is obligated and hereby agrees to provide proper maintenance as required by the Federal Highway Act as amended and supplemented thereto for project after construction is completed and to regulate or cause to be regulated the installation of utility facilities within the limits of the right-of-way of the proposed project in accordance with State and Federal requirements.

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

AND WHEREAS, the bridge is in need of replacement for the following reasons: 1) The sufficiency rating is 40.9%. 2) The bridge is not located on a County or Township designated Minimum Maintenance Road. 3) The load carrying capacity of the existing bridge cannot be improved to carry legal loads by rehabilitation of the existing bridge.

NOW THEREFORE BE IT RESOLVED, that the South Dakota Department of Transportation be and hereby is authorized and requested to program for construction, in accordance with the "Secondary Road Plan" and the State's "Standard Specifications For Roads and Bridges", the bridge replacement project at the above described location. Items to be handled by State forces with Federal Participation will include hydraulic study review, foundations investigation (if necessary), plan reviews, and construction administration.

Estimated Cost of Project Including Engineering:	\$411,603
Federal Share (80%):	\$329,283
Local Share (20%):	\$ 82,320

Proposed Year of Construction: 2009

Dated this 22nd day of July 2008.

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

BRIDGE #229:

Moved by Knecht, seconded by Feickert to approve and authorize the Vice Chairman sign: 1) Utilities Certificate; 2) Letting Authorization; 3) Right-of-Way Certificate; 4) two Voluntary right/of/way Donation Forms for Project #BRF 6426(5) PCN H069 (Bridge #229). All members present voting aye. Motion carried.

PHONE SYSTEM QUOTE:

Moved by Knecht, seconded by Hansen to accept quote, submitted by Tel Serv Communications in amount of \$44,947.92 for telephone system; rejecting Northern Valley Communications @ \$48,191.04 and Alexander Open Systems @ \$75,858.53. All members present voting aye. Motion carried.

INSURANCE DISCUSSION:

Kim Dorsett, Jan Beckler and Kurt Smith discussed insurance requirements for events held at the Richmond Youth Camp. No action was taken at this time.

ACCESS EASEMENT:

Kim Dorsett and Gary Vetter discussed need for access agreement for county owned land in Palmyra Township. No action was taken at this time.

PLATS:

Commissioner Knecht offered the following Resolution:

RESOLUTION #56-08

BE IT RESOLVED by the County Commission of Brown County, SD, that the plat showing "East Highway 12 Addition in the NE ¼ Sec 22-T123N-R63W of the 5th P.M., Brown County, SD" having been examined is hereby approved in accordance with the provisions of SDCL of 1967, Chapter 11-3, and any amendments thereof.

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

Commissioner Knecht offered the following Resolution:

RESOLUTION #57-08

BE IT RESOLVED by the County Commission of Brown County, SD, that the plat showing "NBP Lagoon Lot 1 in SW ¼ Sec 7-T122N-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-aye, Wiese-absent. Resolution adopted.

Commissioner Hansen offered the following Resolution:

RESOLUTION #58-08

BE IT RESOLVED by the County Commission of Brown County, SD, that the plat showing "C & A Hanson Outlot A in NE ¼ Sec 36-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 Feickert. Roll call vote: Commissioners Hansen-aye, Fischbach-aye, Feickert-aye, Knecht-aye, Wiese-absent. Resolution adopted.

Commissioner Hansen offered the following Resolution:

RESOLUTION #59-08

BE IT RESOLVED by the County Commission of Brown County, SD, that the plat showing "Mundhenke Outlot 1 in SE ¼ Sec 36-T122N-R61W of the 5th P.M., Brown County, SD" having been examined is hereby approved in accordance with the provisions of SDCL of 1967, Chapter 11-3, and any amendments thereof.

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

Commissioner Knecht offered the following Resolution:

RESOLUTION #60-08

BE IT RESOLVED by the Board of County Commissioners of Brown County, SD, that the plat showing "Ranchland First Subdivision in Sec 31-T128N-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-absent. Resolution adopted.

Commissioner Hansen offered the following Resolution:

RESOLUTION #61-08

BE IT RESOLVED by the Board of County Commissioners of Brown County, SD, that the plat showing "Ranchland Second Subdivision in Sec 20-T128N-R65W of the 5th P.M., Brown County, SD" having been examined is hereby approved in accordance with the provisions of SDCL 11-3, and any amendments thereof.

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

RECESS:

The Vice Chairman declared the Commission recessed until July 29, 2008.

Maxine Taylor – Brown County Auditor

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JULY 29, 2008 – 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 and the General Meeting minutes of July 22, 2008. All members present voting aye. Motion carried.

CLAIMS:

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

Supplies: Florida Micro..\$356.32, Cole Papers..\$79.19, West Payment..\$3218.75, Western Printing..\$102.00, Best Business..\$186.21, Bureau of Info..\$1800.00, Exec Mgmt Finance..\$2819.01, Moore Medical..\$359.41, Medtox..\$251.87, Exhaust Pros..\$30.88, Avera Health..\$350.00, Robinson Textiles..\$594.01, Marcy Fritz..\$3.16, Visa..\$884.58, Grafix..\$238.25, Knight Towing..\$125.00, Safety Service..\$941.18, SD Division of Motor Vehicles..\$10.00, Light & Siren..\$238.73, JDH Const..\$15,300.00, Howes Oil..\$31,251.40, Frey Elec..\$57.50, Crawford Trucks..\$22,000.00, SD for Open Govt..\$250.00, Tom Yerdon..\$76.95, Bronzed Memories..\$250.00, Joe Schnell..\$775.70, Assoc of SD Museums..\$100.00, Walmart..\$171.93, Macs..\$139.85, Runnings..\$234.27, Evergreen Supply..\$26.75, Jacobson Elec..\$132.66, GCR..\$48.98, Racom..\$88.20, Exhaust Pros..\$41.40, Office Equip..\$55.00, Dakota Elec..\$25.00, Bureau of Information..\$2400.00, Hewlett-Packard..\$594.00, Crucial Tech..\$1162.77, Scope Tech..\$83.00, Cunningham Elec..\$443.55, Cartney Bearing..\$15.99, Aberdeen Plumbing..\$357.88, Ecolab..\$173.50, Bill Spellman..\$690.59, Do-All Insulation..\$201.00, Kesslers..\$168.00, OK Tire..\$71.00, AASHTO..\$52.50, Leggett..\$60,418.49, Menards..\$1005.77, Vosika Fencing..\$4050.00, Walmart..\$212.10, Aberdeen Rural Fire..\$125.00, Advance Auto..\$282.76:
Professional Fees: Language Lines..\$55.10, Dental Center..\$402.73, Avera St Lukes..\$1175.76, Aberdeen Family Physicians..\$73.00, United Clinic..\$80.92, NADRIC..\$1666.66:
Attorney Fees: Timothy Lamb..\$244.99, Christy Serr..\$4416.67, Wm Gerdes..\$4166.67, Kuck Law Office..\$4166.67, Randy Turner..\$4416.67, Gina Rogers..\$4166.67:
Publications: American News..\$1348.06, Groton Indep..\$254.51:
Travel: Gene Loeschke..\$92.87, Leo Leshner..\$92.87, Deb Knecht..\$233.10:
Transcriptions: Kristi Kost..\$40.80:
Utilities: Alltel..\$1010.01, Midcontinent..\$251.20, Verizon..\$47.14, NW Energy..\$12,211.39, Northern Elec..\$267.86, Qwest..\$1665.39, Bureau of Admin..\$446.61, City of Aberdeen..\$38.20, Dependable Sanitation..\$212.00:
Care of Poor: Dr/Hospital – 2 recipients..Dental Center..\$700.00, Neurology Assoc..\$328.49; Rent – 4 recipients..JD Shultis..\$496.00, J&M Enterprises..\$94.37, Nathan Walter..\$240.00, Tom Appletoft..\$200.00; Utilities – 2 recipients..NW Energy..\$540.00; Transportation – 1 recipient..Brown County Hwy..\$51.31; Medication - 3 recipients..K-Mart Pharm..\$37.71, Walmart Pharm..\$50.00; Insurance - 4 recipients..Avera Health Plans..\$453.90, SD Risk Pool..\$536.39, Allied Benefit Systems..\$469.30, ARC..\$305.81. All members present voting aye. Motion carried.

PERSONNEL:

Moved by Knecht, seconded by Hansen to acknowledge resignation of Mike Ernst, effective August 1, 2008. All members present voting aye. Motion carried.

Moved by Hansen, seconded by Knecht to acknowledge the following miles driven and amount to be taxed for personal use of County vehicles during March – June 2008: Jan Weismantel – 202 @ \$101.81, Marcus Selzler – 291 @ \$146.71, Kendell Titze – 240 @ \$121.20, Michael Scott – 740 @ \$373.70. All members present voting aye. Motion carried.

CLAIM ASSIGNMENT:

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

FIREWORKS PERMIT:

Moved by Hansen, seconded by Knecht to approve and authorize the Chairman sign Fireworks Public Display Permit, submitted by Larry Gerlach, Manager Brown County Fair for a Class B Fireworks Display to be held on August 16, 2008 in the infield of the racetrack at the Fairgrounds. All members present voting aye. Motion carried.

PROPERTY TRANSFER:

Moved by Fischbach, seconded by Knecht to approve and authorize the Chairman sign agreements with the following entities that received equipment from the 2006 ODP Equipment Grant Program: City of Hecla (federal siren), City of Stratford (federal siren). All members present voting aye. Motion carried.

SHERIFF REPORTS:

Moved by Hansen, seconded by Fischbach to approve the following June 2008 Sheriff Reports: Incidents and offenses, Prisoner care, JDC, Money deposited with the County Treasurer and Monthly activities. All members present voting aye. Motion carried.

LOTTERY APPLICATION:

Moved by Knecht, seconded by Fischbach to approve the following application for lottery: Adjustment Training Center to be held at the Brown County Speedway on September 5 & 6, 2008. All members present voting aye. Motion carried.

ABATEMENTS:

Moved by Fischbach, seconded by Hansen to approve the following Abatements: Charles Picotte @ \$76.95 and \$81.92. All members present voting aye. Motion carried.

BCCHC REPORT:

DeAnna Kyburz presented the Brown County Community Health Center Report for April – June 2008.

LANDFILL UPDATE:

Mike Scott, Landfill Manager discussed the following: 2009 Budget, additional equipment operator, fire fighting update and informed the Commission that illegal dumping continues to occur at the county container sites.

TEEN COURT 2009 BUDGET:

Emily Hughes and Bonnie Siebrecht, Teen Court Program requested that county tax dollars rather than surplus teen court funds be used to fund the 2009 budget request.

FAIR UPDATE:

Larry Gerlach, Fair Manager presented update on the 2008 Brown County Fair and discussed concern about manning the ticket booth. Jan Beckler, who has managed the ticket booth for the Fair Board strictly as a volunteer for the past 16 years will not be available this year.

APPLICATION FOR OCCUPANCY:

Moved by Fischbach, seconded by Hansen to approve application, submitted by Northern Electric for occupancy of Brown County Highway #9 in Sec 8 & 17-T125N-R64W of 5th P.M., Brown County, SD to provide electrical service. All members present voting aye. Motion carried.

PROPERTY DISCUSSION:

Kim Dorsett, States Attorney and Gary Vetter, Planning/Zoning discussed property located in Houghton.
No action taken at this time.

RECESS:

The Chairman declared the Commission recessed until August 5, 2008.

Maxine Taylor – Brown County Auditor

AUGUST 5, 2008 - JOINT DAY COUNTY/BROWN COUNTY COMMISSION MEETING

The Brown County Commission and the Day County Commission met in joint session at 2:00 P.M. at the Groton Community Center, Groton, South Dakota. Present from Day County were Commissioners Marvin Bury, Derek Sinner, Chuck Hesla and Chairman Mark Wattier. Present from Brown County were Commissioners Nancy Hansen, Deb Knecht and Chairman Mike Wiese.

Brown County Commission Chairman Mike Wiese called for testimony in favor of the petition to establish the proposed Groton Area Fire Protection and Rescue District, followed by testimony by those in opposition. Norman Townsend, Farmington Township resident requested that his property be excluded from the proposed district boundaries. After discussion the following action ensued:

Moved by Hansen, seconded by Wiese to approve the district boundaries as proposed. Roll call vote: Commissioner Hansen-aye, Knecht-nay, Wiese-aye. Motion carried.

On motion by Hesla and seconded by Sinner, the Day County Commission unanimously voted to exclude the Townsend property (SE ¼ of Sec 20-T124N-R59W of the 5th P.M. and the NE ¼ of Sec 29-T124N-R59W of the 5th P.M., Day County, SD) from the district boundaries.

Moved by Knecht, seconded by Wiese to offer substitute motion from Brown County to rescind previous motion and exclude the Townsend property (SE ¼ of Sec 20-T124N-R59W of the 5th P.M. and the NE ¼ of Sec 29-T124N-R59W of the 5th P.M., Day County, SD) from the district boundaries. Roll call vote: Commissioners Hansen-nay, Knecht-aye, Wiese-aye. Motion carried.

On moved by Knecht and seconded by Hansen, the Brown County Commission unanimously voted to approve and authorize the Chairman sign the following Order Establishing Groton Area Fire Protection and Rescue District, as amended:

RESOLUTION #62-08
ORDER ESTABLISHING
GROTON AREA FIRE PROTECTION AND RESCUE DISTRICT
DAY/BROWN COUNTY, SOUTH DAKOTA

WHEREAS, the Board of County Commissioners of Day County and Brown County, South Dakota, jointly acting upon Notice of Hearing on Petitions for the formation of the proposed Groton Area Fire Protection and Rescue District, having been given by the County Auditor of Day County, South Dakota under date of 3rd day July, 2008, having been given by the County Auditor of Brown County, South Dakota under date of 3rd day of July, 2008, and pursuant to the Certificate of the County Auditor of Day County and of Brown County, South Dakota on file in the office of the respective County Auditor, reference to which Notice of Hearing and Certificate is hereby made and incorporated herein by this reference, and

WHEREAS, the Board of County Commissioners of Day County and Brown County, South Dakota, at a joint meeting, this 5th day of August, 2008 at 2:00 o'clock P.M., in the City of Groton, Brown County, South Dakota, having met, and all persons residing in or owning taxable property within the proposed district having had an opportunity to be heard respecting the formation of said District or the location of the boundaries thereof, and

WHEREAS, the Board of County Commissioners of Day County and Brown County, South Dakota, have determined that the proposed Groton Area Fire Protection and Rescue District is suited to the general fire protection policy of Day County and Brown County, South Dakota, as a whole, and having determined that the boundaries of the proposed district, as suggested in the Petition now on file herein in this matter, reference to which is hereby made and incorporated herein by this preference, and having been otherwise fully advised in the premises, and good cause having been shown and now appearing,

NOW, THEREFORE, it is hereby ordered by the Board of County Commissioners of Day County, South Dakota and the Board of County Commissioners of Brown County, South Dakota, that the

proposed Groton Area Fire Protection and Rescue District is suited to the general fire protection and rescue policies of both Day County and Brown County, South Dakota, as a whole, and that the boundaries of said Groton Area Fire Protection and Rescue District be, and they are, determined and established as embracing and including all or a portion of the area and real properties within the boundaries of Farmington Township, Day County, and Groton, Henry, Putney, Riverside, East Hanson, West Hanson Townships and the City of Groton, and all plats and subdivisions within said area, such area covering 238 square miles more or less, specifically described as:

In Farmington Township: Sections 6, 7, 17, 18, 19, 30, 31 and 32, inclusive and the N ½ of Sec 20, the SW ¼ of Sec 20, the S ½ of Sec 29 and the NW ¼ of Sec 29, Township 124N, Range 59, West of the 5th P.M., Day County, South Dakota;

In Groton Township: Sections 1 through 36, Township 123N, Range 60, West of the 5th P.M. and Sections 1, 2, 11, 12, 13, 14, 23, 24, 25, 26, 35 and 36, Township 123N, Range 61, West of the 5th P.M., Brown County, South Dakota;

In Henry Township: Sections 3 through 10, 15 through 22, 27 through 34, Township 123N, Range 61 West of the 5th P.M., and Sections 1, 2, 11, 12, 13, 14, 23, 24, 25, 26, 35 and 36, Township 123N, Range 62, West of the 5th P.M., Brown County, South Dakota;

In Putney Township: Sections 1 through 36, Township 124N, Range 61, West of the 5th P.M., Brown County, South Dakota;

In Riverside Township: Sections 1 through 36, Township 124N, Range 60, West of the 5th P.M., Brown County South Dakota;

In East Hanson Township: Sections 1 through 36, Township 122N, Range 60, West of the 5th P.M., Brown County, South Dakota;

In West Hanson Township: Sections 1 through 36, Township 122N, Range 61, West of the 5th P.M., Brown County, South Dakota; and

City of Groton, Brown County, South Dakota.

and that the said Groton Area Fire Protection and Rescue District be, and the same hereby is, established as aforesaid, pursuant to SDCL 34-31A.

That the County Auditors are hereby directed to designate a time and place for an election, pursuant to law to determine if the organization of the Groton Area Fire Protection and Rescue District shall be completed.

That an original of this Order shall be entered into the books and minutes of both Day County and Brown County, South Dakota.

Dated this 5th day of August 2008 at Groton, Brown County, South Dakota.

On motion by Bury and seconded by Sinner, the Day County Commission unanimously voted to approve the Order Establishing Groton Area Fire Protection and Rescue District, as amended.

ADJOURNMENT:

On motion by Sinner and seconded by Bury, the Day County Commission unanimously voted to adjourn.

On motion by Hansen and seconded by Knecht, the Brown County Commission unanimously voted to adjourn.

Maxine Taylor – Brown County Auditor

AUGUST 5, 2008 – 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 29, 2008. All members present voting aye. Motion carried.

CLAIMS:

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

Payroll: Commissioners..\$2,991.00; Auditor..\$7,394.44; Treasurer..\$10,385.75; Data Processing..\$3,269.35; State's Attorney..\$11,270.76; Blood Draws...\$385.00; Maintenance..\$5,608.09; Assessor..\$9,485.62; Register of Deeds..\$5,360.66; Veterans Service Office..\$2,967.65; GIS..\$1,848.00; Sheriff..\$68,022.30; Coroner..\$150.00; Communications..\$15,861.82; Welfare Office..\$3,020.78; Museum..\$6,093.80; Fairgrounds & Parks..\$4,880.31; Fairboard..\$1,992.85; Extension..\$2,373.60; Weed..\$4,364.64; Planning and Zoning..\$1,520.00; Emergency Management..\$2,792.80; Teen Court..\$411.00; Highway..\$31,099.91; Landfill..\$8,167.23; Matching Benefits: FICA..\$12,525.99; Medicare..\$2,929.35:

Supplies: Office Equip..\$10.36, Exec Mgmt..\$78.15, Dept of Rev..\$5387.15, SD Assoc of County Comm..\$6469.49, Runnings..\$234.10, Aberdeen Plumbing..\$73.41, Central Supply..\$1581.65, Rob Waltman..\$500.00, McFarland Supply..\$6.06, Matthew Bender..\$96.85, Woodman Refrig..\$7364.33, Heartland Paper..\$588.11, Sewer Duck..\$89.00, Walmart..\$657.00, Ace Group..\$7912.54, Aberdeen Rural Fire..\$3675.00, Aberdeen Asphalt..\$324,218.07, Van Diest..\$1782.30, Komatsu..\$38,333.88, HF Jacobs..\$47,720.24, Helms & Assoc..\$555.80, Great Western Tire..\$926.25, Dakota Brush..\$117.00, Crawford Trucks..\$3506.96, Butler..\$7340.90, Bridgestone..\$143.55, James Wicker..\$100.00, Kesslers..\$687.82, Trapline Lodges..\$391.00, House of Glass..\$6.73, Kristie Erickson..\$30.00, Craig Haugard..\$30.00, Uline..\$65.69, Larry Gerlach..\$86.58, Mr Twister..\$1200.00, Romeo Entertainment..\$134,000.00, CCR..\$300.00, Bowdle Boys..\$600.00, Enchanting Strings..\$75.00, Patrick Flanigan..\$2000.00, Old Time Tractor Pullers..\$1200.00, Premier Pyrotechnics..\$350.00, Scott McFall..\$1500.00, A-1 Locksmith..\$45.00, SDSU..\$50.00, Cash-Wa..\$20.85, QQP..\$45003.96, Evergreen Supply..\$22.30, Kens Superfair Foods..\$35.39, Pizza Ranch..\$340.00, K-Mart..\$86.27, The Pals..\$500.00, Phil Baker..\$800.00, Sherwin Linton..\$1500.00, Kathy Bender..\$1000.00, Bob & Beachcombers..\$2500.00, Spotslam..\$1497.30, Brick RotoRooter..\$4700.00, Amy Engelhart..\$750.00, Premier Auto..\$610.79, NBHA Dist 4..\$900.00, Good Shepherd Lutheran..\$2100.00, Midwest Golf Cars..\$6670.00, US Air Force Aux..\$950.00, Safe Harbor..\$340.00, Aberdeen Christian School..\$700.00, Machinist Union..\$850.00, SD Nurse Assoc..\$900.00, BSA Troop 51..\$2765.00, NCTL..\$1311.67, Taco Bell..\$100.00, McDonalds..\$100.00, Target..\$100.00, Blockbuster..\$100.00, Dakota Supply Group..\$184.55, Knox Rapid Entry System..\$259.00, Fastenal..\$6.76, House of Glass..\$22.11, Lien Transport..\$7974.10, Macs..\$867.06, United Clinic..\$83.00, Florida Micro..\$309.86, Best Business..\$69.92, Infinity Gear..\$708.35, Economy Meats..\$73.05, Safety Kleen..\$1833.00, Powerplan..\$684.51, Crawford Trucks..\$378.29:

Professional Fees: Ridgeview Med Center..\$112.57, Eide Bailly..\$238.50:

Attorney Fees: John Billion..\$1108.00:

Publications: Groton Indep..\$227.33, Dakota Press..\$598.03, American News..\$508.97:

Travel: Dennis Feickert..\$166.50, Kathy Fischer..\$243.09, Polly Rush..\$24.42, Mary Worlie..\$414.30, Gary Vetter..\$79.55, Northern Valley..\$51.45:

Transcriptions: Tammy Erickson..\$90.00:

Utilities: City of Aberdeen..\$812.68, Montana Dakota..\$14.98, Town of Frederick..\$33.57, Northern Valley Comm..\$25.90, Qwest..\$36.61, Northern Elec..\$200.00, WEB..\$187.85:

Care of Poor: Dr/Hospital – 3 recipients..Dr Mukerji..\$438.80, Dakota Imaging..\$45.67, Avera St Lukes..\$737.90; Utilities – 2 recipients..NW Energy..\$515.72. All members present voting aye. Motion carried.

PERSONNEL:

Moved by Feickert, seconded by Fischbach to approve the following employee step increases, effective August 10, 2008: John Heine @ \$18.62 per hour, Scott Kolb @ \$18.57 per hour, Sherri Rawstern @ \$13.29 per hour. All members present voting aye. Motion carried.

Moved by Hansen, seconded by Knecht to acknowledge resignation of Timothy Harford, effective August 23, 2008. All members present voting aye. Motion carried.

Moved by Feickert, seconded by Fischbach to approve hiring Teresa Mayou, effective August 16, 2008, Selena Williams and Jon-Thomas Roemmick, effective August 11, 2008 as corrections officers in the Jail at \$12.03 per hour. All members present voting aye. Motion carried.

Moved by Feickert, seconded by Fischbach to approve hiring the following to perform security work during the 2008 Brown County Fair, effective August 11, 2008 at \$16.00 per hour: Jon Waldner, John Kirnan, Troy Strid, Kyle Crawford, Brook Brown, Brad Erhardt, Erik Red Hill, Nick Cochrane, Darin Moke, Justin Meyer, Mike Waldrop, Jerry Bjerke, Dar VanDover and Trent Lunstrum. All members present voting aye. Motion carried.

Moved by Knecht, seconded by Feickert to approve hiring the following to work during the 2008 Brown County Fair, effective August 5, 2008: Tim Norton and Wayne Neaveill @ \$8.48 per hour, Velder Williams, Roger Dummer, Brenda Duchenaux and Lisa Martin @ \$8.43 per hour. All members present voting aye. Motion carried.

Moved by Knecht, seconded by Hansen to approve hiring Robert Jenson, as Labor Grade 3 Highway Department, effective August 19, 2008 at \$11.95 per hour. All members present voting aye. Motion carried.

Moved by Feickert, seconded by Fischbach to approve employee status change for John Heidenreich from Labor Grade 4 to Labor Grade 5 Sign Technician/Laborer, effective August 11, 2008 at \$12.99 per hour. All members present voting aye. Motion carried.

SET HEARING DATES:

Moved by Feickert, 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 August 26, 2008 in the County Commission Chambers, 25 Market Street, Aberdeen, SD for First Reading of the following: Ordinance No. 08-08-01/368, An Ordinance to rezone the following property from Section 704 (R-2) Medium Density Residential District to Section 713 (M) Municipal, State, and County Use District: Dixon's Outlot 1 in the NE ¼ of Sec 26-T123N-R64W of the 5th P.M., Brown County, SD. Ordinance No. 08-08-02/369, An Ordinance to rezone the following property: (1) from Section 701 (A-1) Agricultural District to Section 714 (M-AG) Mini-Agricultural District: Lot 1 of Sanderson Addition in the SE ¼ of Sec 34-T123N-R64W of the 5th P.M., Brown County, SD. (2) from Section 701 (I-2) Unrestricted Industrial District and Section 701 (A-1) Agricultural District to Section 710 (I-2) Unrestricted Industrial District: Lot 2 of Sanderson Addition in the SE ¼ of Sec 34-T123N-R64W of the 5th P.M., Brown County, SD. (3) from Section 710 (I-2) Unrestricted Industrial District to Section 701 (A-1) Agricultural District: Lot 3 of Sanderson Addition in the SE ¼ Sec 34-T123N-R64W of the 5th P.M., Brown County, SD. Ordinance No. 08-08-03/370, An Ordinance to rezone the following property from Section 701 (A-1) Agricultural District to Section 704 (R-2) Medium Density Residential District: Lots 4 and 5, Lowary's First

Subdivision in the SE ¼ of Sec 27-T123N-R64W of the 5th P.M., Brown County, SD. All members present voting aye. Motion carried.

LEASE AGREEMENTS:

Moved by Feickert, seconded by Hansen to approve and authorize the Chairman sign the following agreements: Camp Rimrock for lease of the Richmond Youth Camp on June 15-20, 2008; Jim River Riders for lease of the Horse Arena on July 13, 2008; The Human Service Agency (Watertown) for lease of the Richmond Lake Youth Camp Lodge on August 18-20, 2008; Debra Backous for lease of the Richmond Lake Youth Camp on August 15-17, 2008. All members present voting aye. Motion carried.

INITIATED MEASURE #10:

Commissioner Hansen offered the following Resolution:

RESOLUTION #63-08 OPPOSING INITIATED MEASURE 10

Whereas, Initiated Measure #10 would prohibit any county from paying dues to any association that lobbies;

Whereas, it is far more efficient and cost effective to join together with our fellow counties through the South Dakota Association of County Commissioners for coordinated communication with the Legislature than to have each county stand alone;

Whereas, the costs to the taxpayers of having each county monitor, report, and travel to Pierre to participate in the Legislative Session would be much greater than any dues to the South Dakota Association of County Commissioners;

Whereas, coordinated communication with Legislators leads to more efficiency in the Legislative process and has saved millions of dollars in taxpayer funds;

Whereas, restricting the ability of South Dakotans to support candidates and communicate with their elected public officials is a violation of their right to freedom of speech;

Whereas, the measure will be challenged in court and will most likely be found to be unconstitutional, costing millions of dollars in taxpayer money;

Whereas, Initiated Measure #10 does not limit State government-paid lobbyists, out-of-state lobbyists, or corporate lobbyists, but only stifles coordinated voices for local control;

Whereas, Brown County finds that county officials throughout South Dakota are dedicated, honest and ethical people with the best interests of their counties in mind and that counties take great pride in providing open, honest government to our citizens;

Whereas, the thousands and thousands of South Dakotans who do business with the State, Cities, Counties, and other governmental entities should not be penalized for providing such services;

Whereas, civic groups who work to better their community, and often require local funding to provide their services should not be prohibited from communicating their needs to local public servants;

Whereas, the forces supporting Initiated Measure #10 will not reveal the source of their funding, leaving the reasonable assumption that out of state special interests are once again attempting to hijack the South Dakota ballot and abuse our initiative process;

Now, therefore let it be resolved, that Brown County strongly opposes Initiated Measure #10 and urges the citizens of South Dakota to vote "NO" on the measure.

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

PALMYRA TOWNSHIP PROPERTY:

Moved by Hansen, seconded by Fischbach to declare the following County owned property surplus for purpose of sale:

- Parcel #1: Lot 1 Ranchland First Subdivision in Sec 31-T128N-R65W of the 5th P.M. (103.52 acres)
- Parcel #2: Lot 2 Ranchland First Subdivision in Sec 31-T128N-R65W of the 5th P.M. (14.79 acres)
- Parcel #3: Lot 1 Ranchland Second Subdivision in Sec 20-T128N-R65W of the 5th P.M. (40.22 acres)
- Parcel #4: Lot 2 Ranchland Second Subdivision in Sec 20-T128N-R65W of the 5th P.M. (40.20 acres)
- Parcel #5: Lot 3 Ranchland Second Subdivision in Sec 20-T128N-R65W of the 5th P.M. (36.36 acres)
- Parcel #6: Lot 4 Ranchland Second Subdivision in Sec 20-T128N-R65W of the 5th P.M. (23.39 acres)
- Parcel #7: Government Lot 3 in SW ¼ of Sec 30-T128N-R65W of the 5th P.M. (37.81 acres)
- Parcel #8: Government Lot 4 in SW ¼ of Sec 30-T128N-R65W of the 5th P.M. (37.81 acres)
- Parcel #9: E ½ of SW ¼ of Sec 30-T128N-R65W of the 5th P.M. (75.61 acres)

All members present voting aye. Motion carried.

Moved by Knecht, seconded by Hansen to appoint Darwin Bettmann, Stan Beckler and Jerry Streckfuss as three real property owners of the County to appraise the value of the nine parcels declared surplus for sale. All members present voting aye. Motion carried.

Moved by Hansen, seconded by Knecht to authorize advertising the sale of the following parcels of county owned real estate at a public auction, to be held in the Courthouse Annex Community Room, 25 Market Street, Aberdeen, SD at 11:00 A.M. on September 30, 2008:

- Parcel #1: Lot 1 Ranchland First Subdivision in Sec 31-T128N-R65W of the 5th P.M. (103.52 acres)
- Parcel #2: Lot 2 Ranchland First Subdivision in Sec 31-T128N-R65W of the 5th P.M. (14.79 acres)
- Parcel #3: Lot 1 Ranchland Second Subdivision in Sec 20-T128N-R65W of the 5th P.M. (40.22 acres)
- Parcel #4: Lot 2 Ranchland Second Subdivision in Sec 20-T128N-R65W of the 5th P.M. (40.20 acres)
- Parcel #5: Lot 3 Ranchland Second Subdivision in Sec 20-T128N-R65W of the 5th P.M. (36.36 acres)
- Parcel #6: Lot 4 Ranchland Second Subdivision in Sec 20-T128N-R65W of the 5th P.M. (23.39 acres)
- Parcel #7: Government Lot 3 in SW ¼ of Sec 30-T128N-R65W of the 5th P.M. (37.81 acres)
- Parcel #8: Government Lot 4 in SW ¼ of Sec 30-T128N-R65W of the 5th P.M. (37.81 acres)
- Parcel #9: E ½ of SW ¼ of Sec 30-T128N-R65W of the 5th P.M. (75.61 acres)

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 Knecht, seconded by Fischbach 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 11, 12, 13, 14, 15, 16 & 17, 2008; Centennial Village Inc - Brown County Fairgrounds (Centennial Village) SW ¼ Sec 1-T123N-R64W, effective August 11, 12, 13, 14, 15, 16 & 17, 2008; Boys & Girls Club - Brown County Fairgrounds

(Grandstand) SW ¼ Sec 1-T123N-R64W, effective August 11, 12, 13, 14, 15, 16 & 17, 2008; (Aberdeen Area Chamber of Commerce withdrew application). All members present voting aye. Motion carried.

EXECUTIVE SESSION:

Moved by Hansen, seconded by Knecht to go into executive session to discuss possible litigation with States Attorney 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.

RACE TRACK UPDATE:

Al Malsam and several local residents discussed complaints about the car race program with the Commission. No action was taken as a result of the discussion.

SHERIFF UPDATE:

Mark Milbrandt and Tom Schmidt discussed increase in civil paper service and possibility for another facility to house work release inmates, 24/7 Sobriety program and possibly JDC. No action was taken as a result of the discussion.

Moved by Knecht, seconded by Hansen to decrease the number of part-time employees authorized in the JDC from 10 to 7 and increase number of full-time employees authorized in the JDC from 7 to 8, effective August 5, 2008. All members present voting aye. Motion carried.

COURTHOUSE PARKING LOT:

Mick Palmer, Maintenance Supervisor informed the Commission that the cost estimate to landscape the courthouse parking lot is \$2,029.00 (material and labor).

MALT BEVERAGE HEARING SET:

Moved by Fischbach, seconded by Feickert to authorize advertising public hearing to consider the following application for a Special Retail (On-Off Sale) Malt Beverage License, to be held in the Brown County Commission Chambers, Courthouse Annex at 9:00 a.m. on August 26, 2008: Retail (on-off sale) Malt Beverage License: Groton Chamber of Commerce, PO Box 21 Groton, SD – portion of E ½ E ½ SE ¼ Sec 19-T123N-R60W 1-T123N-R64W and portion of W ½ W ½ SW ¼ Sec 20-T123N-R60W (map indicating specific location on file with application), effective August 29 & 30, 2008. All members present voting aye. Motion carried.

RECESS:

The Chairman declared the Commission recessed until August 12, 2008.

Maxine Taylor – Brown County Auditor

AUGUST 12, 2008 – GENERAL MEETING

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

MINUTES:

Moved by Feickert, seconded by Hansen to approve the General Meeting minutes and the Joint Day County/Brown County Meeting minutes of August 5, 2008. All members present voting aye. Motion carried.

CLAIMS:

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

Supplies: Quality Quick Print..\$575.54, Office Equip..\$211.38, New Trends..\$55.64, Aberdeen Plumbing..\$219.73, Menards..\$1379.49, Crescent Elec..\$36.87, Ecolab Pest..\$88.00, Cunningham Elec..\$1997.66, Taylor Laundry..\$54.50, Lar-Jos..\$380.00, Langs..\$40.00, Dakota Elec..\$80.00, Tri-State Water..\$14.20, Lutheran Social Sec..\$275.68, Hedahls..\$6.79, Hoven Auto..\$22.50, Dicks Westside..\$38.50, Artz Camera..\$89.00, Aberdeen School Dist..\$5.29, Diane Mielke..\$8.99, Fordham Signs..\$286.00, Racom..\$264.60, FedEx..\$14.88, Infinity Gear..\$131.28, MCP..\$292.55, Trail Chev..\$474.84, Pierson Ford..\$36.00, Polk City Directory..\$180.00, Cash Wa..\$5140.81, Lust..\$75.90, Safety Service..\$287.97, Best Business..\$175.68, Hagan Ins..\$145.00, SD Fed Property..\$45.00, SDDOT..\$56.80, Runnings..\$2895.14, Quill..\$51.63, PowerPlan..\$4297.98, Nelson Sales..\$11.63, Midwest Pump & Tank..\$974.26, M-R Signs..\$83.68, Lawson Products..\$23.21, Interstate Battery..\$167.90, Howes Oil..\$28,865.71, Highway Improvement..\$50,000.02, Don Gunther..\$31,307.38, Harry's Impl..\$92.00, Gilland Enterprises..\$164.16, Garys Auto..\$750.00, Flint Hills..\$90,296.65, First Safety First..\$624.21, Farnams Genuine Parts..\$341.86, Farm Power..\$316.58, Evergreen..\$18.40, JD Evans..\$440.15, Erdmann Fuels..12,321.81, Economy Propane..\$1758.40, Diesel Machinery..\$520.69, Diamond Mowers..\$436.80, Dakota Fluid Power..\$187.45, Clark Eng..\$1183.11, Aberdeen Asphalt..\$43,304.57, Spec Communications..\$2328.00, Dakota Mailing..\$214.49, Dacotah Bank..\$334.59, Ken's Superfair Foods..\$517.10, Glas Consulting..\$528.75, Gompf Display..\$1737.50, Macs..\$27.98, Graham Tire..\$39.84, Sams Sound..\$6375.00, CMW Cleaning Service..\$4400.00, Three Seasons Tent Rental..\$7600.00, Parcel Erickson..\$25.00, Vosika Fencing..\$500.00, Hub City Radio..\$500.00, Kristie Erickson..\$1025.00, Barb Paepke..\$700.00, Ace Refrig..\$4539.00, Schmidt Const..\$2429.06, Fastenal..\$22.49, Butler Cat..\$43.32, Sewer Duck..\$178.50, Central Supply..\$226.00, House of Glass..\$7.92, Electric Co..\$2682.41, Evergreen Supply..\$44.60, Nasco..\$14.73, Dakota Supply..\$2499.78, Herman House Moving..\$1769.02, Mogens Heroes..\$400.00, Military Appreciation Breakfast..\$2250.00, TMS..\$15,500.00, Office Max..\$103.99, Van Diest..\$14,233.30, Roger Johnson..\$13.50, Pro Ag..\$750.82, Nelson Sales..\$43.16, Kens Alignment..\$1505.16, Karst Car Care..\$268.00, London Fog..\$25.23, Ameripride..\$316.76, Heiman Fire..\$2123.49, Bricks Propane..\$17.50, SD Fed Property..\$549.00, Sheehan Mack Sales..\$1851.73, Cole Papers..\$560.26, Pierson Ford..\$128.55, Dakota Electronics..\$93.50, Evergreen..\$93.87:

Professional Fees: Sheriff of Beltrami County..\$50.00, United Clinic..\$1073.95, Anesthesia Care..\$288.00, Aberdeen Adv Care..\$310.61, Dakota Imaging..\$2703.69, Avera St Lukes..\$192.80, Suburban Em Assn..\$89.92, St Francis Reg Med Center..\$1380.15:

Publications: American News..\$207.38:

Travel: Gene Loeschke..\$132.83, Mark Milbrandt..\$768.50, Charlene Millim..\$31.45:

Transcriptions: Michelle Gaiowski..\$34.00, Tammy Erickson..\$90.00:

Utilities: FSH Communications..\$61.26, Qwest..\$46.77, Midcontinent Cable..\$43.28, Northern Valley..\$145.42, James Valley..\$358.20, City of Aberdeen..\$3813.15, NW Energy..\$583.34, Northern Elec..\$637.23, Northern Wireless..\$111.90, Dependable Sanitation..\$17,266.12, Verizon..\$70.18:

Care of Poor: Dr/Hospital – 5 recipients..PSI Health Care..\$167.50, OB/GYN..\$293.25, Aberdeen Chiropractic..\$49.20, United Clinic..\$176.44, Dental Center..\$706.78; Rent –4 recipients..Zumbaum Property..\$525.00, Erdmann Properties..\$260.00, SD Real Estate..\$182.00; Medication - 2 recipients..Walmart Pharm..\$92.34; Burial – 1 recipient..Spitzer Miller Funeral Home..\$1200.00; Transportation – 1 recipient..Brown County Highway..\$37.89. All members present voting aye. Motion carried.

PERSONNEL:

Moved by Feickert, seconded by Hansen to approve hiring Fae Dayton and Jacie Schley, as part-time employees in the Fair Office, effective August 11, 2008 at \$8.64 per hour. All members present voting aye. Motion carried.

Moved by Hansen, seconded by Feickert to approve hiring Randy Kurtz as full-time Corrections Officer in the Jail, effective August 19, 2008 at \$12.03 per hour. All members present voting aye. Motion carried.

Moved by Feickert, seconded by Hansen to approve hiring Tanner Jondahl as security officer for the Fair, effective August 11, 2008 at \$16.00 per hour. All members present voting aye. Motion carried.

LEASE AGREEMENTS:

Moved by Feickert, seconded by Hansen to approve the following agreements with Al Malsam: lease of Case tractor and Garbage truck. All members present voting aye. Motion carried.

SAFETY MANUAL:

Moved by Hansen, seconded by Feickert to adopt the Brown County Safety Manual, effective August 12, 2008. All members present voting aye. Motion carried.

WAIVE FEES – FALL CLEANUP:

Moved by Hansen, seconded by Feickert to approve waiving fees during the Fall Residential Cleanup Event for all materials received at the Landfill ONLY from August 29 thru September 6, 2008. Charges will apply to all mobile homes, business and commercial waste during this time frame. All members present voting aye. Motion carried.

PALMYRA TOWNSHIP PROPERTY:

Moved by Hansen, seconded by Feickert to authorize Helms & Associates to plat county owned land in the NW ¼ Sec 29-T128N-R65W and portions of the S ½ of Sec 31-T128N-R65W south of Elm Lake at a cost of \$2,940.00. All members present voting aye. Motion carried.

LOTTERY APPLICATION:

Moved by Feickert, seconded by Hansen to approve and authorize the Vice Chairman sign application, submitted by the Brown County Democrats for raffles to be held during the Fair (August 11-17, 2008). All members present voting aye. Motion carried.

2009 PROVISIONAL BUDGET:

Moved by Hansen, seconded by Feickert to approve the 2009 Provisional Budget and authorize advertising public hearing to be held in the Commissioner's Chambers, Courthouse Annex, at 10:00 A.M. on September 2, 2008. Roll call vote: Commissioners Hansen-aye, Fischbach-aye, Feickert-aye, Knecht-absent, Wiese-absent. Motion carried.

VACATE PLAT:

Commissioner Feickert offered the following Resolution:

RESOLUTION NO. 64-08

WHEREAS, Brow County, pursuant to SDCL 11-3-20.1, presented an Application for Vacation of Plats legally identified as:

Plat of H-1 in the W $\frac{1}{2}$ of the SW $\frac{1}{4}$ of Sec 16-T123N-R64W of the 5th P.M., Brown County, South Dakota

Plat of H-2 in the E $\frac{1}{2}$ of the SW $\frac{1}{4}$ of Sec 16-T123N-R64W of the 5th P.M., Brown County, South Dakota

Plat of H-3 in the E $\frac{1}{2}$ of the SW $\frac{1}{4}$ of Sec 16-T123N-R64W of the 5th P.M., 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:

Plat of H-1 in the W $\frac{1}{2}$ of the SW $\frac{1}{4}$ of Sec 16-T123N-R64W of the 5th P.M., Brown County, South Dakota

Plat of H-2 in the E $\frac{1}{2}$ of the SW $\frac{1}{4}$ of Sec 16-T123N-R64W of the 5th P.M., Brown County, South Dakota

Plat of H-3 in the E $\frac{1}{2}$ of the SW $\frac{1}{4}$ of Sec 16-T123N-R64W of the 5th P.M., Brown County, South Dakota

is hereby vacated.

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

BOYS & GIRLS CLUB:

Members of the Boys and Girls Club Organization presented a site plan for review by the Commission and requested that land be donated for the project. There was no action taken by the Commission at this time.

USE OF PARKING LOT:

Moved by Feickert, seconded by Hansen to temporarily close the Brown County Parking Lot north of the Dacotah Prairie Museum to parking on August 23, 2008 in conjunction with Sizzlin' Summer Nights, as requested by Georgia Smith, Aberdeen Downtown Association. All members present voting aye. Motion carried.

PROPERTY TAX DISCUSSION:

Stacy Richardson met with the Commission to discuss taxes on the property she is purchasing. There was no action taken by the Commission at this time.

EXECUTIVE SESSION:

Moved by Hansen, seconded by Feickert to go into executive session to discuss personnel with Kim Dorsett in attendance. All members present voting aye. Motion carried.

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

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HOSPITAL CLAIM:

Moved by Feickert, seconded by Hansen to deny payment of the hospital bill for a 39 year old male @ \$13,443.02, as the individual has not provided sufficient information to determine if indigent. All members present voting aye. Motion carried.

HIGHWAY 12W EASEMENTS:

Moved by Hansen, seconded by Feickert to authorize the Vice Chairman sign perpetual easements for the 12W Project with Alan Wellman, Dana Brick, Michael S and Janice L Crady. All members present voting aye. Motion carried.

Moved by Hansen, seconded by Feickert to authorize the Vice Chairman sign Temporary Easements for the 12W Project with Heartland Grain Fuels (2); SD Wheat Growers Association; Don and Archie Mitzel; Steven Holm; and Robert B and Margaret S Bourdon (4). 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 Vice Chairman declared the executive session closed, with no action taken as a result of the discussion.

RECESS:

The Vice Chairman declared the Commission recessed until August 19, 2008.

Maxine Taylor – Brown County Auditor

AUGUST 19, 2008 – 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 August 12, 2008. All members present voting aye. Motion carried.

CLAIMS:

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

Payroll: Commissioners...\$2,991.00; Auditor...\$7,429.16; Treasurer...\$9,909.37; Data Processing...\$3,269.35; State's Attorney...\$11,270.76; Blood Draws-SA...\$490.00; Maintenance...\$5,476.75; Assessor...\$9,616.55; Planning & Zoning...\$1,520.00; Register of Deeds...\$5,461.64; Veterans Service Office...\$2,851.73; GIS...\$1,848.00; Sheriff...\$69,208.43; Communications...\$15,941.57; Coroner...\$300.00; Welfare...\$3,020.78; Museum...\$6,093.80; Fairboard...\$2,022.25; Fairgrounds & Parks...\$6,823.22; Extension...\$2,390.16; Weed...\$4,364.98; E&D...\$2,792.80; Teen Court...\$451.20; Highway...\$33,000.11; Landfill...\$8,287.66; Matching Benefits: FICA...\$12,797.26; Medicare...\$2,992.86;

Supplies: Florida Micro...\$971.87, Penton Media Inc...\$54.95, Tessco...\$51.06, James River Water...\$832.53, Safe Harbor...\$1360.00, William Druley...\$156.10, QQP...\$118.92, Jeff Vilhauer...\$159.93, Midwest Alarm...\$51.50, Ameripride...\$197.26, Kleins...\$7.73, Lora Schaunaman...\$20.35, Menards...\$77.71, Walmart...\$71.16, Best Business Products...\$217.56, Carquest Automotive...\$685.42, Dependable Sanitation...\$159.00, Fastenal Co...\$69.53, Fire Safety First...\$342.61, Flint Hills Resources...\$79186.74, Holland Auto Care...\$31.02, Huron Culvert & Tank...\$13.71, Poms Tire Service...\$1226.22, Share Corp...\$498.80, 3-D Specialties...\$2911.52, Mark Wendt...\$13.77, Dakota Supply Group...\$558.70, Romeo Entertainment Group...\$1710.00, Langs...\$162.00, Taylor Laundry...\$52.50, Graham Tire...\$693.68, Bonnie Bitz...\$312.00, Kesslers...\$207.74, Earthgrains...\$597.23, DT Pharmacy...\$411.68, Avera St. Lukes...\$61.50, Evercom...\$3800.00, Dave Fair...\$9.62, Towing Plus...\$100.00, Titan Access Account...\$138.04, Ben Hofer Backhoe...\$430.87, North Star Amusement...\$19247.50, Steven Lust...\$146.51, Dakota Electronics...\$550.00, Macs...\$112.50, Runnings...\$303.85, Sewer Duck...\$225.00, Jacobson Electric...\$16630.96, Climate Control...\$9193.94, Napa...\$34.14, Weismantel Rental...\$62.50, Consolidated Ready Mix...\$203.84;

Professional Fees: SD Human Services Ctr...\$400.00, Donna Dietrich...\$385.13, Avera St. Lukes...\$2034.00, Marv Ekeren...\$15.00, Cathy Rehfuss...\$15.00, Sheriff of Yankton County...\$125.00, Accurint...\$38.25, Suburban Emergency Assoc...\$89.92;

Attorney Fees: Kennedy, Rokahr Pier & Knof...\$258.00;

Publications: American News...\$1450.24;

Travel: UDETEC...\$150.00, Mike Wiese...\$31.08;

Transcriptions: Sara Van De Walle...\$249.00;

Utilities: Alltel...124.13, City of Hecla...\$73.38, Northern Electric Coop...\$317.31, Northwestern Energy...\$2364.48, City of Groton...\$53.65, Qwest...\$617.14;

Care of Poor: Dr/Hospital – 7 recipients... Dr. James Weekly...\$178.71, Avera Cardiology Specialist...\$95.60, Avera St. Lukes...\$2034.00, Aberdeen Chiropractic...\$32.26, PSI Health Care...\$99.15, Anesthesia Care...\$176.00, St. Francis Regional Medical Center...\$1380.15; Rent – 2 recipients... White House Inn...\$44.10, Lonnie Frost...\$585.00; Medication - 1 recipient... Emergency Poor Fund...\$15.87; Transportation – 3 recipient... Emergency Poor Fund...\$45.00., Jefferson Lines...\$156.50. All members present voting aye. Motion carried.

PERSONNEL:

Moved by Feickert, seconded by Hansen to approve the following employee step increases, effective August 24, 2008: Kristi Vetter @ \$11.82 per hour, Kimberly Byram @ \$12.04 per hour, Nathan Smith @ \$12.91 per hour. All members present voting aye. Motion carried.

Moved by Hansen, seconded by Knecht to approve hiring Joel McMaster, effective September 1, 2008 as blood draw technician at \$35.00 per draw. All members present voting aye. Motion carried.

Moved by Feickert, seconded by Hansen to acknowledge resignation of Selena Williams, effective August 18, 2008. All members present voting aye. Motion carried.

Moved by Hansen, seconded by Knecht to approve hiring Brandon Taliaferro as Deputy States Attorney, effective August 25, 2008 at pro-rated annual salary of \$39,750.00. All members present voting aye. Motion carried.

PROPERTY TRANSFER:

Moved by Knecht, seconded by Hansen to approve and authorize the Chairman sign agreement with the following individual that received equipment from the 2004 ODP Equipment Grant Program: Cara Wollman (radio). All members present voting aye. Motion carried.

SHERIFF REPORTS:

Moved by Knecht, seconded by Feickert to approve the following July 2008 Sheriff Reports: Incidents and offenses, Prisoner care, JDC, Money deposited with the County Treasurer and Monthly activities. All members present voting aye. Motion carried.

HOUSING & REDEVELOPMENT BOARD:

Moved by Hansen, seconded by Feickert to appoint Tom Black to a five- year term ending July 9, 2013 on the Housing and Redevelopment Commission of Brown County. All members present voting aye. Motion carried.

PROPERTY TAX:

Moved by Hansen, seconded by Feickert to deny request from Stacy Richardson to waive penalty and interest fees on delinquent property taxes. All members present voting aye. Motion carried.

SOLID WASTE GRANT 2009G-SW-201 AND 2009 G-RLA-202:
Commissioner Hansen offered the following Resolution:

RESOLUTION #65-08 PROJECT CERTIFYING OFFICER

WHEREAS, Brown County, South Dakota, is a recipient of Solid Waste Management Program grants 2009G-SW-201 and 2009 G-RLA-202 from the State of South Dakota, Board of Water and Natural Resources, and the Department of Environment and Natural Resources; and

WHEREAS, Brown County is required to designate an officer or agent of the grantee for the purpose of signing required documents pertaining to these grants.

NOW THEREFORE, BE IT RESOLVED, that the Chairperson for Brown County, be hereby designated as the grantee's official for the purpose of signing grant agreements and contracts.

AND BE IT FURTHER RESOLVED, that the Chairperson for Brown County, be hereby designated as the grantee's official for the purpose of signing correspondence, pay requests, and other required documents.

Dated this 19th day of August, 2008

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

RESOLUTION OF PROCLAMATION:

Commissioner Hansen offered the following Resolution:

RESOLUTION NO. 66-08

WHEREAS the use of illegal and prescription drugs and the abuse of alcohol and nicotine constitute the greatest threats to the well-being of America's children; and

WHEREAS 13 years of surveys conducted by the National Center on Addiction and Substance Abuse (CASA) at Columbia University have consistently found that the more often children and teenagers eat dinner with their families the less likely they are to smoke, drink and use illegal drugs; and

WHEREAS frequent family dining is associated with lower rates of teen smoking, drinking, illegal drug use and prescription drug abuse; and

WHEREAS the correlation between frequent family dinners and reduced risk for teen substance abuse is well documented; and

WHEREAS, parents who are engaged in their children's lives – through such activities as frequent family dinners – are less likely to have children who abuse substances; and

WHEREAS family dinners have long constituted a substantial pillar of family life in America.

NOW THEREFORE, the Brown County Commission does hereby proclaim the fourth Monday in September as

FAMILY DAY – A DAY TO EAT DINNER WITH YOUR CHILDREN

and urge all citizens to recognize and participate in its observance.

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

CENTRALLY ASSESSED UTILITY DISCRETIONARY FORMULA:

Moved by Feickert, seconded by Knecht to approve Discretionary Formula for the following Centrally Assessed Companies for 2008 taxes payable in 2009: Basin Electric Cooperative – year 2 (40%) for East Side Peaking Plant (Groton Generating Station Unit 1); NorthWestern Corporation – year 4 (80%) for 10MVA Transformer and related Substation Equipment for the new high school in Aberdeen. All members present voting aye. Motion carried.

RICHMOND LAKE DAM:

Representatives from Banner Associates, American Engineering Testing, DENR, SD School and Public Lands described preliminary report in regard to the safety and condition of the Richmond Lake Dam, which is a Class I High Hazard Dam, followed by recommendations/alternatives for the future, with a final report to follow. Representatives from Absolutely Aberdeen, JRWD and other interested parties were also present.

SMALL APPLIANCE POLICY:

Moved by Hansen, seconded by Knecht to adopt the following Small Appliance Policy, effective September 1, 2008:

BROWN COUNTY SMALL APPLIANCE POLICY

Individual electric heaters shall be removed from all offices. All small appliances that cook food or brew beverages shall be located only in designated break rooms.

All members present voting aye. Motion carried.

APPLICATON FOR OCCUPANCY:

Moved by Feickert, seconded by Fischbach to approve application, submitted by the City of Aberdeen for occupancy of County Road #19 in Sec 9-T123N-R63W of the 5th P.M., Brown County, SD to install water main. All members present voting aye. Motion carried.

MILL ROAD:

Moved by Hansen, seconded by Fischbach to authorize the Highway Department to mill a two-mile portion of County Road #5A. All members present voting aye. Motion carried.

EXECUTIVE SESSION:

Moved by Fischbach, seconded by Knecht to go into executive session for personnel discussion with Jan Weismantel 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.

ZONING RULE DISCUSSON:

Corey VanderHoek appealed the decision of the Joint Planning and Zoning Board to deny issuance of a building permit. The Commission concurred with the Joint Planning and Zoning Board decision, which complies with the ordinance stating total square footage of all out buildings cannot exceed square footage of residence.

RECESS:

The Chairman declared the Commission recessed until August 26, 2008.

Maxine Taylor – Brown County Auditor

AUGUST 26, 2008 - 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, Hodgins, Mitchell and Mayor Levens. Absent Council Members Agnitsch, Kraft and Rux. Present from County were Commissioners Hansen, Fischbach, Feickert and Wiese. Absent Commissioner Knecht.

ORDINANCE NO. 08-08-01/368:

On motion by Hodgins and seconded by Mitchell, the City unanimously voted to approve First Reading of Ordinance No. 08-08-01/368.

Moved by Hansen, seconded by Feickert to approve First Reading of Ordinance No. 08-08-01/368, An Ordinance amending Ordinance No. 1164 to rezone the following described property from its present zoning designation of Section 704 (R-2) Medium Density Residential District to Section 713 (M) Municipal, State and County Use District: Dixon's Outlot 1 in the NE ¼ of Sec 26-T123N-R64W of the 5th P.M., Brown County, SD. All members present voting aye. Motion carried.

ORDINANCE NO. 08-08-02/369:

On motion by Mitchell and seconded by Campbell, the City unanimously voted to refer Ordinance No. 08-08-02/369 to the September 16, 2008 meeting of the Joint Planning & Zoning Commission for further discussion.

Moved by Fischbach, seconded by Feickert to refer Ordinance No. 08-08-02/369 to the September 16, 2008 meeting of the Joint Planning & Zoning Commission for further discussion. All members present voting aye. Motion carried.

ORDINANCE NO. 08-08-03/370:

On motion by Bunsness and seconded by Hodgins, the City unanimously voted to approve First Reading of Ordinance No. 08-08-03/370.

Moved by Feickert, seconded by Hansen to approve First Reading of Ordinance No. 08-08-03/370, An Ordinance amending Ordinance No. 1164 to rezone the following described property from its present zoning designation of Section 701 (A-1) Agricultural District to Section 704 (R-2) Medium Density Residential District: Lots 4 and 5, Lowary's First Subdivision in the SE ¼ of Sec 27-T123N-R64W of the 5th P.M., Brown County, SD. All members present voting aye. Motion carried.

ADJOURNMENT:

The City Council adjourned and the County Commission continued in regular session.

Maxine Taylor - Brown County Auditor

AUGUST 26, 2008 – 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 and Feickert. Absent Commissioner Knecht.

MINUTES:

Moved by Feickert, seconded by Fischbach to approve the General Meeting minutes of August 19, 2008. All members present voting aye. Motion carried.

CLAIMS:

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

Supplies: SD Assoc of County Comm..\$1440.00, ES&S..\$10,871.13, Sanders Sew 'N Vac..\$536.80, Lar-Jos..\$782.82, New Trends..\$80.70, DSS Image..\$173.52, Hoven Auto..\$432.87, Sec of State..\$7.00, Sportsman Sales..\$312.89, Retain Acquisition..\$395.88, Auto Glass..\$40.00, West Payment..\$80.56, Best Business..\$164.14, Office Equip..\$749.57, Dave Fair..\$56.16, Visa..\$2052.60, Huron Culvert..\$770.08, Donald Gunther..\$4816.52, Flint Hills..\$147,298.92, Jan Erickson..\$48.16, Van Diest..\$185.00, Custom Glass..\$20.00, Cartney Bearing..\$159.00, Carquest..\$297.28, Pizza Ranch..\$76.94, JT Electric..\$1258.00, Office Systems..\$480.70, Hewlett-Packard..\$1240.00, SDSWMA..\$950.00, LBG..\$491.64, Dakota Electronics..\$1759.00, HSBC..\$779.16, John Malsom..\$103.81, Elmer Schock..\$81.90, Gordon Mack..\$64.76, Horizon Signal Tech..\$3000.00, CMRS-FP..\$5,000.00:

Professional Fees: NE Mental Health..\$18,000.00, NADRIC..\$1666.66:

Attorney Fees: Christy Serr..\$4416.67, Randy Turner..\$4416.67, Gina Rogers..\$4166.67, Kuck Law Office..\$4166.67, Wm Gerdes..\$4166.67:

Publications: American News...\$879.12:

Travel: Al Vietmeier..\$185.00:

Transcriptions: Kristi Kost..\$877.20:

Utilities: Midcontinent Cable..\$169.23, Alltel..\$1490.34, Northwestern Energy..\$4176.89,

Qwest..\$3631.93, Bureau of Admin..\$508.78:

Care of Poor: Dr/Hospital –4 recipients...Aberdeen Surgical Assoc..\$1229.15, Dakota Imaging..\$16.51, Sanford USD Med Center..\$9334.37, Avera Cardiology Spec..\$3662.79,

Insurance - 3 recipients...Avera Health Plans..\$453.90, SD Risk Pool..\$536.39, Allied Benefits Systems..\$469.30. All members present voting aye. Motion carried.

PERSONNEL:

Moved by Fischbach, seconded by Hansen to approve hiring Heidi Harder as part-time scale operator at the Landfill, effective August 27, 2008 at \$11.61 per hour. All members present voting aye. Motion carried.

Moved by Hansen, seconded by Feickert to approve hiring Candice Roemmick as full-time JDC Officer, effective August 26, 2008 at \$12.03 per hour; and approve hiring Tim Harford as part-time JDC Officer, effective September 1, 2008 at \$10.07 per hour. All members present voting aye. Motion carried.

Moved by Fischbach, seconded by Hansen to approve hiring Justin Cleveland and Joel McMaster, effective August 26, 2008, as guards for purpose of prisoner transport. All members present voting aye. Motion carried.

LOTTERY APPLICATIONS:

Moved by Hansen, seconded by Fischbach to approve the following application for lottery: Disabled Americans Veterans (DAV) to be held at the Brown County Speedway on August 29, 2008. All members present voting aye. Motion carried.

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Moved by Hansen, seconded by Fischbach to approve application, submitted by the Aberdeen Area Modelaires for a raffle to be held on October 8, 2008. All members present voting aye. Motion carried.

AUDITORS REPORT OF ACCOUNT:

Moved by Feickert, seconded by Hansen to approve the July 2008 Auditor's Report of Account with the County Treasurer in total amount of \$12,373,944.22 (total amount of actual cash @ \$2,817.85, Wells Fargo Bank @ \$3,694.79, US Bank @ \$30,623.55, Dacotah Bank @ \$523,952.06, Petty Cash @ \$1,800.00, Fund Investments @ \$11,810,373.82, Outstanding Checks @ \$682.15). All members present voting aye. Motion carried.

SOLID WASTE SPECIAL ASSESSMENT FEES - 2009

Commissioner Feickert offered the following Resolution:

RESOLUTION #67-08

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, 2009 through December 31, 2009, 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 and Duplexes taxed as single units within Incorporated Cities or Civil Townships that require curb service @ \$18.00 per year
4. Condominiums and Duplexes 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 26th of August 2008.

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

SW EQUALIZATION NOTICE:

Moved by Feickert, seconded by Fischbach to authorize advertising the Solid Waste Special Assessment Equalization Notice. All members present voting aye. Motion carried.

SPECIAL MALT BEVERAGE HEARING:

Moved by Fischbach, seconded by Hansen to approve application for a Special Malt Beverage License: Groton Chamber of Commerce, Groton Chamber of Commerce, PO Box 21 Groton, SD – portion of E ½ E ½ SE ¼ Sec 19-T123N-R60W 1-T123N-R64W and portion of W ½ W ½ SW ¼ Sec 20-T123N-R60W (map indicating specific location on file with application), effective August 29 & 30, 2008. All members present voting aye. Motion carried.

ACCESS AGREEMENT:

Moved by Fischbach, seconded by Hansen to approve and authorize the Chairman sign Agreement with ARCADIS U.S., Inc and NorthWestern Energy for temporary access on county owned property located on 1st Ave SE (Extension/Weed /Welfare Complex) to complete soil and groundwater sampling. All members present voting aye. Motion carried.

PLATS:

Commissioner Feickert offered the following Resolution:

RESOLUTION #68-08

BE IT RESOLVED by the County Commission of Brown County, SD, that the plat showing as “Rix Farms Outlot B in NE ¼ Sec 14-T123N-R61W of 5th P.M., Brown County, SD”, having been examined, is hereby approved in accordance with the provisions of SDCL of 1967, Chapter 11-3, and any amendments thereof.

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

Commissioner Fischbach offered the following Resolution:

RESOLUTION #69-08

BE IT RESOLVED by the County Commission of Brown County, SD, that the plat showing as “Dennert-Hanson 1st Subdivision in NW ¼ SW ¼ Sec 10-T126N-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 Hansen. Roll call vote: Commissioners Hansen-aye, Fischbach-aye, Feickert-aye, Knecht-absent, Wiese-aye. Resolution adopted.

Commissioner Feickert offered the following Resolution:

RESOLUTION #70-08

BE IT RESOLVED by the County Commission of Brown County, SD, that the plat showing as “Daniels Homesite Subdivision in NE ¼ Sec 7-T128N-R60W of 5th P.M., Brown County, SD”, having been examined, is hereby approved in accordance with the provisions of SDCL of 1967, Chapter 11-3, and any amendments thereof.

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

Commissioner Feickert offered the following Resolution:

RESOLUTION #71-08

BE IT RESOLVED by the County Commission of Brown County, SD, that the plat showing as "Kotzea Addition in the SE ¼ of Sec 28-T124N-R64W of 5th P.M., Brown County, SD", having been examined, is hereby approved in accordance with the provisions of SDCL of 1967, Chapter 11-3, and any amendments thereof.

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

EXECUTIVE SESSION:

Moved by Fischbach, seconded by Feickert 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.

PROPERTY SALE DISCUSSION:

Derrick Herther discussed the upcoming public auction of county owned property located in Palmyra Township. No action was taken to change decision in regard to property sale.

APPLICATION FOR OCCUPANCY:

Moved by Hansen, seconded by Feickert to approve application, submitted by Al Malsam for occupancy of Brown County Highway #19 in Sec 8 & 9-T123N-R63W of the 5th P.M., Brown County, SD to install water line. All members present voting aye. Motion carried.

Moved by Feickert, seconded by Fischbach to approve application, submitted by Northern Electric for occupancy of Brown County Highway #20 in Sec 21-T127N-R60W of the 5th P.M., Brown County, SD to provide electrical service. All members present voting aye. Motion carried.

SPEED ZONE AMENDMENT:

Commissioner Hansen offered the following Resolution:

RESOLUTION #72-08

WHEREAS, Chapter 6.03 Speed Zones of the Second Revision of Brown County Ordinances authorizes the Brown County Commission to change the speed limit or the extent of any such limited speed zones, at any time they may deem necessary, and

WHEREAS, all Speed Zones throughout the County were established by Resolution #46-05, as amended by Resolution #66-06 and Resolution #39-08, and

WHEREAS, the Highway Superintendent has recommended a speed zone change on County Road 17.

NOW THEREFORE BE IT RESOVLED that Resolution #46-05, as amended by Resolution #66-06 and #39-08 be amended as follows:

DELETE:

County Road #17 (132nd Street), beginning at the intersection of Road 14 and Road 17 between Sections 10 and 15, T123N, R63W of the 5th P.M., (a) east one mile, 35 MPH; (b) continuing east three miles to intersection of Road 16 and Road 17, 45 MPH.

ADD:

County Road #17 (132nd Street), beginning at the intersection of Road 14 and Road 17 between Sections 10 and 15, T123N, R63W of the 5th P.M., east one mile, 35 MPH.

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

BRIDGE #51:

Moved by Feickert, seconded by Hansen to approve SDDOT award of contract to Grangaard Construction, Inc in amount of \$909,682.13 (20% County Match @ \$181,936.42) for Bridge #51 BRF 6176(03), PCN 415H Brown County Structure and Approach Grading (195' 3-Span Prestressed Girder Bridge), as bid by SDDOT on August 20, 2008 – Item 1; rejecting: Swingen Construction Company @ \$1,191,330.70; Industrial Builders, Inc @ \$1,297,286.60; Sioux Falls Construction Company @ \$1,334,160.79. All members present voting aye. Motion carried.

PROPERTY OFFER:

The Commission and Kim Dorsett, States Attorney discussed a property owner's offer to sell a lot in Aberdeen City to Brown County. No formal action was taken at this time.

RECESS:

The Chairman declared the Commission recessed until September 2, 2008.

Maxine Taylor – Brown County Auditor

SEPTEMBER 2, 2008 - 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, Hodgins, Mitchell and Mayor Levsen. Absent Council Members Kraft and Rux. Present from County were Commissioners Hansen, Fischbach, Feickert, Knecht and Wiese.

ORDINANCE NO. 08-08-01/368:

On motion by Mitchell and seconded by Aman, the City unanimously voted to approve Second Reading and Adoption of Ordinance No. 08-08-01/368.

Moved by Knecht, seconded by Feickert to approve Second Reading and Adoption of Ordinance No. 08-08-01/368, An Ordinance amending Ordinance No. 1164 to rezone the following described property from its present zoning designation of Section 704 (R-2) Medium Density Residential District to Section 713 (M) Municipal, State and County Use District: Dixon's Outlot 1 in the NE ¼ of Sec 26-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.

ORDINANCE NO. 08-08-03/370:

On motion by Bunsness and seconded by Hodgins, the City unanimously voted to approve Second Reading and Adoption of Ordinance No. 08-08-03/370.

Moved by Fischbach, seconded by Feickert to approve Second Reading and Adoption of Ordinance No. 08-08-03/370, An Ordinance amending Ordinance No. 1164 to rezone the following described property from its present zoning designation of Section 701 (A-1) Agricultural District to Section 704 (R-2) Medium Density Residential District: Lots 4 and 5, Lowary's First Subdivision in the SE ¼ of Sec 27-T123N-R64W of the 5th P.M., Brown County, SD. Roll call vote: Commissioners Hansen-aye, Fischbach-aye, Feickert-aye, Knecht-aye, Wiese-aye. Ordinance adopted.

ADJOURNMENT:

The City Council adjourned and the County Commission continued in regular session.

Maxine Taylor - Brown County Auditor

SEPTEMBER 2, 2008 – 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 Meeting minutes and the General Meeting minutes of August 26, 2008. All members present voting aye. Motion carried.

CLAIMS:

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

Payroll: Commissioners..\$2,991.00; Auditor..\$7,046.59; Treasurer..\$9,371.40; Data Processing..\$3,269.35, State's Attorney..\$11,270.76; Blood Draws – SA..\$1,015.00; Maintenance..\$5,597.20; Assessor..\$9,632.42; Planning & Zoning..\$1,520.00; Register of Deeds..\$5,455.70; Veterans Service Office..\$2,967.65; GIS..\$1,848.00; Sheriff..\$69,110.59; Communications..\$15,783.28; Coroner..\$150.00; Welfare..\$3,020.78; Museum..\$6,097.80; Fairboard..\$18,032.82; Fairgrounds & Parks..\$9,578.68; Extension..\$3,392.12; Weed..\$4,853.71; Emergency Management..\$2,792.80; Teen Court..\$573.52; Highway..\$28,565.21; Landfill..\$8,131.98; Matching Benefits: FICA..\$14,388.34, Medicare..\$3,365.04, Wellmark BCBS Life..\$643.56, Wellmark BCBS Health..\$63,343.44, Delta Dental..\$4,088.00, SD State Retirement..\$38,631.69;

Supplies: New Trends..\$90.74, Thomsen West..\$1483.83, SD Cont Legal Ed..\$500.00, Grote Roofing..\$82.56, Gardner Locksmith..\$74.27, Sewer Duck..\$133.50, Aberdeen Plumbing..\$265.49, Schwan Elec..\$54.08, Tellinghuisen..\$9429.51, Crescent Elec..\$55.60, Ecolab..\$203.50, Lien Trans..\$82,316.00, Interstate Power..\$346.97, Walmart..\$565.12, Langs..\$57.00, Northern Plains Animal Health..\$75.23, Racom..\$352.80, Office Equip..\$112.22, Diane Mielke..\$8.48, Ex Mgmt..\$3705.99, Safety Service..\$287.97, Ultramax..\$348.00, Erdmann Fuels..\$7281.72, Flint Hills..\$34,098.03, Vosicka Fencing..\$187.00, SDLTAP..\$70.00, Newman Signs..\$628.08, Howes Oil..\$26,947.00, Great Western Tire..\$139.85, Kleins..\$31.54, Hedahls..\$67.24, Service Signs..\$1179.36, Fastenal..\$93.76, Premier Auto..\$865.00, Farnams..\$31.56, Dakota Fluid Power..\$36.80, Walmart..\$31.17, Extension Service..\$258.03, Kesslers..\$9.54, Cash-Wa..\$19.90, Aberdeen C&F..\$50.00, Butler..\$4977.29, Wallwork..\$52.08, Genius Web..\$29.97, Heiman Fire Equip..\$3127.25, Spec Communications..\$150.00, Midwest Golf Cars..\$1260.00, Mary Kaven..\$71.13;

Professional Fees: witness fees..\$144.05, Dept of Rev..\$1306.00, Donna Dietrich..\$269.34, Nelva Kooistra..\$30.00, Denise Cody..\$15.00, Cathy Rehfuess..\$15.00, Joy Braun..\$30.00, Dianne Steinheuser..\$50.00, Martha Mehlhaff..\$30.00, Ruth Casanova..\$30.00, Peggy Hallstrom..\$30.00, John Oster..\$30.00, Carrie Lashly..\$30.00, Barb Jansen..\$30.00, Ric Dias..\$30.00, Renee McKiver..\$30.00, Florence Kraus..\$30.00, Duane Jark..\$30.00, Irene Plummer..\$30.00, Barb Hoops..\$30.00, Janelle Klapperich..\$30.00, Kathy Novstrup..\$30.00, Ramona Hurin..\$30.00, Lisa Osman..\$30.00, Nancy Ringgenberg..\$30.00, Bonnie Foell..\$30.00;

Attorney Fees: Kabeiseman & Pollard..\$166.00, Creighton Thurman..\$174.93, Horn Law Office..\$192.00;

Travel: Lori Ehlers..\$17.88, Leo Leshner..\$294.15, Gene Loeschke..\$135.05, Sherry Theobald..\$38.48, Larry Gerlach..\$315.67;

Transcriptions: Tammy Erickson..\$125.50;

Utilities: Dependable Sanitation..\$212.00, Northwestern Energy..\$8157.45, Qwest..\$137.30, Montana Dakota..\$13.61, Huron Culvert..\$82.36, Midcontinent Cable..\$67.53, Web..\$180.85, Alltel..\$90.88;

Care of Poor: Medication – 3 recipients...K-Mart Pharm..\$23.34, Kesslers Pharm..\$453.11; Rent - 2 recipients...Cleone Pekelder..\$300.00, Rockford Apt..\$235.00, Steve Gauer..\$260.00; Dr/Hospital - 11 recipients..Northern Plains..\$127.00, Yankton Med Clinic..\$72.32, Aberdeen Psychiatric Assn..\$677.30, Anesthesia Care..\$448.00, Dental Center..\$182.00, Dakota Plains Surgical Center..\$11,380.10, Avera St Lukes..\$15,227.31. All members present voting aye. Motion carried.

PERSONNEL:

Moved by Fischbach, seconded by Knecht to approve the following employee step increases, effective September 7, 2008: Samiulela Mouna @ \$12.91 per hour, Sara Hagman @ \$11.42 per hour. All members present voting aye. Motion carried.

Moved by Hansen, seconded Feickert to approve hiring Christine Haggerty as a full-time dispatcher, effective September 8, 2008 at \$12.30 per hour. All members present voting aye. Motion carried.

Moved by Fischbach, seconded by Hansen to approve employee status change for Britney Lout from part-time to regular part-time, effective August 24, 2008 at \$10.07 per hour. All members present voting aye. Motion carried.

Moved by Fischbach, seconded by Knecht to approve hiring Justin Salo at the Highway Department, effective September 3, 2008 at \$11.95 per hour. All members present voting aye. Motion carried.

Moved by Feickert, seconded by Knecht to approve extension of overtime for the Highway Department into the first two weeks of October, if needed to finish projects. All members present voting aye. Motion carried.

COUNTY ROAD 5 AND 5A:

Moved by Hansen, seconded by Fischbach to approve recommendation submitted by Jan Weismantel, Highway Superintendent to remove curves on County Road 5 and 5A to form "t" intersections. All members present voting aye. Motion carried.

SHERIFF DEPARTMENT FACILITY DISCUSSED:

Mark Milbrandt, Amy Lake-Harmon, Craig Nelson and Dean Marske discussed need, cost estimates and basic floor plan for a facility to house Brown County Juvenile Detention Center, Work Release and 24/7 Sobriety Program. There was no action taken by the Commission at this time.

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 no action taken as a result of the discussion.

2009 PROVISIONAL BUDGET HEARING:

Time and place, as advertised for public hearing on the 2009 Provisional Budget. No one from the public appeared. Sue Gates, DPM Director and Randy Grismer DPM Board member discussed need for part-time employee (\$10,500) that was not approved in the 2009 Provisional Budget. No action will be taken on the Provisional Budget until September 30, 2008.

DIVERSITY TRAINING PROGRAM:

Randy Grismer presented information about Diversity Training Seminars to be held in October for area residents and community leaders.

FAIR ELECTRICAL NEEDS:

Larry Gerlach and Kurt Smith discussed electrical work needed at the Fairgrounds to accommodate larger units renting camper sites at the Fairgrounds at an estimated cost of \$6,700.00 and requested the improvements be completed this fall rather than next spring, due to event scheduling and weather conditions. Board concurred.

RECESS:

The Chairman declared the Commission recessed until September 9, 2008.

Maxine Taylor – Brown County Auditor

SEPTEMBER 9, 2008 – 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 and the General Meeting minutes of September 2, 2008. All members present voting aye. Motion carried.

CLAIMS:

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

Supplies: NADA..\$250.00, Gardner Locksmith..\$10.00, Taylor Laundry..\$47.00, Quality Quick Print..\$84.68, Dakota Elec..\$983.17, Trail Chev..\$46.17, McQuillen Creative Group..\$106.00, Sec of State..\$7.00, Lust Chev..\$42.95, Best Business..\$432.50, Office Equip..\$47.97, Wallwork Truck Center..\$414.20, Upper Plains Contracting..\$9996.00, SDDOT..\$841.66, Sheehan Mack Sales..\$213.08, Safety Service..\$50.00, Power Plan..\$518.89, Menards..\$434.45, Macs..\$147.08, Interstate Battery..\$529.70, Helms & Assoc..\$3144.00, Hedahls..\$50.06, Hecla Impl..\$10.90, Frey Elec..\$7267.74, Farnams..\$37.44, Farm Power..\$8.84, Economy Propane..\$334.40, Diesel Machinery..\$2005.84, Dakota Oil..\$2289.23, Crawford Trucks..\$2186.30, Cartney Bearing..\$25.92, Bridgestone/Firestone..\$2666.64, Glas Consulting..\$157.50, Nat'l Abundance..\$2.80, Kleins..\$7.01, Best Western..\$90.00, Van Diest..\$8024.70, Frey Elec..\$315.09, Florida Micro..\$4368.96, Galls..\$256.95, Runnings..\$107.57, HSBC..\$70.55, Language Lines..\$90.00, Heiman Fire Equip..\$129.80, Ed Feld Co..\$280.00, Geffdog..\$305.82, New Trends..\$24.83, Hewkett Oacjard,, \$1240.00, Vosika Fencing..\$3412.40, Kos Concrete..\$3919.86, Farm Power..\$36.42, House of Glass..\$192.54, Erdmann Fuels..\$9037.32, Sewer Duck..\$89.00, Florida Micro..\$628.92, Titan..\$71.56, Dakota Fluid Power..\$168.00, Cunningham Elec..\$1803.16, Sheehan Mack Sales..\$857.92, Hub City Radio..\$250.00, Powerplan..\$4.40, Glas Consulting..\$236.25, SDDept of Rev..\$3728.73, Dakota Broadcasting..\$200.00:

Professional Fees: Clark Title..\$200.00, Ridgeview Med Center..\$643.42, Eide Bailly..\$255.00:

Publications: Groton Indep..\$819.58, American News..\$2454.74, Midland Press..\$270.00:

Travel: Tom Gohn..\$25.00, Kathy Schlecht..\$383.28, Larry Gerlach..\$18.00, Miranda Blumhardt..\$122.00, Halima Kringen..\$122.00, Brett Simon..\$122.00, Matt Hughes..\$122.00, Mariah Bloom..\$122.00, Emily Hughes..\$1817.00:

Utilities: City of Aberdeen..\$1588.21, Northern Valley..\$191.69, James Valley..\$354.56, Town of Frederick..\$32.25, Northwestern Energy..\$328.50:

Care of Poor: Rent - 3 recipient...Eisenbeis Mobile Court..\$140.00, Rod Eikamp..\$300.00, JD Shultis..\$150.00; Dr/Hospital - 1 recipient..NYH Pathologists..\$62.94; Utilities – 1 recipient..NW Energy..\$154.62. All members present voting aye. Motion carried.

PERSONNEL:

Moved by Feickert, seconded by Fischbach to acknowledge resignation of John VanderHoek, effective August 31, 2008. All members present voting aye. Motion carried.

Moved by Fischbach, seconded by Hansen to acknowledge resignation of Roy Hedges, effective September 7, 2008. All members present voting aye. Motion carried.

AUDITORS REPORT OF ACCOUNT:

Moved by Hansen, seconded by Feickert to approve the August 2008 Auditor's Report of Account with the County Treasurer in total amount of \$11,322,025.64 (total amount of actual cash @ \$3,171.00, Wells Fargo Bank @ \$3,694.79, US Bank @ \$28,222.66, Dacotah Bank @ \$192,145.88, Petty Cash @

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\$1,800.00, Fund Investments @ \$11,092,662.31, Outstanding Checks @ \$329.00). All members present voting aye. Motion carried.

PLAT:

Commissioner Feickert offered the following Resolution:

RESOLUTION #73-08

BE IT RESOLVED by the County Commission of Brown County, SD, that the plat showing "Sanderson Addition, in the SE ¼ of Sec 34-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: Commissioners Hansen-aye, Fischbach-aye, Feickert-aye, Knecht-absent, Wiese-aye. Resolution adopted.

BUDGET SUPPLEMENT:

Commissioner Hansen offered the following Resolution:

RESOLUTION #74-08

WHEREAS, due to the failure to provide adequate spending authority within the following Brown County Budget for year 2008, to enable expenditures for the following:

Phase II Jail Project @ \$482,663.39 (Fund #233-161)
Demolition of Building at 115 SE RR Ave @ \$82,316.00 (Fund #233-161)
Brown County Discretionary Formula @ \$14,922.02 (Fund #101-750)
Courthouse Parking Lot @ \$100,947.08 (Fund #101-161)
States Attorney Software Package @ \$14,917.70 (Fund #101-151)
(total \$695,766.19), and

WHEREAS, the County has chosen to incur these obligations and expenditures by supplementing the 2008 fiscal Brown County Budget to increase spending authority, and to fund same from the following:

General Fund #101 Surplus Cash @ \$695,766.19

THEREFORE, BE IT RESOLVED, that notice of hearing for said supplement shall be published in the Official County Newspapers and the public hearing shall be held on September 30, 2008 at 9:00 A.M. in the Commissioner's Chambers, Courthouse Annex, Brown County, South Dakota, at which time any persons may appear to support or oppose the adoption of same.

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

ORDINANCE #055:

Moved by Hansen, seconded by Feickert to set hearing date for Brown County Ordinance No. 055, An Ordinance amending Second Revision Brown County Ordinances, Title 5, specifically Chapter 5.03 Design Standards and Chapter 5.19 Improvements, to establish minimum road standards in subdivisions, to be held in the Commissioner's Chambers, Courthouse Annex, Brown County, SD at 9:15 a.m. on September 30, 2008. All members present voting aye. Motion carried.

BARNARD ELEVATOR DISCUSSION:

Jan Weismantel presented a cost estimate that will not exceed \$20,000.00 for removal of the Barnard Elevator and questioned which budget expenditure would come from. The General Fund will be used, per Commission.

APPLICATION FOR OCCUPANCY:

Moved by Hansen, seconded by Fischbach to approve and authorize the Chairman sign application, submitted by Northern Electric for occupancy of Brown County Highway #5 in Sec 5 & 8-T127N-R63W of 5th P.M., Brown County, SD, to provide electricity. All members present voting aye. Motion carried.

HIGHWAY 12W EASEMENTS:

Moved by Fischbach, seconded by Hansen to authorize the Chairman sign Temporary Easements for the 12W Project with L & P Livestock Inc (4). All members present voting aye. Motion carried.

EXECUTIVE SESSION:

Moved by Hansen, seconded by Fischbach to go into executive session for personnel discussion with Jan Weismantel 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.

WATER MANAGEMENT BOARD:

Dennis Jones, Stan Beckler, Jon Locken, Lars Herseth and Dennis Mitchell discussed the feasibility of forming a Water Management Board for Brown County. No action was taken at this time.

EXECUTIVE SESSION:

Moved by Feickert, seconded by Hansen to go into executive session for personnel discussion with Roy Hedges 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.

PROPERTY PURCHASE:

Steve Stickelmeyer discussed possibility of purchasing county owned land north and adjacent to his business at 1011 1st Ave SE. No action was taken at this time.

EXECUTIVE SESSION:

Moved by Hansen, seconded by Fischbach to go into executive session to discuss a 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.

RECESS:

The Chairman declared the Commission recessed until September 16, 2008.

Maxine Taylor – Brown County Auditor

SEPTEMBER 16, 2008 – 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 Hansen, seconded by Fischbach to approve the General Meeting minutes of September 9, 2008. All members present voting aye. Motion carried.

CLAIMS:

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

Payroll: Commissioners..\$2,991.00; Auditor..\$7,337.80; Treasurer..\$9,440.45; Data Processing..\$3,269.35; State's Attorney..\$12,799.61; Blood Draws...\$560.00; Maintenance..\$5,648.79; Assessor..\$9,620.51; Register of Deeds..\$5,314.04; Veterans Service Office..\$2,967.65; GIS..\$1,848.00; Sheriff..\$72,370.12; Communications..\$17,095.90; Welfare Office..\$3,020.78; Museum..\$5,456.20; Fairgrounds & Parks..\$4,226.59; Fairboard..\$1,992.85; Extension..\$1,950.40; Weed..\$4,371.48; Planning and Zoning..\$1,520.00; Emergency Management..\$2,792.80; Teen Court..\$537.36; Highway..\$30,373.41; Landfill..\$8,469.71; Matching Benefits: FICA..\$12,753.43; Medicare..\$2,982.57;

Supplies: Office Equip..\$751.87, Hewlett Packard..\$68.00, Exec Mgmt..\$87.89, Earthgrains..\$694.75, Cash-Wa..\$4726.70, Retail Acquisition..\$268.92, Duanes Sinclair..\$46.70, Exhaust Pros..\$52.90, Safety Service..\$158.88, Double D Body Shop..\$1372.19, Lust Chev..\$32.95, Accurint..\$46.50, Dicks Westside..\$70.00, Matthew Bender..\$195.80, Auto Glass..\$40.00, Kesslers..\$354.64, Sewing Shoppe..\$48.50, Taylor Laundry..\$31.50, Intoximeters..\$1500.00, Eddies Northside..\$13.00, Share Corp..\$113.00, Runnings..\$604.28, Pro Ag Supply..\$246.86, Pumps Tire..\$190.10, Outlaw Graphics..\$119.00, Newman Signs..\$976.00, Lawson Products..\$272.08, Fastenal..\$135.09, Erdmann Fuels..\$7962.84, Dependable..\$18,912.12, Dakota Fluid Power..\$355.81, Clark Eng..\$320.00, Carquest..\$1042.71, Ameripride..\$364.37, Aberdeen Asphalt..\$67,798.17, Best Business..\$311.26, Ramada..\$5784.25, Menards..\$940.19, TSC..\$30.07, Glacial Lakes Chili..\$550.00, Academy..\$180.00, Ace Refrigeration..\$224.40, Homestead Milk..\$363.00, Service Signs..\$1193.88, Kleins..\$74.25, Fordham Signs..\$75.00, DSS..\$804.45, Graham Tire..\$79.19, Presentation College..\$180.00, Dutchs..\$20.34, Leco Plastics..\$119.63, Town & Country..\$90.16, Hedahls..\$33.62, Dominos Pizza..\$221.60, Millstone..\$363.75, Race West..\$496.60, Macs..\$4.96, Three Season Tents..\$500.00, K-Mart..\$14.45, Geffdog..\$3987.45, Kesslers..\$116.44, Bonn Express..\$105.92, Roger Huettl..\$63.58, Kristie Erickson..\$54.66, CMW..\$1093.22, Crescent Elec..\$38.92, Shopko..\$22.37, Photo Xpress..\$268.32, DMI..\$267.86, Quality Quick Print..\$1149.99, New Trends..\$2.99, Dons Bldg Hwd..\$6.00, Dietrich..\$2211.65, Brown County..\$200.00, Economy Meats..\$305.00, SD Public Assurance..\$150.00, Jacobson Elec..\$11,188.68, Pro Clean..\$280.00, Romeo Ent..\$529.27, Academy..\$24.00, Marlys Volzke..\$50.65, Karen Wolter..\$30.00, Michael Traxinger..\$30.00, Jackie Thompson..\$30.00, Peggy Stager..\$40.00, Erica Sperry..\$30.00, Evalyn Smith..\$30.00, Brad Sharp..\$30.00, Angie Sharp..\$30.00, Sherry Perrion..\$40.00, Kara Paulson..\$30.00, Cynthia Marzahn..\$50.00, Diane Leitheiser..\$30.00, Susan Lehr..\$30.00, Candis Kub..\$45.00, Duane Jark..\$30.00, Jeannie Huettl..\$30.00, Carol Hein..\$30.00, Laura Haven..\$40.00, Vicki Forkel..\$40.00, Adam Franken..\$30.00, Phyllis Donat..\$30.00, Dawn Dietrich..\$30.00, Pat Dennert..\$30.00, Fae Dayton..\$60.00, Lois Davis..\$30.00, Susan Busk..\$65.00, Renae Borchard..\$30.00, Mary Bohn..\$65.00, Bobbie Bierman..\$30.00, Char Bachman..\$60.00, Brenda Artz..\$30.00, Howard Anderson..\$30.00, Aaron Buchholz..\$185.00, Wayne Fischer..\$150.00, Tyler Fruechte..\$155.00, Justin Luther..\$220.00, Tyler Melroe..\$295.00, Grant Peterson..\$265.00, Dan Schimek..\$185.00, Steve Ulmer..\$175.00, Jeff VanderWal..\$110.00, Kevin VanderWal..\$160.00, Sherri Wenzel..\$170.00, Ashley Farrand..\$25.00, Letitia Smith..\$25.00, Emily Sperry..\$25.00, Breanna Marzahn..\$25.00, Carly Wheeting..\$25.00, Kaitlyn Boesi..\$25.00, Lora Schaunaman..\$13.84, Vic Runnels..\$250.00, NDSU..\$56.50, Van Diest..\$1054.30,

Kens Alignment..\$1076.66, GCR Tire..\$15.00, USPO..\$43.00, Zoll Medical..\$253.66, Walmart..\$19.92, Schwan Welding..\$270.74, Miles Tek..\$122.21, Crucial Tech..\$284.43, Florida Micro..\$729.30, Heiman Fire Equip..\$760.00, Schwan Welding..\$57.33, Kiwanis..\$276.00, Candice Roemmick..\$42.38, Public Safety..\$149.00, RDJ Spec..\$779.04:

Professional Fees: Language Lines..\$159.60, witness fees..\$20.00, SD Supplemental Retirement..\$9734.68, Avera Queen of Peace..\$234.00, Telserv..\$1378.91, Cathy Rehfuß..\$15.00, Nelva Kooistra..\$15.00, Donna Dietrich..\$135.67, Avera St Lukes..\$2787.00, United Clinic..\$83.00:

Publications: West River Eagle..\$13.60, American News..\$1726.74, Watertown Public Opinion..\$300.00, Coteau Shopper..\$300.00:

Travel: Sheila Enderson..\$9.00, Lorah Houser Jankord..\$107.30, City of Groton..\$59.94, Marg Zastrow..\$215.00, Scott Meints..\$198.14:

Transcriptions: Kristi Kost..\$74.20, Tammy Erickson..\$157.50, Slowey Court Reporting..\$175.00:

Utilities: Northwestern Energy..\$8958.79, Northern Elec..\$883.61, Qwest..\$313.12, FSH..\$59.86, City of Aberdeen..\$4772.55, Northern Valley..\$370.67, Verizon..\$70.18, Northern Wireless..\$111.90:

Care of Poor: Transportation – 2 recipients..Jefferson Lines..\$116.00; Rent - 6 recipients..Annette Schwan..\$300.00, Wanzek Family Ltd..\$165.00, Zumbaum Prop..\$140.00, Tom Appletoft..\$260.00, Bob Schatz..\$240.00, Jared Hunstad..\$260.00; Dr/Hospital – 8 recipients..Rick Koehler..\$432.00, Dakota Imaging..\$590.50, Avera St Lukes..\$9629.88, Orthopedic Surgery..\$5586.06; Utilities –1 recipient.. NW Energy..\$163.57; Burial – 1 recipient..Spitzer Miller Funeral Home..\$1200.00. All members present voting aye. Motion carried.

PERSONNEL:

Moved by Hansen, seconded by Fischbach to approve the following employee step increases, effective September 21, 2008: Jennifer Stoddard @ \$13.16 per hour, Ben Hofer @ \$13.63 per hour. All members present voting aye. Motion carried.

Moved by Fischbach, seconded by Hansen to acknowledge resignation of Jesse Milbrandt, effective September 12, 2008; Molly Peterson, effective September 27, 2008. All members present voting aye. Motion carried.

Moved by Hansen, seconded by Fischbach to approve hiring John VanderHoek, as consultant to complete jail policy and procedure manual at a one-time fee of \$200.00. All members present voting aye. Motion carried.

Moved by Fischbach, seconded by Hansen to approve hiring Brian Campbell, as Labor Grade #3 Highway employee, effective September 17, 2008 at \$11.95 per hour. All members present voting aye. Motion carried.

Moved by Fischbach, seconded by Feickert to approve hiring Lisa Roach as Deputy Treasurer, effective September 29, 2008 at \$11.20 per hour. All members present voting aye. Motion carried.

ABATEMENT:

Moved by Feickert, seconded by Hansen to approve the following Abatement: Jeremy Ahoe at \$53.91. All members present voting aye. Motion carried.

LEASE AGREEMENTS:

Moved by Hansen, seconded by Fischbach to approve the following agreements: Cindy Wolf for lease of the Richmond Youth Camp on August 29, 30 and 31, 2008; Aberdeen Humane Society for lease of the Club House on October 4 & 5, 2008; Hunt & Howl NSU for lease of the Club House and permission to serve alcoholic beverages on October 24, 2008. All members present voting aye. Motion carried.

SHERIFF REPORTS:

Moved by Fischbach, seconded by Hansen to approve the following August 2008 Sheriff Reports: Incident and offenses, Prisoner care, JDC, Money deposited with the County Treasurer and Activities report. All members present voting aye. Motion carried.

HIGHWAY SAFETY PROJECT GRANT AGREEMENT:

Moved by Hansen, seconded by Fischbach to approve and authorize the Chairman sign Highway Safety Project Grant Agreement in amount of \$27,752, effective October 1, 2008 – September 30, 2009. All members present voting aye. Motion carried.

EM AGREEMENT:

Moved by Fischbach, seconded by Hansen to approve and authorize the Chairman to sign FY 2009 (October 1, 2008 – September 30, 2009) Emergency Management State and Local Agreement with the South Dakota Office of Emergency Management. All members present voting aye. Motion carried.

FAIR REPORT:

Larry Gerlach, Fair Manager presented a preliminary revenue/expenditure report for the 2008 Brown County Fair.

EXECUTIVE SESSION:

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

LEGAL BENEFIT/IDENTITY THEFT CONSULTANTS:

Doug Kleinsmith, Legal Benefits Consultants, Inc. presented information about Identity Theft Protection and Group Legal Services they provide to employees for a fee. No action was taken.

CONDE SCHOOL DISSOLUTION PLAN:

Moved by Feickert, seconded by Hansen to acknowledge receipt of Proposal for the Dissolution and Attachment of the Conde School District #56-1 Spink, Brown, Clark and Day Counties, SD. All members present voting aye. Motion carried.

EXECUTIVE SESSION:

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

RACE TRACK DISCUSSION:

As requested by the Commission, Al Malsam met to discuss the race track contract. Area residents in attendance voiced opinions in regard to the season and management decisions exercised by Mr. Malsam.

EXECUTIVE SESSION:

Moved by Fischbach, seconded by Hansen to go into executive session for contract discussion with Kim Dorsett, Al Malsam and Barry Sroufe 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:

Moved by Hansen, seconded by Feickert to approve and authorize the Chairman sign Electric Utility Easement with Northwestern Corporation to install overhead electrical lines and laminated corner poles along with appurtenances thereto on Brown County property at 3133 8th Ave NE. All members present voting aye. Motion carried.

APPLICATION FOR OCCUPANCY:

Moved by Fischbach, seconded by Feickert to approve application, submitted by Northern Electric for occupancy of Brown County Highway #13 in Sec 26-T124N-R65W of the 5th P.M., Brown County, SD for primary electrical. All members present voting aye. Motion carried.

BARNARD ELEVATOR:

Moved by Hansen, seconded by Fischbach to accept quote from Volzke Construction for demolition of the Barnard Elevator in amount not to exceed \$20,000.00. All members present voting aye. Motion carried.

Moved by Hansen, seconded by Feickert to approve and authorize the Chairman sign agreement with Adriann Dallman for purpose of county access to the Dallman property during the Barnard Elevator Demolition project. All members present voting aye. Motion carried.

Moved by Hansen, seconded by Fischbach to declare any salvageable materials from the Barnard Elevator site surplus for purpose of sale. All members present voting aye. Motion carried.

HIGHWAY UPDATE:

Jan Weismantel, Highway Superintendent presented information on the Bridge #60 project; mowing along county roads; need for salt sanding policy and presented County 12W update.

RECESS:

The Chairman declared the Commission recessed until September 30, 2008.

Maxine Taylor – Brown County Auditor

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SEPTEMBER 30, 2008 – 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 September 16, 2008. All members present voting aye. Motion carried.

CLAIMS:

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

Payroll: (September 12 and 26, 2008 combined) Commissioners...\$5,982.00; Auditor...\$14,752.69; Treasurer...\$18,812.56; Data Processing...\$6,538.70; State's Attorney...\$25,599.22; Blood Draws-SA...\$1,295.00; Maintenance...\$11,240.14; Assessor...\$19,627.61; Planning & Zoning...\$3,465.00; Register of Deeds...\$10,788.48; Veterans Service Office...\$5,935.30; GIS...\$3,696.00; Sheriff...\$141,732.20; Communications...\$33,919.02; Coroner...\$450.00; Welfare...\$6,041.56; Museum...\$10,912.40; Fairboard...\$3,985.70; Fairgrounds & Parks...\$8,427.67; Extension...\$3,900.80; Weed...\$8,500.92; E&D...\$5,585.60; Teen Court...\$962.40; Highway...\$58,039.64; Landfill...\$16,606.50; Matching Benefits: FICA...\$25,152.34; Medicare...\$5,882.12; Wellmark BCBS Health...\$61,180.24; Life...\$647.12; Delta Dental...\$4,144.00; SD State Retirement...\$25,566.09;

Supplies: Hewlett Packard...\$1497.00, Rocky Mt Fair...\$620.00, Quality Quick Print...\$460.78, Midwest Rubber Stamp...\$15.00, Matthew Bender...\$51.80, New Trends...\$93.73, SD Human Service Center...\$23.40, House of Glass...\$309.61, Office of Fire Marshall...\$240.00, Fordham Signs...\$232.00, Aberdeen Plumbing...\$424.15, HKG...\$2279.17, Clark Engineering...\$3133.83, McFarland Supply...\$86.40, Beadle Floral...\$2489.94, Menards...\$211.57, Dollar Tree...\$60.00, Polly Rush...\$18.00, Bob Barker...\$188.26, Galls...\$49.96, Deluxe Business Checks...\$179.69, Double D Body Shop...\$430.85, Dicks Westside...\$30.00, Hoven Auto...\$47.50, Parcel Erickson...\$29.95, Retail Acquisition...\$65.98, Graham Tire...\$475.71, Diane Mielke...\$10.53, Office Equip...\$58.78, Best Business...\$404.17, Pizza Ranch...\$81.94, Walmart...\$286.67, Visa...\$298.13, PSI Health...\$227.00, Northwest Divers...\$590.00, Micks Scuba...\$1846.83, Mobile Electronics...\$3350.00, DT Pharmacy...\$326.42, L&P Livestock...\$662.50, Flint Hills...\$23,288.41, Bridgestone...\$75.00, Van Diest...\$3863.10, Runnings...\$51.96, Landmarks Comm...\$1000.00, Ride Line...\$2000.00, Dacotah Bank...\$374.38, Kens Superfair Foods...\$1934.33, Kleins...\$44.23, SD for the Arts...\$125.00, House of Glass...\$12.68, SD Planners Assoc...\$280.00, Ben Meadows...\$29.67, Nat'l Presto Ind...\$75.00, All Shook Up Montadales...\$60.00, Al-Shar Holsteins...\$21.00, Chelsea Deiter...\$10.50, Drew Dennert...\$15.00, Frey-View Dairy Farm...\$111.50, Thomas Friesz...\$91.50, Fritz-Bruckner Montadales...\$115.50, Hansen Farms...\$60.00, Chance Hassebroek...\$37.00, Bruce Hoffman...\$23.00, Jan Houghtaling...\$218.00, Krohmer Family...\$48.00, Taylor Leonhardt...\$10.50, Barret Marshall...\$132.50, Jordan Miller...\$7.50, Troy Opdahl...\$73.50, Katie/Michelle Osterman...\$54.50, Paulson Family...\$31.50, Nicole Peckham...\$49.00, Shawna Reuer...\$10.50, Shari Rossow...\$126.50, Justine Sanderson...\$21.00, Adrianne Schaunaman...\$21.00, Emma Schaunaman...\$21.00, Daniel & Travis Sharp...\$28.50, Brooke Skoglund...\$10.50, Brody & Wyatt Sombke...\$34.50, Hailey & Jonathan Sumption...\$9.00, Jerry Tollefson...\$75.00, Willman Family...\$28.50, Wolff's Suffolks...\$112.00, Kali Wolkow...\$354.00, Walling Data Systems...\$1488.89, Best Western Ramkota...\$1190.00, Racom...\$88.20, Tel Serv...\$10,656.42, HSBC...\$1377.12, Sheraton Sioux Falls...\$1575.00, B&H Masonry...\$625.00, Dakota Supply Group...\$69.90, Butler Machinery...\$757.87, Landfill Service Corp...\$18,119.20, Chamber of Commerce...\$70.00, Walmart...\$512.17, Firestone...\$19.00, Macs...\$39.90, Webster Scale...\$701.50, Menards...\$20.11, Holiday Inn...\$594.00, American Flag...\$316.19, LBG...\$4292.16, Dakota Brush...\$310.80, George Jundt...\$5000.00;

Professional Fees: Aberdeen Pyschiatric...\$312.74, Randy Volzke...\$16,320.00, witness fees...\$34.80, Aberdeen Family Physicians...\$41.53, Dental Center...\$174.00, Dakota Imaging...\$177.45, United Clinic...\$589.06, Avera St Lukes...\$2351.89, LCM Pathologists...\$2177.75, Pennington County

Sheriff..\$467.31, United Clinic..\$56.51, Dept of Human Services..\$400.00, Yankton County Sheriff..\$555.00, NADRIC..\$1666.66, Cathy Rehfuß..\$30.00, Nelva Kooistra..\$45.00, Donna Dietrich..\$402.01, Joan Kittelson..\$15.00, Lewis & Clark BHS..\$426.00, Clark Title..\$300.00: Attorney Fees: William Gerdes..\$4166.67, Kuck Law Office..\$4166.67, Christy Serr..\$4416.66, Randy Turner..\$4416.67, Gina Rogers..\$4166.67, Johnson, Miner, Marlow..\$153.77, Kabeiseman & Pollard..\$166.00, Horn Law Office..\$192.00:

Publications: Groton Indep..\$479.60, American News..\$295.83:

Travel: Lisa Samson..\$152.07, Emily Hughes..\$119.20, Gene Loeschke..\$433.03, Lorah Houser Jankord..\$130.00, Leo Leshner..\$242.11, Mary Worlie..\$281.70, Al Vietmeier..\$416.38, Scott Madsen..\$144.72, Jan Weismantel..\$20.01, Charlene Millim..\$165.90, Sherri Rawstern..\$657.07, Jerry Mills..\$252.38, Gary Vetter..\$42.00, Carol Sherman..\$185.70, Don Fischer..\$54.00, Mike Scott..\$108.33, Nancy Hansen..\$148.00, Deb Knecht..\$252.34, Mike Wiese..\$157.62, Tom Fischbach..\$230.88:

Utilities: City of Hecla..\$73.00, Northwestern Energy..\$12,919.77, Alltel..\$2388.62, Dependable Sanitation..\$212.00, Midcontinent Cable..\$195.95, Qwest..\$1704.71, Montana Dakota..\$14.09, Dex East..\$132.00, Northern Elec..\$200.00, Bureau of Admin..\$631.81:

Care of Poor: Medication - 3 recipients..Walmart Pharm..\$323.02; Rent - 5 recipients..Wanzek Family..\$167.00, J&M Ent..\$280.00, JD Shultis..\$295.00, Falcon Rentals..\$260.00, Richard Bakke..\$240.00; Dr/Hospital - 6 recipients..PSI Health Care..\$99.15, Avera Heart Hospital..\$31,812.27, Avera St Lukes..\$25,471.96, Dakota Imaging..\$97.37, Orthopedic Surgery Spec..\$2524.84, Anesthesia Care..\$144.00; Insurance - 3 recipients..SD Risk Pool..\$536.39, Allied Benefits System..\$469.30, Avera Health Plans..\$324.90; Utilities - 4 recipients..City of Aberdeen..\$68.42, NW Energy..\$751.58. All members present voting aye. Motion carried.

PERSONNEL:

Moved by Knecht, seconded by Hansen to approve the following employee step increases, effective October 5, 2008: Alan Vietmeier @ \$15.20 per hour, Mariann Malsam @ \$11.65 per hour, Terrence Evans @ \$17.19 per hour. All members present voting aye. Motion carried.

Moved by Knecht, seconded by Hansen to approve hiring Michael Ernst and Marissa McDermid part-time 24/7 Sobriety Program employees, effective September 22, 2008 at \$10.07 per hour. All members present voting aye. Motion carried.

Moved by Knecht, seconded by Hansen to appoint Michael Wight as Deputy Coroner, effective September 18, 2008 at \$150.00 per call. All members present voting aye. Motion carried.

Moved by Hansen, seconded by Knecht to approve hiring Ross Erickson as full-time corrections officer in the Jail, effective September 25, 2008 at \$12.03 per hour. All members present voting aye. Motion carried.

Moved by Hansen, seconded by Knecht to approve hiring Albert Chagolla as full-time JDC Officer, effective October 1, 2008 at \$12.03 per hour. All members present voting aye. Motion carried.

Moved by Knecht, seconded by Feickert to approve hiring Kathy Thompson and Jeremy Holtey, as Labor Grade 3 employees at the Highway, effective October 1, 2008 at \$11.95 per hour. All members present voting aye. Motion carried.

TRANSFER:

Moved by Hansen, seconded by Fischbach to approve and authorize the following transfer of spending authority and cash, as reflected in the 2008 General Fund #101 Budget: \$1,100,000.00 to Road & Bridge Fund #201. All members present voting aye. Motion carried.

HAZARDOUS MATERIALS EMERGENCY RESPONSE PLAN:

Moved by Knecht, seconded by Hansen to approve the Hazardous Materials Emergency Response Plan as the official document for all hazardous material responses within Brown County, as submitted by the Local Emergency Planning Committee. All members present voting aye. Motion carried.

PROVISIONAL BUDGET CHANGES:

Moved by Knecht, seconded by Fischbach to make the following changes to the 2009 Provisional Budget – increase 311 Current Property Tax Levy to \$9,925,064.00; decrease cash balance applied to \$1,284,044.78. All members present voting aye. Motion carried.

2009 ANNUAL BUDGET:

Commissioner Hansen offered the following Resolution:

ANNUAL BUDGET FOR BROWN COUNTY, SD
For the Year January 1, 2009 to December 31, 2009

RESOLUTION NO. 75-08

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, 2009 and ending December 31, 2009 and the same is hereby approved and adopted by the Board of County Commissioners of Brown County, South Dakota, this 30th day of September, 2008. 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, 2009 through December 31, 2009.

COUNTY TAX LEVIES WITHIN LIMITED LEVY	Dollars	\$'S/1,000
*General County Purposes (10-12-9)	\$9,869,613	4.52
Library	31,963	.03
Fire	23,488	.02
TOTAL TAXES LEVIED BY COUNTY	\$9,925,064	4.57

*These amounts include the 25% to be distributed to cities.

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

PROPERTY PURCHASE:

Moved by Feickert, seconded by Knecht to accept offer, submitted by George L and Mavis Mae Jundt to sell the property located at 119 SE Railroad Ave, Aberdeen, SD (described as Railroad Outlot 7 in the SW ¼ of Sec 13-T123N-R64W of the 5th P.M., Brown County, SD) to Brown County for the sum of \$105,000.00. All members present voting aye. Motion carried.

BUDGET SUPPLEMENTS:

Time and place, as advertised for public hearing to consider the following Budget Supplements for year 2008 to fund specific projects. Moved by Hansen, seconded by Fischbach to approve the following budget supplements to fund the following projects for fiscal year 2008: Phase II Jail Project @ \$482,663.39 (Fund #233-161); Demolition of Building at 115 SE RR Ave @ \$82,316.00 (Fund #233-161); Brown County Discretionary Formula @ \$14,922.02 (Fund #101-750); Courthouse Parking Lot @ \$100,947.08 (Fund #101-161); States Attorney Software Package @ \$14,917.70 (Fund #101-151) in total amount of \$695,766.19 to be funded by the General Fund #101 surplus cash. All members present voting aye. Motion carried.

ORDINANCE NO. 055 – FIRST READING:

Moved by Feickert, seconded by Hansen to approve First Reading of Ordinance No. 055, An Ordinance amending Second Revision Brown County Ordinances, Title 5, specifically Chapter 5.03 Design Standards and Chapter 5.04 Improvements, to establish minimum road standards in subdivisions. All members present voting aye. Motion carried.

EXECUTIVE SESSION:

Moved by Hansen, 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.

PLATS:

Commissioner Feickert offered the following Resolution:

RESOLUTION NO. 76-08

BE IT RESOLVED by the Board of Commissioners of Brown County, SD, that the plat showing "Wegleitner Tract 1 in the SE ¼ of Sec 6-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 Knecht. Roll call vote: Commissioners Hansen-aye, Fischbach-aye, Feickert-aye, Knecht-aye, Wiese-aye. Resolution adopted.

Commissioner Knecht offered the following Resolution:

RESOLUTION NO. 77-08

BE IT RESOLVED by the Board of County Commissioners of Brown County, SD, that the plat showing "O'Keefe and Huck First 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 Hansen. Roll call vote: Commissioners Hansen-aye, Fischbach-aye, Feickert-aye, Knecht-aye, Wiese-aye. Resolution adopted.

Commissioner Feickert offered the following Resolution:

RESOLUTION NO. 78-08

BE IT RESOLVED by the Board of County Commissioners of Brown County, SD, that the plat showing "Wollman Subdivision in SW ¼ Sec 29-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 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. 79-08

BE IT RESOLVED by the County Commission of Brown County, SD, that the plat showing "Zimney 1st Subdivision in SW ¼ Sec 11-T121N-R60W of the 5th P.M., Brown County, SD," having been examined is hereby approved in accordance with the provisions of SDCL of 1967, Chapter 11-3, and any amendments thereof.

Seconded by Commissioner 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. 80-08

BE IT RESOLVED by the Board of County Commissioners of Brown County, SD, that the plat showing "Rich and Penny Biegler's First Subdivision to Richmond Lake in the SW ¼ of Sec 19-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 Hansen. Roll call vote: Commissioners Hansen-aye, Fischbach-aye, Feickert-aye, Knecht-aye, Wiese-aye. Resolution adopted.

Commissioner Hansen offered the following Resolution:

RESOLUTION NO. 81-08

BE IT RESOLVED by the County Commission of Brown County, SD, that the plat showing "Rott's 1st Subdivision in Rott's Mina Lake Ranchettes in W ½ Sec 19-T123N-R65W of 5th P.M., Brown County, SD," having been examined is hereby approved in accordance with the provisions of SDCL 1967, Chapter 11-3, and any amendments thereof.

Seconded by 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. 82-08

BE IT RESOLVED by the County Commission of Brown County, SD, that the plat showing "Bierman 1st Subdivision in NW ¼ Sec 33-T123N-R63W 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 Fischbach offered the following Resolution:

RESOLUTION NO. 83-08

BE IT RESOLVED by the Board of County Commissioners of Brown County, SD, that the plat showing "DOK-B Second Subdivision in the SE ¼ of Sec 22-T123N-R64W of the 5th P.M., Brown County, SD," having been examined is hereby approved in accordance with the provisions of SDCL 11-3, and any amendments thereof.

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

APPLICATION FOR OCCUPANCY:

Moved by Hansen, seconded by Knecht to approve application, submitted by SDN Communications/VantagePoint for occupancy of Brown County Highway – 135th and 387th in Sec 35-T123N-R64W of the 5th P.M., Brown County, SD, to provide telecommunication services. All members present voting aye. Motion carried.

BRIDGE #031:

Moved by Fischbach, seconded by Hansen to approve SDDOT award of contract to Industrial Builders, Inc in amount of \$456,007.70 for Bridge #031 BRF 6599(03), PCN 6086 Brown County Structure and Approach Grading (85' Bulb Tee Bridge), as bid by SDDOT on September 17, 2008 – Item 3; rejecting: Swingen Construction Company @ \$471,897.60; Grangaard Construction, Inc @ \$497,544.00. All members present voting aye. Motion carried.

APPEAL OF PLANNING/ZONING DECISION:

Scott Layman appealed decision of the Brown County Planning and Zoning Board of Adjustment granting approval of an application, submitted by Gary Sumption for a Special Exception on the S ½ of the SW ¼ of Sec 36-T127N-R64W of the 5th P.M., Brown County, SD for purpose of installation of a cell tower and accessories. After discussion the following action ensued: Moved by Fischbach, seconded by Hansen to uphold decision of the Brown County Planning and Zoning Board of Adjustment granting approval of an application, submitted by Gary Sumption for a Special Exception on the S ½ of the SW ¼ of Sec 36-T127N-R64W of the 5th P.M., Brown County, SD for purpose of installation of a cell tower and accessories. All members present voting aye. Motion carried.

RACE TRACK AGREEMENT:

Moved by Knecht, seconded by Feickert to reject lease option request, submitted by Al Malsam for one-year option to lease Brown County facilities at the Fairgrounds for the 2009 Car Racing season, thus

terminating the lease on November 26, 2008. Roll call vote: Commissioners Hansen-nay, Fischbach-aye, Feickert-aye, Knecht-aye, Wiese-aye. Motion carried.

YEARS OF SERVICE AWARDS:

The Commission presented the following employees Certificates of Appreciation and Congratulations for Twenty-Five Years of Service to Brown County: Jan Beckler, Ginger Walker, Penny Hart and Janice Moore.

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

**AGENDA
REGULAR MEETING
BROWN COUNTY COMMISSION
COMMISSIONER'S CHAMBERS, COURTHOUSE ANNEX
25 MARKET STREET, ABERDEEN SD**

**TUESDAY
SEPTEMBER 30, 2008**

8:45 – 9:00 a.m. – Adopt 2009 Annual Budget

9:00 – 9:15 a.m. – 2008 Budget Supplement Hearing

9:15 – 9:30 a.m. – First Reading Ordinance #055 – Minimum Road Standards

9:30 – 9:45 a.m. – Gary Vetter – Plats (Bierman 1st Subd; Wegleitner Tract 1; Zimney 1st Subd; Bieglers 1st Subd; O'Keefe & Huck; Rotts 1st Subd; Wollman Subd; Dok-B 2nd Subd

9:45 – 10:00 a.m. – Jan Weismantel – Discuss 12WB intersection

10:00 – 10:15 a.m. – Scott Layman – Appeal of Planning & Zoning decision on Special Exception (Cell tower)

10:15 – 11:00 a.m. – Brown County Speedway Drivers – Discuss contract

11:00 – 11:15 a.m. – 25 Years of Service Certificates – Jan Beckler, Ginger Walker, Penny Hart, Janice Moore

- Approve General Meeting minutes of September 16, 2008
- Claims, payroll
- Personnel
- Addendum to exercise Year 1 option for lease of Race Track submitted by Al Malsam
- Accept or reject proposal from George Jundt for purchase of property
- Operating Transfer from General to Highway \$1,100,000
- Hazardous Material Emergency Response Plan – approve as adopted by LEPC
- Award State Bid for Bridge 031

OCTOBER 1, 2008 - JOINT DAY COUNTY/BROWN COUNTY COMMISSION MEETING

The Brown County Commission and the Day County Commission met in joint session at 2:00 P.M. at the Dairy Queen, Groton, South Dakota for purpose of canvassing the vote for the Groton Area Fire Protection and Rescue District Special Election held September 30, 2008. Present from Day County were Commissioners Marvin Bury, Derek Sinner and Chuck Hesla. Present from Brown County were Commissioners Nancy Hansen, Deb Knecht and Chairman Mike Wiese.

Moved by Hansen, seconded by Sinner to accept results, as follows for formation of the Groton Area Fire Protection and Rescue District:

259 votes to form the Groton Area Fire Protection and Rescue District

43 votes to not form the Groton Area Fire Protection and Rescue District

All members present voting aye. Motion carried.

Moved by Knecht, seconded by Bury to adjourn the joint Day County/Brown County Commission Meeting. All members present voting aye. Motion carried.

Maxine Taylor – Brown County Auditor

**AGENDA
REGULAR MEETING
BROWN COUNTY COMMISSION
COMMISSIONER'S CHAMBERS, COURTHOUSE ANNEX
25 MARKET STREET, ABERDEEN SD**

**TUESDAY
OCTOBER 7, 2008**

8:45 – 9:00 a.m. – Kyle Oswald, BMX – Discuss BMX equipment purchase

9:00 – 9:15 a.m. – Second Reading/possible Adoption Ord #055 – Minimum Road Standards

9:15 – 9:30 a.m. – Jan Weismantel – Discuss Bridge #51 on County Road #23

9:30 – 9:45 a.m. – Sheila Enderson – Discuss office issues

9:45 – 10:00 a.m. – Larry Gerlach – Personnel

- Approve General Meeting minutes of September 30, 2008 and Joint Day County/Brown County Meeting minutes of Oct 1, 2008 (Fire District Special Election Canvass)
- Claims
- Personnel
- Auditor's Report of Account with the County Treasurer
- Authorize advertising invitation for proposals for lease of car racing facilities at the Fairgrounds
- Request from Aberdeen City for 2007 Ambulance charge in amount of \$8,714.91

**AGENDA
REGULAR MEETING
BROWN COUNTY COMMISSION
COMMISSIONER'S CHAMBERS, COURTHOUSE ANNEX
25 MARKET STREET, ABERDEEN SD**

**TUESDAY
OCTOBER 14, 2008**

8:45 – 9:00 a.m. – Acknowledge amendment to Conde School District Dissolve and Attach Plan

9:00 – 9:15 a.m. – Possible Adoption Ord #055 – Minimum Road Standards

- Approve General Meeting minutes of October 7, 2008
- Claims, payroll
- Personnel
- Sheriff Reports
- Lease Agreements (FUMC, Buntrock, Boy Scouts, Celtic Faire, AAN, Roncalli
- Increase Spending Authority/Estimated Revenue – Burlington Northern RR Security

OCTOBER 7, 2008 – GENERAL MEETING

The Brown County Commission convened at 8:45 A.M. on October 7, 2008 in the Commissioner's Chambers, Courthouse Annex, Brown County, SD. Present were Commissioners Hansen, Fischbach, Feickert and Knecht. Absent Commissioner Wiese.

MINUTES:

Moved by Feickert, seconded by Hansen to approve the General Meeting minutes of September 30, 2008 and the Joint Day County/Brown County Meeting minutes of October 1, 2008. All members present voting aye. Motion carried.

CLAIMS:

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

Supplies: Best Business..\$239.74, CMRS-FP..\$5000.00, Quality Quick Print..\$1605.30, Office Equip..\$50.26, Heartland Paper..\$2374.70, Central Supply..\$1278.30, Menards..\$188.72, Kone..\$1800.24, Crescent Elec..\$81.65, McFarland Supply..\$12.00, Gardner Locksmith..\$44.95, Taylor Laundry..\$86.50, Hoven Auto..\$71.60, Runnings..\$602.06, Aberdeen Home Bld Assoc..\$275.00, Vision Bs Prod..\$629.16, Diane Mielke..\$18.00, Kesslers..\$398.52, Knight Towing..\$45.00, Hoven Auto..\$27.00, Graham Tire..\$47.56, Schwan Elec..\$218.35, McQuillen Creative Group..\$466.98, Florida Micro..\$1463.01, Trail Chev..\$276.47, Exec Mgmt..\$3302.34, Infinity Gear..\$58.51, Racom..\$264.60, Glas Consulting..\$45.00, Sherri Rawstern..\$36.68, Sherwin Williams..\$14.99, Aberdeen Hockey..\$10,112.50, Photo Xpress..\$269.99, Kens Superfair Foods..\$481.44, Livestock Spec..\$577.50, Ben Meadows..\$29.67, SDSU..\$80.00, Van Diest..\$5646.85, SD Wheat Growers..\$70.41, Farm Power..\$98.20, Pet Partners..\$122.88, Crucial Tech..\$618.91, Comm Electronics..\$5208.00, Nat'l Academies of Emergency Dispatch..\$95.00, Evergreen Supply..\$4.11, SD Dept of Public Safety..\$94.00, Hub City Radio..\$250.00, Erdmann Fuels..\$14,270.17, Sheehan Mack Sales..\$224.32, Cole Papers..\$199.60, Menards..\$374.00, Powerplan..\$245.81, Pierson Ford..\$42.55, Wallwork Truck Center..\$101.66, Western Printing..\$1891.62, Ameripride..\$158.28, Hedahls..\$42.21, Cunningham Elec..\$78.95, SD Dept of Rev..\$3797.14, Emily Hughes..\$20.97, Eide Bailly..\$267.00:

Professional Fees: Frederick Fire Dept..\$150.00, Dakota Psychological Services..\$1507.50, Elections: Faye Berndt..\$129.80, Carol Osterman..\$110.00, Patricia Larson..\$110.00, United Clinic..\$33.07, OB/GYN..\$107.89, Zachary Kern..\$400.00:

Publications: Groton Indep..\$112.49:

Travel: Maxine Taylor..\$287.25, Kathy Fischer..\$132.83, Leo Leshner..\$84.36, Gene Loeschke..\$154.66, Thomas Gohn..\$159.96, Mark Milbrandt..\$692.40, City of Groton..\$14.80, Jerry Mills..\$597.76, Extension Service..\$415.89, Gary Erickson..\$226.16, Roxy Hilgenberg..\$19.98, Gary Vetter..\$34.78, Stan Beckler..\$19.52, David North..\$77.22, Jerome Streckfuss..\$36.40, Darwin Bettmann..\$15.84, Pat Hansen..\$42.75, Pat Keatts..\$10.36, Mary Browning..\$146.78, Freddie Robinson..\$123.91, Scott Meints..\$92.45:

Transcriptions: Neal Reporting..\$246.00:

Utilities: FSH..\$60.91, City of Aberdeen..\$1760.26, Northwestern Energy..\$2996.50, WEB..\$118.39, Midcontinent Cable..\$155.81, James Valley Telecommunications..\$214.73, Verizon..\$70.18, Northern Valley..\$51.45:

Care of Poor: Medication - 1 recipient..K-Mart Pharm..\$113.67; Rent - 3 recipients..Ken Dohn..\$260.00, Natalie or Jake Dinger..\$260.00, Dean Deuel..\$200.00; Dr/Hospital - 7 recipients..Dakota Plains Surgical Center..\$562.16, Avera St Lukes..\$7849.09, Aberdeen Family Physicians..\$150.01, Anesthesia Care..\$256.00, Dental Care..\$1528.00; Utilities - 3 recipients..NW Energy..\$633.13. All members present voting aye. Motion carried.

PERSONNEL:

Moved by Hansen, seconded by Feickert to approve salary adjustment for Jodi Brown, effective September 22, 2008 to a pro-rated annual salary of \$12,000.00. All members present voting aye. Motion carried.

Moved by Hansen, seconded by Knecht to approve employee status change for Nathan Smith from Corrections Officer to Deputy Sheriff, effective October 5, 2008 at \$15.23 per hour. All members present voting aye. Motion carried.

AUDITORS REPORT OF ACCOUNT:

Moved by Knecht, seconded by Feickert to approve the September 2008 Auditor's Report of Account with the County Treasurer in total amount of \$10,950,638.38 (total amount of actual cash @ \$3,332.00, Wells Fargo Bank @ \$3,694.79, US Bank @ \$30,811.60, Dacotah Bank @ \$235,878.54, Petty Cash @ \$1,800.00, Fund Investments @ \$16,674,953.45, Outstanding Checks @ \$168.00). All members present voting aye. Motion carried.

LEASE OF RACE TRACK:

Moved by Knecht, seconded by Feickert to authorize advertising invitation for proposals for lease of the Brown County Fairgrounds car racing facilities, to be opened, read and considered at 9:00 a.m. on October 28, 2008 in the Commissioners Chambers, Courthouse Annex, Brown County, SD. All members present voting aye. Motion carried.

Moved by Feickert, seconded by Knecht to set minimum amount for leasing the car racing facilities at \$35,000.00. All members present voting aye. Motion carried.

BMX LEASE ADDENDUM:

Moved by Knecht, seconded by Hansen to approve and authorize the Chairman sign Addendum to the lease with BMX Tract #1075 amending paragraph #5 to exclude the following improvements from becoming the property of Brown County: new bleachers and concession stand. All members present voting aye. Motion carried.

ORDINANCE 055 – SECOND READING:

Moved by Hansen, seconded by Feickert to approve Second Reading of Ordinance 055 to establish minimum road standards in subdivisions with possible adoption on October 14, 2008 (negating publication of ordinance on October 8, 2008 showing effective date of October 28, 2008). All members present voting aye. Motion carried.

EXECUTIVE SESSION:

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

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

APPLICATIONS FOR OCCUPANCY:

Moved by Feickert, seconded by Knecht to approve application, submitted by Northwestern Energy for occupancy of Brown County Highway #14 in Sec 25-T123N-R64W of 5th P.M., Brown County, SD to provide natural gas. All members present voting aye. Motion carried.

Moved by Knecht, seconded by Hansen to approve application, submitted by Northern Valley Communications for occupancy of Brown County Highway #14 in Sec 16-T123N-R63W of the 5th P.M., Brown County, SD to provide telecommunications. All members present voting aye. Motion carried.

HIGHWAY UPDATE:

Jan Weismantel informed the Commission that construction on Bridge 51 will commence on November 1, 2008, but construction will stop in the spring as no work can be done in the channel during Topeka Shiner blackout months, with completion date of July 1, 2009. Also, informed Commission that Bridge 60 is complete and the County Road 12W ditch and culvert project is complete.

TREASURER REMODEL:

Sheila Enderson requested permission to visit several Courthouses to help determine most efficient way to remodel office work areas to better assist the public and address ergonomic needs for employees. Board concurred

INTEREST STATEMENT:

Moved by Feickert, seconded by Knecht to accept for filing the July – September 2008 Interest Statement, submitted by County Treasurer Sheila Enderson. All members present voting aye. Motion carried.

EXECUTIVE SESSION:

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

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

RECESS:

The Vic-Chairman declared the Commission recessed until October 14, 2008.

Maxine Taylor – Brown County Auditor

OCTOBER 14, 2008 – 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 and Knecht. Absent Commissioner Feickert.

MINUTES:

Moved by Hansen, seconded by Fischbach to approve the General Meeting minutes of October 7, 2008. All members present voting aye. Motion carried.

CLAIMS:

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

Payroll: Commissioners..\$2,991.00; Auditor..\$7,337.80; Elections..\$123.11; Treasurer..\$9,820.11; Data Processing..\$3,269.35; State's Attorney..\$11,938.34; Blood Draws...\$805.00; Maintenance..\$5,634.07; Assessor..\$9,534.96; Register of Deeds..\$5,474.44; Veterans Service Office..\$2,967.65; GIS..\$1,848.00; Sheriff..\$76,340.41; Communications..\$16,821.05; Welfare Office..\$3,020.78; Museum..\$5,456.20; Fairgrounds & Parks..\$3,909.86; Fairboard..\$1,992.85; Extension..\$1,950.40; Weed..\$3,522.83; Planning and Zoning..\$1,520.00; Emergency Management..\$2,792.80; Teen Court..\$481.20; Coroner..\$750.00; Highway..\$27,959.29; Landfill..\$8,345.79; Matching Benefits: FICA..\$12,763.51; Medicare..\$2,984.90; Supplies: SD Assoc of County Commissioners..\$185.00, Brown County Tres..\$178.17, West Payment Center..\$1324.33, CSD..\$60.00, Pizza Ranch..\$130.76, ProBuild..\$15.55, Office Equip..\$162.40, Quality Quick Print..\$400.35, Midwest Alarm..\$612.00, Menards..\$277.38, Central Supply..\$75.00, AB Dick Products..\$93.40, Evercom..\$3800.00, Velvet Uniforms..\$50.73, Cash Wa..\$5534.16, Duanes Amoco..\$84.10, Steven Lust Chev..\$598.54, Dakota Electronics..\$180.00, Parcel Erickson..\$29.95, Tri State Water..\$35.50, House of Glass..\$102.00, Earthgrains..\$653.85, Pacer..\$16.16, Best Business..\$123.59, Bob Barker..\$238.30, Dicks Westside..\$72.50, Bonnie Bitz..\$144.00, Consolidated Ready Mix..\$2692.00, Central Supply..\$575.25, Cartney Bearing..\$25.90, Butler Machinery..\$36.73, Brimark Inn..\$46.50, Artz Equip..\$944.34, Ameripride..\$399.74, Aberdeen Chrysler..\$324.88, SDDOT..\$1987.33, Zastrow Service..\$215.00, Walmart..\$128.73, Darin Vilhauer..\$15.00, Kendall Titze..\$30.00, Sheehan Mack Sales..\$1127.76, Safety Service..\$260.63, Runnings..\$370.51, Pro Ag..\$86.00, Palmer Dist..\$95.00, North Central Rent..\$3821.00, Macs..\$102.99, Lawson Products..\$1295.77, Langs..\$42.98, Interstate Battery..\$423.85, Inman & McDowell..\$94.56, Huron Culvert..\$57,780.56, Howes Oil..\$25,980.60, Great Western Tire..\$11,174.42, Farnams..\$38.92, Farm Power..\$122.40, LG Everist..\$2122.47, Evergreen Supply..\$108.92, Erdmann Fuels..\$1753.70, Ellendale Impl..\$277.50, Economy Propane..\$1083.00, Diamond Mowers..\$1177.85, Dakota Fluid Power..\$661.52, Custom Glass..\$208.31, Crawford Trucks..\$264.81, SD Supplemental Retirement..\$1072.47, Sherri Rawstern..\$6.71, Midwest Alarm..\$432.00, A-1 Locksmith..\$162.50, Rochele Moser..\$28.31, Photo Xpress..\$32.71, Jacobson Elec..\$546.30, Ben Meadows..\$59.20, Pro Ag..\$167.82, CarQuest..\$17.38, Aberdeen Asphalt..\$7077.09, Walmart..\$35.96, Nat'l Academies of Emergency Dispatch..\$45.00, Best Business..\$29.21, Christine Haggerty..\$144.40; Professional Fees: Language Line..\$382.20, witness fees..\$40.00, Pennington County..\$27.31, Childs Voice..\$1200.99, Dept of Rev..\$1872.00, Exec Mgmt..\$70.40, Sheriff of Yankton County..\$25.00, Avera St Lukes..\$1356.00; Attorney Fees: Kennedy, Rokahr, Pier..\$473.68, David Hosmer..\$766.95; Publications: Groton Indep..\$332.86, American News..\$2929.91, Midland Press..\$202.00; Travel: Dennis Feickert..\$193.14, Patty Van Meter..\$9.00, Sheila Enderson..\$9.00, Cindy Meyers..\$177.35; Transcriptions: Tammy Erickson..\$160.80; Utilities: Northwestern Energy..\$319.03, TelServ..\$523.03, Northern Valley..\$70.79, James Valley..\$157.72, Town of Frederick..\$32.25, Northern Wireless..\$111.90, Dependable Sanitation..\$18,156.92, Qwest..\$892.65;

Care of Poor: Rent - 7 recipients..Zumbaum Property..\$300.00, Danne..\$240.00, Tom Suedmeier..\$300.00, Granite Investments..\$120.00, PDS Property..\$240.00, J&M Ent..\$280.00, A&S Services..\$280.00; Dr/Hospital – 3 recipients..Yankton Radiology..\$91.42, Avera St Lukes..\$2034.00, PSI Health Care..\$99.15; Transportation – 2 recipients..Emergency Poor Fund..\$42.34, Brown County..\$16.14; Utilities –3 recipients.. NW Energy..\$861.25. All members present voting aye. Motion carried.

PERSONNEL:

Moved by Fischbach, seconded by Knecht to approve the following employee step increases, effective October 19, 2008: Ashby Beckman @ \$12.62 per hour, Nyle Jensen @ \$13.92 per hour, Daryl Lloyd @ \$15.00 per hour. All members present voting aye. Motion carried.

LEASE AGREEMENTS:

Moved by Fischbach, seconded by Knecht to approve the following agreements: Roncalli for lease of the Richmond Youth Camp on Sept 3-4, 2008; First United Methodist Church for lease of the Richmond Youth Camp on Oct 12-13, 2008; Ryan Buntrock Auction Service for lease of the Club House on Sept 20, 2008; Boy Scouts for lease of the Richmond Youth Camp on July 18-20, 2008; Aberdeen American News for lease of the Expo Building on Sept 12-13, 2008; Northeast Celtic Faire Inc for lease of the Expo Building and Expo Addition on Sept 20-21, 2008. All members present voting aye. Motion carried.

SHERIFF REPORTS:

Moved by Knecht, seconded by Fischbach to approve the following September 2008 Sheriff Reports: Incidents and offenses; Prisoner care, JDC, Money deposited with the County Treasurer and Monthly activities. All members present voting aye. Motion carried.

INCREASE SPENDING AUTHORITY/ESTIMATED REVENUE:

Moved by Knecht, seconded by Fischbach to increase spending authority in Fund 101-211-411 @ \$5,073.42, 412.01 @ \$314.55, 412.02 @ \$73.56, 413 @ \$405.87 (\$5,867.40) and increase Estimated Revenue in Fund 101-342.19 @ \$5,867.40 for unanticipated reimbursement from Burlington Northern. All members present voting aye. Motion carried.

CONDE SCHOOL DISSOLUTION PLAN – AMENDED:

Moved by Fischbach, seconded by Hansen to acknowledge receipt of Amended Proposal for the Dissolution and Attachment of the Conde School District #56-1 Spink, Brown, Clark and Day Counties, SD. All members present voting aye. Motion carried.

ORDINANCE 055 – DENY ADOPTION:

Moved by Hansen, seconded by Fischbach to deny adoption of Ordinance 055 indefinitely negating publication of ordinance on October 8, 2008 showing effective date of October 28, 2008. Roll call vote: Commissioners Hansen-aye, Fischbach-aye, Feickert-absent, Knecht-aye, Wiese-aye. Ordinance 055 not adopted.

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 the following action taken as a result of the discussion:

Moved by Fischbach, seconded by Knecht to approve additional salary for Jodi Brown, effective October 12, 2008 through June 30, 2009 at \$27,000.00 for domestic violence cases, to be reimbursed by the STOP-P-09-160 Grant. All members present voting aye. Motion carried.

Moved by Hansen, seconded by Knecht to compensate Kim Dorsett a one-time fee of \$1,000.00 and Rebecca Millan a one-time fee of \$2,000.00 for assuming domestic violence cases from July 1, 2008 through October 11, 2008, to be reimbursed by the STOP-P-09-160 Grant. All members present voting aye. Motion carried.

RECESS:

The Chairman declared the Commission recessed until October 21, 2008.

Maxine Taylor – Brown County Auditor

**AGENDA
REGULAR MEETING
BROWN COUNTY COMMISSION
COMMISSIONER'S CHAMBERS, COURTHOUSE ANNEX
25 MARKET STREET, ABERDEEN SD**

**TUESDAY
OCTOBER 21, 2008**

8:45 – 9:00 a.m. – Jan Weismantel, Highway Superintendent – Discuss Equipment; Railroad Crossing

9:00 – 9:15 a.m. – Rollie White, Experience Plus and Carol Sherman, Register of Deeds – Discuss Personnel

9:15 – 9:30 a.m. – Gary Vetter, Planner/Zoner – Discuss Minimum road standards

9:30 – 9:45 a.m. – Department Personnel – Discuss Holidays

- Approve General Meeting minutes of October 14, 2008
- Claims
- Personnel
- Abatement – Jundt
- Approve Palmyra Land Sale and authorize Chairman sign Quit Claim Deeds
- Resolution for Consolidated Board of Equalization

OCTOBER 21, 2008 – 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 Knecht, seconded by Hansen to approve the General Meeting minutes of October 14, 2008. All members present voting aye. Motion carried.

CLAIMS:

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

Supplies: State Bar of SD..\$180.00, IOMA..\$315.95, Florida Micro..\$900.53, David Fair..\$15.99, Heartland Paper..\$553.31, Lar-Jos..\$1641.48, David Fair..\$111.26, Cindy Meyers..\$25.44, Best Business..\$184.91, Office Equip..\$58.74, Medtox..\$251.93, Moore Medical..\$427.72, Timekeeping Systems..\$95.00, TelServ..\$230.29, Safety Service..\$443.64, Steven Lust..\$705.51, Mobile Electronic Service..\$128.00, Photos Now..\$29.95, DT Pharm..\$90.54, Bricks TV..\$20.00, Hagen Ins..\$150.00, Holland Auto Care..\$1.99, Fastenal..\$73.95, Carquest..\$1324.96, Avera Queen of Peace..\$73.50, Custom Glass..\$2625.00, McGarry Elec..\$240.81, Kleins..\$31.63, Menards..\$157.36, Lora Schaunaman..\$15.64, Runnings..\$261.56, Butler Cat..\$1193.45, Dakota Elec..\$37.50, Central Supply..\$515.00, Swanson Elec..\$408.16, Headliner Talent..\$2500.00, Van Diest..\$6030.35, Dakota Fluid Power..\$131.10, Heiman Fire..\$952.50, Town & Country..\$532.37, HSBC..\$1935.75, Adv Auto Parts..\$60.84, Titan..\$782.39:
Professional Fees: Clark Title Escrow..\$100379.21, Brown County..\$135.29, Gary Bowker..\$150.00, Aberdeen Advanced Care..\$213.52, Avera St Lukes..\$17884.33, Language Lines..\$90.00, Lewis & Clark BHS..\$284.00, Nelva Kooistra..\$15.00, Cathy Rehfuss..\$15.00, Donna Dietrich..\$134.42, NE Mental Health Center..\$131.67:

Attorney Fees: Yankton County..\$303.75, Fox, Youngberg..\$188.56:

Publications: Dakota Press..\$1715.15, Groton Indep..\$522.56, American News..\$1252.06:

Utilities: Northwestern Energy..\$1056.12, City of Hecla..\$72.56, Northern Valley..\$69.67, Qwest..\$4226.32, Bureau of Admin..\$426.89, Northern Elec..\$612.69:

Jury: Ryan Ange, Pamela Bahr, Christine Beidler, Toshia Blubaugh, Leroy Conn, Archie Daly, Andrew Daschle, Mary Davis, Stanely Dell, David Drapeaux, Jeremiah Duehring, Delpha Dumdei, Nicole Dunlavy, Sondra Faeth, Robert Fahrni, Doris Foss, Donald Gellhaus, Scott Gilbertson, George Gilborne, Theresa Green, Lynn Guthmiller, Roga Guthmiller, Lea Haar, Jeanne Haugen, Rochelle Hinkelman, Kenneth Homan, Luella Hopfinger, Leslie Huettl, Patricia James, Michael Johnson, Cathy Jones, Kathleen Kienow, Lisa Kolb, Brian Kolbe, Larry Kumpf, Donald Kurtz, Andrew Labatte, Ellen Lakefield, Lois Larson, Alta Leinen, Terry Liebel, Jena Littau, Justin McCord, Michael McNamara, Jacqueline Mehlhaff, Scott Mettler, Clifford Moffenbier, John Mosley, Merritt Mullaney, Jodi Myburgh, Kelly Northrup, Kristen O'Brien, Michelle Ochsner, Diane O'Connor, Gayle Petrie, Peggy Pettit, Linda Post, Keith Pulfrey, Gary Rasmussen, Stacy Richardson, James Rohl, Earl Rudolph, Gary Schaunaman, Jack Schily, Gary Severson, Scott Speck, Bernice Stevens, Vincent Stotz, Ronald Udell, Stacey Usselman, Brian Voight, Frank Waldt, Dean Waltermann, Elvera Weisenberger, John Wheeting, Darin Wiedebush, Rocky Wilson, Brad Wollman:

Care of Poor: Rent -4 recipients..Edward Weber..\$212.00, Pat Preston..\$179.00, Jeff Weismantel..\$100.00, Erik Stewart..\$220.00; Dr/Hospital – 2 recipients..Northern Plains..\$69.00, Aberdeen Family Physicians..\$29.71; Transportation – 2 recipients..Jefferson Lines..\$165.50; Burial – 1 recipient..Schrivers..\$2284.00. All members present voting aye. Motion carried.

PERSONNEL:

Moved by Knecht, seconded by Feickert to approve hiring Heidi Fischer as full-time Corrections Officer in the Jail, effective October 28, 2008 at \$12.03 per hour. All members present voting aye. Motion carried.

Moved by Feickert, seconded by Knecht to approve hiring Andrew Janusz as full-time employee in the Register of Deeds office, effective November 3, 2008 at \$11.20 per hour, with a portion of the salary reimbursed by Employment Plus Program. All members present voting aye. Motion carried.

ABATEMENT:

Moved by Feickert, seconded by Hansen to approve the following Abatement: George Jundt at \$239.67. All members present voting aye. Motion carried.

CONSOLIDATED BOARD OF EQUALIZATION:

Commissioner Feickert offered the following Resolution:

RESOLUTION NO. 84-08 A RESOLUTION TO ESTABLISH CONSOLIDATED BOARD OF EQUALIZATION PURSUANT TO SDCL 10-11-66 THROUGH 10-11-77

BE IT RESOLVED by the Brown County Commission, Brown County, SD that a consolidated Board of Equalization as authorized by 10-11-66 shall be established pursuant to the Resolution of the Governing Boards of Brown County, City of Aberdeen, and the Aberdeen School District 6-1. The consolidated Board of Equalization as created by this Resolution shall be authorized to exercise all powers contained in SDCL 10-11.

BE IT FURTHER RESOLVED that three members from the Brown County Commission and one member of the Aberdeen City Council and one member of the Aberdeen School District 6-1 School Board shall constitute a consolidated Board of Equalization as provided by SDCL 10-11-66.

BE IT FURTHER RESOLVED that the Aberdeen City Council, Brown County Commission and the Aberdeen School District 6-1 shall be responsible for the per diem and salary and mileage costs of the respective members that serve on the Consolidated Board of Equalization. Brown County Commission shall be responsible for the ordinary and customary expenses associated with the equalization of property including appeals to the State of South Dakota Office of Hearing Examiners. The financial responsibilities contained in this resolution shall remain unless, either the Aberdeen City Council, Brown County Commission or the Aberdeen School District 6-1 shall request that they be modified prior to December 1st of each year.

THIS RESOLUTION shall be binding upon the Brown County Commission, Brown County, SD and upon each governing body adopting this Resolution according to law.

Dated this 21st day of October 2008.

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

PALMYRA LAND SALE:

Moved by Knecht, seconded by Feickert to approve sale of Palmyra land and authorize the Chairman to sign all documentation for the transfer of title. All members present voting aye. Motion carried.

HIGHWAY UPDATE:

Jan Weisemantel, Highway Superintendent discussed the following for informational purposes: Bridge 60 on road 16 is open for traffic; Mowing is complete; Crops in r/o/w; Bridge 24 on County 10 is posted; Vehicle use request; Removal of illegal signs in r/o/w; Railroad crossing update; Vehicle accident.

EQUIPMENT PURCHASE:

Moved by Feickert, seconded by Knecht to approve purchase of forklift from SD Federal Surplus for the Highway Department in amount of \$3,800.00. All members present voting aye. Motion carried.

EXECUTIVE SESSION:

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

Moved by Feickert, seconded by Knecht to rescind previous motion, as topic does not need discussion in executive session. All members present voting aye. Motion carried.

ORDINANCE #056:

Moved by Knecht, seconded by Hansen to set hearing date for Brown County Ordinance No. 056, An Ordinance amending Second Revision Brown County Ordinances, Title 5, specifically Chapter 5.03 Design Standards and Chapter 5.04 Improvements, to establish minimum road standards in subdivisions, to be held in the Commissioner's Chambers, Courthouse Annex, Brown County, SD at 9:00 a.m. on November 18, 2008. All members present voting aye. Motion carried.

HOLIDAY CLOSING:

Moved by Hansen, seconded by Knecht to close Friday, November 28th and Friday, December 26th, 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 28th or December 26th, 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.

RECESS:

The Chairman declared the Commission recessed until October 28, 2008.

Maxine Taylor – Brown County Auditor

205 1/2

**AGENDA
REGULAR MEETING
BROWN COUNTY COMMISSION
COMMISSIONER'S CHAMBERS, COURTHOUSE ANNEX
25 MARKET STREET, ABERDEEN SD**

**TUESDAY
OCTOBER 28, 2008**

8:45 – 9:00 a.m. – Deanna Kyburz, BCCHC – Quarterly Report

9:00 – 9:15 a.m. – Open Proposals for Lease of the Car Racing Facility at the Fairgrounds

9:15 – 9:30 a.m. – Gary Vetter, Planner/Zoner – Plats (Dinger Brothers, Roettele Tract 1, Johnson, Dingers Richmond Lake)

9:30 – 9:45 a.m. – Rusty Merkel – Question if Commission interested in leasing approximate 63 acres at Richmond Lake

9:45 – 10:00 a.m. – Roger Johnson, Weed Supervisor – Discuss purchase of ATV

10:00 – 10:15 a.m. – Jan Weismantel, Highway Superintendent – Discuss equipment purchase

- Approve General Meeting minutes of October 21, 2008
- Claims, payroll
- Personnel
- Approve Delta Dental premium rates paid by employees through payroll deduction
- Surplus cash analysis for September 2008
- Approve agreement for Landfill Monitoring with LBG
- Approve Weed and Pest Grant Application

OCTOBER 28, 2008 – 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 Knecht, seconded by Hansen to approve the General Meeting minutes of October 21, 2008. All members present voting aye. Motion carried.

CLAIMS:

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

Payroll: Commissioners...\$2,991.00; Auditor...\$7,700.39; Elections...\$807.07; Treasurer...\$10,183.24; Data Processing...\$3,269.35; State's Attorney...\$11,956.33; Stop Grant – State's Attorney – Grant...\$3710.53; Blood Draws-SA...\$840.00; Maintenance...\$5,652.29; Assessor...\$9,666.88; Planning & Zoning...\$1,520.00; Register of Deeds...\$5,442.36; Veterans Service Office...\$2,967.65; GIS...\$1,848.00; Sheriff...\$69,991.29; Communications...\$18,714.13; Coroner...\$150.00; Welfare...\$3,020.78; Museum...\$5,456.20; Fair board...\$1,992.85; Fairgrounds & Parks...\$3,548.79; Extension...\$1,950.40; Weed...\$3,160.18; E&D...\$2,792.80; Teen Court...\$421.20; Highway...\$29,112.56; Landfill...\$8,091.52; Matching Benefits: FICA...\$12,880.84; Medicare...\$3,012.43; Wellmark BCBS Health...\$66,256.00; Life...\$701.12; Delta Dental...\$4,172.00; SD State Retirement...\$25,669.13; Supplies: Crucial Tech...\$131.98, Office Equip...\$749.75, Florida Micro...\$1039.19, Hewlett Packard...\$81.00, Software Unlimited Corp...\$2104.00, Matthew Bender...\$51.80, Nat'l College of DA...\$1140.00, NACVSO...\$30.00, Parcel Erickson...\$65.95, Pierson Ford...\$389.91, Exec Mgmt Finance Office...\$3095.34, Visa...\$85.00, Knight Towing...\$55.00, Galls...\$138.94, Schwan Elec...\$136.25, Exhaust Pros...\$28.45, Best Business...\$208.18, Steven Lust...\$36.95, Ultramax...\$116.00, SD Fed Property...\$3800.00, Share Corp...\$344.90, Pumps Tire...\$45.90, Northern Safety...\$965.79, Lawson Products...\$208.68, Huron Culvert...\$8963.94, Hollaway Const...\$71,514.00, L G Everist...\$426.81, Custom Glass...\$248.57, Cretex Concrete...\$64,087.56, Consolidated Ready Mix...\$844.00, Walmart...\$270.57, Days Inn...\$139.50, TelServ...\$32.50, Extension Service...\$518.42, Karls...\$369.00, Van Diest...\$1040.40, GCR Tire...\$15.00, C&S Motor Sports...\$438.92, AOS Computer Networking...\$3440.54, OSI...\$482.45, RDJ Spec...\$60.80, Mallory Headsets...\$284.95, Racom...\$44.10, LBG...\$2015.66; Professional Fees: Dept of Legislative Audit...\$18,638.90, witness fees...\$1749.00, NADRIC...\$1666.66; Attorney Fees: William Gerdes...\$4166.67, Kuck Law Office...\$4166.67, Christy Serr...\$4416.66, Randy Turner...\$4416.67, Gina Rogers...\$4166.67; Publications: American News...\$239.27, Groton Indep...\$106.99, West River Eagle...\$19.56, Sheriff of Clay County...\$27.00; Travel: Al Vietmeier...\$79.92, Gene Loeschke...\$111.74, Jan Weismantel...\$179.25; Transcriptions: Kristi Kost...\$62.50, Sara Van de Walle...\$34.00, Tammy Erickson...\$109.55; Utilities: Alltel...\$1573.02, NW Energy...\$2225.13, Northern Elec...\$22.80, Dependable Sanitation...\$159.00, Midcontinent Cable...\$136.60, Qwest...\$115.31; Care of Poor: Rent - 3 recipients..Eisenbeis Mobile...\$240.00, Zumbaum Property Mgmt...\$200.00, Pius Reis...\$240.00; Dr/Hospital – 3 recipients..Dental Center...\$388.00, North Central Heart...\$186.50; Insurance – 1 recipient..Avera Health Plans...\$453.90; Utilities – 2 recipients.. NW Energy...\$405.81. All members present voting aye. Motion carried.

PERSONNEL:

Moved by Knecht, seconded by Hansen to approve the following employee step increases, effective November 2, 2008: Mavis Kempf @ \$16.74 per hour, Sheila Anderson @ \$15.38 per hour, Sandra Mielke @ \$11.65 per hour; and further approve employee step increase, effective November 16, 2008: Betty Haar @ \$15.38 per hour. All members present voting aye. Motion carried.

Moved by Hansen, seconded by Knecht to acknowledge resignation of Diane Brist, effective October 31, 2008. All members present voting aye. Motion carried.

Moved by Knecht, seconded by Hansen to approve employee status change for Mike Ernst from part-time 24/7 Sobriety employee to full-time Jail Corrections Officer, effective November 2, 2008 at \$12.62 per hour. All members present voting aye. Motion carried.

Moved by Knecht, seconded by Hansen to approve hiring Geri Sillman as part-time Treasurer's employee, effective October 27, 2008 at \$11.61 per hour. All members present voting aye. Motion carried.

DELTA DENTAL RATES:

Moved by Fischbach, seconded by Hansen to approve the 2009 Delta Dental Rates for employee dental insurance: \$29.40 Single, \$55.46 Two-Party and \$87.68 Three or more. All members present voting aye. Motion carried.

SURPLUS CASH REPORT:

Moved by Fischbach, seconded by Knecht to approve the following General Fund Surplus Cash Analysis Report: September 2008 @ -\$431,124.89 (-3.27%). All members present voting aye. Motion carried.

LANDFILL AGREEMENT:

Moved by Hansen, seconded by Knecht to approve and authorize the Chairman to sign agreement with Leggette, Brashears and Graham, Inc. for Monitoring Well Installation and Initial Baseline Sampling for the expansion area at the Brown County Landfill at estimated cost of \$12,272.00. All members present voting aye. Motion carried.

WEED & PEST GRANT APPLICATION:

Moved by Knecht, seconded by Fischbach to approve and authorize the Chairman sign Grant Application with the SD Weed and Pest Control Commission for grant funding on a 50/50 cost share basis for chemical, promotional items, radio ads and seasonal labor, effective July 1, 2009 to June 1, 2010. All members present voting aye. Motion carried.

SET HEARING DATE:

Moved by Knecht, 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 25, 2008 in the County Commission Chambers, 25 Market Street, Aberdeen, SD for First Reading of the following: Ordinance No. 08-11-01/371, An Ordinance to rezone the following property from Section 701 (A-1) Agricultural District to Section 714 (M-AG) Mini-Agricultural District: Lots 2 and 3, Piatz Addition in the NW ¼ of Sec 15-T123N-R63W of the 5th P.M., Brown County, SD. All members present voting aye. Motion carried.

JABG APPLICATION:

Moved by Hansen, seconded by Knecht to approve and authorize the Chairman to sign application for Federal Fiscal Year 2006 (JABG) Juvenile Accountability Block Grant - Teen Court/Diversion Program Funding, effective October 1, 2008 – September 30, 2009 in amount of \$12,007.00 (10% County match), through the SD Department of Corrections. All members present voting aye. Motion carried.

BCCHC REPORT:

DeAnna Kyburz presented the Brown County Community Health Center Report for July – September 2008.

LEASE OF RACE TRACK:

Time and place to open, read and consider proposals for lease of the Car Racing Facilities at the Brown County Fairgrounds. No proposals were received.

Moved by Fischbach, seconded by Knecht to authorize re-advertising invitation for proposals for lease of the Car Racing Facilities at the Brown County Fairgrounds, to be opened, read and considered at 8:45 a.m. on November 18, 2008 in the Commissioners Chambers, Courthouse Annex, Brown County, SD, with no minimum bid. All members present voting aye. Motion carried.

PLATS:

Commissioner Hansen offered the following Resolution:

RESOLUTION #85-08

BE IT RESOLVED by the County Commission of Brown County, SD that the plat showing "Dinger Brothers Outlot 1, in the NE 1/4 Sec 32-T128N-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-absent, Knecht-aye, Wiese-aye. Resolution adopted.

Commissioner Fischbach offered the following Resolution:

RESOLUTION #86-08

BE IT RESOLVED by the County Commission of Brown County, SD that the plat showing "Doug and Sheila Roettele Tract 1 in the NW 1/4 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 of 1967, Chapter 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 Fischbach offered the following Resolution:

RESOLUTION #87-08

BE IT RESOLVED by the Board of County Commissioners of Brown County, SD that the plat showing "Johnson South Second Subdivision in the NE 1/4 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 Hansen. Roll call vote: Commissioners Hansen-aye, Fischbach-aye, Feickert-absent, Knecht-aye, Wiese-aye. Resolution adopted.

Commissioner Hansen offered the following Resolution:

RESOLUTION #88-08

BE IT RESOLVED by the County Commission of Brown County, SD that the plat showing "Dinger's Richmond Lake Addition in the SE 1/4 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 1967, Chapter 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 Knecht offered the following Resolution:

RESOLUTION #89-08

BE IT RESOLVED by the County Commission of Brown County, SD that the plat showing "Johnson's 1st Consolidation Subdivision in Aberdeen, 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-absent, Knecht-aye, Wiese-aye. Resolution adopted.

RICHMOND LAKE LAND:

Rusty Merkel inquired about leasing the approximate 63 acres of County owned land at Richmond Lake in 2009. The Commission will discuss and decide at a later date.

WEED AND PEST DEPARTMENT:

Roger Johnson, Weed and Pest Supervisor discussed purchase of an ATV 4-wheeler for the Weed and Pest Department. No action was taken at this time.

HIGHWAY UPDATE:

Jan Weismantel, Highway Superintendent discussed the following: 1) purchase a stump grinder; 2) purchase a laser level for tripod; 3) crop on County Road #23; 4) demolition of county owned house in Houghton; 5) early payment of lease for motor grader; 6) culverts for Road 16 and bid date information; 7) 2007 ER locations; 8) personal property donated to Dacotah Prairie Museum.

RECESS:

The Chairman declared the Commission recessed until November 4, 2008.

Maxine Taylor – Brown County Auditor

**AGENDA
REGULAR MEETING
BROWN COUNTY COMMISSION
COMMISSIONER'S CHAMBERS, COURTHOUSE ANNEX
25 MARKET STREET, ABERDEEN SD**

**TUESDAY
NOVEMBER 4, 2008**

8:45 – 9:00 a.m. – Sheila Enderson and Bill Meink – Discuss options to redesign window area for employees at the Treasurers Office for purpose of ergonomics

- Approve General Meeting minutes of October 28, 2008
- Claims
- Personnel
- Approve Shari Phillips and Gloriane Yost to the Northeast SD Regional Aging Council
- Appoint Dive Team members

Any other matters to come before the Commission

NOVEMBER 4, 2008 – 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 October 28, 2008. All members present voting aye. Motion carried.

CLAIMS:

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

Supplies: Pheasantland Industries..\$496.56, West Payment Center..\$3900.33, SD Assoc of County Comm..\$3108.36, Heartland Paper..\$1397.37, Midwest Rubber Stamp..\$165.00, Crescent Elec..\$39.30, Vapor Power..\$440.09, Gardner Locksmith..\$45.00, ProBuild..\$5.50, Custom Sheet Metal..\$328.44, Aberdeen Plumbing..\$419.89, Grote Roofing..\$126.02, Cartney Bearing..\$21.32, DSG..\$25.70, Fire Safety First..\$3.80, McFarland Supply..\$1.73, Ecolab..\$270.00, Digi Photo..\$487.83, Office Equip..\$366.31, Trail Chev..\$26.54, Quality Quick Print..\$3.00, Walmart..\$817.52, Medical Waste..\$219.54, Langs..\$759.99, Racom..\$264.60, Steven Lust Chev..\$45.50, Moore Medical..\$116.95, CNA Surety..\$50.00, Howes Oil..\$18,179.20, Helms & Assoc..\$773.40, Hampton Inn..\$324.00, Erdmann Fuels..\$2866.31, Violet Dinger..\$738.53, Con Ready Mix..\$239.50, Graham Tire..\$127.90, Meyers Tractor Salvage..\$80.00, Runnings..\$34.36, Midwest Art Conservation Center..\$100.00, Kleins..\$9.44, ND Assoc of Fairs..\$1760.00, SD Assoc of Fairs..\$85.00, Web Rigging Supply..\$1800.00, Midwest Showmen's Assoc..\$20.00, Larry Gerlach..\$30.00, Heartland Paper...\$1,159.32, US Postal Service...\$750.00, SDCAA...\$90.00, Racom Corp...\$44.10, Best Business Products...\$82.86, Dakota Electronics...\$510.25, Pizza Ranch...\$92.95, Taylor Laundry..\$61.50, Menards..\$240.10:
Professional Fees: Carol Butzman Consulting..\$89.08, Priority Dispatch...\$2,790.00, City of Aberdeen...\$8,410.00, NECOG...\$4,500.00, Eide Bailly...\$259.50:

Publications: Groton Indep..\$1237.38:

Travel: Janice Moore..\$106.56, Cindy Eppard..\$61.00, SD Division of Ag Services...\$80.00, Gary Vetter,,, \$80.60:

Utilities: City of Aberdeen..\$708.55, Dependable Sanitation..\$212.00, Northwestern Energy..\$7327.85, Midcontinent Cable..\$98.28, Qwest..\$80.88, Montana Dakota..\$23.82, WEB..\$116.66, Northern Elec..\$150.99, Midcontinent Communications...\$55.00, Alltel...\$65.53, Midcontinent Communications...\$43.28:

Care of Poor: Rent - 1 recipient..Robert Van Riter..\$260.00; Dr/Hospital – 6 recipients..Sacred Heart..\$934.23, OB/GYN..\$143.03, Avera St Lukes..\$11,779.01, Dakota Imaging..\$44.98, Medication – 3 recipients..Walmart Pharm..\$641.89; Utilities – 2 recipients..Northwestern Energy..\$446.19; Transportation – 1 recipient..Aberdeen Advanced Care..\$218.68. All members present voting aye. Motion carried.

PERSONNEL:

Moved by Knecht, seconded by Feickert to approve hiring Robert Fitch Jr. as part-time 24/7 Sobriety Program employee, effective November 4, 2008 at \$10.07 per hour. All members present voting aye. All members present voting aye. Motion carried.

REGIONAL AGING COUNCIL (RAC):

Moved by Fischbach, seconded by Knecht to appoint Gloriane Yost and Shari Phillips as Brown County Representatives on the Northeast South Dakota Regional Aging Council (RAC) for 2009. All members present voting aye. Motion carried.

DIVE TEAM:

Moved by Feickert, seconded by Fischbach to approve adding Daniel Klinger and Shane Wagner; remove Brent Swenson, Dave Volek, Shannon Wright, Tom Tarnowski and Steven Hairgrove as members of the Dive Team, effective October 31, 2008 for work comp purposes. All members present voting aye. Motion carried.

TREASURERS OFFICE REMODEL:

Sheila Enderson, Treasurer and Bill Meink, Data Processing discussed plans to remodel the customer service windows at the Treasurer's Office to accommodate the new motor vehicle process more efficiently and lower the possibility of employees developing carpal tunnel or other related medical symptoms.

RECESS:

The Chairman declared the Commission recessed until 4:00 P.M. on Thursday, November 6, 2008 for purpose of Special Meeting and General Election Canvass Meeting.

Maxine Taylor – Brown County Auditor

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NOVEMBER 4, 2008 – 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 October 28, 2008. All members present voting aye. Motion carried.

CLAIMS:

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

**AGENDA
SPECIAL MEETING/CANVASS MEETING
BROWN COUNTY COMMISSION
COMMISSIONER'S CHAMBERS, COURTHOUSE ANNEX
25 MARKET STREET, ABERDEEN SD**

**THURSDAY
NOVEMBER 6, 2008
4:00 P.M.**

- 4:00 – 4:05 p.m. – Application for Occupancy – Northern Electric Cooperative
- 4:05 – 4:10 p.m. – Award Bituminous Plant Mix Bid – as awarded by Aberdeen City
- 4:10 – 4:15 p.m. – Scott Meints – Personnel
- 4:15 – 4:45 p.m. – Official Canvass of the November 4, 2008 General Election

Any other matters to come before the Commission

NOVEMBER 6, 2008 – SPECIAL MEETING AND CANVASS OF NOVEMBER 4, 2008 GENERAL ELECTION

Brown County Commissioners Nancy Hansen, Dennis Feickert, Mike Wiese and Tom Fischbach convened for purpose of special meeting at 4:00 p.m. on November 6, 2008 in the Commissioner's Chambers, Courthouse Annex, Brown County, SD.

APPLICATION FOR OCCUPANCY:

Moved by Fischbach, seconded by Feickert to approve application, submitted by Northern Electric for occupancy of Brown County Highway #20 in Sec 32/33-T128N-R60W of the 5th P.M., Brown County, SD to provide electrical service. All members present voting aye. Motion carried.

BID AWARD – SURFACE REPAIR (COLD) MIX:

Moved by Hansen, seconded by Feickert to award bid, submitted by Aberdeen Asphalt for furnishing and delivery of Bituminous Repair (cold) Mix @ \$75.50 per ton, as bid by Aberdeen City on February 20, 2008; rejecting bid submitted by Lien Transportation @ \$125.00 per ton. All members present voting aye. Motion carried.

EXECUTIVE SESSION:

Moved by Hansen, seconded by Feickert to go into executive session for personnel discussion with Scott Meints, 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.

GENERAL ELECTION CANVASS:

The Brown County Commission continued meeting for purpose of canvassing the November 4, 2008 General Election, as authorized by SDCL 12-20-36 at 4:15 p.m. on November 6, 2008 in the Commissioner's Chambers, Courthouse Annex, Brown County, SD.

ABERDEEN CITY PRECINCTS

#001	Poll Book Count	1555
	Ballots Counted	1554
#002	Poll Book Count	945
	Ballots Counted	947
#003	Poll Book Count	1485
	Ballots Counted	1485
#004	Poll Book Count	710
	Ballots Counted	710
#005	Poll Book Count	643
	Ballots Counted	642
#006	Poll Book Count	1571
	Ballots Counted	1572
#007	Poll Book Count	1328
	Ballots Counted	1329
#008	Poll Book Count	955
	Ballots Counted	954

RURAL PRECINCTS

#012	Poll Book Count	697
	Ballots Counted	697
#013	Poll Book Count	399
	Ballots Counted	399
#014	Poll Book Count	301
	Ballots Counted	300
#015	Poll Book Count	928
	Ballots Counted	928
#016	Poll Book Count	340
	Ballots Counted	340
#017	Poll Book Count	608
	Ballots Counted	609
#018	Poll Book Count	261
	Ballots Counted	261
#019	Poll Book Count	1103
	Ballots Counted	1102

#009 Poll Book Count 1085
Ballots Counted 1084
#010 Poll Book Count 861
Ballots Counted 859
#011 Poll Book Count 1093
Ballots Counted 1092

#020 Poll Book Count 210
Ballots Counted 210
#021 Poll Book Count 331
Ballots Counted 331
#022 Poll Book Count 291
Ballots Counted 291

Moved by Fischbach, seconded by Hansen to adjourn the Special Meeting and the November 4, 2008 General Election Canvass Meeting. All members present voting aye. Motion carried.

Maxine Taylor – Brown County Auditor

NOVEMBER 18, 2008 – 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 Hansen, Fischbach, Feickert and Knecht. Brown County Government Day, sponsored by The American Legion was held with 70 area high school students visiting the Commission and all County Offices.

MINUTES:

Moved by Hansen, seconded by Feickert to approve the November 4, 2008 General Meeting minutes and the November 6, 2008 Special and General Election Canvass Meeting minutes. All members present voting aye. Motion carried.

CLAIMS:

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

Payroll: Commissioners..\$2,991.00; Auditor..\$7,713.12; Elections..\$1,613.83; Treasurer..\$10,546.23; Data Processing..\$3,269.35; State's Attorney..\$12,003.61; Blood Draws...\$630.00; Stop Loss Grant..\$1421.05; Maintenance..\$5,564.67; Assessor..\$9,651.01; Register of Deeds..\$5,511.24; Veterans Service Office..\$2,967.65; GIS..\$1,848.00; Sheriff..\$66,577.24; Communications..\$17,761.20; Welfare Office..\$3,020.78; Museum..\$5,456.20; Fairgrounds & Parks..\$3,526.92; Fairboard..\$1,992.85; Extension..\$1,950.40; Weed..\$2,143.20; Planning and Zoning..\$1,520.00; Emergency Management..\$2,331.68; Teen Court..\$351.00; Coroner..\$300.00; Highway..\$24,540.34; Landfill..\$7,950.37 Matching Benefits: FICA..\$12,043.74; Medicare..\$2,816.70;

Supplies: Tel Serv Communications..\$16,517.39, Brown County Tres..\$15.82, CMRS-FP..\$5000.00, FP Mailing Solutions..\$654.95, Best Business..\$491.49, Office Equip..\$475.66, Exec Mgmt..\$69.87, Dept of Revenue..\$2408.00, Lar Jos..\$208.00, Shafer & Feld..\$346.95, Office of Fire Marshall..\$60.00, Cunningham Elec..\$102.00, House of Glass..\$170.92, Midwest Alarm..\$189.70, Schwan Elec..\$104.00, Honeywell..\$18,770.00, Runnings..\$605.05, Ecolab..\$197.50, Heartland Paper..\$893.11, IAAO..\$525.00, Quality Quick Print..\$298.22, Kesslers..\$383.84, Midwest Rubber Stamp..\$22.60, Earthgrains..\$629.97, Dicks Westside..\$42.50, Duanes Sinclair..\$66.70, TriState Water..\$35.50, Safety Service..\$131.95, Graham Tire..\$2456.16, US Marshal Service..\$1391.09, Intoximeters..\$1000.00, Dakota Electronics..\$177.00, Hewlett Packard..\$1914.00, Electronic Security..\$27,432.55, Kustom Signal..\$4167.00, Steven Lust Chev..\$50.17, Taylor Laundry..\$60.50, DT Pharm..\$290.95, Bob Barker..\$106.48, LSS..\$413.52, Coast to Coast..\$145.00, Civic Research..\$179.95, Accurint..\$34.15, Cash-Wa..\$5263.75, Walmart..\$119.92, Hagen Ins..\$650.00, SDDOT..\$115.50, Sheehan Mack Sales..\$12,072.44, Reliable Office Supplies..\$55.78, Quill..\$174.65, Quality Welding..\$64.00, Praxair..\$77.61, Midwest Pump..\$297.25, Menards..\$231.85, Macs..\$152.01, L&O Acres..\$1944.97, Robert Jenson..\$242.70, Interstate Battery..\$384.00, Huron Culvert..\$220.44, Hedahls..\$36.87, Hecla Impl..\$104.04, Great Western Tire..\$1904.26, Fire Safety First..\$9.81, Farnams..\$332.84, Northern Safety..\$156.65, Farm Power..\$21.07, Erdmann Fuels..\$14,937.11, Ellendale Implement..\$32.04, Violet Dinger..\$1187.25, Diesel Machinery..\$4923.24, Dakota Oil..\$3876.65, Dakota Fluid Power..\$135.16, Crawford Trucks..\$1562.24, Cartney Bearing..\$74.36, Butler Machinery..\$1852.82, Aberdeen Chrysler..\$79.00, Aberdeen Asphalt..\$33,533.11, Central Supply..\$1565.00, Photo Xpress..\$147.96, P&M Steel..\$2124.00, Andrea Scheel..\$100.00, Crystal Weller..\$10.00, Dennis Volzke..\$10.00, Marion Anderson..\$10.00, Rose DesCamps..\$10.00, Deb Zimmerman..\$10.00, Marie Volzke..\$10.00, Kaylee Kappes..\$10.00, Mayson Mansfield..\$10.00, Mallorie Matton..\$10.00, USPO..\$30.00, Kleins..\$37.84, Health Edco..\$30.14, Holiday Inn..\$140.00, Danko..\$514.51, Veterans Info Service..\$48.00, Kim Dorsett..\$10.00, Fire Safety First..\$92.85, Bricks TV..\$962.50, Aberdeen Chamber of Commerce..\$235.00, Powerplan..\$470.92, Abdn Rural Fire..\$150.00, SD Fed Property..\$12,860.00, Brick Propane..\$21.00, SD Dept of Rev..\$3853.10, Hedahls..\$46.48, Farnams..\$161.27, Ameripride..\$362.74, Dakota Oil..\$57.38, Carquest..\$867.39, Hagan Ins..\$96.00, Share Corp..\$147.40, Poms Tire..\$33.00, Northern Safety..\$62.66, L&O Acres..\$1958.95, Howes Oil..\$24,793.30, Fastenal..\$146.22, Ramkota..\$153.84, Dakota Supply..\$7327.67, Emily Hughes..\$52.05, HSBC..\$1304.00, Exhaust

Pros..\$578.97, Florida Micro..\$2560.08, Hewlett Packard..\$1100.00, Safety Benefits..\$180.00, CDW Govt..\$721.00, Richard Burns..\$75.00, West Payment Center..\$1164.83, CSD..\$70.00, Kmart..\$29.93, Office Equipment...\$339.80 CDW Government, Inc...\$721.00, Richard Burns...\$75, Language Line Services...\$194.30, West Payment Ctr...\$1164.83, CSD...\$70.00, Kmart...\$29.93, SD Supplemental Retirement System...\$9538.95, Pheasantland Industries...\$234.48, GLAS Consulting...\$112.50, Shopko...\$69.99, Midwest Alarm...\$51.50, Hub City Radio...\$500.00, Natural Abundance Food Co-op...\$8.00, Sherwin Williams...\$28.49, Ab American News...\$217.76, Quality Quick Print...\$56.90, AmeriPride...\$43.39, Les Frohling...\$200.00, Dorothy Hedges...\$250.00 Jeanette Kline...\$250.00, Precinct Workers: Mary Lamont..\$115.00, Mary Lou Adams..\$110.00, Joan Freudenthal..\$110.00, Sharon Deilke..\$115.00, Mavis Hoffman..\$110.00, Dennis Kotschevar..\$110.00, Geri Sillman..\$100.00, Terry Serr..\$110.00, Linda Miles..\$115.00, Ray Ackerman..\$110.00, Dorothy O'Keefe..\$110.00, Mary Lou Krause..\$110.00, Barb Michlitsch..\$115.00, Shirley Jahraus..\$110.00, Wendy Schaunaman..\$110.00, Ardys Gosch..\$110.00, Christina Omland..\$100.00, Kyle Moser..\$110.00, Marlis Nack..\$110.00, Sally Hofer..\$110.00, Fern Preston..\$110.00, May Wylie..\$110.00, Pat Haigh..\$110.00, Janna Larson..\$110.00, Marilee Frankenberger..\$115.00, Maureen Brink..\$110.00, Elaine Huff..\$100.00, Barb Walker..\$110.00, Sharon Mizerny..\$110.00, Bonnie Lamont..\$115.00, Yolanda Jahraus..\$115.00, Lyla Nikolas..\$110.00, Bonnie Kluck..\$110.00, Ron Krogman..\$110.00, Mary Ann Ochs..\$110.00, Jean Rahja..\$110.00, Bonnie Fischer..\$115.00, Pat Dahlerup..\$110.00, Donna Lout..\$110.00, Karen Mastel..\$110.00, Rebecca Jeschke..\$115.00, Marlys Suttan..\$100.00, Jill Hostetter..\$110.00, Dallas Solberg..\$110.00, Evangeline Miller...\$110.00, Joyce Gage...\$110.00, Thomas Holslag...\$110.00, Linda Mazzie...\$110.00, Helen Plumage...\$110.00, Mary Ann Bierman...\$115.00, Donna Swanhorst...\$110.00, Lillian Kruger...\$110.00, Sally Kushman...\$110.00, Edith Wilt...\$100.00, Gladys Braun...\$115.00, Linda Siebrasse...\$123.14, Evalyn Smith...\$110.00, Gayle Osman...\$110.00, Arlene Hanson...\$110.00, Connie Howard...\$110.00, Kathy Vitense...\$110.00, Doris Dennert...\$110.00, Joan Henry...\$110.00, Cyndy Larson...\$129.80, Sharon Zastrow...\$110.00, Elizabeth Labesky...\$110.00, Gloria Gooding...\$110.00, Rebecca Ham...\$110.00, Laura Adema...\$119.62, Peggy Cruse...\$110.00, Pauline Peterson...\$110.00, Sharon Bain...\$110.00, Sheryl Bauer...\$110.00, Eleanor Haar...\$110.00, Pam Larson...\$110.00, Marguerite Donaldson...\$116.11, Carole Lowe...\$110.00, Gary Warne...\$110.00, Caroline Erdmann...\$110.00, Marilyn Gramlow...\$110.00, Pam Erickson...\$110.00, Lyn Butler...\$123.88, Darlene Haselhorst...\$110.00, Shirley Morgan...\$110.00, Alice Bierman...\$110.00, Charlean Erickson...\$110.00, Myrna Stange...\$114.80, Sharon Lee...\$100.00, Marion Potter...\$110.00, Kathy Williams...\$115.00, Sandy Clocksene...\$110.00, Susan Stanley...\$100.00, Angie Padgett...\$110.00, Patricia Larson...\$110.00, Glenda Remington...\$129.80, Darcey Leshner...\$115.00, Kathryn Cutler...\$110.00, Patricia Cutler...\$110.00, Kelly Clark...\$110.00, Joan Thompson...\$139.60, Becky Berreth...\$147.00, Carolyn Dinger...\$110.00, Sandra Ginger...\$110.00, Linda Osterloh...\$110.00, Delores Widstrom...\$110.00, Deb Gustafson...\$110.00, Mavis Cox...\$110.00, Margaret Strand...\$110.00, Dianna Kopetsky...\$132.20, Janet Burkhardt...\$100.00, Mike Wilson...\$20.00:

Professional Fees: Avera St Lukes..\$1309.79, Anne Jockheck..\$360.00, Witness fees..\$133.30, Consulting Radiologists..\$81.50, Dakota Imaging..\$100.81, Bonnie Bitz..\$120.00, Donna Dietrich..\$351.01, Cathy Rehfuss..\$30.00, Norma Andersen..\$15.00, Sheriff of Yankton County..\$75.00, Nelva Kooistra..\$15.00, Avera Queen of Peace..\$160.50, Language Line..\$284.00, Avera St Lukes...\$9468.54:

Attorney Fees: David Hosmer..\$120.66, Brevik Law Office..\$210.35, Timothy Lamb..\$11.53:

Publications: Groton Indep...\$275.99, American News...\$5131.27, Dakota Press...\$2313.98, Echo Press...\$213.89, Argus Leader...\$31.82:

Travel: Michael Wiese..\$256.22, Lisa Samson..\$126.91, Jan Erickson...\$25.09, Bobbie Bierman...\$4.81, Kathy Fischbach...\$11.47, Travel Leaders...\$1184.00, Leo Leshner...\$304.88, Mark Milbrandt...\$704.63, City of Groton...\$74.74, Brandi Hagen...\$111.74, Jan Weismantel...\$156.75, Larry Gerlach...\$63.20, Larry Gerlach...\$892.50, Kendall Titze...\$18.00, Christine Haggerty...\$212.06, Maxine Taylor...\$76.16, Kathy Fischer...\$167.61, Safety Benefits...\$180.00, Gene Loeschke...\$170.94, Days Inn...\$232.50:

Transcriptions: Tammy Erickson...\$200.20, K&M Reporting...\$35.38, Sara VandeWalle...\$56.80:

Utilities: FSH Comm..\$60.91, Northwestern Energy..\$5417.23, Northern Valley..\$192.45, James Valley..\$359.26, Town of Frederick..\$32.25, Verizon..\$70.15, Alltel..\$150.98, Dependable Sanitation..\$19,327.62, Northern Wireless..\$111.90, Northern Elec..\$1066.62, City of Hecla..\$109.67, Qwest..\$548.84, Alltel...\$34.23:

Care of Poor: Rent - 10 recipients..P&H Investments..\$540.00, Vince Stotz..\$240.00, Larry Dingman..\$162.50, White House Inn..\$127.80, Abdn Housing Authority...\$232.00, Jeff Weismantel...\$150.00, Dallas Niederbaumer...\$280.00, HTL Holdings...\$240.00, Eisenbeis Mobile Home Court...\$240.00; Dr/Hospital – 11 recipients..Northern Plains..\$333.00, Aberdeen Surgical Assoc..\$94.29, Avera St Lukes..\$2926.90, Dakota Imaging..\$1987.92, Dakota Plains Surgical Ctr...\$4005.97, Avera St Lukes Hosp...\$1066.50, Dakota Imaging Prof LLC...\$115.15, PSI Health Care...\$99.15, Dental Center...\$71.00, Aberdeen Surgical Assoc LLP...\$429.40, Surgical Assoc Endoscopy Ctr...\$322.00. All members present voting aye. Motion carried.

PERSONNEL:

Moved by Knecht, seconded by Hansen to approve hiring Daryl Lloyd as Highway employee, effective December 1, 2008 at \$12.31 per hour. All members present voting aye. Motion carried.

LOTTERY APPLICATION:

Moved by Knecht, seconded by Fischbach to approve the following application for lottery: Bide-A-Wee Extension Club to be held on January 5, 2009. All members present voting aye. Motion carried.

RESTRICTED USE SITE PERMIT:

Commissioner Hansen offered the following Resolution:

RESOLUTION # 90-08 Authorizing the renewal of a Restricted Use Solid Waste Disposal Facility Permit for the City of Groton

WHEREAS, the City of Groton desires to renew permit for a Restricted Use Solid Waste Disposal Facility for continued operation of the rubble and compost site south of Groton; and

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

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

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

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

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

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

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

Approved this 18th day of November 2008.

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

CLAIM ASSIGNMENT:

Moved by Fischbach, seconded by Feickert 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.

POOR RELIEF LIEN:

Commissioner Knecht offered the following Resolution:

RESOLUTION # 91-08

WHEREAS, Brown County has filed the following liens against an individual: Care of Poor when resided at 1220 9th Ave SW, Aberdeen @ \$1,103.49 dated 1/17/1977; Ambulance Lien when resided at 208 9th S Street, Aberdeen @ \$30.00 dated 1/22/1979; Indigent Counsel when resided in Aberdeen @ \$125.00 dated 5/30/1999; Indigent Counsel when resided at 701 N 2nd Street, Aberdeen @ \$351.50 dated August 23, 2005; and

WHEREAS, another individual has a similar first name and same last name as the recipient, but resides elsewhere and does not spell the first name the same, has a different middle name, birth date and social security number.

NOW, THEREFORE BE IT RESOLVED that the following liens against an individual: Care of Poor when resided at 1220 9th Ave SW, Aberdeen @ \$1,103.49 dated 1/17/1977; Ambulance Lien when resided at 208 9th S Street, Aberdeen @ \$30.00 dated 1/22/1979; Indigent Counsel when resided in Aberdeen @ \$125.00 dated 5/30/1999; Indigent Counsel when resided at 701 N 2nd Street, Aberdeen @ \$351.50 dated August 23, 2005 is not the individual residing in Frederick with a similar first name, same last name, different date of birth and social security number.

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

PLANNING & ZONING APPOINTMENT:

Moved by Hansen, seconded by Feickert to appoint Dale Kurth to the Brown County Planning and Zoning Board, effective November 18, 2008 – December 31, 2010; and further accept resignation of Pat Hansen. All members present voting aye. Motion carried.

LIBRARY AGREEMENT:

Moved by Hansen, seconded by Fischbach to approve and authorize the Chairman sign agreement with the City of Aberdeen for the purpose of having unified library service for the residents of Brown County for 2009 in amount of \$20,000.00. All members present voting aye. Motion carried.

LEASE OF RACE TRACK:

Time and place to open, read and consider proposals for lease of the Car Racing Facilities at the Brown County Fairgrounds. One proposal was received from Jammie Naasz.

Moved by Hansen, seconded by Fischbach to accept proposal in amount of \$32,750.00 submitted by Jammie Naasz for lease of the Car Racing Facilities at the Brown County Fairgrounds for the 2009 racing season. All members present voting aye. Motion carried.

ORDINANCE NO. 056 – FIRST READING:

Moved by Fischbach, seconded by Feickert to approve First Reading of Ordinance No. 056, An Ordinance amending Second Revision Brown County Ordinances, Title 5, specifically Chapter 5.03 Design Standards and Chapter 5.04 Improvements, to establish minimum road standards in subdivisions. All members present voting aye. Motion carried.

LIEN DISCUSSION:

Scott Johnston met with the Commission on behalf of a client in regard to an indigent council lien and asked that the lien be forgiven. The Commission informed Mr. Johnston that the County would be willing to subordinate the lien in favor of the lender.

EXPO BUILDING:

Jim Hockett, 2009 Relay for Life Chairman requested use of the Expo Building for the June 5 & 6, 2009 Relay for Life event. A lease will be signed and approved in January 2009.

APPLICATIONS FOR OCCUPANCY:

Moved by Fischbach, seconded by Feickert to approve application, submitted by Northern Beef Packers for occupancy of Brown County Highway #14W in Sec 36-T123N-R64W of the 5th P.M., Brown County, SD, to install water line. All members present voting aye. Motion carried.

Moved by Hansen, seconded by Knecht to approve application, submitted by Northern Beef Packers for occupancy of Brown County Highway #14W in Sec 36 & 25-T123N-R64W of the 5th P.M., Brown County, SD, to install sanitary sewer line. All members present voting aye. Motion carried.

Moved by Knecht, seconded by Feickert to approve application, submitted by Qwest Corporation for occupancy of Brown County Highway #23 in Sec 3-T121N-R63W and 142nd Street in Sec 34-T122N-R64W of the 5th P.M., Brown County, SD, to provide telephone service. All members present voting aye. Motion carried.

HIGHWAY UPDATE:

Jan Weismantel, Highway Superintendent discussed the following: County Road 16; Courthouse lot concrete removal; Demolition of house in Houghton; Bridge inspection report; Side dump liner; Snow/ice removal policy; Semi's parked on County 23; Rubble removal along County 14 at Ordway.

EQUIPMENT PURCHASE/SURPLUS PROPERTY:

Moved by Feickert, seconded by Knecht to declare Decal #446 2000 Yamaha Grizzly ATV surplus property from the Weed and Pest Department for purpose of trade-in. All members present voting aye. Motion carried.

Moved by Feickert, seconded by Fischbach to accept quote, submitted by HC Clark Implement in amount of \$13,510.00 for Kubota RTZ 900; rejecting Polaris XP @ \$12,950, Polaris HD @ \$14,900, Kawasaki @ \$13,033.00 as Kubota more suitable for type of spray equipment to be mounted on unit by the Weed and Pest Department. All members present voting aye. Motion carried.

RECESS:

The Chairman declared the Commission recessed until November 25, 2008.

Maxine Taylor – Brown County Auditor

**AGENDA
JOINT ABERDEEN CITY/BROWN COUNTY MEETING
BROWN COUNTY COMMISSION CHAMBERS, COURTHOUSE ANNEX
25 MARKET STREET, ABERDEEN SD**

NOVEMBER 25, 2008

8:45 – 9:00 A.M. – First Reading – Ordinance 08-11-01/371 (Siefkes/Piatz Rezone); Set Hearing date
Ord 08-12-01/372 (Sanderson Rezone) and Ord 08-12-02/373 (Hopkins Rezone)

**AGENDA
REGULAR MEETING
BROWN COUNTY COMMISSION
COMMISSIONER'S CHAMBERS, COURTHOUSE ANNEX
25 MARKET STREET, ABERDEEN SD**

NOVEMBER 25, 2008

9:00 – 9:15 a.m. – Second Reading /possible Adoption – Ord 056 – Minimum Road Standards

9:15 – 9:45 a.m. – Mary Worlie – 2009 Assessment Plan

9:45 – 10:00 a.m. – Gary Vetter – Plats (Nehls Subd, Bieglers 2nd)

10:00 – 10:15 a.m. – Scott Meints, EM Director – Personnel, Equipment Retention Policy

10:15 – 10:30 a.m. – Jan Weismantel, Highway Superintendent – Personnel, County Road 11, Bridge 180

10:30 – 11:00 a.m. – Arnie Goldade and Bill Antonides – Discuss County Bridge

11:00 – 11:15 a.m. – Jamie Naasz – Discuss Race Track Lease

- General Meeting minutes of November 18, 2008
- Claims, payroll
- Personnel
- Establish Fund #401 – Debt Service – Groton School District Bond
- Auditors Report of Account
- Acknowledge Contract with Fair Board for 2009 Carnival
- Appoint Troy Knecht to Weed & Pest Board
- Contract with State of SD for Community Health Services
- Authorize Advertising Annual Liquor License Renewal Hearing

Any other business to come before the Commission

NOVEMBER 25, 2008 - 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, Mitchell and Mayor Levens. Absent Council Members Campbell, Kraft and Rux. Present from County were Commissioners Hansen, Fischbach, Feickert, Knecht and Wiese.

ORDINANCE NO. 08-11-01/371:

On motion by Hodgins and seconded by Agnitsch, the City unanimously voted to approve First Reading of Ordinance No. 08-11-01/371.

Moved by Knecht, seconded by Feickert to approve First Reading of Ordinance No. 08-11-01/371, 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: Lots 2 and 3, Piatz Addition in the NW ¼ of Sec 15-T123N-R63W of the 5th P.M., Brown County, SD. All members present voting aye. Motion carried.

ADJOURNMENT:

The City Council adjourned and the County Commission continued in regular session.

Maxine Taylor - Brown County Auditor

NOVEMBER 25, 2008 – 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 November 18, 2008. All members present voting aye. Motion carried.

CLAIMS:

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

Payroll: Commissioners...\$2,991.00; Auditor...\$7,643.29; Elections...1,361.59; Treasurer...\$10,554.76; Data Processing...\$3,269.35; State's Attorney...\$12,009.52; Stop Loss Grant-SA ...\$1,421.05; Blood Draws-SA...\$875.00; Maintenance...\$5,607.31; Assessor...\$9,373.29; Planning & Zoning...\$1,520.00; Register of Deeds...\$6,068.04; Veterans Service Office...\$2,893.13; GIS...\$1,848.00; Sheriff...\$70,606.65; Communications...\$15,638.08; Coroner...\$450.00; Welfare...\$3,024.78; Museum...\$5,456.20; Fair board...\$1,903.25; Fairgrounds & Parks...\$3,526.92; Extension...\$1,950.40; Weed...\$1,416.89; E&D...\$2,421.28; Teen Court...\$421.20; Highway...\$25,785.89; Landfill...\$7,864.14; Matching Benefits: FICA...\$12,270.71; Medicare...\$2,869.75; Wellmark BCBS Health...66,688.64; Life...\$701.12; Delta Dental...\$4,312.00; SD State Retirement...\$25,365.74:

Supplies: ES&S...\$1980.43, Days Inn...\$186.00, Florida Micro...\$809.47, Semaphore...\$262.00, New Trends...\$546.31, Sanford...\$12.75, Software Unlimited...\$14,917.70, Office Equip...\$217.75, Active Data...\$129.67, Best Business...\$257.15, Lar-Jos...\$914.00, ESRI...\$6541.10, Brian Koens...\$152.57, Knight Towing...\$150.00, Diane Mielke...\$45.52, Hoven Auto...\$199.25, Exhaust Pros...\$28.45, Graham Tire...\$30.00, Galls...\$216.84, Bob Barker...\$1159.78, DSS...\$159.60, Schwan Elec...\$401.90, Northern Safety...\$111.14, Newman Signs...\$1218.49, Klein Survey Systems...\$1637.11, HF Jacobs...\$240.38, Huron Culvert...\$40.00, Hanlon Bros...\$3610.76, Butler Machinery...\$10,520.00, Dacotah Prairie Museum...\$5.30, Walmart...\$25.93, Lora Schaunaman...\$10.60, Cash-Wa...\$11.75, AASLH...\$100.00, SD State Archives...\$10.00, Dietrichs...\$1950.00, Kens...\$41.69, House of Glass...\$44.63, NEAFCS-SD...\$115.00, Roger Johnson...\$20.00, Certification Programs...\$75.00, U of Calif...\$28.00, Successful Farming...\$15.95, Consumer Reports...\$26.00, Grote Body Shop...\$410.00, Visa...\$917.51:

Professional Fees: Sheriff of Yankton County...\$25.00, Donna Dietrich...\$134.42, Nelva Kooistra...\$15.00, Cathy Reh fuss...\$15.00, NADRIC...\$1666.66, Discretionary Formula...\$14,922.02:

Attorney Fees: Gina Rogers...\$4166.67, Randy Turner...\$4416.67, Christy Serr...\$4416.66, Kuck Law Office...\$4166.67, Wm Gerdes...\$4166.67:

Jury: LeRoy Dehne...\$735.06, Sonia Feickert...\$701.44, Bradley Fiechtner...\$701.44, Judith Gruebele...\$680.72, Jon Hanson...\$732.20, Patrick Knecht...\$898.60, Kristi Larsen...\$821.64, John Romeo...\$577.76, Darin Zoellner...\$867.20:

Travel: Kim Dorsett...\$304.31, Jan Beckler...\$18.00, Kurt Smith...\$838.13, Larry Gerlach...\$172.30, Ext Service...\$973.75, Sherry Theobald...\$25.90, Deb Knecht...\$255.20:

Utilities: Midcontinent Cable...\$192.67, Alltel...\$1641.24, Northwestern Energy...\$1125.10, Montana Dakota...\$23.82, Town of Frederick...\$32.25, Qwest...\$2534.37, Northern Elec...\$162.53:

Care of Poor: Rent - 3 recipients..Lonnie Frost...\$175.00, Jeff Schnaidt...\$140.00, SD Real Estate...\$260.00; Dr/Hospital - 5 recipients..Dr Conklin...\$35.77, PSI Health Care...\$167.50, Avera St Lukes...\$11,182.27, Aberdeen Family Physicians...\$92.31; Insurance - 1 recipient..Avera Health Plans...\$453.90; Transportation -2 recipient..Jefferson Lines...\$150.00, Brown County Highway...\$58.78. All members present voting aye. Motion carried.

PERSONNEL:

Moved by Hansen, seconded by Fischbach to approve the following employee step increases, effective November 30, 2008: Lora Schaunaman @ \$12.73 per hour, Michael Bowser @ \$12.62 per hour, Kristal

Biegler @ \$15.37 per hour, Carol White @ \$12.54 per hour. All members present voting aye. Motion carried.

Moved by Knecht, seconded by Hansen to approve hiring Kyle Crawford as Sheriff Field Deputy, effective November 24, 2008 at \$15.23 per hour. All members present voting aye. Motion carried.

Moved by Fischbach, seconded by Hansen to approve hiring Mike Heier, effective November 24, 2008 for purpose of prisoner transport. All members present voting aye. Motion carried.

Moved by Fischbach, seconded by Knecht to approve hiring Scott Gillis, effective December 1, 2008 as Labor Grade 3 Highway Employee at \$11.95 per hour. All members present voting aye. Motion carried.

ESTABLISH FUND #737:

Moved by Knecht, seconded by Hansen to establish Fund #737 Groton Area School District #6-6 Bond, as required by SDCL 13-6-82. All members present voting aye. Motion carried.

AUDITORS REPORT OF ACCOUNT:

Moved by Fischbach, seconded by Feickert to approve the October 2008 Auditor's Report of Account with the County Treasurer in total amount of \$21,473,227.00 (total amount of actual cash @ \$2,885.89, Wells Fargo Bank @ \$3,694.79, US Bank @ \$50,924.97, Dacotah Bank @ \$66,550.86, Petty Cash @ \$1,800.00, Fund Investments @ \$21,345,756.38, Outstanding Checks @ \$1,614.11). All members present voting aye. Motion carried.

FAIR CONTRACT:

Moved by Feickert, seconded by Knecht to acknowledge contract between North Star Amusement and Brown County Fair Board to provide the carnival for the 2009 Brown County Fair. All members present voting aye. Motion carried.

WEED & PEST BOARD:

Moved by Fischbach, seconded by Feickert to appoint Troy Knecht to fill the unexpired term of Berwyn Bain on the Weed & Pest Board, effective November 25, 2008 – March 30, 2011. 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 2009 in amount of \$30,900.00. All members present voting aye. Motion carried.

ALCOHOLIC BEVERAGE LICENSE RENEWAL HEARING:

Moved by Hansen, seconded by Knecht 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 16, 2008: 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.

ORDINANCE #056 – SECOND READING/ADOPTION:

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Moved by Fischbach, seconded by Hansen to approve Second Reading and Adoption of Ordinance No. 056, An Ordinance amending Second Revision Brown County Ordinances, Title 5, specifically Chapter 5.03 Design Standards and Chapter 5.04 Improvements, to establish minimum road standards in subdivisions. Roll call vote: Commissioners Hansen-aye, Fischbach-aye, Feickert-aye, Knecht-aye, Wiese-absent. Ordinance adopted.

2009 ASSESSMENT PLAN:

Moved by Hansen, seconded by Fischbach to support the 2009 Assessment Plan as presented by Mary Worlie, Director of Equalization. All members present voting aye. Motion carried.

PLATS:

Commissioner Fischbach offered the following Resolution:

RESOLUTION #92-08

BE IT RESOLVED by the Board of County Commissioners of Brown County, SD, that the plat showing "Rich and Penny Biegler's Second Subdivision to Richmond Lake in the SW ¼ of Sec 19-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, Fischbach-aye, Feickert-aye, Knecht-aye, Wiese-aye. Resolution adopted.

Commissioner Hansen offered the following Resolution:

RESOLUTION #93-08

BE IT RESOLVED by the Board of County Commissioners of Brown County, SD, that the plat showing "Nehls Subdivision in the SW ¼ of Sec 28-T124N-R61W of the 5th P.M., Brown County, SD" having been examined, is hereby approved in accordance with the provisions of SDCL 11-3, and any amendments thereof.

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

EM UPDATE:

Scott Meints, Emergency Management Director discussed need to amend agreement which transfers equipment purchased with grant funds to other entities to include retention guidelines. Mr. Meints will return with a draft for approval at a later date.

EXECUTIVE SESSION:

Moved by Hansen, seconded by Feickert to go into executive session for personnel discussion with Scott Meints, Kim Dorsett, Burt Elliott and Duane Sutton 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.

BROWN COUNTY HIGHWAY SYSTEM:

Commissioner Fischbach offered the following Resolution:

RESOLUTION # 94-08

WHEREAS, it is deemed in the best interest of the people of Brown County that changes be made in the Brown County Highway System, and

WHEREAS, renaming one section of County Road 11 would better serve the general public and would address public safety concerns.

THEREFORE, BE IT RESOLVED that the Brown County Board of Commissioners rename the following section of County Road #11 and update all maps accordingly:

COUNTY ROAD 11E – Brown County 11 (125th Street) between State Highway 37 (406th Ave) and Brown County Highway 20 (410th Ave): Commencing at the northwest corner of Section 7, Township 124N, Range 60W, thence East 4.0 miles to the northwest corner of Section 11, Township 124N, Range 60W.

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

HIGHWAY UPDATE:

Jan Weismantel, Highway Superintendent discussed the following: County 12W intersection; equipment purchase; snow/sanding policy; ventilation fans; North Central Elevator traffic flow.

BRIDGE 180:

Jan Weismantel discussed options available for replacing Bridge 180 in 2010. Bill Antonides and Arnie Goldade expressed concerns in the interim when the bridge will be closed to vehicle traffic.

EXECUTIVE SESSION/RACE TRACK CONTRACT:

Moved by Fischbach, seconded by Feickert to go into executive session to discuss contract with Kim Dorsett and Duane Sutton 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 authorize the Chairman to sign Race Track Contract with Jammie Naasz for the 2009 racing season. All members present voting aye. Motion carried.

RECESS:

The Chairman declared the Commission recessed until MONDAY, December 1, 2008.

Maxine Taylor – Brown County Auditor

DECEMBER 1, 2008 - 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, Hodgin, Mitchell and Mayor Levsen. Absent Council Members Kraft and Rux. Present from County were Commissioners Hansen, Fischbach and Wiese. Absent Commissioners Feickert and Knecht.

ORDINANCE NO. 08-11-01/371:

On motion by Mitchell and seconded by Bunsness, the City unanimously voted to approve Second Reading and Adoption of Ordinance No. 08-11-01/371.

Moved by Fischbach, seconded by Hansen to approve Second Reading and Adoption of Ordinance No. 08-11-01/371, 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: Lots 2 and 3, Piatz Addition in the NW ¼ of Sec 15-T123N-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.

SET HEARING DATE:

On motion by Campbell and seconded by Aman, the City unanimously voted to set public hearing for Ordinance No. 08-12-01/372 (Sanderson Rezone) and Ordinance No. 08-12-02/373 (Hopkins Rezone).

Moved by Hansen, seconded by Fischbach to set public hearing for Ordinance No. 08-12-01/372, 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: Sanderson First Addition and Sanderson's Outlot 2 in the SE ¼ of Sec 34-T123N-R64W of the 5th P.M., Brown County, SD and set public hearing for Ordinance No. 08-12-02/373, An Ordinance amending Ordinance No. 1164 to rezone the following described property from its present zoning designation of Section 701 (A-1) Agricultural District to Section 714 (M-AG) Mini-Agricultural District: Lot 2, Hopkin's First Subdivision in the SE ¼ of Sec 29-T124N-R64W of the 5th P.M., Brown County, SD, to be held on December 23, 2008 at 8:45 a.m. in the County Commission Chambers, 25 Market Street, Aberdeen, SD. All members present voting aye. Motion carried.

ADJOURNMENT:

The City Council adjourned and the County Commission continued in regular session.

Maxine Taylor - Brown County Auditor

DECEMBER 1, 2008 – 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 Hansen, seconded by Fischbach to approve the Joint City/County Meeting minutes and the General Meeting minutes of November 25, 2008. All members present voting aye. Motion carried.

CLAIMS:

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

Supplies: Eagle Business Forms..\$120.56, New Trends..\$286.82, David Fair..\$19.08, Sec of State..\$25.00, Office Equip..\$138.70, Racom..\$264.60, Eddie's Northside..\$36.60, Vetch Auto..\$10,357.71, SDDOT..\$36,722.62, Krueger Bros..\$436.05, Howes Oil..\$15,302.63, Crawford Trucks..\$2582.97, Clark Engineering..\$1097.86, Staats..\$1668.20, Racom..\$44.10, Pizza Ranch..\$76.94:

Professional Fees: City of Aberdeen..\$8714.91, Eide Bailly..\$247.450, NE Mental Health..\$15,000.00:

Travel: Angie Padgett..\$14.80, Gary Vetter..\$58.83, Leo Leshner..\$222.00, Allan Vietmeier..\$158.73:

Utilities: Qwest..\$46.77, Midcontinent Cable..\$86.55:

Care of Poor: Dr/Hospital – 4 recipients..Dakota Imaging..\$107.18, Avera St Lukes..\$26,377.12; Transportation – 1 recipient..Brown County Highway..\$20.96. All members present voting aye. Motion carried.

PERSONNEL:

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, September and October 2008: Marcus Selzler – 504 @ \$254.52, Kendell Titze – 390 @ \$196.95, Jan Weismantel – 311.60 @ \$157.36, Michael Scott – 730 @ \$368.65. All members present voting aye. Motion carried.

SHERIFF REPORTS:

Moved by Hansen, seconded by Fischbach to approve the following October 2008 Sheriff Reports: Incident and offenses; Prisoner care, JDC, Money deposited with the County Treasurer and Monthly activities. All members present voting aye. Motion carried.

PROPERTY TRANSFER:

Moved by Hansen, seconded by Fischbach to approve and authorize the Chairman sign agreement with the following entity that received equipment from the 2004 ODP Equipment Grant Program: Brown County Communications (weather radio). All members present voting aye. Motion carried.

FAIR CONTRACT:

Moved by Fischbach, seconded by Hansen to acknowledge contract between the Aberdeen Hockey Association and Brown County Fair Board to operate the Club House during the 2009 Brown County Fair. All members present voting aye. Motion carried.

PLATS:

Commissioner Fischbach offered the following Resolution:

RESOLUTION #95-08

BE IT RESOLVED by the County Commission of Brown County, SD, that the plat showing "Sanderson First Addition in the SE ¼ of Sec 34-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: Commissioners Hansen-aye, Fischbach-aye, Feickert-absent, Knecht-absent, Weise-aye. Resolution adopted.

Commissioner Hansen offered the following Resolution:

RESOLUTION #96-08

BE IT RESOLVED by the Board of Commissioners of Brown County, SD, that the plat showing "Goldade First Replat of 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 Fischbach. Roll call vote: Commissioners Hansen-aye, Fischbach-aye, Feickert-absent, Knecht-absent, Weise-aye. Resolution adopted.

Commissioner Fischbach offered the following Resolution:

RESOLUTION #97-08

BE IT RESOLVED by the County Commission of Brown County, SD, that the plat showing "Piatz Addition in the NW ¼ of Sec 15-T123N-R63W of the 5th P.M., Brown County, SD", having been examined is hereby approved in accordance with the provisions of SDCL of 1967, Chapter 11-3, and any amendments thereof.

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

PARTIAL PAYMENTS:

Moved by Fischbach, 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 \$300.00 per month on Lot 16 Campbell's Replat Lt 13-18 Blk 6 Hagerty & Lloyd, effective January 5, 2009. All members present voting aye. Motion carried.

TAX DEED PROPERTY:

Moved by Hansen, seconded by Fischbach to authorize Sheila Enderson, County Treasurer to submit all qualifying parcels to the States Attorney for completion of the tax deed process. All members present voting aye. Motion carried.

PROPERTY DISCUSSION:

Sheila Enderson discussed a mobile home with delinquent taxes and will proceed with distress warrant procedure. Board concurred.

SNOW/SANDING POLICY:

Moved by Hansen, seconded by Fischbach to approve the Brown County Highway Department Snow/Ice Removal Procedures and Policy, effective December 1, 2008. All members present voting aye. Motion carried.

HIGHWAY UPDATE:

Jan Weismantel, Highway Superintendent discussed the following: Demolition schedule for house in Houghton; Oil distributor rental in 2009; Utility trailer purchase; Annual Highway work session with the Commission scheduled for January 20, 2009.

RECESS:

The Chairman declared the Commission recessed until December 9, 2008.

Maxine Taylor – Brown County Auditor

**AGENDA
REGULAR MEETING
BROWN COUNTY COMMISSION
COMMISSIONER'S CHAMBERS, COURTHOUSE ANNEX
25 MARKET STREET, ABERDEEN SD**

**TUESDAY
DECEMBER 9, 2008**

8:45 – 9:00 a.m. – Scott Meints - Personnel

9:00 – 9:15 a.m. – Jan Weismantel – Personnel, Equipment purchase

- Approve Joint City/County Meeting minutes and General Meeting minutes of December 1, 2008
- Claims, payroll
- Personnel
- Auditors Report of Account
- Authorize advertising Budget Supplement Hearing
- Abatement
- Grant Award – Teen Court JABG
- Approve change order for Weed Spraying contract for the State
- Approve Minor School District Boundary Change from Conde to Northwestern

Any other matters to come before the Commission

DECEMBER 9, 2008 – 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 Fischbach, Knecht and Feickert. Absent Commissioners Hansen and Wiese.

MINUTES:

Moved by Feickert, seconded by Knecht to approve the Joint City/County Meeting minutes and the General Meeting minutes of December 1, 2008. All members present voting aye. Motion carried.

CLAIMS:

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

Payroll: Commissioners..\$2,991.00; Auditor..\$7,423.45; Elections..\$60.95; Treasurer..\$10,183.24; Data Processing..\$3,269.35; State's Attorney..\$12,009.52; Blood Draws...\$770.00; Stop Loss Grant..\$1,421.05; Maintenance..\$5,525.29; Assessor..\$9,520.08; Register of Deeds..\$6,068.04; Veterans Service Office..\$2,793.77; GIS..\$1,848.00; Sheriff..\$70,658.96; Communications..\$16,596.64; Welfare Office..\$3,024.78; Museum..\$5,456.20; Fairgrounds & Parks..\$3,526.92; Fairboard..\$1,858.45; Extension..\$1,950.40; Weed..\$226.40; Planning and Zoning..\$1,520.00; Emergency Management..\$2,466.08; Teen Court..\$421.20; Coroner..\$450.00; Highway..\$24,765.83; Landfill..\$8,261.51 Matching Benefits: FICA..\$12,032.56; Medicare..\$2,814.06;

Supplies: Best Business..\$202.64, Quality Quick Print..\$76.13, Office Equip..\$525.86, ES&S..\$5350.32, New Trends..\$206.12, Exec Mgmt..\$4243.13, Exchange Club..\$441.00, Cartney Bearing..\$76.08, Menards..\$1435.12, Sherwin Williams..\$33.12, Central Supply..\$286.50, Taylor Laundry..\$49.50, Superior Specialty..\$97.17, Aberdeen Plumbing..\$108.67, Woodman Refrig..\$107.65, Ecolab..\$2800.00, Dahme Const..\$5289.00, Fire Safety First..\$103.14, Sanders Sew 'n Vac..\$95.80, Runnings..\$197.02, Interstate Power..\$1885.00, Schwan Elec..\$477.56, Grote Roofing..\$580.89, Cunningham Elec..\$210.50, TelServ..\$188.97, SDAAO..\$330.00, Bonnie Bitz..\$216.00, McFarland Supply..\$313.99, FedEx..\$16.20, Dakota Electronics..\$213.30, Midstates Printing..\$134.16, Langs..\$241.50, Velvet Uniforms..\$343.59, Crisis Prevention..\$100.00, Brick Propane..\$21.00, Trail Chev..\$390.24, Accurint..\$42.80, Kesslers..\$361.03, Hoven Auto..\$152.95, Evercom..\$2280.00, Walmart..\$553.21, Cash Wa..\$3842.11, Earthgrains..\$599.95, Duanes..\$14.00, Eddies Northside Sinclair..\$36.60, Academy..\$152.00, Tri State Water..\$35.50, Vetch Auto..\$3786.60, Spec Mfg..\$155.20, Sheehan Sales..\$8.77, Safety Service..\$211.74, North Central Rental..\$42,481.00, Midwest Pump & Tank..\$14.00, Macs..\$1018.34, HF Jacobs..\$90,200.00, Interstate Battery System..\$267.90, Hollaway Const..\$11,025.43, Great Western Tire..\$637.48, Freys Elec..\$1231.00, Evergreen Supply..\$53.51, Erdmann Fuels..\$5255.92, Economy Propane..\$850.00, Diesel Machinery..\$4144.30, Butler Machinery..\$3423.54, House of Glass..\$42.09, VanDerWerff Impl..\$1320.00, Photo Xpress..\$6.78, Service Signs..\$2750.00, Glas Consulting..\$67.50, Sherwin Williams..\$31.73, Jeff Vilhauer..\$250.00, Hub City Radio..\$500.00, HC Clark..\$8960.00, Walmart..\$31.33, No-Till Farmer..\$37.95, NSU..\$28.00, AgBio..\$344.25, Olson Biochemistry Lab..\$84.00, Western Printing..\$68.95, Dakota Electronics..\$60.00, New World..\$6240.00, Parcel Erickson..\$86.27, Racom..\$44.10, SD Teen Court Assoc..\$1275.00, Powerplan..\$3181.99, Petroleum Products..\$1735.12, Ameripride..\$139.91, SD Dept of Rev..\$3094.14, Woodman Refrig..\$146.94, Genius Web..\$29.97, LBG..\$13,876.22, Pierson Ford..\$46.45, New Deal Tire..\$16,430.05, Overhead Door..\$1209.17, Gardner Locksmith..\$13.75, Danko..\$85.67,

Professional Fees: SDACC..\$9362.09, Hennipen County Sheriff..\$95.00, Hamilton County Sheriff..\$38.20, witness fees..\$20.00, Nat'l DA Assoc..\$240.00, State Bar of SD..\$1410.00, SD States Attorney Assoc..\$1564.00, Dept of Rev..\$1890.00, Aberdeen Adv Care..\$97.09, Dental Center..\$123.00, Dakota Imaging..\$614.66, Sanford Labs..\$30.99, Avera St Lukes..\$399.75, Sheriff of Yankton County..\$50.00, Donna Dietrich..\$609.10, Cathy Rehfuess..\$60.00, Nelva Kooistra..\$60.00, Lewis & Clark BHS..\$568.00,

Publications: American News..\$407.40, Argus Leader..\$37.67,

Transcriptions: Tammy Erickson..\$112.43,

Attorney Fees: Yankton County..\$810.00, Johnson, Miner, Marlow..\$153.75, Kennedy, Pier & Knoff..\$116.00,

Travel: Gene Loeschke..\$165.02, Tom Gohn..\$9.00, Kathy Schlecht..\$88.92, City of Groton..\$130.98, Ramkota..\$3933.68, Jeanette Nietert..\$5.55,

Utilities: NW Energy..\$16,897.77, City of Aberdeen..\$4505.03, Northern Valley..\$191.80, James Valley Co-Op..\$365.02, Town of Frederick..\$32.25, Qwest..\$34.11, WEB..\$92.43, Midcontinent Cable..\$57.53, FSH Communications..\$60.21, Alltel..\$163.98.

Care of Poor

Dr/Hospital – 1 recipient..Avera Urology Spec..\$196.41,

Transportation – 1 recipient.. Brown County Highway..\$28.98,

Medication - 3 recipients..Walmart Pharm..\$212.32,

Rent –4 recipients..Bruce Boschee..\$280.00, Erdmann Property..\$210.00, Eisenbeis Mobile Home Court..\$240.00, Richard Bakken..\$240.00,

Utilities – 1 recipient..NW Energy..\$136.96. All members present voting aye. Motion carried.

PERSONNEL:

Moved by Knecht, seconded by Feickert to acknowledge the following employee step increases, effective December 14, 2008: Lora Schaunaman @ 12.73 per hour, Ginger Walker @ 14.68 per hour. All members present voting aye. Motion carried.

Moved by Feickert, seconded by Knecht to approve hiring Rochelle Moser as part time Elections employee @ \$11.61 per hour, effective November 4, 2008. All members present voting aye. Motion carried.

Moved by Feickert, seconded by Knecht to acknowledge resignation of Scott Gillis effective December 2, 2008. All members present voting aye. Motion carried.

ABATEMENT:

Moved by Feickert, seconded by Knecht to approve the following Abatement: Raymond Rieger at \$259.58. All members present voting aye. Motion carried.

SHERIFF REPORTS:

Moved by Feickert, seconded by Knecht to approve the following November 2008 Sheriff Reports: Incident and offenses; Prisoner care, JDC, Money deposited with the County Treasurer and Monthly activities. All members present voting aye. Motion carried.

AUDITOR'S REPORT OF ACCOUNT:

Moved by Feickert, seconded by Knecht to approve the November 2008 Auditor's Report of Account with the county treasurer in total amount of \$17,641,752.19 (total amount of actual cash @3,382.00, Wells Fargo Bank @ \$3,694.79, U.S. Bank @ \$24,060.64, Dacotah Bank @ \$42,552.02, Petty Cash @ \$1,800.00, Fund Investments @ \$17,566,144.74, Outstanding Checks @ \$118.00). All members present voting aye. Motion carried.

TEEN COURT JABG APPLICATION:

Moved by Knecht, seconded by Feickert to approve Chairman sign application for Department of Corrections – Juvenile Accountability Block Grant in amount of \$13,341.00 (90% DOC, 10% County), effective October 1, 2008 – September 30, 2009. All members present voting aye. Motion carried.

NOTICE OF HEARING – 2008 BUDGET SUPPLEMENT:

Moved by Feickert, seconded by Knecht to authorize public hearing to consider Budget Supplement for year 2008 on the 30th day of December, 2008 beginning at 9:00 a.m. in the Brown County Commission Chambers, Courthouse Annex, Aberdeen, SD to consider supplementing the 2008 fiscal year budget in the amount of \$250,000.00 (101-112), to be funded by the General Fund #101 surplus cash. All members present voting aye. Motion carried.

CHANGE ORDER:

Moved by Feickert, seconded by Knecht to authorize chairman to sign change order documents for weed spraying on state highways with DOT. All members present voting aye. Motion carried.

NECOG PDM AGREEMENT:

Moved by Knecht, seconded by Feickert to authorize chairman sign NECOG Administrative Agreement for Assistance with the Pre Disaster Mitigation Plan. All members present voting aye. Motion carried.

EM UPDATE:

Scott Meints, Emergency Management Director, discussed Assistant Emergency Management position. Commission took under advisement and instructed Mr. Meints to bring more information back at a later date.

HIGHWAY UPDATE:

Jan Weismantel, Highway Superintendent, discussed the following: Resignation of Scott Gillis; Need to hire Labor Grade 3 Truck Driver/Laborer; Vehicle purchase; Agreement with Helms concerning County 12WB; Demolition schedule for house at Houghton.

SCHOOL DISTRICT MINOR BOUNDARY CHANGE:

Commissioner Knecht offered the following Resolution:

RESOLUTION NO. 98-08

WHEREAS, the Conde School Board of Education initiated a minor boundary change of the below listed property located in Garden Prairie Township, Brown County, SD:

NE ¼ of Sec 30-T121N-R61W of the 5th P.M.
SE ¼ of Sec 30-T121N-R61W of the 5th P.M.
NW ¼ of Sec 31-T121N-R61W of the 5th P.M.
SW ¼ of Sec 31-T121N-R61W of the 5th P.M., except Cowie OL 1

to be transferred from the Conde School District 56-1 to the Northwestern Area School District 56-7 and

WHEREAS, the boundary of the area to be transferred to the Northwestern Area School District No. 56-7 from the Conde School District No. 56-1 is coterminous at some point with the common boundary of the Northwestern Area School District No. 56-7, and

WHEREAS, due to budget concerns pursuant to the 08-09 school year, and due to the fact that the Conde School District will dissolve effective July 1, 2009, said action was approved by both School Districts and is to be effective July 1, 2008.

NOW, THEREFORE, IT IS THE ORDER OF THE BROWN COUNTY BOARD OF COMMISSIONERS;

1. That the NE ¼ of Sec 30-T121N-R61W of the 5th P.M.; the SE ¼ of Sec 30-T121N-R61W of the 5th P.M.; the NW ¼ of Sec 31-T121N-R61W of the 5th P.M.; the SW ¼ of Sec 31-T121N-R61W of the 5th P.M., except Cowie OL 1, Brown County, SD is detached from the Conde School District 56-1 and annexed to the Northwestern Area School District 56-7.

2. To be effective July 1, 2008.

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

RECESS:

The Chairman declared the Commission recessed until December 16, 2008.

Jan Beckler – Deputy Brown County Auditor

**AGENDA
REGULAR MEETING
BROWN COUNTY COMMISSION
COMMISSIONER'S CHAMBERS, COURTHOUSE ANNEX
25 MARKET STREET, ABERDEEN SD**

**TUESDAY
DECEMBER 16, 2008**

8:45 – 9:00 a.m. – Scott Meints - Personnel

9:00 – 9:15 a.m. – Annual Liquor Renewal Hearing

9:15 – 9:30 a.m. – Larry Gerlach – Personnel, approve Board members

9:30 – 9:45 a.m. – Jan Weismantel – Discuss Intersection 12W

- Approve General Meeting minutes of December 9, 2008
- Claims

Any other matters to come before the Commission

DECEMBER 16, 2008 – 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 of December 9, 2008. All members present voting aye. Motion carried.

CLAIMS:

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

Supplies: Aberdeen Awards..\$68.00, Best Business..\$184.65, Moore Medical..\$1122.95, Central Supply..\$63.66, Office Equip..\$5695.01, Walmart..\$263.29, Flame..\$126.37, Quality Quick Print..\$56.65, Crucial Tech..\$238.89, Eide Bailly..\$255.50, Woodman Refrig..\$239.68, McDonald Supply..\$275.34, Menards..\$149.66, Fire Safety First..\$10.40, Lien Trans..\$322.50, TruGreen..\$423.00, TelServ..\$3.35, Schwan Welding..\$136.25, Active Data..\$2398.00, Hoven Auto..\$168.97, Trail Chev..\$37.07, Custom Sheet Metal..\$123.00, Dakota Electronics..\$305.00, Western Printing..\$59.85, Taylor Laundry..\$49.00, Sewing Shoppe..\$13.50, Exhaust Pros..\$28.45, Runnings..\$143.93, Graham Tire..\$375.66, Galls..\$14.01, Dave Fair..\$75.75, DT Pharm..\$509.17, SD Fed Property..\$378.50, SD Motor Vehicles..\$26.00, Praxair..\$99.18, Powerplan..\$124.42, Pumps Tire..\$138.20, Pioneer Ford..\$18,910.00, Palmer Dist..\$32.00, J Gross Equip..\$3150.00, Freys Elec..\$748.40, Fastenal..\$179.88, Erdmann Fuels..\$939.68, Dakota Fluid Power..\$445.51, Custom Glass..\$328.04, Carquest..\$727.48, Brick Propane..\$47.80, Ameripride..\$211.69, Midwest Alarm..\$283.43, Hewlett Packard..\$6524.00, AOSNC..\$4717.05, Lyle Signs..\$68.52, HSBC..\$1353.19, Midwest Rubber Stamp..\$36.00, Academy..\$10.00, IAFE..\$650.00, Photo Xpress..\$132.63:

Professional Fees: NADRIC..\$1666.66, Sheriff of Yankton County..\$100.00, Cathy Rehfuess..\$30.00, Nelva Kooistra..\$30.00, Donna Dietrich..\$265.84, Avera St Lukes..\$2094.00, Lewis & Clark BHS..\$1136.00, NE Mental Health Center..\$73.15:

Publications: American News..\$1704.82, Groton Indep..\$160.03:

Transcriptions: Shepherd Reporting..\$25.00:

Attorney Fees: William Gerdes..\$4166.67, Kuck Law Office..\$4166.67, Christy Serr..\$4416.66, Randy Turner..\$4416.67, Gina Rogers..\$4166.67, Creighton Thurman..\$174.93, David Hosmer..\$120.08, Fox, Youngberg..\$361.12:

Travel: Kimberly Dorsett..\$1063.70, Lori Ehlers..\$998.70, Kathy Fischer..\$258.63, Jan Weismantel..\$9.00, Ben Hofer..\$9.00, John Heidenreich..\$9.00, Dave Bruckner..\$9.00, Gary Erickson..\$249.62:

Utilities: NW Energy..\$2110.51, Qwest..\$2038.52, Verizon..\$70.15, Northern Wireless..\$111.90, Northern Elec..\$1134.35, Bureau of Admin..\$503.56:

Care of Poor: Dr/Hospital – 5 recipients..Yankton County EMS..\$221.26, Avera St Lukes..\$21,710.45; Burial – 2 recipients.. City of Aberdeen..\$800.00; Medication - 1 recipient..Kessler Pharm..\$301.17; Utilities – 2 recipients..Web Water..\$260.00, NW Energy..\$109.10; Insurance – 1 recipient..ARC..\$1127.01; Rent – 4 recipients..Camlin Investments..\$280.00, J&M Ent..\$162.50, SD Real Estates..\$300.00, Bruce Boschee..\$75.00; Transportation – 1 recipient..Emergency Poor Fund..\$20.00. All members present voting aye. Motion carried.

EXECUTIVE SESSION:

Moved by Hansen, seconded by Knecht to go into executive session for personnel discussion with Scott Meints, Kim Dorsett, Jeanette Nietert, Sheila Enderson, Burt Elliott and Duane Sutton in attendance. All members present voting aye. Motion carried.

The Chairman recessed the executive session until after the following public hearing.

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 CONTINUED:

The executive session continued with the same individuals present.

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 for personnel discussion with Larry Gerlach, Burt Elliott and Duane Sutton in attendance. All members present voting aye. Motion carried.

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

FAIR UPDATE:

Larry Gerlach, Fair Manager presented update on Fair activities, recent conventions attended and presented information about a grant the county fair may qualify for.

GRANT APPLICATION:

Moved by Feickert, seconded by Knecht to approve and authorize the Chairman sign application for grant through the Aberdeen Hotel Alliance Special Events Fund in amount of \$35,000.00 for the 2009 Brown County Fair. All members present voting aye. Motion carried.

HIGHWAY UPDATE:

Jan Weismantel, Highway Superintendent discussed the following: demolition of Houghton house; snow pushed from driveways into the right-of-way; utility locate billing for 12W project.

AGREEMENT FOR 12W/12WB ENGINEER:

Moved by Knecht, seconded by Fischbach to approve and authorize the Chairman sign Agreement between Brown County (owner) and Helms & Associates (Engineer) for professional services for the construction of Brown County 12W & 12WB Concrete Intersection w/Drainage Improvements to Foot Creek (project); in addition, an alternate Bid will be taken for Concrete Roadway from the Intersection south to the RR Tracks in total amount of \$53,200.00. All members present voting aye. Motion carried.

RECESS:

The Chairman declared the Commission recessed until December 23, 2008.

Maxine Taylor – Brown County Auditor

AGENDA
JOINT ABERDEEN CITY/BROWN COUNTY MEETING
BROWN COUNTY COMMISSION CHAMBERS, COURTHOUSE ANNEX
25 MARKET STREET, ABERDEEN SD

DECEMBER 23, 2008

8:45 – 9:00 A.M. – First Reading – Ordinance 08-11-01/372 (Sanderson Rezone) and Ord 08-12-02/373 (Hopkins Rezone)

AGENDA
REGULAR MEETING
BROWN COUNTY COMMISSION
COMMISSIONER'S CHAMBERS, COURTHOUSE ANNEX
25 MARKET STREET, ABERDEEN SD

DECEMBER 23, 2008

9:00 – 9:30 a.m. – Set 2009 Salaries

9:30 – 9:45 a.m. – Jerry Mills – SDSU Memorandum of Understanding

9:45 – 10:00 a.m. – Gary Vetter – Plats (Eastern Sky, Kuhfeld)

10:00 – 10:15 a.m. – Jammie Naasz – Discuss Wissota 100

10:15 – 10:30 a.m. - Jan Weismantel, Highway Superintendent – Equipment and Project Update; amend speed zone on #12W

- General Meeting minutes of December 16, 2008
- Claims, payroll
- Personnel
- Teen Court – Grant Award JABG
- NECOG – Cooperative Agreement for 2009
- CDBG close out documentation for Health and Fitness Center
- Operating Transfer from General to Highway spending authority only
- Abatement – Masonic Temple special assessment for BID
- Establish Fund #301 – Capitol Project Fund for BC1 Tif
- Cancel Checks
- Increase spending authority/estimated revenue for various unanticipated grants

Any other business to come before the Commission

DECEMBER 23, 2008 - 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, Hodgins, Kraft and Mayor Levsen. Absent Council Members Agnitsch, Mitchell and Rux. Present from County were Commissioners Hansen, Fischbach, Feickert, Knecht and Wiese.

ORDINANCE NO. 08-12-01/372:

On motion by Hodgins and seconded by Campbell, the City unanimously voted to approve First Reading of Ordinance No. 08-12-01/372.

Moved by Fischbach, seconded by Feickert to approve First Reading of Ordinance No. 08-12-01/372, 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: Sanderson First Addition in the DSE ¼ of Sec 34-T123N-R64W of the 5th P.M., Brown County, SD and Sanderson's Outlot 2 in the NE ¼ of Sec 34-T123N-R64W of the 5th P.M., Brown County, SD. All members present voting aye. Motion carried.

ORDINANCE NO. 08-12-02/373:

On motion by Campbell and seconded by Kraft, the City unanimously voted to approve First Reading of Ordinance No. 08-12-02/373.

Moved by Hansen, seconded by Knecht to approve First Reading of Ordinance No. 08-12-02/373, An Ordinance amending Ordinance No. 1164 to rezone the following described property from its present zoning designation of Section 701 (A-1) Agricultural District to Section 714 (M-AG) Mini-Agricultural District: Lot 2, Hopkin's First Subdivision in the SE ¼ of Sec 29-T124N-R64W of the 5th P.M., Brown County, SD. All members present voting aye. Motion carried.

ADJOURNMENT:

The City Council adjourned and the County Commission continued in regular session.

Maxine Taylor - Brown County Auditor

DECEMBER 23, 2008 – 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 December 16, 2008. All members present voting aye. Motion carried.

CLAIMS:

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

Payroll: Commissioners...\$2,991.00; Auditor...\$7,337.80; Treasurer...\$10,183.24; Data Processing...\$3,269.35; State's Attorney...\$12,009.52; Stop Loss Grant-SA ...\$1,421.05; Blood Draws-SA...\$980.00; Maintenance...\$5,594.20; Assessor...\$9,579.60; Planning & Zoning...\$1,520.00; Register of Deeds...\$6,068.04; Veterans Service Office...\$2,917.97; GIS...\$1,848.00; Sheriff...\$68,132.75; Communications...\$14,865.67; Coroner...\$300.00; Welfare...\$3,024.78; Museum...\$5,483.40; Fair board...\$1,544.85; Fairgrounds & Parks...\$3,447.81; Extension...\$1,950.40; Weed...\$113.20; E&D...\$2,779.68; Teen Court...\$621.20; Highway...\$26,679.77; Landfill...\$8,265.75; Matching Benefits: FICA...\$11,899.67; Medicare...\$2,782.93; Wellmark BCBS Health...\$66,522.21; Life...\$687.62; Delta Dental...\$4,442.20; SD State Retirement...\$25,013.13;

Supplies: Simple Truths...\$22.31, Tel Serv...\$271.98, Shafer & Feld...\$8.05, Office Equip...\$350.11, Jodi Brown...\$207.50, Galls...\$234.84, Best Business...\$927.47, Dakota Elec...\$570.80, Pizza Ranch...\$65.95, Dakota Mailing...\$445.00, HSBC...\$87.27, Danko...\$2066.26, Abra...\$50.00, Sewing Shoppe...\$21.00, Hoven Auto...\$820.56, Hedahls...\$4.60, Velvet Uniforms...\$138.48, David Fair...\$54.69, Moore Medical...\$482.56, SE Crime Conf...\$10.00, Midwest Alarm...\$972.15, Postmaster...\$106.00, Intoximeters...\$1000.00, 3-D Spec...\$700.29, Hagan Ins...\$50.00, SDDOT...\$33,904.40, , Quality Quick Print...\$45.04, Lyle Signs...\$1125.00, Langs...\$69.99, Kane Transport...\$1000.00, HF Jacobs...\$125,551.25, Howes Oil...\$14,972.65, Hanlon Bros...\$6755.80, Active Data...\$3095.46, NDSU...\$648.10, Academy Trophy...\$25.00, Ecolab...\$90.50, Vosika Fencing...\$146.00, Sanders Sew 'N Vac...\$626.34, Sherwin Williams...\$33.12, Lien Transportation...\$227.50, Crecent Electric...\$647.48, Menards...\$179.60, Lar-Jo's...\$148.00, Kleins...\$5.90, The Tannery...\$737.00, Paula Guhin...\$300.00, State Court Administrator Office...\$4969.07, Gas N Goodies...\$9.54, Dakota Supply...\$328.28, Cole Papers, Inc...\$1497.47, West Payment Center...\$1164.83, Ed M Feld Equipment...\$8625.00, HP Company...\$18306.00, Florida Micro: Professional Fees: witness fees...\$100.00, Travel Leaders...\$876.50, Avera St Lukes...\$1871.42, Avera Queen of Peace...\$160.50, SD Div of Agriculture Serv...\$240.00, Language Line Services...\$98.60, James River Water Dev. Dist...\$28850.57, Safe Harbor...\$570.00;

Publications: American News...\$252.34, Dakota Press...\$1530.18;

Transcriptions: Tammy Erickson...\$227.28, Michelle Gaikowski...\$23.80;

Attorney Fees: Brevik Law Office...\$186.31;

Travel: Gary Vetter...\$34.41, Stan Beckler...\$15.54, Pat Keatts...\$17.76, Jerome Streckfuss...\$108.35, David North...\$56.24, Darwin Bettmann...\$11.10, Leon Vickers...\$9.00, Daryl Lloyd...\$9.00, Jeremy Holtey...\$26.00, Justin Salo...\$26.00, Larry Hardy...\$26.00, Days Inn...\$139.50, Roxy Hilgenberg...\$14.80, APCO International, Inc...\$713.00, George Hansen...\$28.12;

Utilities: Alltel...\$741.86, NW Energy...\$858.06, Northern Elec...\$213.47, Dependable...\$20080.82, Qwest...\$2487.45, Tel Serv Communications, Inc...\$1798.41;

Care of Poor: Dr/Hospital – 3 recipients..LCM Pathologists...\$75.54, Sanford Clinic...\$412.93, Avera St Lukes...\$3946.22; Burial – 2 recipients..City of Aberdeen...\$200.00, Carlsen Funeral Home...\$384.00; Utilities – 1 recipient..NW Energy...\$168.11; Insurance – 1 recipient..Wellmark...\$722.02; Rent – 3 recipients..Lonnie Lyke...\$120.00, Perry Pitz...\$280.00, Danne...\$240.00; Transportation – 1 recipient..Jefferson Lines...\$55.00. All members present voting aye. Motion carried.

PERSONNEL:

Moved by Hansen, seconded by Feickert to approve the following employee step increases, effective December 28, 2008: Jan Erickson @ \$13.79, Craig Nelson @ \$16.95, Kathy Schlecht @ \$14.93, Nancy Radke @ \$17.05, Brad Nehlich @ \$12.17. All members present voting aye. Motion carried.

Moved by Knecht, seconded by Hansen to approve employee status change for Britney Lout from part-time to full-time JDC Correctional Officer, effective December 29, 2008 at \$12.03 per hour. All members present voting aye. Motion carried.

ABATEMENT:

Moved by Hansen, seconded by Knecht to approve the following Abatement: Masonic Temple Assn for BID in amount of \$710.00. All members present voting aye. Motion carried.

TEEN COURT JABG NOTICE OF AWARD:

Moved by Feickert, seconded by Hansen to approve and authorize the Chairman sign Notice of Award and Special Conditions document for the Department of Corrections Teen Court/Diversion Program Grant - Juvenile Accountability Block Grant in amount of \$13,341.00 (90% DOC, 10% County), effective October 1, 2008 – September 30, 2009. All members present voting aye. Motion carried.

NECOG AGREEMENT:

Moved by Feickert, seconded by Knecht to approve and authorize the Chairman sign Joint Cooperative Agreement with NECOG for 2009. All members present voting aye. Motion carried.

CDBG CLOSEOUT:

Moved by Hansen, seconded by Fischbach to approve and authorize the Chairman sign closeout documentation for CDBG Funding to the Health and Fitness Center. All members present voting aye. Motion carried.

ESTABLISH FUND #301:

Moved by Fischbach, seconded by Knecht to establish Fund #301 Capitol Project Fund – BCT1 Beef Plant Tif. Roll call vote: Commissioners Hansen-aye, Fischbach-aye, Feickert-nay, Knecht-aye, Wiese-aye. Motion carried.

OPERATING TRANSFER:

Moved by Knecht, seconded by Feickert to approve an operating transfer from General Fund #101-191-911 to Hwy Fund #201-371 in amount of \$200,000.00. All members present voting aye. Motion carried.

INCREASE SPENDING AUTHORITY/ESTIMATED REVENUE:

Moved by Hansen, seconded by Knecht to increase spending authority and estimated revenue in the following funds for unanticipated reimbursement for expenditures: Fund #234-211.03-426 @ 285.00, #234-331.04 @ \$285.00 (Bullet Proof Vest); #234-211.01-426 @ \$2,680.00, #234-211.01-411 @ \$17,293.38, #234-211.01-412.01 @ \$1,072.25, #234-211.01-412.02 @ \$250.76, #234-211.01-413 @ \$1,383.61, #234-331.90 @ \$20,000.00, #234-331 @ \$2,680.00 (Underage Drinking Control); #234-615-426 @ \$200.00, #615-334.03 @ \$200.00 (Weed & Pest); #236-222.03-426 @ \$4,138.00, #236-222.09-426 @ \$4,368.96, #236-222.23-426 @ \$4,872.86, #236-222.24-426 @ \$103,784.54, #236-222.26-426 @ \$9,119.54, #236-222.27-426 @ \$15,000.00, #236-222.28-426 @ \$112.31, #236-222.29-426 @ \$22,718.75, #236-222.30-426 @ \$8,625.00, #236-331 @ \$172,739.96 (Homeland Security); #234-222.04-426 @ \$846.41, #234-331.05 @ \$846.41 (POD); #231-211-426 @ \$53.94, #231-334 @ \$53.94 (Drug Control Fund). All members present voting aye. Motion carried.

CANCEL CHECKS:

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Moved by Hansen, seconded by Fischbach to authorize canceling the following checks, due to date of issue or duplicate payment: #84957 @ \$11.28, #13798 @ \$4.00, #13805 @ \$4.00, #13809 @ \$3.73, #13904 @ \$2.51, #13958 @ \$29.00, #14049 @ \$5.00, #14075 @ \$10.00, #16339 @ \$5.00, #16414 @ \$4.32, #87063 @ \$39.20, #88835 @ \$10.64, #89179 @ \$40.00, #90148 @ \$14.93, #90415 @ \$40.00, #91398 @ \$12.22, #91429 @ \$26.28, #91480 @ \$35.90, #92256 @ \$50.00, #92450 @ \$28.00, #5860 @ \$13.50, #6069 @ \$13.71. All members present voting aye. Motion carried.

2009 SALARY DISCUSSION:

Numerous employees met with the Commission to cite inequities in salaries vs. job descriptions. The Commission urged all departments to meet and complete an in house salary analysis.

MEMORANDUM OF UNDERSTANDING:

Moved by Feickert, seconded by Fischbach to approve and authorize the Chairman sign Memorandum of Understanding with the Cooperative Extension Service of South Dakota. All members present voting aye. Motion carried.

EXECUTIVE SESSION:

Moved by Fischbach, seconded by Feickert to go into executive session for contract discussion with Kim Dorsett, Duane Sutton and Burt Elliott 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.

PLATS:

Commissioner Feickert offered the following Resolution:

RESOLUTION #99-08

BE IT RESOLVED by the County Commission of Brown County, SD, that the plat showing "Kuhfeld Homesite Subdivision in SE ¼ SE ¼ Sec 27-T122N-R64W of 5th P.M., Brown County, SD", having been examined, is hereby approved in accordance with the provisions of SDCL of 1967, Chapter 11-3, and any amendments thereof.

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

Commissioner Knecht offered the following Resolution:

RESOLUTION #100-08

BE IT RESOLVED by the Board of Commissioners of Brown County, SD, that the plat showing "Eastern Sky Addition in the NW ¼ of Sec 18-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 Feickert. Roll call vote: Commissioners Hansen-aye, Fischbach-aye, Feickert-aye, Knecht-aye, Wiese-aye. Resolution adopted.

RACE TRACK ADDENDUM:

Moved by Knecht, seconded by Feickert to approve and authorize the Chairman sign addendum to the Race Track Agreement allowing Jammie Naasz to sub lease the Brown County Speedway to Wissota if

application for the Wisconsin 100 to be held at the Brown County Speedway on September 16-19, 2008 is accepted. All members present voting aye. Motion carried.

SPEED ZONE AMENDMENT:

Commissioner Feickert offered the following Resolution:

RESOLUTION #101-08

WHEREAS, Chapter 6.03 Speed Zones of the Second Revision of Brown County Ordinances authorizes the Brown County Commission to change the speed limit or the extent of any such limited speed zones, at any time they may deem necessary, and

WHEREAS, all Speed Zones throughout the County were established by Resolution #46-05, as amended by Resolution #66-06, Resolution #39-08 and Resolution #72-08,

WHEREAS, the Highway Superintendent has recommended a speed zone change on County Road 12W.

NOW THEREFORE BE IT RESOLVED that Resolution #46-05, as amended by Resolution #66-06, #39-08 and #72-08 be amended as follows:

DELETE:

County Road #12W, beginning at the intersection of US 12 and County Road 12W in Section 15, Township 123, Range 64 W of the 5th PM, then west over the overhead one and one-tenth mile, 45 MPH

ADD:

County Road #12W, beginning at the intersection of US 281 and County Road 12W in Section 15, Township 123, Range 64 W of the 5th PM, then west on County 12W 2.3 mile to the NW ¼ of Section 22, Township 123, Range 64 W of the 5th PM, 45 MPH

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

HIGHWAY UPDATE:

Jan Weisemantel, Highway Superintendent discussed personnel and equipment.

RECESS:

The Chairman declared the Commission recessed until December 30, 2008.

Maxine Taylor – Brown County Auditor

**AGENDA
JOINT ABERDEEN CITY/BROWN COUNTY MEETING
BROWN COUNTY COMMISSION CHAMBERS, COURTHOUSE ANNEX
25 MARKET STREET, ABERDEEN SD**

DECEMBER 30, 2008

8:45 – 9:00 A.M. – Second Reading/possible Adoption – Ordinance 08-11-01/372 (Sanderson Rezone)
and Ord 08-12-02/373 (Hopkins Rezone)

**AGENDA
REGULAR MEETING
BROWN COUNTY COMMISSION
COMMISSIONER'S CHAMBERS, COURTHOUSE ANNEX
25 MARKET STREET, ABERDEEN SD**

DECEMBER 30, 2008

9:00 – 9:15 a.m. – Budget Supplement Hearing

- Joint City/County Meeting minutes and General Meeting minutes of December 23, 2008
- Claims
- Personnel
- Subordination Agreement
- Abatements – Old Apostolic Lutheran Church, Ludwig
- Plats – Hopkins 1st Subd; Hagman Tract 1
- Contingency Transfer
- Increase spending authority/estimated revenue for various unanticipated grants
- Amend Capital Asset Policy

Any other business to come before the Commission

DECEMBER 30, 2008 - 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, Campbell, Kraft, Mitchell, Rux and Mayor Levsen. Absent Council Members Agnitsch, Bunsness and Hodgin. Present from County were Commissioners Hansen, Fischbach, Feickert, Knecht and Wiese.

ORDINANCE NO. 08-12-01/372:

On motion by Rux and seconded by Aman, the City unanimously voted to approve Second Reading and Adoption of Ordinance No. 08-12-01/372.

Moved by Hansen, seconded by Fischbach to approve Second Reading and Adoption of Ordinance No. 08-12-01/372, 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: Sanderson First Addition in the DSE $\frac{1}{4}$ of Sec 34-T123N-R64W of the 5th P.M., Brown County, SD and Sanderson's Outlot 2 in the NE $\frac{1}{4}$ 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.

ORDINANCE NO. 08-12-02/373:

On motion by Mitchell and seconded by Campbell, the City unanimously voted to approve Second Reading and Adoption of Ordinance No. 08-12-02/373.

Moved by Feickert, seconded by Knecht to approve Second Reading and Adoption of Ordinance No. 08-12-02/373, An Ordinance amending Ordinance No. 1164 to rezone the following described property from its present zoning designation of Section 701 (A-1) Agricultural District to Section 714 (M-AG) Mini-Agricultural District: Lot 2, Hopkin's First Subdivision in the SE $\frac{1}{4}$ of Sec 29-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.

ADJOURNMENT:

The City Council adjourned and the County Commission continued in regular session.

Maxine Taylor - Brown County Auditor

DECEMBER 30, 2008 – 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 and the General Meeting minutes of December 23, 2008. All members present voting aye. Motion carried.

CLAIMS:

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

Supplies: Brown County Tres..\$134.13, CDW Govt..\$75.00, Office Equip..\$1900.22, West Pub..\$478.50, Kim Dorsett..\$230.80, AmericInn..\$388.00, Pierson Ford..\$368.04, Bricks TV..\$3222.50, Cunningham Elec..\$535.19, LBG..\$8278.16, Groton Fire Dept..\$195.00, Taylor Laundry..\$109.00, Ross Erickson..\$7.41, Florida Micro..\$686.82, Walmart..\$709.21, Best Business..\$164.14, Ameripride..\$37.66, Butler Machinery..\$5696.15, Carquest..\$1857.56, Cass County Heating..\$204.94, Clark Engineering..\$405.84, Crawford Trucks..\$3815.46, Diesel Machinery..\$692.55, Erdmann Fuels..\$2426.35, Hanlon Bros..\$4203.54, Huron Culvert..\$55,720.54, Kamatsu..\$142,718.34, Macs..\$1380.12, Pumps Tire..\$276.70, Marcus Selzler..\$180.17, Sheehan Mack Sales..\$45.45, Soil Tech..\$4777.50, Trail Chev..\$208.06, Vanderwerff Impl..\$3960.00, Runnings..\$450.57, Woodman Refrig..\$78.57, Crescent Elec..\$290.30, Lien Trans..\$1386.25, Hewlett Packard..\$6589.00, New World Systems..\$8600.00, John McQuillen..\$12.36, Language Line..\$90.00, RACOM..\$308.70, Farnams..\$118.51, Brick Propane..\$28.00, McLeod Printing..\$718.46, New Trends..\$449.64, Nat'l Register Pub..\$220.95, Carol White..\$11.10, Walmart..\$33.65, Malchows..\$1921.00, DPM Fd..\$3279.00, Lora Schaunaman..\$12.21, Quality Quick Print..\$434.20, Visa..\$1641.45, Exhaust Pros..\$31.80, Evercom..\$3800.00, Exec Mgmt..\$1533.84, Hoven Auto..\$221.90, Trail Chev..\$764.13, Towing Plus..\$75.00, Danko..\$943.74, Kaleidoscope..\$513.00, Dept of Rev..\$2859.00, Catastrophic County Poor Relief..\$3386.44, TSC..\$67.99, State Flag Acct..\$166.93, Sound Decisions..\$177.95, Sheehan Mack Sales..\$202.52, North Central Rental..\$2518.00, Midwest Pump & Tank..\$264.87, Meyers Auto..\$35.00, Menards..\$600.01, Stephanie Herseth..\$121.40, Great Western Tire..\$3730.60, Economy Propane..\$4100.38, Dakota Oil..\$2804.66, Diesel Machinery..\$2813.86, Dakota Fluid Power..\$297.51, Crawford Trucks..\$930.20, Bureau of Indian Affairs..\$3156.13, Bridgestone/Firestone..\$83.05, Ameripride..\$157.30, Advanced Auto..\$20.26, Bonnie Bitz..\$48.00, Heartland Services..\$222.85, Exhaust Pros..\$28.45, Dakota Supply..\$328.28, CMRS-FP..\$5000.00, UPS..\$10.65, Powerplan..\$37.92:
Professional Fees: NE Mental Health..\$1395.84, Donna Dietrich..\$134.42, Cathy Rehfuess..\$15.00, Nelva Kooistra..\$15.00, witness fees..\$430.76, Dental Center..\$49.00, Avera St Lukes..\$3929.92, Sheriff of Pennington County..\$5.16, Kristi Spitzer..\$1400.00:
Publications: American News..\$610.04:
Transcriptions: Tammy Erickson..\$157.50, Slowey Court Reporting..\$300.00:
Attorney Fees: Mark McNeary..\$4000.00:
Travel: Leo Leshner..\$528.36, Al Vietmeier..\$49.21, Kathy Fischer..\$31.08, Gene Loeschke..\$137.27, Lorah Houser Jankord..\$87.69, Deb Knecht..\$129.50, Mike Wiese..\$8.14, Dennis Feickert..\$62.90, Marg Zastrow..\$160.48, Sherry Theobald..\$8.14, Jerry Mills..\$59.89, Extension Service..\$459.71, Tom Fischbach..\$67.34, Charlene Millim..\$18.50:
Utilities: Alltel..\$940.62, Qwest..\$93.69, Midcontinent Cable..\$238.37, WEB..\$54.93, NW Energy..\$10,912.22, Montana Dakota..\$28.00:
Care of Poor - Dr/Hospital - 5 recipients..Avera St Lukes..\$10,609.49, Avera Health Plans..\$467.16, Avera McKennan..\$1673.16, Anesthesia Care..\$592.00; Burial - 3 recipients..Spitzer Funeral Home..\$2460.53, Schrivers..\$3435.00; Rent - 3 recipients..J&M Enterprises..\$240.00, Builders Mgmt..\$240.00, Hangun Properties..\$240.00. All members present voting aye. Motion carried.

SUBORDINATION AGREEMENT:

Moved by Feickert, seconded by Knecht to approve and authorize the chairman sign a Subordination Agreement for Great Western Bank (county relief lien on an individual). All members present voting aye. Motion carried.

ABATEMENTS:

Moved by Feickert, seconded by Fischbach to approve the following Abatements: Old Apostolic Lutheran Church @ \$1,589.14. All members present voting aye. Motion carried.

PLATS:

Commissioner Hansen offered the following Resolution:

RESOLUTION #102-08

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

Commissioner Knecht offered the following Resolution:

RESOLUTION #103-08

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

INCREASE SPENDING AUTHORITY/ESTIMATED REVENUE:

Moved by Hansen, seconded by Fischbach to increase spending authority and estimated revenue in the following funds for unanticipated reimbursement for expenditures: Fund #101-120-426 @ \$1,319.09, 101-339 @ \$1,319.09 (Elections); #234-211.01-426 @ \$3,333.60, 234-211.01-411 @ \$1,851.64, #234-211.01-412.01 @ \$114.80, #234-211.01-412.02 @ \$26.85, #234-211.01-413 @ \$148.13, #234-331.90 @ \$5,475.02 (Underage Drinking Control); #234-211.06-426 @ \$14,673.28, #234-331.19 @ \$14,673.28 (PREA Grant); #234-151-426 @ \$2,104.00, 234-151-426.06 @ \$207.50, #234-151-427 @ \$1,655.70, #234-151-427.01 @ \$595.00, #234-151-429 @ \$6,782.12, #234-331.97 @ \$11,344.32 (SVAWA Grant); #234-159-411 @ \$2,206.00, #234-151-412.01 @ \$135.75, 234-151-412.02 @ \$32.00, #234-151-426 @ \$10,868.42, #234-331.99 @ \$13,242.17 (Teen Court JABG). All members present voting aye. Motion carried.

CONTINGENCY TRANSFERS:

Moved by Feickert, seconded by Knecht to approve the following Contingency Transfers with spending authority only: Fund #101: 111 Commission @ \$8,988.90, 130 Court Services @ \$4,359.87, 212 Jail @ \$46,829.83, 411 Welfare @ \$513.49, 441 Mentally Ill @ \$6,777.05; 445 Mental Illness Board @

\$25,070.70, 522 Parks @ \$1,170.59, 523 Fairgrounds @ \$79,512.09, 524 Fair Board @ \$44,529.10. All members present voting aye. Motion carried.

INTEREST TRANSFER IN/OUT:

Moved by Feickert, seconded by Knecht to transfer interest from General to individual funds as current revenue; and further per Commission Policy transfer out to General Fund: #201 Highway @ \$50,973.59; #504 Solid Waste @ \$80,782.71; #207 Communications @ \$6,558.01; #226 Emergency Management @ \$298.09, #101 General @ \$138,612.40. All members present voting aye. Motion carried.

CAPITAL ASSET POLICY:

Moved by Fischbach, seconded by Feickert to adopt the following Capital Asset Policy, effective December 30, 2008 (replacing prior policies, effective March 30, 2004 and January 1, 2008):

BROWN COUNTY CAPITAL ASSET POLICY:

Governmental Funds, Non-Governmental Funds and Enterprise Fund

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

Land and Land Rights – all purchases included

Buildings - \$25,000

Improvements other than buildings - \$25,000

Machinery and Equipment - \$5000

Infrastructure - \$25,000

Bridges – Structures greater than 20' (SDCL 31-14)

Roads – composite method: entire system including base, culverts and gravel surface

Paved Road New Construction – composite method, with definition of new construction being 2" overlay or greater for distance exceeding one mile.

Personal Property Listings – All county departments are required to file an additional personal property list, to be used for tracking items with an original cost of less than \$5,000 for purposes of theft and/or disaster recovery and insurance coverage.

Effective December 30, 2008

All members present voting aye. Motion carried.

GENERAL FUND LOAN:

Moved by Fischbach, seconded by Knecht to authorize cash from the General Fund be loaned to the following Funds until reimbursement/accounts receivable are received: Fund #234 (total \$15,930.03) SVAWA @ \$8,855.66, Underage Drinking @ \$5,475.02, JABG @ \$1,599.35; Fund #236 (total \$19,293.00) Homeland Security – 222.29 @ \$10,668.00, 222.30 @ \$8,625.00. All members present voting aye. Motion carried.

BUDGET SUPPLEMENT:

Time and place, as advertised for public hearing to consider Budget Supplement for year 2008: Moved by Fischbach, seconded by Hansen to approve the following Budget Supplements for year 2008: Fund #101-729-426 Barnard Elevator/Houghton Property Economic Development spending authority @ \$23,591.37, #101-341.85 estimated revenue from surplus cash @ \$23,591.37; Fund #248 24/7 Sobriety spending authority @ \$54,828.85, #248-342.30 estimated revenue from current revenue @ \$54,828.85. All members present voting aye. Motion carried.

2009 SALARY:

Moved by Hansen, seconded by Feickert to increase salaries by 4% for 2009 (with exception for SVAWA Grant). All members present voting aye. Motion carried.

BOARD PER DIEM:

Moved by Feickert, seconded by Hansen to increase per diem for the Weed & Pest Board and the Planning & Zoning Board to \$35.00 per meeting, effective January 1, 2009. 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

"A"

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9/30/08	Appeal of Planning & Zoning Decision - Scott Layman appealed decision of zoning board to approve special exception submitted by Gary Sumption for cell tower, denied	190
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10/7/08	Applications for Occupancy - approve NW Energy for Hwy #14 Approve Northern Valley Comm for Hwy #14	197
10/21/08	Abatement - approve for George Jundt @ \$239.67	204
11/6/08	Application for Occupancy - Northern Electric for Hwy 20	213
11/18/08	Application for Occupancy - Northern Beef Packers Hwy 14, Qwest - Co Hwy 23	219
11/25/08	Auditor's Report of Account - approve Oct 2008 report	223
11/25/08	Alcoholic Beverages- auth adv for hearing for Renewals Dec. 16, 08 at 9:00 am	223
11/25/08	Assessment Plan - Mary Worlie presented 2009 assessment plan, supported by comm	224
12/9/08	Abatement - approve abatement for Raymond Rieger at \$259.58	232
12/9/08	Auditor's Report of Account - Nov. 2008	232
12/16/08	Alcoholic Beverages License Renewal - approve applications for Alcohol Bev Licenses	237
12/16/08	Agreement for Hwy 12W/12WB Engineer - auth chair sign agreement w/Helms	237
12/23/08	Abatement - Masonic Temple - Bid in amount of \$710.00	241
12/30/08	Abatements - Old Apostolic Lutheran Church @ \$1,589.14	247

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Date	Description	Page
1/2/08	Bid - Palmyra Twp Land Lease - hay land, 1 year, no option	3
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1/29/08	Bid Award - Culverts, Culvert Tank & Pump	24
2/5/08	Bid - Sheriff Vehicle - 2008 Chev Suburban \$32,723 Lamb Chevrolet	27
2/5/08	BC Community Health Report - approve October-December 2007	28
2/5/08	Bid - set dates for Hwy Bids - Hot Mix & Gravel - 2/26/08, Equip Rental 3/11/08	28
2/5/08	BMX Track - Kyle Oswald - inquired about future of land adjacent to B&G Club	29
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2/19/08	Bid Award - Tires to be purchased from Graham Tire Co (State Bid)	35
2/19/08	Bid Award - Pickups off State Bid from Lamb Chevrolet for Hwy Dept	35
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2/26/08	Bid - Gravel - award bids per tabulation sheet on file in Auditor's Office	38
3/4/08	Bid contracts signed for material, supplies & rental of equip	45
3/11/08	Bid - open Rental Services of Gravel Trucks & Road Machinery, refer to Hwy	48
3/18/08	Bid - Chemicals for 2008, VanDiest, refer to Weed Dept for recommendation	52
3/18/08	Bid - Award Rental of Equipment - on file	53
3/18/08	Bid - Award Road Oil to Flint Hills Resources, LP	53
3/25/08	Bridge 229 - move 229 to the 2009 SD Dept of Transportation priority list	58
3/25/08	Bid - award chemical bid 2008 to VanDiest Supply Co - only bid received	58
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4/8/08	Bid Award - Fuel bids - from state bid contracts eff 4/1/08 - 3/31/08	69
4/15/08	Bid - Courthouse Parking Lot - set hearing date April 29, 2008	72
4/29/08	Bid - Courthouse Parking Lot - refer bids to Clark Engineering & Mick Palmer	91
4/29/08	BC Community Health Report - approve January-March 2008	91
4/29/08	Bid - award magnesium chloride bid to Z & S Dust Control Systems	92
5/6/08	Bid - award Courthouse Parking Lot Bid to Wright & Sudlow	101
5/6/08	Bid - award concrete bridge materials to Cretex Concrete Products, as bid by Day Co 3/4/08	102
5/13/08	Bid Documents - approve chairman sign bid documentation for Courthouse Parking Lot Project awarded to Wright & Sudlow, Inc.	104
5/13/08	Bid - auth adv for bids for Demolition of County Owned Building/Backfill Excavated Area on Railroad Ave - set for 9:00 am June 10, 2008	105
5/20/08	Bonds/Twp - approve bonds - see minutes	107
5/20/08	Bridge #51 - resolution 40-08	108
5/27/08	Boys & Girls Club - Ken Fouts, Lauri Swanson, Curt Mitchell & Mark Hopfinger discussion on Club	115
6/3/08	Bid - award Asphalt Concrete Crack Sealant for State Bid - Hwy Improv Inc	119
6/10/08	Bid - Open Bid for demolition of county building at 115 RR Ave SE - refer bid to Maint	124
6/17/08	Bid Discussion - Mick Palmer discussed bid for demolition of bldg/excavation project - approved use of bldg at 115 SE RR Ave for training exercises by Ab PD & Fire Dept	127
7/1/08	Budget - 2009 Presentations - Museum, Dir Equalization, Frederick Library, Maintanance	137
7/1/08	Bid - Building Demolition/Backfill - award bid by Lien Transportation \$82,316.00	137
7/8/08	Budget - 2009 Presentations - GIS, Kim Dorsett, SA	141
7/29/08	BCCHC Report - DeAnna Kyburz presented the Com Health Ctr report for April-June, 08	152
8/12/08	Budget- Provisional - 2009 - approve and auth adv public hearing 9/2/08 at 10:00 am	162
8/12/08	Boys & Girls Club - Members presented a site plan for review and request land donation	163
8/26/08	Bridge #51 - approve SDDOT award to Grangaard Const Inc, reject 3 others	174

9/2/08	Budget - Provisional budget hearing, Sue Gates, Randy Grismer discussed need for part time employee that was not approved in 2009 provisional budget - no action until 9/3-/08	177
9/9/08	Budget supplements - Resolution No. 74-08 - 2008 Jail, Discretionary Formula, Parking Lot, SA	179
9/9/08	Barnard Elevator Discussion - Jan Weismantel presented cost est for removal of elevator	180
9/16/08	Barnard Elevator Discussion - accept quote from Volzke Const from demolition not to exceed \$20,000 Sign agreement with Adriann Dallman for purpose of county access during demolition Declare any salvageable material from demolition site surplus for purpose of sale	184
9/30/08	Budget Changes, Provisional - inc 311 Current Prop Tax Levy to \$9,925,064.00, decrease cash balance applied to \$1,284,044.78	187
9/30/08	Budget supplements - 2008 budget supp - 233,101, funded by surplus cash 101	188
9/30/08	Bridge #031: app SD DOT award of contract to Industrial Builders for Bridge 031	190
10/7/08	BMX Lease Addendum - auth chair sign addendum to exclude improvements from becoming the property of Brown County: new bleachers and concession stand	197
10/28/08	BCCHC Report - DeAnna Kyburz presented the Com Health Ctr report for July-Sept, 08	207
11/6/08	Bid Award - Surface Repair (Cold) Mix - award bid to Ab Asphalt, as bid by Ab City 2/20/08	213
11/25/08	BCCHC Contract - auth chair sign contract with ST of SD for nursing services for 2009	223
11/25/08	Bridge 180-Jan W-options for replacing Bridge 180 in 2010. Bill Antonides, Arnie Goldade concerns	225
12/9/08	Budget Supplement - authorize hearing on Dec. 30, 2008 to supplement 2008 budget	233
12/30/08	Budget Supplement - hearing on budget supp/approve supplements	248
12/30/08	Board Per Diem - increase per diem for Weed & Pest Boad & P&Z Board to \$35.00 per meet effective January 1, 2009	249

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1/2/08	Claim Assignment - auth chair to assign claim for Noll Collection	2
1/2/08	Commission Committee Appointments to Boards	5
1/2/08	Coroner/Deputy Coroner salaries set 2008	8
1/8/08	Credit Card - auth Sheriff M. Milbrandt to establish new credit card	11
1/8/08	Communications Center Update - M Milbrandt, J McQuillen	11
1/22/08	City of Claremont - SW Disposal Facility Renewal-approve permit by SD DENR-	17
1/22/08	Care of Poor - deny Hosp claim for 38 year old male & 34 year old male	18
1/29/08	Citizens Corp Grant Agreement - author chairman sign w/SD EM	23
2/26/08	Claim Assignment - auth chair to assign claim for Noll Collection	38
3/4/08	Centennial Village Annual Report - Don Gisi presented 2007 report	45
3/11/08	Courthouse parking Lot- Mick Palmer discussed resurfacing	49
3/18/08	Courthouse parking Lot- author bid letting for Parking Lot Project	53
3/31/08	Combined Election Agreement June , 08 - BC/Ab City/School	59
4/1/08	Courthouse Parking Lot Project: discuss timeline, Set bid date 4/29/08	63
4/8/08	Claim Assignment - auth chair to assign claim for Noll Collection(3 indiv)	68
4/8/08	Capital Asset Policy adopted eff Jan 1, 2008 -co depts file prop inventory with county auditor by January 10th of each year	68
4/15/08	Claim Assignment - auth chair to assign claim for Noll Collection	72
4/22/08	Courthouse Parking Lot - M Palmer & Lonnie Anderson informed Comm that Aberdeen City considers the Courthouse Parking Lot new construction therefore landscaping is required, 7 trees & 12 bushes	84
4/29/08	Court Security Grant Application - auth chairman sign app letter	91
5/20/08	Claim Assignment - auth chair to assign claim for Noll Collection	107
6/3/08	Claim Assignment - auth chair to assign claim for Noll Collection	118
6/5/08	Canvass of June 3, 2008 Primary Election approved, 4:00 pm June 5, 08	120
6/17/08	Contract - auth chair sign contract w/Helms & Assoc -boundary survey on various parcels of County owned property in Palmyra Township	127
6/17/08	Closing Audit Conference - Kay Fredrick, Dept Leg Audit-gave closing conf	127
7/1/08	Courthouse Parking Lot Project: approve change order w/Wright & Sudlow, auth chair sign Certif of Final Completion & Payment request No 1	137
7/8/08	Claim Assignment - auth chair to assign claim for Noll Collection	140
7/8/08	County Road #12W - Jan Weismantel presented update	142
7/22/08	Contract Agreement - auth chair sign agreement w/Lien Transportation for Demolition Backfill of County Bldg at 115 SE RR Ave	146
7/29/08	Claim Assignment - auth chair to assign claim for Noll Collection	152
8/5/08	Courthouse Parking Lot - Mick Palmer, Maintenance, Prk Lot Landscaping - \$2,029	160
8/19/08	Centrally Assessed Utilities Discretionary Formula - approve for 2008 taxes	167
9/2/08	County Road 5 and 5 A - appr curve removal to form "t" intersections	177
9/16/08	Conde School Dissolution Plan: Ack receipt of Proposal for Conde School 56-1 dissolution and attachment of district to Brown, Clark, Spink and Day counties	183
10/14/08	Conde School Dissolution Plan amended - acknowledge receipt of amended proposal	200
11/6/08	Canvass of General Election, Nov 4, 2008 approved, 4:00 pm Nov 6, 08	213
11/18/08	Claim Assignment - auth chair sign documentation to assign claim - Noll Collection	218
12/9/08	Change Order - authorize chair sign change order for weed spraying on St hwy w DOT	233
12/23/08	CDBG Closeout - auth chair sign closeout documentation for funding to Health & Fit Ctr	241
12/23/08	Cancel Checks - auth canceling various checks due to date of issue or duplicate pmt	242
12/30/08	Contingency Transfers - approve transfers w/spending only from 101 to various accounts	247
12/30/08	Capital Asset Policy adopted eff Dec 30, 2008 - depts must file property inventory by Jan 10	248

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1/15/08	Dispatch update - J McQuillen, personnel, APCO conference	15
1/22/08	Dakota Prairie Museum Feasibility Study info	18
5/13/08	Development Road Discussion - Michael Schulte, Ty & Dennis Call met with commission to inquire about process for completing a road dedicated to the public on the plat of Edwards Third Subd - Comm referred them to developer	105
6/10/08	DOC Contract - approve & sign for housing juveniles at Detention Ctr eff 6/1/08-5/31/08	124
9/2/08	Diversity Training Program - Randy Grismer presented info about Diversity Training seminars to be held in Oct. for area residents and community leaders	177
10/28/08	Delta Dental Rates - approve 2009 rates for employees	207
11/4/08	Dive Team - approve Daniel Klinger/Shane Wagner, remove Brent Swenson, Dave Volek, Shannon Wright, Tom Tarnowski, Steven Hairgrove as members eff 10/31/08	212

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1/2/08	Expense Policy - set expense rates for employees - Mileage, meals	4
1/2/08	Expense Policy - Election Workers - \$100, \$10 for school, \$5 phone	4
1/2/08	Expense Policy/Policies - Brown County Boards	4
1/2/08	Extension Board - appoint Alan Ryckman eff 1/1/08 to 12/31/2010	10
1/15/08	Equipment - M Palmer & Sheriff M Milbrandt discuss dishwasher purchase	15
2/5/08	Executive Session: w Kim Dorsett, Maxine Taylor, Jan Beckler - no action	27
2/12/08	Executive Session: Richard Burns, Mark Wendt - following action taken: Authorize R Burns to establish cell phone use policy for Hwy Dept	33
2/19/08	Equipment Storage at Fairgrounds - discuss request from Scott Madsen	35
2/19/08	Executive Session: w Kim Dorsett with the following action taken: retain Timothy J Lamb, PC to coordinate litigation in Colorado from traffic accident : hire Penny Hart at Chief Office Dep in SA Office at \$16.04 per hour with additional \$3.50 per hour for secretarial duties for Victims Assist	36
2/26/08	Executive Session: no action taken	39
3/4/08	Equipment Storage at Fairgrounds - denied request from Scott Madsen	43
3/4/08	Executive Session - following action taken - 2008 Salary Schedule Amended: eff 3/9/08 :Change heading From P&Z & Appraisers/Computer Support Specialist category to read: Appraisers	45
	: Establish new category - Computer/Technology Support Specialist - and wages	46
	: All other components of Salary Schedule remain unchanged	46
3/4/08	Personnel: Employee status change for Chris Stuke, step, title, wage	46
3/11/08	Equalization Notices - author publishing notices for Board of Equal & Consol Board	48
3/11/08	Executive Session - no action taken	49
3/18/08	Executive Session - no action taken	52
3/18/08	Executive Session - Mick Palmer & Richard Burns - no action	53
3/18/08	Executive Session - following action taken - appoint Jan Weismantel as Hwy Sup at pro-rated salary of \$51,501.00 eff April 21, 2008-April 20, 2010	54
3/25/08	Executive Session - Jan Weismantel & Richard Burns - no action taken	58
3/31/08	Combined Election Agreement June , 08 - BC/Ab City/School	59
4/1/08	Equalization - Mary Worlie met to present preliminary info about the process	63
4/8/08	Equalization organization, VA Exemption, Tax Exempt Status, Elderly Freeze	64
4/8/08	Equalization - Consolidated - BC, Ab City, Ab School	66
4/15/08	Executive Session - Jan Weismantel, following action taken: approve employee classification and salary chgs eff 4/21/08: R Glugla, J Hammrich, M Selzler, K Titze, M Wendt	74
4/15/08	Equalization, BC - Water reductions approved, Appeals and Recommendations	75
4/22/08	Equalization - Consolidated - BC, Ab City, Ab School - approved recommendations from Director of Equalization	79
4/22/08	East River Electric Franchise - auth adv to approve application On 5/6/08	84
4/22/08	Executive Session - Mark Milbrandt & Tom Schmitt - following action - approve classification and salary chgs eff 4/27/08: for John VanderHoek, Field Dep to jailer @ \$14.93 Establish Jail Sergeant Differential Pay Classification @ \$.40 per hour for employees named by sheriff who work from 10:00 pm to 8:00 am in the adult jail as shift supervisors	85
4/29/08	Executive Session - no action taken	91
4/29/08	Equalization update - an individual has taken a consolidated decision to the OHE	92
5/6/08	East River Power Coop Franchise - Resolution 37-08 approved	95
5/6/08	Employee Health Insurance - approved coverage plan for July 1-June 30, 2009	101
5/6/08	Easements - Fairgrounds Road Project - grant to City of Aberdeen temporary easement portion SW1/4 1-T123N-R64W	102
	Easements - Fairgrounds Road Project - grant to City of Aberdeen perpetual easement for r/o/w for benefit of public - S 17' of SW 1/4 of Sec 1-T123N-R64W	102
5/13/08	Executive Session - Jan Weismantel discussed personnel - no action taken	105

5/20/08	Executive Session - Contract discussion with Kim Dorsett - no action taken	110
6/3/08	Executive Session - w Jan Weismantel, no action taken	119
6/5/08	Election Canvass of June 3, 2008 Primary Election approved, 4:00 pm June 5, 08	120
6/10/08	Executive Session - Tom Gohn & Kim Dorsett personnel discussion, no action taken	124
6/10/08	Executive Session - Jan Weismantel - no action taken	125
6/17/08	Emergency Mgmt - Scott Meints, Tom Schmitt, discussed volunteer picnic in recognition of Dive Team & Cert Team, requested installation of elec door opener on blue building, permission to remove fence & clean area north of prop at 115 SE RR Ave	128
6/17/08	Executive Session - discuss contract negotiations - no action taken	128
8/8/08	Executive Session - discuss possible litigation with Kim Dorsett- no action taken	160
8/12/08	Executive Session - discuss personnel w/Kim Dorsett - no action taken	163
8/12/08	Executive Session - personnel discussion -no action taken	164
8/19/08	Executive Session - discuss personnel w/Jan Weismantel - no action taken	168
8/26/08	Executive Session - discuss contract w/Kim Dorsett - no action	173
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9/9/08	Easement - Hwy 12W - auth chairman sign temp easements for 12W Project with L&P Livestock	180
9/9/08	Executive Session - personnel discussion w/Jan Weismantel - no action taken	180
9/9/08	Executive Session - personnel discussion with Roy Hedges in attendance - no action taken	180
9/9/08	Executive Session - discuss contract with Kim Dorsett - no action taken	180
9/16/08	EM Agreement - auth chair to sign FY 2009 EM State & Local Agreement w/ SD Office of EM	183
9/16/08	Executive Session - personnel w/Larry Gerlach & Kim Dorsett - no action	183
9/16/08	Executive Session - discuss poss litigation with Kim Dorsett - no action	183
9/16/08	Executive Session - contract discussion with Kim Dorsett, Al Malsam, Barry Sroufe - no action taken	183
9/16/08	Easement - Northwestern Corp at 3133 8th Ave NE	184
9/30/08	Executive Session - contract discussion w/Kim Dorsett - no action taken	188
10/7/08	Executive Session - personnel discussion with Kim Dorsett - no action taken	197
10/7/08	Executive Session - personnel discussion with Larry Gerlach, no action taken	198
10/14/08	Executive Session - personnel discussion with Kim Dorsett - following action - approve addn salary for Jodi Brown eff 10/12/08 through June 30, 09 at \$27,000 to domestic violence cases, to be reimb by STOP-P-09 Grant Compensate Kim Dorsett a one-time fee of @1,000.00 Rebecca Millan a one-time fee of \$2,000.00 for assuming domestic violence cases from July 1, 2008 through Oct. 11, 2008	201
10/21/08	Equipment Purchase - approve purchase of forklift from SD Federal Surplus for Hwy Dept	205
10/21/08	Executive Session - personnel discussion with Carol Sherman & others in attendance - Rescind exec session as topic does not need discussion in executive session	205
11/6/08	Election Canvass of Nov 4, 2008 General Election approved, 4:00 pm Nov 6, 08	213
11/6/08	Executive Session - with Scott Meints, Jeanette Nietert, Kim Dorsett - no action taken	213
11/18/08	Expo Building - Jim Hockett, 2009 Relay for Life Chair, use of Expo June 5 & 6 for their event	219
11/18/08	Equipment Purchase/Surplus Property - declare 2000 Yamaha Grizzly ATV surplus for trade-in Accept quote from HC Clark for Kubota for Weed & Pest	219
11/25/08	Establish Fund 737 - Groton Area School District #6-6 Bond	223
11/25/08	EM Update - Scott Meints discussed need to amend equipment purchase agreements/retention guidelines	224
11/25/08	Executive Session - Scott Meints, Kim Dorsett, Burt Elliott, Duane Sutton - personnel - no action taken	224
11/25/08	Executive Session - Race Track Contract - discuss contract with Kim Dorsett & Duane Sutton Action taken - auth chair to sign race track contract with Jamie Naasz for 2009 racing season	225
12/9/08	EM Update - Scott Meints discussed Assistant EM position, to bring back more info at later date	233
12/16/08	Executive Session - Scott Meints, Kim Dorsett, Jeanette Nietert, Burt Elliott, Duane Sutton - Session recessed until after public hearing	236
12/16/08	Executive Session continued with same individuals - no action taken	237
12/16/08	Executive Session - Larry Geralch, Burt Elliott, Duane Sutton - personnel discussion - no action taken	237
12/23/08	Establish Fund 301 - Capitol Project Fund - BCT1 Beef Plant Tif.	241
12/23/08	Executive Session - Kim Dorsett, Duane Sutton, Burt Elliott - no action taken	242

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1/15/08	Flood Insurance Study - approve study eff 3/18/08	14
1/15/08	FIRM Flood Insurance Rate Map eff 3/18/08 approve	14
1/15/08	FSA Documentation - appt Tom Fischbach BC rep for FSA	14
1/15/08	Fair Update - L Gerlach, entertainment, news release, permission to hire part-time emp while current secretary on maternity leave	15
1/29/08	FEMA - PDM - Pre-Disaster Mitigation Plan Project - sign letter of commitment	23
2/5/08	Flag Presentation by Kelly Kissner, who was in Afghanistan	27
2/5/08	Force Account Agreement - w/SD DOT for reimb for Emer Relief Projects	28
2/5/08	Fuel Control System - approve purchase of fuel control system at Hwy	28
2/5/08	Fees Waived for landfill disposal for a mobile home - David Holsworth, fire	29
3/28/08	Fairgrounds Road Construction Project - Robin Bobzien, City Engineer & Mayor Mike Levsen presented plan for fairgrounds road cons project 2008	54
5/6/08	Financial Report 2007 - accept & authorize auditor to NOT prepare M,D & A	94
5/20/08	Fairgrounds Building - Kurt Smith & Dean Marske presented 3 building plan options for the fairgrounds building. No action was taken at this time.	109
5/20/08	Floodplain Discussion - Gary Vetter discussed new floodplain regulations that affect residents at area lakes, Gary is meeting with a FIRM representative on Thursday, May 29, 08. Larry Sime also in attendance.	110
6/17/08	Fireworks Permit - author chair sign Fireworks permit - Steve Herther 7/4/08	127
6/24/08	Fireworks Permit - author chair sign Fireworks permit - Al Malsam 7/4/08	131
6/24/08	FGP - Jodi McQuillen presented program statistics for 2009 Budget request	131
7/8/08	Fair - Larry Gerlach relayed request for Wine Tent - SD Farm Winery products showcased and sold by a non-profit organization during the fair, Tom Schmitt expressed concern about bottled beverages on the grounds during the fair	142
7/29/08	Fireworks Permit - auth chair sign permit for Brown County Fair Aug 16, 08	152
7/29/08	Fair Update - Larry Gerlach presented update on 2008 fair and discussed concern about manning ticket booth	152
8/12/08	Fall Cleanup- waive fees from Aug 29-Sept 6, 2008	162
9/2/08	Fair - Electrical needs - Larry Gerlach and Kurt Smith discussed elec work needed at fairgrounds for larger campers, to do this fall, board concurred	177
9/16/08	Fair Report - Larry Gerlach presented preliminary Rev/Exp report for 2008 BC Fair	183
11/25/08	Fund 737 - Establish Groton Area School District #6-6 Bond	223
11/25/08	Fair Contract - Acknowledge contract w/North Star Amusement/BC Fair Board 2009	223
12/1/08	Fair Contract - acknowledge contract w/Abdn Hockey & BC Fair Board - 2009 Fair	227
12/16/08	Fair Update - Larry Gerlach presented update on fair activities, convention, grant	237
12/16/08	Fair-Grant Application - auth chair sign app for grant through Ab. Hotel Alliance for 2009	237

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Date	Description	Page
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3/25/08	Grant Application - Sheriff Dept. DOC for Fed PREA Grant	57
3/25/08	Grant Application - Landfill - Dept of Environment & Nat Resources for Phase II of expansion project	57
4/8/08	Gas Utility Easement - NW Energy - approved	69
5/13/08	Grant Application - auth chairman sign Highway Safety Grant App	104
6/10/08	Grant Application Amendment - auth chair sign amended Hwy Safety Grant app for funding	124
7/22/08	Grant Agreement - auth Vice Chair sign agreement with NECOG - admn support for SW Mgnt Grant to fund landfill projects	146
10/1/08	Groton Area Fire District - Joint Day Co./Brown Co Commission Meeting - canvass vote for Groton Ar Fire Protection & Rescue District Special Election held 9/30/08, accepted	193
12/16/08	Grant Application - Fair- auth chair sign app for grant through Ab. Hotel Alliance for 2009	237
12/30/08	General Loan Fund - auth cash from 101 be loaned to various other funds until rev received	248

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Date	Description	Page
1/15/08	Hwy Update - Butch Burns discussed motor grader bids, rental agreement, work exchange w/Edmunds Co, purchase pickup	15
1/22/08	Hospital Claim - deny for 38 year old male & 34 year old male	18
1/29/08	Highway Update - Richard Burns, bridge projects, gravel for twp roads	24
2/5/08	Henry Township Property - Lena Cox - discussed discrepancy between legal descrip of lot owned by twp & property she owns in Town of James	28
	Commission waived county planning fees from platting to clarify boundaries	28
2/5/08	Helm & Assoc - Agreement - author chairman to sign agree for BC Landfill Expansion Project - estimated \$205,400	29
2/26/08	Hospital Claim - deny for 37 year old female	39
4/1/08	Houghton Property Discussion - S Enderson & K Dorsett discussed nuisance complaint on prop in Houghton, SA will contact owner	63
5/13/08	Hwy Grant Application - auth chairman sign Highway Safety Grant App \$27,908.00	104
5/13/08	Hospital Claims - deny pmt of hosp claims - 49 year old male, 42 year old female	105
5/13/08	Highway Update - Jan Weismantel discussed speed limit on Co Rd 9 between Hwy 281 & Westport - no action	105
6/3/08	Hwy update - theft of fuel for vehicle at Claremont Shop	119
6/10/08	Hwy update - discussed request from Trans-Canada pipeline to transport equip across various BC roads, farming in the R/O/W, and cost of hot mix	125
7/22/08	Highway Update - Jan Weismantel discussed following: semi tractor purchase, 404 Permit for Bridge #60, haul road agreement for County Road #14	147
8/12/08	Hospital Claim, deny pmt of bill for 39 year old male, not indigent	164
8/12/08	Hwy 12 W Easements - auth comm sign perpetual easements for 12W Project with Al Wellman, Dana Brick, Michael & Janice Crady	164
	Sign temp easements with Heartland Grain, SD Wheat Growers, Mitzels, Steve Holm, Robert & Margaret Bourdon	164
8/19/08	Housing & Redevelopment Comm - Appoint Tom Black to 5 year term ending July 9, 2013	166
9/16/08	Hwy Safety Project Grant Agreement - app & auth chair to sign Agreement eff Oct 08 to Sept 09	183
9/16/08	Hwy Update - Jan Weismantel presented info on Bridge #60 project, mowing along county roads, need for salt sanding policy, County 12W update	184
9/30/08	Hazardous Materials EM Response Plan - app for all hazardous mater responses	187
10/7/08	Highway Update - Jan Weismantel - construction on Bridge 51 will commence on Nov 1, 2008, but will stop in spring as no work can be done in the channel during Topeka Shiner blackout months, completion date of July 1, 2009, Bridge 60 complete, Co Road 12W ditch & culvert project complete	198
10/21/08	Highway Update - Jan Weismantel - bridge 60 open, mowing complete, bridge 24 posted, removal of illegal signs, RR crossing update, vehicle accident	204
10/21/08	Holiday Closing - Close Friday, Nov.28 & Friday, Dec. 26. 2008 No premium pay.	205
10/28/08	Highway Update - Jan Weismantel - stump grinder, laser level, crop on Co 23, demolition of house in Houghton, motor grader lease, culverts, ER locations, personal prop donated to DPM	209
11/18/08	Highway Update - Jan W. -Co Road 16, concrete removal, demolition of house in Houghton, bridge inspection, side dump liner, snow removal, semi parking, rubble	219
11/25/08	Highway Update - Jan W. - Co Road 12W, Equipment purchase, snow/sand, fans North Central Elevator traffic flow	225
12/1/08	Hwy Dept -Snow-Sanding Policy - approve snow removal policy eff 12/1/08	228
12/1/08	Highway Update - demo schedule for house in Houghton, oil distrib rental, annual hwy work session with commission scheduled for January 20, 2009	228
12/9/08	Highway Update - J Weismantel discussed: Resignation of Scott Gillis, need to hire labor grade 3 truck driver, vehicle purchase, Helms agree Co.12WB, demotion schedule for house at Houghton	229
12/16/08	Highway Update - J Weismantel discussed demolition of house, snow, utility locate	233
12/23/08	Highway Update - J Weismantel discussed personnel and equipment	237

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Date	Description	Page
01/08/08	Interest Statement for October - December 2007	10
01/08/08	Inventory Transfer - Canon copier from Hwy to VA Office	10
04/08/08	Interest Statement for Jan-March 2008 approved	68
04/08/08	Increase Spending Authority & Est Rev in 101 for insurance reimb	68
06/03/08	Inmate Medical Care system - inmate partial reimbursement of care	119
06/10/08	Inmate C0-Pay Policy - approve policy for certain services eff 7/1/08	124
06/24/08	Increase Spending Authority & Est Rev in 201 for insurance reimb	131
10/07/08	Interest Statement for July-September 2008 approved	198
10/14/08	Increase Spending Authority & Est Revenue - in Fund 101 - unanticipated reimbursement from Burlington Northern	200
12/23/08	Increase Spending Authority/Est Revenue - for Unanticipated Reimbursements - Various Funds	241
12/30/08	Increase Spending Auth & Est Revenue - Transfer between various funds	247
12/30/08	Interest Transfer In/Out - from General to other funds as current revenue	248

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Date	Description	Page
1/15/08	JDC/Jail Nurse Update - Marcy Fritz - report 2007	15
2/5/08	Jail Update - John Vander Hoek discussed 24/7 Sobriety Program	28
	Joint Warner City/Brown County Meeting - Set hearing Date for Ordinance	
3/4/08	JABG Funding, Teen Court - Bonnie Siebrecht read statement	45
	Approved hiring Bonnie @\$10 per hour retroactive to Nov 1, 2007 as stated in the JABG Block Grant application	
3/4/08	Jail Update - Phase II Project, M Palmer, M Milbrandt, T Schmitt	45
3/11/08	Jail Phase II Project - M Palmer & Dean Marske discussed most of clean up done & work complete, correct elevator track ordered	49
3/25/08	James River Bank - discuss co participation in rip-rapping the James River Bank adjacent to Robert Pray property - hwy will est costs	58
4/1/08	Joint Warner City/Brown County Meeting - Set hearing Date for Ordinance No. 053/0108 Rezone	60
4/1/08	Jail Phase II Project - change order approved	62
4/1/08	James River Bank - commission deny co participation in rip-rapping the prop adjacent to Robert Pray	63
4/8/08	Jail Phase II Project update, Dean Marske - discussed water service that needs to be re-evaluated prior to re-surfacing courthouse parking lot	70
4/15/08	James River Bank Discussion - readdress comm decision not to help rip-rap portion of James River bank, Robert Pray	73
4/29/08	Jail Phase II Project - M Palmer & Dean Marske presented update on project	91
06/03/08	Jail Inmate Medical Care system - inmate partial reimbursement of care	119
6/10/08	JDC - DOC Contract - approve & sign for housing juveniles eff 6/1/08-5/31/08	124
6/10/08	Jail Phase II Project - Change Order #10 - auth chair sign	124
06/10/08	Jail Inmate C0-Pay Policy - approve policy for certain services eff 7/1/08	124
6/17/08	JDC Agreement - author chairman to sign agree w/Abdn School Dst f	127
7/1/08	Jail/JDC Nurse Discussion - M Milbrandt & Marcy Fritz discuss duties in regard to Blood Alcohol Draws - no action taken	137
7/1/08	Jail Quote - auth Maintenance Dept to accept quote for air conditioning units	137
8/5/08	Joint Br Co and Day County Commission at Comm. Crt in Groton - testimony to establish Groton Area Fire Protection District & Rescue District	
10/1/08	Joint Day Co./Brown Co Commission Meeting - canvass vote for Groton Area Fire Protection & Rescue District Special Election held 9/30/08, accepted	193
12/23/08	JABD grant eff Oct 10/1/08-9/30/09 - Teen Court funding	241

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Date	Description
4/29/2008	Keep Your Plate - July 08 - Sheila Enderson -brochures from Dept of Revenue, explanation of program

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Date	Description	Page
1/29/08	Lease Agreements - Thorpe & LR Corp - Grazing Land	23
1/29/08	LF Permit Renewal Documentation	23
2/5/08	LF Update - Mike Scott - cost est for new cell, prop request	29
2/12/08	Lease - Richmond house - increase deposit amt, K Dorsett, K Smith	33
2/19/08	Lease Agreement - Ab Humane Society - Club House 4/19-20, 08	35
2/19/08	LF Agreement - author chairman sign Leggette, Brashears & Graham, Inc for completion of Hydro geological Assessment for expansion area at LF \$33,876.00	35
2/19/08	LF Fee discussion - Aberdeen Housing Authority-request waive fees-okayed	36
2/26/08	Lease Agreements - Youth Camp - Melgaard Park Baptist Church, Roncalli High School, Camp Good News, approve Expo use for Amer Cancer Relay for Life	
2/26/08	Lottery Application - Stratford Community Theater	38
2/26/08	LF Contract Renewal with Dependable Sanitation eff 3/1/08 - 3/1/11	41
2/26/08	LF Agreement signed with Leggette, Brashears, & Graham for monitor services	41
3/11/08	Lottery Application - Granary Memorial Gallery, raffle	48
3/18/08	Landfill Spring Residential Cleanup: approve waiving fees during April 25-May 31,08	54
3/25/08	Grant Application - Landfill - Dept of Environment & Nat Resources for Phase II of expansion project	57
4/1/08	Landmark Commission - accept 2007 annual report	62
4/1/08	Lease Agreement - NE Area Horse Racing - approve	62
4/15/08	Lottery Application - approve Mansfield Betterment Assoc raffle	72
4/22/08	Lease Agreements approved - Girl Scouts, Shirley O'Brian, Rachel Fliehs	82
4/29/08	Lease Agreements - Farmers Union, Liebelt RV, AAHA	90
4/29/08	Load Limit restrictions - remove limits - April 30, 2008	92
5/6/08	Lease Agreement - Linda Urlacher - Youth camp May 30-June 1, 08	94
5/6/08	LEPC - add: Loy Stange - Delete: Tony Jones, Jesse Luce, Dave Mowers, Elizabeth Myers, James Scarlett & Jennifer Zeltwanger	94
5/13/08	Lease Agreement - Church of God, Marjorie Snipes, Youth Camp	104
5/20/08	Lottery Applications - approve apps - NSU, BC Speedway, Amer Cancer Society	107
6/3/08	Lease Agreement - 4-H for Youth Camp	118
6/10/08	Lottery Application - American Legion Post 24 at Speedway 7/4/08	123
6/17/08	Landfill Expansion Update - M Scott, Jay Koch, Helms, Tim Kenyon, LBG presented update on cell construction, pros & cons to hydro geological findings	127
6/17/08	Landfill GAS Feasibility Study - author chair to sign Agreement with Leggette, Brashears & Graham for Gas Feasibility Study, not to exceed \$10,000 - use of LF gas	127
6/24/08	Lease Agreements - Monsanto, Randy Bonn	131
7/8/08	Lottery Application - Westport Little League on July 26, 2008	140
7/8/08	Lease Agreement - approve Presentation College	140
7/8/08	Landfill Grant Award Agreements - auth chair sign SD Dept of Environment and Natural Resources Grant Program Funding agreements- Waste tire disposal project and Equipment & Office Building and Fencing	140
7/22/08	Lottery Application - approve Frederick Athletic Assoc at BC Speedway 7/12/08	146
7/22/08	Lease Agreements - Personal Property Agreement w/Al Malsam/A&E Promo for lease of motor grader @ \$75 per hour plus fuel; acknowledge personal services addendum to personal property lease agreement Al Malsam/A&E Promotions	147
	Approve agreement with Carson & Barnes Circus for lease of parking lot 7/26-27/08	147
7/29/08	Lottery Application - approve for ATC-BC Speedway Sept. 5 & 6,2008	152
7/29/08	Landfill Update - Mike Scott discussed 09 budget, equip operator, fire fighting update informed commission that illegal dumping continues at county sites	152
8/5/08	Lease Agreements - chairman sign agreements: Camp Rimrock, Jim River Riders,	158

	Human Services Agency Watertown, Deb Backous	158
8/12/08	Lease Agreements - approve leases w/Al Malsam, case tractor, garbage truck	162
8/12/08	Lottery Application - approve BC Democrats during the BC Fair	162
8/26/08	Lottery Application - approve Disabled Americans Veterans (DAV) for 8/29/08	170
	Lottery Application - Ab Area Modelaires for Oct 8. 2008	171
9/16/08	Lease Agreements - app leases for Cindy Wolf, Ab Humane Society, NSU Hunt and Howl	182
9/16/09	Legal Benefit/Identity Theft Consultants - Doug Kleinsmith presented info about Group Legal Services they provide to employees for a fee - no action	183
10/14/08	Lease Agreements - approve leases - Roncalli, 1st United Methodist, Buntrock Auction Service, Boy Scouts, AA News, NE Celtic Fair	200
10/28/08	Landfill Agreement - Auth chair to sign agreement w/Leggette, Brashears and Graham Inc for monitoring well installation & initial baseline sampling for expansion	207
11/18/08	Lottery Application - approve Bide-A-Wee Extension Club on 1/5/09	217
11/18/08	Library Agreement - auth chair sign agreement with City of Aberdeen for 2009	218
11/18/08	Lien Discussion - Scott Johnston asked lien be forgiven, county willing to subordinate	219

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1/15/08	Memorandum of Understanding - auth chair sign between SDSU & BC Extension services	14
2/12/08	Malt Beverage Hearing set - Aberdeen Hockey - 3/4/08	32
3/4/08	Malt Beverage Hearing - Aberdeen Hockey Assoc - approved	43
3/18/08	Malt Beverage License Transfer Application - set hearing April 8, 2008 @ 9:00 am (Voeltz to Al Malsam)	50
4/8/08	Malt Beverage - set hearing April 29, 2008 @ 9:00 am, NE Area Horse Racing	68
4/8/08	Malt Beverage License Transfer Hearing - Voeltz to Malsam -racetrack	69
4/22/08	Museum Employee - Sue Gates requested permission to adv for PT summer position eff June 2-August 22, 2008 @ 8>02 per hour	84
4/29/08	Malt Beverage License Hearing - approve NE Area Horse Racing 2008	91
5/6/08	Malt Beverage License Hearing - approve Centennial Village eff May 19, 2008	101
5/6/08	Mosquito Control Grant Funding - Ted Dickey, NECOG, Roger Johnson informed commission the State has not determined if any funds will be allocated to counties in 2008	102
5/13/08	Malt Beverage Hearing - auth adv for 8:45 am June 3, 2008: Retail (On-Off Sale) Malt Beverage	105
5/20/08	Museum Annual Report - Sue Gates presented the 2007 Dacotah PM report	109
6/3/08	Malt Beverage Hearing - renew various applications, approve	118
6/10/08	Malt Beverage Hearing Lic - Ab Area Community Foundation - Parkview Nursery eff June 19, 2008	124
7/8/08	Malt Beverage License Hearing Date Set - 9:00 am 5 August, 2008	141
8/5/08	Malt Beverage License Hearing - 9:00 am 5 August, 2008 for malt beverage during BC Fair - Ab Hockey, Centennial Village, B&G Club	159
8/5/08	Malt Beverage hearing set - Groton Chamber - 8/26/08 9 a.m.	160
8/19/08	Mill Road - auth hwy dept to mill portion of Co. Road #5A	168
8/26/08	Malt Beverage Hearing - approve app for Groton Chamber of Commerce	172
11/4/08	Minutes - approve Gen meeting minutes of 10/28/08	212 1/2
12/23/08	Memorandum of Understanding - auth chair sign with Coop Extension Service	242

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3/4/08	Noxious Weed Notice - authorize adv	43
4/15/08	Noll Collection Claim Assignment - for one individual	72
5/27/08	NESDCAP 2009 Budget - Larry Wattier presented 2007 annual report & budget request	114
6/10/08	NEMHC - Reps Joe Manuel, Dr. John Fritz, Laura Boone & Lisa German presented center statistics and info in regard to 2009 Budget request	124
7/22/08	NADRIC 2009 Budget request - Julie Pfeifer & Jan Patterson	147
12/9/08	NECOG PDM Agreement - auth chair sign agree for Pre Disaster Mitigation Plan	233
12/23/08	NECOG Agreement - auth chair sign Joint Coop Agreement w/NECOG for 2009	241

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4		1/14/08	Ordinance NO. 07-12-01/358, 2nd Reading/Adoption	12
5		1/15/08	Joint Warner City/Brown County Meeting - Set hearing Date for Ordinance	14
6			rate map and flood ins study	
7		1/22/08	Ordinance NO. 046 - 1st reading	17
8		1/22/08	Ordinance NO. 047 - 1st reading	17
9		1/22/08	Ordinance NO. 048 - 1st reading	17
10		1/22/08	Ordinance NO. 049 - 1st reading	17
11		1/28/08	Ordinance NO. 08-01-02/359 1st reading	21
12		1/28/08	Ordinance NO. 08-01-04/360 1st reading	21
13		1/29/08	Ordinance NO. 046 - 2nd reading & adopt	23
14		4/1/08	Joint Warner City/Brown County Meeting - Set hearing Date for Ordinance	60
15			No. 053/0108 Rezone	
16		1/29/08	Ordinance NO. 049 - 2nd reading & adopt	24
17		1/29/08	Ordinance NO. 050 - 1st reading	24
18		2/4/08	Ordinance NO. 08-01-02/359 2nd reading & adopt	25
19		2/4/08	Ordinance NO. 08-01-04/360 continue hearing until 2/11/08	25
20		2/5/08	Ordinance NO. 050 - 2nd reading & adopt	28
21		2/5/08	Occupancy Easement - BNSF Railway - temporary-bridge replacement	
22		2/11/08	Ordinance NO. 08-01-04/360 refer to Ab City P&Z for further review	30
23		2/12/08	Ordinance NO. 047 - Ordinance Denied	33
24		2/26/08	Ordinance NO. 051 - Set hearing date 3/11/08	39
25		3/4/08	Ordinance NO. 08-03-01/361 Set hearing date 3/24/08	43
26		3/11/08	Ordinance No. 051 - 1st reading	49
27		3/18/08	Ordinance No. 051 - 2nd reading & adopt	52
28		3/18/08	Ordinance No. 052 - Set hearing for 8:45 am on April 8, 2008	54
29		3/24/08	Ordinance No. 08-03-01/361 1st reading	55
30		3/31/08	Ordinance No. 08-04-04/361 2nd reading & adopt	59
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32		3/31/08	Ordinance No. 08-04-05/363 Set hearing April 21, 2008	59
33		4/1/08	Ordinance Joint Warner City/Brown County Meeting - Set hearing Date	60
34			No. 053/0108 Rezone (No Central Elevator)	
35		4/8/08	Ordinance No. 052 - 1st reading	69
36		4/15/08	Ordinance No. 052 - Adoption - 2nd reading & adopt	73
37		4/21/08	Ordinance No. 08-04-04/362 - First reading	77
38		4/21/08	Ordinance No. 08-04-05/363 Refer to Joint Planning Commission Meet	77
39			to be held on May 20, 2008	
40		4/22/08	Ordinance No. 053/0108 Warner City - First reading (No Central Elev)	78
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44		5/6/08	Ordinance No. 08-05-03/364 - Set hearing for 8:45 am on May 27, 2008	93
45		5/27/08	Ordinance No. 08-05-03/364 - 1st reading	111
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48		6/2/08	Ordinance No. 08-04-05/363 - 2nd reading & adoption	116
49		6/2/08	Ordinance No. 08-06-01/365 - set hearing June 23, 2008 5:30 pm	116
50		6/2/08	Ordinance No. 08-05-06/366 - set hearing June 23, 2008 5:30 pm	116
51		6/10/08	Ordinance No. 08-06-06/367 - set hearing for 5:30 pm June 30, 2008	123

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52		6/17/08	Oneota Twp Road - Lisa & Darrel Hinz discussed twp rd (384th Ave)	128
53		6/23/08	Ordinance No. 08-06-01/365 - 1st reading	129
54		6/23/08	Ordinance No. 08-05-06/366 - 1st reading	129
55		6/24/08	Ordinance No. 054 (Playa Casa) set hearing 9:00 am 7/8/08	131
56		6/30/08	Ordinance No. 08-06-01/365 - 2nd reading & adoption	134
57		6/30/08	Ordinance No. 08-05-06/366 - 2nd reading & adoption	134
58		6/30/08	Ordinance No. 08-06-06/367 - 1st reading, also amend wording	134
59		7/8/08	Ordinance No. 08-06-06/367 - 2nd reading & adoption	138
60		7/8/08	Ordinance No. #054 - 1st reading	141
61		7/22/08	Ordinance No. #054 - 2nd reading & adoption	147
62		8/26/08	Ordinance No. #08-08-01/368 - 1st reading	169
63		8/26/08	Ordinance No. #08-08-02/369 - refer to Sept 16, 08 Joint Plann & Zoning Mt	169
64		8/26/08	Ordinance No. #08-08-03/370 - 1st reading	169
65		8/26/08	Ordinance No. #08-08-03/370 - 2nd reading & adoption	175
66		9/9/08	Ordinance #55 - set hearing date 0/30/08 Establish minimum road standards	179
67			in subdivisions 9:15 am	
68		9/30/08	Ordinance No. #055 - 1st reading establish minimum road standards	188
69		10/7/08	Ordinance No. #055 - 2nd reading & adoption	197
70		10/14/08	Ordinance No. #055 Deny adoption indefinitely negating publication of	200
71			ordinance 055 on Oct 8, 2008 showing eff date of 10/28/08	
72		10/21/08	Ordinance No. #056 - set hearing date, ordinance amending Second Revision	205
73			BC ordinances. Minimum road standards in subdivisions.	
74		10/28/08	Ordinance No. 08-11-01/371 Set Hearing Date - 1st reading rezone, 11/25/08	207
75		11/18/08	Ordinance No. #056 - 1st reading, estab minimum road standards in subdivisions	219
76		11/25/08	Ordinance No. 08-11-01/371 - 1st Reading - rezone	221
77		11/25/08	Ordinance No. #056 - 2nd reading & adoption to estab minimum road standards	223
78		12/1/08	Ordinance No. 08-11-01/371 - 2nd Reading & Adoption - rezone	226
79		12/23/08	Ordinance No. 08-12-01/372 - 1st Reading rezone	239
80		12/23/08	Ordinance No. 08-12-02/373 - 1st Reading rezone	239
81		12/23/08	Operating Transfer - approve from Gen 101 to Hwy 201 in amount of \$200,000	241
82		12/30/08	Ordinance No. 08-12-01/372 - 2nd reading & adoption	245
83		12/30/08	Ordinance No. 08-12-02/373 - 2nd reading & adoption	245

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Date	Description	Page
1/2/08	Personnel: Step inc eff 12/30/07 - J Erickson, N Radke, C Nelson, K Schlecht	1
	Re-appoint Tom Gohn as VA Service Officer for 4 year term.	1
	List Volunteers for work comp purposes	1
1/2/08	Purchase property from Steve & Charlotte Green, 157 acres \$300,000	2
1/8/08	Personnel: Step inc eff 1/13/08 - J Jensen, C Anderson, M Schulz, J Ormand, P VanMeter, K Neitzel, J Odenbach, J Hammrich, T Taylor, effec 12/30/07 - J VanderHoek	10
	Hire Ben Smith as FT deputy sheriff eff 1/22/08	10
1/8/08	Pre-Disaster Mitigation Plan - auth chairman sign Grant application	10
1/15/08	Personnel: Hire M Flanigan PT dispatcher eff 1/10/08	13
	Approve status change for Anthony Sorensen from dispatcher to FT dep sheriff eff 1/22/08	
	Hire R Heintzman PT Home D Officer, eff 1/14/08	14
	Hire M Olson as guard for prisoner transport	14
	Acknowledge resignations: J Boll, C Kleindl eff 1/9/08, J Waldner eff 1/24/08	14
	Hire for blood draws: L Wilkie, S Weitbrecht, J Engel, J Schrader P Smid eff 1/1/08	14
1/22/08	Personnel: Step inc eff 1/27/08 - P Hart, T Johdahl, C Thorstenson	16
	Emp status chg for Leon Vickers from PT to FT, eff 1/22/08-all benefits exc ins	16
1/29/08	Planning & Zoning Appt - Patrick Keatts eff 1/1/08	23
1/29/08	PDM - Pre-Disaster Mitigation Plan Project - sign letter of commitment - FEMA	23
2/5/08	Personnel: Step inc effec 2/10/08 - B Koens, M Browning, T Jondahl, L Harper	26
2/5/08	Plat discussion - Gary Vetter discussed plats to be filed at Deeds at no cost	28
2/12/08	Personnel: approve status chg for Dawn Reiners & Amber Crouch from PT to Permanent PT jail, eff 2/10/08	31
	Acknowledge resignations: Ross Erickson, Kyle Fadness from Sheriff eff 2/25/08	32
	Hire Joseph Embury eff 3/3/08, Charles Tveit, Tim Harford eff 2/19/08 FT Jail	32
2/19/08	Personnel: Step inc eff 2/24/08: J Weismantel, M Unser, B Moon	34
	Hire Jonathan Waldner as guard for prisoner transport eff 2/11/08	35
	Hire Mary Mehaffey, Judon Aldinger, Amber Johnson as dispatchers eff 2/4/08	35
2/19/08	Personnel: Executive Session: w Kim Dorsett with the following action taken: retain : hire Penny Hart at Chief Office Dep in SA Office at \$16.04 per hour with additional \$3.50 per hour for secretarial duties for Victims Assist	36
2/26/08	Personnel: Accept resignation of Todd Sandal from Sheriff eff 3/1/08	37
	Hire Shawn Mestas as FT Corrections Officer eff 2/25/08, hire Britney Lout, Kim Fischbach, Brandy Schwartz PT JDC Officers eff 2/27/08	37
	Hire Deb Heine as guard for prisoner transport eff 2/22/08	37
3/4/08	Personnel: Step inc eff 3/9/08 - C Wright, R Hedges, C Mitchell, J Sheffield, J Heidenreich	42
	Acknowledge resignation of Teoni Taylor, Fair Secretary eff 2/27/08	43
3/4/08	Personnel: Employee status change for Chris Stuke, step & title	46
3/11/08	Personnel: Hire weed board members & P&Z board members @ \$25 per meeting eff 1/1/08	48
3/18/08	Personnel: Step inc - eff 3/23/08 - R Johnson, M Rohrbach, M Selzler	50
3/25/08	Personnel: Acknowledge miles driven for personal use of Co vehicles Nov, Dec 2007 Jan-Feb 2008 - R Burns, M Scott	56
	Hire Rochelle Moser as Fair Secretary eff 4/14/08 @ \$11.20	56
4/1/08	Personnel: Step inc eff 4/6/08: J Forsting, G Sillman, D Fair, J Kirnan, J Dosch, J Koeniguer	62
4/1/08	Hire PT Sheriff for 24/7 Sobriety Program: Cheryl Grant eff 3/30/08, Molly Peterson, Shirelle Stadel, Diane Brist, Robert Baumgartner, Dennis "Mike" Olson, Kari Brandlee eff 3/24/08 @\$10.07 per hour	62
4/1/08	Personnel: Hire Dennis Ells PT at fairgrounds eff 3/31/08 @ \$8.48	62
4/1/08	Planning & Zoning discussion - Heidi Martilla - appeal denial of bldg permit by Zoning Board	62
4/8/08	Personnel: appoint Darwin Bettmann to Planning & Zoning Board eff until 12/31/08	67

	Hire Michelle Hittle as guard for prisoner transport eff 4/8/08	68
4/8/08	Purchase Card System - US Bank presentation, no action	70
4/15/08	Personnel: Step inc eff 4/20/08 - M Farley, R Hilgenberg, D Mielke, B Owens, Kathy Fischer	72
	Acknowledge resignation of Mathew Farley	72
4/22/08	Personnel: Hire Jeff Hayes, PT scale operation eff 4/26/08 @ 11.61	82
	Acknowledge resignation of Larry Harper eff 5/3/08	82
4/22/08	Part time Museum Employee - Sue Gates requested permission to adv for PT summer position eff June 2-August 22, 2008 @ 8.02 per hour	84
4/29/08	Personnel: Step inc eff 5/4/08: J Moore, C Wolf, J Weig, L Hardy, M Podoll	90
	Hire Ashley Pigors as Summer Assistant eff 5/27/08, @ \$7.36	90
	Hire Jeanette Nietert Chief Deputy Auditor eff May 5 @ \$18.52	90
	Acknowledge miles driven for personal use March & April, 08. R Burns	90
4/29/08	Phase II Jail Project - M Palmer & Dean Marske presented update on project	91
4/29/08	Personnel: approve adv hwy positions - FT Office4 Clerk, one seasonal laborer	92
4/29/08	Personal Property Transfer - 1974 Trailer (personal prop) from frgds to hwy dept	92
4/29/08	Property Transfer - 2004 ODP Equipment Grant Program - BC Reg Deeds, W Radio	90
5/13/08	Personnel: Step inc eff 5/18/08: D Bruckner, S Everson, M McDermand, M Heaton, J Malsam,	104
	Hire Don Fischer - PT elections eff 5/13/08 @\$11.61 per hour	104
	Amend minutes of 4/22/08 to include longevity \$.80 in salary for John VanderHoek for total hourly wage of \$15.73 eff 4/27/08	104
	Hire Mattheus Badenhorst FT Correc Officer in Jail eff 5/12/08 @\$12.03	104
	Hire Tim Hettich Labor Grade 3 at Hwy Dept, eff 5/27/08 @\$11.95	104
5/13/08	Palmyra Land discussion - Kim Dorsett discussed obtaining quotes for surveying county land in Palmyra Township	105
5/20/08	Personnel: approve emp status chg for Tom Lammon from PT to seasonal with CDL at Hwy Dept @ \$11.61, eff 5/19/08	106
	Hire Matthew Huettl as seasonal without CDL, eff 5/21/08 @ \$8.79 at hwy, Richard Breitag as Labor Grade 3 Driver/Laborer eff 6/9/08 @ \$11.95 at hwy	106
	Hire Meagan O'Malley as summer emp at Dacotah Prairie Musem eff 6/2/08, \$8.02	107
5/20/08	Palmyra Township Property - Kim Dorsett presented 3 quotes to perform surveying services & platting of co owned land in Palmyra Twp. Award quote to Helms & Assoc at \$6,900.00	110
5/27/08	Personnel: Emp step inc eff 6/1/08: H Place, B Hammrich, B Locke	113
6/3/08	Hire Sandra Green & Cynthia Meyers PT election employees eff 6/3/08 at \$11.61	117
	Approve addn \$10.00 for 4 precinct officials for overseeing the AutoMarks	
	Hire Maggie Bell at PT 42/7 Sobriety eff 6/2/08 @ \$10.07 per hour	117
	Hire Curt Erickson PT fairgrounds, eff 6/12/08 @ \$8.43	117
	Hire PT Hwy employees: Richard Schaible @ \$9.69 eff 6/16/08, Grant Goldade @ \$8.79 eff 6/23/08	118
6/10/08	Personnel: approve emp step inc eff 6/15/08 - C Meyers, T Madsen, D Bahr, S Theobald, P Rush.	122
	Accept resignation of Dawn Reiners eff 6/20/08 & Dean Sinclair eff 6/5/08	122
	Hire Cindy Eppard as Clerk at Hwy Dept eff 6/16/08 at \$10.96	122
6/10/08	Phone System Discussed - Bill Meink discussed draft request for quotes for new phone system	125
7/17/08	Personnel: Acknowledge resignation of Kari Brandlee eff 6/24/08, Rachel Morales eff 6/13/08	126
	Approve salary inc for R Millan, Dep SA-pro-rated annual salary \$40,000 eff 6/16/08	126
	Approve salary inc for J Brown, Dep SA-pro-rated annual salary \$21,000 eff 6/16/08	
6/17/08	Palmyra Twp - Contract - auth chair sign contract w/Helms & Assoc -boundary survey on various parcels of County owned property in Palmyra Township	127
6/24/08	Personnel: Emp step inc eff 6/29/08: B Hagen, J Petrich, M Flinn	130

6/24/08	Property Transfer - auth chair sign agreement w/City of Claremont (federal siren) from ODP Equip Grant	131
6/24/08	Policy Draft - Kim Dorsett presented copies of various policy changes/additions	133
7/1/08	Personnel: Acknowledge resignation of Joni Odenbach eff 7/3/08	
7/1/08	Property Transfer - auth chair sign agreement w/BC Sheriff Dive Team from ODP Equip Grant	136
7/8/08	Personnel: Emp step inc eff 7/13/08 S Green, J Heagley, L Samson, K Baker, T Delzer P Sudlow, J DesCamps, Acknowledge resignation of M McDermand eff 7/8/08 Approve amended salary for Jodi Brown, pro-rated to \$33,000 eff 6/16/08. Hire Tessa Ligon for blood draws at \$35 each, eff 7/8/08	140
7/8/08	Property Transfer - auth chair sign agreement with City of Columbia, ODP Equip Grant	140
7/22/08	Personnel: Emp step inc eff 7/27/08: R Ochsner, B Bierman Hire Nick Cochrane, Jonathan Waldner and Brook Brown as security guards for the passenger train housed in Aberdeen from June 28 through July 8, 2008, with full reimbursement from Burlington Northern RR Hire Michael Bunke eff 7/16/08, Dale Farmen & Nick Cochrane eff 7/22/08 as guards for prisoner transport Approve status change for Amber Crouch from PT to FT Jail eff 6/29/08 Approve status change for Kelly Moinichen from PT JDC officer to 24/7 Sobriety Program eff 7/29/08 Accept resignation of Wm Moon eff 7/24/08 & Casey Thorstenson eff 8/5/08; approve adv 3 open positions in the dept; approve hiring Darin Vilhauer as Maintenance Mechanic eff 7/23/08	145
7/22/08	Property Transfer - auth chair sign agreement with City of Frederick, ODP Equip Grant	146
7/29/08	Personnel: Acknowledge resignation of Mike Ernst eff 8/1/08 Acknowledge miles driven and amount to be taxed for personal use of county vehicles March - June, 2008	151
7/29/08	Property Transfer - auth chair sign agreement with City of Hecla, City of Stratford ODP Equip Grant	152
7/29/08	Property Discussion - Kim Dorsett, Gary Vetter discussed property in Houghton	153
8/5/08	Personnel: Approve step inc - eff 8/10/08 J Heine, S Kolb, s Rawstern Acknow resignation of Tim Hartford eff 8/23/08 Approve hiring Teresa Mayou eff 8/16/08, Selena Williams & Jon-Thomas Roemmick eff 8/11/08 at jail Hire security for fair work during the fair eff 8/11/08 @ \$16 per hour - 14 personnel (see minutes Hire workers during the fair - 2 @ 8.48. Per hour, 4 @ 8.43 per hour (see minutes)	157
	Approve status change for John Heidenreich from L.G. 4 to Labor Grade 5 Sign Tech	157
8/5/08	Palmyra Township Property - declare surplus property - appoint D Bettmann, Stan Beckler, Jerry Streckfuss to appraise value of the nine parcels declared surplus Authorize sale of Palmyra Township at public auction Sept. 30, 2008 at 11:00 am	159
8/5/08	Personnel: Hire Fae Dayton, Jacie Schley PT in fair office. Eff 8/11/08 @ \$8.64	162
8/5/08	Hire Randy Kurtz FT Jail eff 8/19/08 @ \$12.03 per hour Hire Tanner Jondahl security for the fair, eff 8/11/08 @ \$16 per hour	162
8/12/08	Palmyra Twp Property - auth Helms & Assoc to plat county owned land for sale	162
8/12/08	Provisional Budget 2009 - approve and auth adv public hearing 9/2/08 at 10:00 am	162
8/12/08	Parking Lot - North lot to close on August 23, 2008 for Sizzlin' Summer Nights.	163
8/12/08	Property Tax Discussion - Stacy Richardson met w/comm to discuss prop she is purchasing	163
8/19/08	Personnel: approve Step inc - eff 8/4/08, K Vetter, K Byram, N Smith Hire Joel McMaster eff 9/1/08 @ 35 per draw, Hire Brandon Taliaferro as Dep SA eff 8/25 pro-rated salary of \$39,750.00 Ack resignation of Selena Williams, eff 8/18/08	166
8/19/08	Property Transfer - chair sign agreement w/Cara Wollman, 2004 ODP Equip Grant Program	166
8/19/08	Property Tax - deny request from Stacy Richardson to waive penalty & int on delinq tax	166
8/26/08	Personnel: Hire Heidi Harder PT scale operator at LF, eff 8/27/08 @ \$11.61 Hire Candice Roemmick FT JDC, eff 8/26/08 @ 12.03, Hire Tim Harford PT JDC eff 9/1/08 at 10.07, Hire Justin Cleveland & Joel McMaster eff 8/26/08 - guards for prisoner transport	170
8/26/08	Property Sale Discussion - Derrick Herther discussed upcoming auction of co owned prop	173

	in Palymra Twp - no action taken to change decision in regard to property sale	
9/2/08	Personnel: app Step inc - eff 9/7/08 - S Mouna, Sara Hagman	177
	Hire Christine Haggerty FT dispatch, eff 9/8/08 @ \$12.30	177
	app emp status chg for Britney Lout from PT to regular PT, eff 8/24/08 @ \$10.07	177
	Hire Justin Salo at hwy dept, eff 9/3/08 at \$11.95	177
	app OT for Hwy Dept first two weeks of October if needed	177
9/2/08	Provisional budget hearing, Sue Gates, Randy Grismer discussed need for part time employee that was not approved in 2009 provisional budget - no action until 9/3-/08	177
9/9/08	Personnel: Acknowledge resignation of John Vander Hoek, eff 8/31/08	178
	Acknowledge resignation of Roy Hedges, eff 9/7/08	178
9/9/08	Property Purchase - Steve Stickelmeyer discussed poss of purchasing co owned land north and adjacent to his business at 1011 1st Ave SE - no action	180
9/16/08	Personnel: app Step inc - eff 9/21/08 - J Stoddard, B Hofer	182
	Acknowledge resignation of Jesse Milbrandt eff 9/12/08, Molly Peterson, eff 9/27/08	182
	Hire John VanderHoek as consultant to complete jail policy & procedure manual for \$200	182
	Hire Brian Campbell as Labor Grade 3, hwy, eff 9/17/08 at \$11.95	182
	Hire Lisa Roach at Dep Treasurer, eff 9/29/08 @ \$11.20	182
9/30/08	Personnel: app Step inc - eff 10/5/08 - A Vietmeier, M Malsam, T Evans	186
	Hire Michael Ernst, Marissa McDermand PT 24/7 Sobriety Program emp, eff 9/22/08 @ 10.07	186
	Appoint Michael Wight dep coroner eff 9/18/08 @ \$150 per call	186
	Hire Ross Erickson FT corrections officer at JDC eff 9/25/08 @ \$12.03	186
	Hire Albert Chagolla FT JDC Officer, eff 10/1/08 @ \$12.03	186
	Hire Kathy Thompson, Jeremy Holtey, Labor Grade 3 Hwy, eff 10/1/08 @ \$11.95	186
9/30/08	Provisional Budget Changes - inc 311 Current Prop Tax Levy to \$9,925,064.00, decrease cash balance applied to \$1,284,044.78	187
9/30/08	Property Purchase - accept offer from George & Mavis Jundt, 119 SE RR Ave, \$105,000	188
10/7/08	Personnel: app salary adj for Jodi Brown eff 9/22/08 to pro-rated salary of \$12,000	197
	App status change for Nathan Smith from Correc Officer to Deputy Sheriff, eff 10/5/08 @ \$15.23	197
10/14/08	Personnel: approve Step inc - eff 10/19/08 - A Beckman, N Jensen, D Lloyd	200
10/21/08	Personnel: Hire Heidi Fischer FT Corrections Officer eff 10/28/08 @ \$12.03	204
	Hire Andrew Janusz as FT emp in Register of Deeds eff Nov 3, 2008 @ \$11.20	204
10/21/08	Palmyra Land Sale - approve sale of Palmyra land and auth chair to sign documentation	204
10/28/08	Personnel: approve Step inc - eff 11/2/08 - M Kempf, S Anderson, S Mielke, B Haar eff 11/16/08	206
	Acknowledge resignation of Diane Brist eff 10/31/08	207
	Approve emp status chg for Mike Ernst from PT 24/7 to FT Jail Corrections Off, eff 11/2/08	207
	Approve hiring Geri Sillman as PT Treasurer's emp eff 10/27/08 @ \$11.61	207
11/4/08	Personnel: Hire Robert Fitch Jr. PT 24/7 emp, eff 11/4/08 @ \$10.07	211
11/18/08	Personnel: Hire Daryl Lloyd hwy, eff 12/1/08 @ \$12.31	217
11/18/08	Planning & Zoning Appt - Appoint Dale Kurth to P&Z Board eff Nov. 18, 08, Pat Hansen resign	218
11/25/08	Personnel: approve Step inc - eff 11/30/08 L Schaunaman, M Bowser, K Biegler, C White	223
	Hire Kyle Crawford as Sheriff Field Deputy eff 11/24/08 @ \$15.23	223
	Hire Mike Heier - prisoner transport - eff 11/24/08	223
	Hire Scott Gillis, Labor Grade 3 Hwy Emp @ \$11.95 eff 12/1/08	223
12/1/08	Personnel: acknowledge miles driven for Jul-Oct, Selzler, Titze, Weismantel, Scott	227
12/1/08	Property transfer - auth chair sign agreement w/BC Communications - 04 ODP Equip Grant	227
12/1/08	Partial Payments - auth Sheila Enderson to accept partial pmts for taxes on Lt 16 Campbells	228
12/1/08	Property Discussion - Sheila Enderson discussed MH w/delinquent taxes - distress warrant	228
12/9/08	Personnel: Acknowledge Step inc - eff 12/14/08 - L Schaunaman, G Walker	232
	Hire Rocelle Moser PT Elections emp at \$11.61 eff Nov. 4, 08	232
	Acknowledge resignation of Scott Gillis eff Dec. 2, 08	232
12/23/08	Personnel: Approve Step inc - eff 2/28/08 - J Erickson, C Nelson, K Schlecht, N Radke	241
	Approve emp status chg for Britney Lout PT to FT JDC Correc Officer - eff 12/29/08 at \$12.03	241

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1/2/08	Resolution 03-08 - Auth S Enderson & K Dorsett to process tax deeds	5
1/2/08	Resolution 04-08 - Purchase 157 acres from Steve & Char Green \$300,000	11
1/15/08	Relay for Life - waive fee for Expo Bldg for event June 6-7, 08	14
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	April 8, 2008 @ 9:00 am (Voeltz to Al Malsam)	
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11/18/08	Resolution No. 90-08 - Authorize City of Groton as Disposal Facility, approve permit renewal	217
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4/1/08	SD DOT Weed Control Agreement eff 5/1/08 - authorize chairman sign	65
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4/15/08	Declare surplus Raygo Steel Roller-Double Drum, Trailer, to Sanborn Co	72
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5/13/08	Surplus Property - declare hwy refrigerator surplus for disposal	105
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6/3/08	Surplus Property - declare scrap metal from recent water service replacement project at the Courthouse as surplus	118
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6/24/08	Set Hearing Date -1st reading for Ordinance 054 (Playa Casa) 7/8/08 9:00 am	131
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8/5/08	Set Hearing Date - 1st reading for Ordinance No. 08-08-01/368- 78/6/08 8:45 am	157
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	Stan Beckler, Jerry Streckfuss to appraise value of the nine parcels declared surplus	159
	Authorize sale of Palmyra Township at public auction Sept. 30, 2008 at 11:00 am	159
8/5/08	Sheriff Update - M Milbrandt & T Schmidt discussed civil paper service, facility to house work release inmates, 24/7 Sobriety Program and JDC	160
8/5/08	Approve decrease number of PT emp in JDC from 10 to 7, increase FT emp in JDC from 7 to 8	160
8/12/08	Safety Manual: adopt BC Safety Manual, eff 8/12/08	162
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8/19/08	Small appliance Policy - effec 9/1/08 - remove appli that cook food or brew bev	168
8/26/08	SW Equalization Notice - approve advertising	172

9/2/08	Sheriff Dept Facility discussed - Mark Milbrandt, Amy Lake-Harmon, Craig Nelson, and Dean Marske discussed need, cost est & floor plan for a facility to house Brown County JDC, work release and 24/7 Sobriety Program. No action taken	177
9/16/08	Sheriff Reports - app August 2008 reports	183
10/14/08	Sheriff Reports - approve Sept 2008 reports	200
10/28/08	Surplus Cash Report - approve September 2008 @ 3.27%	207
10/28/08	Set Hearing Date - 1st reading Ord No. 08-11-01/371 rezone, 11/25/08	207
12/1/08	Set Hearing Date - Ordinance No. 08-12-01/372 & 373 - 12/23/08 at 8:45 am	226
12/1/08	Sheriff Reports - approve Oct reports	227
12/1/08	Snow-Sanding Policy - approve Hwy Dept snow removal policy eff 12/1/08	228
12/9/08	Sheriff Reports - November	232
12/23/08	Salary Discussion - 2009 - Numerous emp met w/commission to cite inequities	242
12/30/08	Subordination Agreement - auth chair sign agree for Great Western Bank (lien)	247
12/30/08	Salary - increase salaries for 2009 by 4% (exception SVAWA Grant)	249

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Date	Description	Page
3/4/08	Teen Court JABG Funding, T - Bonnie Siebrecht read statement Approved hiring Bonnie @\$10 per hour retroactive to Nov 1, 2007 as stated in the JABG Block Grant application	45
3/25/08	Transfer spending authority & cash from 101 Gen to 201,207,230,233	57
4/1/08	TIF - Attorney General Opinion: Kim Dorsett discussed inquiry from Dennis Feickert requesting opinion on TIF for residential districts	65
4/1/08	Tax Deed Property discussed Westport lot with Erling Podoll	63
4/29/08	Tax Deed Sale - author tax deed sale May 20, 2008 3:00 pm	91
5/20/08	Township Bonds - approve bonds - see minutes	107
5/27/08	Tax Deed Sale - author chairman to sign Quit Claim Deeds	113
6/24/08	TIF Application Fee - approve TIF Dist fee schedule for TIF application	132
6/24/08	TransCanada - Mike Liimaainen, Sarah Metcalf, Michael's Pipeline Const discussed use of county roads	132
7/1/08	Township Bonds - approve bonds - see minutes	137
7/8/08	TIF - Karl Alberts presented spread sheet with Ab City Tifs	141
7/8/08	Treasurer's Office overtime - approved overtime due to new vehicle reg	141
7/29/08	Teen Court 2009 Budget - Emily Hughes & Bonnie Siebrecht requested county tax dollars rather than surplus teen court funds for the 2009 budget	152
9/30/08	Transfer spending authority & cash from 101 Gen to 201 R&B \$1,100,000.00	186
10/7/08	Treasurer Remodel - Sheila Enderson requested permission to visit other courthouses to determine most efficient way to remodel office	198
11/4/08	Treasurer Remodel - Sheila Enderson and Bill Meink discussed plans to remodel customer service windows	212
12/1/08	Tax Deed Property - auth Sheila Enderson to submit tax deed parcels to SA	228
12/9/08	Teen Court - JABG Application - auth chair sign app for JABG eff Oct. 1, 08	232
12/23/08	Teen Court - auth chair sign Notice of Award JABD grant eff Oct 10/1/08-9/30/09	241
12/23/08	TIF - Establish Fund 301 - Capitol Project Fund - BCT1 Beef Plant Tif.	241

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Date	Description
04/08/08	Utility - Gas - Easement - NW Energy - approved

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Date	Description	Page
1/8/08	Vending - Tim Hixon, C&C Vending - inquired about machines in Courthouse	11
1/22/08	Vacate Plat-author public hearing - Podoll's First Heritage Subd	16
2/5/08	Vacate Plat-approve Podoll's First Heritage Subd	27
4/22/08	Vacate Plat - set hearing Zeck First Subd 8:45 am May 6, 2008	83
5/6/08	Vacate Plat - approve Zeck First Subd	94
6/23/08	Vacate Public R/O/W - set hearing July 15, 2008 @ 8:45 am in County Commission Chambers	129
7/22/08	Vacate R/O/W Resolution No. 54-08 (08-07-01R) - adoption, - M&K Investment Co Inc	143
7/22/08	Vacate Plats - set hearing August 12, 2008 at 9:00 am	146
8/12/08	Vacate Plats - Resolution 64-08	163

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Date	Description	Page
3/11/08	Welfare Department Annual Report: approve 2007 by C Millim	48
3/25/08	Weed Board - appoint Duane Jark for Weed & Pest Board	58
4/1/08	Weed Control Agreement eff 5/1/08 - authorize chairman sign DOT	62
4/1/08	Warner City/Brown County Meeting - Set hearing Date for Ordinance No. 053/0108 Rezone	60
4/29/08	Water Right Permit Application - authorize chairman sign Water Right Permit Application for the BC Sanitary Landfill for an un-named buried outwash on LF expansion area	90
5/6/08	Wellmark - Employee Health Insurance - approved coverage plan for July 1-June 30, 2009	101
5/27/08	Weed & Pest Grant Agreement - approve & auth chairman to sign grant w/SD Weed & Pest Control Commission not to exceed \$2,200 on a 50/50 cost share basis for booth, chemical, promo items, radio ads & seasonal labor eff July 1, '08 to June 1, '09	113
9/9/08	Water Management Board - Dennis Jones, Stan Beckler, Jon Locken, Lars Herseth and Dennis Mitchell discussed feasibility of forming a Water Mgmt Board - no action	180
10/28/08	Weed & Pest Grant Application - approve & auth chairman to sign grant app w/SD Weed & Pest	207
10/28/08	Weed & Pest Department - Roger Johnson discussed purchase of ATV 4-Wheeler	209
11/25/08	Weed & Pest - appoint Troy Knecht to fill unexpired term of Berwyn Bain on W&P Board	223

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Date	Description	Page
1/2/08	Youth Camp/Fairgrounds Rental rates 2008	6
8/19/08	Zoning Rule Discussion - Corey VanderHoek/appealed denial of Bldg Permit commission concurred with Planning & Zoning Board	168
9/30/08	Years of Service Award - 25 years, J Beckler, G Walker, P Hart, J Moore	191